

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY
JUNE 12, 2017**

Members Present: Steven J. Ouellette, Chairman
Shana M. Shufelt, Vice Chair
R. Michael Sullivan
Craig J. Dutra
Brian T. Valcourt, Clerk
Also Present: Timothy J. King, Town Administrator

Chairman Ouellette called the Board of Selectmen meeting to order at 6:00 P.M. in the Westport Town Hall, 2nd floor meeting room, 816 Main Road, Westport, MA.

*Note: Mr. Dutra arrived at 6:15PM

Pledge of Allegiance

Chairman's Announcement – Under MGL Chapter 30A, section 20(f) – Meeting being recorded.

Public and/or Board Member Comments – None.

Acknowledgments & Recognitions

The Board called for a Moment of Silence in recognition of the passing of Richard H. Wordell (Westport Volunteer Fire Company) and Alvin W. Tripp (founding member of the Westport Fair). Mr. Ouellette also mentioned that memorial donations were made to the Council on Aging in memory of Doris Hookey, Roger Fortier, Armand Trepanier, Bob & Virginia Maltais and Elliot Taber.

Appointments and/or Resignations

1. **Motion** made by Mr. Sullivan to pass over the request for appointment by Warren Messier to the Water Resources Management Committee and address it at the next BOS Meeting. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).
2. **Motion** made by Mr. Valcourt to appoint the following as Republican Town Committee Poll Workers: Jodi Sullivan, Josephine Coleman, Nancy Cook, June Hebert, Marge Pavao, Judy Brightman, Muriel Peters, Carin Wehrmeister, Jackie Marmen, Mary McCarthy, Susan Foster, Michelle Orlando, Bianca Carreiro and Pamela Costa; and as Substitute Poll Workers: David Spiteri, Bill Harkins, Karl Daxland, Mary Lou Daxland, David Borges and Kimberly Soares. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).
3. **Motion** made by Mr. Valcourt to appoint Anthony Ward to the Bike/Walk Path Committee. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).
4. **Motion** made by Mr. Sullivan to appoint Miranda Howayeck as a Lifeguard. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra). Present: Miranda Howayeck & Tim St. Michel.

Susan Branco, Library Director – RE: An update on Summer Library Programs, Book Sale, etc.

Ms. Branco updated the Board on the coming summer programs at the Library and she encouraged everyone to become a member of the Friends of the Westport Library (FOWL), an organization that does fund raising for the library to support educational and entertaining programs for all ages and for the purchase of books, cd's, etc. for children and adults. Ms. Branco stated the Library is actively collecting books for their Annual Book Sale (September 8-16); and the Library now has Michael's bookstore available. Ms. Branco stated summer reading programs for children will be starting. Ms.

Branco stated the Library offers free programs to all such as the Reptile Show on July 27th and the Magic Show on August 15th. All information is available on the Town's website under the Library page. The Board thanked Ms. Branco for coming in and making the public aware of all the activities found at the Library.

Katherine Feininger – RE: Approval of Animal Reflection Event.

Ms. Feininger stated the one-year anniversary of the animal abuse on the tenant farm is coming up in July and her group would like to hold a Ceremony of Reflection in front of Town Hall from 5-5:45PM on July 24th. The event is open to anyone who wants to come. Ms. Feininger stated that various rescue organizations will be contacted regarding this event and the public will be made aware also. Ms. Feininger stated the centerpiece of the event will be the display of “Flashies”. Ms. Feininger explained that Flashies are outdoor ornaments composed of 10 pieces of mirror per ornament and her group was asking permission to hang about 140 Flashies (one for each animal) on the trees out front; there will be no damage to the trees. Ms. Feininger asked permission to hang the Flashies about a week before the event and they will be removed within a day or two after the event. **Motion** made by Mr. Valcourt to approve the request. Second by Ms. Shufelt. The Board voted unanimously in favor.

Christopher Leonard, Marine Services Director – RE: An update on fees, water safety and shellfish planning, etc.

