



**BOARD OF SELECTMEN  
MINUTES  
REMOTE MEETING**

**MONDAY, DECEMBER 21, 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 6:02 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 recognized the passing of Shirley Wordell, a SHINE Volunteer at the Westport Council on Aging for many years.

He noted the next meeting is January 4, 2021, and wished all best wishes for the holidays and good health to all.

Ms. Shufelt recognized the Westport Fire Department for the Santa Parade through town roads yesterday, bringing a lot of smiles to the kids in town.

**2. Updates  
**COVID-19****

Mr. Armendo reported 674 positive cases in town, with six fatalities. Westport is still in the “red” or higher risk category. Mr. Armendo gave more information on protecting oneself and others by wearing a mask and keeping proper social distances. He urged diligence during the holidays. The State has released an emergency use vaccine. Distribution will be phased through June; more details are posted on the mass.gov website. The Board of Health expressed their thanks to all Town employees for helping the Board of Health by cooperating and working with the Health Department, and Mr. Armendo especially thanked all the first responders.

**3. Public Hearings:**

- a. **Licenses/Permits. Seasonal Trailer First Time Application** by new owners, David and Rochelle Pelletier for a six month seasonal trailer permit for recreational purposes to locate a trailer at 86 East Beach Road, Assessor's Map 76A, Lot 61.

Mr. King stated there is no problem with this application and reminded the owners that temporary items must be removed at the end of the season, along with the trailer; the trailer can only be placed on the lot at the beginning of the season.

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

b. **Limits on Beach Parking Passes.**

Mr. Leach stated that the Beach Committee voted to limit the passes to two per household. They are trying to stop some of the abuse for households who are getting up to eight passes. The Beach Committee also voted to recommend having one application per household. Mr. Brewer asked Ms. Shufelt for the Parking Task Force Committee's recommendation on the issue. The advisory committee recommended supporting the Beach Committee's vote; the Board of Selectmen will be the body that will take action on changing the policy, if any.

Mr. Brewer asked if the number was reduced by limiting the number to two. Mr. Leach stated that the total reduction was 150 passes. The number of passes sold last year was still a record number of about 4,000 passes. Mr. Brewer asked if the Beach Committee has explored expanding parking. Mr. Leach noted they could extend the parking area at East Beach for up to 12 spaces. They are looking at expanding the East Beach area but are stalled because there is a sustainability study going on right now.

Mr. Valcourt recalled the Town Clerk suggested limiting the number of passes to the number of licensed drivers (or registered vehicles) in the household. He also said that the added condition of requiring taxes be paid up was unfair, because many residents are having a hard time right now. Jeff Bull, former Beach Committee member, suggested limiting the passes to two per household with the possibility of adding a second car to each pass. That would allow up to four cars from one household to use the beach, but only two from any household at one time. He encouraged the Board to follow the Beach Committee's recommendations, based on their considerable study. The Town Clerk stated that passes have already been delivered; adding second vehicles to different passes might be complicated to work out.

David Cass stated that he purchased four passes this year because he has teenage daughters and everyone has their own car. They have never had all four vehicles at the beach at the same time. He also noted that the family uses different town beaches; he cannot see preventing taxpayers from having equal access to town facilities.

**MOTION** by Mr. Valcourt to limit one pass per licensed driver registered (residing) in the town, and limiting non-residents to up to two passes if they own property and pay taxes in town; not changing the current property value limits, and having one application per household. Seconded by Mr. Ouellette.

Mr. Leach noted that there is a current limit of a minimum value of property owned that would allow an application. It was understood that the Beach Committee reserves the right to hear appeals and grant additional passes if appropriate.

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

#### 4. Discussion

##### a. Board of Health discussion on:

###### 1) Upgrading the Health Director's office.

Ms. Tanya Ryden, Chair of the Board of Health, requested that the Selectmen approve the construction of an office with wall from floor to ceiling. There is a lack of privacy for the director, and no area in which he can discuss private information with residents or Board members. Mr. Armendo also noted the reasons private office space is needed, and discussed the bids he was able to obtain. There is CARES Act funding available for such capital purposes, he indicated.

