

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY
FEBRUARY 6, 2017**

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

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.

Pledge of Allegiance

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

Public and/or Board Member Comments

Acknowledgments & Recognitions

Mr. Sullivan called for a Moment of Silence for the passing of Mark Harty (resident), Robert Carroll (owner of Bayside Restaurant and a former member of the Beach and School Committees), and Jane (Santos) Young (Library employee).

Appointments and/or Resignations

1. **Motion** made by Mr. Ouellette to appoint Logan Deree as a Camera Operator. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra). Present: John Rezendes and Logan Deree.
2. **Motion** made by Mr. Ouellette to accept with regrets the resignation of Colleen Kearney from the Westport Cultural Council; and to send a letter of thanks. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).

Public Hearing - RE: Application requests received from OMS, LLC d/b/a Portas da Cidade, 231 State Road for the transfer of an All Alcohol Restaurant Liquor License, Common Victualler License and Entertainment License; Manager of Record – Olivia Melo Stone.

The public hearing was opened at 6:05 PM. Present: Olivia Stone (applicant) and Attorney Matthew Burke (representing applicant). No abutters were present. Ms. Stone stated that all will remain the same with the restaurant (name, staffing and hours) and present owner Nuno Chitas will be remain with them for the first six months of business. **Motion** made by Mr. Ouellette to approve the transfer request of an All Alcohol Restaurant Liquor License, Common Victualler License and Entertainment License to OMS, LLC d/b/a Portas da Cidade. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra). The hearing is closed at 6:12PM.

Brad Brightman, Treasurer - RE: Update on Treasurer's Office Staffing.

Present: Brad Brightman, Treasurer and Diane Galvao, Principal Clerk/Treasurer's Office. Mr. Brightman stated the reason he wanted to come before the Board again is because he hoped the Board has considered what he previously sent and discussed back in October. Mr. Brightman stated as an update, we are basically back to the time before he took office in regards to staffing; as to time and attendance, that is postponed, tax title auction is postponed, the actuarial study (which he needs to finish) is behind schedule and without the study, the audit can't be finished; he is behind on reconciling because his primary focus has been on the ACA reporting and the secondary health insurance. Mr. Brightman stated he needs to get back to doing Treasurer items, rather than cash receipts, bill processing, benefits administration, cash management and accounts reconciliations (of which

