

**BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
TUESDAY  
JANUARY 19, 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

Vice Chairman Sullivan called the Board of Selectmen meeting to order at 6:02 P.M. in the Westport Town Hall, 816 Main Road, Westport, MA with the reciting of the Pledge of Allegiance by all present.

\*Note: Mr. Dutra arrived at 6:25 PM.

**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 accept the resignation of Nicholas Christ from the Westport Affordable Housing Trust and to send a letter of thanks. Second by Mr. Spirlet. The Board voted 4 in favor, 1-absent (Dutra).

**Discussion – RE: FY 2017 Municipal Budget.**

Mr. King stated the budget tonight is the same budget as previously presented. Mr. King asked how the Board would like any changes to be implemented into the budget. Mr. Dutra stated he would like to see more order in this process than what happened last year. Mr. Dutra asked when the due date was to get the budget to the FinCom; Ms. Shufelt (FinCom) stated that a detailed estimate is due no later than February 20<sup>th</sup> and March 10<sup>th</sup> is the completed warrant and March 31<sup>st</sup> is the deadline following all the public hearings. Mr. Dutra stated the Board should set a deadline for Department Heads to get their information to the Town Administrator. Mr. King stated that as he gets changes/requests, he will make a list and send that list to the Board for review and he will then incorporate those changes. Mr. Dutra stated he did not want piece meal; it would be better that Mr. King look at the requests, speak with the Department Heads and incorporate those changes, so the Board is dealing with a couple of big chunks instead of a lot of little ones causing confusion. Mr. Vieira stated how about the first week in February for the Board to react to the budget and then one more meeting to make changes and finalize before it goes to FinCom. Mr. Dutra asked Mr. King if this budget has been circulated to all Department Heads; Mr. King responded yes. Mr. Dutra stated the deadline then will be February 1<sup>st</sup> for all changes; the Board can do their initial review on February 8<sup>th</sup> and a finalization on February 22<sup>nd</sup> with the budget going to the FinCom by February 23<sup>rd</sup>. Mr. Vieira stated an email from the Moderator was received asking that he get a copy. Ms. Shufelt stated the budget that has already been sent, she would consider an estimate (which is due Feb. 20<sup>th</sup>). Mr. Dutra stated the Board may even be able to complete the budget at the meeting on the 8<sup>th</sup>, if not, we will have another bite of the apple on the 22<sup>nd</sup>, so far, as he has read the budget, it is conservative, it will be making a few changes in the terms of revenue, and

