



BOARD OF SELECTMEN REGULAR MEETING MINUTES

Monday, September 25, 2023

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

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

Eddy Beaulieu's passing was recognized, Fast Eddy, antique car enthusiast, he was 107 Years Old, he was the oldest person in Westport. Ms. Boxler acknowledged the passing of Dr. Linda Galton, former Superintendent. Mr. Brewer expressed the Boards condolences to the families.

1. Public Hearings – 6:05pm

- a. Request from Bootleg BBQ Westport, LLC located at 778 Main Road, Westport, MA for the Change of Category of the Liquor License from Wine & Malt License to All Alcohol, Fred Melnyk, Jr. Owner/Manager.
Mr. Melnyk addressed the Board stating that there is a demand for mixed drinks and not being able to offer them, results in patrons just getting water with lemon, which results in lost income. This strictly a business decision.
Mr. Ouellette questioned TIPS certification, Mr. Melnyk answered his staff will be adhering to what is required by the ABCC.
MOTION by Mr. Brewer to approve the Change of Category from Wine & Malt to All Alcohol, seconded by Ms. Shufelt. The Board voted 5-0 in favor.
- 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) (continued from August 21, 2023).
Mr. Leonard, Harbor Master and John Azevedo from the Harbor Advisory Board addressed the Board stating that the Harbor Advisory Board met on September 12th to once again address the request for the Slow No Wake Zone and they are recommending to the Board of Selectmen to approve a Slow No Wake Zone from 418B Drift road to Widow's Point.

Jonas Levi read a statement from his father Jonathan Levi, reiterating what he said at the previous meeting, summarizing that rules don't need to be changed, you have the rules you rules both local and state we're just asking for a very modest enforcement provision of posting two buoys.

Mr. Brewer questioned how it will be marked, Mr. Leonard answered with one buoy, he then addressed the enforcement issue.

Mr. Lalima addressed the Board stating the he thinks this is an admirable compromise.

Mr. Simcoe addressed the Board stating there is a blind curve, but this is restricting two miles of the river, the rocks are marked by private citizens in that area. He also reminded the Board that the complaints are from land. He then praised the Harbor Advisory Board Efforts with this matter.

Mr. Soares added that a No Wake Zone is not fair to the residents, and that enforcement is the issue.

Mr. Brewer added that this seems like a modest approach, but it won't solve all problems.

MOTION by Ms. Shufelt too approve the Slow No Wake zone as presented by the Harbor Advisory Board, seconded by Mr. Brewer. The Board voted 3-2 against the motion.

2. **Licenses/Permits**

- a. Preliminary Approval of Licenses, Motor Vehicle Class I, II and III, Repair, Liquor, Common Victualler, Entertainment and Amusements for 2024. (See attached list.)

MOTION by Mr. Ouellette to approve the License as read, with the exception of the ones that were held by the Board, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- b. Request from Westport Rivers Winery & Buzzards Bay Brewing for a One Day Liquor License for September 28, 2023 from 5pm-9pm, preview night of the Westport Harvest Festival at The Westport Fair Grounds, 200 Pine Hill Road. Ms. Brown addressed the Board that the Police Report was received and it was favorable.

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 Maria Andrade-Hermort to the part time (19.75hr/wk) position of Assistant Director.

Ms. Bisch approached the Board along with Ms. Andrade-Hermort stating that this position was furlowed during Covid and she would like it back, the COA needs someone who is familiar with what the Director does. Ms Hermort speaks Portuguese which is an asset.

MOTION by Mr. Ouellette to appoint Maria Andrade-Hermort, seconded by Ms. Shufelt, the Board voted 5-0 in favor.

- b. Request from Beverly Bisch to appoint Lee Benoit to the part time (19.75hr/wk) position of Van Driver.

Ms. Bisch approached the Board along with Ms. Benoit, stating that she is well trained and has her CDL. Ms. Benoit added she is looking forward to starting.

MOTION by Mr. Ouellette to appoint Lee Benoit, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- c. Request from Chief Pelletier to re-appoint Michael Chicca as Full Time Police Officer, effective 9-19-23.

MOTION by Mr. Ouellette to appoint Michael Chicca, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- d. Request from the Building Commissioner, Ralph Souza to appoint David Gonsalves as an Alternate Per-Diem Wiring Inspector.

Mr. Soares addressed the Board that hiring Mr. Gonsalves will benefit the town.

MOTION by Mr. Ouellette to appoint David Gonsalves, seconded by Ms. Shufelt. The Board voted 4-0 in favor, with Ms. Boxler abstaining,

- e. Request from Chief Pelletier to appoint Jacob Mauk as full time EMD 911 Dispatcher.

