

**BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MONDAY  
MARCH 6, 2017**

**Members Present:** R. Michael Sullivan, Chairman  
Craig J. Dutra, Vice Chairman  
Steven J. Ouellette  
Antone C. Vieira Jr.  
Shana M. Shufelt, Clerk

**Also Present:** Timothy J. King, Town Administrator

Chairman Sullivan called the Board of Selectmen meeting to order at 6:00 P.M. in the Westport Town Hall, 2<sup>nd</sup> floor meeting room, 816 Main Road, Westport, MA.

**Pledge of Allegiance**

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

**Public and/or Board Member Comments**

1. Mr. Sullivan stated that Rep. Schmid and Senator Rodrigues are trying to put together a meeting of State Reps, Senators and Committee members who are involved in agriculture, aquaculture and fishing for a get-together here in Westport which is targeted for June 23, 2017. During this get-together, they give a tour of Westport, look at some of the fishing/shellfishing activities; it is usually something the BOS sponsor and coordinates with our Director of Marine Services. Mr. Sullivan asked members to please put on your calendar and for Mr. King to give this some attention on the next agenda.
2. Mr. Dutra noted the Westport Varsity Girl's Basketball was playing tonight in Taunton and have won two games so far in the regional semi-finals.

**Acknowledgments & Recognitions** - None.

**Appointments and/or Resignations**

1. **Motion** made by Mr. Dutra to appoint Rick Malis to the Energy Committee. Second by Ms. Shufelt. The Board voted unanimously in favor. Present: Rich Malis. Appointment expiration is: 06-30-18.
2. **Motion** made by Mr. Dutra to accept with regrets and send a letter of thanks to Kylie Ouellette for her resignation from the Recreation Commission. Second by Ms. Shufelt. The Board voted unanimously in favor.

**Water Resources Management Committee/Planning Board/Board of Health RE: Discussion and Determination on whether Illicit Discharge Bylaw warrant article should be a bylaw or a regulation.**

Present: Maury May-Water Resources, Jim Whitin-Planning Board, Bill Harkins-Board of Health. Mr. Sullivan stated this is in regards to an article on the ATM warrant for which we have to make a change. Mr. May stated this is not so much a change, as it is an addition to the Illicit Discharge Bylaw. Mr. May stated there is a new MS4, which calls for either an Illicit Discharge bylaw or regulation in Town. Mr. May stated the Planning has come up with a proposed bylaw. Mr. Whitin explained that six years ago, Town Counsel questioned whether there was a bylaw for Illicit Discharge, so an article was placed on the ATM warrant and at Town Meeting, it was either pulled or passed over due to a concern from the Agricultural Commission. Mr. Whitin stated now, there is a new requirement for MS4 reporting; it is a more complex reporting and is no longer two pages. One of the requirements is that there be a bylaw, ordinance or regulation for Illicit Discharge; the first draft was done by the Highway

