



**BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
TUESDAY- October 15, 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 6:00 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.**

None.

**2. Licenses**

- a. Public Hearing – Continued from 9/30/19 - Marguerite's Inc. initiate cancellation of annual wine and malt liquor license. Per ABCC, it is preferred that the license is transferred rather than cancelled. The new owner has all the paperwork ready to file on line.
- b. Request from Valerie Hawes for a Common Victualler's License for Marguerites of Westport, LLC. located at 778 Main Road. Ms. Hawes was present. Fire, Board of Health and Building Department have all inspected the facility and it passed. **Motion** by Mr. Ouellette to approve the Common Victualler License for Marguerites of Westport LLC, Valerie Hawes Manager. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.
- c. Entertainment license discussion.  
Coordination is to be through Mr. King.

**3. Appointments and/or Resignations**

- a. Library Aide, new hire, Rebecca Priest.  
Sue Branco director of the Library recommended Ms. Priest out of the many applicants.  
**Motion** by Mr. Ouellette to approve hiring Ms. Priest. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.
- b. Capital Improvements Planning Committee: Brian T. Valcourt, Construction Representative (1-year term).  
**Motion** by Mr. Ouellette to appoint. Seconded by Mr. Brewer. The Board voted 4-0, with Mr. Valcourt abstaining.

**4. Action Items**

- a. Request from Pauline Messier to place a “Blind Driveway” sign in the vicinity of 49 Tickle Road. Ms. Messier was present and explained that she looked at the police report, which recommended removing some of the vegetation. Mr. King will request Highway to remove some vegetation and for the police to aggressively monitor the speed. Mr. Valcourt stated that there are issues with speeding cars.
- b. Approval of Town Treasurer Job Description and posting of position. Mr. King stated the changes are in the draft and the recommended salary is \$75-85K. It is common to begin recruitment early. Ms. Shufelt asked that the date the job description is approved be placed on the job description itself. Mr. Brewer suggested that the supervision is of the staff rather than identifying 1 or 2 persons of various terms as this may change. Mr. Brewer stated that it is not too early to begin the process. Mr. Ouellette suggested that the description include the health insurance aspect and that the individual may be required to speak publically.  
**Motion** by Mr. Ouellette to approve as amended. Seconded by Mr. Brewer. The Board voted 5-0 in favor.  
**Motion** by Mr. Valcourt to post offering \$75-85K. Seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- c. Approve contract for Old Police Station Demolition.  
**Motion** by Mr. Valcourt to approve Encore Contracting for \$174K. Seconded by Mr. Brewer. The Board voted 5-0 in favor  
Mr. Brewer asked if the committee had any decisions on post demolition use. It had not.  
Mr. Ouellette asked that the abutters be notified of the upcoming work.

## **5. Discussion Items**

### **Update on the Keeping of Animals (KOA) Regulation.**

Ms. Shufelt noted that there was funding put in place to support the registry and asked for an update. Mr. Weinberg, Chair of the Board of Health gave a brief on the draft being issued. The draft regulation is largely based regulations in place for pigs, horses, etc. however, it is not a licensing regulation. The response from the farm community is that they are opposed to it for many reasons and felt that it had gone too far attempting to micro manage operations on farms. Persons misunderstood and thought the BOH would trespass on the farm to conduct inspections. The BOH moved back from inspections allowing the state appointed inspector to perform them. The registry will refer locations to the barn book inspections. It's largely been left to owners to provide a confidential no-fee submission that collects vitals such as contact information, animals present and then they would submit this information to the state. The BOH asked that the registration be mandatory. The AgCom, per Mr. Weinberg, is of the opinion that it should be voluntary.

The BOH has not passed the regulation yet. They scaled back requirement and are allowing mandatory registrations to make barn book inspections more comprehensive. The conversations have taken place in public meetings and with leaders of the community. The BOH will take the input and generate a new draft based on these discussions. It is at the point where the Board needs to reconvene and discuss the issue.

Ms. Shufelt asked if there were any scheduled meetings for this topic. Mr. Weinberg expects to schedule one before the end of this month. Ms. Shufelt reiterated that the Animal Action Committee determined that the Town is expected to know where the animals are and to inspect the animals as per her conversations with MDAR. Mr. Valcourt agrees and supports the BOH measures thus far. He also noted that from a public safety standpoint, it is important for Firemen



to know if there are animals in a barn because their response could be different knowing what animals are inside and if those animals could pose a danger to them.

Mr. Brewer noted that the tenant farm issue has been dealt with as far as regulation. However, the other operating standards (ie. manure management) has also to be addressed in the KOA regulation. Mr. Weinberg stated that in the course of inspection there were measures in place to deal with non-compliance. He said they agreed to work with Agricultural Commission to designate guidelines not under the BOH to enforce those standards. Mr. Brewer asked which of the two was more important, the KOA registry for tenant or non-tenant farms. Mr. Weinberg feels that the registry is more important because the state can overlap and address the health of the animals. The BOH also has nuisance regulations to address public health and safety. Mr. Weinberg stated the BOH would never show up and trespass. The BOH would ask permission. He quoted the law as written. Mr. Valcourt stated that the State is requiring that the Town implement this.