MOTION by Mr. Ouletter to appoit Jacob Mauk, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

4. **Action Items**

- a. Select Board representatives to meet with Finance Committee

MOTION by Mr. Ouellette to appoint Ms. Shufelt and Mr. Brewer as Select Board Representatives, with Ms. Boxler as an Alternate, seconded by Mr. Soares. The Board voted 5-0 in favor.

b. Police Chief Position

- Appoint Preliminary Screening Committee to screen candidates for the position of Police Chief. Recommend representatives from the Finance Committee-Al Lees, Personnel Board-Cindy Brown, and Select Board, Police Chief Pelletier and Town Administrator-Jim Hartnett.

- Approve revised job description

- Post in-house, application deadline October 13, 2023.

After a brief discussion, it was decided that the Chief would be a non-voting member of the committee. Mr. Soares volunteered to serve on the committee.

MOTION by Ms. Shufelt to appoint Mr. Soares, Mr. Lees, Ms. Brown, and Jim Hartnett to the committee, to approve the Job Description and to Post in House, seconded by Mr. Brewer. The Board voted 5-0 in favor.

- c. Review Executive Session Minutes Policy.

After a brief discussion it was the consensus of the Board to review and release the Executive Session Minutes in Executive Session, yearly.

- d. Request from the Planning Board for Comments and recommendations regarding the definitive subdivision plan entitled "Plan of Land at Assessors' Plat 52 Lot 20A Westport, MA" prepared for Kevin DaPonte, Gregory Nicholas, and Shane Sousa and located between 278 Drift Road and 312 Drift Road, Map 52 Lot 20A, proposing to divide the property into nine (9) lots.

No Comment

- e. Request from the Council on Aging to accept the following donations totaling \$356.00.

- \$30 LizTaylor, Tech Help
- \$10 Ora Caya, Outreach

- \$2 Anonymous, Best Use
- \$40 Janice Goulet, Equipment Loan
- \$200 Anonymous, Best Use
- \$60 Nancy Kelly, Best Use/Yoga Boosters,
- \$14 Anonymous, Hospitality

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

- f. Request from Chris Leonard, Director of Marine Services to open bay scallop season at sunrise on October 14, 2023.

MOTION by Mr. Ouellette to open scallop season on October 14, 2023, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- g. Request from Chris Gonsalves, Highway Surveyor to award the Chapter 90 Paving Improvements Contract to Rochester Bituminous Products, Inc., 83 Kings Highway, West Wareham, MA 02576.

MOTION by Mr. Ouellette to approve the contract with Rochester Bituminous, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- h. Request from Chris Gonsalves, Highway Surveyor to approve notice to proceed for Rochester Bituminous Products, Inc., 83 Kings Highway, West Wareham, MA 02576.

MOTION by Mr. Ouellette to approve the notice to proceed for Rochester Bituminous, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- i. Request to post the Cemetery Laborer positions (Laborer and Laborer 2)

MOTION by Mr. Ouellette to post the positions, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- j. Request from the Westport Education Fund in conjunction with The Friends of the Council on Aging and the Westport Middle-High PTO to hang a banner for their Annual Walk for Westport on Sunday, October 29, 2023.

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

5. **Discussion**

None

6. **Town Administrator Report**

No Report

7. **Approve Minutes**

- a. September 11, 2023

MOTION by Mr. Soares to approve the September 11, 2023 Minutes, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

8. **Report on Bill Warrant**

Ms. Boxler stated it was reviewed and signed.

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

Boxler – LTBC, getting policies in place, moving forward quickly

Shufelt – Climate Resiliency meeting this week, she also added that as far as the well at the new school, it was covered under warranty

ba

Brewer – would like to take a look at the 2024 Meeting Calendar, there is a 3 week gap some months, the Audit committee will be meeting on 10/2, he added that he is will to speak at the Veteran's Day event

Ouellette – Bike Committee moving ahead with grants for the trails, the Fire Chief applicant will be presented at the next meeting.

Soares – LTBC has accelerated their timeline, looking into hiring a facilitator, he feels that money would be better spent hiring and assistant Building Inspector. He reiterated his concerns with the Annex, especially the septic system.

10. Comments and Statements

Ruth Rasmussen, from The Shorelines approached the Board with a few questions, the first being if there is a reason why the Police Chief is leaving, it was answered that he is retiring after 21 years as chief and 30+ years as part of the department.

She then asked why the members who voted "no" on the Slow No Wake Zone would explain why, Mr. Ouellette answered that there is a by-law place already, the sharp corner will need to be monitored. Ms. Boxler answered she feels that it is one neighborhood group targeting another, and Mr. Soares answered in his personal observation it is too restrictive and a buoy isn't going to help.

