

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY – June 25, 2018**

Members Present: Ms. Shana M. Shufelt, Chairman
Steven J. Ouellette, Vice Chair
Brian T. Valcourt, Clerk
Ann E. Boxler
Richard W. Brewer
Timothy King, Town Administrator

Select Board Chair Shufelt 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.

Pledge of Allegiance: The meeting commenced with the Pledge of Allegiance.

Chair's Announcement – The chair announced that under the provisions of MGL Chapter 30A, section 20(f), the meeting was being recorded by community cable television.

6:05 p.m.

1. Public Hearing

Pursuant to Section 22 of Chapter 166 of the General Laws (Ter.Ed), on the petition of National Grid and Verizon covering joint National Grid-Verizon pole locations, request permission to relocate pole 62-1 10 feet south of its current location on Sanford Road, at 726 feet south of the centerline of Lepire Ave. National Grid Plan No. 25093470 Dated: 4/24/18. Police and Highway Departments favorable recommendations received. **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 in favor.

6:15 p.m.

2. Licenses

a. Public Hearing

Application of Limiao Yao d/b/a **R & R Auto Body & Sales** for a transfer of a Repair and Class II License to be located at 800A American legion Highway. Police recommendation was not received. The Board heard the applicant in anticipation and conditional on a favorable report. Mr. Yao will be purchasing the business from R&R Auto Body and Sales. This is not a transfer but rather a new ownership; Town Counsel opined that the notice was sufficient to give abutters notice, therefore a hearing on a Class II license was held. The second issue is the late notice given to the police department. The Building Inspector found no issues. Mr. Yao will be the manager. Mr. Valcourt asked that the phone number for the manager be available and Mr. King took it down. Butch Sousa, Manager of the property rose in favor of supporting the new owner and he asked the board to do the same. He is hoping that the property will be continuously rented. Mr. Ouellette asked him if the Board approved, subject to a favorable police report, the other choice is to continue to the next meeting. Mr Sousa agreed a conditional approval was best.

Mr. Ouellette motioned to approve the license subject to the police recommendation. Seconded by Mr. Valcourt. The Board voted 5-0 unanimously in favor.

b. Public Hearing

Application of Weatherlow Farms LLC for an Entertainment License to be located at 845 Sodom Road. Mr. Wagner was present to request for Entertainment Licenses for events he has approved liquor licenses for. The events would end at 8pm and coincide with the Thursday night dinners and floral workshops for which he has requested a tandem liquor license. Mr. Valcourt had reservations because of a prior lawsuit involving another location. Billy Cicilini asked if all the abutter notifications were in compliance as he received a notice but another abutter, Mr. Richie, did not. He was not supportive of the entertainment. Mr. Wagner stated that there would be a police detail and music would stop early. Mr. Maynard was not in favor of this activity on the APR property. Ms. Shufelt noted the APR is not under the purview of this Board. Ms. Sherman rose in opposition and felt that the APR is under the Board's purview and that she was concerned that they would do something not in compliance with the APR. Mr. Roger rose in opposition to this activity as it is no longer a farm activity and felt it was not fair for all the neighbors. Jan Silvia asked why the abutters did not get a notification for the liquor license. Abutters are not required to be notified for an application for a 1-day license. **Motion** by Mr. Ouellette to deny the request. Second by Mr. Valcourt. Mr. Brewer was not in favor of this motion and he stated that Mr. Wagner has complied with the requirements of the application. Constance Gee stated that as a member of the Zoning Board she felt that the way the regulation was written, it is permissible for Mr. Wagner to do this. Mr. Alden rose in favor. Mr. De Rego rose in favor as events like these employ residents and allow his catering business to work. The Board voted 2-3 not in favor with Mr. Brewer, Ms. Shufelt and Ms. Boxler in opposition. Ms. Boxler asked if he would consider moving the music inside. Mr. Ryan stated that he has complied with the requirements and would like to retain his ability to use the outdoors. Motion by Mr. Brewer to approve. Second by Ms. Shufelt. The Board voted 3-2 with Mr. Ouellette and Mr. Valcourt in opposition.

c. Public Hearing

Application of The Holy Ghost Club for a one-day Liquor License on July 7, 2018 and July 8, 2018 for all Alcoholic Beverages at 179 Sodom Road. No recommendation was received from the Police Department. **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 unanimously in favor.

