

Minutes: Selectmen's Meeting – Monday, May 3, 2010

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

Before meeting was called to order, Conservation's secretary, Cheryl A. Mann, approached the board requesting permission to consult town counsel relative to a parcel of land off Parkhurst Street which has been offered to Conservation for purchase; they're interested in determination of whether it's a buildable lot. The board called the meeting to order at 7:00PM with quorum present and Selectmen Welch proceeded over to Swallow Union to witness their presentation on override.

Selectman candidate Ken Leva stopped in to introduce himself to the board. He indicated he's lived in Dunstable for six (6) years, owns a home on Oak Street which he now leases out and recently moved to a new home on Sky Top Lane. He further advised he has friend of some 20 years whose family has been here since beginning of time – loves Dunstable the way it is and thinks town has been doing a great job so far.

While awaiting return of Selectman Welch and other boards for the 7:45 review, Town Counsel reviewed the Fincom cover letter indicating he didn't see any legal issues with it.

Town Counsel, Lieutenant Dow, GDRSD School Committee Member Jim Frey and Fincom Chairman Ron Mikol were present for discussion of override strategy; Selectmen Alterisio advised that he felt quick review of budget was needed especially since the people from Groton have approved override at their town meeting, regardless of whether it's gone to ballot or not. He felt that we need to be prepared should Dunstable disapprove at ballot and Groton approve, noting Dunstable's elections on the 17th and Groton on the 18th; need some type of strategy if it is approved by Groton and held firm, as to how Dunstable comes up with those funds. He advised there are certain things that have to be done by contract or other legal requirements. We need to identify the items we have to pay, and against it some shortfalls that have been imposed upon us. He noted transportation that is required but the district can't charge for even though the state has reneged on their agreement to pick up that cost. Selectmen Alterisio indicated he'd suggested staying away from how many jobs are going to be reduced to the School Committee and Mr. Frey presented a copy of unfunded mandates put together by the Superintendent for the next meeting. He indicated it's a pretty big percentage and Selectmen Alterisio suggested it be simplified and summarized on the screen so it

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can be easily understood. Selectmen Alterisio indicated he wants to get them off the mindset that we just keep asking for more. If it fails at the polls and the town has to come up with the \$310K, clearly the two chiefs – Police & Fire budgets are the only budgets sizable enough to provide funding. Ron Mikol referred to last year's over-assessment that was voted and GDRSD refused to return. He noted that if we have to come up with \$310K, essentially going to mean a 15% reduction in costs – Police, Fire, town hall staff and pay cuts, noting municipal budget is only \$3M – will no longer be able to maintain core services. Jim indicated that he recognizes as representative of the town, the extreme negative impact it would make on the town's services if the town were required to come up with the entire amount. Discussion continued on the process if one approves and the other doesn't, another vote, recertification, etc. He indicated that if Groton approves and Dunstable doesn't, he doesn't see Groton taking the approach "poor little Dunstable" we want our kids to get the best education available. Mr. Frey advised that they're hearing the same concerns from Groton indicating there were many in Groton who can't afford the override. Selectmen Alterisio advised that there are places that could save on costs – fixed costs vs. non-fixed costs – maintenance, etc. although it's not the best way to go about it. 70% of their costs are related to personnel. Ron has all the data points from Groton's Fincom which will provide some information that can be used.

Selectmen Alterisio again - same as said last year, does not want it to include who's got to go if it doesn't pass. Slides from last week – traditionally the way they have to show the impact: services, reductions that need to be made and eventually have to show the people that are going to be lost. Selectmen Alterisio indicated main objective is to get the yes on the override but cautioned for that to happen, there must be a plan to move forward. Jim presented multiyear projection with assumption that state revenues will be flat, which will create a huge deficit but can look at bargaining negotiations that can be pursued. He advised that they know in other districts that are negotiating at this time, there are concessions being made. Seems like economy has come back which will help in some ways – thinks next year is also going to be very hard. Change in leadership is expected to develop a plan. New superintendent will come on full time on May 21st. Ron left meeting to return to Fincom meeting – 300K is 30% of the police budget and 5 times the Fire Department budget and under 1% of the school budget. Discussion continued on the effect of raises in different avenues. Selectmen Alterisio advised he'd asked police to be here so that they know why they're going to

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have to become part of the cuts – not going to be the highway department where you only have 2 guys out there – can't cut back there. Selectmen Alterisio asked whether we need any additional meetings to put this together or was Jim comfortable with the approach that needs to be followed to pull this together. Discussion continued whether Article 26 should be contingent on the ballot vote – with Rich advising the appropriation vote gives the legal authority to spend the money, even though you don't have the money without an override. He advised that if the town by virtue of a ballot item says no, it's only if you have the money to spend. Vote under article 26 will be contingent on the success of the override.

Rich advised regardless of what the article said about whether it was contingent or not, what would count would be the motion made on the floor. Board agreed our motion under Article 26 should be contingent upon passage of the ballot vote. Presentation under Article 26 will most likely be taken out of order – immediately after Article 2. Rich advised there was no legal reason why right after the school budget item in the budget, could address Article 26 then but his choice would be to get through Article 2 and then bring it in. Motion will say it's contingent upon approval at the ballot.

Dana Metzler asked whether motion for the records management system could be a lease rather than purchase. Answer was not readily available and will be researched.

Rich advised that there's no question that the lot in question off Parkhurst Street is not a legal lot – it has no road frontage only has an easement across other property. Rich advised that he was told that at one time town used to treat frontage on that lot. He indicated there was considerable question whether a variance could be granted in that case. Rich indicated whether or not a variance which purports to relieve a lot of any frontage requirements, would be iffy. Rich continued on the types of facts that could be included in a decision.

Rich advised that he'd spoken with someone from DOE regarding the Minuteman bill – staff attorney from DOE with a lot of background – he put to her questions as to custody vs. domicile, etc. He indicated he was surprised to find that this type of issue hasn't come up repeatedly – didn't find anything on it. This woman told her it's about residence, period – and Rich presented the concept supposing the child is living in Lexington 5 days a week, and he spends weekends in Dunstable. Rich advised it's residency that makes the determination, if he lives with the mother, than Dunstable is responsible.

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Board advised Town Counsel on Article 12 with Selectmen Welch indicating Selectmen aren't supporting this nor the administrative assistant for the police department as they don't support. Selectmen Welch advised that BOS are going to recommend taking no action – Selectmen Alterisio's position is that if we have to give up things within the budget, he will not support. He's heard that it won't affect the budget – Selectmen Welch noted that they report to the Board of Selectmen and should have come into the Selectmen for support and not bypassing the board to get their support from. Selectmen Welch noted it's not coming from a balanced budget, it's reducing the amount going into stabilization which is so low now that's affected our credit rating.

Board continued to review the planned action for ATM & STM, the Treasurer's warrants were reviewed and signed and the meeting adjourned at 9:15PM after appropriate motions to allow the board to visit with Fincom.

Respectfully submitted,

Danice N. Palumbo,
Board Secretary