there are no salary increases. Mr. Dutra stated the Board will go with the 2/8/16 and 2/22/16 dates and have something to the FinCom by 2/23/16; and asked that Mr. King do a high level presentation with questions from the Board. Mr. Dutra stated that people can make suggestions but proposals from the floor will not be considered by the Board because he would rather be able to read the proposals before acting on them; any proposals should be done well in advance of the 2/8/16 meeting. Mr. Vieira stated he has some concerns if stuff has been given to the FinCom; he was under the impression that tonight, the BOS would be talking to the Board of Health regarding proposals in the budget. Mr. Dutra stated his understanding was Mr. King was going to reach out to the Chairman of the Board of Health and talk about the proposals that were in his budget so the BOH understood what those proposals were, not that we would be meeting with them. Mr. Vieira stated our goal is to have a balanced budget by Feb. 22<sup>nd</sup> and the warrant article if we are going to be doing something with the Transfer Station. Mr. King stated he spoke with Mr. Colletti who stated the BOH plan on submitting a warrant article to do away with the Enterprise Fund for the Transfer Station; the problem with that is it won't be effective until FY'18. Mr. Vieira suggested having the Board of Health into the next BOS Meeting; we should try to reach out before Town Meeting floor; we should get some kind of agreement. Mr. King asked if any others should be brought in because he had concerns about the Council on Aging due to them running out of transportation funds. Mr. King and Mr. Sullivan then explained what is happening at the COA in terms of their revolving accounts to the general funds. Mr. King stated the Board should get an understanding of what they are proposing and why; Mr. Dutra agreed to bring in the COA also. Mr. Vieira stated we should also have Information Technology, Conservation Commission (although that is probably a wash) and Veterans, along with the Highway Dept. Mr. King stated Highway should come in because he is proposing to eliminate one vacant position at the Highway Dept. and there is an article for a truck on the warrant. Mr. King stated he can explain the Conservation and Veterans. Mr. Vieira stated the only other big item would be Debt Service. Mr. Sullivan stated we have an additional \$300,000, what is using that up because none of it is going to raises; he asked Mr. King to give the top five or six items using this. Mr. King stated an increase in Pension Assessment, increase in Health & Life Insurance costs, proposing a \$100,000 increase for OPEB, proposing an increase of \$50,000 in the General Fund for Capital Improvements and an increase of \$75,000 for Snow & Ice. Mr. Vieira stated there is a significant increase in the IT Budget; Mr. King stated he will bring Mr. Novo to explain. Mr. Vieira asked why are we not upgraded to Microsoft from Libre, where does that money go if we are not upgraded yet. Mr. Ouellette stated he thought some of the Cable money was being used to upgrade because originally, he argued about that money being used; that money was being put into the General Fund to upgrade the licenses. Mr. Spirlet stated that was voted on three years ago at Town Meeting because we stated we were having trouble with our IT equipment and software. Mr. Dutra stated that was part of Capital. Mr. Sullivan stated that Mr. Novo can answer to what has happened to our attempts in the past to upgrade. Mr. King stated those are the major changes; the other major change will be moving the Shellfish out of the General Fund and combining it with the Harbor Enterprise Fund; from a cash point of view, it is a wash. Mr. Vieira asked what was left in Free Cash; Mr. King stated he would say about \$450,000. Mr. Dutra asked if that was in this budget; Mr. King stated there is an appropriation in the General Fund that would go to Marine Services Enterprise fund in the amount of \$65,000. Mr. Spirlet asked why. Mr. King stated because you will find there will be regular resistance from the Advisory Committees, because the total costs of all those activities would be greater than the revenues that are generated. Mr. King stated they use the retained earnings in their Enterprise Fund to fund their Capital Improvements; they want to increase the retained earnings to have it available for Capital Improvements. Mr. Sullivan asked if combined, they are slightly reduced? Mr. King stated no, they are substantially the same. Mr. King stated if the Board looks at the Enterprise Fund page, there is a savings. Mr. Spirlet stated it was told to the FinCom that they would be looking to put another person; Mr. King stated that is included in the budget. Mr. King stated they are looking

at an Assistant position; Mr. Vieira questioned an Assistant in both departments. Mr. King stated no, one top person and one assistant. Mr. Ouellette advised the Board, that Mr. Leonard will be going before the Westport Economic Development on Thursday to talk about Aquaculture. Discussion ensued regarding direct and indirect costs and procurement guidelines. Mr. Vieira stated we need to have a vendor file showing what was paid in previous years. Mr. Vieira stated he has been asking for this for the past five years. In another note, Mr. Ouellette mentioned that travel reimbursement has been changed at the State level, it has gone down; the Board needs to vote on this adjustment for the Town. Mr. King stated there is no need to vote because the BOS voted last year a policy to follow the State rate. Mr. Ouellette stated the Board needed to be notified of the rate modification. Mr. King stated he will be sending out a memo to all that due to the decrease in fuel costs, to make an adjustment in their budgets for fuel costs. Mr. Ouellette stated he has not gone over all the budgets yet, but he noticed the ACO went up by \$500. Mr. Vieira asked that Mr. King see if the Board can get a vendor list with costs. Mr. Sullivan stated we also need to get everyone working on the same computer system. Discussion ensued; this will be addressed with Mr. Novo. Mr. Dutra asked if there were any more items to discuss; none were received.

