



## BOARD OF SELECTMEN REGULAR MEETING MINUTES

Monday, May 15, 2023

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

Also Present: James Hartnett, Town Administrator

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

#### **Welcome Comments from the Chair**

**Under MGL Chapter 30A, section 20(f) – this meeting is being recorded.**

#### **Acknowledgments & Recognitions**

Mr. Brewer recognized all who made Town Meeting Successful.

#### **1. Public Hearing**

**6:05PM** - a petition from Verizon New England Inc. and NSTAR Electric Company d/b/a Eversource Energy proposing to relocate facilities, Pole 157A/84.5 on Fisher Road. Plan No. MA2023-06 dated February 23, 2023.

James Murphy from Verizon addressed The Board, stating that in taking a ride by the job site he noticed the Pole was already re-located, communication lines had been transferred but electric lines had not. Ms. Shufelt questioned why the relocation was needed, it was explained that the original location was in the middle of the new road. Mr. Soares questioned if the location of the road needed to be addressed, Mr. Hartnett noted the pole existed before the road was put in, and that the location of the road is not in question.

**MOTION** Mr. Ouellette to approve the relocation of the Pole with a letter to Verizon noting the concern that the work was done before approval, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

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

- a. Request from the Holy Ghost Club, 171 Sodom Road for a One Day All Alcohol Beverage License, for a clamboil on Friday, May 19, 2023 from 5pm-10pm.

**MOTION** by Mr. Ouellette to approve the One Day Liquor License, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

**3. Appointments and Resignations**

- a. Request from Beverly Bisch to appoint Kathleen Hertzler to the part time position of Transportation Clerk.

Ms. Bisch addressed the Board stating that she is excited to have Ms. Hertzler Appointed, she has a background in transportation. Ms. Hertzler added she is eager to get started, 20+ years in transportation with 12 years being with Coca Cola. Mr. Ouellette added that this position is grant funded and wanted to make sure that Ms. Hertzler was aware of that.

**MOTION** by Mr. Ouellette to appoint Kathleen Hertzler as part time Transportation Clerk, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- b. Request from the Finance Committee to appoint Lawrence Holsworth to be the Infrastructure Oversight Committee.

**MOTION** by Mr. Ouellette to appoint Lawrence Holsworth to the Infrastructure Oversight Committee, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

**4. Action Items**

- a. Request from Westport Route 88 Solar, LLC to amend Payment in Lieu of Taxes (PILOT) Agreement.

Mr. Hartnett addressed the Board noting that this is not a new agreement, the original agreement referenced the old regulations that changed in June of 2021, and there were also some minor clerical errors that have been corrected. He also stated that nine PILOTS were approved prior to 2021. The assessors have compared revenue from PILOTS and taxing as personal property for a 5mw project, If billed as Personal Property the revenue would have been \$767,000, being billed as PILOT the revenue was \$1,300,000. Ms. Shufelt added that if billed as Personal Property the highest revenue would be in year one, after that the solar company would pay less each year shifting the burden to other property owners. Mr. Soares questioned that maybe Mr. Hartnett should look into Dartmouth to see how they handle Solar. Mr. Hartnett added that Dartmouth has a higher tax rate for commercial property, where Westport doesn't, but that he would look into it.

**MOTION** by Ms. Shufelt to approve the amended Payment in Lieu of Taxes Agreement with Route 88 Solar, seconded by Ms. Boxler. The Board voted 4-0 in favor, with Mr. Ouellette abstaining.

- b. Request from Christopher Leonard, Director of Marine Services to hang a banner for Shellstock, which will take place on Saturday, August 19, 2023 from 3p.m. – 7p.m.

Mr. Leonard addressed The Board, promoting the Shellstock Event which brings in over \$36,000, it will be held at The Westport Fairgrounds, doors open at 12:30 Mr. Leonard added the Channel and Rock Markers have been placed in the river, as well as the slow no wake signs. Also, 600 of the 5000 bushels of quahogs have been planted from the Taunton River.

