

Minutes: Selectmen's Meeting – Monday, March 29, 2010

Present: Chairman Wesley D. Goss, Walter F. Alterisio, Clerk and Procurement Officer and Member Kevin Welch

Meeting was called to order at 7:00PM with all members present. Representatives from the Board of Assessors, Assessor Brett Rock & Vic Stewart introduced Victoria Tidman who lives in Townsend and is Assessor in Townsend, MA accredited assessor – perfect fit for Town of Dunstable. Brett advised that the Board of Assessors voted at their last meeting to hire Victoria as they agreed she'd be a perfect fit for the Town rather than a company which made up the majority of the applicants. The board thanked Vic Stewart for all his years of service and wished him all the best in his retirement. The board also extended their welcome to Victoria as the newest member of our team.

The board noted the memo from Building Inspector advising the issue with the railing at 91 River Street has been corrected and secretary has processed transfer request for Fincom which would allow payment of the outstanding invoice on this project.

Selectman Welch noted the commitment from Boy Scouts of America for Arbor Day – planting trees and special meeting scheduled by the school district for this evening. Selectman Alterisio noted that at the meeting last week, he brought up the issue that in order to expect the town to support an override, need to present the voters with the facts on how the problem erupted and what's being done to correct it. Discussion continued on school district layoffs with Selectman Welch noting they've never ever laid-off any fulltime, licensed, certified, tenured teacher. Selectman Alterisio noted that he got more from the meeting with GLTHS – providing background on where the increases are coming from. They noted if the school's hands are tied by virtue of mandates that are put on them, the same as is put on towns – people should be advised. Selectman Welch noted that GDRSD is saying for at least the next few years, they're going to have to request a \$2M override every year. The board noted, you still have the bill to pay, income is reduced so the towns have to come up with more to cover. State is saying you still have to do it – only option, without override, is to cut back on personnel, etc. Minimum contribution is based on the number of students. Selectman Welch noted that property values have changed, cost of living as well, doesn't seem to take into consideration the impact. There's no right answer – the only answer at this point, is to make them come up with a realistic budget and stick with it.

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Selectman Welch noted the scare tactics used, advising there are a lot of people who are losing their homes, and won't be able to swing a \$2M override; advising all there are only about 1100 tax payers in Dunstable.

Selectman Welch advised we have 2 EMT appointment requests from Fire Chief Rich, one is Michael Galvin and the other is Kevin Babcock. Selectman Alterisio moved to concur with Chief Rich's recommendation and appoint Michael Galvin and Kevin Babcock as EMT's. The board voted with all in favor.

The Board signed letters of thanks for Gary Hogle, David Mitchell and Steven Byrnes for their work on the grant for the windows at Swallow Union. Selectman Welch also endorsed the contract for the referenced grant noting he asked Rich about a week and a half ago for input on the contract requirements but has not received any yet.

Selectman Welch noted article 12 for the records management system for police department also would require licensing and an additional \$4K per year for licensing and not sure if technical support would be extra.

He noted that our public safety budget is over \$1M counting highway and if we buy this software, hire the administrative assistant, and make our volunteer fire department a paid department, all of which is being incorporated in Fincom's proposed budget, then it's being done at the cost of eliminating raises for all the other town personnel except for police union, who are under contract.

Selectman Alterisio agreed those kinds of things would be expendable if it means eliminating raises for all other town personnel. The board noted that to limit all other personnel from raises to support the records management system and new personnel for the police department; while it might be very important to the chief, the town needs to fairly balance all personnel.

Selectman Alterisio moved to approve minutes of 3/22; 2nd by Selectman Welch and voted with all in favor.

Selectman Alterisio questioned Article 14 on the 2nd draft for ATM – Selectman Welch explained the research that has been done and the service that would be provided to the town for Inclusionary Zoning relative to new housing developments and affordable housing.

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Selectman Alterisio noted, that dependent on what happens tomorrow night, article may need some amendment – possibly to repeal vote of town meeting for future caucus. He explained some of the complications that have been encountered in pulling this together, and indicated we'll work through tomorrow night. He noted that things have changed and the caucus may have outlived its usefulness – we're one of the few that maintain the caucus.

Secretary was reminded we'll need an additional article for \$40K CPA for windows at Swallow Union. Selectman Welch explained the grant that was received for the windows covers new energy efficient windows only. The additional money from CPA would be for the additional cost of the windows to be historically correct in appearance.

Representative Hargraves visited the board and provided brief update on current events.