### **Action Items**

1. **Motion** made by Mr. Vieira to approve the License Agreement for Use of Town Property with the Westport Girl's Softball League and allowing the Chairman to sign the agreement. Second by Mr. Ouellette. Discussion: Mr. Spirlet questioned if the WGSF had the necessary liability insurance; Mr. King responded yes. Mr. Sullivan stated this will provide non-exclusive use of the property; Mr. King stated yes. The Board voted 4 in favor, 1-absent (Dutra).
2. **Motion** made by Mr. Ouellette to award the contract to Ameresco for the development, construction and delivery of a solar PV system for the Landfill. Second by Mr. Ouellette. Discussion: Mr. King explained the process and the recommendation from Power Management; four companies requested bid packages but only one (Ameresco) submitted a bid. Mr. Sullivan questioned the PILOT; Mr. King stated it is a one-time payment in lieu of personal property tax. Mr. Vieira asked if the Energy Committee was consulted; Mr. King replied yes. Mr. Sullivan asked Mr. King to contact Kearsarge Energy to find out why they did not submit a bid; Mr. King stated he would do so. The Board voted 4 in favor, 1-absent (Dutra).
3. **Motion** made by Mr. Ouellette to approve the warrant for the Presidential Primary on March 1, 2016. Second by Mr. Vieira. The Board voted 4 in favor, 1-absent (Dutra).
4. **Motion** made by Mr. Vieira to approve with the recommendation of the Town Administrator and with the signing of the Chairman or Vice Chairman, the Memorandum of Understanding with the Westport School Committee regarding the Westport Middle School, effective January 1, 2016. Second by Mr. Ouellette. Discussion: Mr. Ouellette questioned the funding in regards to budgeting; Mr. King stated it is from the ATM FY'16 Article (\$90,000); Mr. King stated that as we get further along in this fiscal year and he anticipates some costs, he will bring it forward to the Board. Mr. Vieira questioned plowing of the property; Mr. Sullivan stated it was covered under Item #6. The Board voted 4 in favor, 1-absent (Dutra).

### **One-Day Liquor Licenses** – None.

### **Town Administrator Report**

Police Station Project – OPM: Mr. King stated the Town has received seven statements of qualifications from firms interested in the Owner's Project Manager (OPM) for the proposed Police Station. The Police Station Building Committee will be reviewing them, interview the finalists and making a recommendation to the Board of Selectmen. Mr. Sullivan stated we talked about this 2-3

weeks ago, and as he recalled, there was some catch here on how much we can negotiate before we select them. Mr. King explained according to MGL, the firm has to be picked first and then negotiations can begin. Mr. Sullivan requested the MGL so he could review it. Mr. Vieira stated he shared Mr. Sullivan's concerns; he has just gone through this for the school building; he did not understand the logic behind it but it is the procurement laws. Mr. King stated it is the special provision of the procurement law for the construction of public buildings (for OPM & Architectural Firms).

MassDOT – Routes 6 & 88 Ramp: Mr. King stated a couple of months ago, the Board expressed concerns about the flooding at Rte. 6 & 88; it was requested to have MADOT address this issue. This caught the attention of Rep. Schmid who followed up on it. Mr. King stated he has provided a brief description of what is being done to address this; the State is planning on elevating that stretch of road that has caused puddles to form on that state stretch; in the interim, the MADOT plans to divert some water from the area by installing catch basins. The project is a major one and will take some time to complete. It was noted that last winter's snowy weather, caused flooding when it melted. Mr. Vieira stated his concern about the State getting involved is when just elevating the road and put catch basins in, there is wash off of salt and sand and the State needs to correct this because there are some sensitive areas and wetlands. Mr. King stated he would follow-up on this.

MIIA Safety Grant: Mr. King stated the Town has received a \$5,000 Safety Grant from MIIA to implement a “BeSafe” program to improve the Town's emergency response capabilities for School Buildings. The program includes identification and logging of critical information about each school building that can be easily accessed by firefighters, police, paramedics and public health personnel responding to emergencies for detailed floor plans, numbered doorways, photos, unique building features and key contents.

Westport Land Conservation Trust Management Plan – Herb Hadfield Conservation Area: Mr. King stated the Town has been provided with the management plan for the Herb Hadfield Conservation area.

Community Television Report: Mr. King stated he has provided the Board with the monthly report of the Westport Community Television from John Rezendes.

COA Director's Monthly Report: Mr. King stated he has provided the Board with the monthly report of the COA Director, Beverly Bisch.