**MOTION** by Mr. Ouellette to approve the Banner, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- c. Request from the Westport Education Fund in conjunction with The Friends of the Council on Aging and the Westport Middle-High PTO to hold their Annual Walk for Westport on Sunday, October 29, 2023 from 10am-12pm.

**MOTION** by Mr. Ouellette to approve the Walk for Westport with the Police Recommendations, especially that the volunteers wear vests, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- d. Request from the Cystic Fibrosis Foundation MA-RI Chapter to hold their Annual Bicycle Ride through Westport on Saturday, September 23, 2023.

**MOTION** by Mr. Ouellette to approve the Cystic Fibrosis Foundation Ride, with Police Recommendations, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- e. Request from Matt Armendo, Board of Health Director to post the Part Time Animal Control Officer Position.

Mr. Hartnett addressed The Board noting that funding is available for the remainder of this year and was included in the FY24 Budget.

Mr. Soares initially addressed The Board with a motion to deny this request, after a lengthy discussion pertaining to other issues with the Board of Health, Mr. Soares withdrew his motion to deny.

Ms. Shufelt addressed the issue at hand stating that his position is really needed as the current Animal Control Officer is one person, and has to put in a lot of hours to fulfill the needs of the town.

**MOTION** by Ms. Shufelt to approve the posting of Part Time Animal Control Officer, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- f. Request from Jim Hartnett to approve amended Job Description for Principal Maintenance Specialist and appoint Robert Marshall to the position.

There are some very minor changes to the job description, nothing of significance, more for clarity. This request was initiated by a grievance regarding job duties, Bobby performs water testing, coordinate's repairs, plumbing electrical, etc. and also oversees the weekly cleaning agency. This change in position would put him at the same level as the previous employee was before he left and at the same level as the part time Maintenance staff members at the Library and COA. This would bring his hourly rate up to \$21.41/hour. Mr. Hartnett recommends approval.

Mr. Ouellette questioned the credentials for the position.

Mr. Marshall addressed The Board stating that he has a background in property maintenance and has the credentials for this new position, and has been doing the duties in this job description since he started, he did question adding the playgrounds and snow-plowing, Mr. Hartnett added these duties were not added just re-iterated in the new contract. Mr. Ouellette once again addressed the credentials and Mr. Marshall added he has HVAC experience, however it is not up to date.

**MOTION** by Ms. Shufelt to approve the Amended Job Description and to appoint Mr. Marshall to the position, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- g. Request from the WES MAC PTO to hang the banner promoting their Tough Kids Challenge from May 22, 2023 through June 11, 2023, for the June 11, 2023 Event.

Mr. Ouellette addressed the Board with his concerns of three different banner requests, Ms. Brown noted that they have all been coordinated and there shouldn't be an issue.

**MOTION** by Mr. Ouellette to approve the banner, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- h. Request from the Planning Board to support the Municipal Vulnerability Program (MVP) 2.0 Grant.

Mr. Burris and Mr. Whiting addressed The Board noting that this would certify that the Town of Westport is fully committed to complete the MVP 2.0 process with full participation from necessary Town leadership. Staff from the Town Planning Board will lead the initiative with the Town Planner, Michael Burris, as the project contact, who is committed to allocating sufficient time to complete the project. Support will be provided to the contracted project lead as necessary in order to meet the timelines outlined in the MVP 2.0 program guidelines. The Town will not be eligible for more grants until this is signed. Mr. Whiting brought up the Sidewalk Committee that was formed several years ago, after all was said and done The Board of Selectmen voted 3-2 to not go through with it. A lot of the research and leg work has already been done.

**MOTION** by Mr. Ouellette to support the Municipal Vulnerability Program 2.0 Grant, seconded by Mr. Soares. The Board voted 5-0 in favor.

- i. Request from the Planning Board for the Board of Selectmen to provide a letter of support for it's applications to the Rural and Small Towns and Commonwealth Places grants.

