



**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
TUESDAY- MAY 28, 2019**

Members Present: Shana M. Shufelt, Chair
Brian T. Valcourt, Vice Chair
Ann E. Boxler, Clerk
Steven J. Ouellette
Richard W. Brewer

Also Present: Timothy King, Town Administrator

Select Board Chair, Ms. Shufelt called the meeting to order at 5:45 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.

5:45 p.m.

1. Joint Appointment with Planning Board of candidate for vacated seat.

The Planning Board convened its meeting. Ms. Shufelt noted that a member of the Planning Board and Mr. Brewer had met with the candidates, and would make a recommendation on the appointment.

Candidate John Bullard was present and gave a summary of his qualifications for the open position on the Planning Board. William Sheahan, the second candidate, was not present. Planning Board Chair James Whitin stated that both candidates were well qualified, but based on qualifications, the Planning Board recommended the appointment of Mr. Bullard.

Motion by Mr. Brewer to appoint Mr. Bullard to the vacancy. Seconded by Mr. Valcourt. The vote was 5-0 in favor. The Planning Board voted 4-0 to appoint Mr. Bullard.

6:00 p.m.

2. Acknowledgments & Recognitions.

- a. Ms. Shufelt recognized the recent passing of Emil A. Fuller, a U.S. Navy veteran active in veteran's affairs through the American Legion, DAV and Vietnam Veterans of America Chapter 207 organizations; and Catherine Williams, a social justice activist and former member of the Commission on Disabilities and Affordable Housing Trust.
- b. Recognition of Kurt Eyster for his civic duty in keeping refuse off town roads. The Chair read a certificate of recognition for Mr. Eyster for his continuing efforts to clean up trash along town roads.
- c. The Chair reminded the viewing and listening audience of the Dharma Voyage - Westport High student built boat launch planned for Saturday June 1, 2019 at the Head of Westport.

6:05 p.m.

3. Licenses/Permits:

Holy Ghost Club of Westport Inc. request for approval of one-day Liquor Licenses for All Alcoholic beverages at events to be held at 179 Sodom Road for the following dates: June 14, 2019, June 28,

2019, July 13, 2019, July 14, 2019, July 20, 2019, July 26, 2019, August 3, 2019, August 10, 2019 and August 18, 2019.

The Chair read the requested dates and stated that the Board likes to have the Police Department's recommendations for license conditions, but those recommendations had not been received by the board. Club representative Cassandra Cambra said she spoke with Police Lieutenant Bell, who recommended fencing around the food and liquor service area, and a police detail be present.

Motion by Mr. Ouellette to approve the licenses, conditional on Police Department Report – fencing and police detail. Seconded by Mr. Brewer. The vote was 5-0 in favor.

6:10 p.m.

4. Action Items

- a. Request from Brian Corey for parking on Beach Avenue. Mr. Corey indicated the family is the only landowner on Beach Ave. that cannot have parking at their property because his land in the area south of the fork in River Road is designated as No Parking zone by the town. He is unable to invite guests to visit, or park cars on his property for seasonal overnight camping because neighbors object and will call the police, he said. Ms. Shufelt asked about creating a precedent for non-resident parking permits, and asked why the Coreys asked for four parking permits. There was some discussion about when the street was taken by the state, the roadway cut back from 40 feet wide to 30 feet wide, and closed to traffic by a gate; he also mentioned unnamed people who try to prevent his access to his own property by refusing him a key to the gate. Mr. Corey noted he is not supposed to park off road on his property because of the protected dunes.

Mr. Valcourt asked the Highway Surveyor if there was any practical reason to deny parking on any of the roads around the Harbor; Mr. Gonsalves indicated there was not, but parking was banned on all roads around the Harbor. Board members asked to revisit the general topic of “No Parking” on roads around the Harbor at the June 24 agenda. Discussion included another landowner had been denied parking permits in the past. Mr. Brewer stated that as a resident and taxpayer, he feels the Corey request is reasonable; his recommendation was to allow a few beach passes be allowed for guests of this property owner.

