

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

Kendra J. Dumont, Chair

Robert E. Prescott, Jr., Vice Chair

David N. Swain, Clerk

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BOARD OF SELECTMEN

MINUTES

April 7, 2014

7:00pm

TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, April 7, 2014 at the Town Offices, Meeting Rooms A & B, with Chairman Kendra J. Dumont presiding, with Selectmen David N. Swain, Robert E. Prescott, Town Administrator Patrice Garvin and Executive Assistant Kathleen Rocco in attendance.

CALL TO ORDER

Chairman Dumont called to Order the Board of Selectmen's Meeting at 7:05pm

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

TOWN ADMINISTRATOR REPORT

The Town Administrator reported that Open Enrollment for Employee Health Benefits began on April 1st and will end April 30th. Kathleen Rocco will be coordinating a benefits fair to all the employees on Tuesday, April 22nd from 10am – 2pm. There will be vendors from the Town's health care providers as well as some local vendors.

TA noted that there was a Public Safety Meeting last week in which there was discussion on the continued deterioration in town roads, which were not helped by this past winter. She would like to prepare a paving plan, prioritizing with the DPW the roads that need to be addressed in the next five years and a possible funding plan for it. This work will begin after Town Meeting.

The Bylaw Review Committee met last Thursday and decided to table the Finance Committee Bylaw. Our hope is to take some more time with the bylaw and present it at the Fall Town Meeting. The other bylaws were reviewed and she will be sending them to Town Counsel for review and then will have the Selectmen review.

Garvin has a tentative schedule regarding the Town Meeting, scheduled for June 2nd:

- Monday, April 28, 2014 – Public Hearing with Finance Committee on the Annual Town Meeting

- Monday, May 5, 2014 – Board of Selectmen finalizes the ATM Warrant and take positions.
- Tuesday, May 6, 2014 – Finance Committee takes position on Articles.
- Friday, May 16, 2014 – ATM Warrant is mailed to residents.
- Tuesday, May 27, 2014 – Pre-Town Meeting – Meeting

The Police Chief Advertisement has been posted and TA Garvin is currently receiving resumes. She is in the process of coordinating a meeting date for the Search Committee for the last week in April to distribute resumes.

TREASURY WARRANTS

Payroll warrant # 0141	<u>04/09/14</u>	<u>\$ 5,275.18</u>
Payroll warrant # 6141	<u>04/09/14</u>	<u>\$ 23,599.79</u>
Payroll warrant # 9141	<u>04/09/14</u>	<u>\$ 8,944.54</u>
Payable warrant# 2414	<u>04/09/14</u>	<u>\$ 19,098.64</u>
Payable warrant# 9444	<u>04/15/14</u>	<u>\$ 109,090.00</u>

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

APPROVAL OF MINUTES

Selectman Prescott made the *Motion to approve the Minutes of March 31, 2014. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.*

OLD BUSINESS

1. Energy Committee Update - Tabled

NEW BUSINESS

1. Appointment – Full Time Dispatcher – David Bryce

Chief Massak and David Bryce came before the Board of Selectmen. Chief Massak introduced David Bryce and gave an overview of Mr. Bryce's credentials.

Selectman Prescott made the Motion to approve the appointment of David Bryce as the Full Time Dispatcher, term to expire June 30, 2014. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

2. Tax Title Update

Town Collector Holly Haase and Assistant Treasurer Janet Poitras gave an update of the status on the Tax title Status.

Holly Haase noted that they are verifying all the data in the Vadar software. At the present they have approximately 96 parcels in Tax Title, at least one dating back to 1935. Reviewing and verifying this data is time consuming.

Haase reported that there are 5 foreclosures in Land Court. Two of the accounts have had hearings in Land Court. In both cases, the property owners did not show at the hearings and were found in default. Currently she is waiting for a final decree from Land Court. She further stated that she is hoping in early summer of 2015, the Town will be able to hold an auction of the foreclosed properties.

With regard to Land of Low Value /Unknown Owner, the Assessor's office has been checking all unknown owners to make sure all the proper documentation is in place to foreclose on these properties. The Assessors have requested permission to abate two of the unknown owners under Chapter 58, Section 8. Haase will begin verifying the data on the other Land of Low Value properties and begin to process them through the D.O.R.

