



**BOARD OF SELECTMEN  
MINUTES  
REMOTE MEETING**

**Monday August 10, 2020**

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

Also Present: Timothy King, Town Administrator

Select Board Chair, Mr. Brewer, called the remote meeting to order at 6:01 pm

**Pledge of Allegiance:** The meeting commenced with the Pledge of Allegiance.

**Chair's Announcement** – Under MGL Chapter 30A, section 20(f) – Meeting being recorded.

*Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Westport Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. The public was invited to join the meeting through the links provided at the time of posting.*

**1. Acknowledgments & Recognitions**

Mr. Brewer extended his congratulations to the Westport High School Class of 2020 on the occasion of their graduation.

Mr. Ouellette offered congratulations to Nathan Hall who achieved his Eagle Scout badge and would like to honor him once in-person meetings are safe again.

**2. PUBLIC HEARINGS:**

- a. Fee increases:** Consider an increase in the Wiring, Plumbing and Gas Inspector fee from \$30 to \$35 per inspection effective August 11, 2020. Ralph Souza, Building Commissioner, recommended the increase in the services and costs to complete inspections and it is important to retain good assistants.

**MOTION by Ms.** Shufelt to approve the fee for inspectors at \$35.00 as described. Seconded by Ms. Boxler. The Board voted 3-0-2 with Mr. Ouellette and Mr. Valcourt abstaining by roll call.

- b. Seasonal Trailer First Time Application:** New owner, Eric Martin, requests approval of a six-month seasonal trailer permit for recreational purposes to locate a trailer at 126 South Shore Street, Assessor's Map 76A, Lot 125-126. Mr. Martin is the new property owner. **MOTION** by Mr. Ouellette. Seconded by Ms. Shufelt. The Board voted 5-0 in favor by roll call.

**3. COVID-19 Update**

Mr. Armendo stated that the number of cases remains at 110 in Westport. The number of people has been reduced to half. Bars acting as restaurants will be actively closed. Local law enforcement will be authorized to police these bars. Phase 3 step 2 has been postponed indefinitely. He gave further

information and noted that RI is now a high-risk state. He also reviewed protocols for public meetings and the requirement for disinfecting after each use. He noted the Red Cross blood drive was a success with another planned in November. Mr. Armendo asked for budget considerations to be placed on a future agenda for discussion. He asked to reconsider the Agent's hours be brought back to 40 hours. COVID has affected the ways the office operates and there has been a surge in perc tests due to the dry summer and an increase in inspections. Ms. Shufelt asked about public meetings and if it would be helpful for the BOS to issue guidelines or if the Public Health requirements were enough. Mr. Armendo would work on a list of protocols and submit to Mr. King.

Dr. Reese, School Superintendent, addressed the school re-opening. In June, the Commissioner had asked for 3 instruction plans for all remote, all in-person and a hybrid. They have worked with parents, staff, students and the school committee to frame these plans. The draft plan was distributed to them last Friday. He recommended a hybrid model with students learning a number of days at home remotely and a number of days in school, alternating each week the days that are in person, and those days that are remote. The plan is due to the State by Friday and is currently posted on the school website for review. MIAA (Massachusetts Interscholastic Athletic Association) will be making recommendations regarding fall athletics this week.

#### **4. Discussion**

- a. Notice by MA Department of Agricultural Resources proposing to purchase an Agricultural Preservation Restriction ("APR") on farmland owned by Stephen A. Pettey and Joyce P. Silvia consisting of parcel (s) located at Sodom Road and do hereby consent to a reduction of the 120-day notice period prescribed for the announcement.

**MOTION** by Ms. Shana, as authorized by the Massachusetts General Laws Chapter 7C, Section 37, the undersigned and duly authorized representative(s) of the town of Westport do hereby consent to a reduction of the 120 day notice period prescribed for the announcement at a public meeting on the Commonwealth's proposed acquisition of an Agricultural Preservation Restriction referenced above to not less than 60 days. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.

Mr. Brewer requested placing the following items on the August 24, 2020 agenda.

- b. Hiring Freeze – to discuss the status.
- c. Posting requests – this pertains to requests to be placed on the BOS agenda.
- d. Beach Permits and the process of issuance of a permit.
- e. Public Safety Staffing Committee – a discussion on the need for the committee.

