

**BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
MONDAY  
AUGUST 25, 2014**

**Members Present:** Antone C. Vieira Jr., Chairman  
Richard M. Spirlet, Vice Chairman  
Steven J. Ouellette  
Craig J. Dutra  
R. Michael Sullivan, Clerk  
**Also present:** Timothy J. King, Town Administrator

Chairman Vieira called the Board of Selectmen meeting to order at 6:00 P.M. in the Westport Town Hall, 816 Main Road, Westport, MA with the reciting of the Pledge of Allegiance by all present.

**Public and Board Member Comment** – None.

**Acknowledgments & Recognitions**

The Board presented to Mr. Richard Lafrance, a Citation in Recognition of the Hampton Inn's 25<sup>th</sup> Anniversary as a local business in the Town of Westport.

**Town Administrator Report**

Water Quality – informational / no votes taken.

Route 88 Road Resurfacing Project – Mr. Vieira mentioned that some communities are using State owned land for possible bike paths or businesses to put up sign at intersections creating income for the Town, this may help businesses in Town. Mr. Spirlet stated he was in favor of this idea. Mr. Dutra stated he was skeptical of the idea. Mr. Ouellette stated he did not want a bike path due to safety reasons and he was against billboards. Mr. Sullivan stated he would not mind looking at proposals. Mr. King stated he would look into this further.

Charter Communications – Mr. Ouellette asked Mr. King to look into getting the New England Cable News Network (NECN)

DEP Cease & Desist Beach Avenue – Mr. Vieira noted that the Conservation Agent should be invited to the meeting with Ms. Kouloheras, DEP.

Town Leases – Mr. King will be doing a follow-up with the Landing Commission.

Police Station Feasibility Study – Mr. King stated he will be putting together a Designer Selection Policy for adoption by the BOS.

Hix Bridge Dredge – informational / no votes taken.

COA – informational / no votes taken.

Perry Property House – Mr. Dutra stated there were no tax credits received for Noquochoke Village for this round; and the Purchase & Sales Agreement deadline is December, so we will have to file for an extension. Mr. Dutra stated he is suggesting that the Housing Partnership wait to get feedback from the State on where we fell short for the tax credits and then come before the BOS for a meeting to discuss what to do moving forward. Mr. Vieira stated the BOS should have the Housing Partnership come in for a meeting sometime in November, which will be inline for the December extension.

Meeting with Westport River Winery – informational / no votes taken.

Westport Food for Friends – informational / no votes taken.

Town Hall – Mr. Vieira stated the Town Hall is a historic building and CPC funds can be used for handicap accessibility for both floors of the Town Hall and asked that Mr. King look into this and speak with the CPC Chairman to get the bathrooms upgraded.

Beach Avenue - Mr. King stated he had a meeting with Carlos Pena, CLE regarding the accessibility project, of which Mr. Vieira attended. There was a concern of if the Town wanted a boardwalk beyond the original beach access and would it be possible for a second ramp off of the landing, and also, would it be done under a modification without additional cost to the Town. After speaking with Ms. Ostroff, she objected to the addition to the scope of work. Discussion ensued. Mr. Sullivan requested that the BOS appoint someone to be involved with this project in case there is a change in the direction of the project. **Motion** made by Mr. Dutra to appoint Mr. Sullivan. Second by Mr. Ouellette. The Board voted unanimously in favor.

**Tony Connors, Energy Committee RE: Various Issues - Completing Schedule Z for Energy Credits - Electric Vehicle Lease - Westport Energy Challenge**

Mr. Connors updated the Board of Selectmen that Borrego was going online next month.

**Completing Schedule Z for Energy Credits**

Mr. Connors asked the Board how they would like to handle the Schedule Z for Energy Credits and what they thought about a consultant. Mr. Spirlet stated he would like to see us try to handle it and see how it works out; if we run into problems, then we can hire a consultant. Mr. Vieira stated he has nothing against a consultant, his concern was the funding. Mr. Connors stated his concern was the accounting/recording keeping end of it. Mr. Sullivan asked how is the savings going to be allocated. Mr. Vieira asked the Town Administrator to take the lead and consult with other towns who have already gone through this and to come back with a recommendation. Mr. Connors stated the bills are paid centrally.

