

**BOARD OF SELECTMEN
SPECIAL MEETING MINUTES
APRIL 14, 2014**

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

Also Present: John F. Healey, Town Administrator

Chairman Vieira opened the meeting at 6:00 p.m.

Awarding of Bid RE: the Paving of East Beach Road & Beach Avenue:

Selectmen Sullivan made a motion to move ahead with the low bidder as recommended by Tibbetts, which is J.H. Lynch, and pick up the project effective immediately, and at the same time ask the Town Administrator to address the three questions which he (Selectman Sullivan) mentioned: confirm that the aggregate project with Riverview, less the paving, does not meet the 25% threshold, confirm that handicapped access is absolutely required for Chapter 90 status in funding of that road and make the request that East Beach occur first and do the projects in that order. Selectman Dutra seconded the motion. Chairman Vieira asked if there was any discussion on the new motion. Selectman Ouellette requested clarification that the Board was awarding the contract and just asking those questions, and if there was any penalty to not addressing those, and that it would not hold up the project though, according to Selectman Sullivan, it could go forward with it. Selectman Dutra stated that his understanding of condition number 2 is that if you don't need to pave the top of the finished road in order to meet Chapter 90 requirements, then you can proceed. Selectman Sullivan responded that you would also have to tell him that the recombined projects do meet the 75% threshold. It would have to come back to the Board and it would be in the Board's interest to answer these questions quickly and address the matter and move on. Selectman Spirlet questioned if Selectman Sullivan was saying that if, in fact, they say that handicapped access is o.k. on cobblestones and that Chapter 90 will pay for all this other stuff, now you don't want to asphalt Beach Avenue. Selectman Sullivan responded that no, the Board would have the option to review that and unless those two conditions are met we have to proceed. We need to be able to obtain Chapter 90 funds for the road and you also have to tell him that the combined project will meet the 75% threshold. Chairman Vieira questioned Selectman Sullivan whether he was stating that if Riverview was not included in the project then he would not approve the project for the other two roads. They have a temporary solution for Riverview and that they were never intending to put Riverview in this bid anyways and was he saying that Riverview's percentage could be the make or break on the other two roads. Selectman Sullivan answered that why wouldn't the Board want to take advantage. Chairman Vieira responded that they were trying to take advantage but if George Mello comes back and says that it would be more than the 25% would they throw away the contract in total and not do the other two roads. Selectman Sullivan responded if the combined project, less the paving on Beach Avenue, plus the paving

and all the work on Riverview makes for 75% of the contract or more, we can proceed with the contract and decide on the scope at that point and we can kick off the project with East Beach. Chairman Vieira asked what if it didn't. Selectman Sullivan replied then we just can proceed as we intended tonight and they can execute the contract. There was more discussion concerning Riverview Road with Selectmen Ouellette and Dutra noting that it was a priority to get it fixed and Chairman Vieira stating that it would be fixed. Selectman Sullivan noted that he wanted the project to move ahead, even if this information indicates that they have the option not to pave Beach Avenue, he was not suggesting that they should not pave Beach Avenue, all he was saying that it brings it back here for review, there's been a lot of activity and there's been negotiations that started last fall with private parties down there trying to find a turn around and if that starts to move a little bit, the Board would perhaps have the option of coming up with a different alternative. He's not suggesting that they don't pave Beach Avenue, he just suggesting that this would buy them a little time. If one of these conditions is off, then they have no choice but to move ahead. The motion was approved with Selectmen Vieira, Ouellette, Dutra and Sullivan voting yes and Selectman Spirlet voting no.

Discussion RE: Insurance for Public Safety – Purchase or Self-Insure:

Meeting with the Selectmen from Cook & Company were Peter Cook, Peter Savage and Bill Sullivan who presented options for Police and Fire AD & D insurance coverage going forward. Mr. Cook explained that his company specializes in 111F in Massachusetts and that the Town Administrator had asked him to look at the Town's existing claims. He noted that there was nothing wrong with the Town's existing policy and that new statutory regulations were passed recently by the legislature. There was discussion regarding the various options available to the Board regarding medical limit, medical benefit period and premiums and the deductible. It was also mentioned because of the McNamara legislation the reserve police officer's and call firefighter's medical benefits were the same as full-time police and fire employees but the death benefits were different. Selectman Spirlet made a motion to take the \$2 million coverage with a \$10,000 aggregate deductible for 156 weeks and come back at the next Selectmen's meeting to finalize. The motion was seconded by Selectman Dutra and was voted unanimously. Peter Cook stated that he would put in writing what the Board wanted for their next meeting.

Discussion RE: Balancing the Budget Based on New Data:

Mr. Healey reviewed with the Board the additional budget cuts to the Planning Board, Library, Property Insurance, Council on Aging, Board of Health, Police and Employee Benefits FY'15 budgets. He also went over the supplemental budget (Article 1 STM) and the rest of the articles on the Annual and Special Town Meeting Warrants. Selectman Dutra questioned whether the Transfer Station budget should become an Enterprise Fund.

Approval of Amendment – Administrative Consent Order:

On a motion by Selectman Dutra, which was seconded by Selectman Ouellette, the Board voted unanimously to authorize Chairman Vieira to sign the Amendment to Administrative Consent Order with DEP concerning the monthly flushing, monitoring and sampling of the waterline due to THM's.

Town Meeting Warrants – Finalizing of the Annual and Special Town Meeting Warrant:

Selectman Dutra made a motion to accept the Special Town Meeting Warrant as presented. Selectman Sullivan seconded the motion. Selectman Ouellette noted that he still did not agree with the dollar amounts. The motion was voted unanimously. Selectman Ouellette made a motion to approve the Annual Town Meeting Warrant. The motion was seconded by Selectman Sullivan and voted unanimously. On a motion by Selectman Dutra, seconded by Selectman Ouellette, the Board unanimously approved to accept the budget cuts as recommended by the Town Administrator.

Harper's Payroll Time & Attendance Pricing:

Selectman Dutra stated that discussion concerning the replacement of time clocks with a new system was not on the agenda and should not be discussed. Chairman Vieira responded that he was just asking for direction and requested that the Board set some funds aside for this. Selectman Spirlet made a motion to allocate up to \$8,500 for the new payroll, time and attendance system from Harper's Payroll. The motion was seconded by Selectman Sullivan and was unanimously voted.

Discussion – Charter Internet:

The Board agreed to postpone discussion on this matter until their next meeting.

Executive Session:

Selectmen Antone Vieira, Richard Spirlet, Steven Ouellette, Craig Dutra and Michael Sullivan on a roll call vote, voted to enter into executive session at 8:10 p.m. under Massachusetts General Laws Chapter 30A, Section 21, #1 to hear complaints or charges made against an employee of the Town of Westport and to discuss the discipline against an employee of the Town of Westport; and # 3 to discuss strategy with respect to collective bargaining. The vote was Selectmen Vieira, Spirlet, Ouellette, Dutra and Sullivan in favor.

Open Session & Adjournment:

On a motion by Selectmen Ouellette, which was seconded by Selectman Dutra, the Board voted unanimously to return to open session and adjourn the meeting at 9:29 p.m.

Respectfully submitted,

Denise Bouchard
Secretary to the Board of Selectmen

APPROVED: _____
R. Michael Sullivan, Clerk