



MINUTES
BOARD OF SELECTMEN

EMERGENCY REMOTE MEETING

Monday March 16, 2020

Members Present: Shana M. Shufelt, Chair
Brian T. Valcourt, Vice Chair
Ann E. Boxler, Clerk
Steven J. Ouellette
Richard W. Brewer

Also Present: Timothy King, Town Administrator

Select Board Chair, Ms. Shufelt called the meeting to order at 6:00 p.m.

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

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Westport Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. Persons could join the meeting through the links provided at the time of posting.

The Pledge of Allegiance was then recited.

1. Acknowledgments & Recognitions

None.

2. Licenses

- a. **Public Hearing. Seasonal Trailer First Time Application** by new owner, Leonel & Vilma Rodrigues for a six month seasonal trailer permit for recreational purposes to locate a trailer at 53 East Beach Road, Assessor's Map 76A, Lot 13.

Mr. & Mrs. Rodrigues were on the remote video call. Members discussed the paperwork was received and all was in order. Mr. Ouellette reminded the applicants that they are in an environmentally sensitive area and there are limitations to what they can do. The Rodrigues' stated they understood. There were no further comments from the Board, public or from the applicants.

MOTION by Mr. Ouellette to approve. Seconded by Mr. Brewer. The Board voted 4-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Shufelt, Aye. Mr. Valcourt had not yet arrived.

- b. **Public Hearing.** Request by new owner Kenneth Manchester, for a Common Victualler License for Westport Fish Company d/b/a Westport Lobster located at 915 Main Road. The applicant was not on the call and members discussed the name change with the Board of Health Director who noted the license information was not the same that was on file with the Board of Health. Members agreed to approve conditional on all documentation being in order with the Board of Health records. **MOTION** by Mr. Ouellette to approve conditional on compliance with Board of Health. Seconded by Mr. Brewer. The Board voted 5-0 in favor by roll call: Valcourt, Aye; Boxler, Aye; Brewer, Aye; Ouellette, Aye; Shufelt, Aye.

3. Action Items

- a. Request from the Planning Board to include a warrant article to revise the general by-law passed at the Special Town Meeting to eliminate a portion of the Marijuana Prohibition. Members agreed to include the article which could be passed over if necessary. Mike Fernandes spoke up to express his concerns about a marijuana facility on Main Road across from where he lives. Ms. Shufelt clarified that this facility is not on the agenda today. She explained that recreational marijuana is not permitted at this time and that the Special Town Meeting articles that were approved went to the Attorney General and the requested inclusion by the Planning Board would serve to clean up the language and not make any substantive changes. It was explained that through the Planning Board site plan process, abutters would be notified of the public hearing. Ms. Shufelt recommended that Mr. Fernandes leave his contact info with the office.
Chair of the Planning Board, James Whitin joined the call to explain the item which makes revisions in the By-law passed at the Special Town Meeting in February. The Main Road proposal will not be impacted by the article proposed. Discussion ensued. **MOTION** by Mr. Valcourt to include the request on the annual Town Meeting Warrant. Seconded by Ms. Boxler. The Board voted 5-0 in favor by roll call: Valcourt, Aye; Boxler, Aye; Brewer, Aye; Ouellette, Aye; Shufelt, Aye.
- b. Request from Town Clerk to post in-house the Assistant Town Clerk position effective April 21. **MOTION** by Mr. Ouellette to post the position in house and externally if required. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye.
- c. Request to Approve and endorse 2020 Roadway Improvement contract with SW Cole for engineering services. **MOTION** by Mr. Ouellette to approve. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye.
- d. Request to approve and endorse Ch. 90 semi-reimbursement request for contract #2 roadway improvements. **MOTION** by Mr. Ouellette to approve. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye.
- e. Energy Aggregation Round III and appointment of Town Administrator as Bid representative. **MOTION** by Mr. Ouellette to appoint Mr. King. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye.
- f. Ch61A Release 136 Old Pine Hill Road, Map 43, Lot 29 Ferry.
All committees have signed off to release from Chapter 61A. **MOTION** by Mr. Ouellette to release. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye.
- g. Close Annual Town Meeting Warrant.

MOTION by Mr. Ouellette to close the warrant. Seconded by Mr. Brewer. The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye.

4. Discussion Items

- a. Covid-19 virus discussion. Ms. Shufelt read the Declaration of State of Emergency. **MOTION** by Mr. Valcourt to enact the declaration of the State of Emergency as read into the record. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye.

Ms. Shufelt felt that the Town Hall should be closed to the public and still provide services. Members were in agreement for the safety of the employees. Ms. Shufelt stated she decided today to close the doors today and was seeking consensus from the members. The members felt that accommodations should be made for time sensitive issues. Mr. Valcourt and Mr. Ouellette suggested that there should not be a penalty for late tax payments. The time frame to keep closed to the public is through April 6 in line with the School directives. **MOTION** by Mr. Valcourt to close the building and make appointments where necessary. Seconded by Mr. Brewer.

