

## Minutes: Selectmen's Meeting – Monday, July 26, 2010

Present: Kevin W. Welch, Chairman, Kenneth J. Leva, Clerk and Walter F. Alterisio, Procurement Officer and Member

The meeting was called to order at 7:00PM with all members present. Board noted invitation to opening of Pepperell covered bridge on Saturday, September 4<sup>th</sup>.

Chief Rich referred to draft prepared for Pepperell-Dunstable agreement – he advised Pepperell Selectmen will be looking at it next week – agreement was prepared by Town Manager. Chief Downes – ALA supply from Lowell, he's never seen a contract before, Rich has advised it could be signed with statement on bottom upon approval of Town Meeting. Charlie indicated if rumor has it right, they may be moving into Patriot's building in Tyngsboro. He indicated he didn't know who had the contract right now but his suggestion was to move forward with it – adding Rich Larkin's recommended language.

Charlie indicated he could check with Pepperell to see what they have. Selectman Alterisio indicated he felt if we seem to be going in that direction, wondered whether or not might select Nashoba. Chief Rich advised that even if patient wishes to go to Nashoba, level of care much better at Lowell General or Saint Josephs. He indicated they're very cooperative. Chairman Welch will speak with Rich tomorrow morning again to confirm. We can mail or Chief Rich could hand carry. Chairman Welch will sign and we'll fax Rich the proposed contract with Pepperell.

Chief Downes prefers to go with Trinity because of the 24/7 coverage, is a little reluctant to deal with on call coverage from 6PM to 6AM. The board is really trying to get answer from the Chiefs whatever they agree to, the Board will agree with. Charlie doesn't want to drag this out any longer than necessary – nor did the Board, but everyone must be on board. Pepperell will have on their agenda for next Monday evening. Selectman Alterisio inquired whether town counsel had a copy of the revised contract presented by Trinity. Selectman Alterisio advised that he's been listening to what's going on in Pepperell and was somewhat reluctant until we know how they're going to handle the issues they have before them. He indicated it has to be clear to everyone what the terms and conditions are going to be, and with budget crunch time, may not be positive for all involved. He indicated he'd like to see Pepperell go through budget process and look at a realistic agreement that all can live with. If the Trinity situation isn't going to work, would like to move to Pepperell, he'd like to see town go with Trinity for one year and then decide how to move forward from there. He indicated he'd like to see type of language that allows protection for the Town of Dunstable, wants to have something to negotiate with and right now we

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don't have anything. Discussion on the types of situations that might come up – details of contract are being put together by individuals who clearly don't have a grasp of all that's involved. Selectman Alterisio suggested the best answer agreement is to move forward with Trinity – Charlie advised that the issues with ambulances being on another emergency scene will come up regardless of who we sign with – just have to deal with as come up.

Mail: NMCOG meeting notices – Selectman Alterisio reported Route 113 project is included in the Transportation program, Pepperell & NMCOG have sent strong recommendation that this project be carried forward – cost of 680-K is now 2.6M. Total cost is expected to run over 2 budget periods so with that strategy – begin 2011 and move over to 2012. He indicated it looks like it's on track and they're going to vote to move it forward. The issue that Selectman Alterisio has is to insure that we don't get ourselves into situation as with Woodward's Pond and oversight that made a huge negative impact on the town – water line too shallow and residents along that stretch have to leave faucets dripping in the winter to prevent freeze-ups. The state came up with plan and the town's lack of expertise left us with a huge headache. Alan Chaney inquired whether the plan adopted is the 2<sup>nd</sup> plan as requested by the Historical Commission indicating Dunstable needs to dig in their heels to make sure it's done properly. Alan indicated if the state messes around with it, we need to be prepared to stand up for what's required – Selectman Alterisio felt this project may in fact go all the way down to the culvert – Alan indicated that may be the time for Cemetery to address the wall – must be rebuilt in place, issues to be decided, if they're willing to do that, beautiful, will fix culvert and the wall. Selectman Alterisio advised the integrity of the roadway is the primary interest of this project – need more clarification. Discussion continued on the possible elements of the project. Selectman Alterisio advised in conversation with a lot of different people, seems a lot of resistance; Alan indicated improvement could just mean fix it – not widen nor straighten, just fix deficiencies. Selectman Alterisio suggested we need to really consider what kind of oversight could be built into this.

Chairman Welch indicated we'd been asking for updates as a minimum from the Road Commissioners and Town Engineer – Alan indicated impression everyone has now is that the highway commission has come up with a plan and worked with Jeff Rider, if state will fund, will move forward.

Selectman Alterisio advised the other project that was discussed was River Estates and EPA review – NMCOG has reviewed and sent letter identifying permits that will be required before the project can move forward. He indicated there's going to be quite a bit of work to move forward. Alan advised this project started out with 39 houses & 15 acres for conservation,

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then came concerns from Conservation and the blanding turtle – MESA, National Heritage, fish & game – now 62 acres in Dunstable will be open space including a corridor along the river, in addition 62 acres in Pepperell will be turned over the MA Fish & Game – basically all worked out with the state with Conservation Commission input. Biggest issue is the turtles – ahs had profound impact with result being 112 acres of open space between Dunstable and Pepperell. Basically a win-win 36 houses as developers will be able to sell lots with protected open space. Alan noted that the fact that they had the blanding turtle and had to accommodate that – Conservation pointed out that they may have had to jump through pretty much the same for ACEC. Selectman Alterisio advised that while this will be over some number of years, we have to stay on top to make sure the appropriate happens – noting the board's experience with NRLC who've been known to agree to anything but do what they want.

