

7a



## BOARD OF SELECTMEN REGULAR MEETING MINUTES

Monday, July 18, 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

### **6:00 p.m. Call To order & Pledge of Allegiance**

#### **Acknowledgments & Recognitions**

Veterans Monument Unveiling & Dedication Ceremony, Sunday, July 24, 2022 at 12 Noon.

Carol Freitas summarized the expenses of the Monument Installation, stating the project was completed as of July 15, 2022 but is being kept under wraps until the July 24<sup>th</sup> unveiling. Invites were sent to all donors, Westport Veterans, everyone involved with the design, gravestone cleaning group, town department heads and the Secretary of the Massachusetts Dept. of Veteran Affairs. Press Releases were sent to various newspapers and news stations. Donations toward this project totaled \$26,110 total cost was \$18,146 leaving \$7,964 in the account. Ms. Freitas also made note that surveys were sent out to 900 Veterans, they received about 200 back which resulted in several Veterans finding out about benefits they didn't know existed, she also promoted the Veteran's Appreciation cookout scheduled for Saturday, September 17, 2022.

#### **1. Public Hearings**

6:15pm – Request from the Cemetery Department to raise fees.

Mr. Hartnett addressed the Board stating that in researching surrounding towns Westport is one of the lowest. Mr. Porte spoke to Mr. Hartnett's point, stating that even raising the fees still leaves Westport lower than other cemeteries in the area. Mr. Brewer questioned whether you had to be a Registered Voter in town to be buried in town. Members of the Board in addition to Mr. Porte answered no you do not have to be Town Residents, the resident cost is different than the non-resident cost as reflected in the fee schedule.

**MOTION** by Mr. Valcourt to accept the proposed fees, with raising the non resident grave cost to \$2,000, effective immediately, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

#### **2. Licenses/Permits**

- a. Request from Wish Come True, Inc. for One Day Wine and Malt Beverages Licenses for the Annual Wish Come True Event to be held at the Holy Ghost Club 179 Sodom Road, Friday, September 9, 2022 from 4pm-10pm, Saturday, September 10, 2022 from Noon – 7pm and Sunday, September 11, 2022 from Noon – 7pm.

- MOTION** by Mr. Valcourt to grant the One Day Liquor Licenses for Wish Come True, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- b. Request from the Holy Ghost Club, Inc. 179 Sodom Road, for One Day Liquor Licenses: July 31, 2022 for a Fundraiser from 12pm-5pm and August 28, 2022 for a Fundraiser from 12pm – 6pm.
- MOTION** by Mr. Valcourt to grant the One Day Liquor License for the Holy Ghost Club, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- c. Request from Lisa McLarren owner of Countryside Market, LLC, 549 American Legion Highway, for a Common Victualler's License.
- Ms. Shufelt inquired if all paperwork was in order, Mr. Hartnett noted we received the Board of Health Approval today, and he recommends approval.
- MOTION** by Mr. Ouellette to approve the Common Victualler License to Countryside Market, LLC, seconded by Mr. Valcourt. The Board voted 4-0 in favor, with Ms. Boxler Abstaining.

### 3. **Appointments and Resignations**

- a. Request to accept the Resignation of Tim St. Michel from The Beach Committee after 19 years of service.
- MOTION** by Mr. Valcourt to accept the resignation of Tim St. Michel from the Beach Committee with letter of appreciation, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- b. Approve the Request from Steve Souza to step down from Cemetery Department Foreman to Laborer effective July 25, 2022 and to appoint Ronald Porte from Laborer to the position of Cemetery Department Foreman as of July 25, 2022.
- Mr. Hartnett noted he met with Mr. Porte, he is familiar with the job, Mr. Hartnett feels he is a good candidate for the job.
- MOTION** by Mr. Valcourt to promote Mr. Porte to Cemetery Foreman, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- MOTION** by Mr. Valcourt to accept Steve Souza's request to step down to Cemetery Laborer, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- c. Request from Sue Brayton Treasurer/Collector to accept the resignation of Lindsey Cordeiro as Principal Clerk in the Treasurer Department, effective July 14, 2022. (update on School Bonding)
- Ms. Brayton updated the Board on the School Bonds going out for bid on July 19, 2022 to be signed on July 25, 2022, Westport Elementary \$9,065,000 and the Junior Senior High School \$2,500,000.
- MOTION** by Mr. Ouellette to accept the resignation of Lindsey Cordeiro, Principal Clerk in the Treasurer Department effective July 14, 2022, seconded by Mr. Valcourt. The Board voted 5-0 in favor.
- d. Request from Chris Leonard, Director of Marine Services to appoint Raymond Jarvis and William Shaw, Jr. as Assistant Harbor Masters and Deputy Shellfish Constables, and James Perry as Parking Enforcement Officer.
- MOTION** by Mr. Valcourt to appoint William Shaw, Jr. and Raymond Jarvis as Assistant Harbor Masters and Deputy Shellfish Wardens, and to appoint James Perry as Parking Enforcement Officer, seconded by Mr. Ouellette. The Board voted 5-0 in favor.



