

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY
SEPTEMBER 19, 2016**

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

Also Present: Timothy J. King, Town Administrator

Chairman Sullivan called the Board of Selectmen meeting to order at 6:00 P.M. in the Westport Town Hall, 816 Main Road, Westport, MA.

Pledge of Allegiance

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

Public and Board Member Comment

Walter Barnes brought to the attention of the Board of Selectmen, the Marine Safety Bulletin regarding the proposed changes to Federal Aids-to-Navigation for the removal of the navigational aid near Two-Mile Rock, which is southeast of the entrance to Westport Harbor. Mr. Barnes stated this is a lighted bell buoy that is an approach buoy to avoid all rocks in that area. Mr. Barnes advised that there will be a meeting on this in Bourne, MA. Mr. Sullivan suggested to Mr. Barnes, though short on time, he should collect signatures on a petition for the meeting. Mr. Barnes stated he wanted to make the BOS aware of this.

Acknowledgments & Recognitions

1. An official proclamation for Ataxia Awareness Day was presented. Present were James Coyne and his daughter Bethany Coyne. **Motion** made by Mr. Dutra to make September 25, 2016 as Ataxia Awareness Day. Second by Ms. Shufelt. The Board voted unanimously in favor.
2. Official citations recognizing Westport's First Responders were presented to Police Chief Pelletier and Fire Chief Legendre. Also present: Police Lt. Bell and Firefighter/Paramedics Andy Ferraini and Rob Green.

Appointments and/or Resignations

1. **Motion** made by Mr. Dutra to appoint Caroline Bolter as an Alternate Member on the Historical Commission. Second by Mr. Vieira. The Board voted unanimously in favor. Ms. Bolter was present.
2. **Motion** made by Mr. Dutra to appoint Henry Swan as an Alternate Member on the Historical Commission. Second by Mr. Vieira. The Board voted unanimously in favor. Mr. Swan was present.
3. **Motion** made by Mr. Dutra to appoint Brian C. Gallagher to the Commission on Disability. Second by Mr. Vieira. The Board voted unanimously in favor. Mr. Gallagher and Stanley Cornwall were present.
4. **Motion** made by Mr. Ouellette to appoint Robert J. Oliveira to the Cable Advisory Board. Second by Mr. Vieira. The Board voted unanimously in favor. Mr. Oliveira was present.

Public Hearing – RE: An application request from Star Port Corp. d/b/a Star Country Store & Deli located at 526 Sanford Road, Westport, MA for the transfer of a Wine and Malt Package

Store Liquor License from Janet's Country Store, 526 Sanford Road; Pledge of Liquor License; and application for a Common Victualler License - Twinkle B. Patel, Manager.

The public hearing was opened at 6:42 PM. Present: Twinkle B. Patel was present. Mr. Patel stated he was purchasing the property in addition to the business; there will be no changes to the business, only the name. Abutter Luke Carreiro, 535 Sanford Road stated his concern was signage and hours of operation, which were set by a Zoning Board decision. Mr. Patel stated the hours of operation will remain the same and so will the signage. Ms. Shufelt questioned the Common Victualler license. Ms. Pelland stated that is due to the store selling food. Mr. Ouellette stated his only concern was there be no signs lined up along the roadway. Mr. Patel stated the only signs is the present one. Mr. Vieira stated that all seemed in order and he supported this transfer. **Motion** made by Mr. Vieira to approve. Second by Mr. Ouellette. The Board voted unanimously in favor. Hearing is closed at 6:45 PM.

Beverly Bisch, COA Director – RE: A. Request for a Staffing Change. B. Appointment of Stella Farias as COA Principal Clerk. C. Discussion of a time-line development for the transition of this position.

Ms. Bisch, Stella Farias and Brad Brightman were present.

- A. Staffing Change: **Motion** made by Mr. Dutra to approve the Staffing Change (eliminate an unfilled Part-time Transportation Clerk and add an additional Supportive Day Program Aide) as recommended by the COA Director. Second by Ms. Shufelt. The Board voted unanimously in favor.
- B. Appointment of Stella Farias as COA Principal Clerk: **Motion** made by Mr. Dutra to accept the Town Administrator's recommendation and appoint Stella Farias as COA Principal Clerk effective October 15, 2016. Second by Ms. Shufelt. Discussion ensued. Motion and second are withdrawn. **Motion** made by Mr. Vieira to go along with the COA Director's recommendation and the 1st half of the Town Administrator's recommendation to appoint Stella Farias as COA Principal Clerk and to have the Town Administrator with the COA Director and Ms. Farias on a dateline. No second was received. Discussion again ensued. **Motion** made by Ms. Shufelt to appoint Stella Farias as COA Principal Clerk effective October 3, 2016 under the COA Director's recommendation. Second by Mr. Vieira. The Board voted 4 in favor, 1-opposed (Dutra).
- C. Discussion of a time-line development for the transition of this position: Mr. King stated he will work with Ms. Bisch on this. Mr. Ouellette questioned if a stipend would be paid for Ms. Farias' extra work with the payroll; everyone else who does extra gets a stipend. No response.

