



## BOARD OF SELECTMEN REGULAR MEETING MINUTES

Monday, October 23, 2023

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

### **6:00 p.m. Call To order & Pledge of Allegiance**

### **Welcome Comments from the Chair**

Under MGL Chapter 30A, section 20(f) – this meeting is being recorded.

### **Acknowledgments & Recognitions**

#### **1. Appointments and Resignations**

a. Request to accept the resignation of Brian Pontolilo from the Board of Commissioners of the Town Landing Commission and to post the post the vacancy.

Mr. Hartnett recommended posting the vacancy until November 27, 2023, then schedule a joint meeting with the Landing Commission to fill the position.

**MOTION** by Ms. Shufelt to post the vacancy, seconded by Mr. Soares, the Board voted 4-0 in favor.

#### **2. Action Items**

a. Request from Matt Armendo, Director of Public Health to carry over 26 vacation hours to be used by December 31, 2023.

**MOTION** by Ms. Shufelt to approve the carry over of vacation time until December 31, 2023, seconded by Mr. Soares. The Board voted 4-0 in favor.

b. Request from the Council on Aging to accept the following donations totaling \$276.00:

- \$136 Wendy Goldberg, Best Use/Yoga Equip
- \$40 Kate Jacobs, Best Use/Yoga Equip
- \$25 Lori Clark, Equipment Loan
- \$5 Anonymous, Equipment Loan
- \$50 Carol Bonner, Transportation
- \$10 Barbosa Family. Outreach
- \$10 Janet Malis, Tech Help

**MOTION** by Ms. Shufelt to approve the donations, seconded by Mr. Soares. The Board voted 4-0 in favor.

**c. Request from the Planning Board for comments and recommendations for Cory Ridge Estates, 265 Cornell Road, A.P. 81, Lot 4 Westport.**

Mr. Hartnett stated that this is a small four lot sub-division on the north side of Cornell Road, he recommended no comments.

**d. Request from the Planning Board for comments and recommendations for "Westport Lakes", Assessors' Map 31 Lots 3B, 3C, and 4G Westport, Massachusetts prepared for Blue Cat, LLC. Located at 0 Westport Lakes Road. The applicant is proposing four (4) Single-family units with 26 duplexes.**

Mr. Hartnett added that this land is on the North Side of Route 177 east of Old County Road, he recommended no comments.

**e. Request to amend House Bill H3751 an act relative to the Board of Selectmen in the Town of Westport.**

Mr. Hartnett explained that the Bill is close to being finalized, the state has recommended additional language to address other areas of the Town Bylaws, including the zoning bylaws, and language to change "Selectmen" to Select Board.

SECTION 1. Notwithstanding any general or special law to the contrary, the executive body of the town of Westport, previously known as the board of selectmen, shall be known as the select board and shall have the powers and authority of a board of selectmen under any general or special law and the members of the select board, previously known as selectmen, shall be known as select board members.

SECTION 2. Notwithstanding sections 21 and 32 of chapter 40 of the General Laws, section 5 of chapter 40A of the General Laws or any other general or special law to the contrary, the select board of the town of Westport may amend the general by-laws and zoning by-laws of the town by majority vote to revise all references to the board of selectmen and selectmen to the select board and select board members, respectively, in accordance with section 1.

SECTION 3. This act shall take effect upon its passage.

**MOTION** by Ms. Shufelt to approve the recommended changes, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

**f. Request from the Cultural Council to create a separate Westport Cultural Council Gift Account Fund.**

Mr. Hartnett addressed the Board stating that the Cultural Council will be receiving a large grant and an account needs to be created to track the funds. Ms. Shufelt asked if this needs to be approved at Town Meeting, Mr. Hartnett answered according to the Town Accountant it does not.

**MOTION** by Mr. Ouellette to approve the account, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

g. The Trustees of Reservations, as lessee of the Westport Town Farm, request approval to sublease a portion of the Town Farm to the Westport Food Pantry.

