

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

David N. Swain, Chair

Kendra J. Dumont, Vice Chair

Robert E. Prescott, Jr. Clerk

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BOARD OF SELECTMEN MINUTES of June 3, 2013 7:00pm TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, June 3, 2013 at the Town Offices with Chairman David N. Swain presiding, with Selectmen Kendra J. Dumont and Robert E. Prescott and Executive Assistant Kathleen Rocco in attendance.

CALL TO ORDER

Chairman Swain called to Order the Board of Selectmen's Meeting at 7:00pm

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 # 0148	<u>05/29/13</u>	\$ <u>6,921.79</u>
Payroll warrant # 6148	<u>05/29/13</u>	\$ <u>21,687.41</u>
Payroll warrant # 9148	<u>05/29/13</u>	\$ <u>25,081.26</u>
Payroll warrant # 0149	<u>06/05/13</u>	\$ <u>6,267.74</u>
Payroll warrant # 6149	<u>06/05/13</u>	\$ <u>26,057.82</u>
Payroll warrant # 9149	<u>06/05/13</u>	\$ <u>10,253.10</u>
Payable warrant# 2483	<u>05/29/13</u>	\$ <u>214,584.98</u>
Payable warrant# 9463	<u>05/31/13</u>	\$ <u>5,522.00</u>
Payable warrant# 2493	<u>06/05/13</u>	\$ <u>8,391.44</u>
Payable warrant# 9473	<u>06/05/13</u>	\$ <u>412,500.00</u>

Selectman Dumont made the **Motion to accept the following Treasury Warrants as presented. Seconded. Robert E. Prescott vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.**

APPROVAL OF MINUTES

Selectman Dumont made the **Motion to accept the Minutes of May 6, 2013 and May 13, 2013. Selectman Prescott Seconded. Robert E. Prescott vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.**

Selectman Prescott made the **Motion to accept the Minutes of May 20, 2013 and May 21, 2013. Selectman Swain Seconded. Robert E. Prescott vote Aye and David N. Swain vote Aye.**

NEW BUSINESS

1. Financing For ASRSD High School Construction Project

Town Treasurer Kevin Johnston came before the Board to give an informational update regarding the ASRSD High School Construction Project. (See attached)

Mr. Johnston noted that the project will be financed under the State Qualified Bond program, applying the Massachusetts bond rating of AA to the debt; this is a higher rating than the district is projected to have on its own merit. Financing the entire project provides the opportunity to take advantage of low interest rates, apply a recent change by the DOR in how a bond premium is handled, avoid any tax impact in FY14, eliminate added interest costs for short term borrowing during construction, and provide flexibility in applying payments from Ayer for a share of the Shirley Middle School debt to the Shirley's share of the project costs. With these recommendations, and a savings of \$800,000 tax dollars to the Shirley taxpayers, the Town Treasurer endorses the financing plans under consideration by the Ayer-Shirley Regional School Committee.

2. Health Insurance Policy

As Benefits Coordinator, Town Treasurer Kevin Johnston gave a copy of the Standard Operating Procedure for Employee Health Benefits Payments; that was revised in April, 2009. Noting that the policy has not been accepted by the Board of Selectmen, Johnston asked that the Board consider adopting the SOP to help with the management of the health benefits collections.

Chairman Swain asked what does the Town do when an employee does not pay. Johnston stated that any subscriber that is more than 30 days in arrears of payment should be retro-actively terminated from the health benefits.

Selectman Prescott asked if there is an assessment of what is in arrears, and if so, is it collectable. Johnston noted that there is data compiled and will present that to the Selectmen. Selectman Prescott asked that be presented at the next Selectmen's meeting.

Further discussion on if an administrator fee can be added to the collection process. Johnston was not sure legally if the Town can assess a fee. Executive Assistant Kathleen Rocco noted that several departments do in fact add a fee, referencing the DPW who adds an administrative fee to the MBTA invoice annually. Selectman Prescott would like an addendum to the SOP.

