

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY
MARCH 20, 2017**

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

Vice Chairman Dutra 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

Mr. Vieira announced the availability of the Specialty Crop Block Grant Program which is opened to anyone in the community, and we have been reaching out to the Ag Commission and Economic Development, to get involved in growing specialty crops. Mr. Vieira stated it could be vegetables (asparagus, beets, bean, broccoli, sweet potatoes, etc) and fruits (blueberries, apples, grapes, etc) or nursery products; it can be individuals or community based, folks who are trying to develop a competitive nature or increase production, to make their farms or community more sustainable. If anyone has at least five acres in their backyard and has an interest and may want to do something down the road, contact the Selectmen's Office for the information on this. Mr. Vieira stated it is a competitive process but there are opportunities available ranging from \$50 to \$100,000 per applicant (for an individual or a business). Mr. Vieira stated this is a great way to create a business or increase a present one. Maury May, Economic Development Task Force stated we have been focusing on agriculture this past year and this past fall, we sponsored the Winter Market at the Annex and now, the Summer Market is moving from Drift Road to the Annex this summer for 16 Saturdays (June, July, August) and being sponsored by the Economic Development instead of the Land Trust. Mr. May stated he spoke with the State Administrator of the DAR (John LaRose) and was told by Mr. LaRose that we have a chance, after pitching the story of the Macomber turnip. Mr. May stated he will be meeting with Bob Russell and Gay Gillespie on how to do this. Mr. Vieira again encouraged all to try for the available funds for vegetable and fruits, not meats; there are all kinds of opportunities available. **Motion** made by Mr. Ouellette to support the Westport Economic Development Task Force in pursuing these grants, in particular, the Macomber Turnip and possibly a processing center. Second by Ms. Shufelt. Discussion: Mr. Vieira asked for an amendment to include the Ag Commission. Amendment was accepted. The Board voted 4 in favor, 1-absent (Sullivan).

Acknowledgments & Recognitions

A Certificate of Appreciation was given to The Friends of the Westport Council on Aging in recognition of their fund-raising efforts of \$45,000 to match Town appropriated funds for additional parking at the Council on Aging. Present: COA Director Beverly Bisch and The Friends of the Westport COA Chair and Vice Chair, Susan Read and Elizabeth Brinkerhoff. Ms. Read mentioned the membership drive coming up and some upcoming fundraisers. Ms. Read thanked the community for their support.

Appointments and/or Resignations

1. **Motion** made by Mr. Ouellette to appoint James Hartnett as alternate for the Town Administrator held appointed positions: Affirmative Action Officer, Americans with Disabilities Act Coordinator,

Health Insurance Portability & Accountability Act Coordinator, SHMG Representative Alternate, Municipal Liaison to State Ethics Commission, National Organization on Disability Representative and Procurement Officer; also on the following committees: Animal Action Committee, Buzzards Bay Action Committee, Capital Improvements Planning Committee, Middle School Transition Committee, Police Station Building Committee, Town School Building Committee and Westport Economic Development Task Force. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Sullivan).

2. **Motion** made by Mr. Vieira to appoint Lisa S. Arnold to the Westport Cultural Council. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Sullivan). Ms. Arnold was present.
3. **Motion** made by Ms. Shufelt to accept with regret the resignation of Mark Roy from the Cemetery Department effective Friday, March 24, 2017 and to send a letter of thanks. Second by Mr. Vieira. The Board voted 4 in favor, 1-absent (Sullivan). **Motion** made by Ms. Shufelt to authorize the posting of the position to fill the vacancy. Second by Mr. Ouellette. Discussion: Mr. Vieira questioned if there is any short-term plan for the Cemetery because the resignation is effective at the end of the week; Mr. King stated not yet, he was working on it. Mr. Vieira stated to Mr. King this is something we need to think about; you do spend a lot of time there because we are already down one person and we need to serve the public and we can't do that with just one person. Mr. King stated he has an idea he is working on and we are also in the process of reviewing the seasonal workers. Mr. Vieira asked who the contact was at the Cemetery Dept. now; Mr. King stated Steve Souza. The Board voted 4 in favor, 1-absent (Sullivan).
4. **Motion** made by Mr. Ouellette to accept with regrets the resignation of Elaine Berke from the Personnel Board and to send a letter of thanks. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Sullivan). Mr. Dutra stated the Personnel Board is down to two people, which means there is no quorum for meetings, three is needed. Mr. Dutra stated in his opinion, we have a problem and part of the problem is that we have not established in our minds, what the Personnel Board should be doing. Mr. Dutra stated he was reluctant to appoint someone at this time. Mr. Vieira recommended that the Town Administrator do some research on this and come back to the Board with a recommendation; he should also involve James Reitzas on this. Ms. Shufelt stated it would help if it were clearly defined what they were doing or supposed to be doing. **Motion** made by Mr. Vieira to have Mr. Dutra and Mr. King work with Mr. Reitzas on this and come up with some recommendations for next meeting. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Sullivan).