Surveyor, who was replaced by the Board of Selectmen or their designee; the Board of Health has a stormwater bylaw and the Planning Board has a stormwater regulation for site plan review and subdivisions. Mr. Whitin stated we believe there should be a Town bylaw; the BOS can designate someone for its implementation because the Planning Board will not be the implementer or the enforcer. Mr. Whitin stated the Town Administrator or Assistant Town Administrator should take the lead along with the Highway Surveyor and an engineering company and also be the enforcers. Mr. Harkins stated he sent the bylaw and regulation to the DEP for clarification because the BOH regulation is for post-development. The DEP's opinion is that the BOH regulation satisfies the post-development, the Illicit Discharge bylaw satisfies the Illicit Discharge but the 3<sup>rd</sup> requirement is needed for enforcement during construction. Mr. Harkins stated the Town does need the two regs as they stand but we need a 3<sup>rd</sup>. Mr. May stated the WRMC wants a clear jurisdiction on this. Mr. Sullivan stated the BOH will have a new board in about one month; some discussion between the boards should happen as to whether it should be a bylaw or regulation; there needs to be a consensus. Mr. May stated the WRMC did sponsor the article with the Planning Board. Mr. Dutra stated he was inclined to do a bylaw. Mr. Whitin stated in keeping it as a bylaw, the BOS would be responsible, so you should reach out to the Highway and the BOH; letters should be sent out by the WRMC with the assistance of the Assistant Town Administrator. Mr. Harkins stated this is not too time sensitive but it still needs to go on the warrant. Mr. Whitin stated we need to go to Town Meeting and the BOS can designate later whether it be Planning Board or Board of Health. Ms. Shufelt questioned the recommendation; is this a bylaw? Mr. May stated the WRMC would like to see all in the same bylaw or regulation under one jurisdiction. Mr. Whitin stated the regulation has to stay with the Planning Board. Ms. Shufelt stated we can leave it on the warrant for now but is this date sensitive. Mr. Harkins stated it has to be done by September. Mr. Whitin stated the money for testing needs to be put into someone's budget. Mr. Harkins stated this is not going away and the cost will be increasing; the BOS needs to put this in the budget. **Motion** made by Mr. Dutra to move this to the Town Administrator and Finance Committee in terms of costs for a budget proposal to deal with the financial implementation. Second by Ms. Shufelt. The Board voted unanimously in favor. Mr. Vieira suggested some discussion be done with the State on their responsibility for Route 6; the State tells us what to do but they are not watching their own store. Mr. Harkins stated the MS4 only pertains to urban development. Mr. Whitin stated we are not required to report on Route 6, 177 or 88. Mr. Sullivan asked if the State was reporting on their catch basins. Mr. King will look into this. The Board thanked all for coming in.

**At this time,** Mr. Baron came before the Board and requested the Board's support of honoring former Governor Cellucci for helping with safety improvements on Route 88 in 1995/1996. Mr. Baron stated the State is planning on making more improvements along Route 88 to the circle. Mr. Baron stated he received a call from Rep. Schmid who said he was going to introduce legislation for the purpose of naming the circle in the Governor's honor; Rep. Schmid stated it would be helpful to have a resolution from the BOS supporting this. **Motion** made by Mr. Dutra to authorize Mr. Sullivan to work with Mr. Baron to develop language for honoring the former Governor Cellucci's contributions to the safety of Route 88. Second by Ms. Shufelt. Discussion ensued. Mr. Dutra amended his motion by adding: "and report back to the BOS for final recommendation and approval". Discussion. Mr. Ouellette stated as long as it is the circle and not all of Route 88; he normally like to see such designations for people who have served our country. Ms. Shufelt accepted the amendment. The Board voted unanimously in favor.

**Public Hearing - RE: An application request of Bart Bussink, 56 Regent Street, Cambridge, MA 02140 for a six-month Seasonal Trailer Permit for recreational purposes to locate a trailer at 0 Third Street, Westport, MA. The property is shown on Assessor's Map 76, Lot 69J.**

The public hearing was opened at 6:40 PM with Mr. Sullivan reading the public hearing notice. Present: Sean Leach, SITEC Engineering representing applicant and Bart Bussink, applicant. No abutters were present. Mr. Leach stated this lot is located at the end of Third Street; it is a vacant lot. Mr. Leach explained the request, stating his client was requesting a seasonal trailer permit only.

Discussion ensued. Mr. Bussink stated he has three letters of support from the abutters and they are aware of what is being requested and they have no objections. **Motion** made by Mr. Vieira to approve a six-month seasonal trailer permit with the condition that approval is received from the Conservation Commission. Second by Ms. Shufelt. The Board voted unanimously in favor. The hearing is closed at 6:45 PM.