6:20 p.m.

4. Action Items

- a.** Approval of Road use for the Narragansett Bay Wheelmen Ride September 9, 2018. A Favorable police recommendation was received. Ted Schwartz, president of the Narragansett Wheelmen was present and explained the bicycle ride. **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 unanimously in favor.
- b.** Approval of disposal of surplus equipment/materials at Westport Middle School. Mr. King outlined the items generally. The town departments have looked through the remainder of the property. Sale by auction approval is being sought through the Town Administrator. **Motion** by Mr.

Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 unanimously in favor.

c. Approval of End of Year Transfer Requests for:

- ☐ \$5,000.00 from Personnel Services to General Services for the Westport Fire Department; Mr. King did not receive detail why this is needed. Tabled to the next meeting.
- ☐ \$1,750.00 from Health Insurance Expenses to Personnel Services for the Board of Selectmen; The transfer is to cover employee longevity and unanticipated overtime. **Motion** by Mr. Valcourt to approve. Second by Mr. Ouellette. The Board voted 5-0 in favor.
- ☐ \$100.00 from General Expenses to Personnel Services for the Town Clerk; This is to provide a contract agreement for the Assistant Town Clerk. **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 in favor.
- ☐ \$10,000 from Personnel Services to General Expenses for the Board of Health. Director of Public Health and Board of Health Chairman were present to discuss the change from 10,000 to \$5,000. **Motion** by Ms. Boxler to approve. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

d. Approval of Landfill Lease with Ameresco for a large scale solar array. Tabled and referred to the Energy Committee for a recommendation.

e. Approval of Motor Fuels contract. Mr. King summarized the recommendation, **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 in favor.

6:25 p.m.

5. Appointments and/or Resignations

- a. Joint Meeting with Planning Board –Interview and Appointment to the vacant Planning Board seat. Applicant: James P. Watterson. Present were Planning Board Clerk Marc DeRego, Vice Chairman Robert Daylor and Planning Board Chairman, James Whitin who introduced James Watterson as the candidate to fill the open position until the next election in April. Mr. Watterson has architectural experience and has served on other boards when he was a Sudbury resident. Motion by Mr. Valcourt to appoint Mr. Waterson. Second by Mr. Ouellette. The vote was 5-0 in favor with a roll call vote Shana Shufelt, Aye; Steve Ouellette, Aye; Richard Brewer, Aye; Brian Valcourt, Aye; and Ann Boxler, Aye. Planning Board members also voted unanimously in favor 3-0 by roll call vote: Marc DeRego, Aye; Robert Daylor, Aye; and James Whitin, Aye.
- b. Request from the Agricultural Commission to: re-appoint for a 3-year term, Jay Tripp; appoint Raymond Raposa and Edward Ferreira for a 3-year term; and appoint for a 1-year term as alternates, Thomas Barrett, Geralynn Gaskell, Norman Anderson and Tina Nowell. **Motion** by Mr. Valcourt to approve. Second by Mr. Ouellette. The Board voted 5-0 in favor.
- c. Request for Appointment to the Conservation Commission and Soil Conservation Board as a full member for a 3-year term (1 vacancy): Applicants Grace Greenwood and Jake McGuigan. Mr. McGuigan stated that he was not aware that there was someone who currently sits on the committee and did not want to take that person's place. The Chair of the ConCom asked for the

reappointment of Grace Orr. **Motion** by Ms. Boxler to approve the re-appointment of Grace Orr. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

