

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

Kendra J. Dumont, Chair

Robert E. Prescott, Jr., Vice Chair

Enrico C. Cappucci, Clerk

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Selectmen@shirley-ma.gov

BOARD OF SELECTMEN MINUTES January 3rd, 2017 TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, January 3rd 2017 at the Town Offices, Meeting Rooms A & B, Chair Kendra Dumont, presiding, with Selectmen Robert Prescott, Selectmen Enrico Cappucci and Town Administrator Patrice Garvin in attendance.

TOWN ADMINISTRATOR REPORT

Town Administrator Patrice Garvin gave her weekly report:

I have attached the final version of the Feasibility Study on whether or not the Town should enter a Regional Dispatch. If the Board is so inclined Mr. Kennedy, the writer of the Feasibility Report, can come in to present his findings at a future meeting.

A few weeks ago Brian Keating of MRPC was in asking for an extension of the 2015 CDBG grant money. At that time Mr. Keating asked if all the money extended could be placed into housing rehab. The Board chose to keep \$5k in home heating in case there were some families in need, this winter. I am happy to report that some of the \$5k put aside was given to a family that needed and qualified for heating assistance, under the guidelines of the program.

We had a meeting with representatives from the insurance company and recreation. Per our meeting on Monday, we are in agreement that the Parks/Recreation department will supply a list of Equipment they wish to have covered and we will forward the information to our insurance representatives to obtain a quote.

Further, I had a meeting with the Public Safety Departments to also gather a special property list to determine if those departments have adequate coverage.

Janet Poitras has given her resignation; her last day will be January 6th. Janet has worked for the Town for over fourteen years and it is a real loss for the Town. Janet has accepted a position in Ayer and we are currently receiving resumes for the union position

The FY18 Budget Kickoff was on December 20th for Department Heads. Budgets are due January 20th.

Finally, Police Officer Bethany Bonczar has recently informed the Chief and I that she is been placed on medical. This means that a shift will be open. The Chief and I will be going to the next Finance Team

meeting scheduled on January 10th to inform the committee about this impact to the budget. Reserve officers are being utilized to cover some of these open shifts. The medical will be until the summer, most likely crossing over the fiscal year.

TREASURY WARRANTS

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

APPROVAL OF MINUTES

Selectman Prescott moved to accept the Regular Session Minutes of December 5th 2016. Selectman Cappucci Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye. Enrico Cappucci vote Aye. The motion passes.

Selectman Prescott moved to accept the Regular Session Minutes of December 12th 2016. Selectman Cappucci Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye. Enrico Cappucci vote Aye. The motion passes.

Selectman Prescott moved to accept the Open Session Minutes of November 1st 2016. Selectman Cappucci Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye. Enrico Cappucci vote Aye. The motion passes.

Selectman Prescott moved to accept the Executive Session Minutes of September 26th 2016. Selectman Cappucci Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye. Enrico Cappucci vote Aye. The motion passes.

OLD BUSINESS

1. Energy Committee Update

Bryan Dumont of the Energy Committee announced that the Municipal Aggregation plan was approved by the Department of Public utilities and within a month the residents of Shirley will have access to a website to ask questions regarding Municipal Aggregation. Dumont states it is fully expected that Shirley will be able to go to market in the spring and begin saving the residents money shortly after that. There will be a number of public forums to get the news out and answer questions in the upcoming months.

Chair Dumont asks if Municipal Aggregation would benefit residents that already have solar panels on their roof.

Mr. Dumont states that they will have a greater benefit due to the fact that they are already receiving Solar Credits. Dumont states that it will be easier to opt out of this program if residents are not interested in aggregation and can opt back in every six months if they wish.

Mr. Dumont ended his report.

NEW BUSINESS

2. Grace Winslow Trust Fund Application

Anne Towne and Frank Esielionis spoke in regards to the Shirley Charitable Foundation requesting monies from the Grace Winslow Fund's accrued interest. They state they help the Shirley Council on Aging, Loafs of Fishes, residents, the school, and occasionally the Fire and Police Department. This is the sixth year the foundation is applying for this money. They determine where the money goes by applications. Mrs. Towne states they are asking for \$5,000.00

Chair Dumont states she believes the Shirley Charitable Foundation has been doing a wonderful job.