historically, were done by the Assistant Treasurer). Mr. Brightman stated also coming up is the Moody's report, which needs to be updated every year and without that report, the Town can forget about any borrowing, which is a big deal. Mr. Brightman stated he has no backup to the office; what would happen to the Town if something were to happen to me, what is your plan; right now, if he were to get hit by a bus, the Town would shut down, no bills would be paid because there would be no one to transfer money and no one would get paid. Mr. Brightman stated historically, there have been three people in this office, so the Board has to ask themselves, what they want. Mr. Brightman stated what is needed is a full-time person, who can be bonded and is employable, with banking/accounting knowledge and knowledge for payroll backup. Mr. Brightman stated that if he spends his time on day-to-day operations, he can't get to the important Treasurer items. Mr. Brightman stated he is requesting the Board to fill the Assistant Treasurer position. At this time, Ms. Galvao read a statement she had prepared explaining the situation in the Treasurer's Office. Mr. Sullivan stated the Treasurer's Office has experienced a 100% turnover of all personnel in the last two years; presently, there are two hard working people trying to come up to speed and learn how to do things; this Board wants to be supportive and he has spoken with Mr. King on this, that is why this Board, right away, offered outside, experienced, temporary help to this office, which may have helped to bring a new perspective and experience from elsewhere and maybe show us how to do things more efficiently. Mr. Brightman stated he did bring in a volunteer one day but within 40 minutes, he was threatened with a grievance from the Union. Mr. Sullivan asked Mr. Brightman if he worked with Mr. King to bring in that part-time person; Mr. Brightman stated no. Discussion ensued regarding the immediate problem by bringing in someone right away to get through the piles of work and allow for time to getting someone for the long-term; Mr. Brightman agreed but he has not seen any action and this needs to be accomplished sooner rather than later and done the right way. Mr. Vieira stated he agreed with part of Mr. Sullivan's suggestion but he would like to add to it; he then asked Mr. Brightman if the position was budgeted for and Mr. Brightman stated yes. Mr. Vieira stated based on that, he would suggest that the position be advertised immediately and review the credentials of the people with this educational background so they can get up to speed rather quickly; he stated he is willing to sit down with the Unions to negotiate something where we look at the Treasurer's Office, Tax Collector's Office and the Assessor's Office once and for all, in order to bring this into a new century but there has not been a willingness by this Board to address this, if there is now, Mr. Vieira stated he would love to do it; in absence of that, we need three people in that office because this is a critical piece if we reorganize those departments; we could overlap with some of the personnel; he was under the impression that with two people everything was being done, but actually he was told that is not the case. Mr. Vieira stated this could severely affect how we do business as a Town. Mr. Vieira again stated we bring in an expert, someone from another Town, we can also begin to advertise and that should be something the Union will accept; and if this Board wants to address the three offices such as other Towns do, he is willing to do it because we have an opportunity to do that, especially with people retiring and moving on; this is the time to look at it. Mr. Vieira stated he knows there will get kickback from the Union but the Union does not manage the Town, that is why we are here. Mr. Brightman thanked the Board for their support and reminded the Board that the Assistant Treasurer is hired in concert with the MA General Laws and the Selectmen because it is an important position that has to be bonded. Mr. Sullivan asked if the tasks that are falling behind are under the Assistant Treasurer; Mr. Brightman stated he is jumping back and forth between both. Ms. Shufelt stated she would like to see a job description before making any decision; Mr. Brightman stated your HR has that. Ms. Shufelt stated she believed there are two different problems going on here; one, there has been a need for an extra body in that office for months and months ago when this Board suggested hiring temporary help by working with the Town Administrator; she is confused about this, because it has not been important enough to followup on your request for help to bring in temporary help as soon as possible to help out with the backlog, while we prepare to potentially post and hire for another position. Ms. Shufelt asked Mr. Brightman why he has not used that temporary help that was offered months ago. Mr. Brightman asked if that person was going to be able to perform the duties within that office; or is that person going to have to be trained; we need a permanent person for the long-term. Ms. Shufelt stated you have two problems; then asked

how long did it take to get Ms. Galvao in the office. Mr. Brightman stated at least two months. Ms. Shufelt stated even if we did something tonight, which she was not prepared to do because she had nothing before her to read, it would be at bare minimum at least two months before you get a body in there. Ms. Shufelt stated what she is hearing is that the office is overloaded and overwhelmed right now, so what she wants to make sure of, is if we have an opportunity to hire temporary help right now for an interim period. Mr. King stated that some of the issues relate to collective bargaining, which he would like to speak about in Executive Session. **Motion** made by Mr. Vieira that we seek immediate help, as the Chairman has recommended, and by working with the Town Administrator and the DOR-Local Services for help on consultant services. Second by Ms. Shufelt. Discussion: Mr. Ouellette stated we already told Mr. Brightman to get the help a month or two ago. The Board voted 4 in favor, 1-absent (Dutra).

Public Hearing - RE: Application requests from Michael R. Bernier d/b/a Bernier's Quality Body Works for a Class II License to sell used vehicles at 443 American Legion Highway (request is for 42 vehicles); and a Repair License to repair vehicles at 449 American Legion Highway (request is for 13 vehicles); and a Class III License (motor vehicle junk license) at 441 American Legion Highway. The property is shown on Assessor's Map 65, Lots 14 & 14A.