**Public Hearing - RE: An application request from Affordable Auto Leasing, Inc. for a Vehicle Storage License (up to 40 cars) at 0 State Road, Westport, MA. The property is shown on Assessor's Map 3, Lot 144G. Applicants: John and Lucia Sousa.**

The public hearing was opened at 6:46 PM with Mr. Sullivan reading the public hearing notice. Present: Sean Leach, SITEC Engineering representing applicant; and John & Lucia Sousa, applicants. No abutters were present. Mr. Leach stated this lot is on the north side of Route 6; it was part of the Mid City construction yard. Mr. Leach stated his client is in the process of Site Plan Review with the Planning Board; his client is looking for a temporary Storage License for vehicles and will not be selling vehicles from this location; vehicles are sold from his client's business in Fall River, they will only be storing vehicles for now. Mr. Leach stated his client has cleaned this lot since purchasing it and there is already a curb cut and the lot is fenced in. **Motion** made by Ms. Shufelt to approve a Storage License at 0 State Road for Affordable Auto Leasing, Inc. for up to 40 vehicles. Second by Mr. Dutra. The Board voted unanimously in favor. The hearing is closed at 6:49 PM.

**Public Hearing - RE: An application request from Amioun, LLC, 162 State Road, Westport, MA – Bassam Elhaoui, Manager to amend an existing license for underground fuel storage from 14,000 gallons to 18,000 gallons at 162 State Road, Westport, MA. Property is shown on Assessor's Map 3, Lot 40C.**

The public hearing was opened at 6:50 PM with Mr. Sullivan reading the public hearing notice. Present: Kevin Gottwald, Global Contracting, representing applicant; and Bassam & Vicki Elhaoui, applicants. No abutters were present. Mr. Gottwald stated his clients will be increasing their current storage capabilities; currently under the new regulations, all single walled steel tanks need to be replaced by August, 2017. If approved, his client will be up to the required DEP standards. Mr. Gottwald stated the Fire and Building Departments will be involved with the installation process, along with a Licensed Site Professional. Mr. Gottwald stated these will be state of the art tanks with monitoring devices and double walled fiberglass tanks. **Motion** made by Mr. Dutra to approved the amendment to the existing underground fuel storage license from 14,000 to 18,000 gallons at 162 State Road. Second by Mr. Vieira. The Board voted unanimously in favor. The hearing is closed at 6:55 PM.

**Continued Public Hearing - RE: An application request from Soma Imports, Inc. for a Class II License to sell used motor vehicles at 15-A High Street, Westport, MA (request is for 6 vehicles – to be housed inside only). The property is shown on Assessor's Map 13, Lot 73 (including Lots 129-137). Owner/Manager: Kyle DeMelo**

The continued public hearing was opened at 7:00 PM with Mr. Sullivan reading the public hearing notice. Present: Kyle DeMelo, applicant; Ralph Souza, Building Commissioner/Zoning Enforcement Officer; and Jim Hartnett, Town Planner. Also present: Terry Ferreira, property owner. Abutters present: Danielle Pineault, Maureen Pineault. Mr. Sullivan stated at the last meeting, there was a lot of discussion and public input on this project which has grown over a number of years and now being requested, is that part of the building be used to house a new car lot. Mr. Sullivan stated the Board did receive memos from the Planning Board and the Building Department; which Mr. Sullivan summarized. Mr. Sullivan stated if all this had happened at once, there would have been a public hearing with all the abutters being notified but that was not the case. Mr. DeMelo stated he understood he was trying to open in a residential area but he is only asking for a small amount of vehicles, which will be stored indoors; his request would have a low impact on the area and there is a lot of down time with this type of car sales; the on-site activity will be very minimal; he wants to be a good neighbor.

