

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

August 25, 2014

7:00pm

TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, August 25, 2014, at the Town Offices, Meeting Rooms A & B, with Chairman David N. Swain presiding, with Selectman Kendra J. Dumont, Town Administrator Patrice Garvin and Executive Assistant Kathleen Rocco in attendance. Selectman Robert E. Prescott, Jr. was not in attendance

CALL TO ORDER

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

TOWN ADMINISTRATOR REPORT

Town Administrator Patrice Garvin gave her weekly report. She noted that the Attorney General's office approved the Street Lights (Bylaw Article XXX) and Financial Affairs (Bylaw Article III) Bylaws that were approved at the Annual Town Meeting in June. There is a comment/revision to consider on the Financial Affairs Bylaw. Garvin noted that the Town Clerk has posted the bylaws, making them effective as of the posting. Continued discussion will occur on the AG's comments.

The Police Department has secured funding for the acquisition of a motorcycle. The funding comes from the Police Department's Officer Ben Trust Fund. The donation to the fund was from Bemis Associates, who donates yearly to the fund. Bemis was more than enthusiastic about this initiative. The acquisition will defray costs and the depreciation of the fleet. Garvin included the memo from Chief Demoura.

Selectman Dumont moved that the Board of Selectmen accept the Officer Ben Trust Fund paying for the Motorcycle for one year. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

MIIA is requesting a contract between the Town and its Health Benefit Trust. The purpose of this contract is to assure all HIPPA laws are followed while we are under MIIA's Health Plan. TA included a copy of the contract. This is done annually between the Town and MIIA. She has requested that the Board formally approve and sign the Contract.

Selectman Dumont moved to approve and accept the Business Associate Contract Between the MIIA Health Benefits Trust and The Town of Shirley and its Health Plan. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

TA Garvin met with the Chairman of the War Memorial Trustees to begin to define Care and Custody of the War Memorial Building. She had asked Town Counsel what the impact of dedicating the War Memorial Building as a Memorial. According to Counsel declaring the War Memorial Building as a Memorial would:

In my opinion, a vote by Town Meeting to dedicate the building as a war memorial would not change the control of the building; the Selectmen would continue to control the building, albeit for uses consistent with the use of war memorials...

By designating the building as a war memorial, the Town will be acknowledging that the building commemorates and honors veterans and/or historical events. Leasing the building to veterans' organizations would be considered an acceptable use, as would use of the building for a museum, governmental offices, community events and /or meetings, and functions halls/auditoriums. Such memorial buildings could also be leased to non-profits or others for other public purposes, such as a day care center or an education center.

Garvin explained that this means limited use of the building if passed at Town Meeting. She has relayed this opinion to the Chairman of the Trustees, who will bring it to her Board. More discussion will occur.

The Police Department has entered into annual MOU's with MCI Shirley. She was told that these agreements over the last few years, has not been submitted to the Board of Selectmen. She has rectified that situation moving forward. Absent any MOU the Town would respond the same way through Mutual Aid, and this would just codify an agreement.

Finally, in the past the Town gave a letter of support to the Shirley Water District to apply for grants through the Town of Shirley for MassWorks Grants.

Selectman Dumont moved that Shirley Water District can use the Municipal Town of Shirley to apply for the MassWorks Grant. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

TREASURY WARRANTS

Payroll warrant # 0108	<u>08/20/14</u>	<u>\$ 15,067.72</u>
Payroll warrant # 6108	<u>08/20/14</u>	<u>\$ 24,285.77</u>
Payroll warrant # 9108	<u>08/20/14</u>	<u>\$ 12,157.05</u>
Payable warrant# 9165	<u>08/01/14</u>	<u>\$ 61,766.25</u>
Payable warrant# 2085	<u>08/20/14</u>	<u>\$ 35,040.16</u>
Payable warrant# 2095	<u>08/27/14</u>	<u>\$ 53,757.09</u>
Payable warrant# 9175	<u>08/18/14</u>	<u>\$ 85,464.00</u>
Payable warrant# 9185	<u>08/22/14</u>	<u>\$ 50.00</u>

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

APPROVAL OF MINUTES - Tabled

OLD BUSINESS -

1. Energy Committee Update - Tabled

NEW BUSINESS

2. Appointment of Police Chief – Thomas Goulden

Chairman Swain introduced the new Police Chief Thomas Goulden and presented to the Chief his Police Chief Badge.