Selectman Dumont made the **Motion to approve the Standard Operating Procedure for Employee Health Benefits with an addendum for administrative fee.** Selectman Prescott **Seconded.** **Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

3. Sign the Warrants for the Special Election and Special Town Election

Selectman Dumont made the **Motion to approve the Warrant for Special Election for Senator in Congress to be held on Tuesday, June 25, 2013 between the hours of 7:00am and 8:00pm, located at the Town Offices.** Selectman Prescott **Seconded.** **Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

Selectman Dumont made the **Motion to approve the Warrant for Special Town Election for two override ballot questions and one capital exclusion question.** Selectman Prescott **Seconded.**

Discussion:

Selectman Dumont noted that although the wording for ballot question #1 is asking for \$160,000 for a purchase of a Dump Truck; she would like to clarify to the public, that this is a capital debt exclusion, which would allow the debt to be paid off in one year, and not remain in the levy.

Kendra J. Dumont vote Aye, Robert E. Prescott vote aye and David N. Swain vote Aye.

4. Set Special Town Meeting Date

Discussion on setting the Special Town Meeting Date regarding amending the appropriation on line item #331 – Ayer Shirley Regional School District budget. Town Clerk voiced concerns with setting a Special Town Meeting on the 24th of June. The Town is having a double election the following day. She needs time to set up for the election. Both Town Moderator and School Superintendent support Town Clerk's request to have the Special Town Meeting on Wednesday, June 26th.

Both Selectmen Dumont and Prescott would have preferred the STM to be held on the same day as Ayer, so the vote will not be influenced in anyway as well as traditionally the Town Meetings are held on Mondays.

Selectman Dumont made the **Motion to approve the Special Town Meeting Warrant to be held on Wednesday, June 26, 2013 at the Ayer Shirley Regional Middle School Auditorium at 7:15 pm.** Selectman Prescott **Seconded.** **Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

5. Surplus to Deficit Request

Selectman Dumont made the **Motion to transfer from Budget Line Item #945 – General Insurance the amount of \$8,000 to Budget Line Item #151 Legal Expenses.** Selectman

Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.

6. Ethics Test Waiver

Council on Aging requested that the Board of Selectmen approve the following exemptions (*see attached*), to the Ethics Test, regarding Conflicts of Interest. The Council on Aging, while agreeing that employees, Appointees take the recently revised Ethics Test, the COA questions the need to have all volunteers to take the test as well.

Selectmen reviewed the document submitted by Town Clerk and noted that under the Ethics Commission 'exemptions were as follows:

- *Unpaid volunteer positions in which employees do not have or exercise governmental authority and do not participate in or have responsibility for government decision-making, contracting, hiring, investigation or any other discretionary governmental action.*
- *Participants in senior citizen tax abatement programs pursuant to General Laws chapter 59, section 5K, and Senior Corps, the Retired and Senior Volunteer Program, Forster Grandparents, Senior Companions and comparable programs.*

Selectman Dumont made the **Motion to approve Council on Aging's Volunteers be exempt from taking the Conflict of Interest Ethics Test. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

7. MRPC GIS Mapping Approval

Police Chief Massak had requested that the Board of Selectmen authorize MRPC to begin work on the mapping projection regarding the Sex Offender By-Law. The authorization will allow the Town of Shirley to receive 8 hours of free service for the GIS mapping of the Town Shirley buffer zones for the Sex Offender By-Law.

Selectman Dumont made the **Motion to approve the request for to MRPC for the GIS Mapping of the Town of Shirley as it relates to the Sex Offender By-Law. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

8. Regional Household Hazardous 2nd Amendment to Intermunicipal Agreement

The Town of Ashby has voted to join the Devens Household Hazardous Waste Collaborative; therefore the participating communities must sign the Second Amendment to the Intermunicipal Agreement.

