

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY
MARCH 07, 2016**

Members Present: Craig J. Dutra, Chairman
R. Michael Sullivan, Vice Chairman
Richard M. Spirlet
Antone C. Vieira Jr.
Steve Ouellette, Clerk

Also Present: Timothy J. King, Town Administrator

Chairman Dutra called the Board of Selectmen meeting to order at 6:00 P.M. in the Westport Town Hall, 816 Main Road, Westport, MA with the reciting of the Pledge of Allegiance by all present.

Pledge of Allegiance

Chairman's Announcement - Under MGL Chapter 30A, section 20(e) – Meeting being recorded.

Public and Board Member Comment – None.

Acknowledgments & Recognitions – None.

Appointments and/or Resignations

1. **Motion** made by Mr. Ouellette to appoint Adam S. Kitchen as Public Access Equipment Operator. Second by Mr. Sullivan. The Board voted unanimously in favor.
2. **Motion** made by Mr. Ouellette to appoint James LeBelle, Sr. to the Cable Advisory Board. Second by Mr. Spirlet. The Board voted unanimously in favor.
3. **Motion** made by Mr. Ouellette to appoint Kyle Fernandes and Robert Rebello as Full-Time Police Officers. Second by Mr. Sullivan. The Board voted unanimously in favor.
4. **Motion** made by Mr. Vieira to appoint Craig J. Dutra and R. Michael Sullivan to the Budget Advisory Group. Second by Mr. Ouellette. The Board voted unanimously in favor.

Mali Lim, Local Consumer Program Mediator – RE: New Bedford Local Consumer Program.

Present: Mali Lim and Herb Johnson (Mediator). Ms. Lim explained the Consumer Program to the Board members, stating the program covers all of Southeastern Massachusetts (24 towns and cities, except Fall River) from Wareham to the Rhode Island border. They are funded by the Attorney General's Office and they work on consumer complaints from the AG's Office and office walk-ins. Ms. Lim stated they want to make the public aware of this program. They are mediators – no legal advice is given because they are not lawyers. Ms. Lim stated they handle a lot of car dealership complaints, homeowners' problems with contractors/repairs, etc. Ms. Lim stated they are available by phone or in person. Ms. Lim stated they use volunteers for this program who are trained in mediation; there is 15 hrs. of training done in-house for the local mediator program, there is 30 hr. training program for our mediators to be certified and allowed to go to small claims and housing court. Ms. Lim stated they have used students from New Bedford Voc, Bristol Community College and UMass Dartmouth in this program. Their office has handled mail, internet and hospital scams. Mr. Johnson stated we are face to face mediators (in court) and all mediation is done for free. Discussion ensued regarding any success the program has had. Ms. Lim stated that with scams, if they sound too good to be true, they probably are; question everything and don't be trusting and assume and above all, never make a decision on the spot because some of these scammers try to use scare tactics. Mr. Spirlet stated if you do not initiate the call, don't give out any information. Ms. Lim stated they have mediators who speak Spanish and Portuguese. Mr. Ouellette asked Ms. Lim about information on their website. Ms. Lim stated the consumer should visit the City of New Bedford's website or email: consumer@newbedford-ma.gov or call the office at 508-961-3020 or 508-979-1693; also we are on Facebook and Twitter. The Board

requested this information be placed on Westport's website. The Board thanked Ms. Lim and Mr. Johnson for coming in.

Beverly Bisch, COA Director – RE: Request to transfer COA vehicle to School Department.

Present: Beverly Bisch-COA Director, Michelle Rapoza-School Department. Ms. Bisch referred to the letter she submitted; the School Department is willing to take on the vehicle and the updates that are needed such as new tires, etc. Ms. Rapoza stated it will be used for field trips; special needs students who are taken out for life lessons; our golf team for different tournaments; it will save a lot of money for these trips because it is a 12-passenger vehicle and it will allow us to do 2-3 trips if needed and anyone can drive this vehicle; this will be budgeted for repairs. Robert Alves stated he appreciates the co-op transportation to Connelly; he supports this request. **Motion** made by Mr. Ouellette to approve the transfer of the 2006 Ford Econoline Diesel Minibus from the COA to the School Department. Second by Mr. Sullivan. The Board voted unanimously in favor.

