



BOARD OF SELECTMEN REGULAR MEETING MINUTES

Monday, July 24, 2023

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

Member Absent: Manuel Soares, Clerk

Also Present: James Hartnett, Town Administrator

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

Welcome Comments from the Chair

Mr. Brewer opened the meeting by reading:

On March 29, 2023, Governor Healey signed into law a supplemental budget bill which, among other things, extends the temporary provisions pertaining to the Open Meeting Law to March 31, 2025. Specifically, this further extension allows public bodies to continue holding meetings remotely without a quorum of the public body physically present at a meeting location, and to provide "adequate, alternative" access to remote meetings. The language does not make any substantive changes to the Open Meeting Law other than extending the expiration date of the temporary provisions regarding remote meetings from March 31, 2023 to March 31, 2025, and that Under MGL Chapter 30A, section 20(f) – this meeting is being recorded.

Mr. Brewer added this explains how this was a valid meeting even with two members being remote. He then reminded residents of the Special Election on Tuesday, July 25th. He also added that the next Board of Selectmen Meeting will be August 21st.

Acknowledgments & Recognitions

Westport Community School Employees: Mike Duarte, Karen Augusto & Lucy Hassey
Mr. Brewer introduced Representative Paul Schmid and Senator Michael Rodrigues who presented Mike Duarte citations for his 40+ years of service. Mr. Aubin was also in attendance, he added that Mike will surely be missed and how he could have retired a few years ago but graciously stayed on and was a tremendous asset to the new school transition. Mike Duarte addressed Representative Schmid and Senator Rodrigues thanking them for the recognition, although not always easy, he has truly enjoyed his time working in the schools. Mr. Aubin also recognized Lucy Hassey's 12 years of service and Karen Augusto's 15 years of service.

Public Hearing(s) – 6:05PM

- a. Request of Steven Perry Lourenco for a change in Ownership Interest, change in LLC Manager and change in Licensing Manager of OMS, LLC dba Portas da Cidade, 231 State Road – Cameron D. Olivier (Co-Owner) and Steven P. Lourenco (Co-Owner/Manager).

Mr. Hartnett addressed the Board, the paperwork appears to be in order, Cam Olivier and Steven Lourenco have been partial owners for some time, Olivia Stone is transferring her remaining interest to them. Steven Lourenco will be the Manager for the Alcohol license and a favorable Police Report has been received.

Attorney Matthew Burke addressed the Board explaining that Olivia Stone was the sole owner/manager of the Restaurant and has recently transferred ownership to Mr. Olivier and Mr. Lourenco who are both long time employees of the establishment. Steven Lourenco will serve as manager.

MOTION by Mr. Ouellette to approve the change in ownership, LLC and Manager, seconded by Ms. Shufelt, The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

- b. Request from the Harbor Advisory Committee for a Slow No Wake Zone from the Northern shore of Kirby Brook perpendicular to 409 Pine Hill Road then North to the Head Bridge (Old County Road).

Mr. Brewer stated that this Public Hearing will be postponed until August 31, 2023.

1. Licenses/Permits

- a. Request from Buzzards Bay Brewing, 98 Horseneck Road for a One Day Wine and Malt Beverage License on August 19, 2023 from 3:00pm – 7:00pm, for Shellstock to be held at the Westport Fair Grounds, 200 Pine Hill Road.

Mr. Hartnett noted that this event was held in the past and there is a favorable Police Report.

MOTION by Ms. Boxler to approve the request pending Fire Department notification, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

- b. Request from Westport Rivers Vineyard and Winery, 417 Hixbridge Road for a One Day Wine and Malt Beverage License on August 19, 2023 from 3:00pm – 7:00pm, for Shellstock to be held at the Westport Fair Grounds, 200 Pine Hill Road.

Mr. Hartnett noted that this is similar to the previous request, and there is a favorable Police Report.

MOTION by Mr. Ouellette to approve the request pending Fire Department notification, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

- c. Request from the Holy Ghost Club, 171 Sodom Road for One Day All Alcohol Beverage License on the following dates:

August 5, 2023 for a Reunion from 1pm-6pm

August 12, 2023 for a Class Reunion from 12pm – 4pm

August 20, 2023 for a Clam Boil from 12pm – 5pm

MOTION by Mr. Ouellette to approve the request, seconded by Ms. Shufelt The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

- d. Request from the Westport River Watershed Alliance for A One Day All Alcohol Beverage License for their Gala on Saturday, August 12, 2023 from 5pm-8pm, to be held at 7 Coggeshall Lane.

MOTION by Mr. Ouellette to approve the request pending Police Department Recommendation, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

2. Appointments and Resignations

- a. request to appoint Ryan Furtado as Seasonal Cemetery Laborer

Mr. Hartnett stated that Ryan started on July 17th, he was a seasonal worker last year and we were short two staff members so he started early.

MOTION by Mr. Ouellette to appoint Ryan Furtado, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

- b. Request from Keith Pelletier, Police Chief, for a Conditional Offer of Employment as Full Time Police Officer to Ryan Williams.

