

Minutes: Selectmen's Meeting – Monday, November 8, 2010

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

Meeting was called to order at 7:00PM with all members present. The Board met with Road Commissioners Michael Martin and Tom Dumont and Town Engineer Jeff Rider to provide an update on the Route 113 McGovern wall project – review as to where the project stands. Mike advised moving forward, Jeff indicated not necessarily on schedule but have overcome a couple of major hurdles – are now listed on the project list. He advised he'd met with District 3 – plans themselves in pretty good shape – hurdle they ran into was the design which came out of a number of meetings on the subject with Historical Commission and Conservation Commission pretty much leaving it the way it is. MA Highway however wants some changes going from a crowned road to a super elevated road, full blown retaining wall, etc. The concerns of Historical & Conservation are out of the question until they meet with the state. District is requiring re-submittal of the 25% design package which will be submitted to Boston and at that point Boston will hold hearing on the package and concerns can be brought forth at the hearing. Another thing they were disappointed with was the elimination of a sidewalk, bike path, etc. in the design; they want a steel guardrail but would allow use of 410 which is rustic steel rather than galvanized. Wood guardrail would not meet the federal highway design criteria. Tom noted that all final plans and documents must be submitted by June 2011 – so we're running out of time.

Selectman Alterisio advised that they wanted to fund over two separate periods though the project doesn't need to span that period, just the funding. Jeff is putting together proposal of cost for the amended plans – basically going back to scratch new design, engineering required. Selectman Alterisio asked if Sarah from NMCOG has been involved advising that Sarah has a lot of the background and was very essential in getting the funding issue solved would it be a logical approach to keep her in the loop as she might be able to provide assistance in this. Jeff indicated it might take up valuable time to research; Selectman Alterisio's suggestion was that if Sarah could aid in getting the project as submitted approved. They're not objecting to the stone facing but the structural part behind – they wanted the weathered stone look not a pre-manufactured face. Jeff sees the big issue as far as Historical and Conservation the straightening out of the road and the bike-path as it changes the whole appearance of the roadway. Mike & Tom advised that they seemed to have buy-in as long as only giving up one side of the road – McGovern has already indicated his concerns that aren't moving to take the curve out, he's willing to give up the land required. Selectman Alterisio noted he thought the problem was the effect on the house & how close the roadway would come.

Tom advised the transition was back near David Hardman's driveway. Mr. Dumont indicated their board would like to see if we could get the support from the State Representatives, etc. to push this through before the change in office. Group that Jeff has to deal with is down in Boston and need to have taken care of before it gets there. Jeff advised just about there – they want us to flatten it out more – Selectman Alterisio noted that wants to get this thing going without having to take back to town meeting, Mike indicated that maybe with politicians help may be able to use 1st set of plans – deadlines must be met – missed 1st two deadlines, have a second shot but if we go back to full redesign it's not going to happen. He advised that David told them last week it's dropped another inch.

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Jeff advised one of the big things is we've been approved by the project review committee, if we don't meet the June deadline, he didn't feel we're off the list. Selectman Alterisio is going to speak with Bev and Sarah and let them know where we're at and if we have to do a major rework, have to go back to town meeting and it's going to make it near impossible to meet the deadlines. Chairman Welch cautioned with timing being crucial, we still can't authorize the funding without going to town meeting for approval and the groups may shoot it down. The board asked Jeff how far away are the initial drawings from what Worcester is looking for – Jeff noted we're only talking about a 10' radius – could probably sell that – could probably go with the initial set of plans – need super elevations, how does that fall with the conditions with snow. Idea of super elevation on a curve is something that's done all over the state; structural part of the wall – because of trying to get fascia and everything else on it we went with T wall which isn't one of the state's standard designs meaning it'll take them longer to review; state has suggested using state's standard gravity wall. Tom reviewed the process and the options that are in play. Selectman Alterisio advised there are a couple of things in play, we have two groups who were able to strike a deal, also have group that went to CPA for funding going to have to balance the two. They indicated we've used around \$6K of CPA for the stone wall.

Mike advised that they'll still possibly have the stone wall but won't have the wooden guardrail, as far as path would be on the horse farm side, which could eliminate that obstacle. Discussion continued on the paths and lack of continuity. Jeff noted the culverts that needed to be addressed and Mike cautioned on the lack of likelihood that the trees will be cut down without a civil war – he doesn't want to see them cut down either but it's reality. Mike advised he told them that they're not there to fight them, gave them everything they wanted and now has been submitted to District 3 who feels the state won't accept. Selectman Alterisio to approach NMCOG to see if ; set of drawings marked up to what Worcester feels Boston is going to require – can we marry the original drawings to meet Worcester's needs. Jeff advised that right now the radius is 30' from what they're looking for. Selectman Alterisio noted one of the major arguments was that by straightening the road are going to be creating a race track, traffic is slowed by the design of the road. Jeff advised that had a tight budget to begin with – all of the attempts back and forth to try to get this on the docket, ate up around \$5K of the limited budget. What Jeff doesn't want to have happen is going back & forth 3 or 4 times with the design. Selectman Alterisio will contact Bev & Sarah at NMCOG and will have someone get in touch with Jeff as to how they made out. Selectman Alterisio advised he recalled some e-mails from Jay Donovan advised that Bev has just lost her Dad but he should be able to work with Sarah.

