

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

David N. Swain, Chair

Kendra J. Dumont, Vice Chair

Armand Deveau, Clerk

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BOARD OF SELECTMEN MINUTES of April 2, 2012 7:00pm TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, April 2, 2012 at 7:00 p.m. at the Town Offices with Chairman David N. Swain presiding and Selectmen Armand Deveau and Kendra Dumont and Chief Administrative Officer David Berry in attendance.

CALL TO ORDER

Announcement: In addition to the SPACO audio and video taping of this meeting, the Board records the meeting with an audiotape player for the purpose of creating these minutes

TREASURY WARRANTS

Payroll warrant # <u>0140</u>	<u>04/04/12</u>	\$ <u>5,349.96</u>
Payroll warrant # <u>6140</u>	<u>04/04/12</u>	\$ <u>21,154.55</u>
Payroll warrant # <u>9140</u>	<u>04/04/12</u>	\$ <u>8,211.55</u>
Payable warrant# <u>9382</u>	<u>03/28/12</u>	\$ <u>33.88</u>
Payable warrant# <u>2402</u>	<u>04/04/12</u>	\$ <u>486,954.31</u>

Motion to accept the following Treasury Warrants as presented. Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.

NEW BUSINESS

1. Ball Fields MOA

The Memorandum of Agreement from MassDevelopment regarding the ball fields, had been submitted to the Board of Selectmen for their final approval. There were minor edits to the agreement from MassDevelopment's legal department. Chairman Swain noted the Right to Revoke Clause was inserted.

Selectman Dumont made the **Motion to approve the Memorandum of Agreement By and Between the Town of Shirley and Massachusetts Development Finance Agency. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

2. RFP Softball Fields

CAO stated that with the signed MOA for the Ball Fields, there is the question on the RFP on the lease and maintenance of the Ball Fields as well. Recreation Fields member, Bob Eramo, would like the latitude with CAO Berry regarding the construction and not to start until the Fall.

Selectman Dumont had concerns on recouping the legal fees of approximately \$1500 to \$1800 for the RFP. She noted that Comcast and the Winslow Fund had reimbursed the Town Legal Expense line for attorney fees. CAO Berry stated that should be incorporated as a condition in the RFP.

Selectman Dumont made the **Motion to Release the RFP for the Lease Agreement for the Soft Ball and Ball Fields with the proposed amendments. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

3. RFP Old Hazen Library

Chairman Swain asked CAO Berry to have the RFP for the Old Hazen Memorial Library be released as soon as possible. CAO Berry stated that he would use the same time line as the other RFP. Chairman Swain further directed the CAO to have Shirley Arts! remove all their stuff from the Old Hazen within thirty (30) days.

Selectman Dumont made the **Motion to release the RFP for the Old Hazen Memorial Library, located at 6 Lancaster Road. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

4. Police Dept Request for Salary Upgrade for Executive Secretary

Upon review of the Police Department's request for a Salary Upgrade for the Executive Secretary, Chairman Swain noted that there was never any action taken of this request since 2009. He further stated that the Personnel Board recommended a merit increase and not a grade change for that position. Chairman Swain asked the Board for their recommendation of this agenda item.

Selectman Deveau, upon review of the job description of the Police Department's Executive Secretary, was unsure about this request, as there was not enough information to show what has changed and does not believe this warrants a merit change.

Selectman Dumont believes this request came about due to the Board of Selectmen's request to have the Executive Assistant grade change, which was done because the Assistant is coming off her contract, and needed to be put on the grid and step. Selectman Dumont recommended that this request be held until Grid gets revamped.

After further discussion, the Board of Selectmen directed CAO to have the Police Chief come before the BOS to clarify his request, at their next meeting.

5. Cable Advisory Committee

Cable Advisory Committee Chair, Rich Dill and Attorney William Solomon, presented the Board of Selectmen the 10 year Contract between the Town of Shirley and Comcast. (*See Attached*) Mr. Dill noted that the changes in this contract are as follows:

- a) Increase in number of channels – going from 2 to 3 channels
- b) Share content with the Town of Ayer
- c) Capital Amount of \$125,000 with \$80,000 up front within 60 Days

Rich Dill stated that the Capital Amount of \$125,000 will benefit SPACO in upgrades. Attorney Solomon stated that this is a very good package for the Town of Shirley. They further noted that there is a side letter which refers to the Senior Citizen Discount and Education Connections programs. (*See Attached*)

Selectman Dumont made the **Motion to approve the Cable Agreement between the Town of Shirley and Comcast from April 5, 2012 to April 4, 2022. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

6. Road Crossing & Pavement Cut Permit

Chairman Swain noted that in the future, that the Road Crossing & Pavement Cut Permits have the attached Orders & Conditions.

