



BOARD OF SELECTMEN REGULAR MEETING MINUTES

Monday, June 6, 2022

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

Also Present: James Hartnett, Town Administrator

6:02 p.m. Call To order & Pledge of Allegiance

Acknowledgments & Recognitions

The 78th Anniversary of D Day was recognized, Pat Simiensi was recognized as being a former Finance Committee Member and also Town Nurse. Mike Hanley, a Lees Market Icon, where he worked for 40+ years as a butcher. Normand Boutin, Westport Resident, Fall River Firefighter.

1. Public Hearing

6:05pm – application request of Thomas Gamache for a six-month trailer permit to locate a trailer on 238 East Beach Road. The property is shown on Assessor's Map 76A/Lot 29. Mr. Hartnett noted the owner of this lot has changed, the use will remain the same, site plan essentially the same, Recommended Approval.

MOTION: by Mr. Valcourt to approve the application request, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

2. Licenses/Permits

3. Appointments and Resignations

- a. Request from Chris Leonard, Marine Services to appoint Raymond Jarvis as an Assistant Harbormaster as well as Deputy Shellfish Warden, to work part time as needed. Chris Leonard addressed the Board requesting to appoint Raymond Jarvis as an Assistant Harbormaster and Deputy Shellfish Warden to work part time as needed, Mr. Jarvis has 30+ years of experience on local waters, 18 years as a Charter Captain and is a Marine Technology Teacher at New Bedford Vocational School and Mr. Leonard highly recommends him for the position. Mr. Leonard noted that the busy season has begun, they have begun filling the quahog relays, still a long way to go, only 300 out of 5000 bushels, they continue to test water quality, the Army Corp of Engineers along with Congressman Keating, Senator Rodrigues and Representative Schmitt's offices are working on getting the Federal Channel Dredged.

Ms. Shufelt stated that this department is emergency rescue on the water, 24 hours a day. Mr. Leonard confirmed, they keep the waterways safe in conjunction with Police, Fire and the Coast Guard. The fleet consists of seven boats, as different vessels are warranted for different situations, as the weather and tides play a big part in rescues.

Ms. Shufelt read a letter from Congressman Keating's Office dated June 1, 2022, in regards to the dredging project. Mr. Leonard promoted Shellstock to be held on August 13, 2022.

MOTION: by Mr. Valcourt to appoint Raymond Jarvis to Assistant Harbor Master, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

4. Discussion

5. Action Items

a. The Planning Board is requesting approval to post the Town Planner Position. Jim Whitin addressed the Board stressing the need for this position, writing grants and such is such a huge amount of work, and this position is needed as soon as possible. Ms. Shufelt asked if Mr. Whitin was comfortable with the job description, he answered he would like to work with Mr. Hartnett on revising.

MOTION: by Mr. Valcourt to post the position with the proper wording in the job description, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

b. Request from the Internet Advisory Board to approve the Entry Point Work Order and Authority to Proceed for approximately \$4,800.00.

Ms. Shufelt addressed this Work Order, these funds would allow for high level network designs, projection of costs to determine the biggest unknown factor which is the loop to home distance. Keith Novo, Town of Westport IT and Devin Cox from Entry point reiterated what Ms. Shufelt stated. Mr. Novo also informed the Board the materials to set up the fiber in town building should be in by the end of the month.

MOTION: by Mr. Valcourt to approve the Work Order, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

c. Request to approve the Contract for Services between Citizens for Citizens, Inc. and the Town of Westport for the Low Income Water Assistance Program.

Mr. Hartnett explained to the Board that Citizens for Citizens will contract with the Town to offer assistance to eligible households for the purchase of public water.

MOTION: by Mr. Valcourt to approve the contract, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

d. Request to approve End of Year Transfer Requests:

- \$11,000 from Board of Selectmen, Salary Account to Board of Selectmen, Miscellaneous Charges & Expenses Account
- \$10,410.14 from Debt Service, Debt Interest to Debt Service, Bristol Aggie.
- \$3,861 from Employee Benefits, Health Insurance to Regional Schools, Diman Assessment.
- \$2,000 from Employee Benefits, Health Insurance to Board of Appeals, Personnel & Expenses

- \$15,000 from Fire Department Personal Services to Fire Department, Gas and Oil Expenses.
- \$9,000 from Employee Benefits, Health Insurance to Police Department, Personnel.

MOTION: by Mr. Valcourt to approve the End of Year Transfer Requests as noted, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

e. Request from Chief Legendre to approve the Capital Purchase Agreement with Lifeline Emergency Vehicles for the New Ambulance Order, this will be paid out of Bristol County American Rescue Plan Act (ARPA) Funds.

MOTION: by Mr. Valcourt to approve the Capital Purchase Agreement for the new ambulance, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

f. Request from Chief Brian Legendre to approve the Capital Purchase Agreement with Industrial Protection Services, LLC for the Self Contained Breathing Apparatus (SCBA) Order.

MOTION: by Mr. Valcourt to approve the Capital Purchase Agreement for the new Self Contained Breathing Apparatus Order, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

g. Request from the Council on Aging to accept the following donations:

\$20; Mary Biasotti, for Tech Class, \$100; Richard Dow for Tech Class, \$150; Ralph Urban, for Best Use. Totaling \$270

MOTION: by Ms. Boxler to accept the donations as noted, seconded by Mr. Brewer. The Board voted 5-0 in favor.

h. Request to approve \$15,000 American Rescue Plan Act (ARPA) Funds for School Security. – **Passed Over**

i. Request to approve \$112,000 American Rescue Plan Act (ARPA) Funds to purchase two police cruisers.