Continued Public Hearing – RE: An application request from Supreme Westport Fuel, Inc. d/b/a Supreme Gas located at 174 State Road, Westport, MA for the transfer of an All-Alcohol Package Store Liquor License from Westport Liquors, Inc. at 151 State Road to Supreme Westport Fuel, Inc. d/b/a Supreme Gas located at 174 State Road, Westport, MA – Ankit Patel, Manager.

The continued public hearing was opened at 7:15 PM. Ankit Patel and Attorney Williams were present. Mr. Vieira noted that confirmation was received from the ABCC regarding the transfer of this license. Attorney Williams presented a detailed plan of the business and certification of the TIPs course. Attorney Williams stated the coolers containing the alcohol will be locked down during non-selling hours. Mr. Ouellette stated his concern was a full liquor license and a gas station in one location. Abutter Richard Briere, 233 Sanford Road opposed the transfer and questioned if this was a current, valid license because the license never came back to the Town; he stated the LLA (BOS) need to investigate whether it is a current valid license and also mentioned that the Town was not in compliance with it's allocation of licenses. **Motion** made by Mr. Dutra to approve the transfer request. Second by Ms. Shufelt. The Board voted 4 in favor, 1-opposed (Ouellette). **Motion** made by Mr. Dutra that the ABCC be contacted for clarity of the Town's allocation. Second by Ms. Shufelt. The Board voted unanimously in favor. The hearing is closed at 7:30 PM.

Brad Brightman, Town Treasurer – RE: Discussion of the Treasurer's Office Staffing and Operations.

Mr. Brightman explained the staffing and operations in his office; he presented a table chart of the responsibilities of the Treasurer, Assistant Treasurer and Principal Clerk in the Treasurer's Office. Mr. Brightman noted that the items in bold type were not getting done or won't be done including but not limited to work on the Affordable Care Act, 32B Health Insurance Audit and OPEB Post Retirement Audit. Mr. Brightman stated he could not run the office alone; this office has always been three people. Mr. Brightman stated he came before the BOS on March 7th with a need, not a want. Mr. Brightman stated this will affect the Town financially. Mr. Brightman stated there is a sense of urgency and we need to work together on a plan. Mr. Brightman stated at the top of the list is payroll and benefits. Mr. Brightman stated he did not have the technical expertise to do the payroll. His office was a team approach with a certain flow; his clerk did not only service the Town side but also the School employees and Town retirees. **Motion** made by Mr. Dutra to table this matter due to no prior documentation being received. No second was received. A lengthy discussion ensued. **Motion** made by Mr. Ouellette to allow the posting of the Principal Clerk position in the Treasurer's Office. Second by Ms. Shufelt. The Board voted unanimously in favor. Discussion again ensued. **Motion** made by Mr. Vieira to have a discussion between the two offices before the next BOS Meeting in October. Second by Mr. Dutra. The Board voted unanimously in favor.

Action Items

1. **Motion** made by Mr. Dutra to approve the 10th Annual Watershed Ride on Sunday, October 2, 2016 per Police recommendations. Second by Mr. Ouellette. The Board voted unanimously in favor.
2. **Motion** made by Mr. Ouellette to approve the Acoaxet Chapel 5K run/walk for Saturday, September 24, 2016 per Police recommendations. Second by Mr. Dutra. The Board voted unanimously in favor.
3. **Motion** made by Mr. Ouellette to ratify the Memorandum of Agreement for a one-year contract extension with the Highway Department (AFSCME). Second by Ms. Shufelt. The Board voted unanimously in favor.
4. Robert Alves, Highway Dept. stated he was representing Mr. Gonsalves tonight and his concern was of paying for this out of the Highway Dept. budget, which would only leave \$7,000. Mr. King stated he spoke with Mr. Gonsalves who thought all of it was coming out of the Highway budget; this will not be contracted with a firm, the Highway Dept. will be doing the work. **Motion** made by Ms. Shufelt to approve the work for the cul-de-sacs of Windrush Lane and Miss Rachel Trail. Second by Mr. Dutra. The Board voted 4 in favor, 1-opposed (Vieira).
5. **Motion** made by Ms. Shufelt to accept the donations made to the Council on Aging in the amount of \$783. Second by Mr. Dutra. The Board voted unanimously in favor. It was noted there should be a Citizen's Spotlight for Jake & Ben Cross at a BOS Meeting in the future.
6. **Motion** made by Mr. Dutra to table this matter to another meeting. Second by Ms. Shufelt. The Board voted unanimously in favor. *Solar PILOT Agreements.
7. **Motion** made by Mr. Ouellette to award the 2016 Town Roadway Paving Improvements to Rochester Bituminous Products, Inc. in the amount of \$868,674. Second by Mr. Vieira. The Board voted 4 in favor, 1-absent (Dutra).

