



**BOARD OF SELECTMEN  
REMOTE MEETING MINUTES  
TUESDAY, JANUARY 18, 2022**

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

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Members Absent:     Brian Valcourt

Also Present: James Hartnett, Town Administrator

Select Board Chair Shana Shufelt, called the remote meeting to order at 6:00PM.

**6:00 p.m. Call To order & 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. A reminder that persons who would like to listen to or view this meeting while in progress may do so by following the remote links listed on the posting on line. An audio recording of this meeting will be posted on the town's website as soon as we are able.*

**1. Acknowledgments & Recognitions**

N/A

**2. Covid Update**

Ms. Shufelt summarized the Covid update, there were 675 cases as of 1:00pm on January 18<sup>th</sup>, the positivity rate is 24.6%, based on daily caseload data so far, Westport has not yet reached the peak of the infection curve. There is a Temporary Face Mask order in effect that became effective January 14, 2022 and will expire March 7, 2022.

**3. Public Hearings**

N/A

**4. Licenses/Permits**

N/A

**5. Discussion**

- a. Senator Michael Rodriques & Representative Paul Schmid; Route 6 Discussion and ARPA update

Senator Michael Rodrigues addressed the board, he wanted to meet with the Town early on the State Budget Process. Governor Baker authorized ARPA funds, for Infrastructure Projects and he was able to secure 1 Million dollars for the Route 6 Corridor, these funds can be used for project management, design, construction for water and sewer along Route 6. He stated that DEP will be reaching out to Jim Hartnett with initial contract information. He noted that if the federal money is approved, shovel ready projects will move to the front of the line. The state was awarded 5 billion in ARPA funding, Westport will receive 1.6 million. Funds will be allocated through December 31, 2024 and must be expended by December 30, 2026.

The state has been finalizing budget numbers and he expects significant increases in state aid for schools including Chapter 70 funds and local aid, Senate, House and Governor expect a 2.7% increase for FY23.

State Representative Schmid Commended Senator Rodrigues on the Water & Sewer Project which will have amazing implications on housing and the cleanup of Watuppa Pond. Representative Schmid listed funding authorizations that he has secured including \$140,000 Macomber School – HVAC system, \$50,000 for the Hix Bridge Landing which will be used to make environmentally friendly improvements, including handicap accessibility and improved access to the water. Moving forward he is looking at funding for an Opticom System to override traffic signals along Route 88 for emergency services and looking at improvements to the channel in the Westport River. Mr. Ouellette stated that he is very appreciative of all that the Senator and Representative have done securing these funds for the Town.

Ms. Shufelt noted that the funding for ARPA is limited to specific projects and is concerned that information on social media platforms is misleading.

Jim Whitin expressed gratitude to Rodrigues & Schmidt, he suggested that some of the funding should be considered for improving the quality of septic systems in the area of South Watuppa and Sanford Road.

Senator Rodrigues stated that approximately 20 years ago a private study was funded by local businesses and that looked at looping water and sewer down Sanford Road to Briggs Road and back to Route 6. South Watuppa Pond is the secondary water supply for Fall River and he feels the pond is in better shape now than it has ever been with Title Five septic upgrades and better regulations over all. The funding he has secured is earmarked specifically for the Route 6 Corridor, but he will certainly look into the area along the pond.

Ms. Shufelt recognized the Senator and Representative for a terrific job they have done for the Town and thanked them both. Yearly funding from the state has increased and she noted the 2.7% increase for FY23, but also pointed out that the local assessments continue to go up, the Town is struggling with the operating budget including public safety and the school department.

Mr. Brewer stated that the Town is experiencing a budget crunch, net revenue has decreased and local assessments including school choice and charter school have



increased. The Town has no control over these items. He noted that ARPA funds cannot be used for the operating budget.

Ms. Shufelt noted the importance of Water and sewer for growth and that Town is moving forward with broadband fiber loops for the Town buildings and possibly extending them throughout the Town. Senator Rodrigues stated that the State ARPA has allocated 75-100 million through the Mass Broadband Institute and it is something the Town should consider.