Selectman Dumont made the **Motion to approve the Road Crossing & Pavement Cut Permit for 13 Chapel Street with the proposed Orders and Conditions. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

7. Joint Meeting with FinCom

Frank Kolarik, Chair of the Finance Committee, opened the discussion with the \$428,000 deficit to be solved. He noted that the \$47,000 for the Sewer Betterments for FY12 should be paid out of Free Cash, as well as \$175,000 from Free Cash to reduce the deficit. Particular cuts to reduce the deficit are as follows:

- a. Not hire an additional Police Officer - \$55,000 (includes benefits)
- b. Not include longevity - \$16,000
- c. Final Assessment from the School -4.9% (savings of \$60,000)
- d. Only agree to a 2% COLA – (savings \$17,000)
- e. Cannot support additional DPW Administrative hours – (savings \$14,000)
- f. Freezing CAO salary – (savings \$3600)

FinCom still has questions with the Library, and its increase in Library Director wage. Can it be funded through the Trustee's Funds.

Chairman David Swain gave his thoughts on the budget and recommended the following:

- a. Line item #122 Supports Executive Assistant's salary of \$43,681
- b. Line item #129 Support the salary of the CAO
- c. Line item #129 Reduce the CAO's expense line of \$1000 to \$500
- d. Line item #145 Treasury Tax Title reduce \$18,000
- e. Line item #211 Police Department reduce expenses \$95,000 to \$93,000
- f. Line item #331 School – Concurs with the 4.9% assessment
- g. Line item #424 Street Lights – level fund – savings of \$1500
- h. In favor of the employee 3.5% step/cola
- i. Line item 211 – concurs with FinCom on not adding an additional Police Officer
- j. Longevity he would not support
- k. Request for merit increase for Police Department's Executive Secretary, he is still waiting on information to support this request.

Chairman Swain stated, should the Town receive additional monies such as MCI funds; he would like to hire a Police Officer in January, the same for adding additional hours to the DPW Administrative Assistant.

Selectman Deveau concurred with Chairman Swain on most items, except Line item #331 – School Budget. He is not in favor of the 4.9% Assessment and believes with the current increase of \$113,000 to Nashoba Tech, ASRSD should absorb that cost. FinCom member Mike Swanton clarified the rationale of the school, stating that the costs of the school are not variable per student. The School system has to be ready to accept a student at any time.

UPDATE WITH THE CAO

CAO David Berry announced that the Chapter 90 for FY13 will be \$253,203. Chairman Swain asked Dave Berry to get an updated list of roads that need to be repaired.

CAO Berry would like to have Consultants review the job descriptions and how the jobs are placed on the grid. An estimate of the cost for the Consultants is around \$5000.

CAO Berry reminded the Selectmen on the *Business in the Community* event to be held at the Bull Run, April 10th. This event will be jointly hosted by the Economic Development Committee and Nashoba Valley Chamber of Commerce.

CAO spoke of the latest information regarding the MBTA Fare Proposal. Although there will be an increase in fares, the services in the Fitchburg area will not be cut.

Chairman Swain asked Dave Berry if he had a Staff Meeting, regarding the morale issue, as requested by the Board of Selectmen at the STM. Mr. Berry said he will schedule a staff meeting for the Health Insurance only, but will speak to staff individually before the staff meeting.

Selectman Dumont asked Mr. Berry regarding the joint meeting with the Ayer Selectmen regarding the School Assessment. Mr. Berry stated that he is still trying to co ordinate that meeting.

OTHER BUSINESS

Bryan Dumont, Chairman of the Energy Committee reported to the Selectmen that they will hear if they are awarded the Grant on Solar, April 12, 2012.

With respect to the Green Community Grant, they are still waiting for the Contract, at which time, they will then be able to go into a RFQ.

Mr. Dumont spoke briefly on the progress of the street lights and the savings that can happen using LEDs on the decorative street lights.

Selectman Dumont made the **Motion to support the Energy Savings ideas of the Energy Committee. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

With no further business to discuss, **Motion and Seconded to adjourn at 9:05 p.m., David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Respectfully submitted,
Kathleen Rocco

Date Accepted: _____

David N. Swain, Chair

Kendra J. Dumont, Vice Chair

Armand Deveau, Clerk