Mr. Corey did not feel this decision would set a precedent for similar requests. Mr. King recommended the Board talk to the Beach Committee and to the Town Clerk before making a decision on this matter. Mr. Corey stated that he is trying to do this the nice way, and has never complained about all the problems with road access that have occurred in the past.

Motion by Mr. Valcourt to issue 2 non-specific parking passes. Seconded by Mr. Brewer. Mr. Ouellette said he has reservations, but will vote in favor because some of the Corey property has been taken by the town. The vote was 5-0 in favor.

- b. Request for Release from Chapter 61A – Hugh E. McGovern, Roberta A. McGovern, George R. McGovern Jr., and Lee A. McGovern, Trustees of McGovern Properties – Westport & Hinsdale Trust UDT - a parcel on Sodom Road, Assessor's Map 59, Lot 5-1 and also Parcel 1 on Plan of Land recorded with the Bristol County (S.D.) Registry of Deeds, Book 178 and Page 65, approximately 5.3 acres. The Chair said the matter was tabled because the release is no longer being requested.
- c. Approval of contract award for the Head Landing Site Improvement Project (Seaport Economic Council Grant) to K.R. Rezendes Inc., low bidder at \$232,333.00. Town Planner Jim Hartnett

provided a review of the bids and the work to be done at the landing. He noted there was about \$236,000 in Seaport Economic Council grant funds still available to finance the project, and recommended that \$45,000 be set aside as contingency funds. Landing Commission Chair Sacha Sullivan indicated that the commission had voted to recommend the contract award earlier that day. Work to start second week of August, with a four week project anticipated.

Motion by Mr. Valcourt to award the contract as recommended. Seconded by Mr. Brewer. The Board voted 4-0 in favor, with Mr. Ouellette absent.

- d. Request to accept donations to the Council on Aging, in the amount of: \$3,259.76. The Chair read off the list of various donations to the council.

Motion by Mr. Ouellette to accept the donations. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

- e. Form the Camping Ground Study Committee.

The Chair noted that the Camping Ground Evaluation Committee will officially be dissolved on June 30. Mr. Valcourt proposed the formation of a new committee to look at potential uses of the property, including the possibility of a new community center utilizing an existing building, or converting other structures for additional uses. He noted that a new committee should examine the potential short term and long term uses of the land. He asked the Board to consider who would be on the committee, suggesting a member of the School Committee, representatives of the Select Board, Planning Board, Capital Improvement Planning Committee or Long Term Building Committee, and two at large members; a representative of the Recreation Commission, and/or the Recreation Director. Mr. Brewer suggested that the Town Administrator provide suggestions of who should be on that committee.

Mr. Valcourt agreed to be the BOS representative on this committee. Ms. Shufelt felt that the Community Preservation Committee might also be asked to take part, since that committee may be getting requests for CPA funds for development projects at the site. Ms. Shufelt said the board needs to define the goals of the committee; Mr. King said it should be charged with preparing a strategic plan with recommendations for the long-term uses of the property. The Chair requested that Mr. King draft a memo to various boards and commissions, seeking their input and appointment suggestions; she suggested appointments be made by July 1.

- f. Request from Planning Board for comment on the following plans:

- 1) Special Permit for Common Driveway for Stephen Petty for land at 963 and 969 Sodom Road.
- 2) Modification to plan "Definitive Subdivision Record Plan Lincoln Heights", Assessors Map 32, Lots 6-15, 28, & 36A proposing to modify the drainage.
- 3) *Preliminary subdivision plan "Preliminary plan of residences at The Pine Hills for Leonard F. and Ronald G. Potter TRS" located at 202 Pine Hill Road Assessor's Map 41, Lot 4, proposing to divide the lot into two properties.
- 4) *Preliminary subdivision plan "Preliminary plan of High Point Estates in Westport, MA" prepared for John & Marie Ciccotelli located at 355 and 415 Division Road Assessors' Map 46, Lots 8 & 9 proposing to divide the property into two lots.
- 5) *Preliminary subdivision plan "Preliminary plan of Woodland Estates in Westport MA" prepared for Jay Szaro and Muriel Peters and Carricorp Industries, Ltd. and located on Main Road Assessor's Map 70, Lot 15 & 16 and Map 69, Lot 5 proposing to divide the property into three lots.

