

Town of Shirley

BOARD OF SELECTMEN



7 KEADY WAY – SHIRLEY, MASSACHUSETTS - 01464-2812

David N. Swain, Chair

Kendra J. Dumont, Vice Chair

Armand Deveau, Clerk

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BOARD OF SELECTMEN MINUTES of March 19, 2012 7:00pm TOWN OFFICES

The Board of Selectmen convened its meeting on Monday, March 19, 2012 at 7:00 p.m. at the Town Offices with Chairman David N. Swain presiding and Selectmen Armand Deveau and Kendra Dumont and Chief Administrative Officer David Berry in attendance.

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 # 138	<u>3/21/12</u>	\$ <u>5,855.02</u>
Payroll warrant #6138	<u>3/21/12</u>	\$ <u>19,873.61</u>
Payroll warrant #9138	<u>3/21/12</u>	\$ <u>7,979.75</u>
Payable warrant#2382	<u>3/21/12</u>	\$ <u>212,077.81</u>

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

Motion to accept the Minutes of March 5, 2012 David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.

NEW BUSINESS

1. Energy Committee

Bryan Dumont gave a brief update on Green Designation and Solarize Massachusetts. With regard to Solarize Massachusetts, Mr. Dumont reported that 63 residents have shown interest this program. He further noted that both local banks in Shirley have expressed interest in partnering to help residents with financing options. Selectman Deveau asked if the Municipal Buildings can apply under this program, in which Mr. Dumont stated that they do.

Mr. Dumont asked that the Board of Selectmen approve the Statement of Commitment, which is committing the municipality's full participation and cooperation with the Massachusetts Clean Energy Commission (CEC) in this program.

Selectman Kendra Dumont made the **Motion to approve the Statement of Commitment. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

Selectman Kendra Dumont made the **Motion to have the Chairman sign and acknowledge the application submitted by the Energy Committee. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

2. Omnibus Policy and Procedures

Chairman Swain read into the minutes the Omnibus Policy and Procedures. (*See Attached*)

Chairman Swain stated that after review of the Policy, he felt comfortable with the procedures and that this falls under the Town Accountant as required by the Mass. General Laws. CAO David Berry responded that he will be putting together some simple information to have publicized in the local newspapers as well as going on Rico Cappucci's cable show, *Your Local Government*. Chairman Swain would like to see a brief demonstration at the BOS meeting, on how the budget will look prior to Annual Town Meeting.

Selectman Dumont made the **Motion to approve the Town of Shirley's Policy/Procedures Manuel for the Omnibus Budget. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

3. P&S on Old Municipal Building

Discussion on the Purchase and Sale Agreement on the Old Municipal Building located on 3 Lancaster Road. Chairman Swain stated that the purchaser, Steven Phaneuf, a resident of Shirley and the town have agreed upon a purchase price of \$70,000, with \$7,000 down on the property. Mr. Phaneuf's intention is to put 2 apartments (units) in the Old Municipal Building, with the understanding that he cannot change the historic exterior. CAO Berry noted that Mr. Phaneuf will have to go before the Zoning Board of Appeals for any changes in variances, and would ask that the Selectmen support Mr. Phaneuf's efforts in this.

Selectman Dumont made the **Motion to approve the Purchase and Sale Agreement for the Old Municipal Building. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

4. Review of Warrant Articles

Chairman Swain read through all the Potential Articles for the Annual Town Meeting Warrant (See attached)

<i>Article 1</i>	<i>Accept Annual Report</i>
<i>Article 2</i>	<i>Pay Prior Year's Bills</i>
<i>Article 3</i>	<i>Amend Appropriations for Current Fiscal Year</i>
<i>Article 4</i>	<i>Amend NVTHSD Agreement to add Ayer to District</i>
<i>Article 5</i>	<i>Appropriate Omnibus Operation Budget for FY2013</i>
<i>Article 6</i>	<i>Appropriate Sewer Department Budget for FY2013</i>
<i>Article 7</i>	<i>Appropriate Ambulance Dept Budget for FY2013</i>
<i>Article 8</i>	<i>Appropriate Curbside SW/Recycling Budget for FY2013</i>
<i>Article 9</i>	<i>Approve Five-Year Improvement Plan & FY13 Capital Budget</i>
<i>Article 10</i>	<i>Appropriate for Capital Exclusion-Pick-up Truck</i>
<i>Article 11</i>	<i>Appropriate for Capital Exclusion-Police Cruiser</i>
<i>Article 12</i>	<i>Appropriate for Capital Exclusion-Information Technology</i>
<i>Article 13</i>	<i>Establish & Fund Capital Improvement Plan (CIP) Stabilization Fund</i>
<i>Article 14</i>	<i>Transfer to Stabilization Fund for FY2013</i>
<i>Article 15</i>	<i>Appropriate for Capital Budget for FY2013 by Transfer from CIP Stabilization Fund</i>
<i>Article 16</i>	<i>Appropriate for Police Cruiser</i>
<i>Article 17</i>	<i>Accept Salary Classification Plan & CY13 Wage Scale</i>
<i>Article 18</i>	<i>Authorize Transfer for managing Debt</i>
<i>Article 19</i>	<i>Renew Limited Additional Property Tax Exemption</i>
<i>Article 20</i>	<i>Adjust Eligibility Factors for Property Tax Exemption for Senior Citizens</i>
<i>Article 21</i>	<i>Appropriate for conversion & adjustment of GIS database</i>
<i>Article 22</i>	<i>Establish/Re-establish Department Revolving Funds</i>
<i>Article 23</i>	<i>Appropriate Chapter 90 Funds</i>