The public hearing was opened at 7:09PM. Present: Michael Bernier (applicant). No abutters were present. Mr. Bernier stated the licenses were never renewed by the previous owner so he is applying for them. Mr. Bernier stated the previous owner did not alert Mr. Abate that he did not renew so that is why he is here; he will be renting all the same spaces from Mr. Abate. Mr. Bernier stated Mr. Abate was supposed to take over the licenses but he does not know what happened; so, he is applying and is going to make sure that the property is cleaned up and looks nicer than what it is. Mr. Bernier stated he does have a business in Fall River, also. Mr. Bernier stated there will be no changes to what has been there prior. Ms. Shufelt stated we have a note from the Town Administrator that there is no bond or workers comp coverage. Mr. Bernier stated he did not do that, he was waiting for approval of the licenses; if approved, he will be getting the coverage in the morning. **Motion** made by Ms. Shufelt to approve all three licenses pending the submission of Workers Comp and Bond coverage. Second by Mr. Vieira. The Board voted 4 in favor, 1-absent (Dutra). The hearing is closed at 7:16PM.

Susan Branco, Library Director - RE: Request to fill vacancy of Principal Clerk; request for tuition reimbursement; discussion of FY'18 Library Budget.

Present: Susan Branco and Bob Gormley, Trustee.

Vacancy:

Ms. Branco presented an updated job description of the Principal Clerk and requested to fill the vacancy; it would be advertised in-house first and if no one applies, it would be advertised outside.

Motion made by Mr. Vieira to approve the request to fill the vacancy. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra).

Tuition Reimbursement:

Ms. Branco requested tuition reimbursement for Bonnie Strebel in the amount of \$350.00 for successful completion of an online course through Southern New Hampshire University.

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

FY'18 Library Budget:

Ms. Branco stated there were two areas of the budget that needed to be addressed, where there is a difference from Mr. King's recommendation. Ms. Branco explained the increase requests for Personal Services (#5110 – Library Aides) of \$11,101 and Expenses (#5311 – Professional Services) of \$2,000. Discussion ensued. **Motion** made by Mr. Vieira to support the recommendation of the Library Director. No second was received. Mr. Sullivan stated we need to look at this at the same time that we look at all the other budgets, at which time, the Library will be invited back. Mr. Sullivan suggested

holding meetings to deal with the budget and various department requests beginning on Tuesday (02/21/17) and Tuesday (02/28/17); the Board agreed.

Jim Hartnett & Steve Sloan - RE: St. Vincent De Paul Camp project.

Present: James Hartnett (Town Planner), Jim Whitin (Planning Board Chairman) and Steve Sloan (WLCT), Tim Gillespie (CPC & Recreation) and Henry Swan (WLCT).

Mr. Sullivan stated this group was requested to assess this property and its potential uses; we are now here for an update. Mr. Hartnett stated this is an 82-acre piece of property containing four parcels A, B, C & D. Mr. Hartnett stated the WLCT has gone before the CPC for Parcel D and CPC has forwarded a request to Town Meeting for an appropriation of \$350,000 for the purchase of a Conservation Restriction by the Town with the WLCT maintaining ownership; the WLCT has offered Parcel C to the Town for \$350,000, the WLCT went to the Agricultural Open Space Preservation Trust Fund Council, who authorized the appropriation of \$350,000 for the purchase of Parcel C; and as for Parcels A&B, the WLCT is still discussing these but they are looking to sell these two parcels at \$150,000 each. Mr. Hartnett stated that Parcel A contains the house and Parcel B has the original barn. Mr. Hartnett stated our group focused mainly on Parcel C and the committee is interested mainly in recreational type activities for Parcel C; there is a gym up in the back, along with a storage building that could be used for some type of fitness center and remaining buildings on Parcel C are in tough shape so the WLCT has agreed to putting \$150,000 towards demolishing those buildings. The committee looked at a number of uses for recreational uses such as softball but there are no organized groups for the fields. Mr. Hartnett stated Parcel C – the purchase price is \$350,000; start up costs (septic, water, parking and the general cleanup and repairs of the building) would be anywhere from \$200,000 to \$335,000; and yearly operating cost (which could fluctuate depending on the use) could be from \$25,000 to \$80,000 but with user fees, could be brought down to around \$40,000. Mr. Hartnett stated if we looked at B&C and part of A, it would give that whole presence that you see from the road but then again, the expenses and start up costs would go up. A lengthy discussion ensued based upon the information presented by the Committee. Mr. Sloan stated the Diocese (property owners) are against residential development, that is why they were hoping we could work out a deal with the Town; also, he clearly heard the concerns over the price point and he would like to take this back to the WLCT to begin processing what has been discussed here tonight; we have extended the time frame of the original agreement, so we may be able to work on other ways to improve the Town's proposition. Mr. Hartnett stated the committee can get together again and possibly come up with a more definitive plan based on discussions tonight; and he also suggested possibly a couple of placeholders be put on the ATM Warrant for this matter. Mr. Vieira suggested that it is critical to reach out to people who have offered their services, the arts & crafts groups and the Fishermen's Association to see if there truly is community support for this.

