

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

David Swain, , Chair

Kendra J. Dumont, Vice Chair

Armand Deveau

TEL: (978) 425-2600, x200

Fax: (978) 425-2602

Selectmen@shirley-ma.gov

BOARD OF SELECTMEN

MINUTES

of April 30, 2012

7:00 pm

TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, April 30, 2012 at 7:00 p.m. at the Town Offices with Chairman David Swain presiding and Selectmen Kendra Dumont, Armand Deveau and CAO, Dave 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

NEW BUSINESS

1. Shirley Charitable Foundation-Winslow Gift Fund

Mr. Marchetti addresses the Board. He reiterates he is not looking for a decision tonight this is just informational.

Shirley Charitable Foundation was an on going resource in the Community of Shirley. They were formed in 1998 with a merger from Shirley Co-Operative Bank and Fidelity Bank . The Directors that formed this Foundation were Al Hartnett, Al Collins, Helen Gionet, Bill Harrison and Ron Marchetti., adding on Kevin Johnston as the administrator. Thousands of Dollars have been given in Grants through the Shirley Charitable Foundation. The Charitable Foundation had discovered that they would like to partner with others as they did with the *Friends of the Council of Aging*, with member Fred and Claudette Williams, Patti McDonald, and Jackie Esielionis, which the Charitable had helped operationally and developed a process. Recently, the Charitable Foundation has developed a process for the Winslow Trust Fund and the Selectman in which allow the ability to distribute where that money would best be suited for the poor and needy in town. The process would entail that the CAO will have the administration for anywhere the Board of Selectmen wants the monies to go. The CAO will report to the IRS and distribute these funds free of charge, thereby enabling the BOS to manage and distribute funds annually.

One request for the Winslow fund, is "Community Assistance", which has applied for and received a five thousand dollars grant for the very first mobile "Food Pantry".

The Charitable is looking for 2013 funds for the disabled and also for families. Collaboration with the Friendship Fund will produce future projections, as an example. Selectman Armand Deveau suggests that any Motion regarding the distribution of the funds be processed through the "Charitable Foundation". Chairman David Swain is in agreement

Selectman Dumont makes a **Motion to have the Shirley Charitable Foundation become the conduit for all current and future funds from the Winslow Fund Account. Selectman Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

Selectman Dumont make a **Motion to transfer \$3,000.00 from the Winslow Trust Fund to the Shirley Charitable Foundation for the use and purpose of the Community Assistance and Collaboration. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

2. Health Insurance Update-Town Treasurer

Town Treasurer Kevin Johnston updated the Board of Selectmen with the recommendations from the Insurance Advisory Committee for health benefits for the upcoming fiscal year . (See attached).

The Meetings were held to discuss the Health benefits for Union and Non-Union. An increase of 6.55% to be offset by the 3% ERRA that the BOS took action several months ago. As a Health Benefit Committee Advisor, Mr. Johnston explained the other options have been considered, for example the GIC. Further the Town has not gone to market this year because of the 3% ERRA savings to be factored into the costs.

Selectman Dumont makes a **Motion to continue the Mass Inter local Association (MIIA) for Health Insurance for fiscal year 2013. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

3. Conservation Commission -Signing of Hay Lease

Conservation Commission Chair Nancy Askin gave an overview regarding the Longley Acres. She noted that the hayfields constitute 24 acres only. Three, 3 year renewable lease beginning this month of April. Also noted that the Commission has a Comprehensive Liability Insurance is already covered. Chairman Swain questions land use. Conservation Commission responded that there is already community gardens and a wildlife habitat.

Selectman Dumont makes a **Motion to approve the Longley Acres Hayfield Agreement April 17, 2012 for three, three years terms subject to the existing edits. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

4. One Day Liquor License -Center Town Hall

Selectman Deveau makes a **Motion to approve a Special License for Wines and Malt Beverages only to be drunk on the premises under Chapter 138, sec. 14 of the Liquor Control Act for a Cinco de Mayo**

to be held at the Center Town Hall on Saturday, May 5, 2012, from 6-10 PM, said license to expire on May 5, 2012 at 10:01pm, with the attached order of conditions. Selectman Dumont Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.

