

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY
OCTOBER 03, 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, 2nd floor meeting room, 816 Main Road, Westport, MA.

Note: Mr. Dutra arrived at 6:30PM.

Pledge of Allegiance

Chairman's Announcement - Under MGL Chapter 30A, section 20(f) – 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 Hannah Wolbach from the Agricultural Commission and to send a letter of thanks. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).
2. **Motion** made by Mr. Vieira to appoint Shirley D'Agostino-Robbins as a Regular Member of the Agricultural Commission. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra). Ms. D'Agostino-Robbins was present.
3. **Motion** made by Mr. Vieira to appoint Beverly Schuch as an Alternate Member of the Historical Commission. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra).

Beverly Bisch, COA Director – (A) Request to post and hire a Relief Van Driver; and (B) Request for approval of COA Parking Lot Extension Project.

Present: Beverly Bisch and COA Board members: Marsha Liggin, Karin Bergeron, Ed Thadeu, William Gifford.

- A. Ms. Bisch explained her request to post and hire a Relief Van Driver. **Motion** made by Mr. Vieira to approve of the request. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).
- B. Mr. Gifford and Ms. Liggin explained the parking plan, which will require an engineered plan and approval from the Planning Board and will give an additional 28 parking spaces. Ms. Liggin stated there are three proposed plan phases: 1. Engineered plans, surveying of land, clearing and grading the land, drainage and graveling of the lot; 2. Installation of lights and landscaping; 3. Paving of the lot the following year. Ms. Liggin stated \$45,000 was approved at Town Meeting for this, plus there will be fund-raising by the Friends of the COA to match the \$45,000. Discussion ensued. **Motion** made by Ms. Shufelt to approve the request to proceed with the utilization of the \$45,000 approved by Town Meeting for the COA Parking Lot Extension Project. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra).

*6:30 PM

Commission on Disability – RE: Discussion and Presentation of Segways – Revised Regulations for use implementation as transportation for those with a mobility disability.

Present: Stanley Cornwall and Anders Newcomer. A presentation was given to the Board in regards to the use of Segways as transportation for individuals with a mobility disability. Mr. Cornwall and Mr. Newcomer stated they wanted to educate the community on this device, which is recognized at the National level. Mr. Newcomer stated it is very liberating for an individual; it allows him to go on walks with his family and the ability to get around on the campus where he teaches so he is able to keep up with his students; it basically enables him to do his job better. Handouts were given to the Board from the MA Office on Disability and the Department of Justice in regards to power driven mobility devices. Discussion ensued. Mr. Cornwall stated the COD would like something from the BOS, acknowledging and supporting the Segway's use; perhaps, Westport could be an example to other communities. Mr. Sullivan stated the first step would be awareness guidelines. Ms. Shufelt stated information should be placed on the website. Mr. Vieira suggested the COD contact the Town Clerk and Building Inspector for a list of businesses in Town. Mr. Newcomer stated that if anyone had questions, to contact him for further information. The Board was then given a presentation of the Segway's use by Mr. Newcomer. The Board thanked both gentlemen for coming in.