11. Boards/Committees/Commissions Vacancy List

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

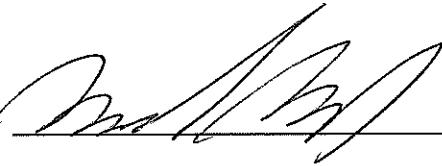
13. Executive Session – pursuant to the provisions of MGL c 30A section 21(a), Chair declares an open meeting will have a detrimental effect to:

Adjournment

MOTION by Mr. Ouellette to adjourn the meeting at 7:41p.m., seconded by Ms. Shufelt. The Board voted 5-0 in favor.

Respectfully submitted, Paula Brown, Administrative Assistant/Confidential Clerk

APPROVED:
Member



Manuel Soares, Clerk, Select Board

FILE ATTACHMENTS:

1a PH WPD Report Bootleg BBQ

1a PH Bootleg BBQ

1b PH Waterways Rules and Regulations

1b PH b No Wake Zone Map
1b PH b PH No Wake Zone
2a Preliminary License Approval
2b Westport Rivers & Buzzards Bay 9.28 Harvest Festival
3a COA – Hermort
3b COA – Benoit
3c Chicca - WPD Re-Appointment
3d Per Diem Wiring Inspector
3e WPD-911 Dispatcher-Jacob Mauk
4b Chief Job Posting Job Desc
4d PB Request for Comments
4e COA Donations
4f 2023 scallop season opening
4g Contract - Rochester Bituminous
4h Notice to Proceed - Rochester Bituminous
4j WEF Walk for Westport Banner Request
7a 09112023 Minutes

Motor Vehicle
Class I

Bulldog Fire Aparatus
JP Trailer Manufacturing

2a

Motor Vehicle
Class II

"A" Auto Sales

H 3D Auto Sales Inc.

Advanced Motor Sales & Service
Affordable Auto Leasing, Inc.
Amaral Bus Co., Inc. dba Amaral Bus/Truck Sales & Service
AutoPlus Motorcars
Beaulieu's Garage
Charlie's Auto
Dan's Auto Sales
Distinctive Auto Body Refinishing & Sales, Ltd.
Ferreira's Auto Body & Sales
Ferreira's Auto Sales & Marine Annex
Ferrine's Sales & Service
Frank E. Brayton, Jr. Auto Sales & Service Inc.
G & S Used Auto Sales
G. Souza's Hillside Motors, Inc.

L Glenwood Auto Sales

Greenwood Park Motors, Inc.
Hala Auto Sales
Hometown Motors
Horseneck Auto Sales, Inc.
I cars, Inc.
J & L Pond View Auto Sales Corp.
J.B.S. Towing Services Corp.
JK & Son's Auto Sales, Inc.
John Soares Village Garage, Inc.
John Soares Village Garage, Inc.
Leclair's Auto Sales
Nu-Way Auto Sales
Omo Ola Auto Sales
Prestige Auto Mart, Inc.
Prestige Auto Mart, Inc.
Prestige Auto Mart, Inc. dba Westport Auto Center

H R & R Auto Body

Richard Mendes dba Mendea Auto Sales
Rob's Auto Care, Inc.
Samuel Ferreira d/b/a Samuel Ferreira Used Auto Sales
SoMa Imports, Inc.
State Road Auto Sales, Inc. dba State Road Auto Sales
State Road Auto Sales, Inc. dba State Road Auto Sales Annex 1

H Sue's Auto Sales, Inc.

Tech Auto World, LLC
Thad's Auto Salvage, Inc.
Top Quality Auto Sales

Motor Vehicle

Class II (continued)

Top Quality Auto Sales

Westport Auto & RV Center

Windmill Cycles

Motor Vehicle
Class III

Lantic Salvage, Inc.
Mid-City Scrap Iron, Inc.
Robert J. Desmarais
Thad's Auto Salvage, Inc.

Repair

Adamsville Garage

Advanced Motor Sales & Service

Amaral Bus Co., Inc. dba Amaral Bus/Truck Sales & Service

(H) Barry's Mobile Automotive

Beaulieu's Garage

Charlie's Auto

Charlie's Auto

Distinctive Auto Body Refinishing & Sales, Ltd.

East Coast RV & Auto Repair

Ferns Auto Repair

Ferreira's Auto Body & Sales

Five Star Collision, Inc.

Four Square Village Garage

G. Souza's Hillside Motors, Inc.

(H) Glenwood Auto Detailing

Integrated Street Performance

J.B.S. Towing Services Corp.

JK & Son's Auto Sales, Inc.

Joe's Auto Repair

John Soares Village Garage, Inc.

Lou's Custom Exhaust

Macomber's Garage

Martin's Auto Repair

Mendes Auto Repair

Nu-Way Auto Sales

Prestige Auto Mart, Inc.

