



**BOARD OF SELECTMEN
MINUTES
REMOTE MEETING**

TUESDAY, FEBRUARY 16, 2021

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

Select Board Chair, Mr. Brewer, called the remote meeting to order at 6:01 p.m.

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

2. Updates
COVID-19

Mr. Armendo reported a total of 1,308 confirmed positive cases as of last week. No new deaths or hospitalizations have been reported, with continuing downward trend in positive reports. The town remains above state averages for positive test metrics, and is still in the "red" or higher risk category. He reported the first vaccine delivery on Feb. 9, with Fire Dept. personnel and EMTs administering vaccine shots to 30 housebound residents on Feb. 10 and 12; and to 170 residents 75 & over at the COA Senior Center on Feb. 11. He thanked the Fire Dept. and senior center staff for their cooperation in making the first town clinics a success. A second vaccination clinic is scheduled in four weeks, with another vaccine allocation requested for delivery on Feb. 22. Residents are urged to call the COA at (508) 636-1026 to get on the waiting list for the next clinic.

Mr. Armendo also provided information on mass vaccination clinics at Dartmouth High School, Bristol Community College, and other sites in the area; CVS and Walgreen stores in Fall River are also providing vaccination opportunities; another public vaccination site is set to open at Circuit City on State Road on Feb. 24. More details on vaccination and testing sites, with links to the www.mass.gov health website provided on the town website and Board of Health page. He noted that the town hall and annex building remain closed to the public, with access available by appointment only. While the downward trend in new cases is encouraging, the director urged residents to stay vigilant to avoid infection by wearing masks, maintaining proper social distances, and frequently washing hands.

3. Licenses/Permits

- a. **Public Hearing:** Request from Samuel Ferreira d/b/a as Samuel Ferreira Auto Sales for a Motor Vehicle Class II License to sell used vehicles at 972 State Road, Westport, MA. Total outdoor Spaces: 70. Mr. Ferreira indicated he wished to amend his application, requesting 64 spaces for vehicles; inspection of the premises by police, fire and building departments scheduled for Feb. 18. Mr. Ouellette said he could not vote on the license without seeing plans approved by town officials; Mr. Valcourt noted the site was used by a previous Class II license holder. No public comment.

MOTION by Mr. Valcourt to continue the hearing to 6:05 p.m. on March 1. Seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- b. **Public Hearing:** Request from Suzanne Cardello d/b/a as Sue's Auto Sales for a Motor Vehicle Class II License to sell used vehicles at 585 State Road, Westport, MA. Total outdoor spaces: 34. Mr. King indicated there was no police department recommendation, and some questions about the property ownership. Ms. Cardello explained she had purchased the property through a LLC, now dissolved; she will be sole owner, and operate the business as a Chapter S corporation. No public comment.

MOTION by Mr. Valcourt to approve the license. Seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

4. Action Items

- a. Request approval of Seasonal Liquor License Renewals conditional on meeting requirements for:
- 1). The Acoaxet Club d/b/a The Pro Shop: Club License for Wines & Malts.

MOTION by Mr. Valcourt to approve renewal of the license for The Acoaxet Club. Seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- 2). Village Pizza: Restaurant License for Wines & Malts. **MOTION** by Mr. Valcourt to approve the renewal of the license for Village Pizza. Seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- 3). Bay Breeze Inc./Westport Sea Farms: Restaurant License for Wines & Malts. **MOTION** by Mr. Valcourt to approve the renewal of the license for Bay Breeze Inc. Owners requested amendment of hours of business, to 11 a.m. to 9 p.m. seven days a week. Amended motion by Mr. Valcourt, seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- b. Accept donations for the food pantry through the Recreation Department for a combined donated total amount of \$680.00; comprised of a total of \$430.00 in monetary donations from: Eugenia P. Cummings - \$100; Cash from various anonymous donors - \$330 and a total \$250.00 in grocery gift card from the following: Anonymous - \$200 Lee's Gift Cards; Anonymous - \$50 American Express Gift Card.

MOTION by Ms. Boxler to approve acceptance of the donations. Seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye. The Rec Director expressed her appreciation for all those who donated, and the volunteers who have been helping out. The pantry at 931 Main Road distributes

food on Mondays from 9 a.m. to noon, and accepts donations on Tuesdays, Wednesdays, and Thursdays from 9 to noon.

- c. Request to include the following Zoning amendments on the Annual Town Meeting Warrant.
 - 1). Zoning Amendment 4 Floodplain Districts and Regulations.
 - Item 4a. To amend Section 6.1 Floodplain District and Regulations.
 - Item 4b. To amend Section 3 Definitions. Town Planner James Hartnett indicated the changes are needed to comply with requirements of the federal flood insurance program
 - 2). Zoning Amendment 5 Updates to comply with state regulations and definitions.
 - Item 5a. To amend Section 3 Definitions. Redefining Medical Marijuana Treatment Center to conform to the State requirements.
 - Item 5b. To amend Section 2.6.6. Special Permits. Amendment to the section relating to appeals and time for action to be consistent with state regulations. Mr. Hartnett indicated these are minor changes requested by the Attorney General to make the bylaw consistent with language in state laws and regulations.