Chris Gonsalves, Highway Surveyor - Present: Christopher Gonsalves, Highway Surveyor and Apryl Oliveira, Hwy. Clerk/Dispatcher. Foreman's Position – FY'17 Budget and Seasonal Employees – FY'17 Budget. Mr. King stated this position has been vacant for 2 ½ years; he has no problem if Mr. Gonsalves would like to promote from within to this position. Mr. King stated there are provisions within the Collective Bargaining Agreement and there are sufficient funds to do so with the FY'16 Budget and this does not add another body to the Highway Department, simply a promotion to an existing person. Mr. Sullivan asked what the line item would need, if this were simply a promotion; Mr. King said probably about \$5,000. Mr. Vieira asked Mr. King how much overtime has been spent when we have calls in for fire and police needing the Highway. Mr. Gonsalves stated he gets the call and he goes, if he had a foreman, the foreman would go. Mr. Vieira asked about the last twelve months. Mr. Gonsalves stated 279 hours just this year alone. Mr. Vieira asked how that translates in cost to the Town. Mr. Vieira stated there is no extra costs because Mr. Gonsalves is doing it; Mr. King stated that was correct. Mr. Vieira stated if we had a foreman, what would happen; Mr. King stated the foreman would have to go out; Mr. Vieira stated the foreman would have to get time and a half; so if there was 279 hours at the Foreman's rate, how is this a savings to the Town; Mr. Gonsalves is saying he may need a foreman; this is a \$50,000 line item, we are nit-picking and somewhere down the line, he is going to need a foreman but right now, he has bigger priorities. Mr. Vieira suggested the BOS not micro-manage the Highway Dept., there have been no complaints. Mr. Vieira stated Mr. Gonsalves has been doing both positions; are there any other Highway Departments without a foreman. Mr. Sullivan asked Mr. Gonsalves if this is a working foreman position; Mr. Gonsalves stated yes. Mr. Sullivan stated if he wanted to promote someone, if he was ready, there would not be much of a loss of manpower. Mr. Gonsalves stated that would short him; Mr. Sullivan asked, could we try it for a year and then look towards the end of the year to add another position. Mr. Gonsalves stated he wanted to evaluate his employees; we are a young Highway Department with only one person who has been there for a lot of years; otherwise, he would probably fill from outside. Mr. Gonsalves stated that if he fills the foreman position, he won't be able to fill that vacant position; when he was promoted to Foreman, the position was not filled; when he was promoted to Surveyor, his position was never filled; he has been doing both but that means really he is down two people. Mr. Gonsalves stated he loves his job, but he can't keep working all these hours. Mr. Gonsalves stated he needed someone that if a call comes in from Police or Fire, that person has to be there and be dedicated. Mr. Gonsalves stated he would like to make a decision for the next fiscal year (FY'17). Mr. Spirlet stated the position is \$50,000 but it will cost a lot more in overtime for a foreman; we should not take this money and move it elsewhere; this is working good right now and he is staying within his budget. Mr. Gonsalves stated he turned back \$19,000+ in FY'15, \$39,000-FY'14 and \$52,000-FY'13. Mr. King stated most of that money was from that position. Mr. Vieira stated we have already cut back this department; if we cut again, it will cost more than \$50,000. Mr. Sullivan stated we are trying to work towards transparency; this position

