



Town of Shirley

BOARD OF SELECTMEN

7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

Enrico C. Cappucci, Chair

Holly J. Haase., Vice Chair

James D. Wilson, Clerk

TEL: (978) 425-2600, x200

Fax: (978) 425-2602

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

BOARD OF SELECTMEN

MINUTES

June 5, 2017

TOWN OFFICES

The Board of Selectmen re-convened its meeting in open session on Monday, June 5, 2017 at the Town Offices, Meeting Rooms A & B. Members present were Chair Enrico Cappucci, Holly Haase, James Wilson and Town Administrator Patrice Garvin.

Chair Cappucci introduced Mr. Bonnet from the Employers in Support of the Guard and Reserve to ask the Shirley Board of Selectmen, Town Administrator, and Chief of Police to sign a letter in support in the seven branches of the military and reserve.

All members of the Board of Selectmen, Town Administrator Garvin, and Acting Police Chief Santiago signed the letter of support.

TOWN ADMINISTRATORS REPORT

There was a request from Jamie Merz who is filming a movie in the area. Scouts have been out and they are interested in renting some town owned property. The attached email outlines the dates and properties the film company would like to use. We have reached out to boards and committees that this impacts and whether or not they are amenable to having the sites listed used. There is a fee that would be involved in the rental of town properties, and we can discuss this further on Monday evening.

The Finance Committee has scheduled a meeting for June 20th. The Town Accountant and I need to sit down and look at individual expense lines to see if there is a need to transfer monies. As the Board knows to move money from departments it takes a majority vote of the Board of Selectmen and Finance Committee. We will be bringing those recommended transfers to you at your June 19th meeting, and then to the Finance Committee's meeting on June 20th.

Union negotiations are continuing and there has been a lot of progress, which means that the contracts should be well on their way to being settled.

TREASURY WARRANTS

Selectman Haase moved to accept the weekly treasury warrants. Selectmen Wilson Seconded Selectmen Wilson Seconded. All in favor. Motion Passed.

Warrant #	Warrant Date	Warrant Type	Warrant Amount				
9557	6/2/2017	Payable Warrant	\$23,293.74				
2487	6/2/2017	Payable Warrant	\$2,518.23				
		Total Payable Warrants	\$25,811.97				
		Total Warrants	\$25,811.97				

1. Regional Dispatch – Tabled
2. Aggregation – Tabled
3. Granting of License Agreement to Altus, 28-A-2.12, Vote May Be Taken

Chair Cappucci asked if Altus had Workers Compensation Coverage for the individuals working on the Towns property.

A representative from Altus stated that all employees will be covered under their insurance while working on the Town of Shirley’s Property.

Selectman Wilson moved to allow Altus Power an easement onto the Town property to fix erosion caused on the property and must cover their own employees if an issue was to arise on said property while completing this work. Selectmen Haase Seconded. All in favor. Motion Passed.

4. Lawton Road, No Commercial Truck Signs

Selectmen Haase stated that this is a wider issue in terms of that all roads leading in and out of Town have had a speed and traffic issue as of late.

Town Administrator Garvin states that she is considering a blanket speed limit of 25 MPH. She spoke with the Planning Board and made them aware of the potential.

Acting Chief Samuel Santiago states that the Police Department is aware of speed in the Town of Shirley and the Officers have been strict with enforcement.

5. Building Access Policy – Tabled for 2 weeks

6. Abandoned Property Request - Tabled

NEW BUSINESS

7. Legislative Update

Chair Cappucci introduced Representative Jennifer Benson and Senator Jamie Elderidge to give their annual legislative update.

Senator Elderidge handed out a budgetary overview that shared his belief as an advocate for raising revenue to support essential governmental services. Senator Elderidge spoke about his support of a new film tax that would add revenue to the region.

Representative Benson shared a printed version of the Speaker of the Massachusetts House of Representatives budgetary presentation. She announced that about 60% of the budget is non-discretionary and pointed to the challenge in allocating funds to the 40% of discretionary items. Benson announces that Massachusetts will maintain an AA bond rating this year as well as add additional monies in Chapter 90, Chapter 70, Education, and State Stabilization.

Chair Cappucci mentioned that in years ago due to prison expansion and appreciation the Town of Shirley received a ladder truck. Cappucci expressed that the towns trucks are now in a state of disrepair, and was wondering if there is a process to consider receiving assistance in receiving another truck.

