

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

Kendra J. Dumont, Chair

Robert E. Prescott, Jr., Vice Chair

David N. Swain, Clerk

TEL: (978) 425-2600, x200

Fax: (978) 425-2602

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

BOARD OF SELECTMEN

MINUTES

June 16, 2014

7:00pm

TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, June 16, 2014 at the Town Offices, Meeting Rooms A & B, with Chairman Kendra J. Dumont presiding, with Selectmen David N. Swain, Robert E. Prescott, Town Administrator Patrice Garvin and Executive Assistant Kathleen Rocco in attendance.

CALL TO ORDER

Chairman Dumont called to Order the Board of Selectmen's Meeting at 7:00pm

TOWN ADMINISTRATOR REPORT

The Town Administrator gave her weekly update. Garvin noted that the Town Meeting has concluded after a two night session. The budget presentation was well received and she will follow-up on the Special Legislation for the Collector needed to go through the state. She further noted that some feedback on how to improve the presentation of the budget next year and will incorporate to lessen confusion.

TA Garvin reported that she has been working to have an Interim Police Chief by July 1st. As voted by the Board of Selectmen as their last meeting, this Interim Chief will be from the outside of the Department. She hopes to have someone selected by the next Selectmen's meeting of June 23rd. Given state laws, this person may function solely as an Administrative Chief and would not be in rotation. Overtime and Reserves will be tapped to cover shifts through the transition. The Police Chief Search Committee is moving forward, and the Committee is meeting the next few weeks to determine who will be in the first round of interviews.

The War Memorial Opinion from Town Counsel was distributed and forwarded to the War Memorial Trustees. The Trustees met last week and TA Garvin is waiting to hear back from them. She will inform the Board of Selectmen of their response as soon as she receives it.

A possible date for Special Town Meeting can be November 3rd. The Warrant would need to be opened sometime in August. At the Special Town Meeting, the Town will be certifying Free Cash. Garvin is working on a plan as to how that Free Cash should be allocated and will present to the Board as Fall approaches.

The Finance Team has begun drafting Financial Policies for the Town. Once in draft form, Garvin will bring them before the Board of Selectmen and the Finance Committee. The policies will include general financial policies, free cash policy, investment policy and other policies related to such.

Garvin reported that she and Kendra J. Dumont along with Town Administrator Robert Pointbrand of Ayer, attended the meeting with the DESC, and discussed the budgeting process between the Towns and Ayer Shirley Regional School District. The affiliates asked about how the Towns were addressing the budgeting challenges of the two communities, budget process, budget outcomes and long term sustainability.

Garvin updated the Board with regard to HR Consultants. Town Counsel has not heard from the Company and has suggested that for Breach of Contract, Small Claims court may be the best way to go; since the amount is under \$7,000.

Finally, with respect to 15 Harvard Road, the deadline date to receive payment by June 9th has passed. The Town is pursuing eviction and will be going to Court on July 7th.

TREASURY WARRANTS

Payroll warrant # 0151	<u>06/18/14</u>	\$ <u>6,002.24</u>
Payroll warrant # 6151	<u>06/18/14</u>	\$ <u>24,798.59</u>
Payroll warrant # 9151	<u>06/18/14</u>	\$ <u>10,124.74</u>
Payable warrant# 2514	<u>06/18/14</u>	\$ <u>33,471.18</u>
Payable warrant# 9524	<u>06/20/14</u>	\$ <u>220,025.98</u>

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

APPROVAL OF MINUTES

Selectman Prescott made the *Motion to accept the Minutes of June 9, 2014. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.*

OLD BUSINESS - Tabled

1. Energy Committee Update

NEW BUSINESS

2. Animal Control Officer Earl Hamel – Bear Sighting Update

Earl Hamel, Animal Control Officer gave an update of the numerous sightings of bears in Shirley. He noted that there are approximately 6 bears in the community. He is recommending that residents

take down their bird feeders, as this has become a source of food for the bears. He further stated that the bears are becoming too complacent around people, which could lead to future problems.

3. 7:05pm Joint Election – Planning Board Member - Tabled
4. Financial Audit

Dick Hingston of Guisti, Hingston and Company, came before the Board to update them on the audit of the financial statements for the year ended June 30, 2014. Mr. Hingston stated that on the following matters to be discussed, he does not consider significant deficiencies or material weaknesses.

Capital Projects Fund: Guisti, Hingston and Company recommends that the Town record and report warrant articles in the general fund (or related enterprise fund) within the department associated with expenditure.

Sewer User Charges:

Billing Register:

The “billing register” utilized by the Sewer Department was modified to separately display the month’s beginning balance and the payments made during the month. However, the “Total” column, which should display each customer’s balance due at the end of the month, does not add across properly.

Guisti, Hingston and Company recommends that the town request that the software company correct the “Total” column in the billing register report. They further recommend the Sewer Commissioners review the billing register and sign the last page. Their signatures can serve as authorization of the commitments, abatements and any other miscellaneous adjustments.

Sewer Liens Added to Tax:

During FY13, a few customers who were included in the “sewer liens added to taxes” list paid their “sewer user charge” bill after the list was provided to the Assessors’ Office. However, they were still added to the real estate tax bill. As a result, some of them may have paid the bill twice. The Town recently reviewed the accounts and issued abatements which will generate refunds to the customers.