Christopher Leonard and Jonathan Paull were present to speak about waterway user fees, water safety, water skiing, the Shellfish Department and shellfish catch limits. Mr. Leonard stated the waterway user fees are charged to any boat that is in Westport waters for two weeks or longer; those fees are used for the Enterprise fund, which is used for emergency 24hr coverage by the Harbormaster for towing to fire calls to search & rescue to body recovery. Mr. Leonard wanted to remind everyone of water safety and that children under 12 years of age must have a life jacket on while on a boat that is underway; also, life jackets must be on board for each adult, they don't have to wear it but they must be available. If pulled over by the Harbormaster, and this is not the case, the trip will be terminated. Mr. Leonard stated another problem in the Westport River is that boats are not utilizing their running lights at night which is causing a dangerous situation and also, there is very little observance of “No Wake” and “Slow”. Mr. Leonard stated the Harbormaster now has some jurisdiction over Standup Paddle Boards; all users are required by law to have a personal floatation device on once they leave the bathing, swimming and surf zone; also, at night, if paddle boarding, it is a requirement to have a light on. Mr. Leonard explained the problem with water skiing in the East Branch of the Westport River; this is a high tide activity and there is too much speed in protected areas. Mr. Leonard mentioned the Shellfish Department has a 5,000 bushel shellfish relay ongoing now; \$100,000 has been donated for the each of the next five years for the purchase of shellfish only. Mr. Leonard then discussed the shellfish catch limits. Discussion ensued regarding moorings and how they are anchored; this matter will be a topic for both Shellfish Advisory and Harbor Advisory to look at and review. In closing, Mr. Leonard stated that if a person sees something that does not seem right, please say something and don't hesitate, more than likely it could save a life. The Board thanked Mr. Leonard and Mr. Paull for coming in and updating the Board.

Annual Appointments

Motion made by Ms. Shufelt to hold on appointments for the Animal Action Committee, Westport Agricultural Commission, Westport Water Resources Management Committee and the Soil Conservation Board/Conservation Commission until next BOS Meeting. Second by Mr. Dutra. The Board voted unanimously in favor.

Motion made by Ms. Shufelt to accept the letter of Anne Brum requesting non-reappointment to the Community Preservation Committee and to send a letter of thanks. Second by Mr. Valcourt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Sean Leach to the Beach Committee. Second by Mr. Dutra. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Donald Krudys, Andrew Sousa, Robert Oliveira and James LeBelle, Sr. to the Cable Advisory Board. Second by Mr. Sullivan. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Michael Castro, Theresa Provencal, Timothy King, Brad Brightman and Muriel Kokoszka to the Capital Improvements Planning Committee. Second by Mr. Sullivan. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Stanley Cornwall to the Commission on Disability. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Dutra to appoint Betty Slade, Elizabeth Squire and Timothy Gillespie to the Community Preservation Committee. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Muriel Kokoszka, Edmund Thadeu and Beth Easterly to the Council on Aging. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Dr. Ann Dargon and Brad Brightman to the Educational Fund Committee. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint R. Michael Sullivan to the Energy Committee. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint John Azevedo, John W. Borden, Jr., Edward Carey, Alexander Preston and Milton Adams to the Harbor Advisory Committee. Second by Mr. Dutra. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Richard Earle, Jonathan Paull, Gary A. Tripp, James Perry, Asa Beaumont Mills, Glenn Tripp and Richard Hart as Assistant Harbormasters. Second by Mr. Sullivan. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Maury May to the Open Space Committee. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Kenneth Manchester, Richard E. Smith, Ronald P. Savaria, John W. Borden and Dora Atwater Millikin to the Shellfish Advisory Committee. Second by Mr. Sullivan. The Board voted unanimously in favor.

Motion made by Mr. Dutra to appoint Marc DeRego to the SE MA Commuter Rail Task Force 2017-2018. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Dutra to appoint Robert Grillo, James Whitin, Brad Brightman and Steven Ouellette to the Tax Incentive Program Committee. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Warren Messier to the Westport Affordable Housing Trust Fund. Second by Mr. Sullivan. The Board voted unanimously in favor.