Carol Borden, Tax Collector – RE: Approval of paperless billing.

Present: Carol Borden, Tax Collector. Ms. Borden explained the new online bill pay system and the fact that the new vendor can offer paperless billing; it is all volunteer and the person has to sign up for it. Ms. Borden stated the excise tax can go paperless billing right now; we do real estate in-house so that will need a little more work with the vendor. Mr. King stated he would like to have the auditor do a recommendation regarding Ms. Borden's suggestion. Discussion ensued. **Motion** made by Mr. Ouellette to approve of paperless billing. Second by Mr. Vieira. The Board voted 4 in favor, 1-absent (Sullivan). Ms. Borden stated the new online bill pay will not be available until after Thursday. Ms. Borden also mentioned the bills for motor vehicle excise are due April 18th, we are closed on Friday, April 14th and Monday, April 17th (Good Friday and Patriot's Day), so the Board may want to put that information online to make people aware. The Board thanked Ms. Borden for coming in.

Ben Booth – RE: Request by Dharma Voyage's Westport Community Rowing Program to allow the storage of a small skiff/dinghy at the Hix Bridge Landing.

Present: Ben Booth, Dharma Voyage's Executive Director. Mr. Booth explained his request to be allowed to store a small skiff/dinghy at the Hix Bridge Landing. Mr. Booth stated we need a better way to get people to the boats and it is for only one skiff. Mr. King asked if there was a plan associated with this proposal; Mr. Booth stated he did not. Mr. King stated the parking does get a lot of use in the summer and there may be concerns expressed by the residents on the parking spaces being taken up by

boats; and if setting a precedent, where would we draw the line with other people wanting to store their dinghy, kayak or other boat at the Landing. Mr. Booth stated we are down there all the time and he has never seen the parking lot full at the times he is there; also, if on land storage, you would have to look at the most inaccessible place for a vehicle to park and the removal of one space won't collapse the parking at the Landing; and also, if possible, the back side of the dock is inaccessible to boats so that space in the water might be used, maybe we could create a dinghy dock or a mooring. Mr. Booth stated as far as drawing the line, we are a non-profit organization and not a private person; we give a service to the Town. Mr. Dutra stated he was supportive of this but would be more comfortable if Mr. King, the Landing Commission and the Marine Services Director were involved. Mr. Vieira stated so far, over the last three years, this program has worked out really well; we may have something down the road but for now, he saw no negatives. **Motion** made by Mr. Vieira to go forward with this request. Second by Ms. Shufelt. Discussion ensued. Mr. Ouellette asked for an amendment to have Mr. King, the Landing Commission and the Marine Services Director working together on an agreed plan. Amendment was accepted. The Board voted 4 in favor, 1-absent (Sullivan).

Dianne Baron & Daniel Tavares – RE: Update on the School Building Project.