covered seasonal, etc.; we do seasonal work each year, so we should have a seasonal line item. Mr. Sullivan stated his sense would be to promote someone and see if we can get by; then look at it again and maybe we may have to hire again. Mr. Dutra stated it is good when we have money turned back and it is hard to live within the budgets that we are given but turning back money is not a luxury we can afford; we have four big departments (School, Police, Fire, Highway) and we have to cut departments that have historically turned money back; it is not fair but what Mr. Sullivan is suggesting is a compromise and there should be a #2 person in the Highway Dept. Mr. Dutra stated the department should have a foreman but he was not convinced that we have the money to fund an additional position but there should be a backstop for Mr. Gonsalves. Mr. Vieira stated it is the same with the Police and Fire, they all have backups but the Highway does not; Mr. Gonsalves is trying to save the Town money and his reward is that we are going to cut his budget. Mr. Sullivan stated we should address his needs; we should breakout a foreman all year but also, there is the need for a seasonal line item; we should leave the position open as a stipend for a foreman and have a seasonal line item. Mr. Sullivan stated we should give Mr. Gonsalves time to assess what he has. Mr. Dutra stated we are proposing cutting his budget because we have carried that position for the last two years; Mr. King is recommending eliminating the position; what Mr. Sullivan is recommending is to allocate a smaller amount of money to give the title and pay additional compensation, to evaluate the labor needs of the Highway Dept. over the course of the next year and revisit during the next budget. Mr. King stated we should budget for six months of seasonal; take the \$50,000 and use \$43,000 for seasonal and \$7,800 (differential) for a foreman. Mr. Gonsalves stated to clarify; the foreman money stays and the seasonal money won't be there. Ms. Oliveira stated the foreman money will be reduced to cover the differential, for when the employees are evaluated; and a portion will be put toward seasonal. Mr. Dutra stated we are not cutting the position out of his budget, we are shifting the money to where it has been used for the last couple of years. Discussion ensued. **Motion** made by Mr. Vieira to keep the budget as requested by the Highway Surveyor. Second by Mr. Spirlet. Discussion again ensued. The Board voted 2 in favor, 3-opposed (Ouellette, Sullivan, Dutra) Discussion continued. **Motion** made by Mr. Sullivan to add a foreman stipend (for the option to promote one of his workers or cycle through employees). Second by Mr. Ouellette. The Board voted 3 in favor, 2-opposed (Vieira, Spirlet).

At this time, Mr. Gonsalves stated that Ms. Oliveira has been working in the Highway Department but has a probationary period. Mr. Gonsalves stated he does have the money and he would like to pay her at 100% rather than her going through the steps. Mr. Dutra stated he agreed. Mr. King stated that is part of the Collective Bargaining Agreement. Mr. Dutra stated we have overridden for everybody else. **Motion** made by Mr. Spirlet to increase Ms. Oliveira's salary to 100%. Second by Mr. Vieira. The Board voted 4 in favor, 1-opposed (Ouellette).

Approval for Deficit Spending in Snow & Ice – Motion made by Mr. Ouellette to approve deficit spending in the Snow & Ice Budget in the amount of \$100,000 and to have Mr. Gonsalves come back in two weeks if additional funds are needed. Second by Mr. Spirlet. The Board voted unanimously in favor.

At this time, Mr. Dutra recognized Ms. Kristie Furrow and stated the Board voted earlier to accept the language for both articles recognizing that we are trying to resolve the outstanding differences between now and the end of the month; but for the purposes of going to Town Meeting, we had to have a warrant consensus by tonight. Ms. Furrow stated the second article that Town Counsel recommended, refers to a plan on record, what plan is that referring to, the 1963 Road Layout that shows driveway access because this is about access. Mr. King stated a plan has not been provided to him yet; he has spoken with the attorney and he was hoping that the differences in opinion between the two surveys could be reconciled and the two parties could come up with an agreement on this. Ms. Furrow stated that is not what her surveyor communicated to her with the bill. Ms. Furrow stated that essentially, he said that the Town just wants to go with their plan because the boundary agreement seems to have been

dropped. Mr. King stated that is two separate issues. Mr. Dutra stated, he believes that all agree, there is no agreement on the boundary and that there is some things that need to reconciled, that this Board will do whatever we can to try to reconcile the differences until all parties are satisfied. Mr. King stated in terms of being able to address your issues of access, we need the Town Meeting Article that would authorize the Board of Selectmen to go to the Legislature to authorize the Town to enter into that agreement. Discussion continued. No votes were taken; no actions were taken. The Board stated they will try to get this settled within the next 30 days.

