

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

Kendra J. Dumont, Chair

Robert E. Prescott, Vice Chair

Enrico C. Cappucci, Clerk

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[Selectmen@shirley-ma.gov](mailto>Selectmen@shirley-ma.gov)

BOARD OF SELECTMEN MINUTES

November 19th, 2016

8:45 am

TOWN OFFICES

The Board of Selectmen convened its meeting on Saturday, November 19th, 2016 at the Ayer Shirley Regional Middle School Auditorium, Chairman Kendra J. Dumont presiding, with Selectmen Robert E. Prescott, Enrico C. Cappucci, and Town Administrator Patrice Garvin in attendance.

CALL TO ORDER

Chair Dumont called to Order the Board of Selectmen's Meeting at 8:45 am.

TOWN ADMINISTRATOR REPORT

TREASURY WARRANTS

APPROVAL OF MINUTES

OLD BUSINESS

NEW BUSINESS

1. Special Town Meeting Warrant Positions

The following are the Articles from the Town of Shirley Special Town Meeting held on Saturday November 19th 2016. A complete description of the articles is available in the attached Warrant.

ARTICLE 1: Supplemental Appropriation of Funds for Fiscal Year 2017

Item A

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Item B

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Item C

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Item D

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Item E

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

ARTICLE 2: Transfer to OPEB Liability Trust

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

ARTICLE 3: Prior Year Bills FY 2016

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

**ARTICLE 4: SPACO-Fiber Optic Cable
Line to Middle School**

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

ARTICLE 5: Sewer Department Retained Earnings

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

ARTICLE 6: Sewer Department Prior Year Bills FY 2016

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Article 7: Ambulance Department Budget Retained Earnings

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

ARTICLE 8: Appropriate Capital Item(s) for FY 2017

Item A

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Item B

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Item C

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote No and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Item D

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Item E

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Item F

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

ARTICLE 9: Master Plan Implementation Element

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

ARTICLE 10: Transfer to the General Stabilization Fund

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

ARTICLE 11: Transfer to the Capital Stabilization Fund

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

ARTICLE 12: Renewable Energy By-Law

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote No, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote No. Motion Fails.

ARTICLE 13: Road Acceptance of Village Drive

Selectman Prescott Moves to accept a favorable position on the Article. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Abstains and Robert E. Prescott, Jr. vote Aye. Motion Passes.

PUBLIC COMMENTS

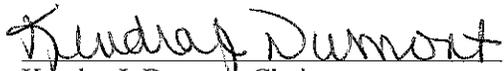
ANNOUNCEMENTS

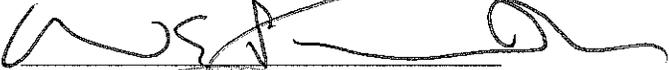
ADJOURNMENT

With no further business to discuss, *Selectmen Prescott motioned to adjourn at 8:55am and Selectmen Cappucci Seconded ., Robert E. Prescott vote Aye, Kendra J. Dumont vote Aye, and Enrico C. Cappucci, vote Aye.*

Respectfully submitted,
Nathan Boudreau, Executive Assistant

Date Accepted: DEC 5, 2016

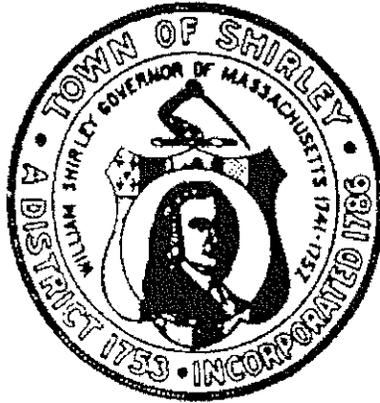

Kendra J. Dumont, Chair


Robert E. Prescott, Jr., Vice Chair


Enrico C. Cappucci, 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.

Town of Shirley
Massachusetts



WARRANT

for the

**2016 SPECIAL
TOWN MEETING**

Ayer-Shirley Regional Middle School
Auditorium, 1 Hospital Road
Beginning Saturday, November 19, 2016 at 9:00AM

**Town of Shirley
Special Town Meeting
November 19, 2016
Warrant**

Middlesex, ss.