Westport School Building Feasibility Study – OPM: Mr. King stated the MA School Building Authority has approved the Town's selection of Daedalus Projects, Inc. to be the Owner's Project Manager (OPM); the next step is to go through a procurement process and to select a designer. Mr. King stated he will be working with the OPM.

New Website: Mr. King stated that work is continuing on the new website by Virtual Town Hall (VTH); they are beginning to migrate content from the various pages of the old website to the new one. Mr. King stated the Board has been provided with a list of the people who will be responsible for the various pages. Mr. Ouellette asked if there are any snags being run into; Mr. King responded none, VTH is doing a good job. Mr. Vieira stated the list seemed to be missing some web page personnel; Ms. Pelland stated she will look into the list.

Community TV: Mr. King provided an email to the Board from John Rezendes regarding the move on April 20, 2016 of all three Peg Channels to the High School; this move will not allow any live airing of meetings until completion from the 20<sup>th</sup> to the 22<sup>nd</sup>. Mr. Rezendes has asked to be notified if there are any problems.

## **Discussion Items**

1. Municipal Bid Award Results – Capital Improvements Stabilization Fund: Mr. Spirlet stated that every year, we try to put money into Capital Improvement or Stabilization at Town Meeting but nothing seems to get there. Mr. Spirlet stated he was thinking that when we get rid of all the Town's surplus equipment using Municipal, that money could be earmarked for the Stabilization Fund and

leave it there, rather than putting it into the General Fund where we get nothing. Mr. Spirlet stated he would like a vote on this; he was not sure if it would require a Town Meeting vote to do this. Mr. Spirlet stated at least this would be a start. Discussion ensued. Mr. Sullivan questioned the mechanics of this. Mr. Vieira stated we can check with Town Counsel on the proper procedure and then see if we can get it on this warrant. Mr. King stated he believed the BOS should vote, he would then check with Town Counsel on the proper way to execute this and if need be, he would prepare an article for the warrant. **Motion** made by Mr. Vieira to move forward with this concept, to have Mr. King check with Town Counsel and if need be, prepare a warrant article. Second by Mr. Spirlet. Discussion: Mr. Ouellette stated it is a good idea but he could not vote for it; he would want the funds to go to the General Fund and not earmarked directly for anything, in case we are in dire straits, we have something to go to. The Board voted 3 in favor, 1-opposed (Ouellette) and 1-absent (Dutra).

2. Discussion about possible Personnel Bylaw Provision amendments: This item was held in Executive Session.

### **Minutes**

**Motion** made by Mr. Vieira to approve the Regular Meeting Minutes of January 11, 2016. Second by Mr. Spirlet. The Board voted 3 in favor, 1-abstention (Sullivan), 1-absent (Dutra).

**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** – None.

### **Other Business**

1. Mr. Ouellette asked for an update on the car lots operating without licenses. Ms. Pelland informed the Board that four licenses were being held on. Mr. Ouellette stated these are concerns, especially one that has been troublesome.
2. Mr. Ouellette reminded everyone that the roads are very slippery, please drive carefully, there has been a bunch of accidents this week.
3. Mr. Spirlet stated hats off to the Highway Department and Quentin Lord who oversaw a recent project. Mr. Spirlet stated they used a military surplus tractor, two sanders and a plow to create a monstrous vehicle that can plow out anything. Mr. Spirlet stated for short money the guys were able to put this vehicle together out of two older vehicles; now, there is not a street in Town that can't be opened up, like when Adamsville Road had those huge snowdrifts. Mr. Spirlet commended the Highway Dept. personnel. Mr. Spirlet also mentioned another project that was worked on was the old Fire Engine, which they outfitted to pre-treat all the roads with brine. Mr. Spirlet stated they did a great job.
4. Mr. Vieira stated he received a call this morning regarding the Boys Basketball and asked how the matter was being handled; Mr. King stated all has been addressed.

### **7:06 PM Executive Session**

**Motion** made by Mr. Sullivan to enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21 to approve Executive Session Minutes of 01/11/16 and to discuss a Personnel Matter. Second by Mr. Ouellette. 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 following the Executive Session in order

to adjourn.

**7:50 PM Open Session**

**Motion** made by Mr. Ouellette to adjourn the Board of Selectmen Meeting. 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