



BOARD OF SELECTMEN REGULAR MEETING MINUTES

Tuesday, October 10, 2023

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

Also Present: James Hartnett, Town Administrator

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. Licenses/Permits

- a. Preliminary Approval of 2024 Common Victualler Licenses
Countryside Market
Bootleg BBQ

MOTION by Mr. Ouellette to approve the Common Victualler Licenses, seconded by Ms. Shufelt. The Board voted 4-0 in favor, with Ms. Boxler abstaining.

- b. Request from the Holy Ghost Club, 179 Sodom Road for one day liquor licenses for the following dates:

Friday, October 13, 2023 – Fried Clam Dinner, 5pm-10pm

Saturday, October 21, 2023 – Memorial, 2pm-8pm

MOTION by Mr. Ouellette to approve the One Day Liquor Licenses, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

2. Appointments and Resignations

- a. Request from Chris Gonsalves, Highway Surveyor to appoint Adam Estrella as Special Equipment Operator.
Tabled to future meeting.
- b. Request to appoint Richard Smith to Police Chief Preliminary Screening Committee. Mr. Smith addressed the Board stating he's been in law enforcement for 45 years, at community, national and international levels, he feels that the Police Chief is the most important appointment the town can make. He looks forward to serving on the committee.

MOTION by Ms. Shufelt to appoint Mr. Smith to the Screening Committee, seconded by Mr. Brewer. The Board voted 5-0 in favor.

3. Action Items

- a. Interview Deputy Daniel Baldwin as recommended by the Fire Chief Search Committee for the position of Westport Fire Chief.

Mr. Hartnett addressed the Board stating that the search committee was appointed by the Board of Selectmen, the position was posted in house at the recommendation of the committee, the committee interviewed the one applicant, Deputy Chief Daniel Baldwin, the committee felt Baldwin is more than qualified for the position, his education, experience and professionalism would provide the leadership needed to oversee the department.

Baldwin addressed the board summarizing his experience with the fire Department beginning at 18, he was appointed Firefighter/Paramedic in 2004, Lieutenant in 2011 and Deputy Chief in 2018. He added his education summary, he graduated from Westport High, received an Associate's Degree in Fire Science from BCC and holds a Bachelors and Master's Degree in Public Administration from Anna Maria College, while maintaining a 4.0 GPA. He continues to attend annual mandated training, along the members of his department. Baldwin added that he is a Level 3 Chief Officer which is the highest in Massachusetts. He has recently completed a 14 week program held in conjunction with UMass, a Chief Officer Management program which is considered the Department of Fire Services Capstone program for the Chief Officer Program. Along with many other certifications, which he showed the Board in a binder, Baldwin added he is a strong believer in input from his members, it's not all about the Fire Chief or the Command Staff, the department operates as a team, and he's eager to continue on with what he's been doing for 28 years.

Mr. Brewer and Ms. Shufelt asked a couple of questions for Baldwin, in regards to possible budget cuts, staffing issues, and the department's relationship with surrounding communities, also what his thoughts were on privatizing the ambulance service.

Baldwin answered that cuts would be difficult, we are already bare bones. My plan is to keep the public educated, continue to post on social media, continue to pursue grant opportunities, we can't manage a department of our size and with our level of service which is life safety without grants, as difficult as it is, we have to make the budget work. The department has a good working relationship with surrounding towns, it's harder for us to provide mutual aid without staffing, but the surrounding towns are always willing to cover for us. When Baldwin addressed the privatization of ambulance services he added although he has nothing against the private companies, he thinks having everything under one roof is better, most private companies only offer EMT covered ambulances, so you will end up with the EMT of the day as there is a lot of turnover at the private companies. Teamwork and protocol are often lost when someone from the outside comes in and is not familiar with the department. Every Firefighter/Paramedic in town, lives in town and is familiar with the roads and the many addresses that are not easily accessible. This knowledge allows us the opportunity to offer more personal, professional and quality care to our residents.

After a brief discussion and clarity as to when the start date would be a motion was made.

MOTION by Ms. Shufelt to appoint Deputy Fire Chief Dan Baldwin as Fire Chief/EMA Director, effective January 7, 2024, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

Chief Legendre added that this promotion will have a trickle cascade effect on the department, and they plan to hold a ceremony at the department and the Selectmen will be invited.

- b. Request to have the Board of Selectmen sponsor a warrant article petitioning the General Court to grant an all alcohol beverage license to Westport Gas – Mobil at 634 American Legion Highway.

Mr. Hartnett addressed the Board stating that a previous request was made by citizens petition a few years ago and was not approved at Town Meeting. The only action before the Board is if the Board would want to sponsor the article for Town Meeting. The petitioner also has the ability to file a citizen's petition and get on the warrant with 10 signatures.

