



**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY- JULY 22, 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 6:02 pm 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.

1. Acknowledgments & Recognitions.

Ms. Shufelt recognized the passing of former Building Inspector (1966-69), Stanley M. Gwozdz, and former Finance Committee member, James E. Britland.

2. Licenses/Permits.

- a. Aquaculture license renewal: Kerian Fennelly Gooseberry Site #1 25 Acres (3-year renewal).
- b. Aquaculture license renewal: Kristin Fennelly Gooseberry Site #2 25 Acres (3-year renewal).
- c. Aquaculture license renewal: Michael Jusseaume West Branch Site #3 1 Acre (3-year renewal).
- d. Aquaculture license renewal: Christopher Jusseaume West Branch Site #4 1 Acre (3-year renewal).
- e. Aquaculture license renewal: Erik T, Reis West Branch Site #5 1 Acre (3-year renewal).

Kerian Fennelly and Christopher Jusseaume were present. Shellfish Advisory Committee forwarded their recommendations in favor of renewal for all 5 licenses listed.

Motion by Mr. Valcourt to approve all the renewals. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

- f. Request for One-day Liquor License by the Holy Ghost Club located at 179 Sodom Road for all alcoholic beverages on July 27 from 12-5 pm and August 25 from 12-5p. Also, correction to previously approved one-day license from August 10 to August 24th.

Motion by Mr. Ouellette to approve conditional on police recommendations. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

3. Appointments and/or Resignations.

Requests for the following re-appointments and first time appointments (where indicated):

- a. **Cemetery Department** – Appointment of Michael Brouillard to the Cemetery Laborer opening.

Cemetery Forman, Bruce Graves was present to endorse the hiring of Mr. Brouillard. Mr. King recommended the appointment as Cemetery Laborer.

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

- b. **ADA Transition Plan Committee:** Karen Powell (FinCom Rep); Gary Carreiro (FinCom Rep) (1-year term).

Motion by Mr. Ouellette to approve this appointment. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

- c. **Agricultural Open Space Trust Fund Council:** Kevin Rioux (FinCom Rep) (1-year term).

Motion by Mr. Ouellette to approve this appointment. Seconded by Ms. Boxler. The Board voted 5-0 in favor.

- d. **Audit Committee:** Karen Raus (FinCom Rep).

The Board designated the term for the different representatives as follow: 3-year terms for a FinCom Rep and an at-large member; 2-year terms for a School Committee Rep and a Board of Selectman Rep; and a 1-year term for an at-large member for a total of 5 members.

Motion by Mr. Ouellette to appoint Ms. Raus as the FinCom Rep. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

- e. **Capital Improvement Planning Committee:** Thomas Schmitt (FinCom Rep); Michael Castro (Assessor's Rep) (1-year term).

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

- f. **Educational Fund Committee:** Tracy Priestner (FinCom Rep) (2-year term).

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

- g. **Energy Committee:** Charles Baron (FinCom Rep) (1-year term).

Motion by Mr. Brewer to approve this appointment. Seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- h. **Personnel Board:** Gary Carreiro (FinCom Rep) (1-year term).

Motion by Mr. Brewer to approve this appointment. Seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- i. **Public Safety Staffing Committee:** Hugh Morton (FinCom Rep) (1-year term).

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

- j. **Full Time Police officer:** Michael Jaques.

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

- k. **Tax Incentive Program Committee:** Charles Baron (FinCom Rep) (1-year term).

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

- l. Request from Director, Westport Community TV to hire Brendon Borges as a cable TV camera operator. Mr. Borges was present. **Motion** by Mr. Valcourt to hire Mr. Borges. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

- m. **Bike Walking Path Committee:** Consider the number of members from 7 to 5.

Motion by Mr. Valcourt to approve reducing the number of members to 5 from 7. Seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- n. **Open Space Committee:** Consider dissolving inactive committee. The committee was put together to work on the Open Space Plan which is reviewed every 7 years. The committee is not active and the plan was filed several years ago.