- d. Request by Police Chief Pelletier to appoint Francois Napert as a Reserve Officer effective July 5, 2018. **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 in favor.
- e. Request from Commission on Disabilities Chair, Brian Gallagher to appoint Kim Legendre (3-year term) and Anders Newcomer to be re-appointed to the Commission on Disabilities (3-year term). **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 in favor.
- f. Request by Police Chief Pelletier to re-appoint Nicholas B. Frustaci to the position of Full-Time Police Officer effective 5-23-18 (hire date 5-5-15). **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 in favor.
- g. Request from Michael Castro for re-appointment to the Capital Improvement Planning Committee (1-year term). **Motion** by Mr. Valcourt to approve. Second by Mr. Ouellette. The Board voted 5-0 in favor.
- h. Request from Sue Ann McDermott as Assessor's Representative for appointment to the Tax Incentive Committee (1-year term). **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 in favor.
- i. Request from Donna Lambert for re-appointment as Animal Control Officer/Animal Inspector (1-year term). Ms. Shufelt noted the recommendation from Mr. King asking for an appointment of less than a year to allow for an evaluation of the incumbent. Discussion ensued. **Motion** by Mr. Valcourt to approve. Second by Ouellette Mr.. The Board voted 5-0 in favor.
- j. Request from John D. Enloe for re-appointment as the Cross Connection Surveyor/Backflow Device Tester for the Town's waterline. **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 in favor.
- k. Request from Barbara Pontolilo for re-appointment as alternate member of the Board of Appeals (1-year term). **Motion** by Mr. Valcourt to approve. Second by Mr. Ouellette. The Board voted 5-0 in favor.

6. Discussion Items

Treasurer Office Matters – Brad Brightman was present along with Mary Sullivan, Assistant Treasurer. The Bond Anticipation note was discussed: The overall project cost will increase by \$90K in FY19. The amount was not budgeted for but still remains under anticipated. Mr. King asked how the difference from \$270K and 180K will come from excluded debt. It was acknowledged that the total levy will be raised. There is no need for a special town meeting. He also stated that the management letter was submitted. They are moving forward with reconciliation and are working on completing month-to-month balancing. Currently they are close to reconciling balances through December 2017. They will be looking at using QuickBooks. They have integrating Harpers payroll and acknowledged there have been a lot of bugs. Ms. Shufelt stated that she's heard from several people that there were some concerning issues with payroll and there is also a lack of urgency in correcting the issues. Mr. Brightman asked that errors be brought to their attention for correction. Other questions pertaining to the department were fielded by Mr. Brightman.

7. Town Administrator Report

Mr. King gave his report.

8. Minutes

June 11, 2018. **Motion** by Mr. Ouellette to approve. Second by Mr. Valcourt. The Board voted 5-0 in favor.

9. Selectmen Liaison Committee Reports

- a. Mr. Brewer attended the opening of Meatworks, the new slaughterhouse in town. He also noted that he is on the Energy Committee as a non-voting member and asked why that was the only place where he is non-voting. Mr. Valcourt stated that the entire makeup of that committee was interested in alternative energy and many of the proposed projects were politically motivated and it was decided then that the selectman vote was not allowed; Mr. Brewer stated that he receives letters from members of the public and wants to know if these should be discussed. Ms. Shufelt stated that some correspondence are worthy of being brought up. Ms. Shufelt asked that the specific project in question on Main Road be placed on the July 9th agenda and to invite the building Inspector and interested parties. Mr. King will follow up. Ms Shufelt also stated if anyone had an item they wished to be placed on the agenda to please let her know.
- b. Mr. Ouellette stated that there are major projects around Westport and to expect expansion all around the town borders; He asked to have a sign on the door and in the back to shut off cell phones while meetings are in session. Lastly he reminded all that the 4th of July parade is next week.
- c. Mr. Valcourt felt the Selectboard should entertain a by-law for de-nitrification. He commended the Fire department who responded to a serious accident on Route 6 yesterday.
- d. Ms. Boxler stated that the Council on Aging will be facing budget reductions and to anticipate that discussion

10. Board Members Suggestions for Future Agenda Discussion / Action

None.

