

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
TUESDAY – May 29, 2018**

Members Present: Ms. Shana M. Shufelt, Chairman
Steven J. Ouellette, Vice Chair
Brian T. Valcourt, Clerk
Ann E. Boxler
Richard W. Brewer
Also Present: James Hartnett, Assistant Town Administrator
Absent: Timothy King, Town Administrator

Select Board Chair Shufelt called the Board of Selectmen meeting to order at 6:02 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.

1. Acknowledgments & Recognitions

Citations for Eagle Scout Awards to Noah Gagnon and Alex Teixeira of Troop 3.

Ms. Shufelt expressed the board's thanks to the Veterans of Foreign Wars and other veterans organizations for hosting public Memorial Day ceremonies; the participation of Scouting groups and the school bands was also much appreciated. The chair also read an official citation from the board recognizing the achievement of Eagle Scout rank by Troop 3 members Noah Gagnon and Alex Teixeira. Alex's contributions to community service included sending care packages to troops serving in Afghanistan; Noah built three American flag retirement boxes installed at three municipal buildings.

6:05 p.m.

2. Public Hearing

A request was received from John P. Fennelly, 658 Old Harbor Road, Westport, MA for the renewal of a 3-year Shellfish Aquaculture License for Gooseberry Site # 3 (25 acres) off Gooseberry Island.

At 6:05 p.m., the chair opened a public hearing on the request of John P. Fennelly, 658 Harbor Road, Westport, for the renewal of a three-year Shellfish Aquaculture License for Gooseberry Site #3 (25 acres) off Gooseberry Island. Present for the hearing were the applicant, John Fennelly; Kerian Fenelly, owner of Riptide Oysters; Director of Marine Services Christopher Leonard, and Shellfish Committee Chair John Borden. Mr. Borden said the applicant has complied with all the regulations, and the committee recommended the renewal of the license. Mr. Leonard noted that only 75 acres of the 200 acres on the east side of the island were currently being leased by the town. **Motion** by Mr. Ouellette to approve the license. Second by Mr. Valcourt. The Board voted 5 in favor.

6:10 p.m.

3. Appointments and/or Resignations

- a. Request received from Director of Marine Services Christopher A. Leonard for re-appointment of Gary A. Tripp as Deputy Shellfish Constable (3-year term) and as Assistant Harbormasters (1-year term) the following: Richard B. Earle, Asa Beaumont Mills, Ransom Morse, Jonathan Paull, James Perry, Gary A. Tripp, Glenn Tripp, Richard Hart (Non-Paid Volunteer). The Director of Marine Services, Christopher Leonard, formally requested the re-appointment of Gary A. Tripp as Deputy Shellfish Constable for a three-year term; and for one-year terms as Assistant Harbormasters: Richard B. Earle, Asa Beaumont Mills, Ransom Morse, Jonathan Paull, James Perry, Gary A. Tripp, Glenn Tripp, Richard Hart (Non-Paid Volunteer). **Motion** by Mr. Valcourt to approve the appointments as requested. Second by Mr. Ouellette. The Board voted 5 in favor. Other updates provided by Mr. Leonard included the installation of dock floats at Hix Bridge; the installation of channel markers; the start of weekend patrols; and the annual shellfish transplant relays are underway.
- b. Board of Health request to introduce and approve candidate for the Public Health Director, Matthew J. Armendo and to approve and endorse employment contract.
Board of Health Chairman Bill Harkins and vice chair Maury May introduced the board's recommended candidate for the Director of Public Health position, Matthew J. Armendo, and requested approval of an employment contract. A native of Auburn, Massachusetts, Mr. Armendo said he had 10 years of experience in the field of public health, and held numerous licenses and certifications in that field. The chair sought assurances that comp time and vacation time language concerns had been addressed, and then sought a vote. **Motion** by Mr. Valcourt to approve the hiring, and the proposed contract. Second by Mr. Brewer. The Board voted 5 in favor.
- c. Request received from Chair of the Harbor Advisory Committee, John Azevedo for re-appointment of the Committee members (each a 1-year term): John Azevedo, Milton Adams, John Borden, Edward Carey and Alex Preston. Attendance records received. There was no discussion of Harbor Advisory Chair John Azevedo's request to reappoint the following members for one-year terms: John Azevedo, Milton Adams, John Borden, Edward Carey, and Alex Preston. Mr. **Motion** by Ouellette to re-appoint the five members noted. Second by Mr. Brewer. The Board voted 5 in favor. It was noted that the attendance report had been received.
- d. Request received from Chair of the Shellfish Advisory Committee, John W. Borden for re-appointment of the Committee members (each a 1-year term): John W. Borden, Ronald P. Savaria, Richard E. Smith, Dora Atwater Millikin and Kenneth Manchester.
Shellfish Advisory Committee Chair John Borden requested re-appointment of the following members for one-year terms: John W. Borden, Ronald P. Savaria, Richard E. Smith, Dora Atwater Milliken, and Kenneth Manchester. **Motion** by Mr. Ouellette to re-appoint the five members noted. Second by Mr. Valcourt. The Board voted 5 in favor.
- e. Request received from Police Chief Pelletier for re-appointment of Tim St. Michel to the position Volunteer Parking Officer (1-year term). Police Chief Keith Pelletier's letter requesting the reappointment of Tim St. Michel as a Volunteer Parking Officer for a one-year term was received. **Motion** by Mr. Ouellette to re-appoint. Second by Mr. Valcourt. The Board voted 5 in favor.
- f. Mid-City Steel request to re-appoint the following as Public Weighers (each a 1-year term): Ana Hubright, Jason Fonseca, Mark Gitlin, Abraham Melendez, Chris Kessing and Leonardo Reis.