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Mr. Tony Vieira thanked Senator Rodrigues and Representative Schmid for their commitment to the Town of Westport.

Mr. Ouellette asked for an update on the status of Horseneck Beach and the campground. Senator Rodrigues stated that electric service is being brought to a number of the sites that will reduce the need for generators. He also noted that there will still be a number of sites on the south side near the shore. He stated that there is a trust fund that was set up a number of years ago to assist the Town with expenses relating to the beach and is used for public safety. \$1.00 per car is put into the trust fund and he believes the current balance is approximately \$25,000.

**b. FY22 Budget Discussion**

Mr. Hartnett presented budget figures with two options, the higher budget represents the department requests and the lower budget represents proposed cuts. The budget with the proposed cuts could still leave the town 600,000 - 900,000 short, not including any school spending increase, there's no easy way to present the suggested cuts, and they are going to be difficult for all departments. Mr. Hartnett suggests not filling the Town Planner Position; although it's a short term solution that could create long term problems. Mr. Tony Vieira suggested combining things in different departments, looking at cost reductions especially if going for override, have to reorganize and come up with a strategy. Ms. Shufelt stated she doesn't think there's anyone on the Board who doesn't think we need to have an override, we just need to know how much it should be and to educate the residents. Mr. Hartnett stated that if an override is not passed, the repercussions will be felt for years. Ms. Shufelt noted we are trying to avoid layoffs, minimize cuts for a short term solution. It may be time to start thinking about combining departments, Highway-Cemetery-Maintenance, employees may have to step up to help other departments. Maybe close the Town Hall one day a week. Mr. Brewer posed his concern about the school tuition reimbursement increases that we have no control over. Mr. Ouellette suggested looking into the Recreation department to possibly make cuts, Planning and other departments are more important.

**c. Diman Regional School Building Project Schedule**

Mr. Hartnett stated that the town has 60 days from 12/15 to make decision, town share will be 7mil +. In order to secure funding the town would have to hold a special town meeting on February 8<sup>th</sup>, which meant warrant would have to close on 1/24. Originally the MSBC stated the deadline was 120 days.

Ms. Shufelt stated we are in favor of the project however funding is the issue. The options at this point are to request a debt exclusion in April, or to go forward and seek

60 day requirement Diman School Committee and other towns  
Go forward and seek debt exclusion at later date

Dr. Ferreira stated the new project is bringing the school into modern times, built late to mid 60s, 100% undersized. The new building will be a 4 story u-shaped building, they have cut back on frills. The building will enhance what they have to offer, and will meet the needs of the Labor Market.

Debra Kenny stated the new school will offer wonderful things, website will have Power Point Presentation available to the public, idea is to reach as many people as possible

Dr. Ferreira, April 15<sup>th</sup> is a tight window, looking for an extension however an extension poses a hiccup with timing as MSBA Funding ends June 30th and has regulations into spending into next year. The Committee is forced to take action.

Mr. Brewer questioned if other communities were concerned with the 60day turn around. Dr. Ferreira answered nothing, Somerset, Swansea and Fall Rive all meet this week. The School Committee has requested the extension however haven't heard back from MSBC.

#### 6. Appointments and Resignations

- a. Request from Police Chief Keith Pelletier to appoint Ryan Nickelson as Sergeant.  
**MOTION** by Mr. Ouellette to appoint Ryan Nickelson as Sergeant, seconded by Mr. Brewer. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Ms. Shufelt aye.
- b. Request to appoint Rene Kochman to the Cable Advisory Board.  
Mr. Brewer noted that he knows Mr. Kochman well, and he is very deserving of this position. Mr. Ouellette stated he was happy to have him on board.  
**MOTION** by Mr. Brewer to appoint Rene Kochman to the Cable Advisory Board, seconded by Mr. Ouellette. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Shufelt aye.

