



**BOARD OF SELECTMEN
MINUTES
REMOTE MEETING**

Monday September 21, 2020

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

Also Present: Timothy King, Town Administrator

Selectmen Chair, Mr. Brewer, called the remote meeting to order at 6:01 pm

Pledge of Allegiance: The meeting commenced with the Pledge of Allegiance.

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. The public was invited to join the meeting through the links provided at the time of posting.

1. Acknowledgments & Recognitions

- a. Mr. Brewer acknowledged the passing of Susan Foster. She was the wife of the former Town Treasurer and she was a poll worker for the town for many years.
- b. Request to approve an official proclamation for Ataxia Awareness Day on September 25, 2020. Mr. Jim Coyne was present to express his thanks to the Town for its support for Ataxia Awareness Day. Mr. Brewer read the proclamation into the record.
Motion by Mr. Ouellette to declare September 25, 2020 Ataxia Awareness Day. Seconded by Ms. Shufelt. The Board voted 5-0 in favor by roll call.

2. COVID-19 Update

Mr. Armendo, Director of Public Health stated that the number of cases in Westport, as of September 21 are at 132, up 4 from last week. This has moved Westport into the 'green' or low risk category.

He urged the public to stay healthy and continue to practice social distancing, wearing face coverings, the frequent use of disinfectant and handwashing. He reminded all that a new school year has begun and to improve any chances of a successful new school year everyone must remain vigilant.

He reminded the listeners that effective August 11, 2020, outdoor gatherings are still reduced from 100 to 50 persons. Indoor public and private gatherings limit will remain at 25 people maximum; face coverings are required where more than 10 people from different households will be mixing. Use of tents siding on all four sides fall under indoor dining. Anyone using propane to heat the tents are required to contact the fire department.

The flu vaccine has not been received yet, but will be announced when it is available. EEE is a low risk status in Bristol County but everyone is urged to continue to use insect repellent.

Due to contamination issues, the transfer station can no longer accept paint cans of any kind. Small pressurized cans are also no longer accepted. Large pressurized tanks (20 lbs. or more) must have the tops removed. All Household Hazardous Waste can be brought to New England Disposal Technologies (NEDT) in Sutton, MA.

He noted that Barn Books will not be performed until the fall of 2021. The entire state is in a significant drought condition and recommended all residents should conserve water.

The septic system information session webinar on September 30th to discuss the science and technology related to denitrifying septic systems has been postponed until the following week. Details will be announced shortly.

For Special Town Meeting, people will be screened before being allowed into the meeting.

3. Discussion

- a. Report by Veteran's Services Agent on Veterans' Day Plan.
Ms. Freitas stated that a virtual ceremony replaced plans for a rolling parade due to the safety concerns if there were spectators. She will keep the Board informed.
- b. Town Hall parking spaces for public use. Mr. Ouellette had concerns for allowing the public to park up against the back building. He was also concerned about cars idling under the windows of offices. Mr. King suggested allowing public parking with a thirty-minute time limit. Mr. Brewer asked Mr. King to look into it and make a determination at the next meeting.
- c. Review Board of Selectmen meeting posting process including on-line posting. Mr. Brewer reviewed posting requirements stated per the open meeting law the meeting is posted 48 hours in advance of the meeting. The posting notice is made with the Town Clerk. The official posting is then put on the elevator glass door. A copy of the posting notice is also uploaded to the website on the front-page calendar and on the Board of Selectman's page in the agenda section.

4. Action Items

- a. Provide recommendations of Special Town Meeting Articles.
Article 1: Elementary School Roof Replacement Project
Motion by Mr. Valcourt to recommend as printed in the warrant. Seconded by Ms. Shufelt. The Board voted 5-0 in favor by roll call.
Article 2: Municipal budget amendment.
Motion by Ms. Shufelt to recommend as printed in the warrant. The Board voted 5-0 in favor by roll call.

Petition Articles: Jay Caroselli made a presentation in support of the petition articles. He asked for the Board to support their petition. The purpose of the petition was to reverse the actions at the last Special Town Meeting in February and to avert unintended consequences that may effect residential neighborhoods. Article 5 was dropped as it is covered per Moderator Fors in 3 and 4. Discussion ensued.

Article 3: Amend its By-Laws and Regulations by **deleting and/or striking** the following language from By-Law ARTICLE LXIX “**PROHIBITION OF NON-MEDICAL MARIJUANA ESTABLISHMENTS**”.

Article 4: Overturn its By-Laws and Regulations known as ARTICLE LXIX “**PROHIBITION OF NON-MEDICAL MARIJUANA ESTABLISHMENTS 6901.**”

Comments were heard from the Board, from proponents supporting these articles and from supporters of the current by-laws in place.