Selectman Dumont made the **Motion to authorize the Chairman to sign the Second Amendment to Intermunicipal Agreement by and Among Communities in the Devens Regional Household Hazardous Products Collection Program. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

9. Driveway Permits

Selectman Dumont made the **Motion to approve the Application for Permit “To construct &/or Blacktop Driveway or Accessway” for 3 Brown Road, Contractor RJ Davenport Paving, to be completed by June 8, 2013 when the Certificate of Insurance expires, and the attached Order of Conditions. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

Selectman Dumont made the **Motion to approve the Application for Permit “To construct &/or Blacktop Driveway or Accessway” for 4 Gideon Lane, Contractor MUUS Note Acquisition, with the attached Order of Conditions. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

10. Energy Committee Request -TABLED

11. Appointments (See Attached)

Selectman Dumont made the **Motion to Appoint the following, Selectman Prescott Seconded. Kendra J. Dumont Vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

Accountant

*Bobbi Jo Colburn to **Town Accountant**, 3 year term to expire June 30, 2016
Nicole Hunt to **Assistant Town Accountant**, term to expire June 30, 2014*

Recycling

*A. Dawn McCall, Michael Labbe, Pamela Torres to **Advisory Board to Board of Health(recycling)**, term to expire June 30, 2014.*

Ambulance

*Michael Detillion, **Ambulance Director**, term to expire June 30, 2014.
Kimberly Henry, William Poitras, Cody Roberts-Malone, Derek Ranno, Steven Henry, Jennifer Poitras, Donald Denning, Aaron Wernick to **EMT**, term to expire June 30, 2014.
Troy Cooley, Joseph Hawthorne, to **Full Time EMT**, term to expire June 30, 2014
Al Deshler and Adam Ouellette to **EMT – I**, term to expire June 30, 2014.*

Building Commissioner

*Gary Rhodes to **part-time Building Commissioner**, term to expire June 30, 2014.*

Council on Aging

*John Oelfke, **COA Director**, term to expire June 30, 2014.
Raymond Gagnon and John Pender, **Members**, 3 year term to expire June 30, 2016.*

Dispatcher

*Katie Hawthorne, Robert Wilmont, Cody Roberts, Francis Ortiz to **Full Time Dispatchers**, term to expire June 30, 2014.
Paul Topoiski, Elaine Strout-Clements, John Burgoyne and Christopher Shea to **Part-Time Dispatchers**, term to expire June 30, 2014.*

Dog Officer

Earl Hamel as **Dog Officer**, term to expire June 30, 2014.

E911 Coordinator

Katie Hawthorne as **E911 Coordinator**, term to expire June 30, 2014.

Emergency Management Director

Dennis Levesque as **Emergency Management Director**, term to expire June 30, 2014.

Insurance Advisory Committee

Sally Carlson as **Retiree Representative to Insurance Advisory Committee** term to expire June 30, 2014.

Local Inspector

Donald Farrar as **Full Time Local Inspector**, term to expire June 30, 2014.

Meals on Wheels/Mart Bus Program

Robert Perry as **Full Time Van Driver**, term to expire June 30, 2014.

Joseph Mandarano and Douglas Perry as **Part-Time Van Drivers**, term to expire June 30, 2014.

Aida Dombrowski and Olga Pender as **Part-Time Coordinator/Dispatch**, term to expire June 30, 2014.

Personnel Board

Susan Hartman and Paul Przybyla as **Members**, 3 year terms to expire June 30, 2016.

Plumbing/Gas Inspector

Robert Friedrich as **Plumbing/Gas Inspector**, term to expire June 30, 2014.

James Bakun as **Alternate Plumbing/Gas Inspector**, term to expire June 30, 2014.

Police

Brian Souther as **Custodian**, term to expire June 30, 2014.

Ann-Maire Whiting, as **Executive Secretary**, term to expire June 30, 2014.

Elaine Clements, Richard Clements and Katie Hawthorne, as **Matron**, term to expire June 30, 2014.

Brandon Bruin and Jason Strniste as **Patrolmen**, 1 year term to expire June 30, 2014.