Representative Benson states that the next opportunity to even seek something of this nature would be the Fiscal 2019 Budget.

Town Administrator Garvin asked about the proposed Cadillac Tax coming and assuming a portion of the Healthcare Budget.

Representative Benson said that this piece of legislation is currently in hold waiting on the federal level.

Chair Cappucci thanked the Senator and Representative for their time this evening.

8. Joint Meeting with Board of Health to discuss Phase III Landfill Costs

Chair Cappucci welcomed members of the Board of Health.

Town Administrator Garvin stated that the Town has been notified by the DEP that before they could move forward on the landfill solar project the capping on the landfill would need to be fixed. This cost the solar company approximately \$80,000.00. Garvin states that there is a balance of over \$19,000.00 from a landfill capping fund that she suggests paying to Altus as a settlement.

Board of Health Chair Howlett stated that a few years ago the Board of Selectmen voted to take all responsibility for the landfill from the Board of Health. Howlett states that when the first developer

came to them that company was going to complete all three phases, but when the company sold the project the new developer decided he only wanted to commit to the first two phases.

Selectmen Haase states she is uncomfortable with Altus not coming to the Town until after they had paid the \$80,000.00 to fix the problem.

Chair Cappucci suggests paying the \$19,000.00 and then seeking \$10,000.00 per year from Town Meeting to replenish the fund.

Selectmen Haase states she is uncomfortable making deals, and that is what this feels like.

Board of Health Member Esielionis asked why this money could not come from Stabilization.

Town Administrator Garvin states that it is not wise to take money from an interest-bearing account when there is a non-interest account that can be used. She also stated that the continually taking monies from stabilization could affect the Town's bond rating negatively.

Selectmen Wilson suggests having a Department of Environmental Protection and a certified professional come out and evaluate this situation.

Town Administrator Garvin asked Mr. Howlett for a list of things that were contracted and undone. *Selectman Wilson moved to ask Mr. Howlett to create a list of items that were included in the original contract for the landfill solar project that have not been completed. The Town will contact the DEP to discuss what should be done before moving forward and discussing money and settlement. Selectmen Haase Seconded. All in favor. Motion Passed.*

9. Buying Recycled Annual Contract

Selectman Wilson moved to authorize Town Administrator Garvin to sign the buying recycled annual contract. Selectmen Haase Seconded. All in favor. Motion Passed.

10. Ratify Fire Union Contract

Selectman Wilson moved to ratify the Fire Union Contract for Fiscal Years 2018-2020 as presented. Selectmen Haase Seconded. All in favor. Motion Passed.

11. Probation Letter from Officer's Santiago and McGuiness

Town Administrator Garvin explained that this is two officers that are currently on probation, but where part time and acting as full time before going to their full time police academy.

Selectmen Wilson Moved to take William McGuiness and Joseph Santiago off probationary status and appoint them as Full Time Non-Probationary Shirley Police Officers. Selectmen Haase Seconded. All in favor. Motion Passed.

12. Annual Appointments

Selectmen Haase motioned to appoint the individuals as presented to their various positions for the 2018 Fiscal year with terms to expire as presented (list attached). Selectmen Wilson Seconded. All in Favor. Motion Passed.

SELECTMEN REPORTS

Chair Cappucci recognizes Acting Chief Santiago and the Police Department for their Pizza with the Police event that took place earlier that day.

PUBLIC COMMENTS

Keith Begun states there was a break in at the Recreation storage facility. Nothing seems to be stolen but the front window is broken.

Town Administrator Garvin suggested Begun ask Patrice Fullhart about this item.

Tim Hatch of Maple Street spoke regarding the Altus Erosion System and asks if they will fix the issue on Town land as well. Selectmen Wilson stated that they will fix erosion but that is all they will be doing.

ANNOUNCEMENTS

Next Meeting 6/19/17 at 7:00pm

ADJOURNMENT

With no further business to discuss, Ms. Haase moved to adjourn the meeting at **8:56p.m.** Mr. Wilson seconded the motion. Unanimously in favor. Motion Passed.

Respectfully submitted,
Nathan Boudreau, Executive Assistant

Date Accepted: _____


Enrico C. Cappucci, Chair


Holly J. Haase, Vice Chair


James D. Wilson, 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.

	Documents used
1	Town of Shirley – Building Access Policy
2	Letter regarding abandoned property – Paul Przybyla
3	
4	
5	
6	
7	
8	
9	