Finally, she spoke about the selling Tax Liens. A second option that the Town could look into is selling the tax liens. Haase spoke to representative from Tallage, about the advantages of auctioning the tax liens. She stated that she can go through her tax title accounts and decide which ones she would want to sell the liens. Her office would advertise those accounts in the same manner as a tax taking. The advertisement would state a time and place the auction would be held. Anyone who wanted to bid on the tax liens would have to register prior to the auction. She would decide on what the minimum bid would be and hold the auction. The winning bidder would be required to pay the Town of Shirley for the amount they bid and would keep all the taxes current on the liens they purchases.

3. Possible ATM Article – Town Own Parcels

TA Garvin is considering having an article regarding Town Owned Parcels. She asked Principal Assessor Becky Boucher to show all the town owned land. Garvin noted that she would like the Board of Selectmen to review the list if disposition of property and consider placing on the Warrant.

4. Discussion on Town Counsel

Town Administrator Garvin stated that she recently met with Attorney Lauren Goldberg from Kopelman and Paige. Garvin noted that she would like to revisit and discuss the possibility of retaining Kopelman and Paige as Town Counsel.

She stated that it has been difficult to receive an opinion from Town Counsel in a timely manner. She and Chairman Dumont met with Attorney Goldberg from the law firm Kopelman & Paige to discuss providing the Town with a proposal for legal services. TA Garvin stated Attorney Lauren Goldberg would be the Town's lead in Town Counsel. Garvin further stated that hourly rate for K&P will be \$160, however they will not charge for Annual Town Meeting.

Chairman Dumont stated that she is on the fence with changing Town Counsel, as she was the one of the Selectmen who changed Town Counsel from Kopelman and Paige to Brackett & Lucas. She further stated that she acknowledges that Brackett & Lucas has not been advising the Town in a timely manner, however, Attorney Brackett was exceptional during a trying time at the Town Offices.

Selectman Swain stated that he agreed with the Town Administrator in the concern with lengthy delays which is becoming frustrating when the Town needs an opinion or advise from Town Counsel. He further stated the he understands that Brackett & Lucas is an extremely small firm, and may not be able to handle the tasks asked from the Town. He agreed that Brackett & Lucas has been very helpful in the past, but has no issues using Kopelman & Paige s they have more “breadth and depth” as a law firm.

Selectman Prescott agrees with Selectman Swain, however asked if the Town Administrator has reached out to Brackett & Lucas regarding this issue and have they been given an opportunity to respond.

Chairman Dumont asked that the Town Administrator to notify Brackett & Lucas about the concerns of the lengthy delays in opinions or advise and have them give a response by the week of April 14th.

5. Driveway Permit – 126 Townsend Road

Selectman Swain made the Motion to approve the Application for Permit “to construct &/or Blacktop Driveway or Accessway” for 126 Townsend Road with the attached Order of Conditions. Chairman Dumont Seconded. Robert E. Prescott abstains, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

PUBLIC COMMENTS - NONE

ANNOUNCEMENTS

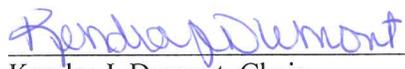
Chairman Dumont announced that St. Anthony’s will be having an Easter Egg Hunt from 10:45am to 11:00am on Easter Sunday Morning, April 20th at Whitely Park.

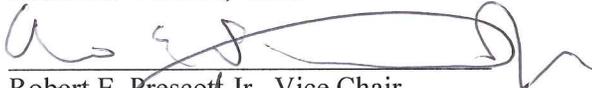
ADJOURNMENT

With no further business to discuss, *Motion and Seconded to adjourn at 7:34 p.m., Robert E. Prescott vote Aye, David N. Swain vote Aye, and Kendra J. Dumont vote Aye .*

Respectfully submitted,
Kathleen Rocco

Date Accepted: April 14, 2014


Kendra J. Dumont, Chair


Robert E. Prescott Jr., Vice Chair


David N. Swain, 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.