- e. Request from Chief Pelletier to re-appoint Samantha Maguire, Julius Rosario and Samuel Teixeira as Reserve Police Officers, and William Zalewski as Full Time EMD 911 Dispatcher.  
**MOTION** by Mr. Valcourt to re-appoint Samantha Maquire, Julius Rosario and Samuel Teixeira to Reserve Police Officers and to appoint William Zalewski as Full Time EMD 911 Dispatcher, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- f. Request to accept the resignation of Jeffrey Fernandes from the Bike/Walking Path Committee.  
**MOTION** by Mr. Ouellette to accept the resignation of Jeffrey Fernandes from the Bike/Walking Path Committee, seconded by Mr. Brewer. The Board voted 5-0 in favor.
- g. Request to approve the following Finance Committee Appointments to various Boards:  
 ADA Transition Plan Committee - Cindy Brown and Gary Carreiro  
 Agricultural/Open Space Preservation Trust Fund Council – Zachary Lebreux  
 Capital Improvement Planning Committee – Gary Carreiro  
 Educational Fund Committee – Tracy Priestner  
 Energy Committee – Charles Baron  
 Personnel Board – Cindy Brown  
 Public Safety Staffing Committee – Hugh Morton  
 Tax Incentive Committee – Charles Baron & Cindy Brown  
 Community Preservation Committee – Hugh Morton  
 Audit Committee – Cindy Brown  
 School Building Committee – Tracy Priestner and Lawrence Holsworth  
 Long Term Building Committee – Cindy Brown  
**MOTION** by Mr. Valcourt to appoint the Finance Committee Members to the above mentioned Committees, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- h. Request to appoint Ruth Barnes and Alexandra Whitney to the Cultural Council  
**MOTION** by Mr. Valcourt to appoint Ruth Barnes and Alexandra Whitney to the Cultural Council, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- i. Request to appoint Henry Swan and Michael Walden to the Historical Commission  
**MOTION** by Mr. Valcourt to appoint Henry Swan and Michael Walden to the Historical Commission, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- j. Request to appoint Garrett Stuck to the Community Preservation Committee  
**MOTION** by Mr. Valcourt to appoint Garrett Stuck to the Community Preservation Committee, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- k. Request to appoint Perry Long to the Beach Committee  
**MOTION** by Mr. Valcourt to appoint Perry Long to the Beach Committee, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- l. Request to appoint Maurice May to the Infrastructure Oversight Committee as the Economic Development Committee Representative.  
**MOTION** by Mr. Valcourt to appoint Maurice May to the Infrastructure Oversight Committee, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- m. Request to accept the resignation of Nancy Tavares from the Elected Position on the School Committee effective July 13, 2022.

Ms. Shufelt noted that the Resignation actually goes to the Town Clerk, however the appointment to fill the position is done by the Joint Meeting of the Board of Selectmen and the School Committee.

Mr. Hartnett requests that interested applicants notify the Board of Selectmen by August 26, 2022, there will then be a joint meeting with the School Committee to appoint a candidate to the position until the April Election.

#### 4. Discussion

##### a. Budget/Override Discussion

Mr. Hartnett addressed the Board stating that Ballot Questions can only be placed on the November Ballot for the state election, not the Primary.

FY22 revenues and year closeouts should be completed by September 1<sup>st</sup>.