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

4. **Action Items.**

- a. 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 dated December 27, 2012 - a parcel on Sodom Road, Map 59, Lot 5-1 (approximately 5.3 acres), recorded with the Bristol County (S.D.) Registry of Deeds, Book 10633 Page 127.

Motion by Mr. Ouellette to approve release from Ch61A. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

- b. Review and approval of solar array PILOT Agreement for “Sunrise on Drift Road LLC.” Alex Fox of CVE Group was before the Board for endorsement. Construction is scheduled shortly. **Motion** by Mr. Ouellette to approve and endorse the PILOT agreement. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

- c. Planning Board request for comment for Ferry Drive Definitive Plan for a 5-lot Subdivision with frontage on Old Pine Hill Road and White Oak Run. Members reviewed the plan and had no comment.

- d. Chapter 90 Roadway Improvements: review and endorse the change order for the 2018 initial contract with PJ Keating.
Chapter 90 road-work is mostly completed, additional costs are listed on page 5 of the contract. Mr. King recommended approving the change-order. **Motion** by Mr. Ouellette to approve. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

- e. Approval Treasurer Consultant Contract Amendment.

Mr. Brewer summarized the status and felt that he did not feel the staff would be able to complete tasks without assistance at this time. Reconciliations between departments are through May 2019; bank reconciliations are only through December 2018. The estimated costs for continuing the support to staff are as follow and the members were agreeable to these amendments – as needed - to the consultant’s contract:

For completion of FY2019 reconciliations: \$12k.

Phone consult services and status of reconciliations \$200 per month

Targeted weekly training of for staff: \$130/hour

Training of interim Treasurer \$130/hour

Cost for an interim Treasurer \$6,000/month

Mr. Brewer felt the Board should engage in this, as results from staff are emerging slowly. FY19 reconciliations should be closed by the end of August to have certification of free cash on a timely basis. Mr. King also concurs. There are sufficient funds to cover the costs.

Motion by Mr. Ouellette to authorize Mr. King to prepare a contract amendment in accordance with his proposal. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

5. Discussion Items.

a. Update on Treasurer's Department.

The Treasurer has not given his final review of the possible contract.

b. Beach Ave guardrail installation

Constance Gee was present and she discussed the Beach Avenue guardrail plan. She stated the rail was originally supposed to extend all the way towards the Knubble to "Town Avenue." She said that Mr. Steinke objected to a guardrail placed in front of his lot because he wanted to access his property. She asked for no parking to be implemented closer to the west end of the road and to extend the guardrail east for the remainder of roadway excluding the area in front of Mr. Steinke's property.

Mr. King had information as to why the original guardrails were not finished according to the plan. Mr. Steinke's attorney contacted the Town stating he wanted direct access to his land, which a guardrail would have prevented. A modification in the permit was made at that time and the guardrail was not completed to the end. Mr. King felt the guardrail should be continued beyond the Steinke property.

Mr. Leach was also present and he explained that Natural Heritage did not have a problem with that section of fence not being in front of Mr. Steinke's property, and neither did ConCom. He explained that there are issues with other people using that section to turn around and that the owner is also parking at his property and there is evidence of a scalloping in the sand.

There needs to be a dedicated area for a "turn-around". Ms. Gee's suggestion means losing parking spaces.

The Board asked the police to provide their recommendations for moving the sign and to copy the Beach Committee and to assess if there is any value in putting in a guardrail in front of the town portion. Mr. Leach noted that a new order of conditions would need to be filed with DEP through ConCom.

Motion by Mr. Ouellette to seek police recommendations regarding moving the no-parking sign further west and seek legal counsel advice if a guard rail is lawful to be accompanied with a full proposal. Seconded by Mr. Valcourt. Discussion ensued.

Mr. Brewer said the Board should consider if there are legal requirements for a guard rail.

Mr. Leach noted the road is narrower further east. Installing a guardrail would help to keep the roadway 18 feet wide and prevent it from becoming wider.

The Board voted 5-0 in favor.

6. Town Administrator Report.

Mr. King reviewed his report. Mr. Ouellette asked to have a review of road construction for next meeting.

