

**BOARD OF SELECTMEN  
MONDAY, AUGUST 21, 2023  
2<sup>nd</sup> FLOOR MEETING ROOM  
TOWN HALL  
816 MAIN ROAD  
6:00PM**

**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**

**1. Public Hearing**

- a. 6:05PM - request from Charles F. Sheehan, of Affordable Auto Rentals & Sales, for a Class II Motor Vehicle License, at 1052 State Road, Westport, MA. With a total of 40 cars, and James Hay as Manager.
- b. (continued from July 24, 2023) 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)

**2. Licenses/Permits**

- a. Request from the Holy Ghost Club of Westport, Inc. 171 Sodom Road, for a change of Manager to the Alcohol Beverage Retail License from Cassandra Cambra to Roland D. Souza.
- b. Request from South Coast Harvest Festival, LLC for a Common Victualler License for the Harvest Festival to be held at the Westport Fair Grounds, 200 Pine Hill Road September 29-October 1, 2023, also a request to hang a road banner from August 20 – October 1, 2023.
- c. Request from AGS HVAC Services for approval of the 2<sup>nd</sup> Annual Motor Cycle Run to benefit the Westport Food Pantry.
- d. Request from the South Coast Community Foundation, 128 Union St. Suite 403, New Bedford MA for a One Day All Alcohol Beverage License for their Annual Fundraiser “Summer’s Last Blast” on September 8, 2023 from 5pm – 9pm at Weatherlow Farms, 845 Sodom Road.

**3. Appointments and Resignations**

- a. Request from Joseph Rioux to be appointed to the Infrastructure Oversight Committee.
- b. Request from Mid City Steel to appoint Julio Coronado, Amanda Creador and Shawn Correia as Public Weighers.
- c. Request from Robert Marshall, Maintenance to accept his resignation effective August 2, 2023. Authorize posting of position.
- d. Request from Brian Knapp to be appointed to the Energy Committee.
- e. Request from Mark Schmid to accept his resignation from the Long Term Building Committee.

4. **Action Items**

- a. Request from Max Performance to hold the 17<sup>th</sup> Annual Buzzards Bay Triathlon on Sunday, September 17, 2023. From 9am – 12pm.
- b. Request from Chris Gonsalves, Highway Surveyor to approve change order for Rochester Bituminous Products, Inc.
- c. Request from the Fire Chief Search Committee to post the position in house with a deadline of September 8, 2023.
- d. Request to use American Rescue Plan Act Funds to replace two cooling units at the Town Hall Annex, \$43,309

5. **Discussion**

Public Meeting Postings & Procedures – E-Alerts  
American Rescue Plan Act (ARPA) Update

6. **Town Administrator Report**

7. **Approve Minutes**

- a. July 24, 2023

8. **Report on Bill Warrant**

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

10. **Comments and Statements**

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:

- a. Donna Lambert v Town of Westport - discussion
- b. Britto vs. Town of Westport
- c. Information Technology Department Head (Keith Novo) Salary Discussion
- d. Highway Department staff and salary discussion
- e. Approve June 26, 2023 Minutes

**Adjournment**

The Town of Westport does not discriminate based on disability and is committed to hosting accessible meetings. To request a reasonable accommodation to attend this meeting, please contact the municipal ADA Coordinator James Hartnett at [Hartnett.J@Westport-ma.gov](mailto:Hartnett.J@Westport-ma.gov).

**Boards/Committees/Commissions Vacancy List**

**\*\*Committee members with terms that end in June should advise if they wish to continue\*\***

ADA Transition Plan Committee – 2 vacancies (Fin Com).

Agricultural/Open Space Preservation Trust Fund Council – 1 vacancy (CIPC Rep)  
Agricultural Commission Alternate – 2 Vacancies (Alternate)  
Bike / Walking Path Committee - 2 vacancies.  
Climate Resiliency Sub Committee Members  
Economic Development Task Force – 3 vacancies  
Energy Committee – 4 vacancies.  
Fence Viewers – 1 vacancy.  
Recreation Commission – 4 vacancies.  
Tax Incentive Program Committee (1 vacancy –Westport Economic Development Task Force Rep).  
Westport Citizen's Betterment Committee – 1 vacancy.  
Zoning Board of Appeals – Associate Member  
\*\* Committees are kindly requested to advise who serves as chair, vice chair and clerk \*\*

**TOWN OF WESTPORT**  
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The Coastal Agricultural Resource of New England  
**Office of the Board of Selectmen**

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Town Administrator  
James K. Hartnett

To: Board of Selectmen  
From: Jim Hartnett, Town Administrator  
Re: Bi-Weekly Report

Date: August 21, 2023

1. E-Alert Town Website

A resident expressed some concern regarding the Town Website E-Alert system, Alerts were not being sent for all of the public meeting notices. This function has typically been used for Urgent Messages and Alerts and not for agendas and minutes. The E-Alert signup on the website is misleading and would suggest that all Boards and Commissions are sending out Alerts when agendas are posted or when minutes are approved and this is not the case. There are a couple of departments that use the Alert to distribute agendas, but they are the exception. Most of the meeting notices are done by volunteers or part time staff that do not have access to the website and may not be proficient in updating the site. The staff is currently working on correcting this by updating the site so that the E-Alert accurately identifies the departments and boards that post agendas on line through the E-Alert system.

In addition, the Town Clerk will be adding the posted agendas to the website Calendar. Residents can click on the calendar meeting link and the posted agenda will be visible. Residents can also sign up for the Town Clerk's Agenda E-Alert and get notifications to all meetings.

2. Wage Study

Requests for Proposals for the Wage Study are due on August 24, 2023. I will be working with the Personnel Board to review submittals in order to have a recommendation for the Select Board at the September 11, 2023 meeting.

3. Fee Schedule – Capital Improvement Requests

The attached memo requesting review of fee schedules, including comparisons with neighboring communities will be sent to department heads. Looking to schedule a fee hearing with the Select Board to consider fee changes in November or December of this year.

4. Free Cash Policy

Attached for your review is a copy of a draft policy for Free Cash. This is only a draft, intended to start the discussion on developing a final policy.

5. Long Term Building Committee (LTBC)

A meeting of the LTBC was held on August 9, 2023. Discussion focused on using the building for municipal uses and what improvements would have to be made to meet building code requirements.

#### 6. Cannabis Control Commission Letter

On July 28th, the Cannabis Control Commission approved draft regulations on Host Community Agreements (HCAs) and Municipal Equity. These draft regulations go beyond the legislative intent of last year's legislation and would apply retroactively to existing host community agreements. The Massachusetts Municipal Association (MMA) believes these regulations as drafted would invite substantial litigation. MMA is continuing to advocate strongly that the final regulations should take a two-tiered approach, allowing current HCAs to continue without interference until their expiration while applying any new regulations to those HCAs that were executed after the new law's effective date. They believe retroactivity would further upend the industry with costly litigation and only serve to impede progress and growth in the marketplace. The MMA has requested that communities weigh in with the CCC to advocate against the retroactive provisions of the regulations. Using the MMA's draft template, a draft letter has been prepared for your review.