At 7:30PM the board met with zoning review committee; Dave Johnson provided update and advised they've been meeting pretty regularly for the last several months; looked at all the zoning laws, the master plan and open space for areas needing attention. Master plan pretty current; zoning laws seem to reflect what's good for the town. One area they looked at was an agricultural preservation zoning provision that would add to existing open space development bylaw – providing clustering for farms – could build x number of houses clustered on a smaller portion of parcel – but instead of turning open land over permanently protect as farmland. They were looking at a minimum of 40 acres to qualify for the agricultural preservation provisions. Joan Simmons noted that they've looked at other bylaws to find ones that would provide protection for scenic areas – would provide for perpetuity for agricultural use. Deed restrictions would require it to be sold as a farm – they still have a ways to go but it's definitely something a lot of towns are using or looking at.

They noted that's something that's not being presented for this ATM as it still needs some more work but certainly has a lot of merit. He noted there were a few other ones that they looked at including hammerhead lots. At this stage, there's only a request for hiring a land use attorney to write the Inclusionary Bylaw.

They are bringing forward modification of B2 to eliminate residential from the B2 zones, so that B2, B3 would be business only – noting that it would probably not cause a problem right now but years down the road it could. Because it involves a zoning change, the Planning

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Board needs to have a hearing before town meeting. Zoning Review committee noted they've also looked at the recommendations brought forth by Planning Board – have voted not to support B1-B2 changes. There is support for the windmill bylaw and the flood plain maps. They felt there was no justification for a new business zone in town. In doing so, they also noted that there is B3 property in Dunstable that is over 200 acres. Furthermore, B3 covers all of B2 and B1. The implications of having trucks entering and exiting onto Route 113 without any type of a traffic study vs. the current B3 zone on Blodgett St., with Tyngsborough offering to hook up to their sewer and water infrastructure clearly outweighs the proposed business zone on 113, on Salmon Brook. Once the zoning change is done, as a matter of right, any business could go in there. Gail referred to standard industry classification – general classification for businesses. Selectman Alterisio noted that even though the Planning Board is recommending special permit classification and that once you allow something by right, the special permit had better march to the tune of the business level that's consistent with the kinds of things you can do in that zone. Selectman Alterisio gave examples. Selectman Alterisio further indicated his concern over whether or not the things allowed in the special permit might be challenged and long term the implications of making the change. The implications being there's a line at the window – you've made the decision – now it's my turn. And on the other side of the coin, any abutter or neighbor that doesn't like this, knows that spot zoning is illegal, and we'll have to go spend legal fees to protect ourselves. Courts will probably say we know it's an unlawful activity but the town agreed to it. Dave advised he went into this zoning committee with an open ear as to whether there was justification for new business zones, if there is, there is a right way to do it.

Discussion continued, Joan Simmons advised with all due respect to Mr. Raymond, this has been orchestrated on his behalf. She's certainly as pro-business as anyone – would love to see some small businesses but need to do it right. This is being done specifically to try to accommodate Mr. Raymond – don't know what kind of operation it would be, but town shouldn't be doing custom zoning. Discussion continued – how do you get wealth, you have it, your born into it or its thrust upon you. Noted the possible approach of pulling the general store into the mix to make it look like it's not spot zoning. Gail Brown recalled the history of the general store and noted the purpose of a special permit. Zoning change increases the land value, are we making decisions for all the right reasons. The Zoning Review Committee strongly recommended to the selectmen and town to

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oppose the planning board's change of zoning article on this year's ATM.

Gail Brown advised that she rode through Vermont recently and further noted that we're very fortunate that the people who've lived here and served on our boards have done a great job in protecting our community. The board thanked the ZRC for their due diligence on the zoning issues, committed to supporting their findings and asked that they continue their work on the other issues in the coming fiscal year. Selectman Goss excused himself for the evening.

Representative Hargraves was present for the zoning discussion and advised that Dunstable is very close to the characteristics of Ashby where he was brought up. He called Dunstable a beautiful, bucolic town and recommended any changes should be taken very seriously. He went on to comment on the presentation of the Zoning Review Committee and agreed with their assessment. Issue that Representative Hargraves brought up with Bobrowski, he is no different than any other attorney, they're all in it for billable hours. Representative Hargraves provided brief report on recent political changes.

Discussion continued on the GDRSD override proposal and what's needed to support it – including basis for the costs related to students – not all personnel. Representative Hargraves reported that need to get into plan design. Plan design is getting some legs – he'll be meeting with MBTA lobbyists. Plan design means that Selectmen work with unions. He indicated his sense was Groton voters were not supportive of an override at this time.

January 5th 2011 will legally be Representative Hargraves last day as our State Representative. Selectman Alterisio asked what's the sense of local aid right now – last he'd heard was 4%.

Treasurer's warrants were reviewed and signed and the meeting adjourned at 8:15PM after appropriate motions and vote.

Respectfully submitted,

Danice N. Palumbo,
Board Secretary