Selectman Prescott moved to approve the application and move \$5,000.00 from the Winslow Fund to the Shirley Charitable Foundation. Selectman Cappucci Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye, Enrico C. Cappucci vote Aye. Motion Passes.

3. Recreation Cash Management Practices Discussion

Chair Dumont states she would like to clarify that Town Administrator Garvin may meet with anyone other than more than a quorum of any board or committee. This comes from allegations that she violated open meeting law while discussing a recreation issue.

Chair Dumont states that Dick Hingston has requested that all monies involved in Recreation be paid/ received via check.

Keith Begun states that he believes the scope of the situation is that the Shirley Basketball league pays their referee in cash. A number of Town Officials have asked the league to begin paying their employees via check and the request was denied.

Chair Dumont states the Town has a working agreement with the Central MA Youth Basketball League but the invoice states that checks should be sent to Acton Boxborough Basketball.

Mr. Begun states that the community has done work and paid invoices to Acton Boxborough in the past.

Town Administrator Garvin states that the reason this invoice was not paid was waiting on this conversation and the discussion of financial practices for the Recreation Commission.

Mr. Begun states the issue here is that the only way the kids can play on the weekend is to pay via cash.

Garvin states that the issue is that the Town has no documentation to show these cash transactions and the Auditor is worried.

Mr. Begun states that Recreation has documentation for all of these cash transaction, and has not been asked to provide them to the Town Offices. Begun states about 40 children play in this league.

Selectmen Prescott asks how Mr. Begun is handling this money if none of it is going through the Accountants Office.

Begun states that some of it does go to the Accountants Office but the operation does not make a ton of money and the teams continually need monies to operate week by week and monies are turned in at the end of the season.

TA Garvin states the concern is that people are keeping monies at home in a cash box.

Mr. Begun states he has no problem following rules and regulation he just wants to know how to go about this.

TA Garvin states that the best way would probably be to have someone pay the cash to the league and submit for a reimbursement from the Town.

Chair Dumont states that they all agree this issue needs to be solved and we all want the kids to play on the weekends. She would like a discussion to be had between the Town Accountant, Auditor, Recreation, and the Town Administrator to figure out how to easily move forward.

Town Accountant Allard states that paying the referees is a small piece of this issue where the big issue is a lack of turn overs from the Recreation Commission. Allard states that all cash should be turned into the treasurer as dictated by a policy set long before the current administration.

Mr. Begun states that he does not enjoy being accused of things like holding monies at home.

Selectmen Prescott reiterates that a meeting needs to happen and a policy needs to be set where the only place cash is kept is in the Treasurer's Office and the Towns bases are covered.

4. Set Annual Town Meeting Date / Open Annual Town Meeting Warrant

TA Garvin states that the election will be held May 2nd and the bylaws state the meeting must be held between the end of March and the end of May.

Selectman Prescott moved to set the Annual Town Meeting for April 29th 2017. Selectman Dumont Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye, Enrico C. Cappucci vote No. Motion Passes.

Selectman Prescott moved to open the warrant to be closed on February 3rd 2017. Selectman Cappucci Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye, Enrico C. Cappucci vote Aye. Motion Passes.

5. Appointment Of Dispatcher(s)

Chief Gould states that Kelly Roberts has taken a full time job in Leominster and is wishing to be a part time dispatcher. Kyla Mahoney is interested in going from part time to full time. He also has a Reserve Officer that he believes would be a good fit as a full time officer.

Selectmen Cappucci asks whose position this would be filling.

Chief Goulden states that it would be Officer Cromwell's position.

Selectmen Cappucci states that he does not believe the Town should fill this position.

Chair Dumont states that she would like to speak with the proposed officer before appointing him.

Selectman Prescott moved to appoint Kyla Mahoney to the position of Full Time Dispatcher, term to expire June 30, 2017, Selectman Cappucci Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye, Enrico C. Cappucci vote Aye. Motion Passes.

