



**BOARD OF SELECTMEN
MINUTES
REMOTE MEETING**

MONDAY DECEMBER 7, 2020

Members Present: Richard W. Brewer, Chair
Shana M. Shufelt, Vice Chair
Ann E. Boxler, Clerk
Steven J. Ouellette
Brian T. Valcourt joined at 6:48 pm.

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. Ouellette recognized the passing of Jack Baughan, who was a Westport Finance Committee member for 15 years, including a term as Chairman. He also served on the Capital Planning Committee and the Economic Development Task Force.

Boy Scout Troop No. 3 was thanked for decorating the front of Town Hall.

Mr. Brewer, upon the adjournment of the executive session, took a moment to recognize the December 7 Pearl Harbor Veterans.

2. Updates

a. COVID-19

The Health Director Mr. Armendo, reported that Westport is still in the “red” or high risk category. As of today there have been 491 positive cases reported. No additional fatalities. Recovery numbers from the state are not accurate. New protocols have been received from the state as of today. The 14-day quarantine recommendation remains in place for individuals who display symptoms; those with no symptoms and negative test results may be released from quarantine after 7 days; those without a test and having no symptoms may be released after 10 days. Full details of new protocols will be posted on the BOH web page on Dec. 8; as well as links to the state web pages listing protocols.

Town Hall and Town Hall Annex remain open by appointment only. The physical and mental fatigue from dealing with the epidemic is growing, and residents are urged to reach out for help if needed. Links for resources for maintaining emotional health are also on the BOH web page, Mr. Armendo indicated. Ms. Shufelt asked about communications with employees about the pandemic; she suggested it is a good time to do so again, providing new information that is coming out weekly.

b. COVID-19 Meeting Protocols

Mr. King stated that all meetings are to be held remotely. There should not be any public meetings of committees in Town Hall, only virtual meetings. Ms. Shufelt apologized for sounding critical of the ZBA for holding live meetings in her comments at the last meeting, saying it was not her intention.

Roger Menard of the ZBA noted the comments by her quoted in Shorelines newspaper; he briefly outlined exceptions to virtual meetings for land use issues; the ZBA has followed proper protocols for mask wearing and social distancing at those in-person hearings to ensure public safety, as recommended by Town Counsel and health officials. He said the ZBA wants to ensure equal access of all documents for all residents and interested parties, even those who do not have computer access. The ZBA conducted meetings via Google Meet, and held live hearings at Town Hall only when town buildings were re-opened on a limited basis; now that Town Hall is closed to the public again, they have returned to virtual meetings, he indicated.

3. Public Hearing:

Pursuant to MGL Ch. 40, Section 56, discussion with Assessors for the percentage of local tax levy to be borne by each class of property for the fiscal year 2021. Board of Assessors Chairman, Richard Medeiros, explained the breakdown of each class in the tax base, with roughly 92 percent of tax revenues coming from residential property taxes. He reported about \$482,000 in new growth, down about five percent from last year; average home values are up almost four percent.

MOTION by Ms. Shufelt to accept the Board of Assessors' recommendation of a single tax rate as discussed at \$8.62 per thousand. Seconded by Mr. Ouellette. The Board voted 4-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Brewer, Aye. Mr. Valcourt was absent.

Susan Brayton, Tax Collector, noted that tax bills will go out by Dec. 31, with payments due Feb. 1 and May 1. A lock box will be used to help with collection of payments, she indicated.

Note: Mr. Valcourt joined the meeting at this time: 6:48 p.m.

4. Licenses/Permits.

JK & Sons Auto Sales. Request approval to transfer Class II and Repair license location from 585 State Road to 757 State Road; existing parking spaces 26 for sales and 4 for repair. Owner Jarrod Kilsey was participating in the meeting, and agreed to follow Mr. Ouellette's suggestion that the sidewalk be kept clear of snow. All local approvals have been obtained; there were no abutter comments.

MOTION by Mr. Ouellette to approve. Seconded by Ms. Shufelt. The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

5. **Action Items**

- a. Authorize posting the position of Assistant Tax Collector. The former Assistant took the position of Assistant Registrar of Voters.

MOTION by Mr. Ouellette to approve posting. Seconded by Ms. Shufelt. The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- b. Approve seasonal increase in population estimate for 2021. This year, 16,279 is the estimated temporary seasonal increase.

MOTION by Mr. Ouellette to send the data to Alcoholic Beverage Control Commission. Seconded by Ms. Boxler. The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- c. Approve Annual Liquor License Report for 2020.

MOTION by Mr. Ouellette to approve report's submission to ABCC. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- d. Accept donation for the Veterans Food pantry in the amount of \$500 from Richard R. Kelly & Carol A. Akerson.