Mr. Hartnett addressed the Board stating that this is just the conditional appointment, Ryan Williams will attend the BOS meeting when the final appointment is made.

MOTION by Mr. Ouellette to appoint Ryan Williams, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

- c. Request from the Highway Department to appoint Evan Almeida as Working Foreman.

Chris Gonsalves addressed the Board stating that Evan has been doing a great job, in the last year and half, he has really stepped up. Evan thanked the Board.

MOTION by Mr. Ouellette to appoint Evan Almeida, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

- d. Request from John Rezendes, Westport Community TV to hire Olivia Hok as a Temporary Camera Operator.

John Rezendes addressed the Board, stating it's that time of year again and we lose kids to graduation, Olivia Hok has been doing a great job. Mr. Ouellette added this appointment was approved by the Cable Advisory Board.

MOTION by Mr. Ouellette to appoint Ryan Williams, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

- e. Request to appoint the following to the Fire Chief Search Committee:

Kevin Partridge
Cindy Brown
Jim Hartnett
Steve Ouellette

Chief Brian Legendre (Non-voting member)

MOTION by Mr. Ouellette to make the appointments as listed, seconded by Ms. Shufelt The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

- f. Request from Matt Armendo, Public Health Director to appoint:
Olive Wicherski as Full-Time Public Health Excellence (PHE) Shared Services Coordinator
Gabrielle Almeida as Full-Time Public Health Excellence (PHE) Shared Services Agent/Inspector
Shallyn Rodriguez as Part-Time Public Health Excellence (PHE) Shared Service Agent/Inspector (up to 15hrs/week)
Tanya Ryden, Board of Health Chair, addressed the Board, stating the Board of Health is ready to hire, the positions are grant funded, non-union positions. Ms. Ryden also noted they are interviewing for the landfill position, she is requesting the Board allow Jim Hartnett to approve the hiring under the 48 hour rule, due to the fact the next meeting isn't until August 21st. After a brief discussion, Mr. Brewer determined that this request doesn't qualify under the 48 hour rule, and that the Board will be willing to call a special meeting to appoint the new employee. Ms. Shufelt noted that she has no problem authorizing Jim Hartnett to approve the appointment, this is similar to the appointment that was made earlier in the meeting.
- MOTION** by Mr. Ouellette to make the appointments as listed, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.
- g. Request from Mid City Steel to appoint Maggie D'Aguiar, Christopher Kessing, Abraham Melendez, Sonya Frost, Katie Medeiros, Anna Hubright & Tara Moniz as Public Weighers.
- MOTION** by Mr. Ouellette to make the appointments as listed, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.
- h. Request from Christopher Thrasher to be appointed to the Audit Committee.
- MOTION** by Mr. Brewer to appoint Christopher Thrasher, seconded by Mr. Ouellette The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

3. **Action Items**

- a. Request from the Planning Board to review and submit comments on the Special Permit applications of Eric and Jillian Raposo for property located at 82 Highridge Road, Westport, MA 02790, Assessor's Map 42, Lots 1T, 7 & 8-2.
No Comment
- b. Request to release Westport Housing Rehabilitation Program Lien recorded in Book 10108 Pages 274-278.
Mr. Hartnett stated that this Lien was previously released by the Board back in 2019, but the release was never recorded.

MOTION by Mr. Ouellette to release the lien, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

c. Request from Michael Burris, Town Planner, to commit \$5,000 of Match to the MS4 Project and \$20,000 of match to The Let Project, through American Rescue Plan Act (ARPA) funds or the Town's Match Fund.

Mr. Hartnett noted the \$5,000 match for the MS4 work is available in the Planning Department Budget. The \$20,000 match would have to be allocated from ARPA or the Grant Match Account. The BOS previously approved the match for this grant last year. It should be noted that there are no Town resources available at this time to construct, manage or maintain a system such as this.

Michael Burris addressed the Board, stating they are no longer looking for the \$5,000 Match, this will be funded from the Planning Board Expense Account. The Let Project will benefit 56 homes and The Bayside Restaurant. Ms. Shufelt questioned the advantage of using Match Funds instead of ARPA? Mr. Hartnett noted there are more restrictions with the ARPA Funds, in the long run it won't really matter.

MOTION by Ms. Shufelt to authorize the \$20,000 from the Town's Match Fund, seconded by Mr. Ouellette. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

d. Request to approve MassDOT letter – Gifford Road/Route 177.

Mr. Hartnett addressed the board stating that this letter asks MassDOT to partner with the town to make improvements to the intersection, there is \$150,000 earmark, with the new school this route is travelled more often and there have been more accidents. Ms. Shufelt added that she doesn't think people realize how complicated the process is to add a traffic light, roundabout, etc.

MOTION by Ms. Shufelt to approve the letter, seconded by Mr. Ouellette. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

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

Sandra Massey - \$30 - Outreach
Representative Paul Schmid - \$250 - Summer Cookout
Beverly Medeiros - \$50 - Tax Help
Pauline Garnett - \$200 - Best Use
Senator Michael Rodrigues - \$250 - Summer Cookout
Varick Niles - \$100.00 - Best Use
Anonymous - \$50.00 - Best Use
Tee Almeida - \$5 - Best Use
Geri Fortier - \$100 – Transportation
Ruth Moniz - \$50 - Best Use
Totaling \$1085

MOTION by Mr. Ouellette to approve the donations, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

f. Review Town Administrator Performance Review.

