

**BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MONDAY  
MAY 5, 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  
Stephen Lombard, Business Manager

Chairman Vieira 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.

\*Note: Richard Spirlet arrived at 6:52 PM.

At this time, Wayne Sunderland asked to make an announcement for the Cambra Family. There will be a Memorial Service on Saturday, May 10<sup>th</sup> at 11:00 AM in Beech Grove Cemetery for Fred Cambra, former Highway Department Surveyor and employee. The family is asking that in lieu of flowers, donations be made to the Westport Ambulance Fund.

**Cont'd Public Hearing – RE: A fee increase request from the Board of Health, Building Department Wiring Inspectors, Cemetery Department and Fire Department.**

The continued hearing was opened at 6:02 PM.

Wes Norman, Cemetery Department Mr. Norman stated the last increases were back in 2005/2008; he is making a recommendation to the Board for increases but if the Board does not want to raise the fees, they will stay the same; it is the Board's call, he only provided the information. Mr. Vieira noted there was a lot of background submitted for increasing the fees.

**Motion** made by Mr. Sullivan to approve the fee increases for the Cemetery Department as presented. Second by Mr. Dutra. The Board voted 4 in favor, 1-absent (Spirlet).

Robert Labonte, Plumbing Department Mr. Labonte stated the fees have not been increased since 2008. This request is not a necessary increase, it was only being requested in anticipation of coming back before the Board with a raise request for the inspectors, six months down the road. The important fees should be those dealing with the generators, because those are separate fees. The Plumbing Department coffers are healthy. Our fees are conservatively lower than other communities and the Department turns back money every year. Mr. Sullivan asked if the Town Administrator would look into the Revolving Fund and see if it is being used for the purposes it was intended for. Mr. Labonte stated that fees are used for Inspector Salaries and Administrative costs.

**Motion** made by Mr. Sullivan to approve the generator fees effective July 1, 2014. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Spirlet).

It was noted that the Fire Department withdrew their request and a letter was received from the Board of Health; no action was taken on the BOH request. The hearing is closed at 6:17 PM.

**Public Hearing – RE: An application request from Michelina Mello, Pauline Breault and Nancy Couture for a six-month seasonal trailer permit for recreational purposes to locate a trailer on 141 East Beach Road. The property is known on Assessor's Map 76A, Lot 42.**

The public hearing was opened at 6:17 PM with the reading of the Public Hearing Notice. Present: Michelina Mello. All paperwork was in order. No abutters were present. Mr. Ouellette reminded Ms. Mello this was a sensitive area. **Motion** made by Mr. Dutra to approve the transfer of a six-month Seasonal Trailer Permit for Michelina Mello at 141 East Beach Road with the Board of Health's approval being received. Second by Mr. Sullivan. The Board voted 4 in favor, 1-absent (Spirlet). The public hearing is closed at 6:19 PM.

**Gary Sherman, Shellfish Constable – RE: Shellfish Contracts for Quahog Relay.**

Present: Gary Sherman. Mr. Sherman stated requests for quotes were sent out; he was not recommending the lowest bidder, which he addressed in a letter to Mr. Lombard. Mr. Lombard stated he was okay with Mr. Sherman's recommendation and the process. Mr. Lombard stated the applicant has to be permitted through the State to do this type of work. **Motion** made by Mr. Dutra to award the Shellfish Contracts for Quahog Relay to F/V Ocean Rancher, Nancy Christine per recommendation of the Shellfish Constable. Second by Mr. Sullivan. The Board voted 4 in favor, 1-absent (Spirlet).

**Discussion – RE: Status of 319 Grant for Middle School.**

Mr. Healey stated that a quarterly status report of the 319 Grant was submitted by Norfolk Ram. We have run into a snag due to the Town not having funds for MBE/WBE but the Westport River Watershed Alliance is willing to help. We will have a full report in the future but for now, we are trying to finish the project with limited funds; we need either cash or in-kind services (Highway and Watershed have done in-kind). Mr. Healey stated there will be a meeting on Friday, in the Town Hall regarding this matter and hopefully, some options will be worked out.

**Discussion – RE: Status of road work (Bid/Rebid).**

Item was discussed under the Town Administrator's Report.

**Report of R. Michael Sullivan – RE: Beach Avenue Update – Alternate Plan Status.**

Mr. Sullivan stated that he had the opportunity to meet with all the interested entities regarding a piece of property for a turn-around on Beach Avenue; he met with Conservation, Fire, Police, Beach and Highway Departments and asked them to come back in two weeks with what is their interest in this project; if not in public, then in Executive Session, we can talk about what we want to derive from this arrangement. In regards to the Buzzards Bay group, the Planning Board has changed the 40 ft. turn-around; so their plan is taking shape. The biggest issue is the maintenance of a road not paved; part of the arrangement will be private funds to assist in the maintenance of that road. There are a number of entities involved in this project and he would look for direction from the Board as to whether they would like him to continue on this track. Mr. Vieira stated that we are going to have to bid this pavement out. Mr. Dutra stated at our last meeting, we voted and changes are happening; from my perspective, Mr. Sullivan should keep moving forward and report back to the Board on his progress and to keep working with the various departments. At some point, we may want to separate the bid for paving. Discussion continued regarding the vote taken and the course that should be followed. Mr. Vieira reminded everyone that a decision will have to be made in 45-60 days. Mr. Healey stated to the Board, that they should invite the engineer in to explain an add alternate and a deductive alternate. Information will be gathered for the next meeting; if not, bringing the engineer would be okay.

