

# Town of Shirley

## BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812  
Holly J. Haase, Chair

Enrico C. Cappucci, Vice Chair

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### BOARD OF SELECTMEN MINUTES September 18, 2017 Town Office Building – Meeting Room A&B

#### 1. Executive Session

The Board of Selectmen convened its meeting at 6:30pm in Executive Session on Monday, September 18, 2017 in the Board of Selectmen's Conference Room. Members present was Chair Holly Haase, Enrico Cappucci and Executive Assistant Nathan Boudreau.

Selectmen Cappucci read the reasons for convening in executive session:

M.G.L. c.30A, Sec. 21 (1) To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session.

And

M.G.L. c.30A, Sec. 21 (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;

Pending litigation:

Arakelian et al. v. Guercio, et al  
(Town of Shirley Board of Appeals)  
Land Court No. 16 MISC 000054

And

G.L. c. 30A, sec. 21(a)(2) - To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel. Specifically to discuss Police Union.

*Selectmen Cappucci motioned to adjourn Executive Session to go downstairs and reconvene in Open Session. Chair Haase seconds. All in favor. Motion passed.*

2. Call to Order

The Board of Selectmen reconvened its meeting at 7:00pm in open session on Monday, September 18, 2017 at the Town Offices, Meeting Rooms A & B. Members present were Chair Holly Haase, Enrico Cappucci and Executive Assistant Nathan Boudreau.

3. Announcements

Haase announced that there will be an Election on 11/7/2017 to elect a new Selectmen and Special Town Meeting will be held on 11/13/2017.

4. Meetings with other officials, boards or committees – (votes may be taken on any of these items)

- a. Public Hearing: 7:10pm; to Adopt Layout of Apple Orchard Estates specifically Gideon, Cider, Brandywine and Windsor

*Selectmen Cappucci motions to continue this public hearing at the request of the applicant and the Shirley Planning Board. Chair Haase seconds the motion. All in favor. Motion passed.*

- b. Public Hearing: 7:20pm; to Adopt Layout of Morse Circle

Selectmen Cappucci read the following:

“The Shirley Board of Selectmen will hold a public hearing on Monday, September 18 at 7:20 p.m., at the Town Offices, 7 Keady Way to consider the petition of Attorney Frederick J. Conroy, for Town Road Acceptance of Morse Circle according to M.G.L. Chapter 41, Section 81U. 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.”

*Selectmen Cappucci moved to open the public hearing. Chair Haase seconds. All in favor. Motion Passed.*

Mr. Olver of David Ross Associates came forward to discuss the acceptance of Morse Circle.

Olver notes that it is the petitioner’s intention to be on the Special Town Meeting Warrant to have this accepted as a road by the Town of Shirley. Olver noted that the Shirley Planning Board has approved their petition.

A resident of Morse Circle came forward to note that the curb/easement on the street is a disaster and would like to know who would be responsible for this type of issue if the town were to Town accepts the road.

Selectmen Cappucci notes that the Planning Board usually holds a bond to ensure that the property developer stays true to the original plans that were presented and approved by the Town.

Mr. Olver is in belief that there is about \$1,600.00 left with the Town intended for hydro seeding.

Mrs. Debra Flagg told the Board that in the past she has taken care of the grass in the roundabout, but has been busy lately and unable to do the chore. Flagg would not like for this to become a forever responsibility of hers.

Chair Haase told the residents that the Board would get answers to their questions before Special Town Meeting.

*Selectmen Cappucci moved to close the public hearing. Chair Haase seconds. All in favor. Motion Passed.*

*Selectmen Cappucci moved to place the acceptance of Morse Circle on the Warrant for Special Town Meeting on November 13, 2017. Chair Haase seconds. All in favor. Motion Passed.*

## 5. Town Administrators Report

Executive Assistant Nathan Boudreau read the following in Town Administrator Patrice Garvin's absence:

“To follow up with the Board I have contacted State Senator Eldridge's office and Representative Benson's office to help us move Aggregation along at the state level. As the Board knows from the last meeting our Aggregation plan has been stalled at the Department of Public Works. I can report that our state representatives have reached out to the DPU and I am hoping to see some movement on Aggregation as a result of their efforts. I want thank both Senator Eldridge's and Representative Benson's offices for their immediate response to this matter.

As the Board know the Debt exclusion for the Ladder Truck passed 286-yes and 141-no at the September 12<sup>th</sup> Special Election. I will be working with the Finance Department and the Fire Chief to begin the process on obtaining the Ladder Truck. I wanted the Board to be aware that the truck will take a year to replace.

Finally, I wanted to let the Board know that we are having some trouble with the boilers in the basement of Town Hall. I am currently working to get an assessment of the problem and the cost to fix the boiler. I will update the Board at their September 25<sup>th</sup> meeting as to those issues and possible solutions. “

## 6. New Business – (votes may be taken on any of these items)

### a. Appointment of Lisa Gibbons, Treasurer/Collector

Finance Committee members Bryan Sawyer and John O'Keefe came forward to discuss the process of hiring a new Treasurer / Collector.

