

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

Armand Deveau, Chair

David N. Swain, Vice Chair

Kendra J. Dumont, Clerk

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BOARD OF SELECTMEN MINUTES of October 15, 2012 7:00pm TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, October 15, 2012 at 7:00 p.m. at the Town Offices with Chairman Armand Deveau presiding and Selectmen David Swain 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 # 9114	<u>10/03/12</u>	\$ <u>8,984.49</u>
Payroll warrant # 0115	<u>10/10/12</u>	\$ <u>4,796.11</u>
Payroll warrant # 6115	<u>10/10/12</u>	\$ <u>21,948.55</u>
Payroll warrant # 9115	<u>10/10/12</u>	\$ <u>8,671.93</u>
Payable warrant# 2153	<u>10/10/12</u>	\$ <u>47,049.11</u>
Payable warrant# 2163	<u>10/17/12</u>	\$ <u>15,199.22</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.

APPROVAL OF MINUTES

Selectman Swain made the **Motion to accept the Minutes of September 17, 2012. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to accept the Minutes of October 1, 2012. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau Abstains.**

NEW BUSINESS

1. Appointment – EMT & Alternate Plumbing/Gas Inspector

Selectman Swain made **Motion to appoint Elizabeth Malone as an EMT term to expire June 30, 2013. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra N. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to appoint James Bakun as the Alternate Plumbing/Gas Inspector, term to expire June 30, 2013. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

2. 7:05pm - Tax Classification Hearing

Selectman Swain made the **Motion to open the Tax Classification Hearing. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Dumont read the Legal Notice into the Minutes:

The Shirley Board of Selectmen and the Shirley Board of Assessors, will hold a joint public hearing at the Town Offices, 7 Keady Way, to discuss the tax classification ratio for the various classes of property, (residential, commercial, industrial, personal and open space) for the current fiscal year 2013, on Monday, October 15, 2012 at 7:05p.m. Written comments may be submitted in advance of the hearing to the Selectmen's Office at the Town Offices, 7 Keady Way, Shirley, MA. 01464

The Board of Assessors, Joseph Saball, Ronald Marchetti, James Keefe, and Principal Assessor Rebecca Caldbeck presented their recommendation to the Board of Selectmen. (see attached).

Board of Assessors reminded all that the tax levy and tax rates presented at this time are estimated and not certified or approved by the Massachusetts Department of Revenue. Further, after the override election on November 6th, the Board of Selectmen will need to hold a meeting to accept the results, to vote to not to call another election and to sign the LA5 form for the Tax Recap. Principal Assessor Rebecca Caldbeck pointed out the estimated tax rate will be \$15.66. She noted that though limited by Proposition 2 ½, the tax levy continues to increase resulting from Town Meeting votes on the operating budget. In FY2004, the tax levy was 37% of total revenue sources; in FY2013, the tax levy will be 64% of total revenue sources.

Selectman Swain made the **Motion to close the Public Hearing at 7:35pm. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to adopt a Residential Factor of 1 to maintain a single tax rate. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

3. Approval of MART Drug & Alcohol Policy

Selectman Swain made the **Motion to approve the Policy adopted by the Montachusett Regional Transit Advisory Board on September 12, 2012, Drug and Alcohol Program. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

4. Energy Committee Request – Solar

Bryan Dumont, Chair of the Energy Committee came before the Board of Selectmen to request that the Selectmen give some assurances on continuing working with Beth Greenblatt of Beacon Integrated Solutions. Mr. Dumont reported that Ms Greenblatt has not been compensated for her part in this process for the Solar Arrays. Ms Greenblatt is the Town of Shirley's and Shirley Water District's representative on negotiating a contract with EPG for the Solar Arrays. Mr. Dumont stated that once the Contract is signed, her compensation will be drawn from an escrow account that will be created by EPG.

Chairman Deveau stated the currently there is no funding source for Ms. Greenblatt's compensation and the Town will have to do a 'leaf of faith'. CAO concurred that there is no mechanism for her being paid through the town. Chairman Deveau noted that the Town has already authorized up to \$5000 up to this point for Beth Greenblatt. Selectmen and Mr. Dumont discussed further on a possibility of creating a MOU with the Shirley Water District with respect to compensating Beacon Integrated Solutions.

Selectman Swain asked if anyone has spoken to the Town Accountant with respect to the payment for Beacon Integrated Solutions. Mr. Dumont stated that Town Treasurer Kevin Johnston, who is also a member on the Energy Committee, will be speaking to the Town Accountant.

Selectmen concur that the Town is 90% through this project and are now into the finalization of the Contracts.