- 6) *Preliminary subdivision plan “Preliminary plan of Map 68, Lot 25, 25a, 25b Orlando Avenue Westport, MA” prepared for Vincent Paul Realty Nominee Trust located at 46 Orlando Ave, proposing to divide the property into two lots.

NOTE: Plans above identified with an “” are submissions to the Planning Board filed with the intention of freezing the zoning to allow large scale solar projects to be permitted under the old solar regulations.

Ms. Shufelt noted that the board does not always comment on site plan reviews, except in the cases where solar energy farms are being proposed. For items numbered 3, 4, 5 and 6, the board did have some concerns they wanted to communicate to the Planning Board. Mr. Ouellette said the potential impact on abutters was his biggest concern; Mr. Brewer suggested the solar farm applicants be asked to voluntarily comply with the new guidelines and setbacks approved at town meeting.

Motion by Mr. Brewer to send a comment letter to Planning Board. Second by Mr. Ouellette. The vote was 5-0 in favor.

5. Appointments and/or Resignations

- a. Police Department request: Full Time Patrol Officers, Appointments effective May 15, 2019: Corey Mack, Luc Sauve'; Full Time Police Officer Reappointment effective May 23, 2019: Nicholas B. Frustaci

Motion by Mr. Ouellette to approve the three appointments. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

- b. Assessors Office Request to Advertise for Vacancies

Assessors Michael Castro and Sue McDermott were present, and explained the need for additional staffing.

Motion by Mr. Ouellette to advertise the Senior Clerk Position. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

Discussion on the Assistant Assessor Position and Interim Assistant Assessor Position followed, with Ms. McDermott providing the board with the job description for the assistant assessor, dated 2010. The part-time Assistant Assessor's contract will expire July 1, 2019, but the contractor is not seeking the full time Assessor position because of the pay offered; the full time office manager is also retiring in July, so it was suggested the Assistant Assessor move to the Interim Assistant Assessor position temporarily. Ms. Shufelt said a new, solid job description should be prepared and approved by the Personnel Board; Mr. King was assigned to negotiate an extension of the current Assistant Assessor contract with the contractor. Mr. King will help the Assessors review the Assistant Assessor and office manager positions, as Assessors are looking to combine the two positions as part of a possible reorganization of the Assessors Office suggested by the state DOR, Mr. Castro indicated.

- c. Cemetery Seasonal Laborers Appointment

Candidate Michael A. Brouillard could not attend; Jeremie Mathias declined a position; Troy Simcock is the second candidate; neither recommended candidate is a Westport resident. There were some residents applicants, but one declined a position and the second candidate did not show for the interview, Mr. King reported.

Motion by Mr. Ouellette to appoint the recommended candidates. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

d. Senior Center Part Time Van Driver

COA Director Beverly Bisch was present with candidate Jeffrey Burns. Ms. Bisch provided a summary of what the van drivers do, and the need for an additional driver to replace recent retirees.

Motion by Mr. Ouellette to appoint Mr. Burns. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

e. Westport Cultural Council.

Volunteer for appointment Alexandra Whitney came before the board and talked a little about herself and her interest in the Council's work in the community.

Motion by Mr. Ouellette to appoint. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

f. Resignations

The Chair noted the receipt of resignations from Paul Cabral, an elected Westport Free Public Library Trustee; and Robin Ann Smith, appointed member of Cultural Council, effective Jun 30, 2019

Motion by Mr. Ouellette to accept their resignations, with a letter of thanks for their service. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

6. **Discussion Items.** None.