Mr. Hartnett stated the Planning Board review will be very limited but they can hear the concerns of the abutters at that time, based on a request by the BOS for a review; the Planning Board can look at improvements. Ms. Shufelt stated that one of the concerns was for traffic and possible signage. Mr. Hartnett stated that would be a matter for the Police Department to make recommendations. Mr. Ouellette asked that the Planning Board look at runoff due to the pitch of the back parking; also there is a concern for parking and curb-cuts. Mr. Hartnett stated this is a tight site for drainage. Mr. Ouellette asked Mr. Souza if the plumbing had been approved. Mr. Souza stated yes; there are commercial-grade bathrooms and handicapped accessibility; Lt. Holden and the Fire Department will be inspecting. Mr. Souza stated what will be needed is an occupancy permit on the space being requested by Mr. DeMelo. Mr. Ouellette also question ventilation. Mr. Souza stated there is ventilation. Mr. Vieira questioned the stormwater and asked that the Planning Board to look into how it stays on the property. Mr. Vieira asked about water supply. Ms. Ferreira stated there are two wells, one for the residence and one for the business. Mr. Vieira asked if there was any plan with the additional stormwater. Mr. Hartnett stated he will work with the owners on the impact; according to the Planning Board regs, this is a minor change; it this came in as one application originally, it would have been easier but now, we are limited to what we can look at. Mr. Hartnett stated if the BOS would vote to send this back to the Planning Board for a review, we could then hear the abutters concerns. Mr. Sullivan stated to the Board members he would like to follow the Planning Board's recommendation and remand this matter back to the Planning Board and then allow this application to continue to such time. **Motion** made by Mr. Ouellette to refer this matter back to the Planning Board and to ask the Planning Board to look at stormwater and runoff; this hearing is to be continued to April 3, 2017 at 6:05PM. Second by Mr. Dutra. The Board voted unanimously in favor. Mrs. Ferreira stated her concerns of having to go back to the Planning Board. Mr. Sullivan stated we have an option to go to the Planning Board and allow abutters to voice their concerns and to allow the Planning Board to filter those concerns. Mr. Vieira stated the owner has a right to use their property but the abutters also have a right to voice their concerns. Danielle Pineault stated that this will be going to the Planning Board but last night, she goggled the address and found out that the other side of the business is being advertised to be rented out also; the whole process has been misleading and now there are going to be two commercial renters when originally it was for the owners personal storage. Maureen Pineault talked about the two bathrooms, which seem to be both on the side of the owner, not on the renter side. Ralph Souza stated he needed revised plans because the plans are from 2007 and they have never been updated. Mr. Sullivan reminded everyone that this matter will be before the Planning Board on March 21<sup>st</sup> and back to the BOS on April 3<sup>rd</sup>. The hearing is closed at 7:40 PM.

**Brad Brightman, Treasurer – RE: Immediate and Long-Term Staffing of the Treasurer's Office.**

Present: Brad Brightman, Treasurer. Mr. Sullivan stated there was a lengthy and comprehensive discussion with the Finance Committee the other night and one of the important things that came out of that discussion was the need to get Mr. Brightman some help and very quickly. Mr. Sullivan stated that Mr. Brightman has agreed to accept some temporary help and he is also expecting that we will discuss and push forward the conversation about additional staffing in his office for the long-term. Mr. Sullivan stated for the short-term, we have reached out to the former Treasurer George Foster and former Assistant Treasurer Christine Sylvia and Muriel Kokoszka, COA who has been involved in Town accounting for the last 24 years. Mr. Sullivan suggested after speaking with the former employees and Ms. Kokoszka and temp agencies, one of the best solutions for the short-term would be to convene a meeting Tuesday at 6:00PM in the Town Administrator's Office with Mr. Brightman in order to get an assessment of what tasks are behind schedule and gather input from the former employees and Ms. Kokoszka. Mr. Brightman agreed to meeting tomorrow (Tuesday) at 6:00 PM. Mr. Sullivan stated he was not sure where they would end up but discussion needed to take place. Mr. Vieira stated Mr. Sullivan and Ms. Shufelt did a good job at the Finance Committee meeting. Mr. Vieira stated for the record, prior to being on this Board, he was on the Finance Committee (Chair), the Board was told by our auditors, the need to look at how we deal with items in our Town; if the direction of the Town is to fill these positions, that is fine but our Management Letters have always told us different.