#### 7. Action Items

- a. Mullin Dangerous Dog Decision clarification.  
Mr. Hartnett noted that clarification was needed, does the decision pertain to all of their dogs or just the two in question. Mr. Brewer, Ms. Shufelt and Ms. Boxler conquered it was just the two dogs in question. Mr. Ouellette inquired about how someone would tell them apart, as Golden Retrievers they are very similar, Mr. Vidmar conquered they are hard to tell apart however there are some distinguishing differences.  
**MOTION** by Mr. Brewer to clarify the decision, the decision pertains to only the two dogs in question, seconded by Ms. Boxler. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Shufelt aye.
- b. Request from the Cemetery Department to use perpetual care funds to purchase equipment.  
Mr. Hartnett stated that for the last couple of years the Cemetery Department has wanted to purchase a mini excavator, as they have been borrowing one from the Highway Department. There is sufficient funding in the Perpetual Care Account, this funding does not need Town Meeting approval. Equipment is limited and with prices increasing it would be good to



purchase the equipment at this time. This request was recommended by the Capital Improvement Planning Committee. Ms. Shufelt questioned if any quotes were obtained, Mr. Hartnett stated yes, and that funding up to \$85,000.00 would be sufficient. Mr. Ouellette stated he's for it as long as the Treasurer approves it, there was no response from Ms. Brayton.

**MOTION** by Ouellette to appropriate up to \$85,000.00 out of the Perpetual Care Account, seconded by Mr. Brewer. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Shufelt aye.

- c. Request to approve amendments to Senate, No. 1357 "an act authorizing the Town of Westport to convey a non-exclusive access easement in a portion of Town Property at 493 Old County Road to benefit 497 Old County Road."

Mr. Hartnett noted this is for the land just east of the landing, giving access to the back of the abutting property, Mr. Hartnett recommends the approval of the Amendment Option 2 as recommended by KP Law.

**MOTION** by Mr. Brewer to approve amendments to Senate, No. 1357 "an act authorizing the Town of Westport to convey a non-exclusive access easement in a portion of Town Property at 493 Old County Road to benefit 497 Old County Road." Seconded by Mr. Ouellette. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Shufelt aye.

- d. Board of Health recommendation to hold remote meetings until March 7, 2022.

Mr. Hartnett stated most boards are meeting remotely with the exception of the ZBA. The Board of Health is encouraging remote meetings until March 7, 2022. Mr. Brewer recommended Remote Meetings should be required for the short term, and questioned whether the Board of Health is making it mandatory, Ms. Ryden stated it's the Board of Selectmen's decision. Mr. Ouellette stated that he thinks it should be mandatory for 30 days.

**MOTION** by Mr. Ouellette that Remote Meetings be required for 30 days, with the exception of meetings that are already posted, seconded by Mr. Brewer. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Shufelt aye.

- e. Planning Board requests comments on the Special Permit Site Plan for Ironwood Renewables, Horseneck Road.

No Comments

- f. Coastal Healing By-Law Compliance determination.

Mr. Hartnett stated the CCC is requesting a municipal compliance certification, this has been signed off by the various departments, and with approval will be sent off.

**MOTION** by Mr. Brewer to send the information as requested, seconded by Ms. Shufelt. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Shufelt aye.

- g. Chapter 61A Release; John A. Santos III and Lyndelle M. Santos, 0 Main Road, Map 55, Lot 29-4 as shown in ANR Plan Book 181, Page 12 as LOT 4 dated 12/9/19 and recorded with the Bristol County (S.D.) Registry of Deeds. Notification made November 1, 2021, with an expiration date of March 1, 2022.

**MOTION** by Mr. Brewer to sign off on the Chapter 61A Release; John A. Santos III and Lyndelle M. Santos, 0 Main Road, Map 55, Lot 29-4 as shown in ANR Plan Book 181, Page 12 as LOT 4 dated 12/9/19 and recorded with the Bristol County (S.D.) Registry of Deeds. Notification made November 1, 2021, with an expiration date of March 1, 2022, seconded by Mr. Ouellette. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Shufelt aye.