Selectman Prescott moved to appoint Kelly Roberts to the position of Part Time Dispatcher, term to expire June 30, 2017, Selectman Cappucci Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye, Enrico C. Cappucci vote Aye. Motion Passes.

6. Appointment of Seasonal Employees for term to expire 6/30/2016

Selectman Prescott moved to appoint Matt Leveque, Tim Farrar, Daniel Taylor, Joseph Hawthorne, William Callahan, Brian Goodman, Dennis Leveque, and Lee Farrar to the position of Seasonal Plow Driver, term to expire June 30, 2017, Selectman Cappucci Seconded. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye, Enrico C. Cappucci vote Aye. Motion passes.

7. Approve Fire Engine Contract

TA Garvin states that only selectmen can engage in contracts so they would need to authorize the Fire Chief to sign this as approved at Town Meeting.

Selectman Prescott moved to authorize Chief Denis Leveque to sign a contract to purchase a new fire engine. Kendra J. Dumont vote Aye, Robert E. Prescott, Jr. vote Aye, Enrico C. Cappucci vote Aye. Motion Passes.

PUBLIC COMMENTS

ANNOUNCEMENTS

Next Meeting 1/9/17 at 7:00

ADJOURNMENT

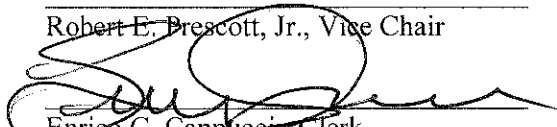
With no further business to discuss, *Motion and Seconded to adjourn at 8:08 p.m., Robert E. Prescott vote Aye, Kendra J. Dumont vote Aye.*

Respectfully submitted,
Nathan Boudreau, Executive Assistant

Date Accepted: _____

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.

1/3/17

Janet Poitras
7 Maple Street
Shirley, MA 01464

December 19, 2016

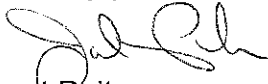
Town of Shirley
7 Keady Way
Shirley, MA 01464
Attn: Patrice Garvin

Dear Patrice:

I regret to inform you that I am resigning from my position as Assistant Treasurer/Collector for the Town of Shirley. My last day of employment will be on January 6th, 2017.

Thank you for the support and the opportunities that you have provided me during my 16 years and I have enjoyed working for the Town of Shirley. If I can do anything to help ease the transition for my colleagues, please let me know.

Sincerely yours,



Janet Poitras

cc: Victoria Smith
Board of Selectmen

Winslow Funds Cash Report Thru December 6, 2015

RECAP:	Beginning Balance	Cash In	Cash Out	Ending Balance	Allocation					
					Housing	Fuel	Other	Food	Utility	
	0	6186.59	3185.38	3001.21						
	2012	3001.21	4000.00	4656.00	2345.21					
	2013	2345.21	4500.00	5536.13	1309.08					
	2014	1309.08	5000.00	6087.64	221.44					
	2015	221.44	5000.00	1600.42	3621.02					
Total		24686.59	21065.57	3621.02						
DETAIL:										
Funds Received to date:	Year Ended	\$								
	2012	6186.59								
	2013	4000.00								
	2014	4500.00								
	2015	5000.00								
Total		24686.59								
Funds Disbursed to date:	Total		Seniors	Breakout	non-Seniors					
	2012	3185.38			3185.38	1782.00	297.43	340.00	565.95	200.00
	2013	4656.00		3856.00	800.00		2200.00		1656.00	200.00
	2014	5536.13		2300.88	3235.25	59.88	1585.00		656.00	350.00
	2015	6087.64		2893.90	3193.74		2268.90	625.00		219.04
2016 (to date)		1600.42		781.58	818.84		300.00	500.00	150.00	331.08
TOTAL		21065.57		9852.36	11233.21	1841.88	13111.28	1465.00	3177.95	1468.96
% of Breakout			47%		53%					
% of Allocation						9%	62%	7%	15%	7%
BALANCE (to date)		3621.02								

12/22/16

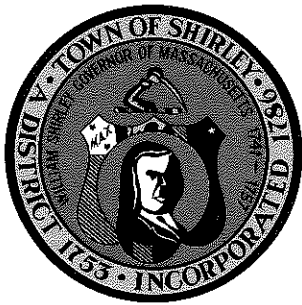
Chief Gooden,

As of 2 wks from today
(1/5/17) I will be stepping
down to part-time/per diem.