Mr. Vieira referred to the Management Letter of 2013 where the issue of combining the Tax Collector and Treasurer was raised again; we have 351 cities and towns in MA and over 250 back in that era combined those two positions into one; this is a difficult situation and we do have a way of doing things in Town and maybe we want to continue that way but if we have Management Letters coming in year after year suggesting that we need to take a look at how we do business in Town, we need to do something differently. Mr. Vieira stated we just don't have the funds to keep doing business as usual; we don't need five different people touching the same paper in order to get things done. This has nothing to do with elected vs. appointed positions; we need to talk about the governing of this Town; our business model does not work and is not sustainable. Mr. Sullivan stated tomorrow night, we are not going to be adding or deciding on a permanent position, we will be doing some triage work on activities that have fallen behind the past several months such as ACA and OPEB, and some other things that would have penalties if not reported. Mr. Sullivan stated we will revisit staffing models for the long-term, but for now, we are looking at the short-term. Ms. Shufelt stated she agreed that short-term needed to be addressed quickly; also, she agrees that long-term staffing needs to be looked at, however, we are two months away from the FY'18 budget, so we can't properly vet out a long-term solution, there is not enough time on the calendar. Mr. Dutra agreed, however, we can create short-term solutions that have long-term solutions which will allow us flexibility in moving forward. Mr. Dutra stated that back in 2011, the Committee for Government Restructure made recommendations of combining the Tax Collector and Treasurer Offices, some of them we lost at the ballot box and most of them we lost at the inability of this Board and the Finance Committee to have a clear sense of concern of this. Mr. Dutra stated he has not given up on this because it was based on at least five years of reports done by UMass, an outside firm out of Wellsley, one for the BOS (2006), one for the FinCom (2008), all saying the same thing that we are not staffed effectively, we are not managed properly and we are out of balance with the rest of the State. Mr. Vieira stated we were also cited by the FLSA on violations of how we keep records; we need to set a time table to address these issues and the BOS are not addressing this, it is business as usual. Mr. Vieira stated if the Treasurer's Office needs three people, we need to give him three people in order to get the job done. Mr. Sullivan stated we addressed the FLSA. Mr. Vieira stated not exactly, because part of that was to develop some kind of time and attendance which we are still not doing. Mr. Vieira stated we are still having people using a time card, time clock, handwritten time sheets and some people nothing at all; we need some kind of management that allows us to monitor this; we have a very dedicated employee base but we need to look at it differently. Mr. Sullivan called for any other comments from Board members, if not, we are meeting tomorrow night to develop a plan. Mr. Sullivan asked Mr. Brightman, in anticipation of tomorrow's meeting, think about how we do address the immediate concerns and how it is that other municipalities have less people but can operate more efficiently. Discussion ensued. At this time, Nicole Botelho, LAW Union President, presented two letters to the BOS regarding the open position in the Treasurer's Office and the issue of the Time Clock. Ms. Botelho stated she spoke with the Town Administrator today about the position and in our last conversation, we do have another position in Town that is 19 <sup>3</sup>/<sub>4</sub> hours in the Union with full Union benefits (but no health insurance), which we negotiated when Mr. Healey was here, the Union is willing to negotiate that position again for the Treasurer's Office in the interim; and if Mr. Brightman is willing to use the applications that he has on file from the last advertisement, he could have someone as early as next week. Mr. Sullivan assured Ms. Botelho that the BOS would be taking a very active role in the selection of temporary assistance. Hugh Morton, Chairman of the FinCom, stated he agreed with Ms. Shufelt that this is a crisis and he believed no one has a problem with looking at how things have been done and can be done in a different fashion on a long-term basis but it won't happen before Town Meeting so we need to deal with resolving the present crisis and preventing it from happening in the next fiscal year, which will give us time collectively to see if there are better, efficient ways to do things. Mr. Morton stated consolidating the roles of Collector and Treasurer involves two elected offices so the Town would have to vote about two issues of re-arranging things, a plan would need to be evolved to show the Town why and how. Mr. Morton stated he had no problem with the present proposal. Mr. Sullivan stated he wanted to address this issue

in two weeks after we have enlightening information and consensus that comes out of the meeting tomorrow night on how to proceed. No vote was required. Mr. Sullivan thanked all for coming in.