Present: Dianne Baron, Chair of the School Building Committee and Daniel Tavares, Project Management Consultant on the School Building Project. Ms. Baron stated there will be a meeting of the School Building Committee on Wednesday night, March 22, 2017 @ 6PM at the High School so we are here tonight to give an update beforehand. Ms. Baron spoke on the community aspects of building; we still have modulars at the Macomber School costing the Town money, we are still paying for the Middle School even though we don't have any students in there (upkeep) and there is overcrowding at the Jr/Sr High School and with regard to the Middle School, in order to have a demolition and abatement at that school, it will cost an estimate of \$8.5million. Ms. Baron stated we tried to be thoughtful and methodical in our process of moving forward with deciding on which site we were going to build a school on, we chose the Middle School site because in doing so, some of those eligible costs of taking down a school will be picked up by the State; our reimbursement rate is 41.16%. Ms. Baron stated there are good reasons for the Town moving forward on this, otherwise, we put the Town at risk for all these costs. Ms. Baron stated we have looked at a model school at the invitation of the MSBA; the architects for that school will be giving a presentation on Wednesday, along with Jonathan Levi, our present architect. Mr. Tavares then explained the reason why a model school was being looked, the MSBA has changed the process and allows for a study first; Westport will be one of the last towns to benefit from the 5% reimbursement incentive for going with a model school. Mr. Tavares stated a lot of information has been gathered and a natural proposal has been put together; we are now at the point where a decision has to be made on which direction to take; once that decision is made, a schematic design plan will be formulated. This is the second to last piece of the process; we are basically, in the feasibility study phase with nothing being firmly locked in; if accepted, we will know the cost estimates. Mr. Dutra stated on Wednesday, the School Committee, the BOS and the Building Committee will be meeting jointly to weigh in on the two design proposals and then authorize at that meeting or at a subsequent meeting, one of those architects to go forward with a schematic design. Ms. Baron stated she believed it could be a March 30th meeting for the vote. Mr. Dutra stated everyone should attend these meetings because there will be some challenging decisions to be made before we bring this to the Town's people. Mr. Vieira stated he is on the committee also, and we did look at all the possible sites in Town, before selecting the Middle School; the people in the Town owe it to themselves to look at this in detail and he encouraged anyone who is interested to attend. Mr. Vieira stated he applauded Ms. Baron and Mr. Tavares for their dedicated work on this over the past year. Mr. Dutra stated tonight was for an informational only, so he encouraged all to attend on Wednesday night. Ms. Baron stated each architect will be given 30 minutes to present and then there will be a question and answer period. The Board thanked Ms. Baron and Mr. Tavares for coming in.

Action Items

1. **Motion** made by Mr. Ouellette to approve of the application for Use of Town Property (Westport Middle School Auditorium) by Fred Ponte for Saturday, March 25, 2017 from 9AM to 5PM to test band equipment. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Sullivan).
2. **Motion** made by Ms. Shufelt to approve the posting of the Warrant for the Annual Town Election on April 11, 2017. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Sullivan).
3. **Motion** made by Mr. Ouellette to approve of the Road Race Request from Westport Fishermen's Association for the 13th Annual Run for the Water on Saturday, May 6, 2017 per Police recommendations. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Sullivan).
4. **Motion** made by Mr. Ouellette to approve of the Road Race Request from Northeast Race Management, LLC for the 4th Annual Westport Half Marathon on Saturday, September 23, 2017 per Police recommendations. Second by Mr. Vieira. The Board voted 4 in favor, 1-absent (Sullivan).
5. **Motion** made by Mr. Ouellette to approve of the License Agreement with Team Providence for the use of the Westport Middle School gym for basketball practice during April, May and June with the submitting of the proper documentation for insurance. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Sullivan).
6. **Motion** made by Mr. Vieira to approve of the request from the Board of Assessors to use the Town Hall, 2nd floor meeting room on Thursday, April 6, 2017 from 1-3PM for an Open House recognizing the retirement of John "Jack" McDermott. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Sullivan). Mr. Dutra noted a citation to be presented by the BOS at their next regular meeting, with an invitation being sent to Senator Rodrigues and State Rep. Schmid.
7. **ATM Warrant: Motion** made by Mr. Ouellette to move forward as presented. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Sullivan).