Action Items

1. **Motion** made by Mr. Vieira to approve the request from the Romeiros for their Annual Pilgrimage on Tuesday, March 8, 2016. Second by Mr. Ouellette. The Board voted unanimously in favor.
2. **Motion** made by Mr. Vieira to approve the request from Westport Fair Committee for the “Run for the Fair 5K” on Sunday, July 10, 2016 per Police recommendation. Second by Mr. Ouellette. The Board voted unanimously in favor.
3. **Motion** made by Mr. Sullivan to approve the 2nd paragraph wording for Article 28 (under 6501) of the ATM Warrant. Second by Mr. Vieira. Mr. Vieira questioned if Town Counsel was getting paid again on this article from last year, especially where it was worked on with the AG's Office. Mr. King stated he would check on it. The Board voted unanimously in favor. Mr. King stated that Article 27 deals with legal fees and needs an amount. Mr. Sullivan stated we may be paying less but we should put the maximum in there, we can always amend it. Discussion ensued. **Motion** made by Mr. Vieira to insert \$12,800 for Article 27 and put before Town Meeting. Second by Mr. Sullivan. The Board voted 3 in favor, 2-opposed (Dutra, Ouellette). Discussion ensued regarding Articles 37 & 38. Mr. King stated Article 37 is a petition article, which the Board can't remove but Town Counsel has given us alternate language under Article 38. Mr. Dutra stated he talked to one of the parties tonight, who feels that Town Counsel's opinion does not reflect the opinion that has been given by the surveyors; we agreed to have two surveyors look at the property, we agreed to be bound by the language, if they could agree – but they don't agree. If the owner of the property was willing to capitulate, we could accept one version but he was guessing that we would have to live with the two versions. Mr. Vieira stated he did not see why the second version was needed; as a Board, we never voted on Article 38 and his understanding was the two parties involved were spoken to along with both counsels; we never asked for Article 38 and never voted to place it on the warrant. Discussion ensued. Ms. Elizabeth Collins asked since when has the Town started paying Town Counsel to go over a Petition Article; Mr. Vieira stated the procedure in the past, would be for them to talk to the Moderator, which the Moderator encourages and he believed they did that but in this case, we wanted to get our Town Counsel involved. Mr. Dutra stated with all due respect, it is not just the BOS but the Landing Commission, to a certain extent, that has involved us. Mr. King stated this has very little to do with the dispute over the property line; this has to do with what had been the historical access the property owner has had through the landing area; the BOS has agreed, that if we can find a way to provide them some sort of right-of-way or easement through the Head of Westport property, which is governed by the Landing Commission, the Town is willing to do that. Mr. King stated is what precipitated this article; the article only authorizes the BOS to petition the General Court for a non-intrusive easement. **Motion** made by Mr. Vieira to place both Articles (37 & 38) before Town Meeting. Second by Mr. Sullivan. The Board voted unanimously in favor.
4. Mr. Dutra stated we have now agreed on the Annual Town Meeting Warrant and we have agreed to the FY'17 Municipal Budget. Mr. Vieira stated he agreed but he does not see the budget balanced at all; we just made an adjustment to the Highway Department and a major adjustment to the Transfer Station; we are committing all of our free cash in anticipation of a 2 ½% increase in taxation; if Town Meeting wants the Transfer Station, we will be out of budget by about \$250,000. Mr. King stated that was accounted for in the budget. Mr. Dutra stated there was confusion but Mr. King put

it back into the budget. Mr. Vieira stated okay, lets say we go with the budget as is, now we are committing all of our free cash. Mr. Vieira stated when we try to get a balanced budget, and we talk about free cash and 2 ½ increase in taxation, the bottom line is, when we get to Town Meeting and we vote the articles, if the Town Meeting decides they want to keep the Transfer Station as is, our operating budget increases by \$250,000. Mr. King stated we can address it later on. Mr. Dutra stated to Mr. King there is no later on because action items 3 & 4 approves the ATM warrant and the budget. Discussion ensued. Mr. Dutra stated to forward the budget to the Finance Committee, allow them to do their job and let them come back to us with questions. Mr. Vieira stated we have a responsibility to forward a balanced budget. Mr. Dutra stated we will be out of balance due to Snow & Ice and the School Department. Mr. Sullivan asked Mr. Vieira to clarify “out of balance”. Mr. Vieira stated the Chairman mentioned available funds, we need to say where the funds are coming from; he was not interested in using Stabilization as an alternative; the only budget we have looked at is Highway (which is running pretty good). Mr. Dutra stated we have had Department Heads in with their draft budgets, he have had presentations about the Town Administrator's budget and our budget, we sent a draft budget sent to the FinCom over a month ago; for the past three meetings, we have talked budgets. Mr. Vieira stated we have information tonight from the Treasurer's Dept. that may change the budget. Mr. Dutra stated we have a deadline to get the budget to the FinCom for their meeting tomorrow night; yes, there may be a change in personnel in the Treasurer's Office and that is what is called an opportunity to make changes, which will happen between now and June 30th, the budget is a moving target. Mr. Vieira stated, if you look back at the record, he stated he would support this, if we looked at our own budget before we finalized this budget and this Board acknowledged that but we are not doing that. Mr. Spirlet asked if \$36,643,324 was the bottom line being presented to the Finance Committee; Mr. King stated with the changes voted this evening for the Highway Department (\$9,000). Mr. Dutra stated he would like a motion to stay within the Revenue Budget as proposed by the Town Administrator, identifying the \$9,000 for the Highway Department and to forward the budget to the Finance Committee. Discussion again ensued. Mr. King stated that \$4,745.00 was needed to balance with the general fund revenues. **Motion** made by Mr. Sullivan to take \$4,745.00 out of the BOS stipends. No second was received. **Motion** made by Mr. Vieira to take the amount of out of the Selectmen's Budget, not including the salaries of the Selectmen and to have the Town Administrator come back with a recommendation. Second by Mr. Sullivan. The Board voted 4 in favor, 1-opposed (Ouellette).