**MOTION** by Mr. Valcourt to approve to cost, not to exceed \$10,000. Seconded by Mr. Ouellette.

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

###### 2) Buzzards Bay \$10K mini grant awarded for septic monitoring

Ms. Ryden noted that the State award of \$10,214 for the town to join the Barnstable County online monitoring system. The grant will help fund monitoring 110 nitrogen-reducing septic systems in Westport for 2.5 years. It allows systems tracking the BOH is not able to do.

###### 3) New Septic Regulations effective February 1, 2021

Ms. Ryden hoped to reach a wider audience by announcing here the proposed changes to the Septic Regulations planned for adoption in February; a remote Q&A info session on January 21 will be held; access information for residents to participate will be posted on the BOH web page.

##### b. Camping Ground Update.

Community Preservation Committee Chair Betty Slade explained the application before the CPC which seeks \$241,000 funding for a study of locating athletic fields and other public amenities in the camping grounds. Projects could cost over \$4 million; town meeting votes will be needed. The results of a use survey were not included with the Community Preservation Act funding application. She noted that it may be too early to apply to CPC without having more information on what would really be needed for long-term financing. These fields would most likely not be ready for the new school opening; there will be no leftover funding from the new school budget for the camping grounds improvements, so town meeting funding votes will be needed, Ms. Slade also indicated.

The sponsoring applicant was listed as the BOS, but Mr. Brewer said that the Board had not seen the application to be able to vote on it. Ms. Slade said the Board or the School Committee must be the sponsor, and be given care and control responsibility of the fields in perpetuity. Chair of the Camping Grounds Committee (CGC), Nancy Stanton-Cross, noted that the two fields proposed were still insufficient for the new school; the current high school fields will still be needed. She said the committee looked at the best uses for the campground property; a new well for the schools has been drilled there; two athletic fields plus other recreation amenities can be located there.

The CGC looked at starting work on the field. The \$241K would be for site study and a design sub plan.

Ms. Stanton-Cross agreed the CPC application may have been premature, and asked the BOS to appoint a Campground Development Committee, consisting of Jeff Wade, David Cass, Tony Viveiros, and another School Committee member, and a BOS member be appointed to develop a firm project outline and a funding proposal. Ms. Slade encouraged town officials to find other alternatives to building new fields, investigating what other fields are available in town. Mr. Valcourt said the advisory committee was charged with finding the best use of this property, and has done its work; he endorsed the idea of a Development Committee. Mr. Valcourt stated there were numerous meetings with public involvement and the decision was for school and public use, which was the final recommendation to the public.

Finance Committee Chair Gary Carriero and Vice Chair Karen Raus said the FinCom has not been involved in project discussions yet, and should be involved in the development of options, and any long-term financing plans. Mr. Valcourt noted the camping grounds committee looked at possible costs for a community center or other facilities, but the best use was open space and recreational fields for public use. Ms. Shufelt suggested getting more information on potential project costs in order to make a better decision on planning. Ms. Stanton-Cross agreed due diligence requires a firm proposal and the CPC application should be withdrawn. Ms. Slade suggested that the Development Committee talk to the WYAA and WYUS which have much more experience in constructing new fields.

**MOTION** by Ms. Shufelt to create a seven member Campground Development Committee composed of one member each from the BOS, the School Committee, and the Finance Committee, the Assistant Town Administrator, and three at large members of the public. Seconded by Mr. Ouellette.

Further discussion ensued. Mr. David Cole suggested the committee look at other fields for use, as there are already many fields available. The potential costs should be looked at versus the possible use of other resources already existing in town. Ms. Shufelt suggested a more formal specific charge for the committee be developed at the next BOS meeting, where those development committee members would be appointed. Ken Sullivan, on the Board of Westport Youth Athletic Association, stated he is willing to share his experience in field development with the committee; the organization could submit a name for one of the at large seats. Ms. Slade stated that the BOS could think about the many committees that are working independently on similar issues and perhaps bring some of them together.

