

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

Armand Deveau, Chair

David N. Swain, Vice Chair

Kendra J. Dumont, Clerk

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BOARD OF SELECTMEN MINUTES of November 5, 2012 7:00pm TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, November 5, 2012 at 7:00 p.m. at the Town Offices with Chairman Armand Deveau presiding and Selectmen David Swain and Kendra Dumont and Chief Administrative Officer David Berry in attendance.

Chairman Deveau thanked all those involved with the Catacunemaug Culvert Project. Doug Miller of GPR, Mike Isabelle and the DPW Workers, especially DPW Foreman Paul Farrar.

Chairman Deveau thanked all the Public Safety – Police, Fire and DPW for their hard work during Hurricane Sandy.

CALL TO ORDER

Announcement: In addition to the SPACO audio and video taping of this meeting, the Board records the meeting with an audiotape player for the purpose of creating these minutes

TREASURY WARRANTS

Payroll warrant	# 0116	<u>10/17/12</u>	\$ <u>6,372.46</u>
Payroll warrant	# 6116	<u>10/17/12</u>	\$ <u>25,496.45</u>
Payroll warrant	# 9116	<u>10/17/12</u>	\$ <u>10,316.79</u>
Payroll warrant	# 0117	<u>10/24/12</u>	\$ <u>6,271.57</u>
Payroll warrant	# 6117	<u>10/24/12</u>	\$ <u>23,257.73</u>
Payroll warrant	# 9117	<u>10/24/12</u>	\$ <u>9,344.61</u>
Payroll warrant	# 0118	<u>10/31/12</u>	\$ <u>5,502.72</u>

Payroll warrant	<u># 6118</u>	<u>10/31/12</u>	<u>\$ 22,670.75</u>
Payroll warrant	<u># 9118</u>	<u>10/31/12</u>	<u>\$ 25,972.07</u>
Payroll warrant	<u># 0119</u>	<u>11/07/12</u>	<u>\$ 6,627.23</u>
Payroll warrant	<u># 6119</u>	<u>11/07/12</u>	<u>\$ 24,143.54</u>
Payroll warrant	<u># 9119</u>	<u>11/07/12</u>	<u>\$ 9,467.44</u>
Payable warrant	<u># 9243</u>	<u>10/15/12</u>	<u>\$ 620,875.00</u>
Payable warrant	<u># 2173</u>	<u>10/24/12</u>	<u>\$ 101,928.01</u>
Payable warrant	<u># 2183</u>	<u>10/31/12</u>	<u>\$ 226,694.86</u>
Payable warrant	<u># 9253</u>	<u>11/05/12</u>	<u>\$ 412,500.00</u>
Payable warrant	<u># 2193</u>	<u>11/07/12</u>	<u>\$ 17,021.32</u>

Selectman Swain made the **Motion to accept the following Treasury Warrants as presented. Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

APPROVAL OF MINUTES

Selectman Swain made the **Motion to accept the Minutes of October 15, 2012. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Selectman Swain made the **Motion to accept the Executive Session Minutes of August 26, 2013. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

NEW BUSINESS

1. Board of Assessors – Tax Impact on Ballot Questions

Ron Marchetti, Assessor and Kevin Johnston, Town Treasurer presented to the Board of Selectmen a simplified projection on the Estimated Shirley Tax Rate Effects of the Debt Exclusion for the ASRSD High School Project. The tax rate projection is based the FY2013 total assessed value and estimated tax levy. Mr. Marchetti pointed out that the estimated tax bill does not include any increase under Proposition 2 ½ and are limited to the effect of the proposed debt exclusion only. (See attached packet).

Mr. Marchetti stated that this overview gives a snap shot where the Town of Shirley is currently. He further noted that this does not include the LAW renovation.

Selectman Swain stated that at the last Ayer/Shirley Leadership Meeting, the ASRSD noted that they did not want to do anything on the LAW for the next 10-12 years.

Chairman Deveau remarked that when this project was first started, the original vote for regionalization was based on a \$32 Million project, then escalated to \$72 Million for the Middle High School. To Chairman Deveau, that is a 100% error. Therefore, he is somewhat cautious on the future of LAW.

Mr. Marchetti stated that there may be a need for a mini study to be done on the LAW project. He further noted that it is the responsibility of the Regional School Committee to help the Town balance with respect to the cost and the education.

Chairman Deveau has concern with the Long Range cost to the whole community with respect to the School's project. However, as Mr. Marchetti pointed out, there is a change of the guard with respect to this concern, and the Regional School Committee has a lot of work to do.

2. Reverse One Way Traffic Flow – School Street

Acting Chief Cromwell came before the Board of Selectmen to respectfully request a public hearing regarding reversing the One Way Traffic Flow on School Street. The Principal of LAW had reached out to the Ayer Shirley School Committee as well as the Police Department with her concerns of the traffic flow and the safety of the children.

Acting Chief Cromwell noted that currently School Street is one way from 7:30-9:00am and from 2:00-3:30pm and for the rest of the day it is a two-way street. Because the hours are inconsistent, traffic often drives down School Street the wrong way during the restricted time. Further, when this current system was implemented several years ago, there were eight school buses which caused a disruption to the traffic flow and there were backups onto Lancaster Road. Currently, the LAW only has 5 buses.

The other concern is the safety of the children. Currently when the children disembark from the buses, they are not seen by school personnel. The children need to pass in front of the buses to reach the sidewalk and the entrance to the school. During the winter, the snow banks have made it difficult for the children to get off the bus, as well as the driveway is very slippery, causing numerous falls. Further, when the children try to catch the bus in the afternoon and the buses have already started up and are ready to pull away, the bus drivers have a limited visibility.