Motion by Ms. Shufelt support articles 3 & 4 as printed in the warrant. Seconded by Mr. Ouellette. The Board voted 3-2 in favor by roll call. Mr. Brewer and Mr. Valcourt voted nay.

Article 5: Reinstate Article LXIX in its original form. **ARTICLE LXIX PROHIBITION OF NON-MEDICAL MARIJUANA ESTABLISHMENTS 6901.**

Motion by Ms. Shufelt take no action on Article 5. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.

- b. Action on Board of Selectmen Polices regarding marijuana facility host agreements. Members discussed the revisions and comments from Town Counsel. There were additional questions to be vetted through Town Counsel. The matter is to be brought back to the next meeting. The Chair asked there also be a policy and procedure document for marijuana facilities host agreements.
- c. Approve Parking Permit Task Force Proposal and Appoint Members. **Motion** by Ms. Shufelt to create the task force and include a representative from the Board of Selectmen, the Town Clerk, Beach Committee, Landing Commission, Police Department and two general public members. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call. **Motion** by Mr. Valcourt to recommend Ms. Shufelt as the Selectmen representative. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.
- d. Approve request from the Westport River Watershed Alliance to change the date of Beach Clean-up from October 3 to October 10, 2020. **Motion** by Mr. Valcourt to approve the date change. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.
- e. Approve request to perform neighborhood trash cleanup day on October 18, 2020 from 9am-1pm-locations vary. **Motion** by Mr. Valcourt to approve cleanup day. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.
- f. Approve request to install a "Blind Person" warning sign in the vicinity of 150 Meadowbrook Lane. Members discussed the recommendation from the Police Department for not posting a sign with words as it would be ineffective according to the standards of the Manual on Uniform Traffic Control Devices (MUTCD) and found that "Blind Child Area" warning signs have been removed from the MUTCD. These type of warning signs: Do not describe where the person is located; No longer attract the attention of motorist after initial installation; Have no legal meaning; Provide parents and children with a false sense of security; Are left in place after the person has moved away. The Board took no action.
- g. Approve request to “Thickly Settled” signs on Sodom Road between Charlotte White Road south to Narrow Avenue. **Motion** by Mr. Valcourt to support placing “Thickly Settled” signs on Charlotte White Road. Seconded by Mr. Ouellette. The board voted 5-0 in favor by roll call.
- h. Accept donations for the food pantry through the Recreation Department in the amount of \$2,125 from the following: Beverly L. Schuch - \$1,000; Sylvette & Paul Chenette - \$50; Susan Czernicka - \$25; Robert & Nancy Kelly - \$100; Michal J. McSherry Charitable Fund on behalf of Don Quinn and Mohawk Global Logistics in memory of James M. Mullin - \$250; Barbara M Collins in

memory of James M. Mullin - \$30; Virginia Lyons De Neufville - \$200; Anonymous - \$20; Charlotte & Francis Clegg - \$50; J. Michael Lennon & Donna Pedro Lennon - \$50; Douglas G. Vrona, D.M.D. - \$100; John & Laurie Bullard - \$100; Eugenia P. Cummings - \$100; Anonymous - \$50 Grocery Gift Card to Lee's.

Motion by Ms. Boxler to accept the donations. Seconded by Mr. Ouellette. The board voted 5-0 in favor by roll call.

- i. Acceptance of the Chapter 90 Roadway Improvements for 2019 completed by JH Lynch on Hurricane Ave, Remington Ave, Prospect Ave, Hillside Ave, Pierce Road, Fairway Drive, a portion of River Road, a portion of Old Harbor Road, a portion of Adamsville Road and Old Adamsville Road. **Motion** by Mr. Valcourt to accept the completed roadways. Seconded by Mr. Ouellette. The board voted 5-0 in favor by roll call.
- j. Approve bid award and notice to proceed for upcoming FY21 Chapter 90 Roadway Improvement Project to Pawtucket Hot Mix Asphalt Inc. Division of Walsh Contracting Corp. The Board passed over this item.
- k. Act on Request from Cabral to reduce Judge Ordered Legal Fees for violations at 31 Brookwood Drive. **Motion** by Mr. Valcourt to reduce. Seconded by Mr. Ouellette. The board voted 5-0 in favor by roll call.
- l. Approve 2021 Board of Selectmen calendar meeting dates.
Motion by Mr. Ouellette to remove July 5 and reserve June 28 as a possible end of fiscal year meeting. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call.
- m. Appointment of Carrie Fontaine as Assistant Registrar of Voters.
Motion by Mr. Valcourt to appoint Ms. Fontaine as Assistant Registrar of voters. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.