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

c. Drift Road/Kirby Brook Guard Rail Complaint

With Ch. 90 funds, the Highway Department installed a guardrail over the Kirby Brook on Drift Road. Some neighborhood residents do not like the new guardrail, Mr. King reported. David Lalima, who lives in the immediate area, said he worked to expose the stone bridge over Kirby Brook and asked the Highway Department to help remove the brush. Mr. LaLima said the Highway Surveyor failed to inform them that the aluminum guardrail was being installed the

following week. Mr. Lalima stated he reached out to MassDOT and Rep. Schmid and found out that the State did not mandate the installation of guardrails, and there are other options for work near historical sites such as old bridges. He suggested the Town should develop a process for reviewing guardrail installations, allowing public input in cases where scenic country roads or a 200 year old bridge is involved, and exploring options for standard guard rails. The neighborhood would also like the BOS to look at what is there and to consider a change. Patrick McBride said the residents are not looking for a committee, but for alternatives to the current guardrail. Jake McGuigan stated that this part of the road is now four feet narrower at that location, and is now a safety issue. He has reached out to other towns about how they preserve their rural character; he cited Dartmouth's use of wooden guardrails near Davol's General Store.

Mr. Valcourt stated that Ms. Gonsalves is waiting for the state to verify if a wooden guardrail would be covered by Ch. 90 funds. He also noted that the town stopped using them 25 years ago there was a very bad accident on Adamsville Road where a driver was impaled by one.

**MOTION** by Mr. Ouellette to task the Town Planner to work with the Police Department, SRPEDD, and the Highway Department to gather more information, and report back to the Board. Seconded by Mr. Valcourt. The vote was 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

## **5. Action Items**

- a. Approve replacement of worn Town stream signs.

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

- b. Approve Head Landing Lease with the Westport River Watershed Alliance.

**MOTION** by Ms. Shufelt to approve. Seconded by Mr. Valcourt. The vote was 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye. Mr. Bull, Chair of the Landing Commission spoke in the support of public access to the river from the landing.

- c. Approve retaining original endorsement for the Pettey APR updated appraisal.

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

- d. Approve amendments to the PILOT Agreement for Brookwood Drive Solar 1 LLC.

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

- e. Approve amendments to the PILOT Agreement for Pine Hill Road Westport Solar 1 LLC.

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

- f. Approve a 6-month probationary re-appointment for Officer Alberio Medina.

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

- g. Approve appointment of Brianna DaSilva as full time Emergency Medical Dispatcher (EMD) 911 dispatcher.

**MOTION** by Ms. Shufelt to approve the appointment. Seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- h. Approve release of Chapter 61 properties for:

- 1) Meader – 0 River Road Map 87 Lot 87B further m87 L87F - ANR Lot 6
- 2) Santos – 0 Main Road M55, Lot 29 ANR Lot 1
- 3) Santos 0 Main Road M55, Lot 29 ANR Lot 5
- 4) Santos 0 Main Road M55, Lot 29 ANR Lot 6
- 5) McGovern – 0 Sodom Road Map 59 Lot 7B - ANR Lot 2
- 6) McGovern – 0 Sodom Road Map 59 Lot 11A - ANR Lot 3
- 7) McGovern – 0 Sodom Road Map 59 Lot 11B - ANR Lot 4
- 8) McGovern – 0 Sodom Road Map 60 Lot 1C - ANR Lot 3
- 9) McGovern – 0 Sodom Road Map 60 Lot 1F - ANR Lot 6
- 10) Murphy – 0 White Oak Run Map 41 Lot 19

**MOTION** by Mr. Valcourt to not exercise their right of first refusal on the above 10 listed requests. Seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

11) Ferry – 0 Gifford Road Map 31 Lot 11 - ANR Lot 1. The Board passed over this item.

- i. Accept donation for the Veterans Food pantry from Richard & Barbara Brewer for \$250 and anonymous donations for \$60 in gift cards.

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

- j. Accept donations for the food pantry through the Recreation Department in monetary donations totaling \$6,443.00 and grocery gift card donations totaling \$3,575 for a combined donated total amount of \$10,018 from the following: Monetary Donations: Paul & Joan Tripp - \$100; Carol Ann Hayes - \$100; David & Judith Dewitt on behalf of the employee's at Lee's Market - \$1,000; Gerald F. & Elizabeth A. Pietruska - \$50; Stanley & Anne M. Pietruska Jr., S&A Pietruska Trust - \$50; Rodrigues Committee - \$100; Nicholas/Dorsey Revocable Family Trust, James R. Dorsey Trustee - \$100; Laura A. Medeiros - \$50; Newton P. Millham, DBA Star Forge - \$100; Randle G. & Alice W. Pomeroy - \$35; Donna Marie Amaral Revocable Trust, Donna M. Amaral, Trustee - \$100; Mary E. Kennedy - \$300; Beverly L. Schuch - \$1,000; Robert A. & Mary Ellen White - \$100; Laura A. Medeiros - \$50; Catherine F. Crosby - \$100; Milbury & Company LLC - \$250; Eugenia P. Cummings - \$100; Evelyn L. Wilber - \$100; Barbara K. Slaughter - \$150; Cash from various anonymous donors - \$2,508; and the following for Grocery Gift Card Donations: Friends of the Westport Council on Aging - \$2,200 Stop & Shop Grocery Gift Cards; Linda Pierce - \$100 Walmart Gift Cards; Ethan (age 11) & Dylan (age 7) Ferreira - \$100 Aldi Gift Cards; Dave & Mary Teresa Hichs - \$625 Lee's Grocery Gift Cards; Anonymous - \$25 Market Basket Gift Card; Anonymous - \$250 Shaw's Gift Card; Anonymous - \$275 Lee's Grocery Gift Cards.