**6:15 p.m.**

#### **5. Action Items**

- a. Special Town Meeting:

- 1). Elementary School Roof Replacement.

Ms. Shufelt stated that 90 days will expire before the November Elections. The Town would need another Town meeting vote or a special election to meet the 90-day requirement after this last Town meeting. Discussion ensued. Mr. King noted he checked with both the Superintendent and Moderator they have reluctantly agreed the use of the gym as the area for a special town meeting. There is likely going to be a special town meeting so that the question can be on the November ballot.

- 2). Revision to FY2021 Budget.

Ms. Shufelt explained that the Town projected a 20% decrease but the legislature has agreed to level fund. She noted that of the approximately 1 million that was cut, 54% should be appropriated to the School and the remainder used to restore the Fire and Police positions that were cut and restore the BOH position Mr. Armendo discussed earlier. There is a need to inform FinCom 4 weeks before a STM. Mr. Ouellette suggested looking at all the positions including the Assistant Planner and the additional Maintenance staff. Mr. King suggested the Board consider September 29, 2020. The members will look at dates to consider at the next BOS meeting on August 24 and also the final date for article submission. Ms. Shufelt wants to prioritize the positions that have been cut. She also noted there may be a petition article that could be submitted relating to recreational marijuana. Ms. Shufelt suggested Mr. King present new budget numbers. The 30 days notice is for the regular budget. Clarification is needed on notification timeline to FinCom. Mr. Ouellette asked why the auditorium is not recommended. Ms. Boxler noted that using the auditorium was problematic because of the difficulty of getting in and out of rows. Mr. Ouellette said the HVAC in the gym is very loud. Ms. Shufelt also was concerned with the space in the gym especially if there is going to be a petition article. She suggested that the warrant be closed by August 24<sup>th</sup>.

**MOTION** by Ms. Shufelt to direct the Town Administrator to restore the positions cut in the budget and to finalize and close the warrant as of August 24<sup>th</sup>. Seconded by Mr. Ouellette. Discussion ensued over any OPEB requirements. Mr. King will look at this with regards to the budget. The Board voted 5-0 in favor by roll call.

- b. Police Department request to lower speed limit to 30mph on River Road.  
Mr. King concurs with the police department recommendation to lower the speed limit. Ms. Shufelt noted that the Highway Department has already installed the lower speed limit signs on River Road but based on reports to her, some of the signs are confusing. She suggested that the Police look at this. She also noted that a radar speed sign would be helpful on River Road. Mr. King will have the Police Department take a look. **MOTION** by Mr. Valcourt to lower the speed limit to 30 MPH on River Road. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.
- c. Accept donations for the food pantry through the Recreation Department from Caroline Fenn for \$750. **MOTION** by Mr. Valcourt to accept. Seconded by Ms. Shufelt. The Board voted 5-0 in favor by roll call. Ms. Stewart briefed the Board on the food pantry and dates for accepting donations.
- d. Kelsey Baptiste request to park two vehicles on Beach Ave for Wedding Ceremony on October 3, 2020 at 1pm; rain date October 4, 2020. Beach Committee recommended approval. **MOTION** by Mr. Ouellette to accept. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call.
- e. Request from Planning Board for comment on 5.0 Mw solar array plan located Soules Way Map 57, Lots 19 and 24, lot size 35 acres. Mr. Ouellette asked if it were getting close to the Route 88 layout but felt Planning Board would be looking at that. The members had no comment.
- f. BOS Approval of the Orders of Taking for Cortney Drive, Sherman Court, Devol Avenue, Jennings Way and Brownell Avenue. **MOTION** by Mr. Ouellette to approve the Orders of Taking for Cortney Drive, Sherman Court, Devol Avenue, Jennings Way and Brownell Avenue. Seconded by Ms. Shufelt. The Board voted 5-0 in favor by roll call.

- g. Approve and endorse an amendment to the contract with SW Cole for engineering services to include non-participating work on Old County Rd. requested by the Town Administrator and Town Planner. **MOTION** by Mr. Ouellette to endorse the amendment. Seconded by Ms. Shufeltt. The Board voted 5-0 in favor by roll call.
- h. Approve and endorse Ch. 90 FY21-2020 Contract #1 Roadway Improvements Project Request. **MOTION** by Ms. Shufeltt to approve. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.

