

# 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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Selectmen@shirley-ma.gov

## BOARD OF SELECTMEN MINUTES

**August 11, 2014**

**7:00pm**

**TOWN OFFICES**

The Board of Selectmen convened its meeting on Monday, August 11, 2014, 2014 at the Town Offices, Meeting Rooms A & B, with 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

TA Garvin reported that the Legislation overturned the Governor's veto of the Department of Corrections budget, with annual "mitigation" allotments to communities that host state prisons.

Town Administrator Garvin gave her weekly report to the Board of Selectmen. She noted that she met with the War Memorial Trustees to discuss the Lease with the American Legion and the role of the War Memorial Trustees. She further noted that there will be further discussion on the Control, Care Custody of the War Memorial Building. She further noted that the Trustees asked to have an article inserted on the Fall Town Meeting Warrant.

### TREASURY WARRANTS

Payroll warrant # <u>0105</u>	<u>07/30/14</u>	\$ <u>15,469.25</u>
Payroll warrant # <u>6105</u>	<u>07/30/14</u>	\$ <u>27,841.15</u>
Payroll warrant # <u>9105</u>	<u>07/30/14</u>	\$ <u>32,454.57</u>
Payroll warrant # <u>0106</u>	<u>08/06/14</u>	\$ <u>15,055.84</u>
Payroll warrant # <u>6106</u>	<u>08/06/14</u>	\$ <u>23,220.52</u>

Payroll warrant # <u>9106</u>	<u>08/06/14</u>	<u>\$ 11,658.08</u>
Payroll warrant # <u>0107</u>	<u>08/13/14</u>	<u>\$ 15,908.44</u>
Payroll warrant # <u>6107</u>	<u>08/13/14</u>	<u>\$ 22,840.73</u>
Payroll warrant # <u>9107</u>	<u>08/13/14</u>	<u>\$ 11,655.42</u>
Payable warrant# <u>9065</u>	<u>07/29/14</u>	<u>\$ 1,305.00</u>
Payable warrant# <u>9075</u>	<u>07/31/14</u>	<u>\$ 175,577.00</u>
Payable warrant# <u>9095</u>	<u>08/01/14</u>	<u>\$ 51,250.00</u>
Payable warrant# <u>9085</u>	<u>08/05/14</u>	<u>\$ 477,481.58</u>
Payable warrant# <u>2065</u>	<u>08/06/14</u>	<u>\$ 39,304.48</u>
Payable warrant# <u>2075</u>	<u>08/13/14</u>	<u>\$ 82,148.19</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..

#### APPROVAL OF MINUTES

Selectman Dumont made the Motion to accept the Minutes of July 14, 2014 and July 28, 2014. Selectman Prescott 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

2. 7:05 Pole Hearing – Benjamin Road

Selectman Dumont moved to open the Pole Hearing at 7:05pm. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

Selectman Prescott read the Legal Notice read into the Minutes:

*The Shirley Board of Selectmen will hold a public hearing on Monday, August 11, 2014 at 7:05 p.m., at the Town Offices, 7 Keady Way for National Grid who requests permission to install on Benjamin Road 1 SO Pole beginning at a point approximately 1677 feet South of the Centerline of the intersection of Hill Lane. 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: Seeing no discussion

Selectman Dumont moved to close the Public Hearing at 7:07 pm. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to approve the Order for Pole and Wire Locations to install on Benjamin Road. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

3. 7:10 Tree Hearing

Selectman Dumont moved to open the Tree Hearing at 7:10pm. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

Selectman Prescott 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 11, 2014 at 7:10pm at the Shirley Town Offices, 7 Keady Way, Shirley, relative to two requests for tree removals. The property owner of 68 Horsepond Road requests three (3) Pine trees (two 20" and one 24") be removed for the purpose of site work and construction of a new house. The DPW is requesting the removal of one dying 36" Silver Maple on 34 Lancaster Road (in front of LAW School) for the purpose of the children's and teacher's parking safety concerns. 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.*

Selectman Dumont moved to close the Public Hearing at 7:12 pm. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

Selectman Dumont moved to approve the request for Tree Removals as presented. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

4. Regional Dispatch Presentation

Chairman Swain commented that the Town of Shirley was researching their options in becoming a member in the Regional Dispatch Center. He noted that this process will take at least 6 months. He further commented that the Town has concerns in the upgrade to the radio systems, with costs possibly near \$225,000.

