

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

David N. Swain, Chair

Kendra J. Dumont, Vice Chair

Robert E. Prescott, Jr., Clerk

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BOARD OF SELECTMEN MINUTES

November 17, 2014

6:45 pm

TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, November 17, 2014 at the Town Offices, Meeting Rooms A & B, Chairman David N. Swain presiding, with Selectmen Kendra J. Dumont, Robert E. Prescott, Jr., Town Administrator Patrice Garvin and Executive Assistant Kathleen Rocco in attendance.

CALL TO ORDER

Chairman Swain called to Order the Board of Selectmen's Meeting at 6:45 pm

TOWN ADMINISTRATOR REPORT

Town Administrator Patrice Garvin gave her weekly report. She noted that 43 D Application that was recently approved at Town Meeting is in the process of being submitted. She will be working with the Economic Committee to ensure the Application is filed correctly.

Garvin reported that Senator Eldridge's and Representative Benson's offices communicated that the Home Rule Petition to make the Tax Collector position from elected to appointed only needs the Governor's signature. The Town will be notified when Governor signs the Home Rule Petition.

Several months ago, Project Interface presented their program to the Board of Selectmen, seeking funds to have Shirley become a member. The Shirley Charitable Foundation has stepped up to offer those funds to allow the program to be assessable to Shirley residents. Garvin thanked the Shirley Charitable Trust for their donation.

The Town Administrator stated that she has begun the hiring process for the new DPW Laborer. She posted the job pending Town Meeting's approval of the appropriation. Since Town Meeting has voted in favor of the appropriation; she noted that she is moving forward with the interview and will bring a candidate to the Selectmen for appointment. Paul Farrar, DPW Foreman and Dennis Levesque, Fire Chief will be assisting the Town Administrator.

During the time of posting for the DPW position we were looking for one candidate. The town posted the position to meet minimum qualifications for licensing with a start date of December 1st. Since the time of

posting, Mike Lanteinge has submitted his resignation effective December 31, 2014. This means the Town will be looking for an additional laborer. Given the response the Town has received for this position; and the pay grade, Garvin is requesting to repost for the second position. She further stated that in this round, she would like to ask that the applicants be in the process of obtaining licenses need for the position, as she feels this would widen the pool of applicants. Therefore, she requested permission to repost the position. This position would have a January start date. This would allow extra time for the DPW Foreman to train one new employee at a time, rather than have two employees with the same start date.

Selectman Dumont moved to allow the Town Administrator to repost the DPW Laborer position with the clarification on licenses. Selectman Prescott Seconded. Robert E. Prescott, Jr., vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Finally, TA updated the Board of Selectmen on the hiring of a ZBA Clerk. She noted that the chosen applicant turned down the position, therefore had reposted the Ad.

TREASURY WARRANTS

Payroll warrant	<u># 0121</u>	<u>11/19/14</u>	<u>\$ 5,427.39</u>
Payroll warrant	<u># 6121</u>	<u>11/19/14</u>	<u>\$ 27,576.41</u>
Payroll warrant	<u># 9121</u>	<u>11/19/14</u>	<u>\$ 11,057.97</u>
Payable warrant	<u># 2215</u>	<u>11/19/14</u>	<u>\$ 88,844.27</u>

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

APPROVAL OF MINUTES

Selectman Dumont moved to accept the Minutes of November 10, 2014. Selectman Prescott Seconded. Robert E. Prescott, Jr. vote Aye, David N. Swain vote Aye and Kendra J. Dumont vote Aye.

Selectman Dumont moved to approve the Executive Session Minutes of June 23 2014, August 11, 2014, October 20, 2014 and October 27, 2014. Selectman Prescott Seconded. Robert E. Prescott, Jr. vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

OLD BUSINESS

1. Energy Committee Update - Tabled

NEW BUSINESS

2. MassDevelopment Update – Ed Starzec

Ed Starzec and Erik Hokenson of MassDevelopment presented to the Board of Selectmen potential Devens Zoning Changes. The New Process to the Devens Zoning Changes are

- Information Outreach;
- Gauge Public Support; and
- If supported, proceed to Super Town Meeting in Spring 2015

#1 Zoning Change

Shirley Village Growth District – Starzec explained there are approximately 32 Acres behind Middle School which would allow Senior Residential Uses. Housing for age 62 and up with 120 units of Senior Housing. He noted that there would be a waiver of housing cap for the senior housing only.

Discussion on the Delivery of Services to the Seniors, ie Medical and COA Services. Starzec stated that the Emergency Medical would be the responsibility of Deven’s Fire Department. However, Devens does not have COA Services and would seek entering into an Agreement with the COA and MassDevelopment. He further noted that after meeting with the Shirley COA, there was positive feedback and would assure the Shirley COA that there would be “plain vanilla” affordable senior housing thus Shirley would not be negatively affected.

#2 Health Care Uses in Additional Zoning Districts

Discussion on looking into additional places such as Shirley Village Growth, Rodger Fields and Devens Commons with the concern on Nashoba Valley Medical Center in Ayer and Competing with Harvard’s C District.