Liquor Licenses

None.

Town Administrator Report

Mr. King reviewed his report. Only one item required action, with the remaining items being informational.

Item #7 – F&R Auto: **Motion** made by Mr. Ouellette for the Board to move expeditiously forward to set a license revocation hearing for F&R Auto, engaging Town Counsel for guidance. Second by Mr. Dutra. The Board voted unanimously in favor.

Discussion Items

1. STM warrant articles. It was requested that all local media be contacted for putting the word out about the DPW Public Hearing on Monday, September 26th at 6PM in the Town Hall, 2nd floor meeting room. Mr. King summarized the warrant articles thus far: DPW creation, Board of Health nominating authority of Animal Inspectors and the request for transfer of funds - Middle School.
2. Ryan Mann, WLCT gave a presentation to the Board regarding the St. Vincent's dePaul property on Adamsville Road. The WLCT is beginning the process of determining how the 12-acre (parcel B) will be used following their acquisition of the property in June 2017. Mr. Mann stated he was formally inviting the Town to submit proposals to the WLCT outlining how the Town might want to use Parcel B and/or articulate clear preferences the Town might have in terms of how the property might be used by others. A lengthy discussion ensued. **Motion** made by Mr. Vieira that James Hartnett and Craig Dutra work together to come back with recommendations. Second by Mr. Ouellette. The Board voted unanimously in favor.
3. **Motion** made by Mr. Dutra to change the date of STM from November 15th to November 29th subject to the availability of the School Dept. Second by Mr. Ouellette. The Board voted unanimously in favor. *Date for submission of articles is to remain at Wednesday, September 28, 2016 at 3PM.
4. Mr. Vieira stated the Board needs to talk about their roles on other boards, committees and commissions as to whether they are a voting member or not; we need to put this across the board. It was requested that Ms. Shufelt would take the lead on this and to send Ms. Shufelt a listing of the appointments by the Board of Selectmen.

Minutes

Motion made by Ms. Shufelt to approve of the Regular Meeting Minutes of August 22, 2016. Second by Mr. Dutra. The Board voted unanimously in favor.

Motion made by Ms. Shufelt to approve with amendments the Regular Meeting Minutes of September 6, 2016. Second by Mr. Vieira. The Board voted unanimously in favor. *amendment: correct spelling of gamut (pge.2) and change liaison to SBC (pge.10).

Selectmen Liaison Committee Reports

1. Mr. Vieira stated the Cable Advisory Board will be meeting one week from Wednesday at 6PM and the Agricultural Open Space Trust Fund Council would be meeting next Thursday, 09/29/16.
2. Mr. Dutra stated there would be a joint meeting of the School Building Committee, School Committee and the Board of Selectmen on Wednesday, 09/21/16 to make three important decisions: location being recommended for the school, the age range (5 thru 8 or 5 thru 12) and design concept. Mr. Dutra stated this is a very important meeting at the WHS at 6PM.
3. Mr. Ouellette stated he will be attending a meeting with SRPEDD on Tuesday; on Thursday, he will be at UMass because we got approved for help with the Town's Mobile App.

Question and Answer Period

Pamela Costa, 1185 American Legion Highway – “Please explain the Town Administrator's contract renewal process; will public input be allowed”. Mr. Sullivan stated we are beginning that process tonight in Executive Session and we will be taking about the process and whether part of it will be public; so the answer is the public portion is to be determined.

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

None.

9:45 PM Executive Session

Motion made by Mr. Dutra to enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21 to discuss a personnel matter; the contract of the Town Administrator; LAW Collective Bargaining; and to approve Executive Session Minutes of 09-06-16 and that the Board would not be returning to Open Session in order to adjourn. Second by Ms. Shufelt. The Board voted unanimously in favor.

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

10:45 PM

Meeting is adjourned.

Adjournment.

Respectfully submitted,

Diane Pelland

Administrative Asst/Confidential Clerk to the Board of Selectmen

APPROVED: Shana M. Shufelt, Clerk