

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY
OCTOBER 17, 2016**

Members Present: R. Michael Sullivan, Chairman
Craig J. Dutra, Vice Chairman
Steven J. Ouellette
Antone C. Vieira Jr.
Also Present: Timothy J. King, Town Administrator
Absent: Shana M. Shufelt, Clerk

Chairman Sullivan called the Board of Selectmen meeting to order at 6:05 P.M. in the Westport Town Hall, 2nd floor meeting room, 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

Mr. Sullivan reminded everyone of the upcoming Election on November 8, 2016; polls will be opened from 7AM to 8PM. There is also Early Voting available in the Town Hall from October 24th to November 4th from 8AM to 4PM. Mr. Vieira gave a summary the four ballot question: An Act Relative to Expanded Gaming; An Act to Allow Fair Access to Public Charter Schools; An Act to Prevent Cruelty to Farm Animals; and The Regulation and Taxation of Marijuana Act.

Acknowledgments & Recognitions

Mr. Vieira acknowledged the passing of John MacDonald, who was very active in Town for many years; his wife Isabelle was an Assessor in Town for many years; we have had four generations of MacDonald's in Town. Mr. Vieira stated our hearts go out to the family.

Appointments and/or Resignations

1. **Motion** made by Mr. Ouellette to appoint Ronald Costa as Citizens for Citizens Representative. Second by Mr. Vieira. The Board voted 4 in favor, 1-absent (Shufelt). Mr. Costa was present.
2. **Motion** made by Mr. Vieira to appoint David Cameron West to the Westport Affordable Housing Trust Fund. Second by Mr. Dutra. The Board voted 4 in favor, 1-absent (Shufelt). Mr. West was present.
3. **Motion** made by Mr. Vieira to accept with regrets the resignation of Tara Souza from the Westport Police Department and send a letter of thanks for her service. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Shufelt).

John Bell – RE: Powder House Donation Gift Account acceptance.

Mr. Bell was present and explained the restoration of the Powder House, which is located at the intersection of Old County Road and Drift Road. Mr. Bell stated the building has fallen into disrepair. Mr. Bell stated he was able to secure \$11,392. in CPC funds to restore the building. He stated he cost to restore came in at \$12,705., leaving a difference of \$1,313. Mr. Bell stated he has also received \$2,000. in donations, leaving enough money to fill the gap with some left over for unforeseen items. Mr. Bell stated that in order to utilize the donations, the BOS must vote to accept them.

Motion made by Mr. Dutra to accept the donations. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Shufelt).

Action Items

1. **Motion** made by Mr. Dutra to approve the request from the Westport Economic Development Task Force to place a banner on the fence at the playground near the Town Hall Annex announcing the Winter Farmers Market. Second by Mr. Vieira. The Board voted 4 in favor, 1-absent (Shufelt). Maury May, Vice Chair-WEDTF was present.
2. **Motion** made by Mr. Dutra to approve a letter of opposition to the Coast Guard regarding the removal of the Westport Harbor Approach Buoy as recommended by the Town Administrator; and authorizing the Chairman to sign. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Shufelt). Include with the letter, the petition and letter from the Westport Fishermen's Association.
3. Attorney Luke Travis was present and explained the request. Discussion ensued. **Motion** made by Mr. Dutra to accept the recommendation of the Town Administrator and to contact the Board of Assessors for guidance on the release the Ch.61A – Estate of Mary Elizabeth Rulon, 122 Blossom Road, Map 1, Lot 10. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Shufelt).
4. **Motion** made by Mr. Dutra to approve of the rental agreements for the Westport Middle School gym with the Westport Boys & Girls Basketball Leagues per recommendation of the Town Administrator. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Shufelt).
5. **Motion** made by Mr. Ouellette to approve the request from Tibbetts' Engineering for the release of retainage for the Town Roadway/Safety Improvements for 2015 – Sodom Road and Narrows Avenue (\$5,321.83) Second by Mr. Dutra. The Board voted 4 in favor, 1-absent (Shufelt).
6. **Motion** made by Mr. Vieira to approve the Education Reimbursement for Nadine Castro in the amount of \$500. for her Associates Degree in Science. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Shufelt).
7. **Motion** made by Mr. Dutra to accept the donations made to the Council on Aging in the amount of \$138. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Shufelt).