Steve Quinten from the Westport Food Pantry addressed the Board, stating that nothing from the farm will be sold and they are looking forward to being able to distribute the vegetables at the Food Pantry.

Mike Francis, Associate Director of the Trustees added they are very excited for the land to be put to farm use again.

Ms. Shufelt added that this is great use of the land.

**MOTION** by Mr. Ouellette to approve the sublease of the land, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

### **3. Discussion**

#### **a. Beach Committee Update and Recommendations**

Mr. Leach addressed the Board providing updates on Beach Passes, Lifeguards, Facility Maintenance, Complaints and Finances, 4,234 Beach Passes were sold, including 1300 senior passes. The Town Clerk's Office is looking into an on-line application process. The Committee is recommending an increase in the Beach Passes to \$50 and \$25 for seniors. There were 12 Lifeguards this summer and in order to compete with the State and surrounding communities, the committee feels it is important to reimburse for training/certification after a certain number of hours worked. There are some repair needs at Cherry & Webb to the gates and fencing. The committee would like to install two handicap spaces at East Beach. In reference to finances, the dramatic increase in lifeguard salaries has created a \$20,000 deficit in the personnel line item. With the deficit, improvements that will be needed for next year contribute to the recommendation to raise the Beach Pass Fees. There were a few repetitive complaints, no port-a-jon at East Beach, Seaweed on Cherry & Webb, Hours, Non-Sticker Parking. A couple of new concerns have been brought up in regards to Van Camping at the beaches and security at the Knubble. Mr. Soares questioned if towing was an option? Ms. Boxler added that other towns have gate attendants. Ms. Shufelt added that although she is not a fan of raising fees, she feels there are a number of fees that need to be raised in town. Mr. Hartnett suggested possible moving the Beach to the Recreation Department, either have the beach solely run by the Recreation Department or by the Beach Committee with assistance from the Recreation Director. Ms. Shufelt noted that if the Recreation Committee would oversee the beach the budget may have to be adjusted. Mr. Soares asked how the Beach Committee felt about the Beach being taken over by the Recreation Commission. After the lengthy discussion, it was decided that a Fee Hearing will be held at a future meeting. Mr. Leach suggested it happen sooner than later as Passes usually start being issued in December. Mr. Hartnett added that with the new system, the issuing of passes may have to be put off a month or so.

### **4. Town Administrator Report**

#### **1. Climate Pollution Reduction Act**

SRPEDD would like to organize a team of municipal representatives from communities that already are or that aspire to take a strong leadership role in Greenhouse Gas/Climate Pollution reduction.

Interested municipal officials should contact SRPEDD by email. A copy of this correspondence was forwarded to the Planning Department for the Climate Resiliency Committee.

## 2. Police Grant

The Healey-Driscoll Administration, Executive Office of Public Safety and Security, announced recipients of the FY2024 Municipal Road Safety Grant. Westport was awarded \$22,489.60, these funds will be used to offset expenses relating to public safety.

## 3. Police Chief Position

The Police Chief Preliminary Screening Committee will be interviewing in-house candidates this week.

## 4. Recreation Department

The recreation Department along with the Westport Land Conservation Trust hosted the Halloween Happening event last weekend at Westport Woods. This was a very successful event with close to 150 kids participating. Thanks to the recreation commission and Dana Stewart for another successful outing. The recreation commission will be holding the annual Tree Lighting event at Westport Woods on Sunday December 3, 2023. A copy of other seasonal events and programs is included in the Select Board files and can be viewed on the recreation department webpage.

## 5. Cemetery Department

As previously discussed, it has been a challenging year for the department, with excessive rainfall, increases in the number of burials and limited staff. The few remaining employees in the department have gone above and beyond to keep the department afloat. Assistance from the Highway Surveyor and the Transfer Station (BOH) has also provided much needed assistance. A private contractor has been called in to assist with the grass cutting but department funds are limited. The grass within the veterans section of the cemetery was trimmed on Thursday, October 19, 2023.

