



**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
WESTPORT TOWN HALL
816 MAIN ROAD, WESTPORT, MA
MONDAY, NOVEMBER 8, 2021**

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

Also Present: James Hartnett, Town Administrator

Select Board Chair Ms. Shana Shufelt called the meeting to order at 6:00 pm in the Westport Town Hall, 2nd floor meeting room, 816 Main Road, Westport, MA.

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

Chair's Announcement: The Chair announced that under the provisions of MGL Chapter 30A, section 20(f), the meeting is being recorded.

1. Acknowledgments & Recognitions

- a. Ms. Shufelt noted there were no acknowledgements and recognitions however she thought it would be appropriate for Carol Freitas, Veterans Agent to come forward to announce the Veterans Day Celebrations; Ms. Freitas stated that at Beech Grove Cemetery, Thursday, November 11, 2021, where father/son Veterans will place the wreath, Select Board Member will speak along with a Retired Army General. Coffee donated by Kozy Nook and donuts will be served back at the Town Hall Annex. Ms. Freitas updated the Board on the Veterans Monument to be installed in the Spring, noting they are excepting donations toward this project. Ms. Shufelt then requested the Board accept the numerous donations that Ms. Freitas put before them for the **Veterans Food Pantry:** Bob Butler \$100.00, Coyne Powers Insurance \$200.00 and Mary Jane Cummings \$1,000.00 in memory of Eddie Moriarty. **MOTION:** by Mr. Valcourt to accept the donations to the Veterans Food Pantry, seconded by Mr. Ouellette. The Board voted 5-0 in Favor.

For the **Veterans Monument:** Arthur & Sarah Caesar, in memory of PFC William King, US Army, Bronze Star, Purple Heart, Battle of the Bulge and WWII for \$100.00, Westport Republican Town Committee for \$100.00, the following donations in memory of Gisela Bouchard; Robert Bouchard \$1,200.00, Christine Earle \$50.00, Sarah Brooks & Mark Governo \$200.00, Thomas & Cheryl Rebello \$50.00, Elizabeth Orton \$25.00, Edward & Brenda Peixe \$50.00, John & Madeleine Lopes \$25.00, Richard & Florence Orton \$25.00, Beverly Beaudoin \$50.00, Nicole & Kevin Murray \$100.00, Scott & Lisa McClarren \$100.00, Sandra Dalton \$10.00, and Susan Gurney \$50.00.

MOTION: by Mr. Valcourt to accept the donations for the Veterans Monument, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

2. Covid Update

Tanya Ryden provided the update stating that there were 30 new cases in November as of today, testing is trending up and case load is trending down, which is positive. In a recent Covid Clinic they were able to vaccinate 34 children ages 5-11, 123 booster shots and 48 flu shots.

3. Discussion

a. Diman Regional School Building Project, Dr. Elvio Ferreira and Paul Jennings

Dr. Ferreira informed the Board that they are at the end of the feasibility MSBA is reviewing it. They will be having a Board Meeting on December 15, 2021, hope to receive the grant award at that time. If the grant is received the district will vote on December 16, 2021 and notify communities at that time, the communities will have 120 days to respond with their approved borrowing mechanism. Ms. Shufelt noted that this would require a Town Meeting and hoping not to have to have a special election. Dr. Ferreira stated there is room for a 30 day extension, which Mr. Hartnett stated would be extremely helpful giving the timeline of the Town Election to the deadline. Ms. Shufelt asked what would happen if town does not approve? Fr. Ferreira answered if one community opts out, it would change the vote. The estimated costs is \$10.50 per \$100,000.00, a \$400,000.00 home would pay \$42.00 per year. Mr. Brewer questioned the amount of reimbursement from the MSBA, Mr. Ferreira answered 79.77% of reimbursable costs, 54% when all is said and done. Mr. Valcourt noted the massive shortage in the trades and encourages the residents to not look at the numbers, to look at the impact this will have in the future. They are hoping to break ground in the fall of 2023 with an opening fall 2026. More information can be found on the Diman Website.

b. Master Plan Update, Planning Board

Mr. Schmid and Mr. Cole summarized the Master Plan Update highlighting the major challenges for the Next Five Years; Implementing the priority projects recommended in the Water Plan, Pursuing new sources of financing for major public infrastructure projects, Addressing the Town's Structural fiscal deficit, Strengthen the administrative structure to manage new complex activities, guide Westport's Future economic and physical development, Expand high-speed internet services throughout the Town (in process) Prepare, adopt, and implement a plan for the disposition of the old High School (Committee has been formed) Establish a Climate Resilience Committee to address effects of climate change (committee has been formed), Develop a comprehensive multi-year Capital Plan. The full report is available on the Town's Website.

Ms. Boxler noted that we as a Town are already on a great track. Mr. Cole agreed and we need to keep up the momentum.