Motion made by Mr. Dutra to appoint Shirley Desrosiers, Peter Berube, Patricia Kershaw, Leone Farias and Charlene Wood to the Westport Citizens Betterment Committee. Second by Mr. Sullivan. The Board voted unanimously in favor.

Motion made by Mr. Sullivan to appoint Margaret M. Christ and Ruddick C. Lawrence to the Westport Cultural Council. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Dutra to appoint Elizabeth Collins, Marc DeRego, Timothy King and Steven Ouellette to the Westport Economic Development Task Force. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Timothy Gillespie to the Recreation Commission. Second by Mr. Dutra. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Christopher Gonsalves to the Safety Regulation Board. Second by Mr. Dutra. The Board voted unanimously in favor.

Motion made by Mr. Dutra to appoint Donna Lambert as Animal Control Officer. Second by Mr. Sullivan. The Board voted unanimously in favor.

Motion made by Mr. Sullivan to appoint William Plamondon and Dane Winship as Assistant Wiring Inspectors. Second by Mr. Valcourt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Joseph Ferreira as Head Plumbing/Gas Inspector. Second by Mr. Dutra. The Board voted 4 in favor, 1-abstention (Ouellette).

Motion made by Mr. Valcourt to appoint Jason Camara as Assistant Plumbing/Gas Inspector. Second by Ms. Shufelt. The Board voted 4 in favor, 1-abstention (Ouellette).

Motion made by Mr. Sullivan to appoint Paul Burke as Alternate Per-Diem Wiring Inspector. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint John D. Enloe as Cross Connection Surveyor/Backflow Device Tester. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Amy Abate, Eric Abate, Michael Abate, Sr., Paulo Chaves and Deborah Sullivan as Public Weighers for A&E Metals Recycling. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Ana Hubright, Jason Fonseca, Mark Gitlin, Kenny Kehoe, Abraham Melendez, Chris Dumas and Chris Kessing as Public Weighers for Mid City Steel. Second by Ms. Shufelt. The Board voted unanimously in favor.

Motion made by Mr. Valcourt to appoint Scott Smith and Charlene Garcia as Public Weighers for Excel Recycling, LLC. Second by Ms. Shufelt. The Board voted unanimously in favor.

Action Items

1. **Motion** made by Mr. Dutra to approve the request of Gridoaroa Resendes to allow parking on Hillside Avenue for an annual party on July 30th based on the Town Administrator and Police Department recommendations. Second by Mr. Valcourt. The Board voted unanimously in favor.
2. **Motion** made by Ms. Shufelt to deny the request of Penny Lawrence for permission to park in the Cherry & Webb Beach parking lot for two weeks in July based on the Beach Committee's recommendation. Second by Mr. Valcourt. The Board voted unanimously in favor.
3. **Motion** made by Mr. Valcourt to accept the donations made to the Council on Aging in the amount of \$2,657.00. Second by Mr. Dutra. The Board voted unanimously in favor.
4. **Motion** made by Mr. Dutra to approve of the Professional Civil Engineering Services Proposal from the Pare Corporation for the Beech Grove Cemetery expansion project. Second by Mr. Valcourt. Discussion ensued. The Board voted unanimously in favor.

Licenses

1. **Motion** made by Mr. Dutra to approve a Common Victualler License for Wicked Kickin', 670 Main Road – Colleen McKenna. Second by Ms. Shufelt. The Board voted unanimously in favor.

End of Year Budget Transfer Requests

1. **Motion** made by Mr. Valcourt to approve the request from Highway Department to transfer \$10,000 from Highway Non-clerical to Police Department Overtime. Second by Mr. Dutra. The Board voted unanimously in favor.
2. **Motion** made by Mr. Dutra to approve the request from the Treasurer's Office to transfer \$40,000 from Employee Benefits Health Insurance to Police Department Overtime. Second by Mr. Sullivan. The Board voted unanimously in favor.
3. **Motion** made by Mr. Valcourt to approve the request from the Tax Collector's Office to transfer \$4,500 from Tax Taking to Tax Collector Overtime. Second by Ms. Shufelt. The Board voted unanimously in favor.