**FY'18 Budget – RE: Discussion of FY'18 Budget requests from Board of Registrars, Council on Aging, Library, Marine Services, Board of Assessors and Treasurer.**

Mr. Sullivan stated certain departments are here tonight to talk about the discrepancies from the Town Administrators' budget recommendations and are here to make a pitch for their budget as to why we should consider a change. Mr. Sullivan stated Mr. King will take all this additional information and see how to use the different pieces in the budget.

Board of Registrars: Wilma Woodruff, Arthur Caesar, Barbara Lambert and Josh Brum.

Mr. Brum stated the difference in the budget is the stipends and explained the request to keep the stipends. Mr. Sullivan stated we need to do a comprehensive look at all stipends. Mr. Dutra stated we should table the issue of stipends for all boards for the coming FY. The Board thanked the Registrars for coming in.

**Motion** made by Mr. Dutra to maintain all presently funded stipends for FY'18 until future research is done. Second by Mr. Ouellette. The Board voted unanimously in favor.

Council on Aging: Beverly Bisch and Muriel Kokoszka. Discussion ensued regarding the COA Budget and the nine different funding sources. Ms. Bisch explained how decreases will be offset. Ms. Bisch stated she was in agreement with the Town Administrator on the FY'18 Budget. Ms. Bisch then explained the Outreach Coordinator position for July 1<sup>st</sup>. The Board thanked the COA for coming in.

Marine Services: Christopher Leonard and John Borden. Mr. Sullivan stated before we approach the budget, there is a procedural issue from last year that needs to be addressed. Mr. Leonard stated last year at Town Meeting, we looked at the Shellfish Department and what it cost to run; when we put together the Marine Services Department, the Shellfish Department was a major financial component in putting the Marine Services Department together; at Town Meeting there was an article for \$55,000 to come out of the General Fund and be placed in the Shellfish Enterprise Fund but instead, the \$55,000 was taken out of retained earnings in the Enterprise Fund to be used for shellfishing activities, which was an illegal procedure. Mr. King stated there is a special article on ATM to return the \$55,000 back to the Shellfish Fund, out of Free Cash (Article 8). Mr. Vieira stated we have to follow Town Meeting vote, so we are reversing what was voted at Town Meeting in the next year; he did not believe the Town could do this. Mr. Sullivan stated we are asking Town Meeting to revisit this. Discussion ensued. Mr. King stated he will get clarification from K&P Law.

In regards to the budget, Mr. King explained the difference between the Department's request and his recommendations. Mr. King stated how much general fund revenue should be applied to balance this budget. Mr. Leonard explained the hours for shellfish and waterways, stating shellfish department outweighs the harbormaster department because shellfish is 365 days a year, 24 hrs a day while harbormaster is only at certain times. Mr. Sullivan suggested to Mr. Leonard somewhere there is a comfortable figure, so take time, create a spread sheet on how the time is spent and visit this issue again with the Town Administrator. Mr. Borden stated operationally it comes out 50/50; this is solvable and is our first hiccup, a little negotiation is needed. Discussion ensued with Article 4 & 9 placement being looked at again. Mr. Sullivan asked Mr. Leonard to look at his allocations again, so for next meeting, we will have something to look at.

Board of Assessor's: Robert Grillo and Steve Medeiros. Mr. Grillo stated they had a difference in the budget beyond the stipends; the structure of the budget proposed by the Town Administrator is higher than our budget. Mr. Grillo stated we don't disagree in theory but in principle, we would have to have one of our employees retire in order for that budget to work for us; we don't know when that retirement