5. Appointments and Resignations

- a. Joint meeting with the Trustees of the Library to appoint Laura Nelson as new Trustee. Passed over.
- b. ADA Transition Plan Committee: Shana M. Shufelt as the second Board of Selectmen Representative (1-year term). **Motion** by Mr. Valcourt to appoint Ms. Shufelt. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.

6. Licenses

- a. Review 2021 Annual Licenses up for renewal. See attached listing.
Members reviewed the list and requested the following to be placed on hold:

Class II Auto Sales

Charlie's Auto
S & K's Auto Sales

Entertainment licenses

Westport Rivers Winery

Liquor licenses

Paquachuck
Marguerites of Westport

Inn Keeper

The Harbor Inn.

Paquachuck Inn

Common Victualler

Marguerites of Westport

Mediterranean Pizza

The Harbor inn

Weatherlow

BayBreeze

Motion by Ms. Shufelt to approve licenses not put on hold contingent on necessary items of approvals. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.

Mr. Brewer asked that owners of the licenses put on hold be present at the next meeting to answer questions.

Mr. Charles Quintal of Charlies Auto was present and discussed the complaint the Board received. He stated that the complaint is in litigation and the court date was just postponed to a date in February 2021. He requested that the Board not hold up his licenses until February. After discussion, the Board was in favor of approving Mr. Quintal's licenses. **Motion** by Mr. Valcourt to approve Charlie's Auto Sales Class II and Repair licenses. Seconded by Mr. Brewer. The Board voted 5-0 in favor by roll call.

- b. Alcoholic Beverage Serving Licenses Covid-19 Regulations - Outdoor Table Service. The Governor's new orders require local approvals for an extension of 60 days beyond the end of the state of emergency. **Motion** by Mr. Valcourt to approve the extension. Seconded by Ms. Shufelt. The board voted 5-0 in favor by roll call.

7. Town Administrator Report

Mr. King noted the changes for Veterans Day ; the completion of the elevator work; energy saving lights will be installed in town buildings; the school bond will be on the next agenda. Local receipts show some reduction from last year; the Treasurer/Collector has implemented the lock box for January. and provided copied of monthly reports from departments.

8. Approve Minutes

August 24, 2020 Regular Meeting; September 9, 2020 Regular Meeting; September 17, 2020 Special Meeting. **Motion** by Ms. Boxler to approve the above listed minutes. Seconded by Mr. Valcourt. The board voted 5-1 in favor by roll call.

9. Report on Bill Warrant

Mr. Brewer stated that all was in order; a copy was provided of the summary to the members.

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

Mr. Valcourt stated the Energy Committee has not yet met but would like to discuss this committee and appointees to this committee.

Ms. Shufelt stated all is still on track to close the building envelope in October.

Mr. Ouellette had nothing to report regarding the Bike Committee. He recognized the emergency and public safety personnel and appreciates all is done for the town.

Ms. Boxler has two meetings coming up this week. There was work done to enclose the generator at the Council on Aging to keep it safe from vandals.

Mr. Brewer stated he will ask for the Town Clerk to attend the next meeting. He will be looking at the goal for the Board and Town Administrator and would like to begin discussing the search for a replacement administrator.

11. Boards/Committees/Commissions Vacancy List

Vacancies were read by Ms. Boxler. She noted that the Energy Committee has 4 vacancies.

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

None.


13. Comments and Statements.

None.

Adjournment

Motion by Mr. Valcourt to adjourn the regular meeting at 8:38 p.m. Seconded by Mr. Ouellette. The Board voted 5-0 by roll call.

Respectfully submitted,



Lucy Tabit Administrative Assistant/
Confidential Clerk

APPROVED: 

Ann E. Boxler, Clerk, Select Board Member

Attachments to Agenda of 9/21/20:

1 Proclamation-Ataxia Awareness Day 2020; 3a Veteran's Day; 4a 10-3-20 STM Warrant; 4b Marijuana HCA Policy and Procedure draft; 4c Parking Permit Administration Task Force; 4d WRWA - Date change for Beach Clean up to Oct 10 vs Oct 3; 4e Martin Costa request for clean up day; 4f Blind person sign request; 4g Bob Wood request - Sodom Road; 4i Memo for Acceptance of the roadway improvements project 2019-2020; 4k Cabral 31 Brookwood Drive; 4l 2021 calendar B O S meetings draft; 6a1 2021 LIST FOR POSTING - Annual Renewal of Licenses issued in Westport; 6a2 CHARLIES AUTO; 6b1 Advisory re extension of outdoor dining deadline; 6b2 Gov order Sept 10 2020 Phase III adjustment Order No. 50; 7 TA Report; 8 Minutes Aug 24, Sept 9, Sept 17, 2020; 9 bill warrant for 091120.