Re-appointed as public weighers at the request of Mid-City Steel for one-year terms were Ana Hubright, Jason Fonseca, Mark Gitlin, Abraham Melendez, Chris Kessing, and Leonardo Reis. **Motion** by Mr. Ouellette to approve. Second by Mr. Brewer. The Board voted 5 in favor.

- g. A& E Metals request to re-appoint the following as Public Weighers (each a 1-year term): Eric Abate, Amy Abate and Paulo Chaves and to newly appoint Claudine Lopes and Tiffany Briere. **Motion** by Mr. Ouellette to approve. Second by Mr. Brewer. The Board voted 5 in favor.
- h. Request received from The Soil Conservation Board and Conservation Commission Chair, Paul Joncas, to re-appoint Richard Lambert and Grace Greenwood to the Soil Conservation Board and Conservation Commission (each a 3-year term). Ms. Shufelt indicated she would recuse herself from any discussion. Members asked to put this on the next agenda to allow the public more time to apply.
- i. Request received for re-appointment to the Westport Historical Commission from Janet W. Jones and William Kendal (each a 3-year term); and a request from David H. Paddock to be appointed as an Alternate member of the Westport Historical Commission (3-year term). Members asked to put this on the next agenda to allow the public more time to apply.
- j. Request from School Superintendent, Dr. Dargon, to appoint Nancy Stanton-Cross as the School Committee representative to the Cable Advisory Board (1-year term). **Motion** by Mr. Ouellette to approve. Second by Mr. Brewer. The Board voted 5 in favor.
- k. Requests received from Betty Slade and John J. Bell for reappointment to the Community Preservation Committee as members at-large member (1-year term). **Motion** by Mr. Ouellette Second by Ms. Boxler. The Board voted 5 in favor.
- l. Request by Fire Chief Brian R. Legendre for re-appointment as the Emergency Management Director (3-year term). **Motion** to approve by Mr. Valcourt. Second by Ms. Boxler. The Board voted 5 in favor.
- m. Request by Beach Committee Chairman, Tim St. Michel be re-appointed and member Leone Farias to the Beach Committee (3-year term). The request was tabled to the next meeting allowing more time for the public to apply. It was also recommended that the vacancy on the Planning Board be added to the list of openings needing volunteers for appointment.
- n. Request for re-appointment by Joseph Ferreira, Head Plumbing and Gas Inspector and from Jason Camara Assistant Plumbing and Gas Inspector (each a 1-year term). Mr. Ouellette and Mr. Valcourt abstained from voting so as not to appear to have a conflict of interest. **Motion** by Mr. Brewer to re-appoint, Second by Ms. Boxler. The Board voted three in favor with Mr. Ouellette and Mr. Valcourt abstaining.
- o. Request for re-appointment William R. Plamondon and Dane Winship as Assistant Wiring Inspectors and request from Paul Burke to be reappointed as the Alternate Per-Diem Wiring Inspector (each a 1-year term). **Motion** by Mr. Ouellette to approve the three appointments. S Second by Mr. Brewer. The Board voted 4 in favor with Mr. Valcourt abstaining.

