



## BOARD OF SELECTMEN REGULAR MEETING MINUTES

Monday, September 26, 2022

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

Also Present: James Hartnett, Town Administrator

### **6:02 p.m. Call To order & Pledge of Allegiance**

#### **Acknowledgments & Recognitions**

The Board recognized Jeff Lavalley. Ms. Shufelt mentioned many people knew him as the Clambake King, he served on the Conservation Commission, he leaves behind his wife Sara and 3 children. Ann Dawson was also recognized, she served as a Library Trustee.

The Board also recognized the Clean our Westport(COW) volunteers for filling 2- 15 cubic feet dumpsters.

Bethany Coyne Borges addressed the Board in regards to Ataxia Awareness, the town has recognized Ataxia Awareness Day for several years now, it's a way to bring awareness to this debilitating disease, and donations can be made at Ataxia.org.

#### **Acknowledgments & Recognitions**

##### **1. Public Hearings**

**6:05 PM** – Request for the transfer of the Wine and Malt Beverage License and Common Victualler License from Small Town Grill to Bootleg BBQ Westport, LLC d/b/a Bootleg BBQ, 778 Main Road, Westport, MA. Fred M. Melnyk, Manager.

Mr. Hartnett noted paperwork appears to be in order and a favorable Police Report is on file.

Cheryl Bernard, Attorney addressed the Board on behalf of Fred Melnyk, the application is in order, the only change is the hours which he is requesting to be 10am to 10pm, seven days a week. Fred Melnyk stated he's been in the BBQ Business for a long time, and is looking forward to continuing at this location.

**MOTION** by Mr. Valcourt to approve the transfer of the Wine and Malt Beverage License and Common Victualler License from Small Town Grill to Bootleg BBQ Westport, LLC d/b/a Bootleg BBQ, 778 Main Road, Westport, MA. Fred M. Melnyk, Manager, seconded by Mr. Brewer. The Board voted 5-0 in favor.

## **2. Licenses/Permits**

- a. Request from AGS HVAC Services in conjunction with the Bryant True Hero's Program and the Westport Recreation Department to approve a Road Use Permit for a Motorcycle Run on October 8, 2022, to benefit the Westport Food Pantry.

Mr. Ouellette noted he has some liability concerns, in the past they have preferred Poker Runs to a Ride.

Mr. Hartnett stated that a standard "Release from Liability, Indemnity and Hold Harmless Agreement" has been filed. The police department is requesting more details and is concerned about liability. The hold harmless agreement is only signed by Mr. Gamache.

The Concert is sponsored by the recreation commission, the ride is a separate event to help raise money for the food pantry by having riders donate and attend the concert.

Rachel Sylvain addressed the Board introducing herself and Mike Gamache, owner of AGS. They are looking to support The Food Pantry and they have sponsored a concert in the past, however it didn't generate as much money as they would have liked, and adding a Motorcycle Run would bring in more money.

Mike Gamache then addressed the Board stating the ride is much safer than a run, because riders stay together. Their main priority is to keep riders safe, and to raise a lot of money. He stated they would work with the Police Department and get the appropriate details and Liability Insurance.

Rachel Sylvain added that the ride is October 8<sup>th</sup> and you can register on the Westport Recreation Website.

**MOTION** by Mr. Valcourt to approve a Road Use Permit for a Motorcycle Run on October 8, 2022, with the stipulation that Liability Insurance is obtained and that they work with the Westport Police Department, seconded by Mr. Brewer. The Board voted 5-0 in favor.

## **3. Appointments and Resignations**

## **4. Discussion**

## **5. Action Items**

- a. Request from Chief Brian Legendre to approve and sign the contract with Industrial Protection Services, LLC, 33 Northwestern Drive Salem, NH for the purchase of 35 Scott Self Contained Breathing Apparatus (SCBA)

Chief Legendre addressed The Board explaining that this contract was originally signed back in May, however because the FEMA Grant was submitted before the purchase, it needs to be amended to be within the performance period, this was previously approved as a capital project, but will be paid by the grant instead. Only a portion of the capital funds will be used.

**MOTION** by Mr. Valcourt to approve and sign the contract with Industrial Protection Services, LLC, 33 Northwestern Drive Salem, NH, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- b. Request from Chief Brian Legendre to approve and sign the contract with Specialty Vehicles, Inc. 18 Commerce Blvd., Plainville, MA for the purchase of a 2022 Styker Power Load System.

Mr. Hartnett noted that this is for a stretcher with a power lift to be paid for from the Federal Assistance to Firefighter Grant (AFG) # EMW-2021-FG-0091.



Chief Legendre added that this is the same as the previous item, originally signed in May. Ms. Shufelt asked the Chief if there was anything else he wanted to share, he stated that they have been very busy, coming off of a busy summer at Horseneck with details from 10am – 4pm daily. They assisted with the Mattapoissett Boat Yard fire, and tended to a Barn Fire over the weekend. Overall very busy.

- c. Request from Chris Gonsalves, Highway Surveyor to award the 2022-2023 Town Roadway Paving Improvements Contract to Rochester Bituminous.