#3 Potential Zoning Changes

Mr. Starzec discussed the Zoning Swap to allow for the residential redevelopment of Adams Circle to protect adjacent environmental and historical resources.

Chairman Swain stated the goal is to increase the amount of acres to allow 10 acres of residential and 18 acres of open space.

#4 Zoning Change – Southern End of Grant Road

Discussion on light industrial uses around the southern end of Grant Road, in which Ed Starzec stated that the change would affect 22 acres in total and the proposal would provide visual buffers (ie trees) and additional buffer strips.

Chairman Swain noted that JBOS subcommittee had no major issues with the proposed zoning changes.

3. Community Assistance Collaboration (CAC) – Winslow Fund Grant Award

Ann Town and Frank Eselionis, members of the Community Assistance Collaboration have submitted a Grace Winslow Fund Grant Award Application for January 1, 2015 – December 31, 2015. They are requesting \$5000 assist in providing support for resident seniors, non- seniors and families enduring financial hardship.

Selectman Dumont moved to give to the Community Assistance Collaboration up to \$5,000 from the Winslow Fund Grant. Selectman Prescott Seconded. Robert E. Prescott, Jr., vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

4. One Day Liquor License

Selectman Dumont moved to grant a 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 Wine Tasting Fundraiser for Ayer-Shirley PTO to be held at the Shirley First Parish Meeting House on Thursday, December 4, 2014 from 7:00 – 10:00pm. Seconded. Robert E. Prescott vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

5. Police Officer Hiring Process – Discussion

Chairman Swain invited Chief Tom Goulden to discuss the process of hiring a police officer. Chief Goulden stated that in his past practice, the Police Department did the vetting and screening process for potential candidates, noting that there is some confidentiality in this process. He further stated that the finalist would then move on to be interviewed by either the Selectmen or Committee of Community Leaders.

Selectman instructed the Town Administrator to create a Screening Committee consisting representative from the School, Selectmen, Town Administrator and Community Leaders.

6. Open the February 23, 2015 Special Town Meeting Warrant

Chairman Swain asked that the Selectmen open the Warrant for Special Town Meeting to be held on Monday, February 23, 2014.

Chairman Swain asked the Library Trustees requested Article be added to the Warrant.

Selectman Dumont moved to Open the Special Town Meeting Warrant for February 23, 2014 with a snow date of February 24, 2014.. Seconded. Robert E. Prescott, Jr. vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

7. 7:30pm Tax Classification Hearing

Chairman Swain asked to open the Hearing.

Selectman Dumont moved to open the Tax Classification Hearing at 7:37p.m.. Seconded. Robert E. Prescott, Jr. vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectman Prescott read the legal notice into the minutes.

The Shirley Board of Selectmen and the Shirley Board of Assessors, will hold a joint public hearing at the Town Offices, 7 Keady Way, to discuss the tax classification allocation for the various classes of property, (residential, open space, commercial, industrial, and personal) for the current fiscal year 2015, on Monday, November 17, 2014 at 7:30p.m. Written comments may be submitted in advance of the hearing to the Selectmen's Office at the Town Offices, 7 Keady Way, Shirley, MA. 01464

Principle Assessor Rebecca Boucher presented the overview and breakdown of the tax rate (See attached.) She noted that the tax rate will be \$17.31 or a 5.5% increase.

Selectman Dumont moved that we, the Board of Selectmen vote to adopt a Minimum Residential Tax Factor of 1 for FY2015 tax classification purposes, maintaining a signal tax rate. Selectman Prescott seconded. Robert E. Prescott, Jr. vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

Selectmen noted that they will also be asked to sign the tax rate recapitulation form LA5 indicating that the Board of Selectmen have been informed by the Board of Assessors of expected Excess Levy Capacity of \$4,839.42 for FY2015.

EXECUTIVE SESSION

Selectman Dumont moved to go into executive session under M.G.L. c.30A, § 21 (2): To conduct strategy sessions in preparations for police chief negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel at 7:51pm, and to return into open session for adjournment purposes only. Seconded. Robert E. Prescott, Jr. vote Aye, Kendra J. Dumont vote Aye and David N. Swain vote Aye.

PUBLIC COMMENTS

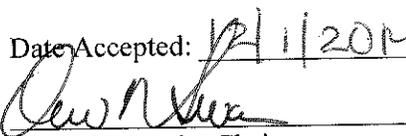
ANNOUNCEMENTS

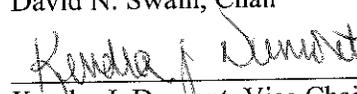
ADJOURNMENT

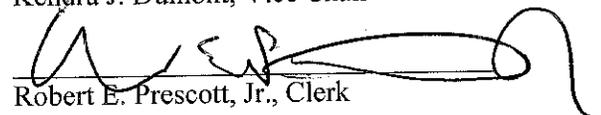
With no further business to discuss, *Motion and Seconded to adjourn. Robert E. Prescott vote Aye, Kendra J. Dumont vote Aye, and David N. Swain, vote Aye.*

Respectfully submitted,
Kathleen Rocco

Date Accepted: 11/17/2014


David N. Swain, Chair


Kendra J. Dumont, Vice Chair


Robert E. Prescott, Jr., 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.