



**BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MONDAY – December 16, 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**

- a. Recognition of Call Firefighter/EMT Kenneth J. Reilly for his 40 years of service to the Town.  
Chief Brian Legendre introduced Call Firefighter EMT for 40 years of service. He read the citation from the State Fire Service Commission. Ms. Shufelt presented a certificate of recognition to Mr. Reilly. Senator Michael Rodrigues presented an official citation from the State Senate. Representative Paul Schmid presented a certificate from the Massachusetts House of Representatives. Bob Porowski, of Local 1804 presented an engraved brass Ax. Brian Moniz of the Westport Call Firefighters Association presented a plaque in recognition of his 40 years. Chief Legendre stated that Mr. Reilly will remain active with the EMA services.
- b. Certificate of Appreciation to George Cataldo. Ms. Shufelt read the certificate and Carol Freitas, Veteran's Service Officer accepted the award on behalf of the family of Mr. Cataldo.

**2. Action Items**

- a. Request from Fire Chief Legendre to review and approve contract for new ambulance.  
Chief Legendre discussed the new ambulance that will be acquired with a 3-year lease and it will not impact the capital improvements budget. The Chief will return in July when it is closer to delivery for the Board to sign the lease  
**Motion** by Mr. Ouellette to approve the contract for the ambulance. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

The Chief discussed the ISO rating that was mistakenly rated at a 2 but should be a 3 as of March. Credits for fire prevention issues were left off the report but are being resubmitted. This will affect homeowners insurance.

- b. Request from the Westport Land Conservation Trust for approval and endorsement of a Conservation Restriction on the Brayton land Assessor's Map 81 Lots 10 & 10 B, total area 20.92 acres.  
Ross Moran, Executive Director of the Westport Land Conservation Trust presented the Conservation Restriction that plans to protect the water resources and the priority protection as identified by SRPEDD.

Long term, this parcel will extend future trails by 5 miles with the Herb Hadfield Conservation Land and hopefully with Westport Woods. There is no cost to the Town. **Motion** by Mr. Ouellette to approve. Seconded by Mr. Brewer. The Board voted 5-0 in favor.

- c. Request to approve selection of Woods Hole Group/Kleinfelder as qualified engineers and contract for the– East Beach Corridor Municipal Vulnerability Project (MVP) Study. Present were James Whitin, Chair of the Planning Board and James Hartnett, Town Planner. Mr. Whitin briefed the Board that Westport received a grant to evaluate the vulnerability of East Beach. The award was \$75K with \$25K local match. The project went out to bid and returned with 2 proposals. This was the low bid. Discussion ensued. **Motion** by Mr. Valcourt to approve the contract. Seconded by Mr. Ouellette. The Board voted 5-0 in favor.
- d. Request to approve selection of Kleinfelder as qualified Consultant Services and contract for Small Municipal Separate Storm Sewer System (MS4) permit obligations. Mr. Hartnett stated they had two proposals received and Kleinfelder met or exceeded the requirements. The Town does not have the resources of mapping and water testing to continue this and the funding of \$38K is from the Planning Board budget. **Motion** by Mr. Ouellette to approve. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.
- e. Request from Planning Board for comments on a “Definitive Plan for Residences at Pine Hills” located at 202 Pine Hill Road. Per the Mr. Hartnett, the plan was withdrawn. No comments by the Board.
- f. Request from Planning Board for comments on a Definitive Plan for “High Point Estates” Map 46, Lots 8 & 9C between 355 and 403 Division Road. This plan was submitted to freeze the zoning prior to the amendment to the Solar by-laws. There is no intent to build the subdivision. No comment by the Board.
- g. Request from Planning Board for comments on a Definitive Plan for “Woodland Estates at 0 Brookwood Drive” Map 70, Lots 15, 16, 16B & 16D and Map 69, Lot 5. No comment by the Board. Mr. Whitin updated the Board with other projects in the works including the zoning recodification that will be featured at Annual Town Meeting.
- h. Approve and endorse contract for stonework stabilization and repair sea walls at the Head of Westport Phase Woodall Construction Company of Norfolk, MA (CPA Project) \$114,996.28. Tony Millham, Landing Commissioner explained the intent to repair 616 linear feet of the project. **Motion** by Mr. Valcourt to approve the contract. Seconded by Mr. Ouellette. The Board voted 5-0 in favor.

### **3. Appointments and/or Resignations**

- a. Request to appoint Joanne Medeiros-Duphily as part time EMD Dispatcher. **Motion** by Mr. Ouellette to approve. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.
- b. Request to appoint Robert Bergeron to the Council on Aging (3-year term). Mr. Bergeron introduced himself and provided background. **Motion** by Mr. Ouellette to approve. Seconded by Mr. Brewer. The Board voted 5-0 in favor.
- c. Principal Assessor Candidates Interview. Ms. Pamela Lee was introduced by Assessor Chair, Steve Medeiros. Ms. Lee gave some background and discussion ensued **Motion** by Mr. Valcourt to approve the hire of Ms. Lee. Seconded by Mr. Ouellette. The Board voted 5-0 in favor. Mr. Medeiros announced various office activity to the Board.
- d. Request to make a contingent offer of part-time as-needed reserve officer employment subject to completion of the Reserve Intermittent Police Academy and employment requirements for Michael



Chicca, Julious Rosario and Scott Algarvio. **Motion** by Mr. Ouellette to approve the requests. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

6:15 p.m.