- p. Request for re-appointment by Joseph Migliori as Constable – Civil Process Only (3-year term). This was table to the next meeting for additional information.
- q. Request for re-appointment by Ronald Costa as the Westport Citizens for Citizens Representative (1-year term). **Motion** by Mr. Ouellette to reappoint. Second by Mr. Valcourt. The Board voted 5 in favor.

6:15pm

4. Action Items

- a. Road Paving Bid Award. Mr. King reported the receipt of four bids for road re-surfacing projects to be financed with Chapter 90 funding. He recommended the approval of a contract with low bidder P. J. Keating Co. of Acushnet for \$514,700 for the roads cited. **Motion** by Mr. Ouellette to award the contract. Second by Mr. Valcourt. The Board voted 5 in favor.
- b. Request from Elephant Rock Beach Club to allow parking on Atlantic Avenue on July 28 3-7pm. Police recommendation received. **Motion** by Mr. Brewer to approve the request, with the police department detail for traffic control as recommended by police. Second by Mr. Ouellette. The Board voted 5 in favor.
- c. Approve and endorse contract for Olde Mohawk for Town Hall chimney capping. Mr. King described the deterioration of the grout on the chimney at Town Hall, and recommended approval of a contract with low bidder Olde Mohawk for \$12,800 for chimney cap repairs. . **Motion** by Mr. Ouellette to award the contract to be funded by Community Preservation Act appropriation. Second by Mr. Brewer. The Board voted 5 in favor.
- d. Request from Planning Board for comments on an application from and owned by J Long for a Site Plan review at 515 American Legion Highway requesting the construction of a 60x151 foot self-storage building, 9,060 sq. ft. The Board had no comment.
- e. Request from Planning Board for comments on an application from CVE North America, Inc. 116 West 23rd St, New York, NY for land owned by David P. & Lillian Cabral on Drift Road Map 57, Lots 25 & 23 for a large scale solar array Special Permit and Site Plan for Low Impact Development on 13.9 acres 2.4 MW, total lot size 18.1 acres. The Board had no comment but asked to be kept appraised.
- f. Approve Special Equipment Operator Job Description. **Motion** by Mr. Ouellette approve. Second by Mr. Brewer. The Board voted 5 in favor.
- g. Request from Recreation Commission Chair, Renee Dufour, to approve the Job Description and post the position for Recreation Director. The Board decided by general agreement that a requirement for CPR and first aid training, or completion of such training within 90 days of hiring, should be added to the job description. **Motion** by Mr. Ouellette to approve. Second by Mr. Brewer. The Board voted 5 in favor.

6:25pm

5. Discussion Items

- a. Beach Committee update. Sean Leach, co-chair of the Beach Committee, was on hand to provide an update on the beach season just getting underway. A test opening was done on Memorial Day, but the official opening will be the Second week of June; full staffing is completed, with many veteran guards returning; so far this year, 1,700 beach passes have been sold, in the third year of mail-only applications, he reported. Continuing “issues” with beach pass criteria will be

addressed at future meetings, he indicated. With Mr. St. Michel temporarily unavailable for parking lot patrols, the police department will be asked to help monitor the lots, he noted. Several board members suggested there is a need for part-time staffing on the weekends already.

