

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
JUNE 27, 2016**

Members Present: R. Michael Sullivan, Chairman
Steven J. Ouellette
Antone C. Vieira Jr.
Shana M. Shufelt, Clerk

Members Absent: Craig J. Dutra, Vice Chairman

Also Present: Timothy J. King, Town Administrator

Chairman Sullivan opened the meeting at 6:03 p.m. with a salute to the flag and publicly announced under M.G.L. Chapter 30A, Section 20(e) that the meeting was being recorded.

Ferry Farm Fire:

Chairman Sullivan read a statement from Fire Chief Brian Legendre thanking all fire department personnel for their strong work at the fire at the Ferry Farm on Gifford Road this past weekend. The departments initial efforts made the difference between the Ferry's losing just their barn and not losing their home.

Appointments and/or Resignations:

1). Selectman Ouellette made a motion to reluctantly accept Virginia Routhier's resignation from the Council on Aging and to send her a thank you letter. The motion was seconded by Selectman Shufelt and was voted unanimously.

2). Annual Appointment FY'2017 Continued

Chairman Sullivan noted that they had approximately 30 appointments. Many cases of which were uncontested and did not have applicants. He stated that he would like to address all of the appointments at once except for the Beach Committee, Conservation Commission and the Water Resource Management Committee. Selectman Shufelt read the names of the individuals being appointed to the requested boards and committees (Craig J. Dutra, ADA Transition Plan Committee; R. Michael Sullivan, ADA Transition Plan Committee; Antone C. Vieira Jr., Cable Advisory Committee; Marcia W. Liggin, Council on Aging; William Gifford, Council on Aging; Karin Bergeron, Council on Aging; Catherine Davis, Council on Aging; R. Michael Sullivan, Energy Committee; Elaine Berke, Personnel Board; R. Michael Sullivan, Tax Incentive Program Committee; Craig J. Dutra, Westport Affordable Housing Trust Fund; Robert Russell,

Westport Agricultural Commission Alternate; Ned B. Daniels, Westport Cultural Council; Steven J. Ouellette, Westport Economic Development Task Force; Brian Legendre, Waterways Oil Spill Coordinator; Mark Gitlin, Public Weigher; Chris Capone, Open Space Committee; James Walsh, Open Space Committee; and Andrew Sousa, Open Space Committee). She then made a motion to appoint all the named individuals. Selectman Ouellette seconded the motion, which was voted unanimously.

Beach Committee

Jeff Bull – Mr. Bull told the Board that he would like to be reappointed and explained what he had been doing on the Committee, specifically serving as Secretary, being the sign design/install person, website manager, data/email manager and in the process of accumulating data for an improved 2017 beach pass application procedures. He noted that he was trying to work for solutions to the issues especially for the residents of the Town.

William Underwood – Mr. Underwood stated that he had lived in Westport since 1976, was a founding member of the Spindle Rock Club and the Charlton Dock Corp. as well as a member of the Stewardship Committee of the Westport Land Trust and had served as chairman of the Town Building Committee and the Historical Commission. He also stated that he was familiar with the rules relating to meetings, hearings and procurement.

Selectman Vieira noted that he would not be supporting Mr. Underwood because Mr. Bull has done a lot of work on the Beach Committee. He continued by saying that he wants someone who will not be concentrating on just one beach. Selectman Vieira then made a motion to reappoint Jeff Bull to the Beach Committee. Selectman Ouellette seconded the motion. Selectman Shufelt stated that she did not believe that elected officials should be appointed to committees. The vote was Selectmen Vieira and Ouellette yes and Selectmen Sullivan and Shufelt no. Motion defeated. The Board agreed to postpone, until their next meeting, the appointment to the Beach Committee when all 5 Selectmen would be in attendance.

Conservation Commission

Philip Weinberg – Mr. Weinberg informed the Selectmen that he had worked at DEP and was very familiar with the Wetland Protection Act and DEP's regulations and policies. He felt that his experience would benefit the Conservation Commission and reduce the likelihood of appeals and increase the potential for a successful resolution in the event an appeal cannot be avoided.

Burton Bryan – Mr. Bryan did not appear for his interview. Chairman Sullivan read Mr. Bryan's letter detailing that he had been a member of the Norwell Conservation Commission for over 20 years and had also served as a conservation agent and wetlands consultant.

On a motion by Selectman Vieira, which was seconded by Selectman Shufelt, the Board voted unanimously to appoint Philip Weinberg to the Conservation Commission. The Selectmen agreed to send a letter to Mr. Bryan telling him there is a possibility that the Conservation Commission could have a vacancy in September and that he could apply again.