- h. Request to allow the Climate Resilience Committee to work with Buzzards Bay relating to drafting an MVP EOI pre-app for design and construction of a possible shared community sewer system and storm water control structures for the "Let".

Mr. Whitin addressed the Board, noting that The Planning Board and The Climate Resiliency approved this project in conjunction with the Buzzards Bay Coalition, however the application is due by Friday, January 21, 2022, this is a win-win for the Town, there are a lot of benefits for the 50 residents that live in that area.

**MOTION** by Mr. Ouellette to allow the Climate Resilience Committee to work with Buzzards Bay relating to drafting an MVP EOI pre-app for design and construction of a possible shared community sewer system and storm water control structures for the "Let", seconded by Mr. Brewer. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Shufelt aye.

- i. Request to approve Kleinfelder Northeast, Inc. contract amendment No. 1 to include Phase 1A, 100% sewer system design, \$355,434.00.

Mr. Hartnett stated this will be of no cost to the town, it will be paid by grants and he recommends approval.

**MOTION** by Mr. Ouellette to approve Kleinfelder Northeast, Inc. contract amendment No. 1 to include Phase 1A, 100% sewer system design, \$355,434.00, seconded by Mr. Brewer. The Board voted 4-0 in favor by roll call vote, Boxler aye, Brewer aye, Ouellette aye, and Shufelt aye.

## 8. **Town Administrator Report**

### **Hix Bridge Ecosystem Restoration Study**

The draft Detailed Project Report and Environmental Assessment for the Hix Bridge, Westport River Aquatic Ecosystem, and Restoration Project has been cleared for public release and comment. Comments are invited from all interested parties and should be directed to the U.S. Army Corps of Engineers. A copy of the draft report and public notice can be found on the Town's website.

The US Army Corps of Engineers did except the Town's documentation totaling \$10,126.63 to cover the required in-kind services.

### **Board of Health COVID ORDER**

The Board of Health is recommending that all meetings be conducted remotely until March 7, 2022. The Board also issued an Emergency Regulation dated January 11, 2022, Requiring Face Coverings in all indoor spaces open to the public. Order included in packet.

### **Fire Department Grant**

Chief Legendre was just notified by the Executive Office of Public Safety and Security and the Department of Fire Series (DFS) that the Town of Westport was awarded a grant in the amount of \$13,645.62. These funds will be used to purchase safety gear for the fire department.

### **Veterans Department**

Quarterly Reports included in packet.

## 9. **Approve Minutes**

- a. January 3, 2022



**MOTION** by Mr. Brewer to approve the January 3, 2022 Minutes, seconded by Ms. Boxler. The Board voted 4-0 in favor by roll call vote, Brewer aye, Ouellette aye, Shufelt aye and Boxler aye.

**10. Report on Bill Warrant**

Ms. Boxler noted it was small and signed.

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

Ms. Boxler: COA, moving along well considering everything that's going on.

Mr. Brewer: CIPC Meetings continue, next meeting January 26, 2022.

Mr. Ouellette: Cable Department moving forward.

Ms. Shufelt: School Building Committee Meeting January 19, 2022, work on punch list is continuing.

**12. Comments and Statements**

Ms. Shufelt attended and presented a citation at the 75<sup>th</sup> Anniversary Celebration at the VFW.

Mr. Ouellette suggested in light of recent information from Senator Rodrigues and Representative Schmidt, getting the Rte 6 Task Force together again should be considered.

**13. Boards/Committees/Commissions Vacancy List**

Ms. Shufelt encouraged residents to get involved, to take a look at the Vacancy List.

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

None

**15. Executive Session**

No Executive Session

**Adjournment**

**MOTION** by Mr. Ouellette to adjourn the meeting at 7:58pm, seconded by Mr. Brewer. The Board voted 4-0 in favor by roll call vote: Brewer, aye; Ouellette, aye; Boxler, aye; Shufelt, aye.

Respectfully submitted,



Paula M. Brown  
Administrative Assistant

APPROVED: \_\_\_\_\_



Richard Brewer, Clerk  
Select Board Member