Mr. Ouellette noted his concerns about targeting the younger families in town, and the cost of living..

c. Beach Committee, policies and fee structure

Sean Leach, Beach Committee Chair noted the request to increase the Annual Fee to \$35.00, a \$5.00 increase, with the Senior Pass to stay at \$15.00. A Public Hearing is needed to raise the fees, the committee would also like to impose the limit of one pass per licensed driver, one application per household, and to reiterate the no alcohol/no smoking policy at the Town Beaches, no dogs allowed, and also there was an issue with unaccompanied minors. Mr.

Brewer argued that only allowing one pass per licensed driver was an inequity, referring to a widow(er) with more than one car. Mr. Valcourt and Ms. Shufelt support the two passes per licensed driver. Mr. Brewer noted the impressive surplus in Enterprise Fund, should not be building up and should be used for capital expenses or offer a reduction in fees, not an increase. Mr. Leach noted funds will be used to replace fencing, truck, East Beach Project and upkeep. Ms. Shufelt noted that the fee increase would be effective in January and the policies need to be in place before then. Mr. Brewer stated that any capital needs should be brought up to the CIPC. Mr. Leach stated that the Beach Committee can go to Town Meeting with requests. The consensus of the board was that it still needs to go before CIPC. Mr. Ouellette asked to revisit (dust off) plans for bathrooms, Mr. Leach noted it's just not possible environmentally.

MOTION: by Mr. Valcourt to hold a public hearing on December 6, 2021 to raise the fee, seconded by Mr. Ouellette. The Board voted 4-0 in favor.

4. Dog Complaint

Carreiro – Deliberation/Decision

Mr. Valcourt removed himself from the deliberation, he was not in attendance for the original hearing, Mr. Valcourt left the meeting.

Ms. Shufelt noted that there will be no comments from the public, the hearing already took place.

Ms. Shufelt stated that this is a very difficult deliberation, she has a hard time declaring the Carreiro's dog dangerous.

Ms. Boxler stated the dangerous dog should be taken off the table, leaning toward nuisance, and that the dog not be allowed off the property.

Mr. Brewer disagreed, the Dangerous Dog should be on the table, as the law states without justification, imminent threat to person or animal. Excessive Barking is an annoyance and considered a nuisance.

Mr. Ouellette stated he is leaning toward nuisance, also, and the dog should be enclosed or on a leash.

Ms. Boxler added a number of people have said the dog is not mean. First step nuisance, then see what happens if they have to come in again.

Ms. Shufelt noted that the Medeiros' do fear walking by the Carreiros, the incident did take place.

Mr. Brewer: either decision serves its purpose, he's not in favor of evoking the Dangerous Dog label.

MOTION: by Mr. Brewer to declare the dog a Nuisance, seconded by Ms. Boxler. The Board voted 4-0 in favor.

DECISION/MOTION: by Mr. Ouellette that the dog needs to be securely confined to the yard via electric fence, pen or lead. The dog must be leashed when off property. Vaccinations and License need to be up to date, seconded by Mr. Brewer. The Board voted 4-0 in favor.

5. Licenses/Permits.

a. Renewal of the Paquachuck Inn, Annual Permits, 2056 Main Road

Ms. Figueuriedo was present, requesting the renewal of the permits, stating there was a mix up last year.

MOTION: by Mr. Valcourt to approve the renewal of the Common Victualler and Inn Holder Permits for the Paquachuck Inn, with a hold on the Liquor License, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

b. Renewal of Westport Rivers Winery, Annual Permits, 417 Hixbridge Road
Mr. Russell was present requesting the renewal of the permits, no issues to discuss at this time, nothing has changed.

MOTION: by Mr. Valcourt to approve the renewal of the Entertainment, Common Victualler and Farmer Series Alcohol License for Westport Rivers Winery, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

c. Renewal of the Harbor Inn, Annual Permits, 23 Acoaxet Road
No one was present, they are not renewing at this time.

d. Renewal of Baybreeze, Inc. dba Westport Sea Farms, Annual Permits, 2056 Main Road
Kerian and Kristin Fennelly were present, requesting the renewal of the permits, no issues to discuss at this time, nothing has changed.

MOTION: by Mr. Valcourt to approve the Common Victualler and Seasonal Wine and Malt liquor license for Baybreeze, Inc. dba Westport Sea Farms, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

e. Renewal of the Class II License for JK & Sons

MOTION: by Mr. Valcourt to renew the Class II License for JK & Sons, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

6. Appointments and Resignations

a. Request to add term limits to the previously appointed Registrars

Appoint Allison Valton (D) proposed term expiration 4/1/24 (3yr)

Appoint Pamela Costa (R) proposed term expiration 4/1/23 (2yr)

Appoint Barbara Lambert (D) proposed term expiration 4/1/22 (1yr)

MOTION: by Mr. Ouellette to accept the proposed term expirations of 4/1/24 for Allison Valton, 4/1/23 for Pamela Costa and 4/1/22 for Barbara Lambert, seconded by Mr. Brewer. The Board voted 5-0 in favor.

b. Appointment of Mark Rasmussen as the Buzzards Bay Representative to the Climate Resiliency Committee.

