



# 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

**December 1, 2014**

**7:00pm**

**TOWN OFFICES**

The Board of Selectmen convened its meeting on Monday, December 1, 2014 at the Town Offices, Meeting Rooms A & B, Chairman David N. Swain presiding, with Selectmen Kendra J. Dumont, Robert E. Prescott, Jr., Town Administrator Patrice Garvin and Executive Assistant Kathleen Rocco 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 to the Board of Selectmen. She reported that she has put together a draft Selectmen's Guide. It includes policies, contact information and pamphlets on MGL.

A Citizen Petition has been received on Monday, November 24<sup>th</sup>. Garvin stated its purpose is to call a Special Town Meeting to move \$4,602 to the Library. The petition is to have monies transferred from the Tax Title/Foreclosure line to the Library. Under MGL, the Selectmen have 45 days to call a STM. Garvin noted that given the time of year, the petition put the Town in a tailspin to find a date that did not conflict with the holidays. To that end, the date of Tuesday, December 16<sup>th</sup> looks like the best date to hold the meeting, with a snow date of December 22<sup>nd</sup>. Garvin will be itemizing all charges and time to hold this meeting. She stated that item can be discussed further under the STM agenda item.

TA reported that the staff had professional development training on November 19<sup>th</sup>. It was well received, and will be holding training in February, after is completed.

Garvin stated that a meeting has been scheduled December 2<sup>nd</sup> with key players to discuss the Town Meeting process. She has invited the Town Clerk, Town Moderator, Past Town Moderator, a Selectman, and the Chairman of the Finance Committee. The purpose of this meeting is to discuss some feedback the town received from its last STM. She stated that any successful meeting is due to the collective whole. The success of a Town Meeting does not weigh solely on one person, which is why the Town Administrator feels the meeting will be useful. She is hopeful everyone will be able to attend the meeting. Counsel had a lot of insights after the meeting and Garvin is hopeful Counsel's comments will be valuable to the discussion.

The Police Chief has initiated an agreement with the Town of Harvard to use their dog kennel. Previously the dogs were housed at the Animal Control Officer's home, which created a liability for the town. The money to house the dogs will come out of the Dog Officer revolving Fund. Documents are attached.

The Board of Selectmen discussed at its last meeting the creating of a Police Screening Committee. To that end, Garvin has reached out to potential members. She further stated that she has a draft charge of the committee for the Selectmen's approval.

Garvin reported that the Thanksgiving Day Storm total cost was \$10,122.99.

Finally, she noted that the Middlesex County Retirement Preliminary Appropriation for FY16 will see approximately a 9.30% increase over 2015 Budgeted Appropriation.

<b>TREASURY WARRANTS</b>
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Payroll warrant # <u>0122</u>	<u>11/26/14</u>	<u>\$ 4,677.56</u>
Payroll warrant # <u>6122</u>	<u>11/26/14</u>	<u>\$ 23,810.20</u>
Payroll warrant # <u>9122</u>	<u>11/26/14</u>	<u>\$ 23,058.74</u>
Payroll warrant # <u>0123</u>	<u>12/03/14</u>	<u>\$ 5,847.88</u>
Payroll warrant # <u>6123</u>	<u>12/03/14</u>	<u>\$ 27,500.60</u>
Payroll warrant # <u>9123</u>	<u>12/03/14</u>	<u>\$ 10,804.77</u>
Payable warrant# <u>2225</u>	<u>11/26/14</u>	<u>\$ 69,720.14</u>
Payable warrant# <u>2235</u>	<u>12/03/14</u>	<u>\$ 12,379.86</u>
Payable warrant# <u>9275</u>	<u>12/05/14</u>	<u>\$ 477,481.58</u>

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

<b>APPROVAL OF MINUTES</b>
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Selectman Dumont made the Motion to accept the Minutes of November 17, 2014. Selectman Prescott Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

<b>OLD BUSINESS</b>
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1. Energy Committee Update – Tabled

**NEW BUSINESS**

2. 7:05pm Public Hearing – Renewal of Gravel Permits

Selectman Dumont moved to open the Public Hearing for Renewal of Gravel Permits at 7:05pm. Seconded. Robert E. Prescott, Jr., vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Prescott read the legal notice into the minutes:

*The Board of Selectmen will hold a Public Hearing at 7:05 p.m. on Monday, December 1, at the Town Offices, 7 Keady Way, for Renewals of Removal Permits for Soil, Loam, Sand, Gravel or Other Earth Products for: Anita Haines, Robert Hart and Safety First Investments. If you are unable to attend, please forward your written comments to the Board of Selectmen, 7 Keady Way, Shirley, MA 01464, prior to the Public Hearing.*

Chairman Swain asked for comments. Seeing None

Selectman Dumont moved to close the Public Hearing at 7:07pm

Selectman Dumont moved to approve the applications for Earth Removal permits for; Anita B. Haines, Townsend Road and Robert Hart, Moore Drive, per the attached Order of Conditions and the Town of Shirley By-Laws, to expire December 31, 2015

3. Renewal of Alcohol and Food License for 2015

Chairman Swain reviewed the Renewal of Alcohol and Food Licenses for 2015 for the following:

- a. Bull Run Restaurant
- b. Phoenix Bar & Grill
- c. Piccolino Club
- d. George J. Morin Post #183 (American Legion)
- e. Net Variety
- f. Shirley Package Store
- g. M&M Convenience
- h. Roux's Market
- i. Dunkin' Donuts
- j. Great Wall
- k. K & J Airport Diner
- l. Village Pizza