No votes were taken.

Tim St. Michel & Sean Leach, Beach Committee – RE: Discussion of Beach Avenue.

Present: Tim St. Michel and Sean Leach. Mr. Sullivan stated the discussion tonight is due to the fact that a portion of Beach Avenue has been closed with minimum access for the public for a long time due to the forces of Mother Nature and the decisions we have made as a Town and a lot of work has gone into putting together a proposal to move ahead with and the State is ready to agree to. This proposal requires an investment from the Town both in money and materials and an idea of how we are going to use this area. Mr. Leach presented the Board with a plan for the last 600ft. of Beach Avenue (from Towne Way easterly towards the Knubble). Mr. Leach stated he has been working with National Heritage, not necessarily DEP, on this particular plan, which please them, protects pipin plovers and the habitat. Mr. Leach stated after many months, a 49-page document has been produced. Mr. Leach stated it has been determined to be acceptable. Mr. Leach gave some highlights: there will be a narrowing of Beach Avenue to an 18ft. width, the Fire Department is allowing this as long as we have 20ft. between the guardrails, one of the provisions is we must have a guardrail but the boulders can stay, the guardrail must be 2ft high and low profile which will prevent anyone from driving onto the dunes or habitat, it will encircle the parking area; a permanent 4 ft. opening with a gate is required for handicapped access

and to allow access for the Highway to be able to put sand back or renourish, it will not be across the road but along side of it; we can't change the grade of the way and it must stay as gravel; from April 1 to September 1, the road will be closed for nesting birds, we must use road closure/temporary barrier signs during closures; the Audubon monitor will notify the Town of the nesting; the Highway can do the maintenance of the road. A lengthy discussion ensued. Also speaking on this: Lauren Miller-Donnelly (Allens Pond Sanctuary staff member), Bob Alves (Highway Dept), David Cole and Jim Whitin, Woody Underwood, Tim St. Michel. Following input from those in attendance, Mr. Leach stated we have no option, this is the best solution in National Heritage's opinion if we ever want to use this road again; at this point, the Board can make or not make a decision; this has gone on unnecessarily for three years with a lot of time being spent on this by himself, the Beach Committee and the Board of Selectmen; and if you don't do this, we will be violating the Consent Order. **Motion** made by Mr. Vieira to move this proposal along for the short-term, while considering other options. Second by Ms. Shufelt. Discussion: Ms. Shufelt stated that by moving this short-term proposal forward, it does not mean we can't look at other things. Mr. Ouellette stated he felt this was a step in the right direction, he has a lot of concern for emergency vehicles. Mr. Sullivan stated he disagreed with Ms. Shufelt because if we move ahead, we won't touch this for five years; his opinion is to instruct the Beach Committee to come up with an alternative plan with a turn-a-round. Mr. Vieira stated he was not excited about this but we should have other discussions going forward. The Board voted 3 in favor, 1-opposed (Sullivan), 1-absent (Dutra). Mr. Sullivan stated the motion is to move forward, so we are instructing Mr. King, Mr. St. Michel and the Beach Committee to move ahead with this proposal and to consider other options including a turn-a-round, if possible.

Beverly Bisch, COA Director – RE: Request to increase Outreach Coordinator's position to full-time.

