

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY – September 17, 2018**

Members Present: Shana M. Shufelt, Chair
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 6:00 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 Vice-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

Request by James Coyne to approve an official proclamation for Ataxia Awareness Day on September 25, 2018. The Select Board reviewed the request and read the proclamation to the listening audience. Mr. Coyne thanked the Town, and the Selectmen and stated that since the original proclamation, there have been 11 people diagnosed in town. There is no known cure. The proclamation will be filed in the national archives; the State will also make the same proclamation for the same day.

6:05 p.m.

2. Licenses

- a. Request by Top Quality Auto Sales for approval of Class II License to sell used vehicles and a Repair License at 935 State Road Westport. Manager Joumana Chedid and her brother in-law Mr. John Barbour to help translate.
Ms. Shufelt read the police report to the applicant. She stated she has been operating her business in Taunton for 7-8 years in her name. She stated she was never named as a defendant in court and the issue being reference was disposed. Ms. Shufelt said the Police recommended they submit this information in writing. Ms. Shufelt noted that there is some reason the Police is requesting this additional information and the applicant is to submit this information in writing before the next meeting. Ms. Chedid noted the family member did have those issues, and they were cleared.

Motion by Mr. Ouellette to continue the hearing to October 1, 2018 at 6:15 pm. with the requirement that they provide, in writing, the disposition of the court filing prior to the meeting. Seconded by Mr. Valcourt. The vote was 5-0 in favor.

No further comments.

- b. Weatherlow Farm: request for a one-day Malt and Wine license for two events on Saturday, October 13, 2018 (Field to Barn Dinner 5pm-9pm) and Tuesday, November 20, 2018 (Thanksgiving Floral Workshop 3pm-6pm). Favorable Police recommendation received.
Ryan Wagner of Weatherlow Farm was present. There have been several other events thus far with no incidents.

Motion by Ms. Boxler to approve. Seconded by Mr. Brewer. The vote was 3-2 in favor.

- c. R & R Auto Body 800 American Legion Highway. Police recommendation discussion. Attorney Cheryl Bernard representing Limiao Yao and Russell Plamondon were before the Board. Ms. Shufelt stated that the license was approved pending a favorable Police report. The reason the Police did not approve was that there was incorrect info on the application and they were concerned with the explanation received. The Attorney passed out an affidavit and a divorce agreement. The address 27 Cottage Street may not be his residence but that is his address for all his documentation. He lived there 2007-2011 then separated. He visits his son at the property in Cranston when his ex-wife is working. His brother owns that property at Cottage Street. An explanation for the discrepancy in address provided in the application was given. There are no licenses issued in Johnston for which he would have needed to supply any address. The business that he runs does not require a license from any town. Every legal document refers to the Cottage Street address. The attorney stated that there was no false information provided. The only thing that indicated he does not live at Cottage Street is a statement from his 12 year old niece, which the attorney opined should not have been questioned due to her immaturity. Mr. Plamondon is attempting to retire from this business and entered into an agreement with Mr. Yao to buy it.

Mr. Valcourt understands and feels that this was adequately explained especially due to the language barrier and that there was nothing criminal discovered.

Motion by Mr. Valcourt to approve. Seconded by Mr. Brewer. The vote was 4-1 in favor with Mr. Ouellette voting opposed.

6:15 p.m.

3. Action Items

- a. Request from Agricultural Commission Chair to accept a donation of \$141.00 toward the cost of the production of the "Agriculture in Westport Brochure". **Motion** by Mr. Valcourt to accept. Seconded by Mr. Brewer. The vote was 5-0 in favor.
- b. Request from Manuel Resendes of 882 State Road, to allow parking on Hillside Avenue on Sunday, September 23, 2018 from 12-6 pm for family friends to honor his late son.
- c. Approve Select Board 2019 meeting Calendar. **Motion** by Mr. Ouellette to approve with changes. Seconded by Mr. Valcourt. The vote was 5-0 in favor.
- d. Approve LAW 254 Union Agreement. Mr. King gave the Board a synopsis of the different changes. No new benefits are being created. **Motion** by Mr. Ouellette to approve. Seconded by Mr. Valcourt. The vote was 5-0 in favor.

6:20 p.m.

4. Appointments and/or Resignations

- a. Request for appointment of Vanessa Ponte as the Treasurer's Department Principal Clerk. Brad Brightman, Town Treasurer was present with Ms. Ponte. He explained the review committee was comprised of himself, the Assistant Treasurer and the former Principal Clerk. Ms. Ponte said a few words on her background. The State will be sending some training modules and she will be training with the former Principal clerk.
- Motion** by Mr. Ouellette to approve. Seconded by Mr. Brewer. The vote was 5-0 in favor. Ms. Shufelt asked how the RFP for the consultant and the reconciliations are coming along. These must be done by a certain date in order to certify free cash. Ms. Shufelt asked when the deadline is. Mr. Brightman is to advise Mr. King.