will happen. Mr. Vieira stated the stipends are in and when that person wants to retire, then it will happen but we were under directives from the State and it is not being acknowledged; no one is paying attention and if we don't take actions, there will be actions from the State level. Discussion ensued regarding the Memorandum of Understanding signed on April 8, 2016. Mr. Vieira stated we need to do the organization that was suggested by the State; this Board and the Assessors had an agreement. Mr. Vieira stated the directives are pretty straight forward (1) develop a plan, (2) review options, (3) progress reports and (4) evaluating and restructuring the office; how do we do this within the constraints of the budget. Mr. Vieira stated the DLS is willing to provide assistance on these directives; these directives address '17, '18 and '19. Discussion again ensued. Mr. Vieira stated this is going to require money to bring on the staffing and we need to support this; there is money in the line items of the Assessor's to get this done. Mr. Grillo stated he appreciated the support; and would be more than happy to bring in a professional assessor; Mr. Grillo then explained how the letter came about. Mr. Grillo stated he does not see where the Assessors are not in compliance with the DOR. Mr. Vieira stated we are not in compliance so we have to deal with it and implement it; we are limiting the Assessor's budget to deal with the transition period. Mr. Medeiros stated the directives were met. Mr. Sullivan stated it seems that they are in compliance. Mr. Vieira suggested talking to the State. Mr. Grillo stated that we are in compliance, those are just normal directives with a re-val; the letter was intended to bring on the BOS due to the costs of the changes. Mr. Vieira stated we have the money available to do this. Mr. Dutra suggested that the Town Administrator and the Assessors come in with a phased-in plan to accomplish the objectives specified and what the budget implications will be. The Board thanked the Assessors for coming in.

**\*9:30 PM** – Town Administrator leaves meeting.

### **Action Items**

1. **Motion** made by Mr. Dutra to accept the deeds of donated properties which were accepted by ATMs of 05/05/15 (Article 34 – 0 Alberto Drive) and 05/03/16 (Article 25 – 0 N Drive). Second by Ms. Shufelt. The Board voted unanimously in favor.
2. **Motion** made by Mr. Dutra to accept a \$100 donation from Lees Wine & Spirits to the Powder House Fund and to send a letter of appreciation. Second by Mr. Ouellette. The Board voted unanimously in favor.
3. Discussion ensued regarding the order of the articles on the warrant. **Motion** made by Mr. Dutra to table discussion of the ATM Warrant. Second by Mr. Ouellette. The Board voted unanimously in favor.
4. **Motion** made by Mr. Vieira to direct the Town Accountant to pay the wage increase retroactive, where applicable, in the Highway Surveyor's contract. Second by Mr. Dutra. The Board voted unanimously in favor. Mr. Sullivan stated this was an oversight. Ms. Shufelt stated that a recent review of the Highway Surveyor's contract was expiring soon, so the Board will need to look at extending his contract.

### **Licenses**

1. **Motion** made by Mr. Vieira to approve a Common Victualler License for Weatherlow Farms, LLC. Second by Mr. Dutra. Discussion ensued. The Board voted 4 in favor, 1-abstained (Ouellette).
2. **Motion** made by Mr. Dutra to approve the renewal of Seasonal Liquor Licenses for Acoaxet Club, Inc. d/b/a The Pro Shop and Village Pizza. Second by Mr. Vieira. The Board voted unanimously in favor.
3. **Motion** made by Mr. Dutra to approve the renewal of Common Victualler Licenses for Acoaxet Club, Inc. d/b/a The Pro Shop and Village Pizza. Second by Mr. Vieira. The Board voted unanimously in favor.

**Town Administrator Report** – None.

**Discussion Items** – None.

**Minutes** – None.

**Selectmen Liaison Committee Reports**

Ms. Shufelt stated the Animal Action Committee will be meeting on March 13, 2017; we are having two speakers, Christopher Michaud from the Dartmouth Dept. of Public Health to speak on Dartmouth Animal Regulations and Darrin Mendes of the Farm Bureau. Ms. Shufelt stated that Rep. Schmid was asking when the AAC would have recommendations for the state. Ms. Shufelt told Rep. Schmid that the Committee would not have recommendations for the state because they were starting locally with recommendations for the Town but this did lead her to realize that she did not have information that Mr. King would have from the investigation by State and the actions taken during the American Legion Highway incident. Ms. Shufelt stated she would like to get together with Mr. King and perhaps another Board member to understand the investigation from what the State did and how it impacted us. Mr. Dutra stated either himself or Mr. Sullivan would be willing to work with Ms. Shufelt and Mr. King due to the amount of interaction they had with the State. Ms. Shufelt stated she will only make recommendations to the AAC in April after working with the TA and BOS on this. Mr. Sullivan asked Ms. Shufelt to report back to the BOS on this; Ms. Shufelt stated she will target April 3<sup>rd</sup> for getting back to the BOS before presenting anything to the AAC.