**Motion** made by Mr. Dutra that for the time being, the Town Administrator, Mr. Connors and Borrego will manage the allocation of credits. Second by Mr. Ouellette. The Board voted unanimously in favor.  
**Electric Vehicle Lease/Buy and Charging Station**

Mr. Connors stated the Town was awarded \$7,500.00 for an electric car and \$15,000.00 for a charging station. Mr. Connors stated the \$7,500.00 can be towards the purchase of or lease of the vehicle; and Mr. Ed Goldberg has found a couple of dealerships that are interested in working with us to have their name on the vehicle, which will defray the cost of the car. If leasing, it would be less than the mileage reimbursements that the Town is paying now. Mr. Connors noted there were a number of people who could save money using this vehicle for Town business. Discussion ensued resulting in questions to be brought back to the Board; what is the actual cost of a lease to the Town and what will the annual use be in mileage. Mr. Sullivan stated an experiment should be conducted to see if sharing of the vehicle by various departments would be able to be worked out; use the Beach vehicle, which will come back at the end of the season, and then create a detailed analysis. Mr. Dutra stated the use should start with the Building Department and Town Administrator and we can go forward from there. Mr. Ouellette stated the costs seem minimal so he was in favor of using the \$7,500.00 towards the leasing of a vehicle. Mr. Connors stated the charging station must also be open to the public and when installing it, either a new meter or an upgrade to the existing Town Hall meters can be done to accommodate. Mr. Connors stated that a good station should be somewhere around \$7,000.00.

**Motion** made by Mr. Ouellette to move the process forward and to come back in two weeks with numbers for the BOS. Second Mr. Vieira. The Board voted unanimously in favor.

**Westport Energy Challenge**

Mr. Connors stated this would be a savings for residents by way of home audits and residential solar; this is being done in Dartmouth and there will be no cost to the Town, the Town only has to endorse it with banners. Mr. Connors stated he has spoken with Karen Stewart regarding this and he was

wondering if the BOS would like to have a presentation at the next BOS Meeting. Discussion ensued. **Motion** made by Mr. Ouellette to bring this matter back for presentation at a BOS Meeting in the future. Second by Mr. Sullivan. The Board voted 2 in favor, 2-opposed (Vieira, Spirlet), 1-abstention (Dutra).

### **Action Items**

1. **Motion** made by Mr. Dutra to approve three One-Day Liquor Licenses for Wish Come True on September 5, 6 & 7, 2014. Second by Mr. Spirlet. The Board voted unanimously in favor.
2. **Motion** made by Mr. Dutra to approve the contract agreement with Bowditch Excavating, Inc. for the Russell Davis Soccer Field project. Second by Mr. Sullivan. The Board voted unanimously in favor.
3. **Motion** made by Mr. Dutra to approve of the request from Max Performance for their 7<sup>th</sup> Annual Buzzards Bay Triathlon upon the recommendations from the Police Department. Second by Mr. Ouellette. The Board voted unanimously in favor.
4. **Motion** made by Mr. Dutra to approve the Proclamation for Constitution Week. Second by Mr. Ouellette. The Board voted unanimously in favor.
5. Present: Jim Whitin, Ralph Souza, Stephen Boudreau/Vanasse & Associates, Inc. and Joe Delgado, developer. Mr. Boudreau stated they were seeking a letter of support from the Board of Selectmen needed for the MassWorks Grant application for improvements of the Intersection of Rte. 177 and Rte. 6 due to the development of the Village at Lincoln Park. Mr. Boudreau gave a presentation to the BOS. Discussion ensued. Mr. Whitin stated the Planning Board contacted MassDOT several months ago because they were told this was going to be a curb cut; following a meeting with MassDOT, the Planning Board felt more comfortable with the proposal so the Planning Board voted to support the grant application but with the condition on making this intersection a fully signalized intersection. **Motion** made by Mr. Dutra to support the MassWorks Grant application; with the Board of Selectmen being in agreement with the recommendation of the Planning Board for a fully signalized intersection. Second by Mr. Ouellette. The Board voted unanimously in favor.
6. **Motion** made by Mr. Dutra to approve of the Release of Lien for Book 8357, Pages 243-244. Second by Mr. Ouellette. The Board voted unanimously in favor.
7. Mr. King recommended approval of awarding the paving contract for Berard Court and Lisbor Lane. Mr. Whitin stated the money is coming from sureties so there will be no cost to the Town and any leftover money goes back to the applicant. Mr. Spirlet asked if some of the money could be used to pay for counsel. Mr. Whitin stated that is a good question for Town Counsel but he only knew that the money can be used only for what was approved by the Planning Board back then, we can't go backwards but we can ask. Mr. Whitin stated he believed the engineering costs was included in the total but he will check with the Town Planner. Mr. Bill Harkins asked if the leftover money could be used to fix the residual ponding. Mr. Vieira suggested that Mr. Hartnett speak with Mr. King regarding all the costs coming out of the surety and have the Town Administrator check into whether some of the money can be used for counsel. **Motion** made by Mr. Dutra to award the contract to P.J. Keating per the recommendation of the Planning Board in the amount of \$59,439.00 for the paving of Berard Court and Lisbor Lane. Second by Mr. Ouellette. The Board voted unanimously in favor.