5. School Administration Office Relocation Plan – Mr. Dutra gave a summary of what has transpired since the request was received from the School Department; Mr. Vieira was charged into looking into this; we have both have spoken with the EPA, and the Middle School may be an option in the future but not right now. Mr. Vieira stated we met with all the stakeholders at the Town Hall Annex; we looked at the Fire Station, American Legion, relocating the Nurse's Office, the Planning Board Office, using the gymnasium, the lower level of the Town Hall building, part of the Treasurer's Office and purchasing a modular space, the 2nd floor of Town Hall, half of the Town Administrator's Office and emergency management dedicated areas and space at the Council on Aging. From that, within in an hour, we came up with using the left-side of the Town Hall Annex (meeting room, Veteran's Office and Cable); all agreed with the concept of letting the School have that space; the second meeting was attended by the Town Administrator and Ms. Valerie Bain (Cable) and that meeting got into what could be done with the technology equipment. The cost came in from the School at roughly \$50,000 for renovations and \$10,000 for moving and upgrades. The Veteran's Office will share with the Nurse's Office and Cable will be relocating to the 2nd floor of the Town Hall; space will have to be found for the Housing Office. Mr. Vieira stated we do have space, maybe it is not ideal, but they can fit into it and it will be for a 3-year period to buy time for other options. Mr. Dutra stated his understanding was the Housing would be combined with the Cable Office. Mr. Vieira stated there have been some discussions and he was not sure if Mr. King has been able to follow up on other options but he spoke with the Westport Housing Authority and

they did not have the space. Mr. Vieira stated a rental will be between \$25,000 to \$50,000 but there will be a one-time cost, which will be absorbed into the Town. Mr. Dutra asked who would be paying the \$50,000 in renovation costs. Mr. Vieira stated that is up to the School, the Town does not have the money. Mr. Vieira stated this is the plan for a short-term. Comments were received from Ms. Collins (Housing) and Valerie Bain (Cable) and Wayne Sunderland (resident). Ms. Pacheco (School Committee) stated she is hearing the concerns and the School does not like disrupting people but they want to work with the Town and the expense will be dealt with. Discussion ensued regarding the relocation plan for 12 people. Superintendent Dargon stated they needed a July 1st deadline to move into a space; \$60,000 does encompass a wall in the Veteran's and Nurse's Office; the business office is closed at night; we will need a long weekend to move.

Motion made by Mr. Sullivan to bring this matter back in two weeks with final recommendations for an August 1st move in; a clarification of the cable issues and a location for the Housing by the Town Administrator. Second by Mr. Ouellette. The Board voted 4 in favor, 1-opposed (Spirlet).