Selectman Dumont moved to appoint Thomas Goulden as Town Of Shirley Police Chief, term to expire June 30, 2017. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to approve the Contract between Thomas Goulden and the Town Of Shirley. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

3. Appointments- Regional Dispatch Review Ad Hoc Committee

Selectman Dumont moved to appoint Thomas Goulden to the Regional Dispatch Review Ad Hoc Committee, term to expire June 30, 2015. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to appoint Dennis Levesque to the Regional Dispatch Review Ad Hoc Committee, term to expire June 30, 2015. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye

Selectman Dumont moved to appoint Paul Farrar to the Regional Dispatch Review Ad Hoc Committee, term to expire June 30, 2015. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye

Selectman Dumont moved to appoint Stewart Cady to the Regional Dispatch Review Ad Hoc Committee, term to expire June 30, 2015. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye

Selectman Dumont moved to appoint Bobbi Jo Colburn to the Regional Dispatch Review Ad Hoc Committee, term to expire June 30, 2015. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to appoint Patrice Garvin to the Regional Dispatch Review Ad Hoc Committee, term to expire June 30, 2015. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye

4. Driveway Permits – Pond View Circle (4); 64 Patterson Road

Selectman Dumont moved to approve the Application for Permit “To Construct &/or Blacktop Driveway or Accessway” for 1 Pond View Circle, per the Order of Conditions. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to approve the Application for Permit “To Construct &/or Blacktop Driveway or Accessway” for 2 Pond View Circle, per the Order of Conditions. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to approve the Application for Permit “To Construct &/or Blacktop Driveway or Accessway” for 3 Pond View Circle, per the Order of Conditions. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to approve the Application for Permit “To Construct &/or Blacktop Driveway or Accessway” for 4 Pond View Circle, per the Order of Conditions. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to approve the Application for Permit “To Construct &/or Blacktop Driveway or Accessway” for 1 Pond View Circle, per the Order of Conditions. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to approve the Application for Permit “To Construct &/or Blacktop Driveway or Accessway” for 64 Patterson Road, per the Order of Conditions. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

5. Tax Title Update – Town Collector

Town Collector Holly Haase came before the Board to update on the Tax Titles. She recommended that someone take charge on the tax possession. She feels that a committee is not needed.

She noted that the Town did receive over \$109,000 over one property in lieu of foreclosure.

Selectman Dumont moved to appoint Holly Haase as Tax Possession Custodian, term to expire June 30, 2015. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

6. Conflict of Interest Exemption – Town Clerk

Town Clerk Amy McDougall is requesting that the Board of Selectmen formally adopt a policy of Exempting Certain Positions from the State’s Conflict of Interest Mandatory Education and Training Requirements.

Selectman Dumont moved to adopt the Policy on Public Employees of the Town of Shirley Exempt from the Mandatory Education and Training Requirements of Sections 27 and 28 of the Massachusetts General Laws Chapter 268A (Conflict of Interest Law). Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

7. Conservation Commission Forestry Cost Sharing Grant

Selectman Dumont moved to approve the Massachusetts Department of Conservation and Recreation Cost-Share Application for Working Forest Initiative Funding for Fiscal Year 2015 for the property known as Townsend Road. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to approve the Massachusetts Department of Conservation and Recreation Cost-Share Application for Working Forest Initiative Funding for Fiscal Year 2015 for the property known as Hazen Road. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved sign the letter for the Shirley Conservation Committee. Seconded. Kendra J. Dumont vote Aye and David N. Swain vote Aye.

PUBLIC COMMENTS - None

ANNOUNCEMENTS

Town Offices will be closed on Monday, September 1, 2014 for Labor Day.

Next Board of Selectmen's meeting is Monday, September 8, 2014.

ADJOURNMENT

With no further business to discuss, *Motion and Seconded to adjourn at 7:30p.m., Kendra J. Dumont vote Aye, and David N. Swain vote Aye.*

Respectfully submitted,
Kathleen Rocco

Date Accepted: Sept 8, 2014

David N. Swain
David N. Swain, Chair

Kendra J. Dumont
Kendra J. Dumont, Vice Chair

Robert E. Prescott, Jr.
Robert E. Prescott, Jr., 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.