MOTION: by Mr. Valcourt to approve \$112,000 American Rescue Plan Act Funds to purchase two police cruisers, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

j. Request from Andrew Caldeira for the Town Hall to be a drop off location for a Clothing & Food Drive for Gambia.

MOTION: by Mr. Valcourt to approve the Town Hall as a drop off location, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

6. Town Administrator Report

Town Hall Ground Monitoring Report

In accordance with the Temporary Solution, Campbell Environmental Inc. completed their annual monitoring and gauging as required for the Town Hall property. This monitoring dates back to 1998 when an abandoned 1,000-gallon underground storage tank was removed. The results continue to improve, VPH (petroleum) was not detected in the onsite

potable water and VPH in the monitoring wells is generally consistent with prior sampling but slightly lower than the prior round of sampling.

General Teamsters Local 251

The Town was notified by the Commonwealth of Massachusetts Department of Labor Relations that the General Teamsters, Local 251 has been finalized and selected by a majority of the bargaining unit for exclusive representation by Local 251. This unit includes approximately 35 employees previously represented by LAW.

MassDEP Title V Changes

The Town was notified by DEP Commissioner, Martin J. Suuberg, that they are planning to propose regulatory changes to address nitrogen contamination in septic systems. The revised regulations would require – unless Towns take advantage of a watershed alternative approach – that within 5 years of the effective date of the Nitrogen Sensitive Area designation, new on-site systems include, and existing on-site systems upgrade to, enhanced nitrogen treatment systems demonstrating the lowest levels in their effluent. There are some permitting options that may relieve the Town of some of the requirements. MassDEP is planning on publishing the new regulations for public comment this fall.

7. Approve Minutes

a. May 23, 2022

MOTION: by Ms. Boxler to approve the May 23, 2022 Minutes. seconded by Mr. Valcourt. The Board voted 5-0 in favor.

8. Report on Bill Warrant

Ms. Boxler stated it was in order and signed

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

Mr. Brewer: Gloria Cabral needs to be appointed to the Audit Committee as the School Committee Representative.

Mr. Ouellette: Farmers Market starts this weekend

Mr. Valcourt: nothing to report

Ms. Boxler: Affordable Housing; Sodom Road house is moving along. Waiting to hear what the LTBC comes up with, they have an interest in the high school property.

Ms. Shufelt: School Building Committee meets this week. Thank you to The American Legion, VFW and Vietnam Veterans for participating in the Memorial Day Events. Appointments: will be approved at the next meeting.

10. Comments and Statements

11. Boards/Committees/Commissions Vacancy List

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

a. Request from the Holy Ghost Club, 179 Sodom Road for a One Day Liquor License for a Fried Clam Dinner on June 17, 2022 from 5pm – 10pm.

MOTION: by Mr. Valcourt to approve the One Day Liquor License with Police Recommendation, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

13. **Executive Session** – pursuant to the provisions of MGL c 30A section 21(a), Chair declares an open meeting will have a detrimental effect to:

- a. To discuss strategy relating to litigation known as Municipal Communications II, LLC v. Menard et al., Bristol County Superior Court, Docket No. 2173 CV 00664B and Municipal Communications II, LLC v. Town of Westport, U.S. District Court, District of Massachusetts, C.A. No. 1:21-cv-11561-AK
 - b. Discuss strategy with respect to collective bargaining - Westport Police Association.
 - a. To Discuss strategy – Diane F. Cramphin vs. Town of Westport - Adamsville Landing Case
 - b. Approve Minutes
- April 25, 2022
 - May 23, 2022

MOTION by Mr. Valcourt at 6:49p.m. to enter into Executive Session for the reasons declared by the Chair, seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, Valcourt aye and Shufelt aye.

Adjournment

The Board returned to open session and the Chair called for adjournment.

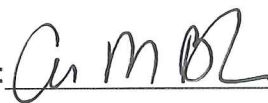
MOTION by Ms. Shufelt to adjourn the meeting at 7:34p.m., seconded by Mr. Ouellette. The Board voted 5-0 in favor.

Respectfully submitted,



Paula M. Brown
Administrative Assistant

Approved: _____



Ann Boxler, Clerk
Select Board Member

Boards/Committees/Commissions Vacancy List

****Committee members with terms that end in June should advise if they wish to continue****

ADA Transition Plan Committee – 1 vacancy (COD Rep).

Agricultural/Open Space Preservation Trust Fund Council – 1 vacancy (CIPC Rep)

Agricultural Commission Alternate – 2 Vacancies.

Bike / Walking Path Committee - 2 vacancies.

Energy Committee – 3 vacancies.

Fence Viewers – 1 vacancy.

Personnel Board – 2 vacancies.

Recreation Commission – 3 vacancies.

Safety Regulation Board - 1 vacancy.

Tax Incentive Program Committee (1 vacancy –Westport Economic Development Task Force Rep).

Westport Citizen's Betterment Committee – 1 vacancy.

Westport Cultural Council – 1 vacancy

** Committees are kindly requested to advise who serves as chair, vice chair and clerk **

FILES:

1 Gamache Trailer Permit

3a Harbormaster

5b Entry Point

5c CFC

5d Year End Transfers

5e WFD Ambulance

5f WFD SCBA

5g COA Donations

5j Gambia Clothing Drive

Meeting Minutes 5/23/22

TA 1

TA 2

TA 3