Present: Beverly Bisch, Marcia Liggin, Ed Thadeu, Muriel Kokoszka, Karin Bergeron. Ms. Bisch stated she wants to create a full-time position of Outreach Coordinator for FY'18. Ms. Bisch stated the Police and Fire are starting to see a lot of calls that an Outreach person would handle and she is concerned about the cost to those Departments without this position. Ms. Bisch then explained the services of the Outreach Program. Ms. Bisch stated she submitted letters of support from the Police and Fire. Ms. Bisch stated currently she has three part-time Outreach positions (19 ½ hours), she wants to convert one to a 35-hour full-time position Outreach Coordinator. Ms. Bisch stated she is asking the Town to pay only the benefit cost of this position (\$6,000 to \$8,000) because she will be requesting from ARAW to pay for the salary portion of it. Ms. Bisch stated there is a lot involved with outreach and a Coordinator is really needed in communicating with the seniors, fire and police, hospitals, Bristol Elder Services, and State agencies. Ms. Bisch stated the Senior Center is well recognized in the State and the BOS support would go along way. Ms. Bisch stated she checked with sixteen other Senior Centers as to who had full-time Outreach Coordinators; she then reviewed her findings. Ms. Bisch stated she would like to see this position start July 1st. She will also continue to look for grants for transportation and outreach, etc. Mr. Sullivan stated it would be helpful if the Board says they may look favorable on the benefits part for FY'18. Discussion ensued. Mr. King stated the position won't be in the budget; the benefits will be part of separate line item that covers the Town. Mr. Sullivan stated we will need Town Meeting to agree that it is in the budget. Mr. King stated the BOS would have to vote to approve a full-time Outreach Coordinator. Ms. Shufelt asked what the impact would be on the budget; Mr. King stated it depended on who they hired. Mr. Vieira stated the Board can't follow the Town Administrator's recommendation tonight because we told other groups no and that we would be discussing this on the 28th; he would support this tonight if he could but just not tonight. Mr. Sullivan stated the bottom line is this will be voted at the budget meeting on February 28, 2017. The Board thanked Ms. Bisch from coming in.

Police Station Building Committee – RE: Police Station Project Update.

Present: Police Chief Pelletier and Warren Messier (PSBC member). Mr. King stated the action needed tonight was for the Board to give their blessing on this plan as presented so the Committee can

proceed with the bidding process. Chief Pelletier stated the Committee has met monthly and has worked hard on coming up with this plan for safety, security and accessibility with a building that is just under 16,000 sq.ft. one story with no wasted space. Chief Pelletier and Mr. Messier then gave a presentation of how this plan developed. Mr. Messier stated we won't know the figures until the bids come in; the Committee is as far as we can go for now; we now need the BOS blessing. Mr. Messier stated that hopefully, the bids will come in and we won't need to make any more amendments to the plan; the Committee agreed on all the aspects of the plan, layout and site location. Chief Pelletier stated it is located east of the Fire Station on Hix Bridge Road; we are sharing a driveway and communications tower; this will be a very efficient building which includes a sallyport, evidence room and booking room, all areas we don't have now; there is no basement but we have an attic for storage. Chief Pelletier stated the major decision was to remain at one-story; if the bids are over, we would have to eliminate alternates or go back to the Town for more money. Chief Pelletier stated he promised the Town it would not cost any extra money, so if needed, the building was designed to take pieces off. Mr. Vieira stated he was very supportive of this. Mr. Vieira questioned the way the agenda was worded, affecting as to whether a vote can be taken on this tonight. Discussion ensued. **Motion** made by Mr. Ouellette to authorize putting this out to bid and to place on the next agenda for ratification of vote and further discussion. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).

