

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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BOARD OF SELECTMEN

MINUTES

December 5th, 2016

7:00 pm

TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, December 5th, 2016 at the Town Offices, Meeting Rooms A & B, 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 7:00 pm.

TOWN ADMINISTRATOR REPORT

1. The Town has advertised the Invitation For Bid (IFB) for the Main Street Bridge. Bids are due February 1, 2017. The Town is set to begin construction on March 1, 2017.
2. Just another reminder that the School Committee is seeking volunteers to serve on the feasibility committee. Anyone interested in applying needs to contact the Superintendent's office, by December 9th.
3. The Chiefs and I met with Thomas Kennedy regarding the feasibility study for a Regional Dispatch. A draft report has been submitted, and we would like to place Mr. Kennedy on an upcoming meeting agenda. As the board knows this study came from a DLTA grant, to report on any benefits for the Town joining a Regional Dispatch.
4. I am in the process of scheduling a meeting with departments and the Town's general insurance representative. There has been some interest in placing various Town owned items on the insurance coverage list. I will update the Board on this meeting once it occurs.
5. Attached is the Community Development Strategy that Brian Keating of the MRPC mentioned last week. If you have any suggested changes please let me know so we can include them before the final submittal of the 2017 CDBG Grant application.

TREASURY WARRANTS

Selectman Prescott Motioned to accept the Treasury Warrants as presented. Selectman Dumont Seconded. Enrico C. Cappucci vote Aye, Kendra J. Dumont vote Aye and Robert E. Prescott, Jr. vote Aye.

APPROVAL OF MINUTES

Selectman Prescott Moves to accept the Board of Selectmen Regular Session Minutes of November 28th 2016 as presented. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

Selectman Prescott Moves to accept the Board of Selectmen Regular Session Minutes of November 19th 2016 as presented. Selectmen Cappucci Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

OLD BUSINESS

1. Energy Committee Update

NEW BUSINESS

2. Public Hearing 7:05pm: Annual Earth Removal License

Selectman Prescott Motioned to open the Public Hearing for Earth Removal at 7:05. Selectman Cappucci Seconded. Enrico C. Cappucci vote Aye, Kendra J. Dumont vote Aye and Robert E. Prescott, Jr. vote Aye.

Selectman Prescott Motioned to close the Public Hearing for Earth Removal at 7:07. Selectman Cappucci Seconded. Enrico C. Cappucci vote Aye, Kendra J. Dumont vote Aye and Robert E. Prescott, Jr. vote Aye.

Selectmen Prescott Motions to approve the application for Earth Removal permits for; Anita B. Haines, Townsend Road per the attached Order of Conditions and the Town of Shirley By-Laws, to expire December 31, 2018. Selectmen Cappucci, Seconds. Kendra J. Dumont vote Aye, Enrico C. Cappucci vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passes.

3. Public Hearing 7:10pm: Annual Licenses Renewal, Class II Class III

Selectman Prescott Motioned to open the Public Hearing for Class II and III Motor Vehicle Licenses at 7:10. Selectman Cappucci Seconded. Enrico C. Cappucci vote Aye, Kendra J. Dumont vote Aye and Robert E. Prescott, Jr. vote Aye.

A gentleman from Center Road spoke about Insurance Auto Auction stating that since this business has come to Town there have been people hauling vehicles all day and night. He states that Center and Parker Roads are the only scenic roads in Town and no one is paying respect to that fact. He believes that through the licensing this would be an appropriate time to re-enforce rules and policies.

Chair Dumont states that she will suggest a higher Police presence to Chief Goulden.

Selectmen Prescott states that he will request TA Garvin meet with the company to purpose an action plan to alleviate the amount of trucking on main roads.

Selectman Prescott Motioned to close the Public Hearing for Class II and III Motor Vehicle Licenses at 7:17. Selectman Cappucci Seconded. Enrico C. Cappucci vote Aye, Kendra J. Dumont vote Aye and Robert E. Prescott, Jr. vote Aye.

Selectmen Prescott made the following motions, Seconded by Selectmen Cappucci to which all were in favor and passed:

Motion to approve the Used Car Dealer's License – Class II – to buy and sell second-hand motor vehicles, for David Warila dba /Warila's Auto Repair & Sales, at 200 Ayer Road, term to expire January 1, 2018, subject to all laws of the Commonwealth and the By-Laws of the Town of Shirley

Motion to approve a Used Car Dealer's License, Class II, to buy and sell second-hand vehicles, for Mohawk Village Motors, Inc., subject to the attached order of conditions and the Town's By-Laws, term to expire January 1, 2018.

