

**BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MONDAY, MARCH 14, 2022**

**6:01 p.m. Call To order & Pledge of Allegiance**

**1. Acknowledgments & Recognitions**

None

**2. Covid Update**

Ms. Shufelt summarized the report; only 18 new cases in March, incidence rate 6.8% per 100,000 (down from 9.8 last week) Positivity Rate 3.14% (compared to 4.13% last week) 77% of Westport Residents are at least partially vaccinated.

**3. Public Hearings**

None

**4. Licenses/Permits**

Request from the Acoaxet Club, Inc. and Acoaxet Club, Inc. dba Pro Shop to update their Liquor Licenses to reflect the change in officers from Sarah MacNeil to Thomas Coughlin.

Mr. Hartnett noted that the Acoaxet Club was in a few months ago, and since then one of their Board Members has resigned, therefore they have to update their file with the ABCC.

**MOTION** by Mr. Ouellette to accept the change of Officers for the Acoaxet Club, Inc. and the Acoaxet Club, Inc. dba Pro Shop, seconded by Mr. Brewer. The Board voted 5-0 in favor.

**5. Appointments and Resignations**

- a. Request to accept the resignation of Janet Jones from the Historical Commission. Mr. Brewer stated Ms. Jones did a great job on the commission and a letter of appreciation is warranted.

**MOTION** by Mr. Ouellette to accept the resignation of Janet Jones from the Historical Commission with a letter of appreciation, seconded by Mr. Brewer. The Board voted 5-0 in favor.

- b. Request from the Historical Commission to appoint Garrett Stuck from Alternate to Regular Member.

**MOTION** by Mr. Ouellette to appoint Garrett Stuck from Alternate to Regular Member of the Historical Commission, seconded by Mr. Valcourt. The Board voted 5-0 in favor.

- c. Request from Chief Keith Pelletier to re-appoint Officer Jean Lopez, to the position of Full-Time Police Officer, effective February 22, 2022.

**MOTION** by Mr. Ouellette to re-appoint Officer Jean Lopez, to the position of Full-Time Police Officer, effective February 22, 2022, seconded by Mr. Valcourt. The Board voted 5-0 in favor.

**6. Discussion**

**7. Action Items**

- a. Request from Martin Costa, Founder Team C.O.W (Clean our Westport) to approve Spring Litter Clean Up day set for Saturday, April 9th and rain date of Sunday April 10. 2022.  
Mr. Costa spoke to the event, stating he is so very thankful to the town, and to the resident volunteers. He also asked to put a banner across Main Road advertising the event.  
**MOTION** by Mr. Valcourt to approve the request from Martin Costa, Founder of Team C.O.W (Clean our Westport) to approve Spring Litter Clean Up day set for Saturday, April 9th rain date Sunday April 10. 2022, seconded by Mr. Ouellette. The Board voted 5-0 in favor.  
**MOTION** by Mr. Ouellette to approve the banner request, seconded by Mr. Valcourt. The Board voted 5-0 in favor.
- b. Request from Westport River Watershed through the Beach Committee to plant dune grass, March 31<sup>st</sup> and April 1<sup>st</sup>, with students from the Westport Community Schools.  
**MOTION** by Mr. Valcourt to approve the request from the Westport River Watershed through the Beach Committee to plant dune grass, March 31<sup>st</sup> and April 1<sup>st</sup>, with students from the Westport Community Schools, seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- c. Request from the Athletic Boosters to place a sign on the Town Landing, advertising their Mattress Sale on March 26, 2022.  
The Board is unable to grant this request, as permission would have to come from the Landing Commission.
- d. Request from the Council on Aging to accept the following donations \$50; Misc Donation for Tax Help, \$30; Misc Donation for Tech Class, \$200; Karen Farias Donation for Best Use. Totaling \$280.  
**MOTION** by Mr. Ouellette to accept the donations to the Council on Aging as listed, seconded by Mr. Valcourt. The Board voted 5-0 in favor.
- e. Request from the Long Term Building Committee to authorize an appraisal of the high school.  
Mr. Hartnett noted in order to dispose of the property an appraisal is needed.  
Mr. Valcourt stated the value is very important to move forward, as it will give the town a better idea of what the future holds, depending on the use.  
Mr. Ouellette questioned whether the \$500,000 bond was still available, Mr. Hartnett yes, but the timing is questionable.  
Ms. Shufelt mentioned the RFI that the Long Term Building Committee put out there.  
**MOTION** by Mr. Ouellette to authorize the appraisal of the high school, seconded by Mr. Valcourt. The Board voted 5-0 in favor.
- f. Finalize Annual Town Meeting Warrant  
Ms. Shufelt summarized the Warrant Articles.  
Some discussion occurred with Articles 4a and 4b relating to the budget and possible override.  
Mr. Brewer asked for clarification about the budget exhibit which compared the potential override Budget with the Select Board and Town Administrator versions. This issue was clarified. It was pointed out that the Override budget



would need to be approved at a Special Town Election that needs to occur prior to September 15, 2022..

Article 14 would authorize Diman to borrow money for construction. If Town Meeting votes the article down, Diman would have the option of going for a Referendum Vote that would likely succeed.