FY'18 Budget: Ms. Shufelt stated she looked at the budget with Mr. King and prepared a spreadsheet which she explained to the Board. Ms. Shufelt stated the budget is \$401,729 out of balance, which means we can't accept everyone's request. Discussion ensued on how to balance the budget; the revenue side was discussed first. **Motion** made by Mr. Vieira to direct the Town Administrator make the following adjustments and come back next meeting with a balanced budget based upon the direction we are giving him. Adjustments are to add back to the Assessor's the stipends, professional assessor and staffing (\$233,000); keep the Reserve Fund at \$50,000; budget to restore the working foreman in Highway (\$863,764). Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Sullivan). Discussion regarding Marine Services. **Motion** made by Mr. Ouellette for the Town Administrator to meet with the Marine Services Director and Advisory Committees before making a recommendation. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Sullivan). Discussion regarding the Treasurer's Office. **Motion** made by Ms. Shufelt to direct the Town Administrator's budget to include three full-time employees; with this not committing any future boards. Second by Mr. Vieira. The Board voted 4 in favor, 1-absent (Sullivan). Discussion regarding the School line item. **Motion** made by Ms. Shufelt to authorize the Town Administrator to continue to use \$17,549,869 for the Community Schools (54/46 split of revenue). Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Sullivan).

Licenses

1. **Motion** made by Mr. Vieira to approve the renewal of the Seasonal Trailer Permits with all proper documentation being submitted. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Sullivan).

Town Administrator Report

1. Hix Bridge Road Bridge Repairs: No action taken.
2. Westport's 2017 Housing Production Plan: No action taken.
3. Tax Administration: No action taken.
4. Insurance Claims – Settlement: Some discussion – no action taken.
5. Charter – Complaint Report: No action taken. Mr. King did advise the Board that Mr. Cohan was

leaving Charter and Anne Lucey would be replacing him.

6. Nitrogen TMDL for Westport: No action taken.
7. Marine Services Director's Monthly Report: No action taken.
8. Community TV Director's Monthly Report: No action taken.
9. Senior Center Director's Monthly Report: No action taken.

Discussion Items

None.

Minutes

1. **Motion** made by Mr. Vieira to approve with amendment the Regular Meeting Minutes of February 6, 2017. Second by Mr. Ouellette. The Board voted 3 in favor, 1-abstention (Dutra), 1-absent (Sullivan). Amendment: page 1-change Harding to Harty.
2. **Motion** made by Mr. Vieira to approve with amendment the Regular Meeting Minutes of March 6, 2017 with amendment. Second by Mr. Ouellette. The Board voted 4 in favor, 1-absent (Sullivan). Amendment: page 8-change Jared to Darrin.

Selectmen Liaison Committee Reports – None.

Question and Answer Period – None.

Boards/Committees/Commissions Vacancy List

Mr. Dutra read aloud the vacancy list for anyone interested in apply to serve on: Fence Viewers – 1 vacancy, Long-Term Planning Town Building Evaluation Committee – 1 vacancy, Personnel Board – 3 vacancies, Recreation Commission – 1 vacancy and Westport Cultural Council – 1 vacancy.

Board Members Suggestions for Future Agenda Discussion / Action

1. Budgetary items.

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

Mr. King stated there is one item which was not anticipated within 48 hours of the meeting, but it has to be an Executive Session item which relates to the negotiations with the Public Employees Committee on Health Insurance.

Other Business

1. Notice was received from the Westport River Watershed Alliance regarding their annual field studies; this information will be forwarded to the Police Department.
2. Mr. Ouellette asked for an update regarding 465 American Legion Highway. Mr. King stated the Attorney General is still reviewing and interviewing; no new animals have been brought in; he will be contacting the Board of Health in regards to the cleanup; there is still a valid Preliminary Injunction. Mr. Vieira stated the BOS should seek civil action on the costs to the Town.
3. Mr. Dutra stated the DOR report on the Assessor's Office is in and Mr. King can be contacted for a copy.

7:45 PM Executive Session

Motion made by Mr. Ouellette to enter into Executive Session pursuant to the provisions of MGL c. 30A section 21(a) to approve Executive Session Minutes of February 6, 2017 and to address an unanticipated matter, Health Insurance Changes/PEC outcome. Second by Ms. Shufelt. The Board voted 4 in favor, 1-absent (Sullivan).

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

Mr. Dutra announced the Board would not return to Open Session, they would be adjourning from

Executive Session.

8:05 PM – Executive Session ended.

Adjournment.

Respectfully submitted,

Diane Pelland

Administrative Asst/Confidential Clerk to the Board of Selectmen

APPROVED: Shana M. Shufelt, Clerk