

Minutes: Selectmen's Meeting – Monday, September 13, 2010

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

Before the meeting began, Tax Collector Bonnie Ricardelli stopped in and asked the board if they could approve the appointment of Danice Palumbo as temporary assistant collector next week (since her request came too late to be included on this week's agenda) to cover for her while she's on vacation. She advised that Danice is already bonded as Assistant Treasurer so that is covered.

The meeting was called to order at 7:00PM with all members present. Chairman Welch referenced the budget burn sheet for period ending August 31, 2010 which shows \$37,000 for Minuteman – indicating he felt the amount voted was somewhere around \$22K. Chairman Welch will research further with Town Accountant.

Chairman Welch noted we're expecting Fire Chief in around 7:30 and hopefully members of Recreation & Parks to confirm we're all on the same page as to maintenance of fields and baseball diamonds in preparation for meeting with Ms. Lingeman and family.

Selectman Alterisio noted that he'd gone through the minutes of the 7th and noted he was uncertain that the fundamental premise that the fields were in disrepair doesn't appear to have been confirmed. Chairman Welch noted references in last week's meeting, indicating as spokesman for her group, Lisa indicated that there were no issues with field conditions,

Selectman Alterisio advised his position is that the Board of Selectmen aren't responsible for the conditions of the fields – it's the Parks group's responsibility to either confirm or deny the fields are in disrepair. If they are, is there a plan to bring them up to speed, and if so what's the cost we're looking at and how the board might assist them with the funds.

Chairman Welch and Selectman Leva confirmed their understanding that Lisa indicated there were no problems. Selectman Alterisio noted the issue may be with the expectations, if the expectations are that the fields should resemble Fenway Park, then there's a problem. Selectman Alterisio continued to explain that the board is here to support the Parks Commission.

Chairman Welch advised he'd visited the field last week and except for the weeds growth on the baseball diamonds at the end of the year, he

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couldn't see any issues. Chairman Welch – at the end of the night, after we hear from Parks, we'll know whether to proceed with meeting with Ms. Lingeman – Selectman Alterisio felt we should just to reassure her what's been done.

9/7 minutes: Selectman Alterisio abstained although he had an observation as to how far pellets actually go. Chairman Welch reported he went down the next day at the times Mr. Moeller had said they were out there but there were no hunters in sight. It was noted that the property in reference was under the Larter Family APR which was put in place a number of years ago. 2nd paragraph – CPA funds – in addition to the cemetery wall, some of the older tombstones would also possibly fall under CPA. Minutes accepted as amended Chairman Welch provided motion, 2nd and voted with he & Selectman Leva in favor.

After very brief discussion, motion was made to accept 8/23 as written, Selectman Alterisio & Selectman Leva in favor as they were the only members present.

Matt Haggerty from US Coast Guard and Mike Demonico from Sheriffs Dept. looking to schedule an event up at Goss Farm – fund raiser; wanted to make town aware of what they're doing, wanted to make sure they provided any information necessary to make the town comfortable with the plans for the event. They're expecting around 400 people – being circulated between all the police departments – charity is called concerns of police survivors – take care of all children of slain police officers who have lost their lives. The charity runs big Christmas party at hotel, etc. – this group is raising funds for them. They will carry an insurance policy above and beyond what Goss Farm has – one other big thing they're looking to do – wanted to inquire about a one day beer & wine license from the Town. They were looking to sell beer at the event – EPR charity would probably get the license – everyone in their club is either active or retired law enforcement. They will sell and band all individuals for alcohol sold – it's not going to be a free for all – will be very self regulated. Lieutenant Dow actually said he'd send a couple of guys to the event – as close to when it starts to when it starts looking dusky going to shut it down.

Selectman Alterisio noted where it's on private property it's between them and the owner – concern with location on route 113 and hazards, etc. They explained the plans for maintaining safe access, etc. His big concern is with prevention of drunk driving, etc. – also to not let

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them all out onto Route 113 at same time. Other issue is whether or not town has authority to issue a one day license – have allowed a simple toast on the common at one wedding. Very uncertain, because the town is dry,

Have the maximum of 600 tickets, so they can't go over that – not going to sell above and beyond 600 because it would outsize the location. Wes has stepped up a lot as well, everything he makes from the corn maze, ice cream sales, is going to the charity. Police are aware and group is working with them to iron out any concerns they come up with. Board will refer on to Town Counsel for his input. Questions to ask - #1 do we have the authority and #2 if look favorable to this, we must expect there will be other requests and how do we handle this. They're not looking to set a bad precedent. The board promised to set up a follow-up meeting once they receive some input from Town Counsel as there are sure to be some neighbor concerns. Selectman Alterisio suggested putting them on the agenda for the 27th when concerns can be addressed.

Fire Chief Charles Rich appeared before the board – he advised he's noticed that all the area towns have upped their permit fees – basically followed Pepperell who's up to \$50 for most permits while we've stayed at \$25.00. He'd like to propose increasing fees to be comparable to neighboring towns. Selectman Alterisio noted that the BOS must hold a fee hearing. Selectman Alterisio referenced recent proposal for increasing fee to double the permit price for work begun without a permit and counsel's reservations with that approach.

