

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

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BOARD OF SELECTMEN

MINUTES

March 13th, 2017

TOWN OFFICES

The Board of Selectmen re-convened its meeting in open session on Monday, March 13th 2017 at the Town Offices, Meeting Rooms A & B. M Members present were Chair Enrico Cappucci, Holly Haase, James Wilson and Town Administrator Patrice Garvin.

TOWN ADMINISTRATOR REPORT

Town Administrator Patrice Garvin gave her weekly report:

The Finance Committee will be meeting with the Ayer Shirley Regional School Committee members at their meeting on Tuesday, March 14, 2017, to discuss their 2018 Assessment. The Capital Budget will be discussed at their Tuesday, March 21st meeting.

I have met with three of the Towns five (5) unions to go over ground rules and schedule dates for upcoming union negotiations. Once proposals are on the table I will be requesting a meeting with the Board to discuss. I am currently reviewing the contracts to determine what pressing issues are moving forward.

We have begun meetings with the contractors to begin construction on the Main Street Bridge. Once construction begins we will be giving periodic updates on the project.

TREASURY WARRANTS

Selectman Haase moved to accept the treasury warrants as presented. Selectman Wilson seconded. Enrico C. Cappucci vote Aye, Holly J. Haase vote Aye, James D. Wilson vote Aye. Motion Passed.

APPROVAL OF MINUTES

Selectman Haase moved to accept the minutes of the 2/21/2017 Board of Selectmen's Meeting at this current time. Selectmen Wilson Seconded. Enrico C. Cappucci vote Aye. Holly Haase vote Abstains. Jim Wilson Abstains. Motion Passed.

Selectman Haase moved to accept the minutes of the 3/2/2017 Board of Selectmen's Meeting at this current time. Selectmen Wilson Seconded. Enrico C. Cappucci vote Aye. Holly Haase vote Aye. Jim Wilson vote Aye. Motion Passed.

Chair Cappucci requested more time in regards to the April 6th 2016 Executive Session Minutes.

OLD BUSINESS

1. Annual Town Meeting Warrant
2. Town Communication Committee

Selectmen Haase requested that this item be removed from Old Business, and announces that Communications Committee will have its first meeting in the next week.

3. Regional Dispatch - Will meet with the Selectmen on 3/20/2017
4. Aggregation Presentation

Mr. Orlando Pacheco of Gridsmart presented to the Board of Selectmen in regards to where the Town stands with Municipal Aggregation. The website, shirleypoweroptions.com has gone live. Residents are encouraged to visit the site to learn more about the Municipal Aggregation. Pacheco also informed the board that Shirley is in the final stages of approval from the Massachusetts Department of Public Utilities and he expects very positive news soon as their meeting is March 24th.

Selectman Haase moved to sign the endorsement letter to Mark Mariani as read. Selectmen Wilson Seconded. Enrico C. Cappucci vote Aye. Holly Haase vote Aye. Jim Wilson vote Aye. Motion Passed.

5. Devens MBTA Assessment

Pete Lowitt of Devens gave an overview of the plan to extend the Montachusett Area Regional Transportation System into the Town of Shirley. If successful the service would run from Devens through Ayer, Shirley, Leominster and Fitchburg. The plan at this time would include at least two stops in Shirley; one at the train depot and the other at the Town Office Building. He asked the Board to consider redirecting the funds of approximately \$33,900.00 received on the Cherry Sheets from the Massachusetts Transit Authority to MassDevelopment.

According to Mr. Lowitt, the plan as presented would make the region much more accessible for the residents of Shirley. MassDevelopment is hoping to see this operational within the month of April.

Mr. Cappucci asked for comments from those in attendance. Tim Hatch expressed his reservations with the current plan as presented and stated a number of reasons he believed should be considered. Frank Esielionis suggests having transportation to the local food bank one of the easily accessible stops. After no further comments Mr. Cappucci asked for a motion from the Board.

