

Minutes: Selectmen's Meeting – Monday, November 22, 2010

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

Meeting was called to order at 7:00PM with all members present. The Board met with Conservation Commission members Bill Moeller, Marilyn Pike, Alan Chaney, and Judy Larter and Road Commissioners Mike Martin and David Crandall for update on conditions with bridges and dams. The group briefly discussed building activities. Chairman Welch noted we're looking for an update on where we are with the progress since inspection. Conservation indicated they hadn't seen a report on the dam and Alan noted that it wasn't that long ago that it was rebuilt. Discussion referenced the report and what's being done to correct the inefficiencies and how it would be funded. Bill Moeller noted that he recalled there were some cracked granite blocks but hasn't actually seen any report. The group noted for the board to assess the report; they'll need to review it – BOS secretary will locate pdf copy and forward via e-mail.

The board then referenced the Salmon Brook bridge report which addresses cracks in the structure itself over time and indications that currently there are funds available for this sort of bridge repair. David Skerrett has been in discussions with David Tully and advised him there are funds available right now but need to move forward to secure funding. David Crandall advised the state required barrels be placed as they are - that's basically where the problem is – just in that area – not a lot you can do with it, it's an old piece of granite that has split; state wants the barrels kept there to prevent traffic from going across that area. Dave Crandall suggested possible placement of jersey barriers to channel the traffic down. BORG had no problem with pursuing possibilities with the state but noted they were concerned that it might necessitate shovel ready project to move forward and we're not at that point. Road Commissioners noted every time they received the inspection report, they've downgraded it and last correspondence they received indicated if barrels weren't put in place, they were closing the bridge.

Mike advised they'd been looking into possibility for grants to see if they could find funding to repair but indicated at one point, they had understood that the state itself was going to take care of the repair. BORG will pursue further. Conservation was asked whether they had any issues with that bridge as it obviously was near water. Most agreed main issue is funding, and Selectman Alterisio noted that if in fact, the Town has to bite the bullet and correct the two locations, it may be appropriate to step up with bond issue to provide funding necessary, noting it's not like it has to be done every year.

Alan Chaney asked about the exact status of McGovern's wall. Board reported that state had an issue with two parts of design, crown of the road, wants an elevated roadway – want all the road to run off directly into the wetlands, Mike noted that everything seems to be changing quickly, the way things are

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changing – they're required a super elevated embankment because of the curve; they want to take out the curve. State wants a gravity wall not the t-wall – they want to take out the 10' of curve, instead of leaving the way it is, slope of the road and extent of modification of the curve and retaining wall, and no wooden rails. They want steel rail. Conservation asked whether they could request a meeting, they've been pretty involved with Jeff in the plans. Selectman Alterisio noted there was an original set of design which was amended to meet the design changes requested by Historical and Conservation Commissions. Redlines from the state, amendments would cost around \$20K to bring specs into state code. Redline recommendations from District 3 which they say is necessary for Boston to buy into the process. Selectman Alterisio has spoken with District 3, noted they have 2 sets of drawing, 1st & 2nd one, 2nd one would cost fair amount of money to modify to meet state's requirements. 1st set was basically there, 2nd they think we can get a waiver for 30' to 26' width adjustment. Issue of straightening out the curve is a non-issue; he senses curve issue is less aesthetic than the sense that straightening the road would mean faster travel on the roadway.

Selectman Alterisio noted the timeline and one of the things the state wants to try to avoid is going into the hearing with a litany of issues that the state doesn't have the authority to resolve and could compromise the timing necessary for funding. Would be somewhat upsetting to the people who were trying to make this project successful. Selectman Alterisio reported on the efforts made to have the issue re-voted to bring Dunstable into the mix for this year cautioning it needs to be resolved before the January-February timeframe. Alan agreed it needs to be resolved, but advised he's not in favor of attitude that it must be resolved to meet their requirement. Selectman Alterisio indicated that had been his concern as well, Worcester group redlining a document so it could be accepted by Boston, wondering in whose opinion were those redlines necessary; but need to be able to cut to the chase and get to the people who know what they're talking about and discuss the pertinent facts. Conservation Commission has been waiting to hear and has some concerns; Alan's main concern is that basically we're going to get one or two things and state is going to ram the rest of them down our throat. Alan needs to see the projected plan to determine what the impact is. Town Engineer had suggested that state would accept the plan as proposed – understands what happened, here's the plan, we don't like it, we spend money to present preferred design to no avail. Judy Larter expressed concerns that we didn't want what happened before with Pleasant Street, state decided where they wanted it straightened.