- b. Westport River Watershed Alliance (WRWA) request for approval of scientific study to look at the rapid decline of saltmarshes in the Westport River funded by the (WRWA). Eight to 10 sites will be monitored for plant growth and other habitat indicators during the study, a follow-up to an investigation of marshland decline done two years ago, Carvalho indicated. **Motion** by Mr. Valcourt to approve full access to town-owned sites. Second by Mr. Ouellette. The Board voted 5 in favor.
- c. Discussion on the future of the following committees: Designer Selection Committee, Guild Property Advisory Committee and Middle School Transition Committee. The chair suggested that the Designer Selection Committee, Guild Property Advisory Committee, and Middle School Transition Committee all be officially disbanded as they are no longer active. **Motion** by Mr. Ouellette to disband these three committees. Second by Mr. Valcourt. The Board voted 5 in favor.
- d. Board of Selectmen Goals. The chair invited a discussion of board goals for the coming year, based on a priority list suggested by Mr. Brewer. Goals one through six were generally supported, but the chair felt that the media relations goals should include development of a policy covering employees distributing information to the press, and to the public via social media. There was some discussion of what the board's role should be in the upcoming school building project; Mr. King noted that he and Ms. Shufelt are on the screening committee that will approve all bills, and can make periodic reports to the board on project progress. Ms. Shufelt also suggested quarterly meetings with the School Committee to review progress reports. A long-term maintenance plan for town buildings and a look at the needs of the Emergency Management Department were also mentioned as possible additions to the goals list. After further discussion, the chair indicated she would revise the goals list and resubmit to members at the next meeting.
- e. Town Administrator Goals. After reviewing the list of goals for the town administrator for the coming year, the chair suggested that long-range plans for handling the vacated police station and high school buildings should be added to the list. Mr. King was asked to make a report on what salvageable items might remain in the middle school, to be demolished this fall; and to indicate what might be re-purposed and what should be disposed of. The board will review the list of 17 employees reporting to the town administrator, and determine which should undergo performance reviews by Mr. King; he currently does performance reviews for five employees, and is proposing to add three more this year. Board members also want Mr. King to start work on a five-year strategic plan projecting revenues, expenses, and capital needs; he is also to work on the energy reduction plan that will complete the necessary requirements for certification as a Green Community. Reviews of town insurance coverage and procurement policies were also mentioned as possible add-ons to the goals list. Ms. Shufelt will provide a revised list to board members at the next meeting.

6. Town Administrator Report

The Town Administrator's Report recapped the Memorial Day observances, provided an update on the Hix Bridge repair project, and reported on the new Energy Aggregation Plan rates; Mr. King also noted that the police station project is 90 percent done, with a late June occupation date expected; the recent public meeting on proposed improvements to the Head Landing was well attended; and provided a memo on the borrowing of funds for Ag & Open Space commitments. Also provided

were monthly reports from the Veterans Services Office, the Animal Control Department, and the Community TV Department.

7. Minutes

May 14, 2018 Regular Meeting. **Motion** by Mr. Ouellette approve. Second by Mr. Brewer. The Board voted 5 in favor.

8. Selectmen Liaison Committee Reports

Ms. Boxler reported on the last Council on Aging meeting, mentioning concerns about a big drop-off at one edge of the new parking lot that creates a safety hazard; the salary of the COA director also needs to be reviewed. Mr. Ouellette noted that the recent memorial for Charlene Wood was well attended; and a portrait of the longtime town employee will be donated to hang in Town Hall. Mr. Brewer indicated that the Energy Committee is looking to finalize the town's bid for Green Community status. Ms. Shufelt noted that a new appointee to the Affordable Housing Trust Fund is needed. **Motion** by Mr. Ouellette to appoint Ms. Boxler to the trust board. Second by Mr. Brewer. The Board voted 5 in favor.

9. Boards/Committees/Commissions Vacancy List

The staff is directed to update the vacancy list for all town boards, committees and commissions. It was recommended that the vacancy on the Planning Board be added to the list of openings needing volunteers; Mr. Ouellette noted Personnel Board slots also need to be filled. Ms. Shufelt indicated all appointments should be completed at the next meeting.