. Motion to approve a Used Car Dealer's License, Class II, to buy and sell second-hand vehicles, for Shirley Garage, Inc., 130 Lancaster Road, subject to the attached order of conditions and the Town's By-Laws, term to expire January 1, 2018.

Motion to approve a Motor Vehicle Junk License, Class III, for Shirley Garage, Inc., 130 Lancaster Road, subject to the attached order of conditions and the Town's By-Laws, term to expire January 1, 2018

.Motion to approve a Used Car Dealer's License, Class II, to buy and sell second-hand vehicles, for Insurance Auto Auctions, Corp., 2 Going Road, subject to the attached order of conditions and the Town's By-Laws, term to expire January 1, 2018.

Motion to approve a Motor Vehicle Junk License, Class III, for Insurance Auto Auctions, Corp., 2 Going Road, subject to the attached order of conditions and the Town's By-Laws, term to expire January 1, 2018.

Motion to approve a Used Car Dealer's License, Class II, to buy and sell second-hand vehicles, for Warila Enterprises, Inc, dba/Burlington Auto Parts, 127 Hazen Road, subject to the attached order of conditions and the Town's By-Laws, term to expire January 1, 2018.

Motion to approve a Motor Vehicle Junk License, Class III, for Warila Enterprises, Inc, dba/Burlington Auto Parts, 127 Hazen Road, subject to the attached order of conditions and the Town's By-Laws, term to expire January 1, 2018.

Motion to approve a Motor Vehicle Junk License, Class III, for Landry Brother's Garage, Inc., 280 Great Road, subject to the attached order of conditions and the Town's By-Laws, term to expire January 1, 2018

4. Chapter Land Extension Request, 133 Hazen Road, Detillion

Chair Dumont states that the owner of the land has no problem with this extension, and all parties involved have agreed to an end of March extension.

Selectman Prescott Motioned to extend the Chapter land request for 133 Hazen Road until the end of March. Selectman Cappucci Seconded. Enrico C. Cappucci vote Aye, Kendra J. Dumont vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passed.

5. Set Annual Town Meeting Date

TA Garvin states that she was thinking the end of April would be good for Town Meeting as to give the various Boards enough time to review budgets. Saturday the 22nd or 29th or Monday those same weeks.

Chair requests time to ask around and see what works for a majority of people and other activities.

6. National Grid Easement(s)

Selectman Prescott Motioned to grant the National Grid easement for 169 Leominster Road as presented. Selectman Cappucci Seconded. Enrico C. Cappucci vote Aye, Kendra J. Dumont vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passed.

Selectman Prescott Motioned to grant the National Grid easement for 0 Walker Road as presented. Selectman Cappucci Seconded. Enrico C. Cappucci vote Aye, Kendra J. Dumont vote Aye and Robert E. Prescott, Jr. vote Aye. Motion Passed.

PUBLIC COMMENTS

Selectmen Cappucci states that as two members of the Board of Selectmen who are currently in litigation against the Town of Shirley, shouldn't Selectmen Prescott and Chair Dumont have to resign since they set precedent that litigants against the Town cannot serve on Boards.

Selectmen Prescott states the difference is that their term had expired and when their term does expire the voters of the whole town will get to make that decision.

ANNOUNCEMENTS


1. Next Meeting: Monday 12/12/16 at 7:00 p.m.

ADJOURNMENT

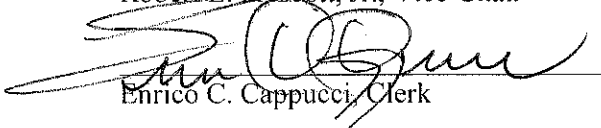
With no further business to discuss, *Selectmen Prescott motioned to go into executive session at 7:36p.m. and return only to adjourn. Selectmen Cappucci Seconded ., Robert E. Prescott vote Aye, Kendra J. Dumont vote Aye, and Enrico C. Cappucci, vote Aye.*

Respectfully submitted,
Nathan Boudreau, Executive Assistant

Date Accepted: 1/3/2017


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.