Dana Stewart, Recreation Director, praised the generosity of all the residents and other donors who contributed to the food pantry. Over 150 bags of food and gift cards were distributed to needy residents this week, she reported. The non-profit Friends of the Westport COA are sponsoring the pantry, making donations tax deductible.

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

**6. Appointments and Resignations**

None.

**7. Town Administrator Report.**

Mr. King gave his report on the Diman Vocational Regional School project; additional information is expected from the State. The local share from Westport could be \$800,000 to \$1.2 million per year. Mr. King stated that the tax bills are going out. He asked the Board to identify a team to renegotiate a cable television contract with Charter; public input will be sought. The energy consultant is working on filing rebate requests for air purifiers purchased for town offices through the CARES Act. The new electric aggregation group rates have been set for the next three years, with specific information to be posted on the town website. He noted Bristol County Assessment for FY22 will be more than \$232,000 higher than FY21. Estimated FY23 assessments will be down somewhat.

**8. Approve Minutes**

None.

**9. Report on Bill Warrant.**

As noted.

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

Mr. Valcourt – AgCom/Open Space Committee voted to recommend exercising the right of first refusal for the Pietryzk property.

Mr. Ouellette – Bike Committee continues to explore ideas with SRPEDD.

Ms. Shufelt – School project is on schedule and under budget.

Ms. Boxler – COA repairing its leaky roof, helping seniors learn about computer/internet access. The Affordable Housing Trust is looking at three of the Ch. 61a properties as potential affordable housing.

Mr. Brewer – is eager to start looking for a new Town Administrator, and looking at goals for the position. He noted Landing Commission Chair Jeff Bull has asked to talk to the board about the Horseneck Point landing at a future meeting.

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

Ms. Boxler read the list.

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

Accept donation for the Veterans Food pantry from \$280 in gift cards from the Westport Point United Methodist Church. **MOTION** by Mr. Valcourt to approve. Seconded by Mr. Ouellette. The vote was 5-0 in favor by roll call. Roll Call Vote: Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

**13. Comments and Statements.**

None.

**Adjournment:**

**MOTION** by Mr. Ouellette to adjourn at 9:14 pm. 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.

Respectfully submitted,



Lucy Tabit Administrative Assistant/  
Confidential Clerk

**APPROVED:**



Ann E. Boxler, Clerk, Select Board Member

**Attachments to Agenda of 12/21/20:**

1 Shirley Wordell - Current Obituaries; 3a Pelletier 86 East Beach Road; 3b Beach Passes; 4a BOH Request - discussion items; 4b CPC Campground Application 120320; 4c Drift Road guardrail complaint; 5a WRWA request and HWY Dept. reply; 5b WRWA Lease - Clean Final Draft RMS 12-09-2020; 5c APR PETTEY – request; 5d - e SOLAR - Borrego e-mail and amendments; 5d SOLAR - Brookwood Drive Solar 1 LLC - AR PILOT Agreement\_12.14.20\_Clean Execution Version; 5e SOLAR - Pine Hill Road Westport Solar 1 LLC - PILOT Agreement\_12.14.20\_Clean Execution Version; 5f PD Probationary Officer appointment; 5g PD dispatch request; 5h Ch 61 Plans; 5h CH61A Release requests; 5i VSO Donations; 5j List of Monetary Donations for Food Pantry, 12-15-20; 7 TA Report 122120; 9 bill warrant 121620.