- b. Request for appointment of Kristin Lewis as the Building Department Senior Clerk. Building Inspector, Ralph Souza stated that after 80 applicants, he has interviewed Ms. Lewis twice along with Ms. Williams, the Building Department's Principal Clerk. Mr. King concurs with the recommendation. **Motion** by Mr. Ouellette to approve. Seconded by Mr. Brewer. The vote was 5-0 in favor.
- c. Request for appointment of Senior Clerk for Assessor's Office. This item was tabled to the next meeting, as there was no candidate chosen at this time.
- d. Request for appointment to one seat on the Soil Conservation Commission (3-year term) by Jake McGuigan, Peter DeFusco and George Green (one vacancy; 3-year term).

Mr. McGuigan of 202 Drift Road addressed the Board giving his background highlighting his work for the Governor of RI on the economic development committee and he currently manages lobbyists for firearms companies across the country.

Peter DeFusco of 369 Old County Road. Gave his background serving on the Conservation Commission in Lakeville. He is familiar with the Wetland Protection Act. He is a conservationist and outdoorsman. He gave some more of his background dealing with Ch91 licenses in Yarmouth.

George Green moved to town in 2004. He has a degree in forestry from SUNY Syracuse and in resource management. He says he loves Westport and the environment. He has been in management and marketing more recently. Based on his resume and degrees, he stated he can problem solve and knows how to get people to work together. Since his kids are grown, he now has more free time to dedicate to the town and wants to do the right thing and volunteer for the town.

Paul Joncas Chair of ConCom stated he has not met all the applicants. He has met Mr. McGuigan and recommended him. Mr. Joncas explained that the way it works in this town is that the town relies on the agent to make determinations for the Commission to vote on.

Mr. Valcourt thanks all the candidates and felt that the Board needs to appoint the person most qualified because he tips the balance with his experience.

Motion by Mr. Valcourt to appoint Mr. DeFusco. Seconded by Mr. Ouellette. Discussion ensued. The vote was 2 in favor and 3 opposed with Mr. Brewer, Ms. Boxler and Ms. Shufelt voting opposed.

Motion by Ms. Boxler to appoint Mr. McGuigan. Seconded by Mr. Brewer. The vote was 4-1 in favor with Mr. Valcourt voting nay.

- e. Request to reappoint Shirley Desrosiers, Patricia Kershaw, Leone Farias and Peter Berube to the Westport Citizen's Betterment Committee (1-year term). **Motion** by Mr. Ouellette to approve the request. Seconded by Mr. Valcourt. The vote was 5-0 in favor.
- f. Request to accept resignation of Gary Ferry from the Highway Department. **Motion** by Mr. Ouellette to accept the resignation and send a letter of appreciation. Seconded by Mr. Brewer. The vote was 5-0 in favor.
Motion by Mr. Valcourt to post the job opening. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

5. Discussion Items

- a. Campground Evaluation Committee discussion.
The members discussed the need for this committee to begin its work.

Motion by Mr. Ouellette to appoint Mr. Brewer and Ms. Boxler as the alternate. Seconded by Mr. Valcourt. The vote was 4-0 in favor. Mr. Brewer abstained.

Motion by Mr. Ouellette to make school Committee and Selectman reps voting members. Seconded by Ms. Boxler. The vote was 5-0 in favor.

b. **FY 2020 Municipal Budget Policies.**

Mr. King read his memo into the record detailing overall estimated revenues. He anticipates a modest increase in revenue from all sources around 3.5% over the FY19 Budget or about 1.5 million dollars. The property tax levy (not including debt exclusions) is expected to increase \$1,066,000 or about 3.77%. He stated that for purposes of this revenue estimate, the amount identified for Exclusionary Debt was intentionally kept at the same level as FY19. Changing it would have skewed the estimated increases. There is an anticipated \$115,000 decrease in the Cherry sheet revenue of -1.92%. This is primarily due to the decline in the PILOT the Town receives from Horseneck Beach. The uncertainty of increasing assessments and decreasing reimbursements for charter schools is concerning. Local Receipts will increase approximately \$500,000 or about 10%. This is the first year of the full benefit of the Solar PILOT payment. The estimate revenue is \$230,000 in FY2020.

Expenditures: There are no significant increases in the budget other than health insurance benefits and Cherry Sheet Assessment for Charter Schools and School Choice.

The Town has done well in funding capital improvements. It would be better if there is a way to use a portion of general funds in addition to use one time use of funds. Mr. Brewer asked if a small portion of funds should be put aside for known items.

Ms. Shufelt stated she is concerned about free cash not being certified. She asked Mr. King to look at the time line the Treasurer is working on and to make sure of the timing for certifying free cash.

Other: Budgets are level funded; the snow and ice account is at a realistic level. Mr. King recommends appropriating enough. Discussion ensued over sources of revenues and the reality of there being less money from the state.