Acting Chief Cromwell would like to propose that School Street be made a one way coming off of Lancaster Road, heading east, and it remain one way all of the time. This would create a consistency for the traffic flow. It would also allow the buses to pull into the LAW driveway and park next to the curb, allowing the children to disembark directly onto the sidewalk.

Chairman Deveau had several questions with regard to the parents dropping off the children and the safety issues with that. He further stated that he supports whatever the School stipulates. But he does not want to reverse something and recreating the problem of congestion back on Lancaster Road.

Selectmen support the public hearing.

Acting Chief agrees that the School should create a policy with regard to the children being dropped off by the parents.

3. JBOS Update – Rico Cappucci

JBOS representative to Shirley, Rico Cappucci and JBOS Chairman Tom Kinch, came before the Board of Selectmen to give an update on what JBOS is working on at this time. Rico Cappucci remarked that after reviewing some of the MOU's it was questioned as to what is the role of JBOS. According to the MOU in December, 1994, between the Massachusetts Land Bank (MassDevelopment) and JBOS, was designated as the Devens local advisory committee. Therefore, everything has to be put on the table, everything has to be transparent. The prompt for this review, was the recent contracts with the Police and the School, in which JBOS was not aware of.

Tom Kinch noted that real objective of JBOS is to be a working body. Question is what are the duties of JBOS. Further, JBOS is to serve as a conduit of information from MassDevelopment to the Towns; simply put, all for the betterment for the region.

Next step is to have JBOS agree to continue to receive input from local citizens regarding Devens-related issues and report it to the Board.

One thing that has changed is the presence of George Ramirez, CEO of MassDevelopment, being present at each meeting. Recommendation to the Board of Selectmen, allow JBOS to continue with being transparent with all contracts being presented.

Tom Kinch stated that it is the satisfaction, openness and fairness, that is the commitment that JBOS should have to the region.

Chairman Deveau stated that he is hopeful to have a more responsive and engaged JBOS than they had in the past.

4. Driveway Permits - 88 Clark Road

Selectman Swain made the **Motion to approve the Driveway Permit for 88 Clark Road, submitted by Boucher Paving, per the attached Orders and Conditions. Selectman Dumont Seconded. David Swain vote Aye, Kendra Dumont vote Aye and Armand Deveau vote Aye.**

5. Road Crossing & Pavement Cut Permit – 39 Parker Road

Selectman Swain made the **Motion to approve the Road Crossing and Pavement Cut Permit for National Grid to work on a 39 Parker Road and the corner of Little Turnpike, per their drawings. Selectman Dumont Seconded. David Swain vote Aye, Kendra Dumont vote Aye and Armand Deveau vote Aye.**

6. Resignation

Chairman Deveau noted that they have received some notice of a resignation regarding the Conservation Secretary. At this time, seeking an option to combine the administrative duties and the Conservation Agent. Possibility of combining services with the Town of Ayer.

Selectman Swain made the Motion to accept the resignation of Anna MacDonald as Conservation Secretary effective October 17, 2012. Selectman Dumont Seconded. David Swain vote Aye, Kendra Dumont vote Aye and Armand Deveau vote Aye.

7. Appointments – Election Workers (see attached)

Selectman Swain made a **Motion to approve the Election Workers as presented, with a term to expire on June 30, 2013. Selectman Dumont Seconded. David Swain vote Aye, Kendra Dumont vote Aye and Armand Deveau vote Aye.**

8. Winter Parking Ban (see attached)

Selectman Swain made the **Motion that that Town of Shirley Winter Parking Ban be in effect from November 15, 2012 through April 15, 2013. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra Dumont vote Aye and Armand Deveau vote Aye.**

UPDATES

Selectman Swain updated the Board on the Shirley Regional Leadership Group

- School Committee is committing to give us a proposed budget by December of this year
- Public Forum on the High School Pro November 13th at the Ayer Shirley High School and November 14th at the Shirley Middle School

CAO Berry noted the final purchase and sale agreement on the Old Hazen Memorial, Mr. Phanuef will give a 10% down on a \$75,000 sale, (\$7500), hopefully to close on November 29, 2012.

Selectman Swain made the **Motion to sign the Purchase and Sale Agreement between the Town of Shirley and Steve Phanuef, for the sale of the Old Hazen Memorial Library at 6 Lancaster Road. Selectman Dumont Seconded. David N. Swain vote Aye, Kendra Dumont vote Aye and Armand Deveau vote Aye.**

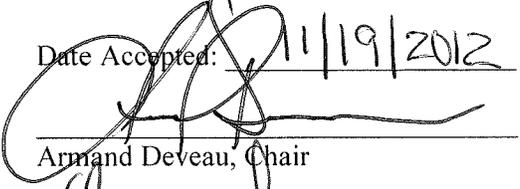
CAO Berry discussed the position of the Conservation Commission Agent, and the possibility to sharing the position with the Town of Ayer. He is working with the Ayer Town Administrator on this position.

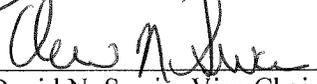
With no further business to discuss, **Motion and Seconded to adjourn at 8:24 p.m., David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

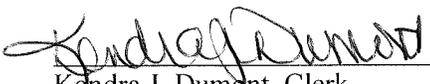
Respectfully submitted,
Kathleen Rocco

Date Accepted:

11/19/2012


Armand Deveau, Chair


David N. Swain, Vice Chair


Kendra J. Dumont, Clerk