After a brief discussion in praise of Mr. Hartnett's performance a motion was made.

MOTION by Mr. Ouellette to approve Mr. Hartnett's Performance review and salary increase, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

g. Request from Beverly Bisch, Council on Aging Director to post the part-time position of Assistant to the Director.

Mr. Hartnett stated that this position was approved by the Personnel Board and by voters at the May Town Meeting.

MOTION by Mr. Ouellette to post the position, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

4. Discussion

Cemetery Staffing

Mr. Hartnett wanted to provide a status update, there is an employee on leave and an injured employee, one of the employees has really stepped up to the plate. Mr. Hartnett suggests an Administrative Position to oversee this department, maybe combine with Highway or Board of Health, he will be looking into the options over the next couple of months.

5. Town Administrator Report

Southcoast Health

Ian Trombly, Government Affairs Specialist from Southcoast Health, stopped by the office last week to introduce himself. Southcoast is one of the largest employers of Westport Residents and he presented the following Westport statistics:

- Southcoast Health employs 7,459 total employees.
- 289 employees live in Westport
- 31 employees work at Southcoast Family Medicine in Westport

Southcoast Health Family Medicine: 827 American Legion Highway

- Primary Care, Behavioral Health, and Lab Draw Station
- 9 Providers
- Over 20,000 visits per year
- 11,533 Square Feet
- 18 Exam Rooms

Highway Department

Thanks to the Highway Department for clearing out years of debris in the area between the Town Hall parking lot and Lees Market.

Wage Study

The Request for Proposals (RFP's) is now available for the Employee Classification and Compensation Study. This study was requested by the Personnel Board and funded by Town meeting voters. Proposals are due August 24, 2023.

Long Term Building Committee (LTBC)

A meeting of the LTBC will be scheduled in early August, members have been notified. The main focus will be on the Old High School as well as other municipal buildings. Funding was allocated at the Annual Town Meeting for a feasibility study and project manager.

Town Website

The Town website is outdated and difficult to maintain. Paula Brown and Nadine Castro have been researching options for a possible upgrade. Our current vendor, Government Websites- by CivicPlus has upgraded their platform improving the use for viewers and content providers. A number of Massachusetts Communities are using their new platform including Dartmouth and Seekonk, their websites can be viewed on the following links:

<https://www.town.dartmouth.ma.us/>

<https://www.seekonk-ma.gov/>

Over the next couple of months, the Town will be looking at other vendors but regardless of the vendor the cost to upgrade will be in the \$40,000 range. This includes developing the site, training, and populating the pages with existing information.

6. Approve Minutes

a. June 26, 2023

MOTION by Ms. Boxler to approve the June 26, 2023 minutes, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

b. July 10, 2023

MOTION by Ms. Boxler to approve the July 10, 2023 minutes, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

7. Report on Bill Warrant

Ms. Boxler noted there were two warrants, both signed and in order, one was large, \$3,000,000 for the yearly retirement payment.

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

Boxler – There is a fundraiser for the Habitat for Humanity House on Sodom Road at the Winery in September.

Ouellette – urged residents to spend local, and to be careful, the number of crashes is really putting a strain on Public Safety

Brewer – MMA is offering a Webinar of the Cannabis Law. The COA recently held an Open House it was very well attended.

9. Comments and Statements

10. Boards/Committees/Commissions Vacancy List

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

Request to appoint Cindy Brown and Sean Leach to the Long Term Planning Building Committee.

Ms. Brown addressed the board, stating that these appointments need to be made for an upcoming meeting.

MOTION by Mr. Ouellette to appoint Cindy Brown and Sean Leach to the Long Term building Committee, seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

Adjournment

MOTION by Mr. Ouellette to adjourn the meeting at 7:23p.m. Seconded by Ms. Shufelt. The Board voted 4-0 in favor, via roll call vote Boxler aye, Shufelt aye, Ouellette aye and Brewer aye.

Respectfully submitted, Paula Brown, Administrative Assistant/Confidential Clerk

APPROVED:  _____ Manuel Soares, Clerk, Select Board Member

FILE ATTACHMENTS:

- 1a Buzzards Bay Brewing
- 1b Westport Rivers
- 1c Holy Ghost Club
- 1d WRWA Gala
- 2b WPD – Williams
- 2c Evan Almeida - HWY Foreman
- 2d Community TV - Olivia Hok
- 2f BOH Shared Services Appts
- 2g Mid City Appointments
- 2h - Thrasher - Audit Commiittee
- 3a Planning Board Request for Comment
- 3b Release of Lien
- 3c PB - Buzzards Bay Match Request
- 3d District Letter 7-17-23
- 3e COA Donations
- 3g COA Job Posting
- 6a 06262023 Minutes
- 6b 07102023 Minutes
- PH Portas deCidade