William Harkins & Maury May RE: Proposal for Reorganization of the Water Resources Management Committee:

Water Resources Management Committee (WRMC) members William Harkins and Maurice May met with the Selectmen to discuss the makeup of the committee. Mr. Harkins told the Board that he would like to change the Conservation Commission representative position to an At-Large position. He reported that the Conservation Commission representative had not attended a WRMC meeting in over a year. Mr. May informed the Board that he had spoken with the chairman of the Conservation Commission who had told him that Philip Weinberg, the new member of the Conservation Commission, might be willing to serve as the representative. Chairman Sullivan responded that the Selectmen would take their recommendations under advisement until their July 11th meeting. He also remarked now that Mr. Harkins was a member of the Board of Health, he could serve as the Board of Health representative to the WRMC which would leave a Precinct C representative vacancy.

Action Items:

- 1). On a motion by Selectman Vieira, which was seconded by Selectman Shufelt, the Board voted unanimously to approve the request from the Elephant Rock Beach Club to allow parking for one day, Saturday, July 16th, on the north side of Atlantic Avenue for their annual Sandcastles & Sundaes event.
- 2). Selectman Vieira made a motion to approve the one-year extension to the agreement between the Town of Westport and Ellis Withington for assessing consultant services as recommended by the Town Administrator. Selectman Ouellette seconded the motion, which was voted unanimously.
- 3). Selectman Shufelt made a motion to approve the CPC grant agreement with the Westport Grange #181 for \$22,000 to be used to preserve and rehabilitate the foundation of the building. The motion was seconded by Selectman Ouellette and was voted unanimously.
- 4a). Selectman Ouellette made a motion to approve the one-year lease of the Town Hall Annex basement to Maria Reboca and Maria Phillips (Codim Monk Nursery School) for \$500/month. The motion was seconded by Selectman Shufelt. Selectman Vieira noted that he would support this but questioned the bidding procedure from the procurement standpoint. At some point the Board needs to look at the way it's advertised because the Town only had one response. Chairman Sullivan directed Mr. King, in the future, to look into whether the Town was getting market rates for similar rental properties. The motion was voted unanimously.
- 4b). Chairman Sullivan noted the bidder had bid the same price for all three years for the lease of the Town Farm North Apartment. He continued by saying that there should be an inflation adjustment and, if there was not going to be, the Town should pick a price that would be good for all 3 years of the lease. Mr. King suggested that the Board approve the lease for one year and then direct him to go back to the bidder to negotiate an escalation provision if she wants a second or third year. Selectman Shufelt made a motion to approve a one-year lease of the Town Farm North Apartment with Patricia Souza for \$10,020/year (\$835/month) with the stipulation that the Town Administrator make clear that we probably should have some modest inflationary increase in subsequent years. Selectman Ouellette seconded the motion, which was voted unanimously.

5). On a motion by Selectman Shufelt, which was seconded by Selectman Ouellette, the Board voted unanimously to approve the contract with Tibbetts Engineering Corp. for professional engineering services for 2016 road improvements for various roads.

6). Selectman Vieira made a motion approving the Memorandum of Agreement with the Westport Police Association for Fiscal Year 2017. Selectman Ouellette seconded the motion – voted unanimously.

Liquor Licenses:

1). Selectman Vieira made a motion to approve the three requests from the Holy Ghost Club for One-Day All Alcohol Liquor Licenses for July 10th, July 16th and July 23rd. The motion, which was seconded by Selectman Ouellette, was voted unanimously.

2). Selectman Ouellette made a motion to approve the request from the Westport Fishermen's Association for a One-Day Wine & Malt Liquor License for their 5th Annual Fishing Derby on Saturday, July 16th. Selectman Shufelt seconded the motion which was unanimously approved.

End of Year Budget Transfer Requests:

There was discussion concerning the two budget transfer requests from the Fire Department (\$30,000 being transferred from Personnel Services to General Expenses in order to install automatic compression equipment in the front line ambulance) and the Police Department (\$34,000 being transferred from Personnel Services to General Expenses to purchase another police cruiser in addition to the 3 approved by Town Meeting). Chairman Sullivan noted that these were capital expenditures that should go through the Capital Improvement Planning Committee process and in the CIPC plan to be funded. Selectman Ouellette made a motion to approve both budget transfer requests. The motion was seconded by Selectman Vieira. Chairman Sullivan requested that the motion be amended to include sending a memo to both chiefs to remind them that next year like purchases will already have been put on the CIPC plan so they can be considered funding in that fashion versus last minute. Selectmen Ouellette and Vieira both agreed to the amendment. The motion was voted unanimously.