Mr. O'Keefe noted Patrice Garvin, Donna Allard, Chair Haase, Bryan Sawyer and he reviewed 6 candidates for this position and the group unanimously recommends Lisa Gibbons. O'Keefe commends Gibbons for her longstanding commitment to the Town of Shirley and ability to adapt to an ever-changing environment.

Gibbons will be expected to do the following for training purposes:

- Take IT onsite Training for Infinite Visions, Vadar and Kelley and Ryan programs
- Review IT Webinars offered by Vadar.
- Partake in one on one professional onsite training with a retired Treasurer/Collector.

Gibbons will be expected to attend the following professional workshops to network with current professionals on a regular basis as well as to learn present and future changes to Municipal Finance.

- Workshops put on by MMA
- Workshops put on by Treasurer/Collectors Association
- Workshops put on by the Department of Revenue

Gibbons will be expected to obtain certification as a Treasurer/Collector in the State of Massachusetts within three to five years, and will attend the following yearly:

- Annual School for Treasurer/Collectors
- Business Courses in Financial Management

*Selectman Haase motioned to appoint Lisa Gibbons to the position of Treasurer / Collector with a term to expire on 6/30/2018. Selectmen Cappucci Seconded. All in favor. Motion Passed.*

b. Appointment of Fred Aponte, Interim Assistant Accountant

*Selectman Cappucci motioned to appoint Fred Aponte to the position of Interim Assistant Accountant with a term to expire when a new assistant accountant is found. Chair Haase Seconded. All in favor. Motion Passed.*

c. Appointment of Judith Creamer, COA

*Selectman Cappucci motioned to appoint Judith Creamer to the Council on Aging with a term to expire on 6/30/2020. Chair Haase Seconded. All in favor. Motion Passed.*

d. Appointment of Full Time Dispatcher – Tabled

Chair Haase announced that this was being tabled due to the candidate no longer being interested in the position. Chief Santiago and Chief Levesque are still looking for candidates to fill dispatch positions.

e. Ratify Police Union Contract

*Selectman Cappucci motioned to ratify the Police Union Contract. Chair Haase Seconded. All in favor. Motion Passed.*

7. Old Business

a. Open Space and Recreation Plan

Betsy Colburn Mirkovic came forward to discuss this issue.

Colburn Mirkovic noted that she again requests the Open Space and Recreation Plan be put on the Special Town Meeting Warrant and provides an example of other times former versions of the plan was put on the STM or ATM Warrant. She also thanks the members of the Shirley community.

b. Longley Acres – Insurance – Tabled

Executive Assistant Nathan Boudreau noted that Conservation Agent Michael Fleming had requested more time to obtain quotes from insurance companies and will attend and upcoming meeting to provide an update.

c. Movie Contract – Status of Funds due the Town

Chair Haase notes that the office is calling the movie company every day trying to solve this issue.

d. Devens Enterprise Commissioner – Replacement

Chair Haase noted that the Town is seeking someone to serve on the Devens Enterprise Commission, and to reach out to the Board of Selectmen's Office if interested.

8. Selectmen's Comments and/or Liaison Reports

9. Other business unforeseen at the posting of the agenda.

10. Public Comments

Lee Mirkovic asked if the Town could turn the issue with the movie company over to a collections company.

Chair Haase noted that that would be considerably more expensive and that the office is under the impression that payment is on the way.

11. Correspondence

Chair Haase read a letter that the Board of Selectmen received applauding the work of Interim COA Director Ann Towne.

12. Treasury Warrants

Selectmen Cappucci motions to approve the weekly Town Treasury Warrant as presented. Chair Haase seconds. All in favor, motion passed.

*Warrant 105: 9,319.16*

*Warrant 2108: 148,967.02*

*Warrant 6105: 85,220.74*

*Warrant 9105: 1,227.69*

*Warrant 9298: 205,455.71*

13. Adjournment

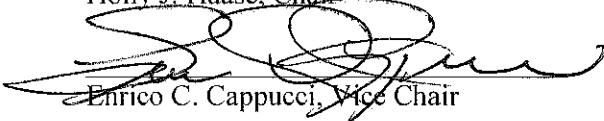
With no further business to discuss, Mr. Cappucci moved to adjourn the meeting at 7:46.m. Chair Haase seconded the motion. Unanimously in favor. Motion Passed.

Respectfully submitted,  
Nathan Boudreau, Executive Assistant

Date Accepted: \_\_\_\_\_



Holly J. Haase, Chair



Enrico C. Cappucci, Vice Chair

*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) *Apple Orchard Public Hearing Notice*
- 2) *Morse Circle Public Hearing Notice*
- 3) *Police Union Contract FY2018-FY2020*
- 4) *Weekly Treasury Warrants*