Working with DLS on Historic Expenses & Revenues to develop a better forecasting model. Hoping to have most of this information by late August.

Diman will be on the November Ballot, recommend additional override after the November election.

Ms. Shufelt noted that there is a private group working on Budget Analysis, History and Projections to be presented in September.

**MOTION** by Mr. Valcourt to add Diman to the November Ballot, and to hold off on additional override until after the November Election, Seconded by Mr. Ouellette. The Board voted 5-0 in favor.

#### 5. Action Items

##### a. Request from Matthew Armendo; Board of Health Director to accept the \$250.00 to the Animal Control Department from Anne Robinson.

**MOTION** by Mr. Valcourt to accept the \$250.00 donation from Anne Robinson, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

##### b. Request from the Cystic Fibrosis Foundation MA-RI Chapter, to hold the 11<sup>th</sup> Cycle for Life Ride for 2022, on Saturday, September 17, 2022. The ride starts and finishes at Westport Rivers Winery.

**MOTION** by Mr. Valcourt to approve the Cystic Fibrosis Cycle for Life Ride on September 17, 2022 with police recommendation, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

##### c. Request from Sue Brayton Treasurer/Collector to post the Principal Clerk Position in the Treasurer Department, both in house and outside simultaneously.

**MOTION** by Mr. Valcourt to post the Principal Clerk Position, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

##### d. Request to increase the Water Rates from \$7.04 to \$7.28 pursuant to Westport/Fall River Agreement.

Mr. Hartnett noted that this is a general yearly increase, in agreement with the contract with Fall River, covering cost of maintenance, he recommends approval.

**MOTION** by Mr. Valcourt to approve the rate increase for \$7.04 to \$7.28, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

##### e. Request from Matt Armendo, Board of Health Director to approve the contract for Linda Peirce, Town Nurse.



Mr. Hartnett noted that this is the standard 2% increase and recommends approval.

Mr. Brewer noted that the contract does not include the Salary amount, Mr. Hartnett will have Matt Armendo update the contract for signature.

**MOTION** by Mr. Valcourt to approve the contract with Linda Peirce, Town Nurse, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- f. Request from Carol Feitas, Veterans' Service Officer to accept the donation of \$100.00 from Maurice & Muriel Brousseau toward the Veteran's Monument.

**MOTION** by Ms. Shufelt to accept the \$100 donation for Maurice & Muriel Brousseau, seconded by Ms. Boxler, the Board voted 5-0 in favor.

- g. Request from the Council on Aging to accept the following donations:  
\$30; Misc, for Outreach, \$200; Ralph Urban, for Best Use, \$5; Anonymous Best Use, \$50; Ruth Moniz, Best Use, \$25; Ed Fitzgibbons, Best Use, \$50; Mary Trepanier, In Memory of Gertrude Vigeant, \$100; Janet Krobot In Memory of Gertrude Vigeant, \$60; Mike Arruda In Memory of Gertrude Vigeant, \$50; Sandra Field In Memory of Gertrude Vigeant, \$25; Cheryl Leger In Memory of Dolores Rego, \$20; Anonymous Donation for Tech Class, \$25; Maureen Solomon for Tech Class Totaling \$640.

**MOTION** by Mr. Valcourt to approve the above mentioned donations to the Council on Aging, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- h. Authorize Registrar to request Police Details for Elections.

**MOTION** by Mr. Valcourt to authorize the Registrar to request details for Elections, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- i. Assign Board of Selectmen Representative to negotiate with the General Teamsters Local No. 251

Ms. Boxler volunteered.

**MOTION** by Mr. Valcourt to appoint Ms. Boxler as the Board of Selectmen Representative to negotiate with the General Teamsters Local No. 251, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

## **6. Town Administrator Report**

### **Board of Health**

New Shed - The Board of Health and Matt Armendo have been working on the installation of the employee shelter at the Transfer Station.

Grant – Massachusetts Department of Public Health notified the Town that the Board of Health was awarded the Public Health Excellence for Shared Service Grant in an annualized amount of \$300,000. Matt Armendo and the Board of Health will be the lead municipality in administering these funds.