Town Administrator Report:

1). 2016 Groundwater Monitoring Report submitted to DEP from Campbell Environmental Inc. - Chairman Sullivan directed the Town Administrator to find out if Campbell Environmental could provide a timeline on each of the nine test wells on how much longer it will take for the hydrocarbons to dissipate.

2). During discussion regarding the timeline of the Westport School Feasibility Study, the Selectmen directed Mr. King to find out which meeting they would be attending.

5). On a motion by Selectman Vieira, which was seconded by Selectman Ouellette, the Board voted unanimously to send a letter supporting the Westport Fishermen's Association's in their partnership with the Woods Hole Marine Biological Laboratory, the Buzzards Bay Coalition and the Buzzards Bay

National Estuary Program to examine the rapid decline of salt marshes in the Westport River, particularly in the West Branch.

Cemetery Foreman Vacancy:

Mr. King informed the Selectmen that because of the Cemetery Foreman vacancy, Mark Roy and Steve Souza have been performing some of the duties of that position. He went on to say that the normal practice would be to pay one person 90% of the hourly rate (\$23.26), which would be \$20.94 hour. The Town Administrator proposed that each be paid ½ of the difference between 90% of the Cemetery Foreman's hourly rate and their current hourly rate of \$18.22. Each would therefore be paid an additional \$1.36 hour which would be effective from the last date of the previous Cemetery Foreman's employment. Selectman Ouellette made a motion to approve the Town Administrator's plan. Selectman Shufelt seconded the motion as long as there are sufficient funds to do this retroactive to the 1st pay period after the previous Cemetery Foreman's resignation. The motion was unanimously approved.

Approval of 5/31/16 Regular Meeting Minutes:

Selectman Vieira made a motion to approve the 5/31/16 Regular Meeting Minutes as written. The motion, which was seconded by Selectman Shufelt, was passed with Selectmen Sullivan, Vieira and Shufelt voting yes and Selectman Ouellette abstaining.

Question & Answer:

There were no questions for the Board.

Selectmen Liaison & Committee Reports:

Selectmen Shufelt reported that the Budget Advisory Committee had met twice. The committee was working on improvements in communication and having discussions on revenue early in the budget cycle.

Selectman Vieira noted that the School Building had met the previous week and they had reviewed proposals that the architect had submitted and there were a number of them that had renovations and additions as well as new buildings. He said that at their meeting that week the architect would be providing the committee with the costs associated with the various options. The committee would then narrow down the choices.

Selectman Ouellette reported that the Westport Economic Development Committee had voted to pay for the app the Board approved. This way any business can get on without an issue. He continued by saying that Selectmen Vieira was helping them to try to get a UMassD student to perform the work (for credits) to build it up, do the research and maybe take digital pictures of the businesses. They will try to get every business that is registered in Town on the app. Economic Development (Maury May) is also working on a Turnip Festival and a Farmer's Market for the holidays.

Chairman Sullivan noted that he had attended the Energy Committee meeting and much of what was discussed was Mr. King working with Energy Committee chairman Tony Connors trying to sort out the net-metering credits and the 32 accounts. Hopefully the Town will be able to apply all the credits and make use of them.

Board Member Comment & Announcements:

Chairman Sullivan spoke about Ben Booth and his idea to bring rowing to the Town. His project involved having 2 thirty-two foot long wooden boats which were built by Westport students during the school year. Funding for the project was from private sources and a local business donated the space to build the boats. A well-attended launching ceremony was held this past weekend at the Head of Westport Landing.

Selectman Vieira mentioned William Rigby who past away the previous week. He said that Mr. Rigby worked in the Town for many years and that he and his wife were involved in several organizations. Selectman Vieira noted that wanted to recognized Mr. Rigby's and his family's contributions to the Town.

Selectman Ouellette urged people to view the riptide video posted on the Town's website.

Executive Session:

Selectmen Michael Sullivan, Steven Ouellette, Antone Vieira and Shana Shufelt, on a roll call vote, voted to enter into executive session at 7:56 p.m. under Massachusetts General Laws Chapter 30A, Section 21, to discuss Collective Bargaining (L.A.W.). The vote was Selectmen Sullivan, Ouellette, Vieira and Shufelt in favor.

Open Session & Adjournment:

On a motion by Selectmen Ouellette, which was seconded by Selectman Shufelt, the Board voted, by roll call vote, to return to open session and adjourn the meeting at 8:43 p.m. The vote was Selectmen Sullivan, Ouellette and Shufelt yes and Selectman Vieira no. Selectman Vieira felt that more discussion was needed for the collective bargaining issue.

Respectfully submitted,

Denise Bouchard
Secretary to the Board of Selectmen

APPROVED: _____
Shana M. Shufelt, Clerk