

**BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MONDAY – August 6, 2018**

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

Select Board Chair Shufelt called the meeting to order at 6:02 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. The Website Everythingwestport.com was also video recording.

**1. Acknowledgments & Recognitions**

None.

**6:05 p.m.**

**2. Licenses**

**a. Public Hearing**

Request by Eric Reis for approval of a Shellfish Aquaculture License for the site known as West Branch of the Westport River Site #5 for a 1-acre area. Christopher Jusseaume was present for the applicant. The Marine Services Director, Christopher Leonard was also present to indicate that the Shellfish Advisory Committee approved this site last month and it was before the Select Board at that time for approval of the site, which was granted. This is the next step in granting the license, which will be forwarded to the State for a survey. The Select Board is requested to approve the application by Mr. Reis for a 1-acre site.

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

**b. Public Hearing**

Application of the Holy Ghost Club for a one-day Liquor License on August 25, 2018 for all Alcoholic Beverages at 179 Sodom Road.

There was no one present at this time; police recommendation was received in favor with a detail assigned for the event. **Motion** to approve conditional on Police recommendation. Second by Mr. Valcourt. The Board voted 5-0 in favor.

**6:10 p.m.**

**3. Discussion Items**

- a. Request from Averyl Andrade to discuss the possibility of a cannabis farming co-op.

Ms. Andrade was before the Board to propose a cannabis co-op based on the statistics in favor of cannabis in the state. The cannabis co-op can help local farms and she noted that this product could not be sold directly to any consumer meaning there would be no retail sales. She asked to continue the support of their farmers and craft agricultural products. Ms. Shufelt asked how it is cultivated. Ms. Andrade stated that cultivation would be in a highly controlled closed area with at least a 500 foot set back from roads with limited access and specific setbacks to schools and churches. There are strict requirements for this activity set by the state and the Town can allow this by special permit. Mr. Brewer asked about the process and how this would come about considering that there was an article that prohibited this activity in agriculture. Ms. Shufelt stated the course would be to go through the Planning and Zoning Boards. Mr. Brewer stated that Article 26 at town meeting concluded that this would be prohibited in agriculture. He asked to find out if the Town were still of this opinion. Ms. Shufelt stated that the Board of Selectmen could ask other committees for opinions. The alternative is that, a petition article could be submitted however, that would not allow for public or town input.

Ms. Andrade opined the article passed at last Town meeting was not best for the town. She said that she would prefer not to submit a petition article as she hopes to be part of the process together with the town. Ms. Andrade explained the revenue that could benefit the town, different methods of growing and by-products that could have added value to the economy. She noted that she would be attending the Planning Board tomorrow evening to discuss the same.

Mr. Valcourt supports this endeavor and feels that the town missed the economic benefit by not approving the article.

Louise Rodrigues stated that as a resident who works in the medical field, she has researched and is educating people on what cannabis can and cannot cure. She opined it is not a gateway to other drugs but rather a gateway to recovery. She urged people to do their own research into naturopathic processes.

Robert Daylor Vice-Chair of the Planning Board stated that the article that stated that growing cannabis was not agriculture was not against farms or farmers but written as such because it has a strict controlled environment under grow lights and in closed building that did not qualify as agriculture. It was this distinction and the nature of how it was grown that Article 26 was written as such.

Ms. Andrade also noted that this activity could help farms stay viable for the products they do farm. Ms. Shufelt asked how this is not considered a cash industry. Ms. Andrade noted that everything is bar coded and accounted for under 24-hour video recording to include individual plant to delivery. Drivers are required to have GPS tracking. So that at any time, the Cannabis Control Commission could see exactly where everything is. Each plant's bar code is detectable. Fines are set at \$10K per day of infraction.

Constance Gee stated that she is in support for outdoor growing and likened the process to sun ripened tomatoes vs hothouse tomatoes.



This concluded the discussion.

#### 4. Action Items

- a. Planning Board request approval of selection of contractor for the Targeted Integrated Water Resource Proposal (TIWRP) – Robert Daylor was present.  
Mr. Daylor, Vice-Chair of the Planning Board reminded the Board of the Town Article for the \$150K loan. He explained that four firms responded and were interviewed over two days by the Planning Board members, Town Planner and two Board of Health members, Selectman Brewer, and Roberta Carvalho from the Westport River Watershed Alliance. All were within the budget. The request is to approve the selection of Kleinfelder & Parr as the consulting firm. The process will span a year and if the contract is completed by next month, the following year at the conclusion of the public outreach, timing will allow for working with the Select Board to place an article on the following Town Meeting. **Motion** by Mr. Valcourt to approve the selection. Seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- b. Endorse 2018 State Primary Warrant.  
The Members waived the reading of the State Primary Warrant for Tuesday, September 4. **Motion** by Mr. Ouellette to approve. Second by Ms. Boxler. The Board voted 5-0 in favor. It was noted that the last day for voter registration is August 15, 2018.
- c. Approval of change of date on approved bicycle ride road use for the Narragansett Bay Wheelmen from Sunday, September 9, 2018 to Sunday, September 23, 2018. Police recommendation in favor received. **Motion** by Mr. Ouellette to approve. Second by Mr. Brewer. The Board voted 5-0 in favor.