Ms. Shufelt stressed the importance of having this discussion on Town Meeting floor. Mr. Ouellette suggested moving this article up to number 6.

Mr. Valcourt stressed the importance of the trades, he also noted that the borrowing for this project will be subsidized 80% by the state, and that Westport is only required to pay a portion of the funding. He feels that the Board has to present a breakdown of this article, and discussing it on Town Meeting floor will be beneficial.

Mr. Brewer posed his concern with the wording of this article that voters may find confusing. It must be clear that the measure is to ensure that the borrowing will be excluded debt.

Ms. Shufelt noted that she is in favor of the project and there would not be sufficient time to hold an election for a debt exclusion, so approving the warrant article subject to the exclusion would be the same as voting against the project, Ms. Shufelt then asked who was in favor of moving the Diman article up to 6 and Mr. Ouellette mentioned also moving the special interest items up, numbers 15, 16 & 17. It was the consensus of the Board to make these changes.

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

## **8. Town Administrator Report**

### **MassDOT Bridge Program**

The grant application deadline for the MassDOT bridge program is due on April 1, 2022. Phase 1 grants are for \$100,000 and can be used toward design. Phase 2 grants are for up to \$500,000 for construction. Pare Corporation estimates that a typical small bridge design similar to Drift Road would cost approximately \$200,000 with construction upwards of \$800,000. Funds from other sources would be required for design and construction.

### **Free Cash**

Free cash has been recertified by the Massachusetts Department of Revenue increasing by \$80,671. This was mainly an adjustment, the enterprise funds were reduced by a similar amount.

General Fund	\$1,661,660
Enterprise Fund Harbor	\$29,885
Enterprise und Waterline	\$375,675
Enterprise Fund Beach	\$222,622

#### Mass DOT Chapter 90 Funding

The Town was notified by MassDOT that Statewide Chapter 90 Funding will total \$200 million, pending legislative approval. Westport's Chapter 90 apportionment for Fiscal Year 2023 is \$680,282.00. This is the main source of funding for the Town's street improvement program administered by the Highway Department.

#### Chapter 22 of the Acts of 2022

The Governor recently signed Chapter 22 of the Acts of 2022, which included provisions for extending several pandemic related relief provisions until July 15, 2022. This includes remote meetings.

#### Council on Aging

March 2, 2022 Council on Aging Directors Report.

Three proposals have been submitted for the Westport Harbor Water Study and are currently being reviewed.

There will be a Public Outreach Meeting for the So. Watuppa Pond Study on March 21, 2022 at the UMass Center at 151 Martine St., Fall River.

#### 9. Approve Minutes

a. February 28, 2022

MOTION by Mr. Brewer to approve the February 28, 2022 minutes, seconded by Mr. Valcourt. The Board voted 5-0 in favor.

#### 10. Report on Bill Warrant

Ms. Boxler stated all was in order.

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

Ms. Boxler: Housing Authority has drafted up a proposal for possible housing at the old high school site. The Habitat for Humanity project is coming along, it's nice to see all the volunteers from Westport.

Mr. Valcourt: no updates

Mr. Ouellette: Economic Development met last week, 12 businesses were represented, they are very eager to see water and sewer on Route 6. Water and Sewer sub committee was formed. Planning Farmers Market June – September.

Mr. Brewer: no updates

Ms. Shufelt: Internet Advisory Committee plans to meet every two weeks, she encouraged the board to fill out the survey. Climate Committee has formed sub-committees and plans to meet once a month, Buzzards Bay presented at the last meeting. School Building Committee still working on the punch list and the project is still under budget. In speaking with Karen Raus from the Finance Committee a joint meeting probably isn't possible between now and Town Meeting, they are thinking after Town Meeting before the election to promote possible override. Karen has prepared

presentation materials to present to the public addressing the financial situation of the town, how we got to where we are and what we can expect in the future.

**12. Comments and Statements**

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

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

15. **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. Approve Minutes – March 9, 2022

The Chair further indicated that the Board will return to public session only to adjourn the meeting.

**MOTION** by Mr. Valcourt to enter into Executive Session at 7:32pm 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 at 8:37pm, the Chair called for adjournment.

**Adjournment**

**MOTION** by Ms. Shufelt to adjourn Open Meeting at 8:37 p.m. Seconded by Mr. Valcourt. Motion passed 5-0 by roll call vote: Brewer, aye; Ouellette, aye; Valcourt, aye; Boxler, aye; Shufelt, aye.

Respectfully submitted,



Paula M. Brown  
Administrative Assistant

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



Richard Brewer, Clerk  
Select Board Member

4a Acoaxet Club  
5a Jones Resignation - Historical Society  
5b Stuck - Historical Commission  
5c WPD Appointment  
7a Martin Costa – COW  
7b WRWA  
7d COA Donations  
7b WRWA  
7f FY23 FINCOM BUDGET Draft 03-15-22 v2  
7f IT Budget  
7f TM Draft Warrant  
9a Edited02282022 Minutes  
Covid Report  
TA1 Mass DOT  
TA2 Free Cash Approval  
TA3 MassDot Chapter 90  
TA4 Pandemic Legal Updates  
TA5 COA Report