Action Items

1. **Motion** made by Mr. Ouellette to approve the request from Westport River Watershed Alliance to hold an Electronics Recycling Day on Wednesday, April 19, 2017 in the rear of the Town Hall. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).
Motion made by Ms. Shufelt to approve the request from Westport River Watershed Alliance to hold Beach Clean Up Day on Saturday, May 6, 2017. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra).
Motion made by Mr. Vieira to approve the request of the Westport River Watershed Alliance to allow overflow parking at the Middle School for the 33rd Annual River Day Festival on June 10, 2017. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra).
2. **Motion** made by Mr. Ouellette to approve the Time Extension Notice request for the project "Town Roadway Paving Improvements Year 2016 – contract: Roadway Paving Improvements. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).
3. **Motion** made by Mr. Vieira to approve the Lease Agreement for Use of Town Property by the Westport Girl's Softball for the WMS Softball fields. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra).
4. **Motion** made by Mr. Ouellette to approve the Request for Transfer from the Reserve Fund for the Legal Budget in the amount of \$5,104.15. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).
5. **Motion** made by Mr. Ouellette to accept the donations made to the Council on Aging in the amount of \$347.00. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).
6. Mr. Sullivan reviewed the terms of Mr. King's contract. **Motion** made by Ms. Shufelt to approve the Employment Agreement of the Town Administrator with Mr. King as written for three years. Second by Mr. Ouellette. Discussion ensued. The Board voted 4 in favor, 1-absent (Dutra).
7. Mr. King stated no action was necessary by the BOS; he has spoken with Town Counsel stated this matter does not have to go to Town Meeting in order to use the money in the Revolving Account from the Septic Program, so there is no need to place an article on the warrant.
8. Present: Robert Grillo and Steve Medeiros, Board of Assessors. Discussion ensued regarding placing a question on the ballot of the upcoming election for the elimination of the excise on farm animals and related machinery and equipment. **Motion** made by Mr. Ouellette to place a question on the ballot of the upcoming election. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).

9. **Motion** made by Ms. Shufelt to recommend approval of the Site Plan by the Planning Board for construction of a new Police Station and Communication Center with associated parking at 54 Hix Bridge Road. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra).

Licenses

1. **Motion** made by Mr. Ouellette to approve the 2017 Seasonal Population Estimate of 10,000 for the report to the MA Alcoholic Beverages Control Commission. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Dutra).

Town Administrator Report

1. Tiverton Casino: Mr. Hartnett will be requested to attend a public informational meeting on the Tiverton Twn Rivers Casino application on Tuesday, February 21, 2017 at 7PM in the Tiverton High School Auditorium.
2. New Large Scale Solar Arrays: No action taken.
3. Barn Inspections: No action taken.
4. Westport-Federal Highway Administration: It was requested that Mr. King contact Senator Rodrigues, State Rep. Schmid and Rep. Keating to intervene on Westport's behalf.
5. Revolving Funds: Mr. King stated the Town will need to implement a bylaw on this matter.
6. Religious Land Use and Institutionalized Persons Act: No action taken.
7. OPEB: No action taken.
8. Taxing Large Scale Solar Arrays: Mr. King stated new legislation is being proposed.
9. Charter Cable TV Rates: No action taken.
10. Westport Junior/Senior High School – Indoor Air Quality Testing: No action taken.
11. Route 88 Phase III Resurfacing: No action taken.