Selectman Wilson moved to re-allocate the requested funds for this Regional Transportation Project to be re-voted annually before Annual Town Meeting. Selectmen Haase Seconded. Enrico C. Cappucci vote Aye. Holly Haase vote Aye. Jim Wilson vote Aye. Motion Passed.

6. Control Audit Recreation Commission - No update
7. Hire Investigator Edward Mitnik, Just Training Solutions

Chair Cappucci announced that at this time Mr. Mitnick will not be doing the investigation.

NEW BUSINESS

8. ALS Agreement w/ Ayer

Town Administrator Garvin explained that this agreement with Ayer has existed for quite some time but with the new combination of Fire and Ambulance they need to re-do for housekeeping purposes.

Selectman Haase motioned to sign the agreement with the Town of Ayer for mutual aide. Selectmen Wilson Seconded. Enrico C. Cappucci vote Aye. Holly Haase vote Aye. Jim Wilson vote Aye. Motion Passed.

9. St. Anthony's One Day Liquor License

Selectman Haase moved to approve the one day liquor license as presented for Hamarama on 4/8/2017. Selectmen Wilson Seconded. Enrico C. Cappucci vote Aye. Holly Haase vote Aye. Jim Wilson vote Aye. Motion Passed.

10. Selectmen Meeting Time

Selectmen request more time on this matter.

11. Energy Committee Appointment

Selectman Wilson moved to appoint John Soltesz to the Energy Committee with a term to expire 6/30/2017. Selectmen Haase Seconded. Enrico C. Cappucci vote Aye. Holly Haase vote Aye. Jim Wilson vote Aye. Motion Passed.

12. KP Law Firm

Chairman Cappucci believes there are multiple problems with the Town's current legal counsel, KP Law. He believes the problems are not unsolvable but need to be resolved in order to move forward. Cappucci believes counsel is putting the Town at a real disadvantage in a number of ways. He expressed his concern that the information is being used improperly and that some should not have been released by the town. His overall feeling is counsel should take a more active role in the process. Mr. Cappucci believes now is an appropriate time to review if the Town of Shirley would like to move forward with this particular counsel.

Selectmen Wilson agrees that there are several issues regarding KP Law at this time, but believes we should give counsel a chance to explain their side and where they would like to go in the future. Wilson would like to have a session to express displeasure and give KP time to fix issues.

Selectmen Haase agrees that there is too much going on to change counsel at this time, but would like to sit down with KP Law to discuss what direction this Board of Selectmen would like them to go. Haase would like to bring many open issues forward.

Selectman Wilson moved to have an executive session at the earliest convenience with Attorney Lauren Goldberg of KP Law to discuss pending legal issues. Selectmen Haase Seconded. Enrico C. Cappucci vote Aye. Holly Haase vote Aye. Jim Wilson vote Aye. Motion Passed.

SELECTMEN REPORTS

There were no reports from the Selectmen.

PUBLIC COMMENTS

Pam Torres questioned why Town Administrator Garvin released the Haertl Report to Mr. James Alton without an address. Mr. Cappucci stated that it is one of the reasons he would like to meet with Town Counsel. Janet Tice asked if the previous board had seen the whole Haertl Report. Mr. Cappucci stated that they did not but he believes he should have.

ANNOUNCEMENTS

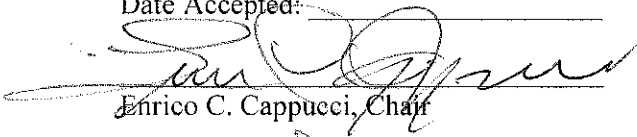
Next Meeting 3/20/17 at 7:00

ADJOURNMENT

With no further business to discuss, Ms. Haase moved to adjourn the meeting at 8:47 p.m. Mr. Wilson seconded the motion. Unanimous. Motion Passes.

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	MassDevelopment Regional Transit Plan
2	Letter of Support regarding Municipal Aggregation
3	Draft Town Meeting Warrant – 3/13/2017
4	Ayer Shirley Agreement fir Intercept Services
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