Chairman Welch cautioned the group that this could be political as the initial votes of the State Highway Review Committee did not want to fund this project. With the retirements of Hargraves and Panagiotakos (who was instrumental in seeing this project through for Dunstable) the committee could stop the project through various maneuvers and we could pass the deadline.

Town Treasurer and Tax Collector approached the board relative to the voluntary check off approved in 2004 – 6 years \$383.93 in scholarship fund, education fund \$1004.29 and in the senior fund \$2521.98. She advised the Selectmen need to establish a committee for distribution of the funds. Six years passed – as far as education and scholarship funds has nothing to do with offsetting budget, has specific use for education & literary program. As far as the seniors it would a good

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idea to put committee together as there are seniors who could benefit. For education or scholarship – members must include Superintendent of Schools and no fewer than 4 residents; for the senior fund, Town Treasurer, Chairman of Board of Assessors and 3 residents of the town (could probably follow the same criteria that Assessors do for abatements, etc.) Chairman Welch indicated as far as the scholarship thought it could be combined with other scholarship programs. Bonnie asked whether the Board wanted to continue or bring back to town meeting to abolish. It was noted that it is a lot of work either way, bringing it to town meeting, or establishing committees to distribute. Selectman Alterisio asked whether most of the funds were donated the 1st year – and Bonnie reported it has been pretty consistent, a few donations each term. Action item at some point will be to appoint the committees. Selectman Alterisio indicated sounds to him like best move is eliminate the programs as don't seem to be productive.

Other item is the tax amnesty program, if implemented in May, anyone who wanted to participate between that small period of time, from now till the end of this fiscal year, which ends on June 30th. She advised there is one parcel in particular which could bring in \$7K from tax title, although current on current taxes, have outstanding tax in tax title. Bonnie advised on an accounting side, we just want to get rid of it. Chairman Welch suggested seeing if the assessors would have any opposition and check with DOR.

The Treasurer's warrants were reviewed and signed. Chairman Welch noted the Fire Chief is requesting the board approve us becoming part of a massive mutual aid group. Chairman Welch doesn't know how to approach – knows that Charlie has been providing mutual aid to everyone and is concerned over the major liability and the cost of providing these services. Selectman Alterisio's only problem is that the town is assuming all the liabilities for all the privileges and immunities as if they were performing their duties in Dunstable. Selectman Alterisio's concern is that if they were to go to Worcester, they're following Worcester rules but discussion continued and both Chairman Welch and Selectman Leva felt it meant they fall under Dunstable rules, regardless of where they're serving. Chairman Welch will discuss with Town Counsel. Selectman Leva took it that it could allow to provide aid 300 miles away, etc. Board noted that we don't get logs for either Fire or Police. Board will forward to Town Counsel for approval before moving forward.

Chairman Welch reviewed the proposed letter to Essex Fire Chief's Association as prepared by Town Counsel. Chairman Welch indicated he and the firefighters have a major problem with sending the bill of the jumper. Selectman Alterisio real problem with the bill, and the charges projected by the association – not a federal emergency and in now way connected to the type of coordination required – administrative charge, equipment charges, etc. Not renting the equipment, its already paid for – advocate if you expend something or help somebody out, we're just making arrangements for assistance as needed. Chairman Welch suggested the bill should be forwarded to the Sky Diving Group as it's their responsibility to provide coverage. Chairman Welch would like to contact town counsel and ask that the bill be redirected to Pepperell Sky Divers; noting he sees nothing that indicates that the individual was intoxicated or doing something incorrectly. Chairman Welch felt it inappropriate to be charging the individual. Chairman Welch from what he understands and hasn't heard anything lately from Ron Mikol, has had no response from the skydiving organization.

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Board confirmed Brow letter has gone out, noting if situation not corrected by 4PM on the 22nd, board will need to schedule hearing.

Other issue, Cultural Council, a group appointed by the Selectmen consisting of a minimum of 5 and no more than 22 – distributes grants. Basically have one person who is officially in place. Chairman Welch has one person, his daughter is willing to serve – now need 2 more. The Board voted to appoint Colleen F. Welch to a 3 year term on the Cultural Council. Board will continue to work on additional delegates for appointment to the Cultural Council.

Chairman Welch reported on his research into possible administrative aid to the police department being provided by Terry Atwood, and adjustments in coverage being provided. Road Commissioners are supportive; Chairman Welch will contact Assessors relative to possibility of putting assessment info on line which could free her up as well – secretary to provide Selectman Leva with the dates for their meetings as he'll address with them.

Chairman Welch reported further on his discussions with Kim and Andy Sheehan from Townsend relative to the possibility of our Treasurer serving as Townsend's treasurer as well – options are being investigated further.

The Treasurer's Warrants were reviewed and signed; Minutes of 11/1 were approved as amended – board noted very 1st paragraph last sentence dead-ended – sentence will be eliminated.

Board will put together letter on Financial Management Review being requested from DLS – probably won't come forward within this fiscal year. Townsend has also requested the service from DOR. Chairman Welch reported that Andy has some background and uncovered some items needing attention.

Chairman Welch advised that he feels that Fincom could learn a lot from the review. Chairman Welch didn't think there was much that DOR will find but Meeting adjourned at 8:29PM after appropriate motion and vote.

Respectfully submitted,

Danice N. Palumbo,
Board Secretary