Mr. Hartnett also informed the Board that he and Mr. Brewer met with Paul Vigeant and Nate Mayo from Vineyard Offshore, it was an informal introductory meeting, they are looking at ways to tie into the grid. Mr. Brewer asked if there are other companies, or a Global Consultant that the Board should consider meeting with. Mr. Hartnett added that there are locations being looked at in New York, Long Island, Cape Cod and possibly Brayton Point. Mr. Brewer feels that this should not be taken lightly and that it should be kept on the radar as this could be significant revenue for the Town. Mr. Soares added he has been in touch with Senator Rodrigues and would like to get a meeting together to consider the transmission corridors, if they are looking to cut through Westport this could be big for the town.

## 5. Approve Minutes

### a. September 25, 2023

**MOTION** by Mr. Soares to approve the September 25, 2023 Minutes, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

### b. October 10, 2023

**MOTION** by Mr. Soares to approve the October 10, 2023 Minutes, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

## 6. Report on Bill Warrant

Ms. Boxler noted the Warrant was a bit larger than usual, with the payoff of some debt. Other than that it was in order and signed.

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

Soares – Drift Road Sub-Division, there was a lot of public input, it was continued. Salty Breeze, Marijuana Facility on State Road, did not get to engineer on time, still needs to go in front of Conservation, Board of Health. He inquired if the Street Patch for Coastal Healing has been addressed.

Ouellette – The Bike Committee still working on getting a Mass Trails Grant, SRPEDD is this week.

Brewer – Review the 2024 Meeting Calendar at the next meeting.

Boxler – nothing to report, meetings are this week

Shufelt – Internet Advisory Committee is researching funding sources, they have discussed the Municipal Light Plant with KP Law, next meeting is November 9th.

**8. Comments and Statements**

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

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

**11. 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 Litigation – Driftwood Realty Trust vs. Town of Westport Historical Commission

b. Review & Release Executive Session Minutes from March 2, 2020 through December 19, 2022.

c. Information Technology Department Head (Keith Novo) Salary Discussion

d. Donna Lambert vs. Town of Westport - Discussion

e. Approve Minutes

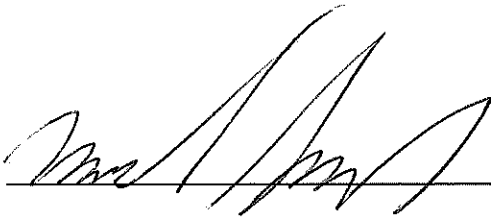
• September 11, 2023

**MOTION** by Mr. Ouellette to enter into Executive Session at 7:12pm. to discuss the topics listed, with a return to public session to adjourn the open meeting, seconded by Ms. Shufelt. The Board voted 5-0 in favor via roll call vote: Soares aye, Ouellette aye, Shufelt aye, Boxler aye and Brewer aye.

**MOTION** by Mr. Ouellette to adjourn the open meeting at 8:17p.m., seconded by Ms. Shufelt. The Board voted 5-0 in favor.

Respectfully submitted, Paula Brown, Administrative Assistant/Confidential Clerk

APPROVED:



Manuel Soares, Clerk, Select Board Member

FILE ATTACHMENTS:

Released 2020 ES Minutes  
Released 2021 ES Minutes  
Released 2022 ES Minutes  
1a Landing Commission – Pontolilo  
2a Matt Armendo Vacation Carry Over  
2b COA Letter to SB Gifts & Donation 10-11-23  
2c Planning Board - Corey Ridge Estates  
2d Planning Board - Westport Lakes  
2e Select Board Legislation  
2f Cultural Council  
2g Trustees  
2g Westport Town Farm Lease  
2g Westport Town Farm-Community Garden Lease  
3a Beach Committee  
3a Beach Committee  
5a 09252023 Minutes – Draft  
12a Answer - Redline (1)  
TA Climate Grant  
TA Police Grant  
TA Report for Jim Hartnett, 10-17-23  
TA Select Board  
Trustees - Approval