Commonwealth of Massachusetts

To any of the Constables of the Town of Shirley in said County,

Greetings:

In the name of the Commonwealth aforesaid, you are hereby required to notify and warn the Inhabitants of said Town, qualified to vote in Town affairs, to assemble in the Auditorium of the Ayer-Shirley Regional Middle School at 1 Hospital Road in Shirley on Saturday, the nineteenth day of November 2016 at 9:00 a.m., to consider the following:

ARTICLE 1: Supplemental Appropriation of Funds for Fiscal Year 2017

To see if the Town will vote to amend the Fiscal Year 2017 budget as voted under Article 5 of the 2016 Annual Town Meeting by transferring certain sums of money within said budget and by raising and appropriating or transferring from available funds a sum or sums of money to supplement said budget, all for the purposes and in the amounts specified in the chart below; or take any other action relative thereto.

Line Item Number	Department/Account Name	FY2017 Approved	Proposed (Reduction/Increase)	FY2017 Revised Budget
211	Police Department Expenses	\$86,462	\$6,000 + \$11,250	\$103,712
211	Police Department Wages Union	\$656,737	\$1,630	\$658,367
155	Computer Operation Expenses	\$75,906	\$4,400	\$80,306
151	Legal Expenses	\$30,000	\$12,000	\$42,000
122	Board of Selectmen Expenses	\$28,770	\$2,000	\$30,770

Summary:

Police Expenses: This supplemental appropriation is needed to hire a consultant for training in the Police Department. There is also an additional \$6,000 to outfit new officers that was not included in the budget.

The fiscal year ends on June 30th of each year. However, the General Laws provide further that the Town has until July 15th for departments to submit all charges against their budgets to the Town Accountant. This process allows the Town to close its books on a fiscal year and submit financial reports to the Commonwealth on a timely basis. However, on a few occasions, there are invoices that are received well past the July 15th deadline.

This article seeks funding for the following prior year bill(s):

The Sentinel Enterprise \$144.27- Invoice dated 07/01/16-07/31/16

Job postings run through the selectmen's office most of the time. An error occurred when there was confusion over who would pay the bill, the Board of Selectmen (BOS) or the hiring department. The invoice did not make it back to the BOS office for payment until after the July 15th deadline.

Mass Development Electric Accountant \$648.81

This bill was short-paid for an unknown reason and a balance moved forward that was not caught until after the July 15th deadline.

Urban Green Technologies (UGT) \$1,470.17

This balance is due to bills being short-paid due to other departments needing to have sign-off from the Sewer and Solid Waste Enterprise. There was confusion with UGT as to what was owed due to their change in billing dates.

Quill \$19.98 Invoice dated 5/25/16

This balance is due to bills being sent to the wrong office, and not discovered until after the July 15th deadline.

A 9/10 vote is required for the passage of this article.

**Sponsored by:
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING
Finance Committee: AT TOWN MEETING**

ARTICLE 4: SPACO-Fiber Optic Cable Line to Middle School

To see if the Town will vote to transfer no more than \$9,999.00 from Free Cash to the FY17 Budget, Line 122, BOS Expense for the purchase of a fiber optic cable running to the Middle School and Police Station, including all incidental and related expenses; or take any other action relative thereto.

Summary: *This will improve the technology infrastructure in the Town so that all School and Town events, such as School Committee Meetings and Town meetings could be televised live. This will also make it possible in the future for the Police Department to be able to have a view into the school.*

A majority vote is required for passage of this article.

**Sponsored by:
BOARD OF SELECTMEN**

Board of Selectmen: AT TOWN MEETING
Finance Committee: AT TOWN MEETING

Article 7: Ambulance Department Budget Retained Earnings

To see if the Town will vote to transfer the sum of \$26,000.00 from Ambulance Enterprise Fund Retained Earnings to the Per Diem Line of the FY17 Ambulance Enterprise Fund budget; or take any other action relative thereto.