MOTION by Mr. Ouellette to accept. Seconded by Mr. Valcourt. The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- e. Accept donations for the food pantry through the Recreation Department in monetary donations totaling \$8,933 and grocery gift card donations totaling \$3,895 for a combined donated total amount of \$12,828.00 from the following: Monetary Donations: Timothy G. Vanech - \$150; Douglas G. Vrona, D.M.D. in memory of Michael Ferry Jr. - \$100; William L. Pardee - \$50; H. Jackson & Gloria Merchant - \$50; Beatrice & Robert J. Gormley - \$100; Brenda L. Hernandez - \$50; Edward S. Ciarpella & Jean L. Souza - \$100; Jill Holden Charity on behalf of Carolyn Rocha & Wayne Holden - \$200; Cash from various anonymous donors - \$63; Brenda J. Burke - \$100; BayCoast Bank - \$1,000; Cynthia Wentworth Murphy & Daniel Murphy - \$200; Norma Pineault - \$50; United Way of Greater Fall River, Inc. - \$750; Mary K. Joyce - \$100; Ami C. Chitwood - \$500; Beverly & Ted Rich - \$1,000; Westport Police Association, Inc. - \$250; Kathleen T. Dooley - \$500; Leonard N. Russo - \$100; Edward B. Flynn III & Mary Ellen Flynn - \$500; Mark B. Thompson & Constance D. Thompson - \$100; Kathleen Santos - \$100; Janice A. Wood - \$100; Paul & Ann Vigeant - \$50; John & Barbara Fazzina - \$50; Thomas J. LaPointe & Kathleen M. Lapointe - \$100; Lorna J. Miles - \$100; Dorothy R. Shattuck - \$250; L.T. & W.R. Joncas - \$50; Judith Kelly - \$50; Denise Squillante & Laura Buckley - \$1,000; Sunderland Family Trust (Charles & Joanna Sunderland Trustees) - \$100; Cash from various anonymous donors - \$970; and the following for grocery gift card donations: Jean L. Leimert via St. John the Baptist Church - \$25 Lee's Gift Card; Westport Point United Methodist Church Women's Group - \$245 Grocery Gift Cards; Elaine Bristol from St. Andrew's by-the-sea Church - \$1,500 Stop & Shop Gift Cards; Anonymous - \$50 Lee's Gift Card; Anonymous - \$100 Lees Gift Cards; Anonymous - \$1,000 Lee's Gift Cards; Anonymous - \$200 Lee's Gift Cards; Anonymous - \$25 Market Basket Gift

Card; Anonymous - \$250 Lee's Gift Cards; Anonymous - \$200 Lee's Gift Cards; Anonymous - \$60 Market Basket Gift Cards; Anonymous - \$200 Stop & Shop Gift Cards; Anonymous - \$40 Stop & Shop Gift Cards.

MOTION by Ms. Boxler to accept the donations. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

6. Appointments and Resignations

Request to approve appointment of Irene Buck to the Cable Advisory Committee (1-year term).

MOTION by Mr. Ouellette to approve. Seconded by Ms. Shufelt. The Board voted 4-0-1 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Brewer, Aye. Mr. Valcourt abstained.

7. Discussion

Beach Committee discussion on changes to Beach Pass procedures.

The Beach Committee had no limit of passes issued per household. The Committee has made a recommendation to issue only two per household on one application. Ms. Shufelt stated the Parking Permit Task Force also supported this limit. The Beach Committee indicated that the applicant could appeal this limit if there were special circumstances. Mr. Brewer noted there were about 400 households that had more than two permits; he suggested if this could be placed on the next meeting agenda to allow for public comment since many households could be affected.

Mr. Valcourt stated that limiting it to two passes per household is bothersome because there are often more than two adults with driver's licenses in the same household. He said if property and excise taxes are being paid, there should not be a limit for a household; limits should be set based on input from town meeting. Discussion ensued, with most members of the Board supporting up to four passes per household.

MOTION by Mr. Valcourt to postpone making a decision for two weeks to give ample notice to the public of a public hearing on the possible changes. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

Town Clerk Bernadette Oliver suggested limiting passes to no more than the number of licensed drivers in the household, not to exceed four passes. Mr. Brewer asked to consider this policy at the public hearing.

8. Town Administrator Report

Mr. King summarized his report for the members.

9. Approve Minutes

November 16, 2020. **MOTION** by Ms. Boxler to approve. Seconded by Mr. Ouellette. The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

10. Report on Bill Warrant

Mr. Brewer stated there were two bill warrants due to the three week gap in meetings. Upon his review, he had a few questions which were clarified by Mr. King. All else was in order.

11. Selectmen Liaison Committee Reports & Suggestions for Future Agenda Discussion / Action

Ms. Boxler had nothing to report at this time.

Mr. Ouellette attended a SRPEDD meeting, and provided new information on marijuana business regulations which he will forward to Board members.

Ms. Shufelt recapped the Parking Permit meeting and related issues; the School Building Committee is dealing with change orders and routine business.

Mr. Valcourt reported on AgOpen Space Trust meeting; the East Beach Task Force outreach meeting which collected a lot of input from the community.

Mr. Brewer stated that the Bristol County Commissioners discussed the participation of 29 Westport students in Bristol Agricultural High School programs, and the town's share of construction costs estimated at \$163,000 for FY2022 per year based on that enrollment. He suggested staying on top of added costs as there is another \$263 million project for renovations at Diman coming up soon. He said the Board should meet with the Landing Commission soon to discuss ongoing topics.

12. Boards/Committees/Commissions Vacancy List

Ms. Boxler read the vacancy list.

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

None.

14. Comments and Statements.

None.

15. Executive Session – On a **MOTION** by Mr. Valcourt and Seconded by Ms. Shufelt, members entered into Executive Session at 7:39 pm. and adjourned 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 litigation concerning Weatherlow Farms. (3)
- b. approve Executive Session Minutes.

The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

Adjournment:

MOTION by Mr. Valcourt to adjourn at 8:04 pm. Seconded by Ms. Boxler. The Board voted 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

Respectfully submitted,



Lucy Tabit Administrative Assistant

APPROVED: _____



Ann E. Boxler, Clerk, Select Board Member

Attachments to Agenda of 12/7/20:

3 WS-Tax Classification FY21; 4 JK and Sons transfer of location; 5b SeasonalPopulation2021; 5c ABCC Certification2021; 5d Donations to VSO Food Pantry as of 120420; 5e Donations to Food Pantry as of 120420; 6 I Buck - Cable Advisory; 7 Beach Committee request; 8 TA report 120720; 9 BOS minutes 111620; 10 Bill warrants as of 12 01 20.