My apologies in advance for
any issues this may cause.
I have accepted a position
w/ Leominster Police Department.

I thank you for everything
and look forward to continuing
my time w/ Shirley PD even if
only part time/per diem. You
guys as a whole will forever
be my home.

Sincerely
Kelly Farrell



TOWN OF SHIRLEY POLICE DEPARTMENT

11 Keady Way
Shirley, Massachusetts 01464

THOMAS J. GOULDEN II
CHIEF OF POLICE

December 28, 2016

Ms. Patrice Garvin
Town Administrator
Town of Shirley
7 Keady Way
Shirley, MA 01464

Re: Light Duty Assignment (Confidential)

Dear Ms. Garvin:

May this find you well. This letter is intended as a follow up to our conversation regarding Officer Bethany Bonczar's medically mandated light duty. Officer Bonczar provided me with a copy of a letter from her doctor which said that because of her pregnancy, she will not be able to perform normal and essential police duties.

Effective December 29, 2016, Officer Bonczar will be assigned to Light Duty and will be performing administrative tasks such as filing, answering phones, paperwork and other tasks that are not expected to place any physical stress on her pursuant to her medical restrictions.

Officer Bonczar's due date is in June, 2017 and she is currently assigned to the 11PM – 7AM Patrol Shift. It is my intention to attempt to fill the open patrol shifts with Reserve Officers. However, on occasion, a shift may be filled with a full time police officer which will cause the town to incur overtime expenses.

I want to make you, and the Board of Selectmen, aware of this because we did not anticipate an officer on light duty, creating open patrol shifts when we prepared the FY 17 budget. There is a strong possibility that we will exceed the salary line in the FY 2017 budget.

I will keep you updated regarding Officer Bonczar's medical condition and promptly inform you if there are any changes to her duty status.

If you have any questions regarding this matter, please feel free to contact me at my office.

Respectfully submitted,

Thomas J. Goulden
Chief of Police

DEPARTMENT/OPERATIONS

978-425-2642
FAX: 978-425-2646

RECORDS BUREAU

978-425-2644
FAX: 978-425-2646

EXECUTIVE ASSISTANT

978-425-2644
FAX: 978-425-2646
pcallahan@shirley-ma.gov

CHIEF OF POLICE

978-425-2645
FAX: 978-425-2646
tgoulden@shirley-mapd.org

Town of Shirley

BOARD OF SELECTMEN



7 Keady Way, Shirley, MA 01464

Tele: (978)425-2600 ext. 200
Fax: 978)425-2602

Kelly Roberts

Appointment to: Part Time Dispatcher

Term to Expire: 6/30/2017

We, the undersigned Board of Selectmen of the Town of Shirley, hereby appoint you to serve in this capacity subject to all applicable state and local laws and regulations until your term has expired.

Given under our hands in Shirley, Massachusetts on 03-JAN-2017

You must take this form to the Town Clerk's Office to be sworn in prior to participating.

Kendra J. Dumont - Chair

Robert E. Prescott - Vice Chair

Enrico E. Cappucci- Clerk

Then personally appeared the within named Kelly Roberts, who gave oath that he/she would faithfully discharge the duties incumbent on him/her as named above for the Town of Shirley.

Denise MacAloney, Town Clerk
Shirley, Ma. Date: Jan. 10 2017

I, Kelly Roberts received a copy of (Check Applicable:

- Massachusetts Open Meeting Law
- Massachusetts Conflict of Interest Summary & On-Line Training
- Town of Shirley Sexual Harassment Policy
- Town of Shirley Acceptable Use Policy (Technology)

on [date] _____

Initials: _____

Email: KRoberts@Shirley-ma.gov

Phone: 9785498520

*Upon swearing in of Appointee, the Town Clerk provides copies to BOS, applicable Board/Committee/Commission, & Town Clerk