



BOARD OF SELECTMEN REGULAR MEETING MINUTES

Monday, Aug. 2, 2021

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

Also Present: Timothy King, Town Administrator

6:00 p.m. Call To Order & Pledge of Allegiance

The Chair called the meeting to order at 6:00 p.m. with above members present. The meeting commenced with the Pledge of Allegiance. The Chair announced that under provisions of Mass. General Laws, the meeting was being recorded.

1. Acknowledgments & Recognitions

None.

2. COVID Update

Director of Public Health Matthew Armendo told the Board that the Covid-19 Updates were resuming because of the increase in new cases of infections being recorded. Since July 1, there have been 30 new cases reported, with at least 10 cases being Delta variant breakthrough infections of vaccinated residents; one case was traced to the recent Provincetown cluster. He noted that the Delta variant is more easily transmitted, and can produce more serious respiratory system problems for the victim; the variant is responsible for an estimated 85 percent of new cases nationwide. He indicated vaccination is still the best protection against all variants of the virus, and people exhibiting symptoms or exposed to sick persons should get tested. He reported that Westport Apothecary has a good supply of all vaccines, and can vaccinate residents without appointments. State health orders still require masks to be worn on public transportation, and in health care facilities; a homebound vaccination can be arranged by calling 833-983-0485. Mr. Armendo reported that the Board of Health had voted a mask advisory earlier in the day, strongly recommending social distancing and mask wearing in public indoor sites where social distancing is not possible. The Chair asked Board members what protocols should be followed at the next meeting, and whether it should be held remotely if the outbreak worsens; the consensus was the Board would wear masks at the next meeting.

6:05 pm

3. Licenses/Permits.

Public Hearings

No Public Hearing

- a. Request for 1-Day Wine and Malt License – Weatherlow Farms Aug. 5, Aug. 19 and Sept. 11, 2021
 - 1) Aug. 5 - 5 PM to 9 PM
 - 2) Aug. 19 - 5 PM to 9 PM
 - 3) Sept. 11 – 5 PM to 9 PM. Subject to revision (dates), no action.
- b. Request for 1-Day All Alcoholic Beverage Licenses – Holy Ghost Club

- 1) Aug. 15 Sunday 1 PM – 8 PM
- 2) Aug. 21 Saturday 12 PM – 5 PM
- 3) Aug. 27 Friday 4:30 PM – 10 PM

MOTION by Mr. Valcourt to approve the All Alcoholic Beverage Licenses as requested. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

c. Road Use Permit – South Coast Bike Way Alliance Sept. 12

MOTION by Mr. Valcourt to approved the Road Use Permit, contingent on the recommended restrictions provided by the Police Department. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

d. Trailer Permit – American Mobile Homes – Temp Living Quarters (fire) 660 Sanford Rd.

MOTION by Mr. Ouellette to approve the temporary trailer permit. Seconded by Mr. Valcourt. The vote was 5-0 in favor.

4. Appointments and Resignations

a. FY 2022 Board of Selectmen Appointments

1) Registrars of Voters (Appoint One Democrat and One Republican)

Democratic Party Ranked: Elizabeth Collins, Barbara Lambert, Joan Pingley

Republican Party Ranked: Paul Trial, Pamela Costa, Josephine Coleman

MOTION by Mr. Valcourt to appoint Elizabeth Collins as the Democrat representative to the Board of Registrars. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

MOTION by Mr. Brewer to appoint Paul Trial as the Republican representative to the Board of Registrars. Seconded by Ms. Shufelt. The vote was 4-1 in favor, with Mr. Ouellette voting nay.

2) Appointment of Historical Commission members (3 Yr. Terms): Henry Swan, William Kendall, Janet Jones, Michael Walden, David Paddock (alt), Garrett Stuck (alt).

MOTION by Mr. Valcourt to appoint Henry Swan, William Kendall, Janet Jones and Michael Walden to the Historical Commission, and to appoint David Paddock and Garrett Stuck as alternates, all for three year terms. Seconded by Mr. Ouellette, the vote was 5-0 in favor.