#### 5. Appointments and/or Resignations

None.

#### 6. Town Administrator Report

The Administrator gave his report.

#### 7. Minutes

July 23, 2018. **Motion** by Mr. Valcourt to approve. Second by Mr. Ouellette. The Board voted 5-0 in favor.

#### 8. Selectmen Liaison Committee Reports

Ms. Boxler stated that the Affordable Housing Trust is looking into a possible house as a good candidate for an affordable home and should be before the Board by the next meeting.

Mr. Valcourt had nothing to report.

Mr. Ouellette stated his SRPEDD report had to do with drone mapping, and economic development funds for possibly the old high school. He could not make the Bike/Walking path meeting but discussed the land at the end of Jiggs street. Mr. Valcourt stated there are many acres that should remain open to the public. He noted the collapsed culvert that is dumping dirt into the river.

Mr. Brewer met with Energy Committee last week and brought up the solar panels on the landfill awarded to Ameresco. The question was why there was a 2-year lag in contracting with Ameresco. Members of the Energy Committee will be meeting with the Administrator to discuss. Mr. King noted that Ameresco had to wait upon the state to make the changes to the regulations however, there has been activity all along on their application by the state. Mr. Brewer stated that other competitors are showing up saying that they can do better and he does not feel that the town is locked in to this agreement. The firm that was awarded the contract will need to explain why it has taken over 2 years. He questioned what is better for the Town.

Ms. Shufelt will attend the Massachusetts School Building Association meeting in the architect's office this Wednesday. Last Wednesday the School Building Committee met with the Library Trustees who are concerned over how some of the parking will be rearranged, loss of spaces and loss of green space at the library. There is a meeting at 3pm tomorrow for further discussion.

**9. Boards/Committees/Commissions Vacancy List. Openings as posted on the website.**

Ms. Shufelt stated that the Conservation Commission resignation will need to be accepted at the next meeting and then the vacated seat should remain open for 30 days in order to allow qualified candidates to apply.

**10. Board Members Suggestions for Future Agenda Discussion / Action**

Ms. Shufelt would like to look at reconstituting the Long-Term Building Planning Committee to look at the high school and the vacant police station.

Mr. Valcourt would like to revisit the Jiggs Street/Rock Street property and address who is putting private property signs on Town Land.

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

Ms. Richere Gosselin and other members of the Pokanoket Nation were before the board to request use of the Beach Avenue to visit and meditate as well as heal, at the sacred and spiritual tidal pools of their ancestral homeland. She has provided a list of vehicles that would access the beach. She said this was tribal land and they are asking for access to the beach to heal. Mr. King stated that on occasion, they have granted event permits and it is usually one parking pass specific to a vehicle. However, because this was not posted the agenda, members cannot take it up now and would address the request at the next meeting.

Ms. Gosselin stated they would limit use to weekdays. She invoked the Jay Treaty of 1794 and said that when the treaty was signed, it did not prohibit access, only parking. Mr. Valcourt noted that some RI beaches are less restrictive for parking. She asked to have access to their beaches as they are becoming more aware of their background and following their ancient ways.

**12. Question & Answers.**

Quintin Lord from the Highway Department was present and asked why he was asked to screen a lot at the cemetery twice. This may be related to the digging for the cemetery expansion. The Select Board will look into this.

**13. Executive Session –**

At 7:40 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 strategy with respect to collective bargaining regarding Highway Department, AFSME and Town Hall Unit Local Advantage for Workers Union (LAW 256) (3).

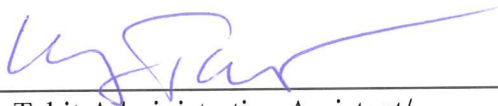
b). Approve Executive Session Minutes of June 25, 2018 and July 9, 2018.

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

### **Adjournment**

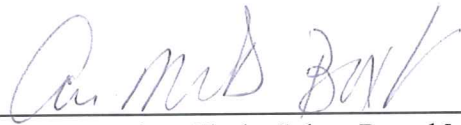
The Board voted to end the Executive Session by roll call vote and adjourn the open meeting at 7:56pm.

Respectfully submitted,



Lucy Tabit Administrative Assistant/  
Confidential Clerk

**APPROVED:**



Ann E. Boxler, Clerk, Select Board Member

-----  
Attachments to Agenda of 8/6/18:

2a Reis application

2b Holy Ghost 1-day Wine and Malt for Aug 25

3a Andrade letter

4a Planning Board letter

4b State primary warrant

4c Narragansett Wheelmen change date request

6 Town Administrator Report

7 BOS 7-23-18 draft minutes

11 List of Pokanoket persons