Selectman Alterisio cautioned that town can go ahead and do whatever we want as long as we're accepting the responsibility for funding. If the state is going to do it, they're going to make sure it meets state requirements. Bill Moeller advised the impact of concentrated flow out of a culvert has to be analyzed for the impact on conservation areas. Selectman Alterisio inquired whether the meeting could be done during the day or had to be held in evenings noting Mr.

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Frost from Worcester District 3 and Sarah from NMCOG could meet with members of Conservation. Selectman Alterisio will contact Mr. Frost and see what can be done about arranging meeting. Selectman Alterisio noted that Mr. Frost has indicated, from his perspective, there are state standards that must be met – the next issue or problem that Selectman Alterisio has is that the town has to have the oversight required to insure project is done according to design. Route 113 was a state funded project, and we didn't find out there was a problem until the water pipes started to freeze – we need to be sure the town has the oversight to prevent that from happening again.

Selectman Leva asked whether this is something that needs to be fixed immediately and Road Commissioner Martin advised we sat down and prepared design, then was redesigned to meet Historical and Conservation Commission needs, and now those have been redlined. The way Mike looks at it, we paid for a complete set of plans for the state, unless the state redlines our original set, we've paid for it. If they redline it, then he could see where might be an additional charge. Chairman Welch disagreed, indicating that the Town Engineer should have known the requirement and Mr. McGovern has indicated he'd give the town whatever they needed to fix the problem. Discussion continued on the cost of engineering for the Route 113 project, and most agreed that if the 1st plan is accepted, even with a waiver, we've already paid for it. The only way we could be charged more is if we (the town) changed the scope of the project; similar to what we did with Conservation & Historical. Other than that Town was quoted an approved design by the state.

Mike questioned whether CPA funding might be applicable for the Salmon Brook bridge repair. Chairman Welch explained the criteria necessary to qualify for CPA funding, indicating that project would not qualify. The Road Commissioners and Selectmen further discussed the Route 113 project and the effort made to take all board's input into consideration. Dave Crandall advised that Dana Metzler wanted to just do the whole thing and get it done. Mike advised that, when they've spoken with MA Highway on the conditions with 113, they'd suggested taking just one section at a time. Dave Crandall advised the bridge at Salmon Brook is plenty solid, the southern lane coming back this way is perfect, there's only 18" by the guardrail indicating there's no real way to support that broken piece of granite. Chairman Welch noted the immediate problem he's looking at is, once the first snow storm hits and drivers have to wait, they will be hitting the barrels. Chairman Welch further noted the efforts the state is putting forth with the inspections and related costs, indicating they'd be saving money by fixing it. Deterioration on Sweet's side of the roadway – Dave Crandall indicated he didn't know why the state didn't fix it when they had it dug up 10 years ago. Discussion continued on how to best address. Mike suggested throwing a culvert in there and Chairman Welch noted that somewhere in there was the town water pipe, jokingly suggesting that might be most of the water volume. Selectman Alterisio indicated the problem is that this guy Frost had indicated the state or district can only do so much, is

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willing to work with us, along as it's within the confines he's required to uphold. Mike noted \$40M of sound walls on Route 128 and yet the state can't come up with \$500K to keep the road from collapsing doesn't make a lot of sense.

Selectman Alterisio advised he has an update on the Brow situation, noting one of the vehicles was pulled out on Friday, another is supposed to go tomorrow and Brow has advised he believes they'll all be out of there by this weekend. If the board feels inclined to give him one more week, Selectman Alterisio can go along with, even though Brow admits town has been more than patient. Motion was made, 2nd and voted to hold off on Brow issue until next week and Secretary will place on agenda for discussion next week.

Mail review: Chairman Welch noted letter from GDRSD noting the School Committee union negotiation team is meeting next week and indicated he was willing to continue to serve on the team, unless another member would like to take it on. Selectman Alterisio suggested that since Chairman Welch had some experience and last go around was very successful, he had no problem if Chairman Welch continued. Motion made, 2nd & voted with all in favor. Chairman Welch further advised, along similar lines, board also has letter from Diane Byrnes re: negotiating for Police Union contract for FY12-14 secretary to reply that Board is ready to move forward with those negotiations.

Chairman Welch also noted Carolyn Wurm's resignation from the Recreation Commission. Secretary will update notices and include in Neighbor to Neighbor for all open offices. He also noted the information from OCPF relative to use of school funds to distribute information which would influence people as to budget items indicating it appears that issue of a fine is discretionary.