Nashoba Regional Dispatch Director, Nathan Kenney came before the Board of Selectmen to give an overview of the Communications Center as well as answering any questions. He stated that they have been open for 13 months. He described the operational structure which includes the Policy and Procedures for the Fire Grouping and the Police Grouping. Mr. Kenney stated that the quarterly assessment to each town participating is \$46,820.25 for Fiscal Year 2015. He remarked that the start up costs for the Regional Dispatch was over \$3M, and much of that was covered by Grants.

Fire Chief Dennis Levesque stated that that it will be a hard sale from his point of view; as he has had feedback from other Fire Chiefs who stated that there was nothing but problems.

Selectman Dumont had concerns about the Police Department being shut down after hours.

Also present at the meeting was Lunenburg Town Manager Kerry Speidel and Police Chief James Marone, both of whom agreed to talk about their town's experience with the regional dispatch center. Town Manager Speidel further noted that they were not here to sell the regional dispatch to the Town of Shirley, nor has the Nashoba Valley Regional Emergency Communications Center decided to open up membership.

Chairman Swain stated that the he would like to see a Regional Dispatch Review Committee formed for the Town and present their findings in a few months.

5. MRPC – Hazard Mitigation Presentation

John Hume of MRPC came before the Board of Selectmen to review the Hazard Mitigation Five Year Plan Update.

He noted that MRPC received funds from FEMA and MEMA to update the regional and community Hazard Mitigation Plans in Fall 2011. The kickoff for the plan update process began in January 2012. Significant Hazard related events since initial plans prepared were the Ice Storm of December 2008, the Spring Flooding 2010 and October Nor'easter 2011.

Hume stated that that Town of Shirley's Hazard Mitigation Plan expire in March 2015.

Hume emphasized the process for the Formal Adoption by the Board of Selectmen.

- Draft Hazard Mitigation Plan Updated for BOS input;
- Draft Plan submitted to FEMA/MEMA for review;
- FEMA/MEMA send "Conditional Letter of Approval to Chief Elected Officials and MRPC;
- MRPC provides "Certificate of Adoption" to Chief Elected Officials for official adoption;
- and
- Certification of Adoption returned to MRPC and incorporated into Final Hazard Mitigation Plan Update.

6. Driveway Permit – 7 Myles Lane

Selectman Dumont moved to approve the Driveway Permit for 7 Myles Lane with Order of Conditions as presented. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

7. Road Crossing & Pavement Cut – 46 Benjamin Road

Selectman Dumont moved to approve the Road Crossing and Pavement Cut for 46 Benjamin Road with Order of Conditions as presented. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

8. Open STM Warrant

Selectman Dumont moved to open the Special Town Meeting Warrant with the closing at the end of business on September 11, 2014. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

9. Appointments – Election Workers

Selectman Dumont moved to approve the Election Workers as presented. Selectman Prescott Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

**OTHER BUSINESS**

10. School Superintendent

School Committee Chairwoman Joyce Reischutz came before the Selectmen to introduce new Ayer-Shirley Regional School District Superintendent Dr. Mary Malone.

Chairman Swain noted that he hopes the leadership teams will start up their meetings for the FY2016 Budget.

**EXECUTIVE SESSION**

Selectman Prescott moved to go into Executive Session at 8:15pm, as authorized under M.G.L. c. 30A, §21(9): To discuss strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining session or contract negotiations with non-union personnel. Return to Open Meeting for adjournment purposes only. Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr., vote Aye and David N. Swain vote Aye.

**PUBLIC COMMENTS**

**ANNOUNCEMENTS**

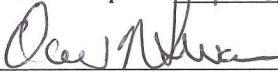
**ADJOURNMENT**

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

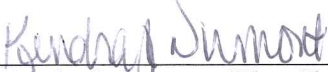
Respectfully submitted,  
Kathleen Rocco

Board of Selectmen  
Minutes of August 11, 2014

Date Accepted: Sept 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.*