MOTION: by Mr. Ouellette to appoint Mark Rasmussen as the Buzzards Bay Representative to the Climate Resiliency Committee, seconded by Mr. Brewer. The Board voted 5-0 in favor.

c. Accept the retirement notification of Quentin Lord from the Highway Department effective August 27, 2021.

MOTION: by Mr. Ouellette to accept the retirement notification of Quentin Lord from the Highway Department effective August 27, 2021, with a letter of appreciation sent, seconded by Mr. Brewer. The Board voted 5-0 in favor.

d. Request from Commission on Disability to appoint Martin Costa to the ADA Transition Committee.

e. **MOTION:** by Mr. Ouellette to appoint Martin Costa to the ADA Transition Committee, seconded by Mr. Brewer. The Board voted 5-0 in favor.

7. **Action Items**

a. Request to use American Rescue Plan Account Funds for the Water Meter Replacement Program. Mr. Hartnett stated that this previous Annual Town Meeting Article was not sufficient to cover the costs.

MOTION: by Mr. Ouellette to use \$40,000.00 American Rescue Plan Account Funds for the Water Meter Replacement Program, seconded by Mr. Brewer. The Board voted 5-0 in favor.

b. Request from Carol Freitas; Veterans Agent to accept donations for the **Veterans Food Pantry**: Bob Butler \$100.00, Coyne Powers Insurance \$200.00 and Mary Jane Cummings \$1,000.00 in memory of Eddie Moriarty.

MOTION: by Mr. Valcourt to accept the Veteran Food Pantry Donations, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

For the **Veterans Monument**: Arthur & Sarah Caesar, in memory of PFC William King, US Army, Bronze Star, Purple Heart, Battle of the Bulge and WWII for \$100.00, Westport Republican Town Committee for \$100.00, the following donations in memory of Gisela Bouchard; Robert Bouchard \$1,200.00, Christine Earle \$50.00, Sarah Brooks & Mark Governo \$200.00, Thomas & Cheryl Rebello \$50.00, Elizabeth Orton \$25.00, Edward & Brenda Peixe \$50.00, John & Madeleine Lopes \$25.00, Richard & Florence Orton \$25.00, Beverly Beaudoin \$50.00, Nicole & Kevin Murray \$100.00, Scott & Lisa McClarren \$100.00, Sandra Dalton \$10.00, and Susan Gurney \$50.00.

MOTION: by Mr. Valcourt to accept the Veteran Monument donations, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

c. Request from Town Clerk Bernadette Oliver to accept as presented by the Town Clerk the 2020 Re-Precincting Plan for the Town of Westport as amended. Mr. Hartnett stated that the boundaries cut through the blocks and the amended map eliminates that issue.

MOTION: by Mr. Valcourt to accept the Re-Precincting plan as amended, seconded by Mr. Brewer. The Board voted 5-0 in favor.

d. Request from the Westport Free Public Library to increase the hours of two principal clerks, 40 hours for Bonnie Strebel and 32 hours for Amy Medeiros per week.

Mr. Ripley noted the need for the increase in hours, with 113 people entering the building every day, workload is increasing, home schooling curriculum on the rise, hooking up new devices for visitors can take anywhere from 5 minutes to an hour, funding would come from their grants. Mr. Hartnett stated that the union is in agreement, however funding not guaranteed going forward.

MOTION: by Mr. Valcourt to increase the hours for Ms. Strebel and Ms. Medeiros, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

e. Chapter 61A Release; Hugh McGovern, 0 Sodom Road, Map 60, Lot 2D as shown on the Westport Assessor's Records and as shown as Lot 4 on plan of land recorded with the Bristol County (S.D.) Registry of Deeds in Plan Book 165, Page 103.

Mr. Hartnett noted there was a typo in the address, it is 0 Sodom Road, however the description was correct.

MOTION: by Mr. Ouellette for the 61A Release of 0 Sodom Road, seconded by Mr. Brewer. The Board voted 5-0 in favor.

f. Division of Marine Fisheries request to approve Mooring Area, Conditionally Area Management Plan and Memorandum of Understanding.

Greg Sawyer from the Division of Marine Fisheries was present to discuss the May 1, 2021 reclassification. Open to Shellfishing December 1 – April 30, Closed to Shellfishing, May 1 – November 30.