Action Items

1. **Motion** made by Mr. Vieira to approve the request of Boy Scouts Troop 3 to decorate the front of the Town Hall on December 10, 2016. Second by Mr. Dutra. The Board voted unanimously in favor.
2. **Motion** made by Mr. Ouellette to approve the opening of Scallop Season on Saturday, October 15, 2016 at sunrise. Second by Mr. Dutra. The Board voted unanimously in favor.
3. **Motion** made by Mr. Dutra to approve the request of the WMS & WHS Parents Association for their 1st Annual 5K race/walk on Sunday, October 23, 2016 with the condition that they meet with Lt. Bell and work out the concerns expressed in his recommendations regarding their suggested route. Second by Mr. Vieira. The Board voted unanimously in favor.
4. Mr. King explained the three solar pilot agreements he negotiated; stating this would be a benefit to the Town; there are three projects on two sites. Discussion ensued. This matter was held on until the Board of Assessors could join the discussion. Joining the meeting were Robert Grillo, Steve Medeiros and John McDermott (BOA members). Discussion again ensued with the BOA agreeing on moving forward with these agreements. **Motion** made by Mr. Dutra to approve all three solar agreements. Second by Ms. Shufelt. The Board voted unanimously in favor. Agreements are with Westport Power Associates, Inc. (1 agreement) and Clean Energy Collective (2 agreements).
5. **Motion** made by Ms. Shufelt to award the bid for supplying and delivering screened sand to G. Lopes Construction, 490 Winthrop Street, Taunton, MA. Second by Mr. Ouellette. The Board voted 4 in favor, 1-abstention (Dutra). Results of the bids were: PA Landers - \$16.76 per ton; KTM Brown Enterprises - \$16.75 per ton; and G. Lopes Construction - \$12.88 per ton.
6. **Motion** made by Mr. Ouellette to approve the posting of the Warrant for State Election on Tuesday, November 8, 2016. Second by Ms. Shufelt. The Board voted unanimously in favor. Clarification was requested regarding early voting; and that the information be posted on the website and a press release.
7. **Motion** made by Mr. Vieira to approve the request of the Westport River Watershed Alliance to use the Town Hall parking lot on Wednesday, October 12, 2016 from 9-11AM for an Electronic Recycling Day. Second by Mr. Ouellette. The Board voted unanimously in favor.
8. Item was passed over per request of Bill Harkins, Vice Chairman of the Water Resources Management Committee.

Liquor Licenses

An informational memo was provided to the Board in regards to the Town's Liquor License Allocation. Clarification was requested for the next meeting as to whether a license granted under Special

Legislation is specific to a person/location and if it is treated differently from other licenses.

Town Administrator Report

Mr. King reviewed his report. No items required action; informational only.

Discussion Items

Special Town Meeting and Warrant Articles: Mr. Sullivan stated we have ten articles on the STM warrant and he was concerned as to why this was started in the first place, so he would like to start a discussion regarding Article 8 – DPW. Mr. Sullivan stated the Board asked the Town Administrator to provide alternatives on the creation of a DPW based on a special meeting held by the BOS which received a lot of feedback from the public, including employees. Mr. Sullivan stated that one of the criticism/suggestions was for a leaner, less administrative change and more of a structural change allowing us to be able to add more boots to the ground. Mr. King provided five options: (1) Keep the DPW as presented but drop funding for and hiring of a Director and to appoint Chris Gonsalves as DPW Operations Manager; (2) same as number 1 with a Cemetery Working foreman who would supervise one or more other operations (such as Bldg Maintenance and/or Transfer Station); (3) No DPW, instead create a Working Foreman position who would supervise the Transfer Station Operations, Cemetery Laborers and Town Hall Maintenance (this would be an existing position) and the Cemetery Foreman position would not be filled. The Working Foreman would report to the BOS through the TA; with this, the overall operation of the Transfer Station would have to be ceded to the BOS; the advantage to this proposal is that all positions are presently in the LAW Union (this would minimize most union issues); the disadvantage would be the concern that employees might be assigned tasks they don't want to do; the challenges are that the BOH might not want to give up their Transfer Station oversight and the problem of reassigning the cemetery administrative work to others; (4) would be a hybrid having the Working Foreman report to the Highway Surveyor; (5) adding the supervision of the Cemetery and Town Hall Maintenance to the Highway Surveyor but changing the title to Highway Surveyor/Operations Manager, making it necessary to fill the Working Foreman position in the Highway Department. Discussion ensued. Mr. Sullivan expressed interest in Option #1. Mr. Vieira recommended Option #1 with adding the cemetery working foreman piece; he liked Option #2 also. Mr. Dutra agreed with Option #2 without adding the administrative position because it allows the Board to move toward a DPW; he would like to see synergy develop between the three entities, what can be achieved and if it seems to be a benefit, to create a DPW head down the road. Mr. Dutra stated as long as we are trying to maximize our resources, coordinate our activities and be in a position down the road to see where those synergies take us. Ms. Shufelt stated she liked the idea of having Mr. Gonsalves as the Operations Manager and a Working Foreman for building maintenance and cemetery together with possibly the waterline but she was having trouble understanding the reporting relationships; is the Working Foreman reporting to the Operations Manager or to the Town Administrator. Ms. Shufelt stated she did not want to preclude putting boots on the ground in the budgeting process; we are talking about structuring the departments with the existing heads we have, but she would like to see once Town Meeting has given us direction, that we have further communications during the budgeting process, etc. and saying that it will result in extra people or that it absolutely won't. Ms. Shufelt stated we are talking about restructuring, not budgeting (we should be net neutral). Mr. Dutra suggested feedback from the FinCom; we can submit a budget at Town Meeting and we should try to do this with our current structure. Ms. Shufelt stated we should have a proposed budget for before and after. Mr. Ouellette noted the \$10,000 for a Director was being taken from the Waterline. Mr. Vieira stated we already have a Clerk and an Administrative-type position; doing it this way, if we can fill the empty foreman position in the Cemetery, we are there. Mr. King stated we don't have to call it a DPW. Mr. Vieira stated if it is done right, we may get a buy-in from the community. Mr. Sullivan stated if we are going to restructure, we should consider pulling the question. Mr. Sullivan explained the STM warrant articles and why the Board originally wanted to hold a STM. Mr. Dutra

