



**BOARD OF SELECTMEN
MINUTES
REMOTE MEETING**

Monday, March 29, 2021

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 p.m.

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

None.

2. Updates

COVID-19

Health Director Matthew Armendo reported a total of 1,440 confirmed positive cases as of March 29. The town remains above state averages for positive test metrics, and is in the state's "yellow" risk category for the fifth week. There were no new fatalities. He reported that state figures show 5,373 residents, 32 percent of the population, are fully or partially vaccinated. Mr. Armendo indicated the BOH and Fire Dept. provided some vaccinations for seniors, teachers and housebound residents using an unexpected delivery of 100 doses of Johnson & Johnson vaccine, and Westport Apothecary also received a small delivery of the same vaccine and has been distributing them.

Mr. Armendo noted that details on new vaccination eligibility guidelines, testing sites, and travel guidelines for Step 1, Phase 4 of the state response plan are on the www.mass.gov health website. Funeral assistance for families of pandemic victims is now available through FEMA; information available online at FEMA.gov website. Under Step1, group gatherings will be limited to 100 people indoors; 150 people outdoors; and 10 people in private residences. Town hall and annex building remain closed to the public, with access available by appointment only, and drop box use encouraged whenever possible. While the downward trend in new cases continues, the director urged residents to

reduce infection risks by continuing to wear masks, maintain proper social distances, and frequently washing hands.

The chair asked for input on the possible re-opening of Town Hall and the Annex to the public. Mr. Armendo urged caution, suggesting the board wait a few more weeks before making that decision. Tax Collector Susan Brayton said residents have been using the mail and the drop box for tax payments and the system is working well; she favored keeping the current appointment only public access policy. Town Clerk Bernadette Oliver reported that early voting by mail is available for the April 14 annual election; application forms are available on the town website, or by written request. Signed applications must be submitted as soon as possible; on election day, the polls will be open from 10 a.m. to 8 p.m.; changes in polling places have been posted on the town website, along with the text of two ballot questions facing voters – the debt exclusion question for the Bristol Agricultural High School construction bond, and the proposed shift of the Tax Collector position from elected to appointed.

3. Action Items

- a. Request approval of Pettey/Silvia Agricultural Preservation Restriction concerning 35.48 acres located off Sodom Road, Assessor's Map 68, Lot 5B. Mr. King noted that Town Meeting had appropriated \$150,000 in CPA funding for the purchase of an Agricultural Preservation Restriction, to insure the property remains in agricultural use and is never developed. The parcel is in the middle of many other protected properties, he indicated. Ashley Davies of the WLCT indicated the land is currently leased to grow corn; and would be resold to a farmer at its agricultural value.

Motion by Ms. Shufelt to approve the signing of the Agricultural Preservation Restriction. 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. Request from Martin Costa to hold a Litter Town Clean Up Day 9am-3pm on Saturday, May 22, 2021, rain date May 23, 2021. Mr. Costa was introduced as the organizer of the Litter Clean Up Day for many years. He said last year's roster of 50 volunteers for Team COW (Clean Our Westport) has grown to more than 150 people this year; they will assemble at the junior/senior high school on Clean Up Day, and try to cover the whole town.

Motion by Mr. Ouellette to approve the use of public ways for the event. 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.

- c. Request from Martin Costa to place a banner on Main Road for Litter Clean Up Day. Mr. Costa asked that the banner advertising the event be allowed whenever the site is available.

Motion by Mr. Ouellette to allow the advertising banner to be posted as the space is available. 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.

- d. Request to accept donations for the food pantry through the Recreation Department for a total of \$610.00 from Laura A. Medeiros - \$50; Norman & Mary Ann Lamontagne - \$50; Richard & Barbara Brewer - \$250; William L. Pardee - \$50; Cash from various anonymous donors - \$160; Anonymous - \$50 Lee's Grocery Gift Card. Ms. Stewart said the pantry is operating smoothly; reported the donation of 150 Easter hams from the Friends of the Westport COA; and thanked volunteers and donors for their contributions to the effort. Food distribution times remain 9 a.m.

to noon on Mondays at 931 Main Road; donations can be made there from 9-noon on Tuesdays, Wednesdays and Thursdays.

Motion by Ms. Boxler to accept \$610 in donations for the food pantry as listed. 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. Request from Patricia Garcia d/b/a High Tide Grille to place a food truck on Town land off of East Beach Road. Ms. Garcia and her husband participated in the remote meeting, offering to work with town officials on their request to use town land for the food truck. Mr. Ouellette indicated the Economic Development Task Force was in general support of the proposal, but wanted more information before voting to endorse the idea. Beach Commission Chair Sean Leach said his board is considering the proposal. Mr. Valcourt said the unwritten policy banning such commercial ventures should be lifted for valid common victualler's license holders, but expressed concerns about preferential treatment and the likelihood of similar requests.

Motion by Mr. Valcourt to table the matter until input is received from the Beach Commission, Economic Development Task Force, and the police department. Mr. King is directed to consult with legal counsel on the allowable uses of town property. 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. Board of Selectmen approval of FY 2022 Municipal Budget Approval. Mr. King noted that the school budget remains about \$800,000 over the town figure; otherwise the overall budget is balanced. Finance Committee Chair Gary Correiro said his board has asked the School Committee to revise its budget request, and will meet with school officials for further discussions of possible cuts. Mr. Brewer felt that selectmen's approval vote should wait until the school budget changes are resolved; Mr. King suggested the budget could be amended at a later date.