Matt Armendo, Director of Public Health highly recommended closure to eliminate exposure to the public. The Transfer Station was discussed. No cash is accepted there only check or money order. Other Town Employees are still working but no public is permitted into the building. Members discussed allowing Mr. King to make exceptions with regards to the other departments. **MOTION** by Mr. Valcourt to amend his motion to close the town buildings through April 6 and allow the Town Administrator to work with departments where necessary. Seconded by Mr. Brewer.

The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye. Ms. Shufelt asked the public to contact the departments and work out a plan.

Remote meetings. Ms. Shufelt stated the Governor made changes last week to the public meeting requirements. Ms. Shufelt recommended remote meetings for all committees and gatherings of 25 people should be avoided. Site visits are not ruled out.

MOTION by Mr. Ouellette require all meetings to be by remote participation and site visits are exempt until further notice. Seconded by Mr. Valcourt.

Ms. Shufelt recommended instructing committees how to and also how to post. Mr. Ouellette amended his motion to include this

Town Meeting. No action at this time.

Town Elections. The Town Clerk is recommending the date remain the same and is looking into using one location. Mr. Ouellette suggested promoting absentee voting. The Ballots are at the printers and expected back this week. The clerk will be looking into the location. Mr. Ouellette asked if there was any limitations for him to promote the absentee voting. Mr. King suggested that Mr. Ouellette should not promote as he is on the ballot. Members discussed the older aged poll workers and their concern for exposure. Bernadette Oliver, Assistant Town Clerk said the applicant must make a signed, written request for an absentee ballot no later than noon the day before election and the ballots are due no later than closing of polls.

The members took no action at this time on changing the date of the elections.

Governor's order closing restaurants and bars but allowing take out. Mr. Armendo stated that the agent went out and visited each place. Jon Alden asked if alcohol was allowed to be take out, at this time only food can be taken out. Mr. Ouellette has been questioned about the meal tax. Mr. King stated closure of hotels and restaurants will impact the town in loss of revenue.

Cleaning of town offices. Currently there are two cleanings a week and this will be increased to 4 per week and it is expected to run a deficit on that line item.

Ms. Shufelt asked members if they had any farther concerns to discuss.

Mr. Ouellette asked if there was going to be a concern with the beaches with the good weather coming and how would any enforcement happen. Ms. Shufelt stated the playgrounds have been closed. Mr. Valcourt felt that beach being open air that there is only concern with crowding and people in close proximity. Ms. Shufelt suggested check with the Beach Committee for any recommendations. Mr. Valcourt asked the public to not panic and to check on elder or sickly neighbors. Ms. Shufelt stated that there are no cases yet in Westport. This is a strategy that the CDC is recommending but it is possible that it will become more severe.

5. Town Administrator Report.

Noted.

6. Minutes

March 2, 2020

MOTION by Ms. Boxler to approve. Seconded by Mr. Brewer.

The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye.

7. Bill Warrant

Noted.

8. Selectmen Liaison Committee Reports

Mr. Ouellette stated that a rotary is being considered for Robert Street and Rt. 177. He complimented all who have to deal with the virus. The Economic Development Task Force will be picking up the pace with the marijuana and water and sewer topics. Ms. Shufelt asked if the EDTF would be assisting small businesses through this time.

Ms. Boxler had nothing to report.

Mr. Brewer stated the Audit Committee is looking over the management report.

Mr. Valcourt had CIPC and discussed funding and voted not to recommend any more spending for Town Meeting. The Ag Open Space committee voted to withdraw their article from the warrant.

Ms. Shufelt noted the School Building Committee met to discuss the well at the new site. Ms. Shufelt also noted that the DIMAN budget came in with an assessment to the town at \$150K vs \$100K as was budgeted. Ms. Shufelt felt the budget was at its tightest. Ms. Ouellette asked that Mr. Jennings come in to discuss,

9. Boards/Committees/Commissions Vacancy List Noted on the website.

10. Board Members Suggestions for Future Agenda Discussion / Action. None.

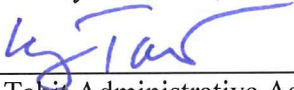
11. Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting. None.

12. Question & Answers. There were no comments from the public. None.

Adjournment

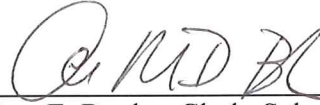
Motion by Mr. Ouellette to adjourn the regular meeting at 7:52 p.m. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call: Boxler, Aye; Brewer, Aye; Ouellette, Aye; Valcourt, Aye; Shufelt, Aye.

Respectfully submitted,



Lucy Tabit Administrative Assistant/
Confidential Clerk

APPROVED:



Ann E. Boxler, Clerk, Select Board Member

Attachments to Agenda of 3/1320:

2a Rodrigues
2b westport fishmarket
4a PB Letter to remove from TOW BL
4b town clerk request
4d Roadway improvement 2020 contract
4e ch90 semi reimbursement
4f energy assignment
4g Ch61A Ferry
4i 5-5-20 ATM Warrant

5d COVID-19
8 Bill Warrant