Mr. Hartnett recommends approval of the contract with Rochester Bituminous Products and Notice to Proceed

**MOTION** by Mr. Valcourt to award the 2022-2023 Town Roadway Paving Improvements Contract to Rochester Bituminous, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- d. Request from Jeff Bull, Landing Commission to approve and sign the contract with GZA Geoenviromental, Inc. out of Providence, RI.

Contract not in hand, no action required at this time.

- e. Request from Deborah Weaver, Westport River Watershed Alliance for approval of upcoming Fall Activities.

- Annual Fall Beach Clean Up at Cherry & Webb on Saturday, October 1<sup>st</sup>, 10:00am-12:00pm, also requesting that non beach sticker holders be able to park in the lot. (Anticipated attendance 40)
- Annual Fall Recycle Day with IndieCycle of RI, Wednesday, October 12<sup>th</sup> from 9am-11am.
- Dune Hike on Saturday, October 29<sup>th</sup> to raise awareness of the sensitivity and importance of the dunes in protecting the Harbor.

Mr. Brewer mentioned it should be noted that it is an Electronics Recycling Day on October 12<sup>th</sup>.

Mr. Ouellette suggested the use of the North Parking Lot (Baby Beach) for the beach cleanup day.

**MOTION** by Mr. Valcourt to approve Westport River Watershed Alliance upcoming Fall Activities, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- f. Preliminary Approval of Licenses, Motor Vehicle Class I, II and III, Repair, Liquor, Common Victualler, Entertainment and Amusements for 2023. (See attached list.)

After a brief discussion there was a

**MOTION** by Mr. Valcourt to waive the reading of the attached list, and to conditionally approve the Motor Vehicle Class I, II and III, Repair, Liquor, Common Victualler, Entertainment and Amusement Licenses for 2023, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

- g. Request from Sue Brayton, Treasurer to accept a donation from Power and Grace YOGA, LLC to the Landing Commission in the amount of \$350.

**MOTION** by Mr. Valcourt to accept a donation from Power and Grace YOGA, LLC to the Landing Commission in the amount of \$350, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

## **6. Town Administrator Report**

### **Transfer Station and Cemetery**

The Town responded to the Department of Labor Standards (DLS) requests dated August 26, 2022. With the exception of the toilet facilities, items noted in the report have been addressed. The Town has requested additional time to design, fund, permit and construct the toilet facilities. We have reviewed various options for each location and Matt Armendo is requesting estimates from the various trades.

### **Street Projects**

Chris Gonsalves and the Highway Department have been prepping the streets for the Chapter 90 contract work, construction bids were opened on Wednesday, September 21, 2022 (bid award on tonight's agenda). The Westport Point turnaround work is included in this contract.

### **Route 177 Roundabout**

State funded street reconstruction projects can take up to four years to get through the design and review process and this design is no exception. Mass Highway requested additional information on the alternative analysis, once this is reviewed and approved, they will finish their review on the 25% design plans.

### **Public Water System**

The water meter replacement project has been completed and the properties being served by Town water have the updated meters. These meters are fitted with built-in transmitters that can send readings directly to the receivers. Software training is scheduled for next week.

Pioneer Consulting Group, Inc was hired to reconcile the water billing with the Town of Westport and the City of Fall River. This work was completed last week and a meeting will be scheduled with the City in the next couple of weeks to review.

## **7. Approve Minutes**

### **a. September 12, 2022**

**MOTION** by Ms. Boxler to approve the September 12, 2022 Minutes, seconded by Mr. Ouellette. The Board voted 4-0 in favor. Ms. Shufelt abstained.

## **8. Report on Bill Warrant**

Ms. Boxler noted the warrant was in order and signed.

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

Ms. Boxler – Affordable Housing moving forward with the hiring of the Executive Position.

Mr. Valcourt – nothing to report

Mr. Ouellette – the Bike and Walking Path Committee excited about Grant moving forward.

Cable Advisory rough draft of contract done, he suggested it go in front of Board of Selectmen, then Legal.

SRPEDD, Mike Rodrigues working on funding, lots of communities looking for money.

Infrastructure Oversight Committee– working on Mission Statement, next meeting October 5<sup>th</sup>.

Ms. Shufelt hasn't attended any meetings, brief discussion about School Building and Internet Advisory Committee Challenges.

**10. Comments and Statements**

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

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

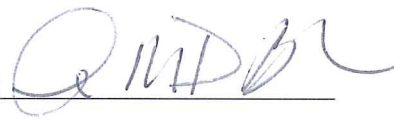
**Adjournment**

**MOTION** by Mr. Ouellette to adjourn at 6:55p.m., seconded by Mr. Brewer. The Board voted 5-0 in favor.



Paula M. Brown  
Administrative Assistant

Approved: \_\_\_\_\_



Ann Boxler, Clerk  
Select Board Member

1a Bootleg BBQ  
1a AGS Food Pantry Ride  
5a WFD SCAB AFG Grant  
5b WFD Specialty Vehicles  
5c Rochester Bituminous  
5e WRWA Fall Activities  
5f 2023 Proposed Licenses  
5g Power and Grace Donation  
7a 09122022 Minutes  
TA Water Final Report 9-23-22