Mr. Burris and Mr. Whiting addressed The Board stating that The Planning Board's Main Road Corridor Plan will develop community-driven policy recommendations for future economic development investments in Central Village's Main Road corridor. Support of the small business community is crucial for the neighborhood's long-term economic vitality. Safety improvements for all roadway users will increase the corridor's attractiveness for all visitors, locals and seasonal tourists alike. This approach is consistent with Town planning documents, such as the 2016 Master Plan which emphasizes supporting independent businesses and the Complete Streets Needs and Prioritization Plan which identifies opportunities for creating safer transportation networks. The resources from the Rural and Small Towns Grant and Commonwealth Places Grant will develop the frameworks for future projects and infrastructure that will enhance Central Village's status as a destination and historical resource in the Southcoast. The program total cost will be \$70,000, and The Planning Board is asking for \$8,500 in ARPA Funds as the Town's 15% Match. Consulting Engineer quotes from PARE came in at \$56,550 and a \$5,000 rendering fee.

**MOTION** by Mr. Ouellette to provide a letter of support for the application to the Rural and Small Towns Commonwealth Places Grant, seconded by

## 5. **Discussion**

**a. Carol Freitas, Veterans Agent – Memorial Day Update**

Saturday, May 20 - Flagging of veterans graves

Linden Grove/Maple Grove (8 AM) and Beech Grove (9 AM) with Boy Scout and Girl Scout troops and other volunteers. Approx. 1,300 veterans buried in 20 different cemeteries.

Saturday, May 27 – Wreath-laying ceremonies (change to the order). At each location a poem is read, place a wreath (Westport Point is bouquet toss), conduct a rifle salute, and play TAPS. Residents are invited to join at any point.

- VFW on Route 6 at 9 AM
- American Legion on Sanford Road at 9:15
- Latessa Square at Tickle Road and Oak Avenue at 9:30
- Fontaine Bridge on Route 88 northbound at 10
- Westport Point at 10:15

Monday, May 29 – Parade and ceremony Weather permitting, the parade will start at 9:30 AM from Town Hall with a brief ceremony at the World War I memorial. They will march to Beech Grove cemetery for a ceremony at the Veterans Monument, which should start at approximately 10 AM.

In the event of inclement weather, parade will be cancelled and ceremony will be moved indoors to the Town Hall Annex gym. Updates will be posted online at the Veterans Services page on the Town's website and on the Westport VSO Facebook page.

Other items

Flag Day – Flag Disposal ceremony will be on Saturday, June 10, at 11 AM, at the American Legion on Sanford Road.

June is Chapter 115 recertification, so she will be meeting with all 33 current recipients.

Attending MVSOA training from June 12 – June 15.

Saturday, June 17, Women Veterans Conference 9 AM to 4 PM, Quincy. Registration in advance required.

Fourth of July parade (if approved). All veterans are invited to be part of the veteran contingent. Contact her to sign up in advance.

3rd Annual Veterans Appreciation Cookout will be on Saturday, Sep. 16, starting at 11 AM. Food will be served at noon. This year tickets for the veteran and 1 family member will be free. Each additional person will be \$5. Tickets should be available in mid-August.

**b. Override Discussion**

Mr. Brewer noted he wanted to add this to the Agenda regarding Town Meeting and the actions that took place there, particularly article number six. He didn't put this on with the idea of making decisions tonight it was to start the conversation. Only the select board that can decide an override a ballot

Mr. Hartnett outlined the timeline, the funds were appropriated on May 2<sup>nd</sup>, and is good until September 15<sup>th</sup> if an election is not held before then we would have to have another town meeting to appropriate the funds. The earlier the election the sooner the funds, the fiscal year starts July 1<sup>st</sup>. Mr. Hartnett noted he sent a draft to KP law they're currently reviewing the specific language it will be ready for the next

meeting. There is a 34 day requirement from when the Board of Selectmen approve the wording of the ballot question for the town clerk to get it on the ballot.

Mr. Brewer mentioned that KP Law sent a publication from DLS outlining the process for overrides and excluded debt measures.

Ms. Shufelt added that July 25<sup>th</sup> is reasonable.

Mr. Brewer questioned if the wording comes from the state, Mr. Hartnett answered there is a general format however our numbers need to be added, that is why he sent it for review.

The Board of Selectmen will have to agree on the amount of the override, 1,000,000 will be appropriated the 1<sup>st</sup> year.