Discussion Items

1. Present: Treasurer Brad Brightman and Kate Sharon (Group Benefits Strategy – health insurance consultants for SMHG). Ms. Sharon stated Westport is part of SMHG, which consists of 11 communities. Mr. King stated initially it was thought the insurance plans could be eliminated but they can't because all the Towns are obligated to negotiate with the Collective Bargaining Units. Mr. King stated they will continue to offer the grandfathered plans (two of which the Town participates in) as well as the other plans. Mr. King referred to his memo which shows the plan rates the Town participates in will go up 30%. Mr. Sullivan stated there was a misstep where the 11 SMHG members voted to eliminate the plans; now, it turns out the plans can't just be eliminated. Ms. Sharon stated the Unions were supposed to be notified before the vote was taken and that did not happen; the vote was to eliminate the grandfathered plans; as of right now, the grandfathered plans are still being offered. The group did vote to increase the rates for the grandfathered plans by 30%; this was strategic on their part because the grandfathered plans run at a high loss as opposed to new plans due to cost sharing. Mr. Brightman stated Westport voted no. Mr. Vieira asked if the Unions were notified of this. Mr. King stated yes. Discussion ensued regarding the plans and changes to active plans or retirees who do not qualify for Medicare and what options are available. Mr. King stated a vote of the BOS is required and it also requires that we notify the Unions, as we have been doing all along of the process, and because the plans that are non-grandfathered will result in savings to the Town, the Town is obligated to share at least part of the savings with the employees. Mr. Sullivan asked in addition to the BOS vote, is successful negotiations with the Unions also required; Mr. King stated yes. Mr. Sullivan asked how quickly can this happen; Mr. King stated two months. Mr. Sullivan asked if there was a chance to be able to sign up for the lower cost plans; Mr. King stated yes. Discussion again ensued. Mr. King stated his recommendation was to have the BOS vote at the next meeting to consider the non-grandfathered plans and to adopt Sections 21 and 22 of MGL c. 32B so negotiations can begin with the Insurance Advisory Committee to see if we can come up with an agreement on sharing the savings that would

result from shifting to those plans. Mr. Vieira asked if retirees, who pre-date Medicare and grandfathered, were affected at all by our discussion; Mr. King stated no. Mr. Vieira asked if their rates were going to change because those people were to be grandfathered. Mr. King stated no retirees will be affected. Discussion ensued. Mr. Sullivan asked for a confirmation of the retirees for next meeting. Ms. Shufelt asked about the cost; Mr. King stated the School is 50/50 and the Town is 60/40. Mr. Ouellette stated a 30% increase is hurting people; he asked if Mr. Brightman could look into another group. Mr. Vieira stated prior to the switch (5-6 years ago), there was discussion about going to GIC at the State level; this Board and others decided they did not want to do that because the Treasurers lobbied and insurance companies lobbied for Blue Cross and Blue Shield because they were comfortable with it and uncomfortable with GIC; GIC works well in many communities, as well as it could in Westport. Mr. Vieira stated this should be looked at again; GIC will give a larger pool and lower rates. Mr. Sullivan asked Mr. King, before the next meeting, to look at and provide any other options that will be available. Discussion again ensued. Mr. Sullivan called for a motion that this information be taken under advisement and to have Mr. King prepare some options that are available for the next meeting and to include a potential start of negotiations with the affected Unions. **Moved** by Ms. Shufelt. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra).

2. Town Administrator Evaluation and Goals. This matter was rescheduled to the next BOS Meeting.

Minutes

1. **Motion** made by Ms. Shufelt to approve as presented the Regular Meeting Minutes of 01-23-17. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Dutra).

Selectmen Liaison Committee Reports

None.

Question and Answer Period

None.

Boards/Committees/Commissions Vacancy List

Ms. Shufelt read aloud the following vacancies for anyone interested in applying.

Community Preservation Committee – 1 vacancy; Energy Committee – 1 vacancy; Fence Viewers – 2 vacancies; Long-Term Planning Town Building Evaluation Committee – 1 vacancy; and Personnel Board – 2 vacancies.

Board Members Suggestions for Future Agenda Discussion / Action

1. Budget and Warrant Articles to be addressed.

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

None.

Other Business

1. Mr. Ouellette stated KP Law will be holding a workshop on Marijuana Regulation/Taxation tomorrow, which he will be attending.

11:08 PM – Executive Session

Motion made by Ms. Shufelt to enter into Executive Session pursuant to the provisions of GL c 30A section 21 (a) to discuss the Working Foreman position; to discuss a contract matter regarding LAW; and approval of Executive Session Minutes of January 23, 2017. Second by Mr. Ouellette.

The Board voted 4 in favor, 1-absent (Dutra).

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

11:30 PM – Open Session

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

Adjournment.

Respectfully submitted,

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

APPROVED: _____
Shana M. Shufelt, Clerk