Liquor Licenses

A memo was received from Diane Pelland on further clarification of Liquor License Allotment and Special Legislature issued licenses. Mr. Sullivan noted at this time, the Town is in compliance and we are at our allocation limit for package stores (both all-alcohol and beer & wine) and only have available two All-Alcohol Restaurant & Club and three Wine & Malt Restaurant & Club liquor license. Informational only – no action required.

Town Administrator Report

Mr. King reviewed his report. Item #7: (last paragraph) The Board asked Mr. King to assist Mr. Rezendes on this matter. Mr. Vieira stated Mr. Rezendes has met with the Cable Advisory Board and he believed that Ms. Dutra-Africano was trying to assist on this also.

Discussion Items

None.

Minutes

1. **Motion** made by Mr. Dutra to approve the Special Meeting Minutes of September 26, 2016 subject to the Clerk signing off. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Shufelt).
2. **Motion** made by Mr. Dutra to approve the Regular Meeting Minutes of October 03, 2016 subject to the Clerk signing off. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Shufelt).

Selectmen Liaison Committee Reports

1. Mr. Vieira stated he attended the MA Municipal Meeting last Friday in Fairhaven, where pretty much the same stuff was discussed from the Fiscal Policy's last meeting. Mr. Vieira stated in

regards to economic development, next year maybe a bit of probation for us; he was not sure how it would shake down in the funds. Mr. Vieira asked Mr. King if he received anything from the State in terms of what it will look like for the next quarter. Mr. King stated he did not receive anything yet. Mr. Vieira stated they do not expect any impact at this time but it should impact FY'18. Mr. Vieira stated that a lot of communities are going to have trouble with Chapter 70 because 80% of the cities and towns are at minimum of Chapter 70; the 80% is basically funding the other 20%. They do not have a solution to that but it is identified as a problem for school construction and education across the state. There is quite a subsidy going out to cities right now.

2. Mr. Ouellette stated he will be attending the Regional Planning meeting with SRPEDD on Tuesday, October 18, 2016; the big thing is that they are trying to break down the regional planning of some of the bigger ones, like we have Rte. 88, Faunce Corner overpass to Dartmouth, the spaghetti ramps in Fall River. Mr. Ouellette also mentioned that Rte. 177 & 6 will begin this week overnight on 10/21 & 10/22; whole project will be done by November 15th – this will be put on the website. Discussion ensued regarding economic development. No action was necessary.

Question and Answer Period

None.

Boards/Committees/Commissions Vacancy List – Info available in Selectmen's Office or website.

Mr. Sullivan read aloud the vacant positions for anyone interested in volunteering to serve.

Board Members Suggestions for Future Agenda Discussion / Action

1. Mr. Ouellette stated discussions were needed for a closing date for the Town Meeting and budgets. Mr. Dutra agreed, there should be a budget briefing with the full board. Mr. Dutra stated the Budget Advisory Group was meeting on Tuesday and following that we should work with Mr. King to get something before this full committee.

Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting

None.

Other Business

1. Mr. Ouellette stated the Electronics Recycling Day needs to be a little better organized, maybe with signs out front because he did get phone calls on it; the program was supposed to run until noon but it was actually shut off at 11AM; people could not get in; it seems to still be very popular, so maybe they can do another day, maybe in the spring when the snow melts and with longer hours.

6:51 PM Executive Session

Mr. Dutra noted that due to the Board being one member short and the Chairman not being able to meet with Mr. King, we are not discussing contract negotiations in Executive Session regarding the Town Administrator. Mr. Sullivan explained the motion for Executive Session tonight, whereas it is different from previous motions.

Motion made by Mr. Dutra to enter into Executive Session pursuant to the provisions of GL c. 30A section 21 (a) (paragraph 3) to discuss strategy with respect to Collective Bargaining - Labor Advantage for Workers (LAW Union) being declared by the Chair that Open Session would have a detrimental effect on the public body's bargaining position and (paragraph 3) to discuss strategy with respect to litigation (Higgins Open Meeting Law Complaint) being declared by the Chair that Open Session would have a detrimental effect on the public body's position; and to approve Executive Session Minutes of June 27, 2016 and October 3, 2016. Second by Mr. Ouellette. The Board voted 4 in favor; 1-absent (Shufelt).

Roll Call Vote: 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.

7:15 PM Open Session

Motion made by Mr. Ouellette to adjourn the Board of Selectmen Meeting. Second by Mr. Dutra. The Board voted 4 in favor; 1-absent (Shufelt).

Adjournment.

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

APPROVED: Shana M. Shufelt, Clerk