Craig LaPrade and Everett Moody as **Patrolmen**, 3 year term to expire June 30, 2016.

Lesley Hampson, Merkendrick Jackson and Robert Pacetti as **Reserve Officers**, 1 year term to expire June 30, 2014.

Alfreda Cromwell and Samuel Santiago as **Sergeants**, 1 year term to expire, June 30, 2014.

Public Works

Pam Callahan as **Administrative Assistant**, term to expire June 30, 2014.

Lee Farrar as **Jr. Laborer (Seasonal)**, term to expire June 30, 2014.

Michael Hampson as a **Part Time Laborer**, term to expire June 30, 2014.

Right To Know Coordinator

Dennis Levesque as the **Right To Know Coordinator**, term to expire June 30, 2014.

Sealer of Weights & Measurers

Eric Aaltonen as **Sealer of Weights & Measurers**, term to expire June 30, 2014.

Special Police Officers

*Groton Police Department appointed to **Special Police Officers**, terms to expire June 30, 2014.*

Town Treasurer

Janet Poitras as Assistant Town Treasurer, term to expire June 30, 2014.

Veterans Agent

*Dwight Detillion as **Veterans Agent**, term to expire June 30, 2014.*

Wiring Inspector

*James Thibault as **Wiring Inspector**, term to expire June 30, 2014.*

*Mark Prokowiew as **Assistant Wiring Inspector**, term to expire, June 30, 2014.*

Zoning Board of Appeals

*Heather Hampson as **Clerk**, term to expire June 30, 2014.*

*James Thibault as **Member**, 5 year term to expire June 30, 2018.*

*Sharon Palinsky as **Member**, 5 year term to expire June 30, 2018.*

OLD BUSINESS

12. Town Administrator Job Description

Review of the various Job Descriptions for the position of Town Administrator. Chairman Swain noted that the first job description from the Town of Shirley was fine, but would add working beyond the normal 9-5 work day, as well as works with Boards and Commissions and attend meetings as required.

Selectman Prescott asked if there were names submitted for the Town Administrator Search Committee. Executive Assistant Kathleen Rocco stated that she had some, but believed the Selectmen had others. Selectman Dumont noted that she is not in favor of a search committee, and would rather all applications go through the Board of Selectmen.

13. Update of JBOS

Selectman Prescott gave an update of the past meeting with JBOS. He noted that there is discussion on Regionalization of some services. Noting that he plans on attending most meetings, there will be times he cannot and will need an alternate to JBOS.

Selectman Dumont made the **Motion to appoint David Swain as alternate to JBOS. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott vote Aye and David N. Swain vote Aye.**

PUBLIC COMMENTS - NONE

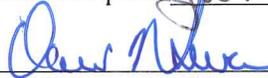
ANNOUNCEMENTS

ADJOURNMENT

With no further business to discuss, **Motion and Seconded to adjourn at 8:48 p.m., Robert E. Prescott vote Aye, David N. Swain vote Aye, and Kendra J. Dumont vote Aye .**

Respectfully submitted,
Kathleen Rocco

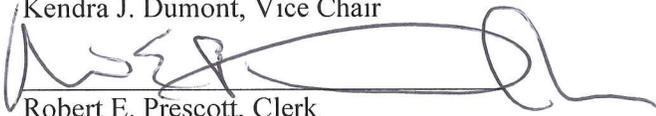
Date Accepted: June 17, 2013



David N. Swain, Chair



Kendra J. Dumont, Vice Chair



Robert E. Prescott, Clerk

Pursuant to the 'Open Meeting Law,' G.L. 39, § 23B, the approval of these minutes by the Board constitutes a certification of the date, time and place of the meeting, the members present and absent, and the actions taken at the meeting. Any other description of statements made by any person, or the summary of the discussion of any matter, is included for the purpose of context only, and no certification, express or implied, is made by the Board as to the completeness or accuracy of such statements.