5. Appointment -Center Town Hall Committee

Selectman Dumont makes a **Motion to approve Linda Malone to the Center Town Hall Committee as a member for the term to expire June 30, 2014. Selectmen Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

6. Road Crossing & Pavement Cut -Leominster Road – Poles #52/40 & 55/43

Road cut and pavement on Leominster Road from National Grid. Between poles 52 and 40 and poles 55 and 43 attached are the orders of condition from the DPW..

Selectman Dumont makes a **Motion to approve a Road Crossing and Pavement Cut for National Grid at Leominster Road between utility poles 52-40 and poles 55-43, providing all terms and conditions are met, specifically the ones that have been put in by Paul Farrar and New England CP Incorporated. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

7. Review and Sign Annual Town Meeting Warrant

Article One-To accept the Towns' Annual Report.

Selectman Dumont makes a **Motion on favorable action on Article One of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Two-Appropriation for the coming fiscal year for a sum of \$47,300.18 to go to the Public Buildings to be paid out of the "Free Cash" postponed for the Town sewer assessment.

Selectman Dumont makes a **Motion on favorable action on Article Two of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Three is to amend the Nashoba Valley Technical High School District Agreement

Selectman Dumont makes a **Motion on favorable action on Article Three of the Annual Town Warrant Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Four is to appropriate the Omnibus Budget for Fiscal Year 2013.

Selectman Dumont makes a **Motion on favorable action on Article Four of the Annual Town Warrant Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Five-Appropriate the Omnibus Sewer Department Budget. For fiscal year 2013.

Selectman Dumont makes a **Motion on favorable action on Article Five of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Six- Appropriate the Annual Omnibus Budget for fiscal year 2013.

Selectman Dumont makes a **Motion on favorable action on Article Six of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Seven- Appropriate the Omnibus Curbside Solid Waste/Recycling Budget for fiscal year 2013 with the edit of last line should read article 4.

Selectman Dumont makes a **Motion on favorable action on Article Seven of the Annual Town Warrant. With the correction to be made. Armand Deveau Seconded Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Eight- Establish and Fund the Capital Improvement Plan (CIP) Stabilization Fund.

Selectman Dumont makes a **Motion on favorable action on Article Eight of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Nine- Approve the 5 Year Capital Improvement Plan and Capital Budget for fiscal year 2013.

Selectman Dumont makes a **Motion on favorable action on Article Nine of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article 10 – Appropriate Capital Budget for FY2013.

Selectman Dumont makes a **Motion on favorable action on Article Ten of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Eleven- Appropriate for the Police Cruiser for the fiscal year 2013 the sum of money \$33,500.00, funding contingent upon available funds.

Selectman Dumont makes a **Motion on favorable action on Article Eleven of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Twelve- Appropriate for Pick-up truck for fiscal year 2013 contingent upon available funds.

Selectman Dumont makes a **Motion on favorable action on Article Twelve of the Annual Town Warrant Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Thirteen- Accept Salary Classification Plan and FY2013 Wage Scale.

Selectman Dumont makes a **Motion on favorable action on Article Thirteen of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Fourteen-Authorize Transfers for Managing Debt

Selectman Dumont makes a **Motion on favorable action on Article Fourteen of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Fifteen-Renew Limited Additional Property Tax Exemption

Selectman Dumont makes a **Motion on favorable action on Article Fifteen of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Sixteen-Adjust the eligibility factors for Property Tax Exemption.

Selectman Dumont makes a **Motion on favorable action on Article Sixteen of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Seventeen-Appropriate for Conversion & Adjustment for GIS Database.

Selectman Dumont makes a **Motion on favorable action on Article Seventeen of the Annual Town Warrant. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Eighteen-Establish and re-establish departmental revolving funds.

Selectman Dumont makes a **Motion on favorable action on Article Eighteen. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Nineteen-Appropriate Chapter 90 Funds.

Selectman Dumont makes a **Motion on favorable action on Article Nineteen. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

Article Twenty-Transfer to the stabilization fund for 2013.

Selectman Dumont makes a **Motion on favorable action on Article Twenty. Armand Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye, and David Swain vote Aye.**

8. Review of CAO Goals and Objectives

Review of CAO-Dave Berry's goals and objectives for the coming year.