Rob's Auto Care, Inc.

Rob's Auto Care, Inc.

Thad's Auto Salvage, Inc.

Westport Tire, Inc.

State Road Auto Sales

Rogers Automotive, Inc.

Westport Auto Clinic

Wilfrid's Garage, Inc.

Whaling City Transit, Inc.

Top Quality Auto Sales

(H) R & R Auto Body & Sales

Rte. 6 Gas

Top Quality Auto Sales

Liquor

Acoaxet Club DBA Acoaxet Club Inc.

Bad Kitty b/d/a The Back Eddy

Bittersweet Restaurant, Inc.

Bootleg Barbecue

Buzzards Bay Brewing, Inc.

Compton Clambakes & Catering

(H) Country Liquor & Variety

Cumberland Farms, Inc. #2234

Hampton Inn

Harry's County Store, Inc.

Holiday Lanes

Holy Ghost Club of Westport, Inc.

Kozy Nook Restaurant

Lees Market (grocery)

Noele, Inc. dba Village Market

Oriental Pearl

Pine Hill Gas & Convenience

Portas Da Cidade

S&H Supreme Liquor, Inc.

(H) Star Country Store & Deli

Supreme Gas

Ten Cousins' Brick Oven

(H) The Bayside Restaurant

(H) The Westporter

Towne Place Suites

Village Pizza

W.A. & R Ouellette Post #8502

Westport Club (Social Club)

Westport Market

Westport Rivers

Westport Wine & Spirits

White's Restaurant

Seasonal Wine & Malt

Acoaxet Club DBA Acoaxet Club Inc. Dba The Pro Shop

(H) Bay-Breeze, Inc. (Westport Sea Farms)

Acoaxet Club, Inc.

Acoaxet Club, Inc. dba Pro shop

Alice A. Macomber Primary School

Bad Kitty b/d/a The Back Eddy

Bay-Breeze Inc. (Westport Sea Farms)

Bittersweet Restaurant, Inc.

Buzzards Bay Brewing, Inc.

Compton Clambakes & Catering

(H) Country Liquor & Variety

Cumberland Farms, Inc. #2234 (State Rd)

Cumberland Farms, Inc. #2273 (Main Rd)

(H) Delano's Daily Grind

Dunkin Donuts

Fall River Rod & Gun Club

Gene's Meat Market

Gooseberry Natural Foods

Hampton Inn

Handy Hill Enterprises

Harry's County Store, Inc.

Holiday Lanes

Holy Ghost Club of Westport, Inc.

Honey Dew Donuts

Kathy's Coffee Shop & Creamery, LLC

Kozy Nook Restaurant

Lees Market

Lexi-Lus Place

Lexi's Roadside Dogs

Lickety Splits

Nick's Homemade Pizza

Noele, Inc. dba Village Market

Noquochoke Hall Association

Olympia Pizza

Oriental Pearl Restaurant

Our Lady of Grace Church

Paquachuck Inn

Paradise Hill Farm

Partners Village Store

Perry's Bakery, Inc.

Pine Hill Gas & Convenience, Inc.

Portas da Cidade

Ray's Kettle Korn

S & H Supreme Liquors, Inc.

St. John the Baptist Church

Stacey Caskes Tea Shoppe & Cakery

(H) Star Country Store & Deli

Common Victualler

Supreme Gas
Ten Cousins' Brick Oven
The Bayside Restaurant
The Head Town Landing Country Store
The Westporter
Timo's Pizza
Village Pizza
W.A. & R Ouellette Post #8502
Weatherlow Farms, LLC
Westport Club, Inc. (social club)
Westport Council on Aging
Westport Country Day School
Westport Elementary School
Westport Fair, Inc.
Westport Gas
Westport Jr/Sr High School
Westport Lobster Co.
Westport Market
Westport Meats
Westport Point United Methodist Church
Westport Rivers, Inc.
Westport Town Hospitality dba Towneplace Suites
Westport Wine & Spirits
White's Restaurant
H Wild Honey Café
Wingate's Cakes

Entertainment

Acoaxet Club, Inc.
Bad Kitty b/d/a The Back Eddy
Bittersweet Restaurant, Inc.
Buzzards Bay Brewing, Inc.
Holiday Lanes
Holy Ghost Club of Westport, Inc.
Oriental Pearl Restaurant
Portas da Cidade
Ten Cousins' Brick Oven
W.A.& R Ouellette Post #8502
Weatherlow Farms
Westport Club, Inc.
Westport Rivers, Inc.
White's Restaurant

Amusements

Holiday Lanes
Oriental Pearl Restaurant

Inn Holder

Acoaxet Club, Inc.

Hampton Inn

Paquachuck Inn

Westport Town Hospitality dba Towneplace Suites