**Committee members with terms ending in June should advise if they wish to continue.

Board of Appeals – 2 vacancies (1 Regular & 1 Associate)

Capital Improvements Planning Committee – 2 vacancies (Business & Construction Reps)

Educational Fund Committee – 1 vacancy

Fish Commissioner - 1 vacancy

Historical Commission Alternate– 1 vacancy

Open Space Committee – 1 vacancy (At-Large)

Personnel Board – 3 vacancies

Recreation Commission – 1 vacancy

Westport Economic Development Task Force – 1 vacancy

10. Board Members Suggestions for Future Agenda Discussion / Action

Mr. Ouellette suggested that cemetery roads and the Town Hall parking lot should have estimates of needed repairs prepared for future consideration; Mr. Valcourt mentioned his conversations with State Senator Rodrigues about needed repairs to Route 177, with Mr. King directed to write a letter about the situation. Mr. Valcourt wanted an update on the solar project at the town landfill, after Mr. King indicated the company is still interested in pursuing the project. Ms. Shufelt noted that the Westport Food Pantry still needs a new home, as it is about to be displaced by the middle school demolition project.

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

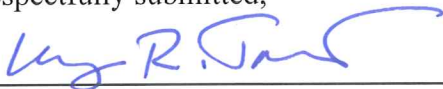
Ms. Shufelt provided a brief list of upcoming community events, including a June 1 tree planting at the COA; a June 2 boat launch for new Dharma Project vessel; a June 8 dedication of Celucci Circle.

12. Executive Session – pursuant to the provisions of MGL c 30A section 21(a)

The chair read a notice citing MGL Chapter 30A section 21(a) declaring the need for an executive session to discuss legal matters (Town versus Richard Medeiros, et al.). The chair further declared that an open meeting may have a detrimental effect on the litigating position of the public body; and that the minutes of the Executive Session of April 30, 2018 would also be approved in this session.

Motion by Mr. Ouellette to enter into executive session, and reconvene in public session for the purpose only of adjourning the meeting. Second by Mr. Valcourt. The roll call vote was Mr. Brewer, aye; Mr. Ouellette, aye; Mr. Valcourt, aye; Ms. Boxler, aye; and Ms. Shufelt, aye. The board moved into executive session at 7:45 p.m. and adjourned at 8:09 p.m.

Respectfully submitted,



R. Barboza, Recording Clerk and
Lucy Tabit Administrative Assistant/
Confidential Clerk

APPROVED: _____



Ann E. Boxler, Clerk, Select Board Member

Attachments to Agenda of 5/29/18:

- 1a. Official Citations for Noah Gagnon and Alex Teixeira.
2. Shellfish Aquaculture License application.
- 3a. Memo from the Director of Marine Services to appoint Assistant Harbormasters and the Deputy Shellfish Constables.
- 3b. Memo from the Board of Health requesting to hire the new Director of Public Health.
- 3c. Request from John Azevedo for appointment to the Harbor Advisory Committee and attendance records.
- 3d. Request from the Shellfish Advisory Committee to reappoint the members.
- 3e. Memo from the Police Chief to appoint Tim St. Michele as Volunteer Parking Enforcement.
- 3f. Request to reappoint public weighers for Mid-City Scrap.
- 3g. Request to reappoint public weighers for A&E Metals.
- 3h. Request from Chair of Conservation Commission to reappoint two members.
- 3i. Requests for appointment to the Historic Commission.
- 3j. Request to appoint Nancy Stanton Cross to the Cable Advisory Committee.
- 3k. Community Preservation Committee appointment requests.
- 3l. Fire Chief request for appointment as Emergency Management Director.
- 3m. Beach Committee requests for appointment.
- 3n. Plumbing and Gas requests for re-appointment.
- 3o. Wiring Inspectors request for reappointment.
- 3p. Constable request for reappointment.
- 3q. Citizens for Citizens request for reappointment.
- 4a. Chapter 90 Notice of Intent to Award.
- 4b. Elephant Rock Beach Club request for parking.

- 4c. Agreement for Olde Mowhawk Historic Preservation Inc.
- 4d. Planning Board Form M and M-1 for LONG.
- 4d. Planning Board Form M and M-1 for Tootle.
- 4f. Special Equipment Operator Job Description.
- 4g. Director – Recreation Department Job Description.
- 5b. Westport River Watershed Alliance letter
- 5d. Town Administrator performance goals
- 5e. Proposed Goals for Tim King
- 6. Town Administrator Report
- 7. Minutes May 14, 2018