6. **Motion** made by Mr. Sullivan to approve and send a letter of support for the Community Builders, Inc.'s application to DHCD for Federal and State Low Income Housing Tax Credits, HOME Funds, Community Based Housing Funds and Affordable Housing Trust Fund funding for Noquochoke Village but if it fails again, then we will need to regroup for a use of that property. Second by Mr. Ouellette. The Board voted 4 in favor, 1-opposed (Spirlet).
7. **Motion** made by Mr. Vieira to approve the request of Mr. Souza and Lt. Holden for a letter to MADOT requesting a State Highway Layout Determination for Route Six. Second by Mr. Ouellette. The Board voted unanimously in favor.
8. **Motion** made by Mr. Spirlet to accept the donations made to the COA totaling #35.00. Second by Mr. Ouellette. The Board voted unanimously in favor.

One-Day Liquor Licenses – None.

Town Administrator Report

Town Administrator Absence – Mr. King stated he would be on vacation from March 14 through March 25, 2016.

Beach Avenue – DEP Consent Agreement – Mr. King stated Sean Leach has prepared the NOI for Beach Avenue. It is scheduled for the next Conservation Commission Meeting. Mr. Vieira reminded Mr. King that all had to be completed by April 1, 2016.

Total Maximum Daily Loading (TMDL) for Nitrogen – Mr. King stated the Board members may recall receiving the report from DEP concerning this topic last October, 2015. There was some concerns expressed about the data used and that this may have led to faulty conclusions. This week representatives of the Water Resource Management Committee, Planning, Select Board Chair Dutra and I met with a group of staff from DEP to talk about the report. They provided a modestly revised report (attached). The DEP report is primarily advisory in nature. It won't be used for regulatory or enforcement purposes. The DEP representatives advised that this report for Westport is primarily to be utilized as a guide for a Comprehensive Water Management Study. That study will make suggestions on the best ways to reduce the nitrogen loading in Westport's waters. It was a useful and interesting meeting. Town Officials and the public can continue to offer comments about the report and DEP will hold a public hearing on it in late April or early May, 2016.

Police Station Project – OPM – Mr. King stated the Police Station Building Committee has selected the firm of CMS from Marlboro, MA as the best qualified to be the Owner's Project Manager for the new Police Station. The firm has submitted a cost proposal and it is being reviewed and evaluated by Town Counsel.

New Town Website – Mr. King stated the new Westport website is live. It looks really good and he invites the Board to look at it under: www.westport-ma.com

Westport School Feasibility Study – Mr. King stated the OPM has solicited and received ten proposals

from firms interested in being the project designer for the feasibility study. The MSBA plays a much greater role in the selection of the designer than they did for the OPM selection. The designer selection process should be completed by the beginning of April.

Town Hall Roof – Mr. King stated that Tim Gillespie and Ed Brum had an opportunity to go into the attic and were able to observe the area of the roof that is leaking. The next step is for them to look at the roof from the outside. The contractor has been contacted about the problem. Mr. King will forward the email response to the Board from the contractor.

Discussion Items

1. Mr. Ouellette stated there has been no contact at all regarding the Tiverton Casino; he would like the Board to contact Senator Rodrigues and Rep. Schmid to see if we should stir up a stink or hold back because we are a bordering community and no one has even talked to us about it. Mr. Ouellette stated we have our SRPEDD hours to use to get our traffic counts now before this begins and SRPEDD can help us draw up the issues in the area that we are concerned with. We need to touch base with Tiverton; this will effect the people down at the end of Route 81 and the harbor (people who are trying to keep off the highway, if they drink) and the area of Route 177. Mr. Dutra stated it may good to contact Fall River also. Mr. Vieira stated that SRPEDD has actually ruled on this, when Mr. Healey was here and Steve Smith was on-board, stating it was not in Massachusetts but he agreed that SRPEDD should take the lead here instead of the individual towns.
2. Mr. Spirlet asked if a meeting with Harper's has a date been set. Mr. King stated he asked Mr. Brightman to set up the meeting but he put it off. Mr. Spirlet stated it is not Mr. Brightman's decision and we have been kicking this around for two years and a lot of stuff that is being done in the Treasurer's Office could be done with Harper's. Mr. Sullivan asked Mr. King where we stood with the Time & Attendance; Mr. King stated that most of Town Hall and Annex are not using it but the Highway and Cemetery are using it. Mr. Vieira stated we need to get this resolved. Mr. Sullivan asked Mr. King to get this meeting together with Harpers' and the stakeholders here in Town Hall; set a goal to meet before our next meeting to see what the holdup is. Mr. King stated the push-back is from the Treasurer's Office because Mr. Brightman states his ACA work is more important. Mr. Sullivan also asked for a list of the complaints regarding the system.