MOTION by Mr. Valcourt to approve the four articles for inclusion on the annual town meeting warrant. Seconded by Ms. Shufelt. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- d. Request to approve Annual Town Meeting Article closure March 1, 2021. Due to indoor crowd limits during the pandemic, Mr. King advised postponing the usual early May annual town meeting until mid-June so the event can be held outdoors. Ms. Shufelt suggested closing the warrant on March 15 so petitioners will have more time to draft petitions and get them reviewed by counsel.

MOTION by Ms. Shufelt to set **March 15, 2021** as the ATM warrant closing date. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

5. Discussion

- a. Hix Bridge dredge update. Mr. King provided an update on the proposed dredging project, seeking to remove rubble and debris from bridge damaged in 1938 hurricane which is interfering with normal tidal flow. Deborah Weaver of WRWA noted there is a need to extend the use limit on state funding earmark, and the town's legislators have been asked to help secure the extension; advisor Ken Perez indicated the rubble is taking up 20 feet of river's 30-foot depth, and encouraging sediment smothering the oyster beds that once thrived there.
MOTION by Mr. Ouellette to reassert the board's commitment to the project, and authorize Mr. King to act as necessary to secure the extension of earmarked state funding. Seconded by Mr. Valcourt. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.
- b. Review of State Law sidewalk snow removal. Mr. King said the agenda item was prompted by a Sycamore Lane resident complaint about conditions along Route 177, not complying with state law requiring snow removal from sidewalks. Mr. Valcourt said it has been an ongoing problem for years, and asked for more information on enforcement authority on the law. **MOTION** by

Mr. Valcourt to authorize Mr. King to consult town counsel on the enforcement issues. Seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- c. Annual Town meeting date. Mr. King suggested a Saturday morning in June be picked as the date of the annual town meeting. June 12 and June 19 were mentioned as potential dates; setting a date was mentioned as a future agenda item.
- d. Presentation of FY2022 Municipal Budget. The Town Administrator provided a package outlining the preliminary \$47.1 million draft budget for Fiscal Year 2022; detailing projected tax revenues, state aid, and other receipts about \$2.3 million over the current year; noting large increases in pension costs and school tuition. Potential staffing additions noted were one firefighter, one police officer, an assistant town planner, and a Highway Dept. employee. Mr. King asked if the projected \$163,000 debt obligation for the Bristol County Agricultural High School expansion should be considered as a debt exclusion or financed from available funds. Mr. King was directed to provide the draft budget package to the Finance Committee; FinCom Chair, Karen Raus, said her committee would be reviewing the package and begin calling in department heads for individual budget meetings.

6. Appointments and Resignations

- a. Request appointment of John Bell to the position of Deputy Chief with a rate of pay of 15% above current salary. Chief Pelletier reported only one in-house applicant for the position, being Lt. John Bell, who has served as Lieutenant since 2004 and has received many commendations for service with the department. He recommended approval of the appointment.

MOTION by Mr. Ouellette to appoint Lt. Bell to the position of Deputy Chief. Amended motion to include effective date of Feb. 21, 2021 was seconded by Mr. Valcourt. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- b. Request to post the position of Assistant Town Planner. Planning Board Chair Jim Whitin indicated there is a great need for additional staffing, and there are sufficient funds in the current budget to fund the position for the rest of the fiscal year. He strongly recommended the position be funded in the next fiscal year as well; Mr. Valcourt supported that funding, suggesting grant funding obtained by town planner's reduced workload would more than offset the additional salary costs.

MOTION by Mr. Valcourt to post the position. Amended to advertise the post as funded until June 30, 2021 was seconded by Mr. Ouellette. The vote was 4-1 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Nay. Valcourt, Aye. Brewer, Aye.

- 7. **Town Administrator Report.** Mr. King commended town employees involved in the recent town vaccination effort. He updated the board on the Rt. 177/Tickle Road project being planned by MassDOT, and recommended that Mr. Ouellette, Mr. Hartnett, and Chief Pelletier be appointed to liaison with the state agency on the plans. Mr. King also provided update on boiler issue at Town Hall Annex, Charter Communications annual complaint report, and monthly reports from various departments.

8. Approve Minutes

MOTION by Mr. Brewer to approve the minutes of the Jan. 19 and Feb. 1, 2021 minutes as amended. Seconded by Mr. Valcourt. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

9. Report on Bill Warrant

As noted.

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

Ms. Boxler – Noted COA’s involvement in vaccination clinics, as noted earlier.

Mr. Ouellette – Cable Committee working on contract renewal issues; interns helping with Master Plan technology issues; SRPEDD meeting; cemetery’s new area needs pavement, and he asked for update on those plans.

Ms. Shufelt – School building project remains on schedule and under budget.

Mr. Valcourt – Missed his Energy Committee and CIPC meetings; will view meeting tapes. He commended Highway Dept. and public safety personnel for good efforts during recent storms.

Mr. Brewer – Update on search for a new Town Administrator, and recommendations for search committee composition.

11. Boards/Committees/Commissions Vacancy List

Ms. Boxler reviewed the list, noting chairs have been contacted about recruiting efforts.

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

Mr. King said there may be a need for a brief Feb. 21 meeting to deal with the vacancy in the Tax Collector’s office.

13. Comments and Statements.

None.

Adjournment:

MOTION by Mr. Ouellette to adjourn at 8:06 p.m. Seconded by Ms. Boxler. The Board voted 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

Respectfully submitted,

Robert Barboza

Recording Clerk

APPROVED:



Ann E. Boxler, Clerk, Select Board Member