Mr. Ouellette stated at the SRPEDD meeting last week, Rep. Schmid and Sen. Rodrigues helped out with the merger item with Rhode Island, which is still being pushed back but still no actions from Washington yet. We are still pushing for the cables on the median on Route 195; the Town of Dartmouth want to join forces with us for a joint community thing in an effort to try to stop the fatalities.

Mr. Ouellette asked all Board members, during their travels, to pay attention to any information regarding the Casino in Tiverton, because we don't have any leverage and we need to stay on top of this and whatever future impact this will have on Westport. Mr. Ouellette stated the Casino may be an issue for traffic on Route 177 and possibly to our housing as the build-out comes up. Mr. Vieira suggested that Rep. Schmid or Congressman Keating be contacted in order to take the lead on this; we should lobby for infrastructure.

Mr. Vieira stated there was a Legislative Breakfast in New Bedford on February 24<sup>th</sup> and one of things talked about was the Chapter 90 funds being available for April 1<sup>st</sup>, so we should start talking now about our plans for the season and if we have not spent all of last years funds, we need to talk about that also and we need to take advantage of those funds, especially for infrastructure.

Mr. Vieira also stated Senate Bill 1117 (solar – personal property) was discussed and most communities don't use the personal property piece that Westport has gone into; they are clarifying that bill right now. Mr. Vieira stated we have new solar farms coming in, so we may want to look at this tax/PILOT.

Mr. Vieira stated at the meeting we also talked a lot about the marijuana issues; medicinal and recreational retailing and in working with the regions. Mr. Vieira stated that retail is a big thing and a lot of options are being looked at.

**Question and Answer Period** – None.

**Boards/Committees/Commissions Vacancy List**

Mr. Dutra read aloud the following list of vacancies: Fence Viewers – 1 vacancy; Long-Term Planning Town Building Evaluation Committee – 1 vacancy; Personnel Board – 2 vacancies; Recreation Commission – 1 vacancy and Westport Cultural Council – 1 vacancy.



**Board Members Suggestions for Future Agenda Discussion / Action**

Mr. Sullivan stated we should dedicate time for the budget on the BOS March 20<sup>th</sup> meeting.

Ms. Shufelt stated we should consider having a hearing on the DPW article. Mr. Sullivan stated lets have the public hearing after the election. The Board will skip the meeting on April 11 and hold a regular meeting on April 18<sup>th</sup> for reorganization, etc.

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

**Other Business**

1. Ms. Lambert, ACO wanted to make known that with the help of some volunteers, pet care packages were put together from donations and distributed to Westport Seniors during the holiday season. Ms. Lambert stated donations were received from Town residents and organizations ranging from canned and dry dog and cat food, along with treats and toys to kitty litter and piddle pads. Ms. Lambert stated the project was a success and brought a lot of happiness to the Seniors over the holiday season. Mr. Sullivan also noted in another matter, a letter was received from Ms. Shirley Machado recognizing Ms. Lambert for getting involved with an issue of cats.

**Executive Session** – None.

**10:00 PM**

**Motion** made by Mr. Dutra to adjourn the Board of Selectmen's Meeting. Second by Mr. Ouellette. The Board voted unanimously in favor.

**Adjournment.**

Respectfully submitted,

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Diane Pelland

Administrative Asst/Confidential Clerk to the Board of Selectmen

**APPROVED:**

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Shana M. Shufelt, Clerk