3) Westport Affordable Housing Trust – Reappoint Henry Lanier (2 Yr. Term)

MOTION by Mr. Valcourt to appoint Henry Lanier to the Westport Affordable Housing Trust for a two year term. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

b. Appointment of Kim Lima to Recreation Commission (3 Yr. Term)

MOTION by Mr. Ouellette to appoint Kim Lima to the Recreation Commission for a three year term. Seconded by Mr. Valcourt. The vote was 5-0 in favor.

c. Appointment of Tom Merchant to Conservation Commission (3 Yr. Term)

MOTION by Ms. Boxler to appoint Tom Merchant to the Conservation Commission for a three year term. Seconded by Mr. Valcourt. The vote was 5-0 in favor.

d. Appointment of Lindsay Cordeiro as Principal Clerk – Payroll & Benefits

MOTION by Mr. Valcourt to appoint Lindsay Cordeiro as Principal Clerk – Payroll & Benefits. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

e. Approve Posting of Principal Clerk – Tax Collection Office

Treasurer/Collector Susan Brayton noted that the staff is being cross-trained so all personnel will be able to fill in as needed, and requested that the position be posted in-house at this time. If there is no in-house candidate, she indicated she would use the existing outside applicant pool for the other principal clerk post to try to fill the position. She also noted the reconciliation effort is progressing, with work through April completed; May and June reconciliations are well underway.

MOTION by Mr. Valcourt to post the position in-house. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

f. Authorize Appointing a Temporary Transfer Station Attendant

The Director of Public Health said he was interested in approval of use of a temp agency to help with routine duties at the transfer station, and had provided a sample contract. Mr. King had suggested use of seasonal part-time cemetery employees as a temporary solution to the manpower shortage, and that was done. The Director asked that the vacant position be posted.

g. Authorize Posting of Transfer Station Employee

MOTION by Mr. Ouellette to vote the vacant transfer station position. Seconded by Mr. Valcourt. The vote was 5-0 in favor.

5. Discussion

a. American Recovery Act Funds Update

Mr. Brewer reported that the first half of the federal ARA aid – roughly \$839,000 has been received; the priorities for ARA funds are replacement of lost municipal revenues and tax income; water, sewer and broadband projects; public health services; and financial aid to companies or individuals adversely impacted by the COVID-19 pandemic. The ARA subcommittee is finalizing their recommendations for allocating the funds. Mr. Brewer further noted that \$2 or \$3 million in aid money being held by Bristol County should be available for use soon; the regulations on its use has been promised by the beginning of September.

6. Action Items

a. Selection of a Preferred Town Administrator Candidate

Ms. Shufelt briefly reviewed the process for screening 27 applicants, the selection of six semifinalists for interviews by the screening committee, and the recommendation of three finalists for the position. As one finalist withdrew, the remaining two finalists were interviewed by the Board, and now a Preferred Candidate must be chosen to open contract negotiations.

MOTION by Mr. Valcourt to select James Hartnett as the Preferred Town Administrator Candidate. Seconded by Ms. Shufelt; the second was later withdrawn by the Chair after a suggestion was made that simple polling was the best way to indicate candidate preference. Mr. Brewer stated his support for Gregory Barnes as the most qualified of the two candidates. He cited nine years as a successful town administrator and certification as a municipal treasurer. He further described the challenge of any candidate who comes from a staff position, which is primarily advisory, to a line position which includes significant authority and decision-making requirements. He said he wanted whoever is chosen to succeed and will assist in that regard. Ms. Boxler said she also felt both candidates were well qualified, with Mr. Barnes having more finance experience, but felt that Mr. Hartnett might have more experience dealing with the human resources issues the town is dealing with right now, making him her first choice for the post. Mr. Ouellette also suggested both candidates were qualified, and could do the job; he said considerable input from town officials and residents mostly supported Mr. Hartnett's selection, saying he was effective as Town Planner, and was easy to work with. Ms. Shufelt agreed it was a hard decision, noting Mr. Barnes' strong financial experience and past service as a TA. Working with Mr. Hartnett on the School Building Committee showed her that he was an important part of that project, going "above and beyond" the service expected, she said, making him her first choice. The town will need leadership for several pending big projects, and she felt he was the best option for providing that leadership. Mr. Valcourt echoed public opinion that Mr. Hartnett was easy to work with, and cited his knowledge of municipal operations and personnel. He was most impressed by Mr. Hartnett's supervision of a \$500 million sewer and storm water project while working in Fall River.

The Chair asked for a poll of board members, indicating their preferred choice: Mr. Brewer – Barnes; Mr. Ouellette – Hartnett; Mr. Valcourt – Hartnett; Ms. Boxler – Hartnett; Ms. Shufelt – Hartnett.

MOTION by Mr. Valcourt to appoint James Hartnett as the Preferred Town Administrator Candidate, with appointment contingent on successful contract negotiations. Seconded by Mr. Ouellette. The vote was 5-0 in favor. The Chair and Mr. Ouellette were appointed to work with town counsel on an employment contract agreeable to both parties.

b. Approval of Marijuana Host Agreement with Coastal Healing

The Chair noted that discussions between the attorneys for both parties had resulted in an agreement acceptable to both parties.