7. **Town Administrator Report.**

Mr. King provided his regular report on the new department head communication policy, continuing projects, road work, and recent meetings and reports.

8. **Minutes**

The minutes of the May 6, May 7, and May 13 meetings were reviewed.

Motion by Ms. Boxler to approve the minutes as submitted. Seconded by Mr. Ouellette. The Board voted 5-0 in favor.

9. **Bill Warrant and Payroll report to the Board.**

Mr. Brewer noted that the sharp increase on the total warrant reflects the bond note for the school construction project.

10. **Selectmen Liaison Committee Reports**

Mr. Brewer: Treasurer consultant committee meeting coming up; suggested appointment list should be reviewed at next meeting.

Mr. Ouellette: Suggested procurement of wireless speakers for the Memorial Day ceremonies.

Mr. Valcourt: No meetings to report on.

Ms. Boxler: The Affordable Housing Trust is looking to purchase another property to set up an affordable unit. At Noquochoke Village, tenants are moving in, and there are still rental units available; visitors are pleased with the finished product.

Ms. Shufelt: Nothing to report. School Building Committee meeting tomorrow night to discuss suggestions for reducing building costs. For the June 24 meeting, she would like Town Administrator evaluations and goals on the agenda, and copy of contract in the package.

11. **Boards/Committees/Commissions Vacancy List**

Mr. Ouellette asked to have the Beach Committee and Ralph Souza, Building Inspector attend to provide updates.

12. Board Members Suggestions for Future Agenda Discussion / Action. None.

13. Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting. None.

14. Question & Answers. None.

15. Executive Session – pursuant to the provisions of MGL c 30A section 21(a), Chair declares an open meeting will have a detrimental effect, to:

- Discuss a grievance filed by an employee (1).
- Discuss the performance of an employee (1).
- Approve Executive Session Minutes.

Adjournment

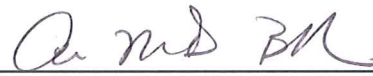
Motion to adjourn regular session and move into executive session at 8:55 p.m. by Mr. Ouellette. Seconded by Mr. Valcourt. The Board voted 5-0 in favor: Mr. Brewer, aye; Mr. Ouellette, aye; Ms. Shufelt, aye; Mr. Valcourt, aye; Ms. Boxler, aye. The Chair declared the Board would not reconvene in open session.

Respectfully submitted,



Lucy Tabit Administrative Assistant/
Confidential Clerk

APPROVED:



Ann E. Boxler, Clerk, Select Board Member

Attachments to Agenda of 5/28/19:

1a PB SHEAHAN	4f-6-2 [solar] orlando plan
1b PB BULLARD	5a Police Recommendations
2a Eyster award	5b Assessors requests
2b 2019 boat building launch notice	5c-1 brouillard
3 Holy Ghost requests	5c-2 mathias
4a Parking Beach Ave Corey 512019	5c-2 - alternate - Troy Simcock
4b Ch61A release request McGovern lot 5-1	5d Van driver request
4c-1 bid package HOW	5e Whitney request
4c-2 HOW Contract KR Rezendes	5f resignations
4d COA Donations	7 TA Report
4e Campground Study Committee	8a BOS DRAFT Minutes 050619
4f legal opinion on zoning	8b BOS DRAFT Minutes 050719
4f-1-1 Petty sheet	8c BOS DRAFT Minutes 051319
4f-1-2 Petty plan	9 Bill Warrant summary 052419
4f-2-1 Lincoln Heights sheet	
4f-2-2 Lincoln Heights plan	
4f-3-1 [solar] the pine hills sheet	
4f-3-2 [solar] the pine hills plan	
4f-4-1 [solar] high point sheet	
4f-4-2 [solar] high point plan	
4f-5-1 [solar] woodland sheet	
4f-5-2 [solar] woodland plan	
4f-6-1 [solar] orlando sheet	