Motion by Mr. Valcourt to approve the FY2022 Budget as submitted to the Finance Committee; Mr. King is directed to coordinate further meetings between the Finance Committee and the School Committee. 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.

- g. Approval of a Site Agreement for a New Electric Vehicle Charging Station at Town Hall Annex. Mr. King indicated that Eversource is offering a free charging station for the Annex if the town will sign the attached site agreement.

Motion by Mr. Ouellette to approve the signing of the site agreement with Eversource Energy. 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.

- h. Approve professional services for Drift Road Guardrail Assessment. Mr. King asked that Highway Department funds be designated as the source of payment for the assessment services. Mr. Valcourt wanted to delay approval until the engineer met with neighborhood representatives; Mr. Ouellette suggested BOS funds be designated as the funding source. The chair decided the discussions would be postponed until the April 12 meeting.

- i. Approve Eagle Scout Project for Nate Gifford for Boat Ramp Kiosks. Troop 63 Scout Nate Gifford made a remote request for the board's support of his proposed Eagle Scout project for the installation of informational kiosks at the Hix Bridge and Rt. 88 boat ramps. He indicated that the Director of Marine Services was supportive of the idea. Ms. Shufelt wanted details on who would update the information and maintain the kiosks.

Motion by Mr. Ouellette to approve the concept proposal, contingent on favorable input from other town departments. 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. Request to Amend the Beach Pass Eligibility Requirements. Mr. Brewer indicated that there have been complaints about the board's policy on beach pass eligibility requirements, and asked for further discussion of the topic.

Motion by Mr. Brewer to amend the Beach Pass Eligibility Requirements, allowing up to two beach passes per household. 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.

Motion by Mr. Valcourt to amend the original motion, making the policy change effective immediately, and keeping the cap at two passes per household. 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.

Motion by Mr. Valcourt to amend the original motion, making the policy change effective immediately, and allowing a resident licensed drive with two vehicles registered in Westport to be eligible for a second beach pass. Seconded by Ms. Boxler. The vote was 4-1 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Nay. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- k. Request of the Highway Surveyor to Approve Over-Expending the Snow & Ice Account in FY 2021. Mr. King reported that total expenses are expected to exceed the \$150,000 budget by about \$15,000.

Motion by Mr. Valcourt to approve over-expending the Snow & Ice Account for FY2021. 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.

- l. Request of the Highway Surveyor to Approve Chapter 90 Road Improvement Project for the 2018/2019 Years. Passed over.
- m. Request of the Highway Surveyor to Approve Chapter 90 Reimbursement Request for the 2018/2019 Roadway Improvements in the amount of \$1,107,142.57. Passed over.
- n. Request of the Highway Surveyor to Approve Chapter 90 Reimbursement Request for the 2020 Roadway Improvements in the amount of \$495,838.31. Passed over.

4. Discussion

None.

5. Appointments and Resignations

- a. Request of the Police Chief to appoint Robert Rebello to Police Sergeant effective April 4, 2021. Deputy Chief Bell indicated that Detective Rebello had the highest score on the sergeant's test and other evaluation criteria.

Motion by Mr. Ouellette to approve the appointment of Officer Rebello to Police Sergeant, effective April 4, 2021. 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.

- b. Request of the Police Chief to appoint Johnny P. Couto to Police Lieutenant effective April 4, 2021. Deputy Chief Bell requested the appointment, effective April 4, 2021.

Motion by Mr. Valcourt to approve the appointment of Sergeant Couto to Police Lieutenant, effective April 4, 2021. 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.

- c. Request of the Police Chief to appoint Mackenzie Devoll as a fulltime EMD911 Dispatcher.

Motion by Mr. Ouellette to approve the appointment of Mackenzie Devoll as a full time EMD911 dispatcher, effective April 4, 2021. 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.

- d. Request of the Town Administrator to accept the resignation of Bruce Graves as Cemetery Foreman.

Motion by Mr. Valcourt to accept the resignation of Bruce Graves as Cemetery Foreman. 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.

- e. Request of the Town Administrator to appoint Steven Souza as Cemetery Foreman. Mr. King indicated the Personnel Board wants the position to be posted.

Motion by Mr. Valcourt to approve the appointment of Steven Souza as acting Cemetery Foreman. 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.

Motion by Mr. Valcourt to post the Cemetery Foreman position. The vote was 5-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Ouellette, Aye. Shufelt, Aye. Valcourt, Aye. Brewer, Aye.

- f. Request of the Town Administrator to post the position of Cemetery Laborer.

Motion by Mr. Valcourt to post the position of Cemetery Laborer. 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.

- g. Request of the Health Director to accept the resignation of Anthony Amaral as Transfer Station Laborer.

Motion by Mr. Ouellette to accept the resignation of Anthony Amaral as Transfer Station Laborer. 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.

- h. Request of the Health Director to post the Transfer Station employee vacancy. No action.

At this point in the meeting, there was a loss of electrical power in various parts of town, cutting off meeting access to several board members and half of the public participants. With the chair unavailable, Mr. Valcourt recommended the meeting be adjourned. It was decided to schedule another meeting at 6 p.m. on March 31 if the chair was available.

Motion by Mr. Valcourt to adjourn the meeting at 7:58 p.m. Seconded by Mr. Ouellette. The vote was 3-0 in favor by roll call. **Roll Call Vote:** Boxler, Aye. Valcourt Aye. Ouellette, Aye.

Respectfully submitted,

Robert Barboza
Recording Clerk

APPROVED:



Ann E. Boxler, Clerk, Select Board Member