MOTION: by Mr. Valcourt to approve the Mooring Area, Conditionally Area Management Plan and Memorandum of Understanding, seconded by Mr. Brewer. The Board voted 5-0 in favor.

g. Town Accountant hiring update/process

Mr. Hartnett notified the Board of 3 Applications received for the position. Screening Committee to be formed Finance Committee, Board of Selectmen (Mr. Brewer volunteered) and Treasurers Office.

8. Town Administrator Report

FY 23 Budget Status: Budget worksheets have been distributed to the departments with a due date of November 12, 2021, department meetings will follow. Departments have submitted their capital improvement project requests. The Capital Improvement Planning Committee will begin reviewing requests within the next two weeks. The Town Accountant is closing out FY21 and should have an estimated Free Cash number by early December. The Board of Assessor's is tentatively scheduled a classification hearing with the Select Board for December 6, 2021.

Drift Road, Route 177 Roundabout

The Town was notified by Senator Warren and Senator Markey that Congressionally Directed Spending requests for the Drift Road culvert replacement project and the Route 177/Robert Street roundabout were not included in the Appropriations bill. The Town continues to look at alternative funding sources. Drift Road – The Town is working with Pare Engineering on a State Bridge Replacement Application. Route 177/ Robert Street Roundabout – 25% design plans have been filed with the MassHighway for review and comment. This project will be added to the Regional Transportation Improvement Plan as a future year construction project.

Hix Bridge Ecosystem Restoration Feasibility Study

This study conducted by the Department of the Army Corps of Engineers is currently in final review with the Department. As part of the overall funding contract the Town was to provide \$10,000 of in-kind services. We are reviewing our files and working with the Westport River Watershed Alliance to assemble this information.

Monthly Reports

Council on Aging Directors Report October

9. Approve Minutes

a. October 25, 2021

MOTION: by Mr. Brewer to approve the October 25, 2021 Minutes, seconded by Mr. Ouellette. The Board voted 4-0 in favor.

10. Report on Bill Warrant

Ms. Boxler noted the Warrant was signed.

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

Ms. Boxler: Affordable Housing Meeting Postponed, Council on Aging meeting on Tuesday, nothing to report.

Mr. Ouellette: Cable meeting on Wednesday, ARPA; need to stay on top of shovel ready projects.

Mr. Brewer: ARPA, County Process moving forward, provided them with contact information for Jim Hartnett and Nicole Pearsall, it is on the verge of launching, exact figures not yet available. Ms. Shufelt added that Mike Rodrigues is advocating hard for Westport.

Ms. Shufelt: Ribbon cutting for the New School is Friday.

12. Boards/Committees/Commissions Vacancy List

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

- a. Request for Board of Health to approve contract with Covanta Sustainable Solutions, LLC for municipal waste disposal.

Ms. Ryden provided an update on the landfill, after a recent shut down of the facility the town takes their trash too, they have had to stop taking trash, the Board of Health is looking for the Board of Selectmen to approve a contract with Covanta Sea Mass in Wareham, the contract will be effective Monday, November 15, 2021.

MOTION: by Mr. Valcourt to approve the contract with Covanta Semass effective November 15, 2021, seconded by Mr. Brewer. The Board voted 5-0 in favor.

- b. Nicole Pearsall requested to be appointed to the Capital Improvement Planning Committee.

MOTION: by Mr. Ouellette to appoint Nicole Pearsall to the Capital Improvement Planning Committee, seconded by Mr. Brewer. The Board voted 5-0 in favor.

14. Comments and Statements

None

15. Executive Session

MOTION: to enter into Executive Session, by Mr. Ouellette at 8:30pm, seconded by Mr. Brewer. The Board voted 4-0 in favor by roll call vote, Mr. Brewer aye, Mr. Ouellette aye, Ms. Shufelt eye and Ms. Boxler aye.

Adjournment


MOTION: to adjourn Regular Meeting at 8:50 by Mr. Ouellette, seconded by Mr. Brewer, the Board voted 4-0 in favor.

Respectfully submitted,



Paula M. Brown
Administrative Assistant
Select Board

APPROVED: _____


Richard Brewer, Clerk
Select Board Member



TA4 COA Directors
Report Nov 2021.pdf



BoH COVID Update
11.5.21.pdf



13a Memo-
COVANTA 11.5.21.p



13a CSS - Town of
Westport, Commitm



7f Dept. of Marine
Fisheries.pdf



7e Release
McGovern.pdf



7d Library Increase
Hours Request.pdf



7c Final Town
Precinct with Chang



7b Veterans
Donations.pdf



6d Commission on
Disability.pdf



6c Lord Highway
Retirement.pdf



6b Rasmussen
Climate Resiliency.p



6a Registrar
Appontments.pdf



4a2 Carriero Dog
Hearing Documents



4a1 Sample
Findings & Decision



3c Beach
Committee.pdf



3b
master_plan_update



3a Diman.pdf