### **Council on Aging**

AARP Community Challenge Grant awards were announced nationwide. Beverly Bisch prepared the application and the Westport Council on Aging was chosen as a grant recipient of \$10,000 for a Fixed Transportation Route Project. Of 3200 applicants nationwide, 258 grants were awarded. (Monthly Report on File)

### Projects Out to Bid

The Council on Aging and the Town Hall Garage roofing projects went out to bid last month, bid openings have been extended to July 21, 2022, looking to get both of these projects completed this fall. Proposals have also been requested for the design and permitting of the Hix Bridge Landing, parking and boat ramp project. This project will be funded by a Seaport Economic Development Grant and an ARPA Grant secured by Representative Paul Schmidt.

### Remote Meetings

The ability to hold public meetings is scheduled to expire on July 15, 2022. The senate bill would extend these authorizations until December 15, 2023. The House bill would extend the option to hold remote meetings to March 31, 2023, but that was amended on the floor to mandate remote access and remote participation at all public meetings. This would add costs of technology, equipment, staff and necessary space to run public meetings.

### Kirby Brook Bridge Grant

The Town of Westport has been awarded a \$100,000 Municipal Small Bridge Grant from MassDOT for the design of the Kirby Brook crossing. Notification of award is included in the files.

## **7. Approve Minutes**

### **a. June 21, 2022**

**MOTION** by Ms. Boxler to approve the June 21, 2022 minutes, seconded by Mr. Valcourt. The Board voted 5-0 in favor.

## **8. Report on Bill Warrant**

Ms. Boxler noted it was signed and in order there were two warrants, School Summer Pay

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

Ms. Boxler - none

Mr. Valcourt - none, wanted to give a shout out to the Landfill for an awesome job on the building  
Mr. Ouellette – none, wanted to state that Motor Vehicle Crashes continue to be an issue, speed is a big problem

Mr. Brewer – Audit Committee met, Cindy Brown is Chair, COA Meeting was very informative, met with Personnel Board only to find out Elected Officials cannot serve on the Personnel Board  
Ms. Shufelt – Internet Advisory meets on Thursday, wanted to inform residents to follow the Board of Health and the Veterans on Facebook both are offering a lot of information.

## **10. Comments and Statements**

Mr. Alden questioned the amount of recent resignations, Mr. Ouellette answered that there is a big turnaround everywhere, Mr. Valcourt noted that most of the Committee Resignations are from individuals who have served for many years. Ms. Shufelt added that salary plays a big part.

## **11. Boards/Committees/Commissions Vacancy List**

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

## **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.
- c. To Discuss strategy – Diane F. Cramphin vs. Town of Westport - Adamsville Landing Case
- d. Discuss strategy with respect to Highway Surveyor Contract.
- e. Approve Minutes
  - June 21, 2022

### Adjournment

**MOTION** by Mr. Valcourt at 7:02p.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.

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

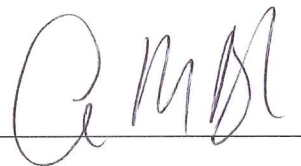
**MOTION** by Mr. Valcourt to adjourn the meeting at 7:29p.m., seconded by Mr. Ouellette. The Board voted 5-0 in favor.

Respectfully submitted,



Paula M. Brown  
Administrative Assistant

Approved: \_\_\_\_\_



Ann Boxler, Clerk  
Select Board Member

### FILES:

- 1 Public Hearing Cemetery Fees
- 2a Wish Come True
- 2b Holy Ghost Club
- 2c Countryside Market
- 3a Tim St Michel Resignation
- 3b Cemetery Evaluation
- 3b Ronald Porte/Steve Souza - Resignation
- 3c Cordeiro Resignation -
- 3c Westport Financing Schedule
- 3d Marine Services Appointments
- 3e WPD Reserve Office/EMD Dispatcher
- 3f Jeffrey Fernandes Resignation
- 3g FinCom Appointments
- 3K Perry Long – Beach Committee

3m Tavares Resignation  
5a ACO Donation  
5b Cystic Fybrosis Bike Race  
5e BOH Nurse Contract  
5f Veterans Monument Donation  
5g COA Donations  
5h State Election Laws  
7a 06212022 Meeting Minutes  
13c Preliminary Settlement  
13e 06212022 ES Meeting Minutes