Summary: *The Town seeks to provide for improved ambulance response time, and for such purposes, the amount of \$26,000.00 will be used to increase the on call amount from \$50.00 to \$100.00.*

A majority vote is required for the passage of this article.

Sponsored by:
AMBULANCE DEPARMTENT

Board of Selectmen: AT TOWN MEETING
Finance Committee: AT TOWN MEETING

ARTICLE 8: Appropriate Capital Item(s) for FY 2017

To see if the Town will vote to raise and appropriate, transfer from available funds, and/ or borrow a sum or sums of money for the purpose of purchasing (and equipping for Items D and E) FY17 Capital Budget items, including all related and incidental expenses as follows; or take any other action relative thereto.

Item A	Center Town Hall Roof	Center Town Hall	\$24,000
Item B	Vault in Town Hall Basement	Town Clerk	\$10,000
Item C	Reconfigure Police Parking Lot Security	Police	\$48,140
Item D	Police Motorcycle	Police	\$14,000
Item E	Fire Engine #4	Fire	\$600,000
Item F	Fire Station Roof	Fire	\$27,000

Summary: The total Capital Request is \$723,140.00; \$600,000.00 will be borrowed and the remainder \$123,140.00 will be funded as a one-time expense through the Capital Stabilization Fund.

A 2/3 vote is required for the passage of this article, as it is being funded through the Capital Stabilization Fund and/or borrowing. A majority vote will be needed if Free Cash is requested to fund some items.

Summary: *This article transfers to the General Stabilization Fund surplus funds realized as a result of any other actions taken in the previous articles of this warrant. Additionally, should additional revenues be recognized or state aid increase after the signing of this warrant, the Town has the means to "capture" those revenues with this article, and deposit those receipts into the General Stabilization Fund. The balance as of July 31, 2016 is \$657,341.04.*

A two-thirds vote is required for passage of this article.

**Sponsored by:
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING
Finance Committee: AT TOWN MEETING**

ARTICLE 11: Transfer to the Capital Stabilization Fund

To see if the Town will vote to transfer a sum of money from available funds to the Capital Stabilization Fund; or take any other action relative thereto.

Summary: *This article transfers to the Capital Stabilization Fund surplus funds realized as a result of any other actions taken in the previous articles of this warrant. Additionally, should additional revenues be recognized or state aid increase after the signing of this warrant, the Town has the means to "capture" those revenues with this article, and deposit those receipts into the Capital Stabilization Fund. The balance as of July 31, 2016 is \$487,721.26.*

A two-thirds vote is required for passage of this article.

**Sponsored by:
BOARD OF SELECTMEN**

**Board of Selectmen: AT TOWN MEETING
Finance Committee: AT TOWN MEETING**

ARTICLE 12: Renewable Energy By-Law

To see if the Town will vote to adopt the Renewable Energy Bylaw, on file in the Town Clerks Office, and to authorize the Town Clerk to assign appropriate numbering to the Shirley Protective Zoning By-Law, its index and its subsections, to reflect the amendments made, or take any other action relative thereto.

Summary: This bylaw is on file in the Town Clerks office.

A two-thirds vote is required for passage of this article.

**Sponsored by:
PLANNING BOARD**

And you will serve this Warrant by posting true and attested copies of same at the Town Offices and the Hazen Memorial Library in Shirley Village, at the Senior Center in Shirley Center, and a like copy at the United States Post Office in Shirley Village, fourteen days at least before the time appointed for said Meeting.

Hereof fail not and make due return of this Warrant with your doings therein to one of the Selectmen, on or before the date of the Meeting.

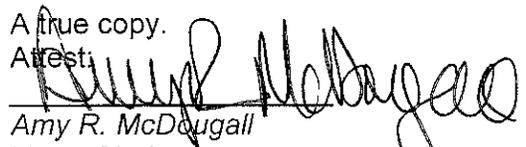
Given under our hands at Shirley, this 1st Day of November, 2016.

BOARD OF SELECTMEN


Kendra J. Dumont, Chair


Robert E. Prescott Jr., Vice Chair


Enrico Cappucci, Clerk

A true copy.
Attest:

Amy R. McDougall
Town Clerk

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