Chairman Swain states a review of the extensive Policies and Procedures he has researched as seen below. Chairman Swain suggests as a responsibility of CAO, David Berry, working in hand with the Financial Staff. Chairman Swain adds that CAO Berry needs to address the morale of the Town Staff, possibly in Open Session with CAO, with Mr. Berry giving feedback to the BOS. Also Chairman Swain would appreciate seeing , CAO, Mr. Berry in 'Grant Writing' which could generate monies for the Town.

Selectman Dumont is concerned with the tension and friction of the staff. Selectman Dumont would like to see more writing of grants by Mr. Berry and implementing planning strategies. Also, The Policies and Procedures of Government Studies, Selectman Dumont would like to see additional Training for the staff to avoid any litigation backlash for non-trained personnel. Selectman Dumont suggests a report from Mr. Berry, possibly every-other-day on the Towns day-to-day activities. As an example, if Selectman Dumont is approached by a Townsperson she will be knowledgeable on all aspects of the Town. Dumont would like to receive copies and will review all said documents.

Selectman Deveau has established a numerical goal objective process of Mr. Berry. This presented document was already from three documents: 1. Job description, 2. The roles and responsibilities of the Board of Selectman, 3. A chart of organization based upon a Government Organizational Chart demonstrating the flow of communication throughout the entire Town Government. These three standards have been agreed upon by all three Current Board of Selectman.. None of these documents are any different than anything that we have already agreed upon. 40% of your total score.

He presented six items under this leadership and planning group; (see attached)

The six items being colored red, hold the highest level of importance.

- I. Draft of the strategic sustainable plan by October 15, 2012 (has to contain a Financial Component);
- II. Organizational Component; (must be inclusive of all departments).Operational Plan and Economical Committee tying into the strategic planning;
- III. Identify and document of all cost saving services (ex. Shared services with other Towns);
- IV. Performance evaluation of each job description (Direct Staff, changing job descriptions as needed in planning for the future, also to include Healthcare for New Hires;
- V. Creation of a plan for succession of management;
- VI. Develop Revenue sources-Grant Revenues, expenditures, Intergovernmental transfers, Policy Matches

Selectman Deveau would like to see Mr. Berry create a "Major Accomplishment" for the Town with an Educational and Professional Development component.

Selectman Deveau stated that a review of said documents be examined and then also needs to be reviewed by the personnel board after being approved by the BOS.

UPDATE FROM THE CAO

- Mr. Berry has submitted the RFP on the Hazen Library to be completed by May 31, 2012 and the Ball fields on RFP proposals, due on June 7, 2012.
- Also, Mr. Berry has stated the House Budget has passed and is favorable to this Town including a possible \$80,000.00 revenue source.
- Reimbursement for snowstorm "Irene" would be over \$6,600.00.
- Announcement of the Alzheimer's Association has an annual "Memory Ride" scheduled for July 14, 2012.
- Herbicide spaying near the Railway Line submitted to the Conservation Committee.
- The audience raises discussion on CAO job description and suggestions towards reportable quarterly and semi-annually accountability to the BOS. On a go-forward basis, the BOS might emanate their objectives and expectations to the CAO and general public.

OTHER BUSINESS

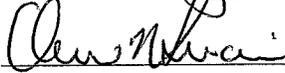
Selectman Deveau announces May 15, 2012 are the annual Town elections from 7 AM to 8 PM. The next Board of Selectman's Meeting is going to be May 14, at 7 PM. The Annual Town Meeting is going to be held at the Ayer/Shirley Middle School on Monday 21st, 2012.

Chairman Swain adds that the Massachusetts Department of Energy Resources is coming to the Town of Shirley on Thursday, May 3rd, 2012 at 1PM and will be presenting the Town with a check for over \$152,000.00 to be awarded to the Town of Shirley for becoming a green community. We will be joined by Environmental Affairs Secretary Richard Sullivan and the Department of Energy Commission, Mark Silvia in the presenting of the check.

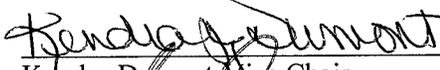
Selectman Dumont made a **Motion to adjourn at 9:05 PM. Seconded by Selectman Deveau. David N. Swain vote Aye, Kendra J. Dumont vote, and Armand Deveau vote Aye.**

Respectfully submitted,
Kathleen Rocco

Date Accepted: June 18, 2012



David Swain, Chair



Kendra Dumont, Vice Chair



Armand Deveau-Clerk