Chairman Welch indicated that he felt there needed to be more rationale than the approach of doubling the fee just because the neighboring towns are – justification for raising the costs. The board noted that fees must be put in place via hearing – which allows the public to provide their input as well. Charlie advised that he's often told that the homeowner is paying the contractor a much larger amount that Fire Department is charging – means they're getting a bonus for Dunstable installations. Selectman Alterisio indicated that he wouldn't have a problem now that the Chief is paid. Charlie will come up with his recommendations and present it to the Board for inclusion in a fee hearing. He explained the dilemma he's presented with – multiple trips because the residents aren't ready, don't prepare before his inspection. Chairman Welch suggested a checklist on the town's website for the homeowner's assistance.

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Selectman Alterisio suggested scheduling the hearing and the board discussed the process. Chairman Welch noted we also have to have a chart with other fee departments – only the gas, plumbing & electrical inspector's salaries are based on 80% of the fees collected for the previous year.

Chief Rich advised he'd like to replace the windows at the Fire Station – noted the age and condition. Has gotten quotes for somewhere around \$3500 for replacement windows – Harvey windows, triple pane, insulated windows. He noted he's spoken with Finance and noted that if we have a special town meeting could possibly include an article for that purpose.

Chief Rich advised the Fire Department also has a space problem, we don't have any storage space, but has thought of different things, maybe a shed through Reeds Ferry. He'd like to get it done before the end of October. Has a snow blower in the fire station, lawn mower, hose that they keep putting aside for use in the woods, and miscellaneous hazmat stuff; also have some stuff at the old Highway Department garage. Chairman Welch suggested using Woods Court for items that aren't needed very often or off season storage. Chief Rich advised he's also talked with Fincom about the need for a new station and Fincom suggested with debt exclusions going down – also spoke with the Police Chief who is also looking for more room. Chairman Welch suggested investing grants.

Fire Chief suggested building it with the idea of a shelter which might help to qualify for grant. Selectman Alterisio agreed it is time for some long range planning – suggested he take a look at the advantages of moving some items off site and will ask highway department to take a look at what's going on with the old highway garage. Chief Rich advised that another thing we should seriously take a look at is a few ATV vehicles – very helpful when you have issues out in the woods. Overall – have 3 guys from the Fire department here tonight – these are the 3 dedicated men – dedication has gone down, people aren't coming to training, need to start looking at where are we going to go with the next chief – what's going to happen. People are working 2-3 jobs to get by.

Need people – we're in a situation where there are times that there are no firemen in this town and that's a scary thing when you have people with houses valued at 600K and no firemen to respond. It's come to the point that we've outgrown – don't even have a boat. Chairman Welch noted we only have 1100 residences in this town –

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Charlie didn't disagree but worried that there's 3 minutes between tones – if people wait for 2 tones, house could be gone. Brian Rich explained the tones, mutual aid call dispatching policy, etc. Charlie advised he knows when Brian's around when Harold's around, and plans his activities accordingly – mutual aid is there. Fire Department goes on the majority of the medical calls as well. This year our mutual aid calls are up, but won't be more than 15%. Selectman Alterisio agreed need some creative thinking – have a short term problem, need to resolve shortage of personnel response. May need to take a look at other ways to protect the town – Tyngsboro has a shortage, Hollis is down to 15 call guys – trying to come up with coverage. Charlie would like to see a committee get started looking into the Chief situation coming up as well as short and long term storage needs.

Parks Commission members Dave Ierardi, Lisa Gervais and Rob Busser, as well as Brian Locapo representing the Recreation Commission appeared before board to further discuss the Larter Field maintenance needs. The board briefly discussed hunting on town property.

The board noted the issue brought up to them regarding fields conditions and the suggestion for advertising on the Larter Field to pay for the fields. Brian advised that they'd met with Jim Tully who made the recommendation – noted that Dana Barnes has advised that it was against the zoning bylaws so they'd advised him that would need to amend the zoning bylaw. They noted that the reason he'd suggested it was to bring in additional funds for the maintenance of the fields noting that they've often been unable to maintain as needed. They suggested that Jim put together an example of the anticipated revenue that could be used for the purpose.

In the past couple of years they had a number of the wells that weren't working so worked to get the majority of them working. This year when they went out to bid, got like rock bottom bids so had some extra money to do all that was necessary to keep the fields in shape. They replaced 3 heads this year, fixed a number of others – don't want to lose the fields. Selectman Alterisio advised that argument that was heard from Jim Tully indicated the fields were in terrible shape and we were going to lose the fields. Selectman Alterisio noted the board's issue was in terrible shape according to who – should be parks determination and then should put together a plan to address.