Chairman Swain stated that he would like to see Article 14 – *Transfer of Stabilization Fund for FY13* be pushed down at the end of the Warrant, as in the past. He further noted that the Salary & Wage should be done prior to the Omnibus Budget.

5. Continued Discussion of Capital Plan and Budgets

Chairman Swain reviewed the recommendation from the Capital Improvement Plan Work Group. With the Town's certified Free Cash at \$515,865 and the balance in the Stabilization Fund is \$252,923; the CIP Work Group is recommending that the Stabilization Fund remain intact, but the Free Cash be used to fund the highest priority capital items that were not funded last year. The CIP Work Group is recommending that the following items be funded by free cash:

- New DPW Chevy Dump Truck, 1-ton with plow \$50,000
- One new Police Cruiser (\$28,736 Insurance) \$ 4764
- Replacement of Police Radio, as mandated \$80,000
- Fire Dept. Air Packs (\$129,333 from grant) \$ 6,807

- Upgrades and Replacements Computer Technology \$92,195
- Total \$233,766

Further the CIP Work Group recommends that the following two items be funded via capital exclusions:

- DPW GMC Sierra pick-up truck with plow \$40,260
- One additional Police Cruiser \$33,500

Chairman Swain made it clear at the last BOS meeting that he was not in favor of Capital Exclusion to be placed on the next Annual Election. He feels that the tax payer has no appetite for this. He cannot in good consciences go to the voters and ask for more money, when the Town has the money to pay for these items.

Selectman Dumont stated that ...“we should be good stewards of the tax payers’ money.”

Frank Kolarik, Chair of the Finance Committee, expressed concern on solving this year’s problems without looking into the future.

Selectman Deveau stated that he supports the decision of the CIP Work Group, however he supports the Board of Selectmen’s point as well. He will have the CIP Work Group review the budget again.

On the overall budget, CAO David Berry took the actions that were voted on by the Selectman at their March 12th meeting and incorporated into this budget scenario. (See Attached)

CAO Berry indicated that the deficit for the Town stands at \$235,000. If he were to add in the Police Officer and the Chief going on a 5/2, the deficit would be \$295,000. With the ASRSD calculated at 4.9%, and the increase in hours for the Library Director, and steps for the Police Department’s Executive Secretary, the amount is \$370,000.

The Selectmen asked the CAO to coordinate a meeting between Ayer and Shirley concerning the School Assessment. Selectman Deveau noted that the goal is to go to Annual Town Meeting with all parties being in agreement. Chairman Swain stated the School Assessment can not be subject to a 2½ override. Selectman Dumont would like to hear from the Ayer BOS on what challenges they are going to face.

UPDATE FROM THE CAO

CAO Berry spoke about the DLTA and MRPC with regard to the proposed contracts: (1) Shirley Village Growth District; (2) Lancaster Road Development and (3) Share a Planner with other Towns.

Selectman Dumont made the **Motion to approve the MPRC Agreement. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

The Economic Development Committee will be hosting with the Board of Selectmen and Nashoba Valley Chamber of Commerce Business Management meeting, which is scheduled for April 10, 2012 at 6pm at the Bull Run Restaurant. The Nashoba Chamber will pick up half the cost for this event.

The Flag Pole at the Municipal Complex is finally lighted.

Selectman Dumont read into the Minutes the letter received from Chelsea regarding trains carrying ethanol.

Selectman Dumont made the **Motion to oppose the proposal and send the Board of Selectmen's support to Chelsea Council. Selectman Deveau Seconded. Kendra Dumont vote Aye, Armand Deveau vote Aye and David Swain vote Aye.**

With no further business to discuss, **Motion and Seconded to adjourn at 8:04 p.m., David N. Swain vote Aye, Kendra J. Dumont vote Aye and Armand Deveau vote Aye.**

Respectfully submitted,
Kathleen Rocco

Date Accepted: _____

David N. Swain, Chair

Kendra J. Dumont, Vice Chair

Armand Deveau, Clerk