11. Boards/Committees/Commissions Vacancy List

A reading of the vacancies were dispensed with.

***Committee members with terms ending in June should advise if they wish to continue.*

Board of Appeals – 2 vacancies (1 Regular & 1 Associate)

Capital Improvements Planning Committee – 2 vacancies (Business & Construction Reps)

Educational Fund Committee – 1 vacancy

Fish Commissioner - 1 vacancy

Historical Commission Alternate– 1 vacancy

Open Space Committee – 1 vacancy (At-Large)

Personnel Board – 2 vacancies

Recreation Commission – 1 vacancy

Westport Economic Development Task Force – 1 vacancy

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

- a. Approve of End of Year Transfer Requests for:

- \$10,000 from Personnel Services to General Expenses for the Transfer station. Director of Public Health and Board of Health Chairman were present. The transfer pertained to the cost of the equipment and tipping fees. **Motion** by Mr. Valcourt to approve. Second by Mr. Ouellette. The Board voted 5-0 in favor.
- b. Ms. Shufelt stated that it was brought to her attention just before the meeting that the lease for the Codimunk Nursery School is up at the end of June and will be under new ownership at that time as well. Discussion ensued. Mr. Valcourt spoke in favor of the pre-school and suggested a longer lease next year for 3-years. **Motion** by Mr. Ouellette to approve a one year lease with the current terms. Second by Mr. Valcourt. The Board voted 5-0 in favor.

13. Executive Session

At 8:20 p.m., **motion** by Mr. Ouellette, to convene into executive session, pursuant to the provisions of MGL c 30A section 21(a) to:

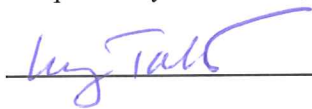
- a). discuss a complaint against an employee (1).
- b). discuss contract negotiations regarding non-union personnel (2).
- c). discuss strategy with respect to collective bargaining – LAW and AFSCME (Highway) (3).
- d). approve Executive Session Minutes of May 29, 2018 and June 11, 2018.

Second by Mr. Valcourt. The roll call vote was 5-0 in favor: Shana Shufelt, aye; Steven Ouellette, aye; Brian Valcourt, aye; Ann Boxler, aye; and Richard Brewer, aye.

Adjournment

The Board voted to end the Executive Session by roll call vote and adjourn the open meeting at 9:00pm.

Respectfully submitted,



APPROVED: 

Ann E. Boxler, Clerk, Select Board Member

Lucy Tabit Administrative Assistant/
Confidential Clerk

Attachments to Agenda of 6/25/18:

- 2 National Grid petition to move a pole.
- 3a Application for Class II and Repair, Yao.
- 3b Weatherlow Farms entertainment license Application.
- 3c Holy Ghost Club 2x 1-day liquor license applications.
- 4a Narragansett Wheelmen Ride permit request.
- 4b Middle school surplus property disposal.

4c Department transfer requests.
4e1 Motor fuels bid sheet.
4e2 Motor fuels award contract.
5 Current appointment list for reference.
5a Board of Selectmen - Planning Board appointment - Watterson letter.
5b Agricultural Commission appointment requests.
5c Conservation Commission appointment requests.
5d Reserve Officer Appointment request.
5e Commission on Disability request for Newcomer and Legendre.
5f Request to appoint Full Time officer.
5g Castro request for reappointment to Capital Improvement Planning Committee.
5h McDermott Request for appointment to the Tax Incentive.
5i Lambert request for reappointment as Animal Control Officer.
5j Enloe request for Cross Connection appointment.
5k Pontililo request for appointment to Board of Appeals.
7 Town Administrator Report.
8 061118 Board of Selectmen Minutes
12 Transfer request.