Alan advised the development is on the market for \$4.25M so it's uncertain who will be building it. He indicated it's very interesting when he was a lad there were 5 houses on River Street, Hollis Street and Fletcher Street whereas now it's one of the most heavily developed areas of town. He indicated that the Pelletier property now looks like an awfully smart purchase. He indicated if a school were located on the Pelletier property it would be closer to Adams Street than Adams is to Swallow Union. Swallow Union is maxed out in several different respects and sooner or later we'll need another location for an elementary school.

Sue Psaledakis advised she'd received an interesting e-mail this afternoon to advise that the City of Lowell is prepared to deleading homes – Elliot Yapa MS community development of Lowell. While we don't have many multifamily homes, there are a few older multifamily homes which might qualify. Sue presented the information – Chairman Welch advised that it may also segway into the Union School Building but Sue felt this particular was reserved for households but she'll follow up with Elliot to see what we need to do. Sue will forward to secretary for distribution to BOS & BOH.

Selectman Alterisio advised that NMCOG had some money made available for a project that is no longer a project and may be able to direct toward Safe Pathways. Beverly Woods would be the central contact – who she'd assign will depend on just what's needed. Sue will contact – noted she's had some discussions with Bev Belanger from Carlisle and viewed some of the progress they've made and picked up some information from Cheryl as to the town's legal rights along roadways. Selectman Alterisio felt this would give some incentive to have people want to join the committee – Selectman Alterisio will touch base with Bev and advised Sue will follow up.

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Back to mail: Correction from NMCOG stating the meetings tomorrow and Wednesday re: the Federal & State transportation plan. Selectman Alterisio advised we have a MCO representative from NMCOG. Chairman Welch inquired whether someone from Dunstable. Lynnfield Fire Department letter of recommendation for Jim Dow's assistance in recent drowning tragedy; Dan Devlin request for – Board voted to appoint Dan Devlin to Zoning Review Committee. Chairman Welch drew attention to report from Town Accountant on energy costs – Glacial Energy. Town Clerk's notice of AG receipt zoning amendments; chief re: plans for cruiser maintenance, coverage, etc; additional information re: open meeting law – Selectman Alterisio reported that he'd received additional information from NMCOG on the best way to approach.

Selectman Leva advised he spoke with Chief Downes & David Tully Jr. re: drainage issue at the police station. Chairman Welch suggested that Michael Palumbo could provide some assistance – came up over the sill of the foundation and to the right of the building where cars are parked. Selectman Leva also addressed an e-mail he received from Sarah Eisenklam requesting letter of approval for 5K race in October – Selectman Alterisio noted that the issue was the chief couldn't afford to provide the support. Selectman Leva will check with the Chief to make sure he's supportive.

Chairman Welch reported he'd met with Ted today to go over some of the issues with Town Meeting. The moderator definitely has the authority to instruct constable or police officer to control meeting. In addition, after multiple votes, moderator has the authority and right to call for ballot vote. A lot of this is about building confidence after what happened last year.

Minutes of 7/12: Selectman Alterisio provided motion to approve – Selectman Leva noted correction on page 3 and board voted approval with that correction.

Selectman Alterisio asked if we could have the Parks group respond to comments that fields are in disrepair – are they, 2<sup>nd</sup> what's needed to fix, what do you plan to do – we need a plan and how they'd like to move ahead. Chairman Welch noted the real thing is Parks should be doing it without us having to ask. Selectman Alterisio – Board responding to proposal to generate funds to correct problems with the field. Parks may say there isn't a problem. Selectman Leva noted the e-mail regarding trash on the town fields. The board agreed that everything has to start with Parks. Chairman Welch suggested an informal contact with one of the members. Chairman Welch noted the issue with the trash.

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Chairman Welch referenced the reviews done by DOR relative to the School District and Selectman Alterisio reported the one in 1993 came about because a Fincom member purported an uneven apportionment. Secretary will contact DLS to see if can get copies of the financial management reports done back in 1987 and 1993. Chairman Welch suggested it might be appropriate for a municipal analysis, indicating that he feels it might provide a great amount of guidance to Fincom, etc. and it could only benefit the town. Selectman Alterisio indicated if he recalled the biggest part of the task was to identify the problem. Chairman Welch read the breakdown of what a financial management review would entail indicating he sees it as a win-win. All we're looking for is recommendation. Danice will contact Gerry Perry. Chairman Welch has already spoken with Kim who was supportive; can even let Fincom know once we have confirmation. Selectman Alterisio & Chairman Welch noted that Kim's experience has been very beneficial and she's been excellent with Fincom.

Selectman Alterisio noted the response from Medicare – obviously found there was a problem and are investigating.

Fire Chief Rich presented application for appointment for David Tarr as a member of the Emergency Medical Squad, indicating he also happens to be a doctor. The board voted to appoint.

Meeting adjourned at 8:25PM after appropriate motions and vote.

Respectfully submitted,

Danice N. Palumbo,  
Board Secretary