Betty Slade addressed The Board, asking about the 34 days, she isn't clear if it's from when the Board of Selectmen approve everything and say we're going to have an override of a certain amount within 34 days or if it's once the amount is approved, and the earliest it could be on the ballot would be 34 days.

Mr. Hartnett answered The Board will decide in advance and put on the ballot how much the total will be and how it will be allocated for the first year.

Ms. Shufelt noted we have had the situation happen before where we had to call a special town meeting based on a citizen petition, so a citizen's petition could ask for different appropriations.

It is important to get his information out to the public, Mr. Brewer added that speaking only for himself he doesn't think the override will pass unless there's a strong marketing campaign.

## **6. Town Administrator Report**

### Diman School Project

At the request of the City of Fall River the Diman School building project is going to remove the proposed Geothermal Well Fields from the design. The committee has indicated that this will cause a delay and may have further implications to the project. The school will be giving an update on the project at a breakfast meeting scheduled for Tuesday, May 16, 2023.

### Memorial Day

The Board has been invited to participate in the Town of Westport's Memorial Day ceremonies on May 27, & May 29<sup>th</sup>. A copy of the flyer for both the Wreath-Laying Ceremonies and the Memorial Day Parade & Ceremony are included in the Select Board packet.

### Lifeguards

Just a reminder, the Town is looking to hire lifeguards for Cherry & Webb Beach. Employment Applications can be found on the Town Website. The Beach Committee has been seeking applicants and is working with the recreation director, Dana Stewart to organize the summer employment.

### Gifford Road –Route 177 Intersection

A preliminary meeting is scheduled for Friday, May 12<sup>th</sup> with MassDOT to discuss possible upgrades to the intersection of Gifford Road and Route 177. Funding for this work was secured with the assistance of Senator Rodrigues.

#### Highway Department Road Improvements

The 2022/2023 Roadway Paving Improvement schedule can be found at the following link:  
<https://www.westport-ma.com/highway-department/urgent-alerts/2022-2023-roadway-improvements>

Work scheduled by the Highway Surveyor, Chris Gonsalves, includes drainage, paving and miscellaneous punch list repairs remaining from last year's street improvement contract. Please note that work schedules are subject to change based on weather conditions.

#### **7. Approve Minutes**

##### **a. May 1, 2023**

**MOTION** by Ms. Shuflet to approve the May 1, 2023 Minutes, seconded Mr. Ouellette. The Board voted 4-0 in favor.

##### **b. May 2, 2023**

**MOTION** by Ms. Shuflet to approve the May 2, 2023 Minutes, seconded Mr. Ouellette. The Board voted 4-0 in favor.

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

Ms. Boxler that the warrant was in order and signed.

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

Ms. Shufelt – Climate Resiliency met last week, a lot of members, many ideas, great working group. Internet Advisory meets on Thursday, Entry Point Has been invited, David Cole is working really hard on this, School Building, still plugging along, paying bills, still under budget

Mr. Brewer – Energy Committee meeting this week, Audit Committee meets on May 22<sup>nd</sup>, Tony Roselli will be joining in to go over various reports

Mr. Ouellette – Infrastructure Oversight Committee moving forward looking for land for pump house

Mr. Soares – Infrastructure Oversight Committee has invited Phil Weinberg to 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.**

**MOTION** by Ms. Shufelt at 7:43pm to adjourn the meeting, seconded by Mr. Ouellette. The Board voted 4-0 in favor.

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Paula Brown  
Administrative Assistant

Approved: 

Manuel Soares  
Select Board Member

Attached Files:

- 1 Verizon
- 2a Holy Ghost Club
- 3a COA Appointment
- 3b IOC Lawrence Holsworth
- 4a ARS Pilot Agreement
- 4b Shellstock Banner Request
- 4c Walk for Westport
- 4d Cystic Fybrois Ride
- 4e ACO Position
- 4f Maintenance Specialist
- 4g Tough Kids Challenge Banner Request
- 4h Planning Board MVP Grant
- 4i Planning Board Rural and Small Town
- 5a Carol Freitas Memorial Day Events
- 7a 05012023 Minutes
- 7b 05022023 Minutes