Ms. Shufelt wanted to make a case for more personnel: she would like to fund a full firefighter and a police officer because of the new casino and fund the Animal Control Officer budget appropriately and correctly.

6. Town Administrator Report

Mr. King read his report and highlighted the following items on the calendar: the Westport River Watershed Alliance Beach Clean up day on September 22, 2018 10am-12pm; the Electronics Recycling on Wednesday October 3 from 9-11am in the back parking lot of Town Hall; the MMA breakfast on Friday October 19, 2018 from 8-10am- this will need a member of the Board to be present.

He noted a check was received from Charter for \$100k for community TV. He stated that the cable company is performing upgrades at night mostly after 12am when most people are off the cable.

Mr. King noted the contaminated quahog transplanting from the Taunton River to areas specifically designated in the Westport River would continue through October 15, 2018; it is an annual activity.

He noted a proposed solar project CVE located at 1665 Drift Road is before the Planning Board.

Finally, the bid documents are out for Hazardous Materials removal of the former middle school.

7. Minutes

August 20, 2018

Motion by Ms. Boxler to approve. Seconded by Mr. Ouellette. The vote was 5-0 in favor.
Minutes from September 4, 2018 were not available.

8. Selectmen Liaison Committee Reports

Mr. Brewer asked for a future action item for the Westport Point Neighborhood Association be placed on the October 15, 2018 meeting Agenda.

He also brought up the recent FEMA letter. Mr. King stated that the Town planner notified the property owners that it may affect; Town properties were not affected; there is no need for the Town to propose appeals.

Mr. Ouellette relayed the following:

- He sent a link to the Board for the DIMAN Vocational School meeting; DIMAN wants to go before the School Building Authority.
- The Bike Way Committee had a good ride event through town this past weekend.
- As part of a "wish list" he would like to ask DIMAN to look at the garage after police vacate it. He would like to know if DIMAN is able to put a wall up for storage of chairs on one side and have Animal Control Officer use the other side.
- He would like to see the Long Term Building Committee meet soon.
- Cemeteries roads are in need of repair.

Mr. Valcourt asked the Board to push forward with a de-nitrification by-law that requires keeping anything 500 feet or less from the waterways and an animal registry by-law to make sure the animals are being treated properly or in case of emergencies, one knows who to call, manure management and pest management.

Ms. Boxler stated that she attended the Board of Health meeting on the 11th regarding the Animal Registry. She was not clear on the comment made that the Board is holding on to funds that the Board of Health wants. She suggests looking at where it's going especially if the Animal Control Officer remains under select Board or where ever else it is going.

Ms. Shufelt stated regarding the animal registry meeting on the 11th: the Board of Health Chair stated that there had not been enough guidance and communication from the Board of Selectmen. The Select Board created the Animal Action Committee that fulfilled their goal; she would like to discuss this at a future meeting but not create another committee nor does she want to give any impression of shirking responsibilities.

Other updates Mr. Shufelt offered:

- School Building Committee update. On 9/26: they will award the demo and abatement contract for the Middle School. The debris will be sent to another facility in another state. Demo of building is expected mid-February.
- On October 2, 2018 at 6pm at the Westport High School Media Center, there will be a New Middle-High School public Forum to gather ideas, volunteers and community interest by a citizen interested in improving the communications and working with Mr. Reese, School Superintendent and Ms. Baron.

Mr. King asked if any of the Board would be interested in going to the MMA annual conference in January, to let him know.

9. Boards/Committees/Commissions Vacancy List

The Board asked the public to consult the listing on the website and encouraged them to volunteer.

10. Board Members Suggestions for Future Agenda Discussion / Action

None.

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

None.


12. Question & Answers.

None.

Adjournment

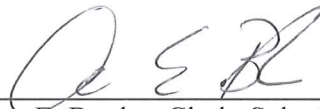
The Board voted unanimously to adjourn at 8:00 p.m.

Respectfully submitted,



Lucy Tabit Administrative Assistant/
Confidential Clerk

APPROVED:



Ann E. Boxler, Clerk, Select Board Member

Attachments to Agenda of 9/17/18:

- 1 Request for proclamation of Ataxia Day.
- 2a Top Quality Auto application.
- 2b Weatherlow Farm request.
- 2c R&R Auto Body Police Report 8/15/18.
- 3a Donation for Agricultural Commission brochure.
- 3b Resendes Request and Police recommendation.
- 3c 2019 Board meeting calendar.
- 3d LAW 256 FY 2019-2020 Tentative Union agreement.
- 4a Vanessa Ponte Treasurer Clerk resume.
- 4b Kristin Lewis Building Clerk resume.
- 4c Assessor's request for appointment of a Senior Clerk.
- 4d 3-letters of interest for Conservation Commission.
- 4e Citizens Betterment reappointments.
- 4f Resignation by Gary Ferry from Highway Department.
- 5b FY20 Budget policies.
- 6 Town Administrator Report.
- 7 Board of Selectmen 8/20/18 draft minutes.