Selectman Swain made the **Motion for the Board of Selectmen to continue to use Beacon Integrated Solutions as the Town's Owner Agent for the large scale solar array and to authorize the expenditure up to \$2500 for additional monies to conclude the contract negotiations for Phase 1, Step A. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

5. One Day Liquor Licenses –

Selectman Swain made the **Motion to approve the One Day Liquor License for the Center Town Hall Halloween Party, to be held on Saturday, October 27, 2012 from 6:00pm to 10:00pm, with said license to expire on October 27th at 10:01pm. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to approve the One Day Liquor License for the Center Town Hall Season Party to be held on Saturday, December 1, 2012 from 6:00pm to 11:00pm, with said license to expire on December 1st at 11:01pm. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to approve the One Day Liquor License for the Center Town Hall New Year's Eve Party to be held on Monday, December 31, 2012 from 6:00pm to 12:30am, with said license to expire on January 1, 2013 at 12:31am. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

6. Driveway Permits

Selectman Swain made the **Motion to approve the New Driveway Permit for 5 Lakeview Drive, B Squared with the attached Orders of Condition, subject to a new Insurance Certificate. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to approve the Driveway Permit for 42 Catacunemaug Rd by City Line Paving, with the attached Orders of Condition. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to approve the Driveway Permit for 75 Hazen Rd with the attached Orders of Condition, subject the Contractor's Name and the Certificate of Insurance Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

7. Road Crossing & Pavement Cut

Selectman Swain made the **Motion to approve the Road Crossing & Pavement Cut for National Grid to install a new gas service on Little Turnpike Rd. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

8. Election Warrant

Selectman Swain made the **Motion to approve the Town of Shirley Warrant for State Election to be held on November 6, 2012 from 7:00am to 8:00pm, to be held in the Town Offices. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to approve the Town of Shirley Warrant for the MGL Chapter 59, Section 21C (Proposition 2 ½) to be held on November 6, 2012 from 7:00am to 8:00pm, to be held in the Town Offices. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to approve the Town of Shirley Warrant for the Special Election to be held on Saturday, November 17, 2012 from 8:00am to 4:00pm, to be held in the Town Offices. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

9. BOS Schedule Sept – June

Chairman Deveau made the recommendation to have the Board of Selectmen meet every other Monday, starting with October 22nd, then November 5th, November 19th, December 3rd and December 17th. Then the next meeting for the 2013 will be the First Monday

Selectman Swain made the **Motion to hold the Board of Selectmen's Meeting on the following dates, October 22, 2012, November 5, November 19th, December 3rd and December 17th and the first Monday in January, all meetings are held at 7:00pm, and any additional meetings as required. Selectman Dumont Seconded. David N. Swain vote aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

10. Town Offices Holiday Schedule and Office Closure

Selectman Swain made the **Motion to close the Town Offices on December 21' 2012 at 12:00pm and reopen on January 2, 2013 at 7:00am for the Building Inspector. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

OLD BUSINESS

11. Dispatch Request

Selectman Swain made the **Motion that the Board of Selectmen re-instate the \$2.00 per hour dispatch supervisor as it is a contractual mandate, for Dispatch Supervisor Katie Hawthorn, back dating to the original request of September 20, 2012. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

OTHER BUSINESS

Selectman Swain noted that the correspondence received by Chief Massak regarding the award to the State 911 Department Grant in the amount of \$20,810.00. This grant will help offset the salaries of the dispatchers over the next few months. Further, Chief is waiting for confirmation of an additional \$10,000 grant from the State 911 Department for training programs for the dispatchers.

Chairman Deveau noted that Chief Massak is going out on FMLA, due to an illness of a family member.

UPDATE FROM THE CAO

- Announced that the Conservation Agent is resigning. Conversation with the Town of Ayer of the possibility of sharing the position of the Conservation Agent.
- Update on the Catacunemaug Culvert Project. Noting that the Road will be closed for 10 days, starting October 15th.
- DPW Procurement of 2 trucks is underway.
- The procurement of the 2 police cruisers is being ordered. One Crown Victoria should be delivered shortly

- The narrow bandwidth radios are on order as well
- Final P & S for a the Old Hazen Memorial should be available shortly
- Town Counsel did file a Notice of Dismissal regarding the adverse taking on the Municipal Building

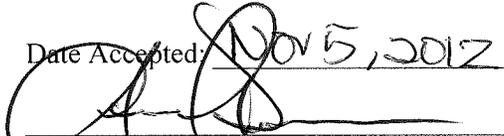
PUBLIC COMMENTS

- Town Clerk made announcements with regard to the deadlines on the Voter's Registration.
- Dawn McCall of the Recycling Committee, made the announcement regarding Recycling Day at the Ayer Shirley Middle School on Saturday, October 20th from 9am-2:30pm.

With no further business to discuss, **Motion and Seconded to adjourn at 8:25 p.m., David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Respectfully submitted,
Kathleen Rocco

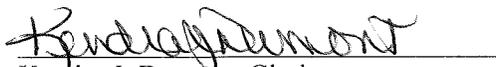
Date Accepted: NOV 5, 2012



Armand Deveau, Chair



David N. Swain, Vice Chair



Kendra J. Dumont, Clerk