Town Administrator Report

1. Municipal Vulnerability Preparedness Grant: Informational only. No action required.
2. Town Hall: Informational only. No action required.
3. Police Station Construction: Informational only. No action required.
4. Town Hall Annex: Informational only. No action required.
5. Westport Council on Aging – News Article: Informational only. No action required.
6. DLS Report – Treatment of Municipal Revenues: Informational only. No action required.
7. DLS Report – Appropriation Transfers: Informational only. No action required.
8. Community TV – Monthly Report: Informational only. No action required.

9. Head of Westport Stonework Project: Informational only. No action required.

Discussion Items

1. Personnel Board (Dutra) – this item was passed over until next BOS Meeting.

Selectmen Liaison Committee Reports – None.

Question and Answer Period – None.

Boards/Committees/Commissions Vacancy List

Mr. Ouellette announced the following vacancies: Board of Appeals – 1 Vacancy, Fence Viewer – 1 Vacancy, Long-Term Planning Town Building Evaluation Committee – 1 Vacancy, Personnel Board – 3 Vacancies, Recreation Commission – 1 Vacancy, Westport Agricultural Commission – 1 Vacancy

Board Members Suggestions for Future Agenda Discussion / Action

1. Mr. Ouellette stated Mr. King will be working on evaluations and end of the fiscal year budgets.
2. Mr. Valcourt stated he has been working with Mr. King on the Recall Bylaw; there will be discussions and public hearings during BOS Meetings possibly in July.
3. Ms. Shufelt stated she has been asked about what is being done with the old High School. Ms. Shufelt asked what is the appropriate group to be looking at proposals. Mr. King stated at this time, it is under the jurisdiction of the School Committee. Ms. Shufelt stated she agreed but would it be the Long-Term Planning Building Evaluation Committee or do we need a new committee, involving members of the School Committee. Ms. Shufelt stated she would like to talk about this at a future meeting.
4. Mr. Valcourt stated there was a letter in the Shorelines regarding the Beach Committee changing the Town Beach closing times to 8PM instead of 9PM. Mr. Sullivan stated the Beach Committee has to come before the Board to change the times; he would ask Mr. King to look into. Mr. Dutra stated they have no authority to change hours. Mr. Sullivan stated Sean Leach has been very generous with his time; maybe we need to hire someone to handle the gate. Mr. Ouellette asked Mr. King to speak with Mr. St. Michel to get an answer on this.

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

Other Business

1. Mr. Ouellette stated it was a good job on River Day.
2. Mr. Ouellette asked that everyone be careful with the summer traffic and heat.
3. Mr. Valcourt noted that he would be gone Friday through Monday if anyone was trying to get in touch with him.

7:40 PM Executive Session

Motion made by Mr. Sullivan to enter into Executive Session pursuant to the provisions of MGL c 30A, Sections 18-28 to discuss litigation strategy of pending litigation related to the PCB school contamination (Monsanto); and section 21(a) (2) to discuss negotiations with regard to payment of a legal bill pertaining to Article 27 of the May 3, 2016 Annual Town Meeting; (3) to discuss strategy with respect to Collective Bargaining (AFSCME-Highway) & (LAW-Town Hall); (1) to discuss a Personnel Matter (disciplinary action). Second by Ms. Shufelt. The Board voted unanimously in favor.

Roll Call Vote: Mr. Sullivan-aye. Ms. Shufelt-aye. Mr. Valcourt-aye. Mr. Dutra-aye. Mr. Ouellette-aye.

Mr. Ouellette announced that the Board would return to Open Session in order to adjourn.

9:10 PM Open Session

Motion made by Ms. Shufelt to adjourn the Board of Selectmen Meeting. Second by Mr. Sullivan.
The Board voted unanimously in favor.

Adjournment.

Respectfully submitted,
Diane Pelland
Administrative Asst/Confidential Clerk to the Board of Selectmen

APPROVED: Brian T. Valcourt, Clerk