MOTION by Mr. Valcourt to approve the Community Host Agreement with Coastal Healing as submitted. Seconded by Mr. Brewer. The vote was 5-0 in favor. Attorney Brian Corey Jr. was present, with vote verification forms for the state commission which were signed by the Chair.

c. Approval of Educational Incentive for Amy Medeiros Principal Library Clerk

MOTION by Mr. Valcourt to approve the Educational Incentive Stipend for Amy Medeiros. Seconded by Mr. Valcourt. The vote was 5-0 in favor.

d. Waiver of Ch. 61a Town Option Lot 1, 0 Cornell Rd, Santos Farm

Mr. King indicated this was the lot carved out from the larger parcel preserved farmland, to be used as a house lot by the family.

MOTION by Mr. Valcourt to waive the town's first option on Lot 1, O Cornell Road. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

e. Correction of Bid Award for Motor Vehicle Fuels

Mr. King noted that J. P. Noonan should have been identified as the low bidder for Motor Vehicle Fuels.

MOTION by Mr. Ouellette to rescind the previous contract vote, and award the contract for Motor Vehicle Fuels to J. P. Noonan Transportation. Seconded by Mr. Valcourt. The vote was 5-0 in favor.

f. Award of Bid for Water Meter Installation

MOTION by Mr. Ouellette to award the contract for Water Meter Installation to Mass. Installations of Norwood, for a bid price of \$66,475. Seconded by Mr. Valcourt. The vote was 5-0 in favor.

g. Approval of Banner over Main Street for Shellstock – Chris Leonard

MOTION by Mr. Valcourt to approve the banner display for Shellstock, to benefit the shellfish propagation fund. Seconded by Mr. Ouellette, the vote was 5-0 in favor.

7. Town Administrator Report

Mr. King reported receipt of \$839,127 in American Recovery Plan award funds; Sen. Rodrigues reports that Rt. 177/Tickle Rd. roundabout funding has been earmarked for another year; he is beginning to review BOS administrative assistant applications; the audit report preparer is requesting a meeting with the Board in the near future. Mr. Brewer asked if Board members can help interview and screen candidates for the administrative person in the BOS office; Ms. Boxler and Mr. Brewer volunteered to help Mr. King and Mr. Hartnett to interview the finalists.

8. Approve Minutes

MOTION by Mr. Brewer to approve the minutes of the June 10, 2021 as submitted. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

MOTION by Mr. Brewer to approve the minutes of the June 19, 2021 meeting with the correction of the header showing the wrong date. Seconded by Mr. Ouellette. The vote was 5-0 in favor.

The July 21, 2021 minutes were passed over.

9. Report on Bill Warrant

Ms. Boxler reported no items of special interest on the last warrant.

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

Ms. Boxler reported the COA has asked for consideration of its programs when the allocation of federal aid money is decided; the Habitat for Humanity affordable duplex on Sodom Road is still in the permitting stage, but moving forward. Mr. Valcourt reported no liaison meetings last week. Mr. Ouellette reported attendance at Bike & Walking Path Committee and SRPEDD meetings. Mr. Brewer noted that the auditor has requested a meeting with the Board to discuss his report. Ms. Shufelt suggested the school building project is moving toward completion and a September opening; the campground well has finally been approved, while the library well will need a water treatment system.

11. Boards/Committees/Commissions Vacancy List

The Chair reviewed the list of vacancies.

12. Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting. The Chair noted that a complaint about a municipal employee had been received, and discussion would be added to the Executive Session agenda under the 48 hour rule.

13. Comments and Statements. None.

14. Executive Session – 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 with Labor Advantage for Workers (3)
- b. Discuss strategy with respect to collective bargaining with Westport Police Association
- c. Discuss strategy with respect to litigation – East Beach Association v. Town of Westport
- d. Discuss strategy with respect to litigation – Mullins v. Town of Westport
- e. Approve Executive Session Minutes – June 7, 2021 and July 19, 2021
- f. Under the 48 hour rule, the Chair indicated the Executive Session will include discussion of a complaint against a town employee.

MOTION by Mr. Ouellette at 7:14 p.m. to enter into Executive Session for the stated reasons detailed by the Chair. Seconded by Mr. Valcourt. The motion passed on a 5-0 roll call vote: Brewer, aye; Ouellette, aye; Shufelt, aye; Valcourt, aye; Boxler, aye.

Adjournment

MOTION to adjourn at 7:55 pm made by Mr. Ouellette, seconded by Mr. Valcourt. The motion passed 5-0.

Respectfully submitted,

Robert Barboza
Recording Clerk

APPROVED: _____
Richard Brewer, Clerk, Select Board Member