### **Appointments**

1. **Motion** made by Mr. Spirlet to appoint Mario DaCunha as Reserve Police Officer. Second by Mr. Ouellette. The Board voted unanimously in favor.
2. **Motion** made by Mr. Dutra to appoint Darlene Marsland as Part-Time Senior Clerk to the Building Department. Second by Mr. Spirlet. The Board voted unanimously in favor. Mr. Ouellette

requested a complete list of applicants, not just the list of those interviewed.

### **Minutes**

**Motion** made by Mr. Sullivan to approve the Special Meeting Minutes of June 24, 2014 with amendments. Second by Mr. Dutra. The Board voted unanimously in favor.

\*Amendments: page 2 – insert “increase in” twice in paragraph 3. page 3 – change “unlimited” to “limited”.

### **Correspondence Requiring Action**

1. **Motion** made by Mr. Ouellette to support the request for placement of a banner across Main Road for the “Walk for Westport” and having the Highway Department place the banner or the banner company placing the banner under the supervision of the Highway Department and waiving any fees while a policy is constructed for banner requests. Second by Mr. Sullivan. The Board voted unanimously in favor.
2. **Motion** made by Mr. Sullivan to forward a copy of this notice to the Landing Commission and Shellfish Department. Second by Mr. Dutra. The Board voted unanimously in favor.
3. This item is being worked on by Mr. Gonsalves, Mr. Hartnett and Tibbett's Engineering. Mr. Whitin stated this is a Chapter 40b project (Brigg's Landing) and should this matter become an issue, there is a significant (6-figure bond) on file. No action/vote was taken.

**Question and Answer Period** – None.

### **Board Members Suggestions for Future Agenda Discussion / Action**

1. Mr. Dutra stated in the future, after October, there should be a meeting for the parking issues on Drift Road and at the Head. It would be nice to have the recommendations in place beforehand.

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

### **Other Business**

1. Mr. Ouellette requested the end-of-year financial breakdowns and the outstanding tax list.
2. Mr. Sullivan stated he attended the Veteran's Appreciation Day; it was a very successful first year.
3. Mr. Ouellette stated the Transfer Station was closed on Sunday; the public needs to be made aware of things like this beforehand. Also, there is a reval being done by the Assessor's Office using consultants and they are going out to homes to inspect; this should have been placed in the media. Mr. Vieira questioned if they were contracted because all contracts are supposed to come before the BOS for approval. Mr. Vieira asked that Mr. King do a follow-up and email the BOS on this.
4. Mr. Vieira polled the Board members as to who would be attending the Dartmouth Parade. At this time, Mr. Vieira and Mr. Ouellette will definitely be attending.

### **Executive Session** – 8:48 PM

**Motion** made by Mr. Ouellette to enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21 to approve Executive Session Minutes of June 30, 2014 and subsection 3, to discuss strategy related to contract negotiations and collective bargaining. Second by Mr. Sullivan. The Board voted unanimously in favor.

**Roll Call Vote:** Mr. Sullivan-aye. Mr. Ouellette-aye. Mr. Spirlet-aye. Mr. Dutra-aye. Mr. Vieira-aye.

Mr. Vieira announced the Board would return to Open Session following the Executive Session in order to adjourn.

**Open Session** – 9:15 PM

**Motion** made by Mr. Ouellette to adjourn the Board of Selectmen Meeting. Second by Mr. Dutra.  
The Board voted unanimously in favor.

**Adjournment.**

Respectfully submitted,

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

**APPROVED:** \_\_\_\_\_  
R. Michael Sullivan, Clerk