**4. Licenses**

**a. License Renewal open items:**

- 1). Continued from 12/02/19: **S&K Auto Sales.** Class II Licensee renewal discussion.  
Steve and Kelly Maciel returned before the Board. The owner's property tax delinquency has not been resolved nor has the owner communicated with them. Discussion ensued. **Motion** by Mr. Valcourt to grant an interim license to January 31 2020 for 1121 State Road contingent upon Distinctive Auto providing permission and other requirements for S& K Auto to relocate to their property at State Road temporarily until the property being looked at on Route 177 is ready for S& K. Seconded by Mr. Ouellette. The Board voted 5-0 in favor. S& K Auto are to return January 6, 2020 to confirm these arrangements and to request a longer term license at this location.
- 2). Norwest Auto Sales d/b/a Patriot Auto Sales: Notification from landowner that lease is terminated due to non-payment of rent for three consecutive months. The license expires December 31, 2019 and the current license holder had not requested a renewal. The Board took no action.

**5. Discussion Items**

FY 2021 Municipal Budget Presentation. Town Administrator, Mr. King gave a summary and comments from Gary Carreiro, FinCom Chair were heard. Discussion ensued over certain unknowns such as the regional schools and impact of any new public safety personnel. Mr. Ouellette asked that Mr. Jennings be contacted regarding Diman Regional Vocational School.

**6. Town Administrator Report**

Mr. King gave his report. The Chrome Book opinion from K&P Law states that it is not an appropriate use of the funds. Discussion ensued over other items in the Administrator's report.

**7. Minutes**

Sept 3 2019; Sept 16 2019; Sept 30 2019; Oct 15 2019; Oct 28 2019; Nov 12 2019; Dec 2 2019.

**Motion** by Ms. Boxler to approve the above. Seconded by Mr. Ouellette. The Board voted 5-0 in favor.

**8. Bill Warrant.**

Noted, all in order.

**9. Selectmen Liaison Committee Reports**

Mr. Brewer reported on the draft Management letter from Auditor Tony Roselli. He stated the key to this is the removal of material weaknesses. Mr. Brewer reported other meetings attended.

Mr. Ouellette stated when the last farmer's market will be. He met with SRPEDD; he gave a report on the funds stolen from Bristol County Selectman's Association; funds signed off by the Governor for Rt 177.

Mr. Valcourt reported on the Camping Grounds Committee and an RFP is forthcoming; and Capital Improvements Committee. Mr. Valcourt added that he visited the new school site to look at the drainage and reported his findings.

Ms. Boxler had nothing to report.

Ms. Shufelt stated that the contractors are working on the drainage issue at the new school site.

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

As noted 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**

None.

**13. Question & Answers.**

Cynthia Anderson asked what is being done regarding the drainage flooding their land from the construction site. Ms. Shufelt looked into what was being done: she stated that the ConCom agent was on site this morning and did not find any violation. The contractors were working on the problem over the weekend. There will be a more complete report at the school building committee meeting. It is actively being worked upon. Ms. Anderson stated that the ConCom agent was not aware of the north side ponding. Discussion ensued.

**14. Executive Session** – Motion by Mr. Valcourt to enter into Executive Session at 7:55 pm pursuant to the provisions of MGL c 30A section 21(a), Chair declares an open meeting will have a detrimental effect to:

- a. Discuss strategy with respect to collective bargaining – Town Hall Unit Local Advantage for Workers Union (LAW 256) (3).
- b. Strategy with respect to litigation, Open Meeting Law complaint (3).
- c. Conduct strategy in preparation for negotiations with non-union personnel, Council on Aging Director (2).
- d. Approve Executive Session Minutes.

Sept 3 2019; Nov 12 2019

Second by Mr. Ouellette. The Board voted 5-0 in favor.

**Roll Call Vote:** Shufelt, Aye. Valcourt, Aye. Ouellette, Aye. Boxler, Aye. Brewer, Aye.

**Adjournment**

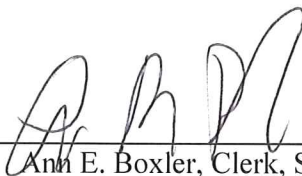
**Motion** by Mr. Ouellette to adjourn the regular meeting at 8:15 p.m. Seconded by Mr. Valcourt. The Board voted 5-0 in favor.

Respectfully submitted,



Lucy Tabit Administrative Assistant/  
Confidential Clerk

APPROVED:



Ann E. Boxler, Clerk, Select Board Member

**Attachments to Agenda of 12/16/19:**

1a Fire Fighter Ken Reilly Citation  
1b George Cataldo citation of appreciation  
2a Ambulance contract request  
2b Westport CR #64 Ref #16778 EEA Approved for  
Local Signatures  
2c MVP contract  
2d MS4 contract  
2e-h Plans  
3a Duphilly application  
3b COA Bergeron

3c Assessor Application  
3d Reserves request  
4a1 1016 State Road documents  
4a2 Norwest  
5 Budget  
6 TA Report  
7a-g BOS minutes  
8 Bill warrant 121519  
10 Management LetterDraft2019