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Rob indicated on the baseball side, some of the areas that are in heavy use are somewhat worn but general condition of the facility is very good. Selectman Alterisio advised that the board is anticipating a meeting with representatives of the Larter Trust who are concerned with some of the suggestions that have been made. Brian Locapo advised, while he's not a member of Parks but on the Recreation Committee those fields are in great shape, the town must understand that the money that is appropriated to the Parks Department doesn't address everything to maintain those fields – a number of donations, etc. Brian said everyone should know that these fields are in great shape and the Parks commission should be applauded for their efforts. Chairman Welch invited representation from Parks if they're available for the meeting with Ms. Lingeman. Dave Ierardi asked if anyone has heard from Jim, noting that a plan like this needs a champion, and it should come down to what the benefit would be from the suggested approach. Before we take an approach that could offend the Larter family, need to be sure it's worth consideration of that approach. Discussion continued on the analysis that would need to be completed before decision is made. Chairman Welch noted that even district wide the concept comes up every year for signage at the school fields and other approaches are pursued. Brian advised that you'll find that in most places that have the signage the fields are owned by the league(s).

If the bylaw allowed it, Rob indicated we could have them down at the Swallow Union fields, if not Larter. Selectman Alterisio recalled some of the reasoning for Mrs. Larter's decisions relative the restrictions for the field. Selectman Leva noted this idea came up because a resident was concerned and brought forward a suggestion for possible revenue. Selectman Leva asked for a volunteer to represent Parks in the discussion with the Larter family. Board thanked them for their time and good work.

Alan Chaney stopped in to see democracy in action and noted that while there's been an understanding that no hunting was permitted on town owned land in Dunstable, actually discharge of firearms is only allowed with written permission from the land owners but individuals can bow hunt on any parcel that isn't posted and none of the town land is posted. Deer are carriers of the ticks – drop them off everywhere – only way to control is thru hunting. According to fish & game coyote is an occasional predator.

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Board voted to approve appointment of Danice N. Palumbo as Temporary Assistant Tax Collector for term of September 20th to 27th during Tax Collector Bonnie S. Ricardelli's absence.

Chairman Welch referenced agreement with NMCOG relative to service being proposed for Safe Pathways, noted that Town Counsel has some reservations with the proposed activity and secretary will forward agreement to Town Counsel for approval.

Chairman Welch addressed the proposal brought into the board this evening regarding the event being proposed for Goss Farm – fund raising project with 400 people. Whether it's 4 or 400 you can have a private party on your property but have to be prepared for traffic impact. Chairman Welch noted the lady across the street is already selling her property because of the operation. Chairman Welch noted this would possibly be the 1st alcohol license ever issued.

Selectman Leva looks at it in a different venue – it's a charity event and it would be nice to have something like this in town. Chairman Welch advised he was in support of the ice cream stand but is very concerned with the impact of this – public safety being a big issue.

Need to schedule special town meeting – Chairman Welch suggested sending out an e-mail looking at October 18th as possible date for STM and does anyone have anything to be included in the warrant. Chairman Welch noted that some of the items have been addressed with new Moderator who is set to bring some items to the town for approval establishing the procedure to be followed at Town Meetings. Selectman Alterisio felt the town moderator has complete control of the town meetings and wondered whether it necessarily have to come to town meeting as bylaw. Chairman Welch noted some of the procedural items such as ballot voting, etc. could be better addressed with a bylaw. He also noted that another to be considered is the location of the town meeting. Selectman Alterisio questioned whether we really need a town meeting in October to address that. Selectman Alterisio indicated he didn't have a problem with stating that we have a date available in October if there are any pressing issues that need to be addressed. Tentative date – let us know if you have anything that needs; secretary was asked to send email out to see if there are any pressing issues.

October 18th as tentative if there are issues warranting the scheduling of a special town meeting. Chairman Welch noted they're usually housekeeping items and usually called by Fincom for monetary issues.

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Selectman Leva went along with Selectman Alterisio that would support if need warrants.

Selectman Leva advised he's been getting questions from residents as to Attorney Bobrowski – Chairman Welch reported that Bobrowski came about because of his zoning expertise – somewhat of a guru on the subject, noting other zoning issues come up and Attorney Bobrowski is working on the inclusionary zoning provisions for affordable housing. Chairman Welch reported on the history with the Debarbian property, Matt Raymond presently has a lawsuit or an appeal against the town and Mr. Bobrowski represented the town. Selectman Alterisio indicated that he was of the understanding that the appeal would be mute because of the recent bylaw amendment. If the attorney general comes back in support of the zoning bylaw amendment, then the appeal is mute. If the attorney general finds it unlawful, then the appeal would most likely stand – it's still totally up to Mr. Raymond as to when and if to drop his legal appeal. Bobrowski wouldn't be actively involved in generating a bill for that as it's most likely done.

Chairman Welch advised that Fincom had asked the same thing and he advised that to the best of his knowledge, there's nothing going on with the Raymond issue related to Attorney Bobrowski. Discussion continued on the zoning issue and how best to address once it comes forward.

The Treasurer's warrants were reviewed and signed and the meeting adjourned at 9:10PM after appropriate motions and vote.

Respectfully submitted,

Danice N. Palumbo,
Board Secretary