Attorney Mark Levin approached the Board along with Richard Carrigg, explaining he represents John (not present) Richard and Paul Carrigg, Gulf Resources at 634 American Legion Highway called Westport Gas Mobil, he added his clients have owned the premises for about 15 years, they have a good reputation, he has spoken to Senator Rodrigues and the Senator is in agreement that it would be a good location for the liquor store, and once the Board recommends the warrant and it gets approved at Town Meeting, he will be happy to sponsor the bill for the special legislation. He added the liquor license will increase the property value, and the revenue of the liquor license itself to the town are an advantage. The parking lot would accommodate the addition of a liquor license, and there is already a gas station there so it will not increase traffic in the area.

Richard Carrigg addressed the Board stating he felt this was a good opportunity for their business, it will increase their revenue and help with payroll and the cost of everything. It is centrally located.

Mr. Brewer asked if they would be putting an addition on the building, Mr. Carrigg answered no, there is storage in the back, and it will be a very small section of the store where the liquor will be available.

MOTION by Ms. Shufelt to sponsor the Warrant Article, seconded by Ms. Boxler. The Board voted 5-0 in favor.

- c. Request from Sharon Teed-Medeiros to waive Right of First refusal for 22 Windsor Drive, Unit 16B.

Mr. Hartnett addressed the Board stating the owner has passed and the daughter would like to sell the property, because this is an income restricted unit, the Town has first right of refusal. There is no need to exercise the right of refusal and the property will remain as a restricted unit.

MOTION by Mr. Ouellette to waive the Right of First Refusal, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- d. Request from Planning Board to use \$30,000 from the matching grant fund for the Snell Creek Conservation Project.

Mr. Hartnett addressed the Board stating this CR was previously approved by the BOS, just need a funding source for the \$30,000. The Town will be reimbursed for the \$30K.

MOTION by Mr. Ouellette to approve the \$30,000 with the hopes that the money can come from Conservation Commission, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- e. Town Administrator Goals

Mr. Brewer commented that the Town Administrator Goals were done in July, however they were never distributed to the Board, they have been distributed, no further action is needed.

4. Discussion

- a. David Cole – Residential Exemptions

David Cole presented a PowerPoint Presentation to the Board, Explaining what the residential exemption is, how it works and how would it work in Westport.

The residential exemption is a specific dollar deduction from the assessed value of all year-round (homestead) residential properties. Westport has a total of 8,400 residential properties. It is estimated that about 1,400 of those residences are seasonal and 7,000 year-round. To realize the same total property tax revenue with a \$100,000 exemption would require an increase of the tax rate from \$8.16/k to \$9.67/k. That higher tax rate would result in an 18.5% increase in taxes levied on all seasonal properties. It would also result in a progressive increase in the tax on year-round properties above the mean value of \$550k from 1% on properties of \$700k to 13.5% on properties of \$3 million. Year-round residential properties below the mean value of all residential properties, the exemption would reduce the tax by 90% on properties valued at \$100k or less, and by progressively lesser amounts on properties valued at up to \$550k. Residential properties valued at less than \$550k, which account for 69% of all such properties, would see a reduction in their property tax. Residential properties above \$550k that would pay a higher tax are 31% of all such properties. It is the simplest and most effective way to transform the property tax from a flat rate tax into a progressive tax.

Mr. Cole offered suggestions, as part of the preparation for setting the tax rate for the new fiscal year, the Board of Assessors could add an analysis of the impact of a 20% residential exemption on property tax levies by property value brackets. The Mass. DOR provides a program for making this calculation and it is relatively easy to apply. It would provide the Select Board and Town residents a realistic basis for evaluating the impact of such an exemption on the distribution of the tax burden.

Mr. Brewer, Ms. Shufelt and Mr. Ouellette addressed Mr. Cole with various questions and/or concerns regarding how there is no differentiating between year round and season properties, only 5% of the towns and cities in Massachusetts have adopted this, 30% of the year round residents will see an increase, there is no additional revenue to the town and the levy will stay the same, this does not go to Town Meeting, it is decided by the Board of Selectmen and how the exemption would affect snowbirds. After lengthy discussion it was the consensus that it is very confusing, the numbers need to be analyzed and to hold public hearings to further educate the residents on the process.

b. SRPEDD – Housing Production Plan, Goals & Strategies

Taylor Perez and Chris Welch from SRPEDD addressed the Board, summarizing the Westport Housing Production Plan Final Draft Housing Goals and Strategies.

Housing Goals: Implement zoning changes that enable the creation of new subsidized and missing middle housing choices, create housing options and pursue programs that help underserved populations continue to live in Westport, Ensure new residential developments, incorporate, preserve, and highlight Westport's open spaces and natural resources and continue to produce SHI-eligible units to achieve the Commonwealth's required amount and support communities in need.

Strategies: Collaborating with proactive housing developers to create SHI-eligible units on town-owned land, Implement key zoning amendments to support new housing opportunities (duplex, triplex, multi-family, first-time buyer), Implement housing preservation and stabilization tactics to prevent further displacement in Westport's environmental justice neighborhood, Implement a Short-Term Rental Bylaw, Seek funding for low-to-no-interest loans and grants for residents with failing septic systems, Explore the creation of a Committee on Housing Stability, Create an Adult Retirement Community Bylaw, Continue to allocate funding from CPA and pursue other funding opportunities to support accessibility modifications for folks who wish to age in place, Continue community outreach through the Housing Trust to promote the need for affordable housing and help dispel myths to solidify local support, Review the availability of town-owned and tax-title properties to work in tandem with adaptive reuse goal, and Explore avenues to allow homeowners to deed-restrict existing units and accessory apartments.