7. Minutes.

July 8, 2019

Motion by Ms. Boxler to approve. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

8. Bill Warrant and Payroll report to the Board.

Mr. Brewer noted that the warrant was endorsed and no issues were noted.

9. Selectmen Liaison Committee Reports.

Nothing to report from Ann Boxler.

Mr. Valcourt asked Mr. King to contact the Energy Committee chair to plan a meeting.

Mr. Ouellette stated there was another motorcycle fatality since the last meeting. He is seeking a meeting with the Senator and will report back.

Mr. Brewer will be attending the Bristol County Commissioner's meeting and of importance, is the Bristol Aggie construction anticipated for 2021.

He stated that attention needs to be made to the letter from the Howe family with their complaint regarding the Winery summer concerts – he wants to know what is the disposition of any such letter. Because of past legal issues, no response was made at this time.

Another complaint was received from Mr. Sullivan regarding unsafe roads in Westport Harbor – Ms. Shufelt and Mr. King followed up and shared it with the Highway Department.

Mr. Ouellette asked Mr. King to follow-up on the cable complaint.

Ms. Shufelt stated that the School Building Committee (SBC) approved the pre-construction contract for D'Agostini. The SCB will be on the 8/5/19 agenda to introduce the Construction Manager (CM) and discuss the project.

10. Boards/Committees/Commissions Vacancy List.

The current list of vacancies are found on the website.

11. Board Members Suggestions for Future Agenda Discussion / Action.

None.

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

- a. On Friday July 19, the Beach Committee has requested special consideration for the appointment of a new head lifeguard, Joseph Mastriano, as the current lifeguard has returned to full time work. The new head lifeguard has previously worked as a lifeguard for the Town.

Motion by Mr. Ouellette to approve the hire. Seconded by Mr. Brewer. The board voted 5-0 in favor.

- b. The BOS office received notification today of the resignation of David Cole from the Planning Board. Due to the urgency to fill the seat in a timely manner, the vacancy will now be open for 30 days after which the BOS and Planning Board will jointly appoint a qualified applicant.

- c. At 7:15 pm this evening via e-mail, a request was received from Holly Cummings of the Elephant Rock Beach Club for over-flow parking on the north side of Atlantic Avenue

for July 28th for annual family day along Elephant Rock Beach Club from 10am-4pm: for only when their parking lot is full. They intend to use police detail as last year.

Motion by Mr. Ouellette to approve conditional on police detail and recommendations. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

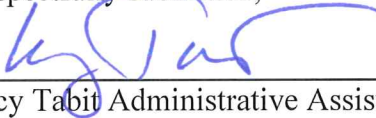
13. Question & Answers.

None.

Adjournment

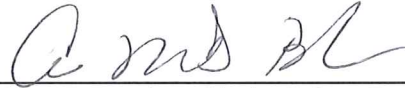
Motion by Mr. Ouellette to adjourn at 7:54 p.m. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

Respectfully submitted,



Lucy Tabit Administrative Assistant/
Confidential Clerk

APPROVED:



Ann E. Boxler, Clerk, Select Board Member

Attachments to Agenda of 7/22/19:

- 2a a-e Shellfish Advisory recs
- 2a Aquaculture renewal application for
Gooseberry site # 1
- 2b Aquaculture renewal application for
Gooseberry site # 2
- 2c Aquaculture renewal application for West Br
site #3
- 2d Aquaculture renewal application for West Br
site #4
- 2e Aquaculture renewal application for West Br
site #5
- 2f Holy Ghost one-day requests
- 3a Cemetery laborer application
- 3b-k - Finance Committee Member appointments
- 3d Audit Committee appointments
- 3e CIPC appointment M Castro
- 3j Police for Michael Jaques
- 3l CA TV B Borges appointment
- 4a CH61A release McGovern
- 4b Solar PILOT Sunrise - Tootle way
- 4c 19-011C Ferry Drive Subdivision Plan
- 4d Ch90 Roadway Improvements change-order
- 6 TA Report
- 7 BOS minutes 070819 draft
- 10 Annual Appointment List 2019 FY19-20