Chairman Welch further noted the information provided by Tax Collector relative to voluntary contributions for Education, Scholarships and Disabled and Elderly. He noted she'd been in contact with DOR and received determination on how best to move forward. Secretary will ask Larkin to write up verbiage to eliminate the voluntary check-off at our next Annual Town Meeting. The Board discussed possible avenues for assistance with the aid to the elderly fund. Selectman Alterisio had no problem with moving on disbursing the scholarship funds and education fund to move into. Senior fund – Chairman Welch in favor for nixing the fund at this point – issue is it's pretty simple on how to get rid of the \$383 or \$1004 but not how to get rid of the senior fund. Discussion continued on the benefits and complications of each approach. BOS still has to appoint a committee to give recommendations to Town Meeting going forward.

Chairman Welch inquired whether we've heard anything from MMA relative to schedule, etc. for their annual meeting – secretary will check into MMA Annual Meeting plans.

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Treasurer's warrants were reviewed and signed with Chairman Welch questioning expenditure for Vadar and Chapter 90 for Groton Street paving.

Minutes For the 8th-2nd page 1st paragraph, change the word key to T wall; and the 5th page 2, 2nd paragraph, qualify, if the victim was not under the influence or violating the law; 3rd page, 4th paragraph kind of stopped in mid sentence – voted Selectman Leva as the board's designee. The minutes for 11/8 & 11/15 were accepted as amended.

Selectman Leva questioned the job posting by the Chief with Chairman Welch explaining idea was to get all the work under one administrator for public safety – get the chief's situation in line, and include Fire, Highway MEMA & FEMA so it's all under one roof. For a while, Terri was on line, had just completed her paralegal degree, and would have thought the idea was to use it, but is now talking about winding down. Now we have to move forward and post with long term intent of getting it all under one roof with BOS secretary taking on all inspectors, in an attempt to consolidate some duties so that position could have been covered with existing personnel, never the intent of whittling away at Terri's position. Secretary noted possibly the indication of requirement for reserve officer training might have adjusted the outlook.

Selectman Leva questioned who would conduct the interviews & Chairman Welch suggested basically leave with Chief; Selectman Alterisio didn't have problem with Chief conducting interviews and presenting delegates with recommendations to the board. Chairman Welch indicated basic concern was that town must be prepared to address all public safety needs, not strictly for the police department. New person coming in would be for public safety – police, fire and eventually Highway over time. Selectman Alterisio questioned who would have the authority over the administrator's time; Chairman Welch noted it would basically fall to the Police Chief who is full time. Selectman Alterisio suggested that, whatever the rate, Highway has to understand that they'll be required to pay that rate when the individual takes on Highway responsibilities. Selectman Alterisio noted that the town was positioned in the old days with a lot of volunteer work, which doesn't necessarily work any more; reflecting on the recent article on towns administrations.

Chairman Welch felt fairly confident that if Town Administrator were proposed at the upcoming town meeting, addressing the advantages of grant writer, etc. that it could pass. Discussion continued on administrative necessities and the benefits for the town. Selectman Alterisio indicated the need for buy-in from the boards in town suggesting we might be able to do it without it, but will be a real rocky road. Board will work to prepare recommendation and the changes that are necessary for it to move forward. Chairman Welch, reflected back to the votes at town meeting on the subject, reporting a sufficient amount of people came to him indicating that basically the position had passed, regardless of the ruling the Moderator made.

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Chairman Welch indicated he wouldn't want to see things go on much longer the way they are, getting very tired, losing so many volunteers, much better to have someone in place to do the day in day out stuff.

Chairman Welch addressed the Financial management review noting secretary put out emails, secretary will check with Kim tomorrow to see if she would work with Chairman Welch to put together request for financial management review from DLS. He noted the review/audit will look at the whole process and make recommendations for better management of the town's finances, budget and operation.

It was noted that Town Counsel hasn't gotten back to Chairman Welch on the mutual aid vote or on the sky diving group. Chairman Welch indicated he wasn't comfortable with supporting that mutual aid vote, suggesting that Dunstable doesn't have the resources to support the type of response the Fire Chief would like to provide – concerned with the liability, etc. for the town – still trying to get an answer on that and the skydiving issues moving forward. Uncertain whether Rich wants to do that or it's his forte', may need some type of mediator in here to address this thing – need somebody. He expressed concern for understanding how the Essex Fire Chief's Association is operating this group and how liability is covered – are we on the hook?

The Treasurer's Warrants were reviewed and signed; Selectman Leva agreed to work with Roads to keep the bridge project moving forward, keeping Conservation in the loop. Board members indicated they'd all like to be in the loop for any decision on the public safety administrative assistant.

Selectman Alterisio addressed one last thing before bringing meeting to a close, looking at the calendar whether holiday season would affect meeting dates. Board agreed to maintain regular meetings during December and January. The meeting adjourned at 8:50PM after appropriate motion and vote.

Respectfully submitted,

Danice N. Palumbo,
Board Secretary