Selectman Dumont moved to approve the Alcohol and Food Licenses for the for the above-referenced, subject to all laws of the Commonwealth and the By-Laws of the Town of Shirley, terms to expire December 31, 2015. Selectmen Prescott Seconded. Robert E. Prescott vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

4. Renewal of Class II and Class III Permits

Chairman Swain reviewed the Renewal of Class II and Class III Permits for the following

- a. Warila Auto Repair & Sales
- b. Mohawk Village Motors
- c. Shirley Garage, Inc.
- d. Insurance Auto Auctions, Corp.
- e. Warila Enterprises, Inc. dba Burlington Auto Body
- f. Landry Brother's Garage, Inc

Selectman Dumont moved to approve the Used Car Dealer's License – Class II – Motor Vehicle Junk License, Class III for the above referenced, terms to expire January 1, 2016, subject to all laws of the Commonwealth and the By-Laws of the Town of Shirley. Selectman Prescott Seconded. Robert E. Prescott, Jr. vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

5. Vacate Foreclosure Decree

Town Collector Holly Haase came before the Board of Selectmen to request they Vacate the Foreclosure Decree for 13 Lancaster Road.

Selectman Dumont moved to vacate the Foreclosure Decree for 13 Lancaster Road, Parcel 16-G-7. Seconded. Robert E. Prescott, Jr., vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

6. Appointments: Part Time Clerk – Vicki S. Bilafer & DPW Laborer – David Schwartz

Selectman Dumont moved to appoint Vicki S. Bilafer to the position of Part-Time Clerk, term to expire June 30, 2015. Seconded. Robert E. Prescott, Jr., vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to appoint David Schwartz to the position of Full-Time DPW Laborer, term to expire June 30, 2015, contingent on CORI check and Drug & Alcohol Test. Seconded. Robert E. Prescott, Jr., vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

7. Senior Work-Off Program

The Selectmen reviewed the Board of Assessors' FY2016 Senior Work-Off Program. Chairman Swain noted that the program has been in existence for several years. Executive Assistant Kathleen Rocco noted that the minimum wage will increase to \$9/hrs thus reducing the number hours need to work to attain the full \$1000 abatement.

Selectman Dumont asked when the program will start for FY16. It was noted the start dated is mid-January.

Selectman Dumont moved to approve the FY2016 Senior Work-Off Program as presented. Seconded. Robert E. Prescott, Jr. vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

8. Special Town Meeting Warrant – Open and Close

Selectman Dumont moved to open the Special Town Meeting Warrant for December 16, 2014. Seconded. Robert E. Prescott, Jr. vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to close the Special Town Meeting Warrant for December 16, 2014. Seconded. Robert E. Prescott, Jr., vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Chairman Swain reviewed the Warrant Articles as follows:

**Article 1: Citizens’ Petition –Supplement/Amend Appropriation of Funds for Fiscal 2015**

To see if the Town will vote to transfer certain sums of money as specified in the chart below within the Fiscal Year 2015 budget, as appropriated in Article 1, Motion A of the November 10, 2014, Special Town Meeting, or to appropriate a sum or sums of money to supplement said budget, said appropriations to be transferred from available funds or raised by taxation; or to take any other action relative thereto.

Line Item 2015 Revised Number (Reduction)/Increase	Department/Account Name	GY 2015 Approved	Proposed
145/146 \$15,000	Tax Title/Foreclosure	\$19,602.00	(\$4,602)
\$56,417	Hazen Memorial Library Expenses	\$51,815	\$4,602

**Article 2: Citizens’ Petition – Supplemental Appropriation of Funds for Fiscal Year 2015**

To see if the Town will vote to transfer certain sums of money within the Fiscal Year 2015 budget or to appropriate a sum or sums of money to supplement said budget, said appropriations to be transferred from available funds, or take any other action relative thereto.

Line Item Number Budget	Department/Account Name	FY2015 Approved	Proposed (Reduction/Increase)	FY2015 Revised
611	Library Expenses	\$203,828.55	\$4,602.00	\$208,430.55

Selectman Dumont moved to approve the Special Town Meeting Warrant for December 16, 2014 as presented. Seconded. Robert E. Prescott, Jr., vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

**PUBLIC COMMENTS**

Chairman Swain commented on the recent editorial in the Shirley Volunteer, noting there were many errors in the editorial. Both Selectmen Dumont and Prescott supported Chairman Swain comments and remarked on their positions with respect to the Hazen Memorial Library's request.

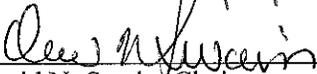
**ANNOUNCEMENTS**

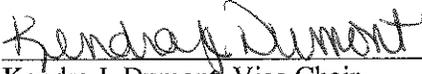
**ADJOURNMENT**

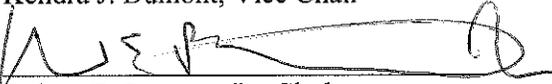
With no further business to discuss, *Motion and Seconded to adjourn at 7:33 p.m., Robert E. Prescott vote Aye , Kendra J. Dumont vote Aye, and David N. Swain, vote Aye .*

Respectfully submitted,  
Kathleen Rocco

Date Accepted: 12/8/2014

  
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David N. Swain, Chair

  
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Kendra J. Dumont, Vice Chair

  
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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.*