Guisti, Hingston and Company recommends that the Sewer Department record the liens in the customers’ accounts as soon as the “added to tax list” is submitted to the Assessors.

Returned Checks:

It was noted that a few returned checks (related to sewer user charges) recorded in the general ledger were not reversed in the customers’ accounts.

Guisti, Hingston and Company recommends that the Town establish a formal process for adjusting customers’ accounts for returned checks related to sewer user charges.

Performance Bonds

Guisti, Hingston and Company recommends that the Town utilize a banking system that has one back account with multiple sub accounts, instead of opening a new and separate bank account for every new performance bond. The banking approach recommended similar to the method used by the Town for its trust funds. The balances in the sub accounts should be reconciled to their respective general ledger account balances at the end of every month.

Sewer Betterment Fund

The Town levied approximately \$16,730,000 in sewer betterments to offset debt incurred for a sewer project.

Dick Hingston noted periodically, the town should perform an analysis of the sewer betterment fund. He is recommending the analysis should be updated continuously as information regarding the status of unpaid amounts (i.e. potential for default), becomes available.

Recent Statements Issued by the Governmental Account Standards Board (GASB)

The Governmental Accounting Standards Board has issued several Statements recently that will have a significant impact on the look and amounts reported in the Town's financial statements.

GASB Statement #63 – Financial Reporting of Deferred Outflow of Resources, Deferred Inflows of Resources, and Net Position.

This statement amends the net asset reporting requirements in Statement No. 34 and incorporates the concept of deferred inflows and deterred outflows of resources and the new terminology, "net position".

GASB Statement #65 – Items Previously Reported as Assets and Liabilities.

Statement #65 reclassifies certain items currently being reported as assets and liabilities as outflows of resources and inflows of resources.

GASB Statement #68 – Accounting and Financial reporting for Pensions.

Statement #68 establishes the methodology that must be used by governments to determine the "Net pension liability" of the pension plan. Reporting the net pension liability will have a significant impact on the Town's net position. The Town's share of the Middle County Retirement System's unfunded actuarial accrued liability per the January 1, 2012 valuation is \$7,506,767. The required implementation date of Statement #68 for the Town is June 30, 2015.

Mr. Hingston commented on the unfunded "Other Post-Employment Benefits" liability is similar to the net pension liability, it appears likely that the Governmental Accounting Standards Board will address reporting the entire OPEB liability in the Standard of Net Position. The reporting currently for OPEB liability is being phased in over a 30 year period.

Selectman Swain noted that overall the Financial Audit Letter was very tame

5. Kittredge Road – Deed

Selectman Prescott moved to approve the Quitclaim Deed for parcel of land located on Kittredge Road, Shirley, which parcel of land containing 0.060 acres, more or less, and is show on Assessors Map 82, Block C as Lot 6. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

6. One Day Liquor License –

Selectman Prescott moved to approve American Legion Post 183, 8 Church Street's Special License ~~for the sale of Wines and Malt Beverages Only, to be drunk on the Premises Under Chapter 138,~~ Section 14, of the Liquor Control Act, for the 3rd Annual Eric Keirstead Memorial Ride for the American Foundation for Suicide Prevention, to be held on Saturday, June 21, 2014 (Rain Date Saturday, June 28, 2014) from Noon – 6:00pm. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

7. Driveway Permits – 12 Baywood Dr.; 5 Morgan Ln.; 6 Derby Dr.

Selectman Prescott moved to approve the Application for Permit to Construct &/or Blacktop Driveway or Accessway for 12 Baywood Drive, with orders of conditions as presented. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

Selectman Prescott moved to approve the Application for Permit to Construct &/or Blacktop Driveway or Accessway for 5 Morgan Lane, with orders of conditions as presented. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

Selectman Prescott moved to approve the Application for Permit to Construct &/or Blacktop Driveway or Accessway for 6 Derby Drive, with orders of conditions as presented. Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

8. Appointments

Selectman Prescott moved to accept the Appointment as presented (See Attached). Selectman Swain Seconded. Robert E. Prescott vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

Executive Assistant Rocco noted that Bruce Chase, who is part of the Senior Work-Off Program , developed the database in which allows the Appointments to be processed with better efficiencies, which includes digital signatures for the Selectmen.

9. Board of Selectmen Summer Schedule - Draft

Selectmen reviewed the Summer Schedule, only change is adding Monday June 30th to the schedule. Selectmen had no issues with the schedule.

PUBLIC COMMENTS

Selectman Swain attended the last JBOS meeting and briefed the board on what transpired that evening. He noted that all Towns seem to be in favor of the proposed project adjacent to the Middle School. Noting that the housing cap will be raised specific to that project.

ANNOUNCEMENTS

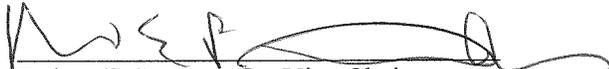
ADJOURNMENT

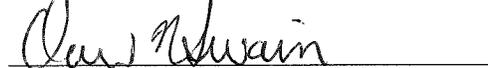
With no further business to discuss, *Motion and Seconded to adjourn at 8:03 p.m., Robert E. Prescott vote Aye, David N. Swain vote Aye, and Kendra J. Dumont vote Aye .*

Respectfully submitted,
Kathleen Rocco

Date Accepted: June 23, 2014


Kendra J. Dumont, Chair


Robert E. Prescott Jr., Vice Chair


David N. Swain, 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.