Ms. Shufelt asked what's next, Ms. Perez answered once they get the Planning Board and Select Board approval, then the next steps would be to go back and take a closer look at the planning board's comments, and begin writing early next year, once the issues are addressed, they will come back to the Board of Selectmen with all the Data. Once they are all on the same page, they call a pre-adoption review where they send that draft up to the EOHC.

If you produce a certain number of housing units it's usually 0.5 to 1%, you get the benefit of Safe Harbor essentially if you get a 40b Request you are not comfortable with, you have the right to deny it for a period of 1 to 2 years.

If a good plan is produced, Westport would have more low-income housing, multi-unit housing, and more housing diversity.

Ms. Perez added that preservation and stabilization was a huge thing that came up at the planning board again the displacement concerns again with short-term rentals increasing housing prices.

Mr. Brewer added we require police to reside in town and a lot of them can't afford to live here, that's a recruiting problem.

Mr. Soares commented that he's glad this is moving forward and when implemented everyone will be on the same page.

Ms. Shufelt applauded that Planning Board.

c. FY25 Budget Process

Mr. Brewer began the discussion by stating that this will continue to be an item on future agendas, this is just to get an approximate timeline from Jim, deadlines, etc.

Mr. Hartnett addressed the Board that the Budget process has started there are dates in place, the first being the Budget Presentation to the Board on December 18th, January 18th Discussion continues, February 20th the budget goes to the Finance Committee and March 10th to the Warrant.

d. No Wake Zone Clarification

Mr. Brewer wanted to clarify the recent decision of the Board. There in fact are rules and regulations in place that adhere to the recent requests, this was not a request for a new No Wake Zone, however a request for reinforcement of what is already in place.

5. Town Administrator Report

Diman Groundbreaking Ceremony

The Greater Fall River Vocational School District Committee in conjunction with the School Building Committee has extended an invite to the groundbreaking ceremony for the new Diman Regional Vocational Technical High School. The ceremony will take place on Friday, November 3, 2023 at 1:00 p.m., refreshments will be served at 12:00 noon in Room 251.

Mr. Brewer is interested in attending.

Wage Study

The Personnel Board has narrowed the selection to two companies and they will be interviewing them on Thursday, October 12, 2023.

Town Meeting Zoning Articles

On October 2, 2023, The office of the Attorney General approved the Zoning Articles presented at the Annual Town Meeting in May of 2023. The Planning Department updated the By-Laws and the revised By-Laws can be viewed on the Town's Website.

PFAS Settlements

As recommended by Town Counsel, the Town is participating in the settlements offered by 3M and Dupont, Corteva and the Chmours Company for public water systems impacted by PFAS contamination in the Town's drinking water supplies. Award amounts and qualifying criteria have not been discussed.

6. Approve Minutes

a. September 25, 2023

Minutes will be approved at the next meeting.

Report on Bill Warrant

Ms. Boxler noted it was in order and signed.

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

Soares – Water & Sewer moving forward, he'd like to see ARPA money go toward shovel ready projects. Water Lines at Macomber area need to be addressed, not a shovel ready project, maybe next year. The Our Lady of Grace area needs to be addressed. He wants to get the federal money while it's available.

Ouellette – Bike Path Committee working on Mass Trails Grant, looking at the layout of the Lafrance Property

Brewer – The Audit Committee met last week to discuss any clean up with the Management Letter which there were no issues. They will meet again in December.

66

Shufelt- attended the combined meeting with the Finance Committee, the Climate Resiliency Committee is exploring Historic Properties.
Boxler – Affordable Housing continues to look for property. Mr. Ouellette suggested looking into School St.

8. Comments and Statements

9. Boards/Committees/Commissions Vacancy List

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

Adjournment

MOTION by Mr. Ouellette to adjourn the meeting at 8:03p.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:

1b HG Fried Clam Dinner WPD
1b Holy Ghost Club
1b HG Memorial WPD
2b Smith - Police Chief Search Committee
3a Baldwin - Fire Chief Candidate
3b 5.1.18 Town Meeting Defeat (1)
3b Home Rule Petition
3b Westport Mobil
3c Windsor Drive Right of First Refusal
3c Windsor Drive Teed-Medeiros Deed
3d 10.04.23 Snell Creek Conservation Expenditure Request
4a David Cole – Handout
4a David Cole - Presentation to Select Board, 10.10.23
4a David Cole – Presentation
4b FINAL DRAFT Westport HPP Goals and Strategies - October 2023 Update
4c FY25 Budget Calendar – Proposed
4c FY25 Budget Memo BOS
4c FY25 Budget Timeline
TA Diman Groundbreaking
TA PFAS
TA-Report Westport11004A_APPArt293031and32