Ray Raposa, Chair of the AgCom, complimented Mr. Weinberg for working with all the proponents. AgCom supports Barn Book inspections but disagree on the current registry but agree that there should be registrations. They are working moving forward with the BOH. Many in the agricultural community did not realize that barn book inspections are required.

**6. Town Administrator Report**

Mr. King reviewed his report. Members noted that there were commercial enterprises with large past tax balances; members asked to have a discussion on collecting delinquent taxes with the Collector and Treasurer. Of note, the recall law has been enacted at the state level.

**7. Minutes**

None.

**8. Bill Warrant**

Mr. Brewer stated it was routine and in order.

**9. Selectmen Liaison Committee Reports**

Mr. Brewer gave his report on the audit committee noting their discussion on de minimus collections and lock box collection being looked at. The Chair, Ms. Raus, presented a list of 23 items that have repeated in the last 3 management letters. He reminded the audit committee is still seeking a 5<sup>th</sup>, at-large member.

Mr. Ouellette thought he could put together a safety subcommittee; The Cable Advisory Committee would like to upgrade the Annex equipment from the \$700K in the fund. The committee wants to change their name to have more authority to control their budget. They will be meeting next Wednesday.

Mr. Valcourt stated last week was the first meeting for Camping Ground. Members were in favor of fields for school use; a community center for school, recreation, COA and public access. The biggest concern is what the land could support. There is an opportunity for a public water supply in the north area. The committee is looking to bring something to Town Meeting.

The energy committee has not met.

Ann Boxler stated that Affordable Housing Trust will return to CPC for funding; the Council On Aging grant change will effect operations.

Ms. Shufelt stated school work is happening on site.

Tanya Ryden spoke about hazardous waste collection day, paint oil pesticides etc. and requested if BOS is willing to put this expense into budget. She is willing to work on it. Budgets are due Nov 1. Ms. Shufelt asked she send the information about it and make a budget request for it. Ms. Shufelt thought it would seem appropriate for the Transfer station.

Mr. Ouellette asked the listening audience to be careful, it's hunting season and to drive carefully.

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

As listed on the website.

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

See notes

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

None.

**13. Question & Answers.**

Don Davidson asked about the tennis courts being removed from the new school site. He asked if the tree cutting could be delayed until the spring to give time to consider tennis court placement at the camping ground. The new school construction is on a tight schedule. Mr. Valcourt felt that if the courts would be moved, the cost would be the same as what they are currently. Ms. Shufelt stated that the cost is speculative at best. There are no facts to support any cost speculation.

Mr. Davidson stated that there is a cost associated with building up the land to put the courts in the new location. Ms. Shufelt stated that the construction for the courts still wouldn't happen for quite some time.

Mr. Alden asked if the decision is to go forward to with courts on Library property

Ms. Anderson stated that she has concerns with trees cleared and storm water runoff. She showed photos of flooding on Gifford Road that happens each time there is a storm. The tennis court area is going to be filled. Discussion ensued. She has concerns over the drainage.

Ms. Shufelt reiterated several times that this board is not the body that can answer her questions and that she should attend the school building committee meetings. She asked what action Ms. Anderson wants the BOS to take.

Joseph Ingoldsby stated there is a realization that the plans were approved by many boards; neighbors are asking for some sort of action to stabilize mud and the slope for whatever will be placed on the hill. Ms. Shufelt said that the project managers have a better understanding on containing the storm water; there is no action this board can take. Mr. Ingoldsby asked for protection for wash out and siltation for the residents. Ms. Shufelt suggested taking this up through the School Building Committee.

Mr. Habib suggested the Board send correspondence to the various town boards, committees and contractors to delay the cutting down of the trees until it is explained to the neighbors.

Ms. Anderson said she met with Jim Hartnett and walked the property line and where the work would be was pointed out. The next day, they walked the line again with SITEC and their lawyer and then the site manager, and nothing was mentioned about the plans to clear the trees over the weekend. She got an e-mail from Jim Hartnett on Thursday stating that the work was going to happen over the holiday weekend. Mr. Valcourt explained that construction changes can occur because of weather events. Discussion ensued.

### **Adjournment**

**Motion** by Mr. Ouellette to adjourn at 7:42 p.m. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

Respectfully submitted,

  
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Lucy Tabit Administrative Assistant/  
Confidential Clerk

**APPROVED:**   
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Ann E. Boxler, Clerk, Select Board Member

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**Attachments to Agenda:**

2a Marguerites Liquor License  
2b CV application  
2c Memo Howe Farm  
3a Library Aide I request  
4a Messier Sign Request  
4a PD Comments for Messier Sign Request  
4b Treasurer job description  
4c Demo contract  
6 TA Report  
8 Bill Warrant