stated there is no urgency to call a STM, nothing is precluding us from taking these items up at the ATM; there are no serious budget implications. Discussion ensued.

Motion made by Mr. Dutra to rescind the BOS vote for a Special Town Meeting on November 29th and to direct the Town Administrator on the options discussed for a DPW. Second by Ms. Shufelt. Discussion ensued. The Board voted unanimously in favor. It was requested that petitioners, School Dept., Moderator Fors and the Town Clerk of the cancellation of the Special Town Meeting.

Minutes

1. **Motion** made by Ms. Shufelt to approve with amendment the Regular Meeting Minutes of June 27, 2016. Second by Mr. Ouellette. The Board voted 4 in favor, 1-abstention (Dutra).
Amendment: page 1- change "Clerk" from Ouellette to Shufelt.
2. **Motion** made by Ms. Shufelt to approve the Regular Meeting Minutes of September 19, 2016. Second by Mr. Ouellette. The Board voted unanimously in favor.

Selectmen Liaison Committee Reports

1. Mr. Vieira stated he has provided the Board with a copy of the MMA Fiscal Policy Committee's meeting report and mentioned highlights of the report. At this time, no action was required.
2. Mr. Ouellette stated SRPEDD met a couple of days after the fatal accident on Rte. 195; in 2010, there was a fatality also and there was a request for a barrier in that area, which was supported by the BOS but the Rte. 24 project used all the money at that time. Mr. Ouellette stated he is on record that we want this and Sen. Rodrigues and Rep. Schmid are supposed to push for it. Mr. Ouellette stated in regards to the Regional Planning, which he was appointed to, he is pushing on this also because traffic and safety is one of his big things; as for fatalities in Westport, he brought up the fact that Westport has a concern with all highways in Town. Mr. Ouellette stated he will be following up with Sen. Rodrigues and Rep. Schmid.
3. Mr. Dutra stated for a point of clarification on the Board/Committee Vacancy List; the Westport Affordable Housing Trust only has one vacancy. In 2009, the AHT was approved at Town Meeting as a five-member board, in 2010; we went back and extended that Board for up to nine members; and this Board, at that time, voted to keep it at seven members. Mr. Dutra explained the reason for keeping it at seven. Mr. Dutra stated the BOS can go back at any time to vote to increase up to nine but at seven, we can make a quorum, which requires only four.

Question and Answer Period – None.

Board/Committee/Commission Vacancy List

Ms. Shufelt read aloud vacant positions for anyone interested in volunteering to serve.

Board Members Suggestions for Future Agenda Discussion / Action

1. Mr. Ouellette reminded the Board of time needed for budget preparation.
2. Mr. Dutra asked Mr. King for a Revenue Projection for next meeting.

Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting – None.

Other Business

1. Ms. Shufelt announced the Public Safety Day on Sunday at the Hix Bridge Fire Station, 1-4PM on October 9th and invited all to attend; it will be a nice family event.

8:40 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; to discuss Collective Bargaining (LAW); to discuss strategy with respect to potential litigation; and to approve Executive Session Minutes of July

27, 2016, August 22, 2016 and September 19, 2016. Second by Mr. Ouellette. The Board voted unanimously in favor.

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

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

10:40 PM Open Session

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

Adjournment.

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

APPROVED: Shana M. Shufelt, Clerk