Minutes

Motion made by Mr. Vieira to approve the Regular Meeting Minutes of February 10, 2016 with amendment. Second by Mr. Ouellette. The Board voted 4 in favor, 1-abstention (Dutra).

Amendment: page 5 – correct spelling of Microsoft.

Selectmen Liaison Committee Reports – None.

Question and Answer Period – None.

Board Members Suggestions for Future Agenda Discussion / Action – None.

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

Treasurer Brad Brightman stated to the Board that Christine Sylvia, Assistant Treasurer has submitted a letter of resignation last Friday; her last day will be March 18, 2016. Mr. Brightman requested that the Board lift the hiring freeze so he may move forward and advertise her position.

Motion made by Mr. Vieira to accept with regrets the resignation of Christine Sylvia and to send a letter of thanks. Second by Mr. Spirlet. The Board voted unanimously in favor. Mr. Vieira stated he would like to table the request to lift the hiring freeze and to take a look at the budget. Mr. Brightman stated this position must be advertised in-house first and if no one applies, then it will be advertised out of house. Mr. Brightman stated right now, he is looking at a deadline of March 31st to file the

Affordable Care Act; there is 1099 HC process, Federal mandates for 1099-C and his office is just finishing the Town side, they still have the School side to finish; all this work and Ms. Sylvia's last day is March 18th. Mr. Brightman stated there is a lot coming; open enrollment, training, time & attendance, affordable health care act; this position is budgeted for FY'17. Mr. Sullivan asked if the Health Care Act was being outsourced or was the Treasurer's Office preparing the report. Mr. Brightman stated we are and it is similar to doing a 1099. Mr. Sullivan asked if a program was being used or a spreadsheet. Mr. Brightman stated they are working with Harper's to input the information. Mr. Dutra stated this is similar to the State filing. Mr. Brightman stated yes but now this is the federal level information. Mr. Vieira stated we have an HR person in the BOS Office who could provide support to the Treasurer. Mr. Brightman asked if she knew the Harper's system. Discussion ensued. **Motion** made by Mr. Vieira to instruct the Town Administrator to work with Mr. Brightman to come up with a support plan for staffing. Second by Mr. Sullivan. The Board voted unanimously in favor.

Other Business

1. Mr. Vieira recognized the Governor, the Attorney General and the Mayor of Boston for going out as a group and asking that we consider not legalizing marijuana in the State of MA. Mr. Vieira stated he would ask this Board to go on record with a letter of non-support for the legalization of marijuana in the State of Massachusetts. Letters are to be for the MA Municipal Association and MA Board of Selectmen Association. **Motion** made by Mr. Sullivan to that effect. Second by Mr. Vieira. The Board voted unanimously in favor. There is a MA Selectmen's Meeting in Berkley this Friday to which the letter can be delivered.
2. Mr. Ouellette asked that MADOT be contacted in regards to the chevron signs on Route 88 which have been smashed out again; find out if a flashing light can be installed similar to the Braga Bridge to get attention of the driver.
3. Mr. Vieira noted the new website; it is understandable there will be tweaks but great job.

9:23 PM

Executive Session – **Motion** made by Mr. Ouellette to enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21 to approve Executive Session Minutes of February 10, 2016; discussion of Collective Bargaining (Highway, Police, LAW) and a Personnel Matter. Second by Mr. Spirlet. The Board voted unanimously in favor.

Roll Call Vote: Mr. Ouellette-aye. Mr. Spirlet-aye. Mr. Vieira-aye. Mr. Sullivan-aye. Mr. Dutra-aye.

Mr. Dutra announced the Board would return to Open Session in order to adjourn.

10:00 PM

Open Session - **Motion** made by Mr. Ouellette to adjourn the Board of Selectmen Meeting at 10:00 PM. Second by Mr. Spirlet. The Board voted unanimously in favor.

Adjournment.

Respectfully submitted,

Diane Pelland
Administrative Asst/Confidential Clerk to the Board of Selectmen

APPROVED: _____
Steven J. Ouellette, Clerk