**Appointments**

1. **Motion** made by Mr. Dutra to appoint Richard Spirlet as Representative to the Bristol County Advisory Board. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Spirlet).

### **Action Items**

1. **Motion** made by Mr. Ouellette to accept the following donations made to the Shellfish Gift Fund: Lees Wharf Oyster Farm, Cindy Lees - \$2500.00 and Lees Market Community Partnership (receipt program) - \$548.96. Second by Mr. Dutra. The Board voted 4 in favor, 1-absent (Spirlet).
2. **Motion** made by Mr. Ouellette to award the bid for Cemetery Lot of Hard Wood to Craig Cambra. Second by Mr. Sullivan. The Board voted 4 in favor, 1-absent (Spirlet).

**Minutes** – None.

**Question and Answer Period** – None.

### **Town Administrator Report**

1. Mr. Healey gave the Board an update of the rebid on the road projects and the work on East Beach Beach Road By-pass. Mr. Sullivan questioned the work being done; is there a better way to get this done faster. Mr. Lombard stated the problem will be the price. Mr. Healey stated that rebidding will drive the price higher; and, the low bidder has taken on other work; now, the rebid is being worked on by the engineers but Mr. Healey will be speaking with them to get an idea of where they are at. Mr. Vieira asked Mr. Healey to email the Board members a timetable. Mr. Lombard reminded everyone that this new rebid needs to be placed in the Central Register for a 2-3 week advertisement period. Mr. Vieira stated we are probably looking at 45 – 60 days. Mr. Sullivan stated we are looking at four components we need answers to: when can we get it advertised; what is the bid process time; how long to award the bid once we get it; and how long before the bid awarder will be available to start work. Mr. Sullivan stated the biggest piece is getting the bid out. Mr. Sunderland asked how much jeopardy is the Town in with the former bid; Mr. Vieira stated we are concerned and waiting but that is all that will be said for now.
2. Mr. Healey presented a Final Resolution of the FLSA matter along with a prepared Reserve Fund Transfer Request and a prepared Reserve Fund Transfer Request to fund the Harper's Payroll Hardware and Software Package to the Board for their approval. **Motion** made by Mr. Sullivan to approve of the resolution and the Reserve Fund Transfer Requests. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Spirlet).
3. Mr. Vieira stated that an Executive Session (6-6:30PM) will be placed on the BOS Agenda of 5/12/14 to begin reviewing the applications for Town Administrator. Copies of each application will be in the BOS packets for review.

### **Correspondence Requiring Action**

1. **Motion** made by Mr. Sullivan to approve the request of Northeast Race Management, LLC for a Westport Half Marathon per recommendation of the Police Department. Second by Mr. Dutra. The Board voted 4 in favor, 1-absent (Spirlet).
2. **Motion** made by Mr. Ouellette to approve the field studies of the Westport Community Schools with the Westport River Watershed Alliance. Second by Mr. Sullivan. The Board voted 4 in favor, 1-absent (Spirlet).
3. **Motion** made by Mr. Dutra to approve the request of the Westport River Watershed Alliance for a bike ride per recommendation of the Police Department. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Spirlet).
4. **Motion** made by Mr. Ouellette to approve the request of the Acoaxet Chapter for a 5k run/walk per recommendation of the Police Department. Second by Mr. Sullivan. The Board voted 4 in favor, 1-absent (Spirlet).
5. No action necessary; informational only. This matter is being handled by Mr. Sullivan.

**Board Members suggestion of items for future agenda discussion/action**

1. Mr. Vieira stated on the agenda for Monday, May 12<sup>th</sup>, an item should be added to confirm a date for the Override and discussion of ballot items in addition to the Executive Session to review the Town Administrator applications. Mr. Healey stated a memo was received from the Board of Assessor's regarding the special election-school budget override and what the results would be if there is a favorable action taken. Mr. Healey noted that Milton is still pending for their special legislation.
2. Mr. Healey asked that on the agenda of May 12<sup>th</sup> an item be placed to approve the Forest Management Plans for two parcels that have been completed so far.
3. Mr. Vieira stated the Treasurer's position should be on the ballot also, as a yes or no vote.

**Other Business**

1. Mr. Spirlet thanked everyone for coming out to Town Meeting on Saturday and also the Booster Club for the refreshments.
2. Mr. Sullivan stated for the Board's consideration in the future, there were a couple of gentlemen from the COA who volunteered to review the Town's liability insurance and to review all of our insurance policies at no cost after reviewing the COA's insurance. Mr. Vieira stated it was up to Mr. Lombard but at this time, he is making sure that all Certificates of Insurance are coming in with the Town named as additional insured. Mr. Dutra stated he is concerned with this, especially with the Town having a tenant and someone doing a program; we should have had some information on this tonight. Mr. Lombard stated he has spoken with Christine Quinn on this and the need to have the Town listed as additional insured on the certificates.

**Executive Session – 7:11 PM**

**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 April 9, 2014. Second by Mr. Spirlet. The Board voted unanimously in favor.

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

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

**Open Session – 7:15 PM**

**Motion** made by Mr. Ouellette to adjourn the Board of Selectmen meeting. Second by Mr. Dutra. The Board voted unanimously in favor.

**Adjournment.**

Respectfully submitted,

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

APPROVED: \_\_\_\_\_  
R. Michael Sullivan, Clerk