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

### **Requests for re-appointments and first time appointments (where indicated):**

- a. Resignation of Craig Dutra as Library Trustee. **MOTION** by Mr. Valcourt to accept the resignations and send a letter of thanks to Mr. Dutra and to post the opening for 30 days and invite the Trustees to a join meeting to appoint a new member until the next election. Seconded by Ms. Shufett. The Board voted 5-0 in favor by roll call.
- b. Resignation of Catherine Davis from the Council on Aging. **MOTION** by Ms. Shufeltt to accept the resignation and send a letter of thanks. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.
- c. Affordable Housing Trust: Elizabeth Collins, David Cameron West, James Sabra, Betty-Ann Mullins and Ann E. Boxler as the BOS Rep. (2-year Term). **MOTION** by Ms. Shufeltt to re-appoint. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.
- d. Community Preservation Committee: Elizabeth Collins, Housing Rep. Members passed over this as the Housing Authority will not be meeting until September

## **7. Town Administrator Report**

Mr. King announced that the Town received a grant for over \$1million for COVID-19. He noted that he has been working on the water meter upgrade. The elevator will be upgraded and out of service the week of August 17. Charter is looking to renew their contract and he will forward the information.

## **8. Minutes**

July 27, 2020. **MOTION** by Ms. Boxler to approve. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call.

## **9. Bill Warrant**

Noted and all in order.

## **10. Selectmen Liaison Committee Reports & Suggestions for Future Agenda Discussion / Action**

Mr. Valcourt had no meetings this week. He would like to see if the energy committee is available to meet soon.

Ms. Shufelt stated that she attended the remote Olde Soul marijuana proposal. There has not been any request to the Board. She asked for clarification as to what the next steps can be. Mr. Brewer asked to place on a future agenda and asked if Mr. King could check with Town Counsel for process. Ms. Shufelt wants this information prior to being asked for a host community agreement.

Mr. Ouellette mentioned that he has been asked about the marijuana issues. He would also like to recognize Nathan Hall for his Eagle Scout badge soon. He noted that he will be meeting with Senator Rodriques and Rep Schmid about Route 177. He also noted that a car drove into White's Galley Grill last night. He asked Mr. King to check with the VSO about having a Labor Day celebration of some type.

Ms. Boxler did not have any meetings to report on in the last two weeks.

Mr. Brewer asked to 4b-e on the next agenda and to include the Board of Health as mentioned earlier as part of the budget discussion.

Mr. Brewer noted he received a letter from the Library Trustee, Pauline Dooley regarding a gate for the Library. The letter is not clear what the Trustees are asking the Board to do and what they are proposing. The item will be placed on a next agenda as long as there is full request in writing. The School Building Committee would also need to be notified.

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

No Comments.

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

None.

**13. Question & Answers.**

Ms. Gee asked if ventilation air purifiers could be purchased. Mr. King would look into that.

**14. Executive Session – Motion** by Ms. Shufelt to enter into Executive Session at 7:34 pm. and adjourn the regular session at its conclusion 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 unions: AFSCME American Federation of State, County & Municipal Employees Highway Union.(2)
- b. strategy with respect to litigation concerning Greenwood suit. (3)
- c. approve Executive Session Minutes.

Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call

**Adjournment**

**Motion** by Mr. Ouellette to adjourn the regular meeting at 7:50 p.m. Seconded by Ms. Shufelt. The Board voted 5-0 by roll call.

Respectfully submitted,



Lucy Tabit Administrative Assistant/  
Confidential Clerk

APPROVED:



Ann E. Boxler, Clerk, Select Board Member

**Attachments to Agenda of 8/10/20:**

- 2a BLDG Fee increases - for PH
- 2b Martin 126 S. Shore Street

4a 120\_day\_notice\_pettey\_mdar\_8-3-20  
4b hiring freeze  
5b PD Req - Speed limits  
5d Kelsey Baptiste  
5e Soules Way 5mw solar array  
5g Approve SWCOLE contract amendment  
5h FY21 Ch 90 Contract 1  
6a Dutra resignation  
6b Resignation - C Davis COA  
6c AHT reappointments  
7 TA Report 081020  
8 BOS minutes 072720 draft  
9 bill warrant 072720