

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 of August 19, 2013 7:00pm TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, August 19, 2013 at the Town Offices with Chairman Kendra J. Dumont presiding, with Selectmen David N. Swain, Robert E. Prescott and Executive Assistant Kathleen Rocco in attendance.

CALL TO ORDER

Chairman Dumont 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	<u># 0107</u>	<u>08/14/13</u>	<u>\$ 13,409.52</u>
Payroll warrant	<u># 6107</u>	<u>08/14/13</u>	<u>\$ 23,515.70</u>
Payroll warrant	<u># 9107</u>	<u>08/14/13</u>	<u>\$ 10,517.36</u>
Payroll warrant	<u># 0108</u>	<u>08/21/13</u>	<u>\$ 12,815.47</u>
Payroll warrant	<u># 6108</u>	<u>08/21/13</u>	<u>\$ 23,244.69</u>
Payroll warrant	<u># 9108</u>	<u>08/21/13</u>	<u>\$ 10,133.73</u>
Payable warrant	<u># 9094</u>	<u>08/01/13</u>	<u>\$ 18.82</u>
Payable warrant	<u># 2074</u>	<u>08/14/13</u>	<u>\$ 18,150.79</u>
Payable warrant	<u># 2084</u>	<u>08/21/13</u>	<u>\$ 98,695.83</u>

Selectman Prescott 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 Prescott made the *Motion to accept the Minutes of July 8, 2013 and August 5, 2013. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye, and Kendra J. Dumont vote Aye.*

NEW BUSINESS

1. Eagle Scout Presentation – D. Henderson – Whitley Park

Danny Henderson came before the Board present and request permission for his Eagle Scout project. He will be adding a second electrical box on Whitley Park. Danny Henderson stated that Mr. Randy Graves, a licensed Electrician will be overseeing the project. (See attached). Selectman Prescott noted the trench is 96 feet long and 18 inches deep, commenting that this is a lot of work. Henderson and other scouts and volunteers will be digging the trench. It was further noted that dig safe will be contacted prior to the project.

Selectman Swain commended Danny Henderson for his eagle scout project, and further recognized the tremendous job all the scouts do in helping the community.

Selectman Prescott made the *Motion to accept the Eagle Scout Project at Whitley Park, as presented. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.*

2. 7:05pm Public Hearing – Tree Removal*

Selectman Prescott made the *Motion to open the Public Hearing at 7:05pm. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.*

Selectman Swain read the legal notice into the minutes:

Pursuant to Massachusetts General Law chapter 87, as amended, the Board of Selectmen will conduct a Public Hearing on Monday, August 19, 2013 at 7:05 pm at the Town Officers, 7 Keady Way, relative to the request of Department of Public Works, whom request that numerous and various individual trees be removed for the purpose of constructing driveways. Six (6) trees are located at the following locations: Townsend Road, Lot 1 (4), Townsend Road, Lot 2 (1) and 124 Townsend Road (1). Said trees have been duly posted in accordance with MGL Ch 87, Section 3. Persons unable to attend the public hearing may forward their comments in writing to the Board of Selectmen, 7 Keady Way, Shirley, MA 01464, prior to the hearing

Discussion:

Selectman Swain noted that the property owner for 124 Townsend Road advised the DPW that the 24" Oak Tree is no longer an issue for the installation of the driveway for that property, and that request be withdrawn.

Chairman Dumont asked the audience if they had any questions or concerns. Seeing none, she asked to close the hearing.

Selectman Prescott made the *Motion to close the Public Hearing at 7:08pm. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye*

Selectman Prescott made the *Motion to approve the DPW request to remove various individual trees for the purpose of constructing driveways on the following location: Townsend Road, Lot 1(4) and Townsend Road, Lot 2 (2). Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.*

****Please refer to the Minutes of September 3, 2013 for amended change of vote.***

3. 7:10 pm Public Hearing – Placement of Poles – Townsend Road

Selectman Prescott opened the Public Hearing for the Placement of Poles on Townsend Road at 7:10pm. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

Selectman Swain read the Legal Notice into the minutes:

The Shirley Board of Selectmen will hold a public hearing on Monday, August 19, 2013, at 7:10 p.m., at the Town Offices, 7 Keady Way for Verizon New England, Inc., and Massachusetts Electric Company, to discuss the placement on Townsend Road, two (2) New Poles on the southwesterly sideline, place solely owned Pole No. 6 approximately 459 feet southeast from the center line of Town Meeting Road, then on the southwesterly sideline place solely owned Pole No. 6 ½ approximately 612 feet southeast from the centerline of Town Meeting Road. Persons unable to attend the public hearing, may forward their comments in writing to the Board of Selectmen, 7 Keady Way, Shirley, MA 01464 prior to the hearing.

Discussion:

A representative from Verizon was present to explain the request and to answer any questions from the Selectmen and audience. He explained that the Power Company and Telephone Company need to extend their lines for the new homes being built on Townsend Road. The current poles are substandard and too short, thus the need to replace the poles in a different location.

Ed Turk of Townsend Road was concerned of the location of the poles. Selectman Swain clarified where the new poles were to be placed.

Selectman Prescott made the *Motion to close the Public Hearing at 7:19pm. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.*

Selectman Prescott made the *Motion to approve the Order for Joint Pole Location on Townsend Road for Telephone Pole 6 and Telephone Pole 6 ½.. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.*

4. Play Board of Shirley – Playground Improvements – LAW

Sue Heinz and Jim Quinty members of the Shirley Play Board came before the Selectmen to discuss the proposed Shade Structure (see attached) to be located at the Lura A. White School. The project is funded through grants. Mr. Quinty reported that he has been before the Building Inspector for all permits, however, the Play Board needs the Selectmen's approval of said project, since they oversee all town owned buildings.

Selectman Prescott made the *Motion to approve the Play Board's presentation for a Shade Structure for the Lura A. White, as presented. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.*

5. Fire Department Budget – Repair of Ladder Truck

Chairman Dumont asked that this item be placed on the agenda. She explained Fire Chief Dennis Leveque had to repair his ladder truck at a projected cost of \$8,000. This will be a significant hit to his budget. It will be expected the Chief will have to go before the Finance Committee at some point to request a Reserve Fund Transfer, as this was an unforeseen expense.

Chairman Dumont noted that this office has received correspondence from the DOC. Their operating budget contains funds earmarked for those communities hosting correctional facilities. Based on the inmate population housed in our community from July 1, 2011 – June 30, 2012, a payment in the amount of \$239,656.00 has been processed, and the town should receive those funds in the next 30 days. However, this money will go to free cash and will not be able to touch until FY15.

6. Energy Committee – Net Metering Agreement – TALBED AT THIS TIME

7. Request for Town Counsel Services

Town Treasurer requested use of Town Counsel Services for the Health Insurance Collection.

Selectman Prescott made the *Motion to approve the Request for Use of Town Counsel Services, as presented. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra Dumont vote Aye.*

8. Road Crossing & Pavement Cuts– 18 Phoenix Street

Selectman Prescott made the *Motion to accept the Road Crossing & Pavement Cuts for 18 Phoenix Street for installation of gas service. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.*

Selectman Swain asked the Road Crossing & Pavement Cuts for 18 Phoenix Street for installation of water service, be held until applicant supplies the Selectmen with a map on where the proposed cuts will be, as well as the current certificate of insurance.

OLD BUSINESS - none

PUBLIC COMMENTS

Mr. Dan Gardner asked why his Driveway Permit was not on the agenda. Selectmen responded they did not receive the Permit in question.

ANNOUNCEMENTS

Next meeting for the Selectmen is August 26, 2013.

ADJOURNMENT

With no further business to discuss, **Motion and Seconded to adjourn at 7:37 p.m., Robert E. Prescott vote Aye, David N. Swain vote Aye, and Kendra J. Dumont vote Aye .**

Respectfully submitted,
Kathleen Rocco

Date Accepted: 9/23/2013

Kendra J. Dumont
Kendra J. Dumont, Chair

Robert E. Prescott Jr., Vice Chair
David N. Swain
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.