

Minutes: Selectmen's Meeting – Monday, January 10, 2011

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. Chairman Welch referenced 7:15 appointment with Fire Chief and Town Counsel relative to a number of action items.

The board noted 2 warrants to be signed and approved and signed the common victualler's for Dunkin Donuts. The board discussed scheduling for next week with Martin Luther King Day falling on Monday the 17th and will not hold a meeting that week – next Selectmen's meeting is scheduled for Monday, January 24th.

Chairman Welch referenced e-mails received from Anne Davis, Chairman of the Historical Commission and noted uncertainty as to whether she was intending that as the letter for DOT. He questioned whether the other documents had been filed with MA Historical and concerns on what effect this might have on the project. Chairman Welch asked whether Selectman Alterisio was still willing to pursue this Route 113 issue and suggested contact with Mr. Frost for a sample of the letter they need. He indicated if this looks close enough to the impact letter, then let it go since it's already been submitted to them, otherwise we'll need to work on a revised letter. Chairman Welch indicated he felt this was the only outstanding issue, with the exception of Jeff's design. Selectman Alterisio suggested that we need some idea of when the public hearing will be scheduled. Selectman Alterisio will contact Jeff to see where he is with the modified design as well so that we can move forward.

Chairman Welch addressed request from Charter for renewal of their license and their letter indicating that despite multiple attempts has had no success with communications with Cable Committee in order to move forward. Some brief discussion as to whether we have an active Cable Committee or Virtual Cable Committee. Discussion continued on advantages/disadvantages of Charter vs. Verizon. Selectman Alterisio questioned whether there may be deficiencies which should be addressed during the renewal process. If we have a defunct cable committee, maybe there's a way to put out a notice that Charter License is currently being evaluated for renewal, if anyone has any input, please forward to Board of Selectmen. Secretary will place notice on cable channel, web & Globe Northwest.

Chief Rich indicated his understanding is that Region 2 & Greg have been going back and forth since he started as EMS director – can not consider EMT unless we have an ambulance service – he's questioned whether by swearing individuals in are we doing something illegal – he contacted Diane Barletta from Groton who thought that was a really iffy situation –

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can not provide any care above first responder without our own ambulance service. Might it be better to eliminate the appointments for emergency medical personnel. Rich, if they're going out with a group that's unlicensed, they can't operate according to their credentials, must operate as first responder. Rich advised he looked at the material and noted an opinion included in it that #1 EMS & Emergency Medical Services are defined in the statute – technically legal terms, #2 in statute #19 exclusion from operating as EMS or 1st responder without proper license; other is holding yourselves out as having the license or not having license. Goes on to say at the end of the opinion – in addition explain that EMTs need to remember their certification is activated when working with a licensed service. Brian Rich indicated he tried to find ways around it which would be turning their vehicle into 1st responder vehicle but would need to have an EMT on their service to qualify. They've spent literally 2 years trying to find a way around – EMS coming off their badges, etc. Rich indicated that within the statute there are 14 different terms using emergency within the statute. She's probably right, if you have a name that sounds like one of those within the definition, you could have somewhat of a problem.

Chief Rich advised only one of the EMTs shows up all the time, the rest are members of the Fire Department. Question is whether best to eliminate the appointments for Emergency Medical Squad. Fire Department the majority of the calls are for medical – last 2 medical calls, the responders were 1st responders. Only one of the Police Department is an EMT – Chief Downes but can't. Chairman Welch wondered whether could pass a home rule petition to address CMRs for specific issues. Rich advised home rule petition is virtually a special act – virtually all MA regulations are built out of a statute. Beyond a special act that removed Dunstable from that regulation – would be surprised if could enact a special act for that purpose.

Brian Rich advised on roles Greg Rich serves determined by the Town he's serving in. They reported on the quick response from Trinity – often Trinity is either in front of the rescue truck or right behind them.

First responders can do CPR, backboard, etc. Fire Chief advised that basically from EMT to First Responder, not that much different – First Responder course includes putting in a sling, etc. but not breakdown of bones, veins, etc. involved. Paramedics basically take care of administering drugs, etc. First responders can't do suction, etc. Chief Rich advised that can't do any medications, stuff like CPR, AEDs, all that, epi pens etc can be administered. This year they responded to over 110 EMS calls, all in Dunstable.

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They continued to review calls 21 mutual aids. Chief Rich and Deputy Chief Rich presented report from the new software they purchased last summer and noted they've gotten two grants since they've had the software. Discussion continued on classification of Fire Chiefs and whether the Town of Dunstable has adopted the statute noting problem that Pepperell is having because of the classification.

Chief Rich asked Rich whether the emergency medical squad is something we have to keep or can they just be part of the Fire Department. Chairman Welch read provisions from the Massachusetts Selectmen's Handbook relative to emergency medical services and firefighters 111C. Harold advised that Trinity BLS is EMT and ALS from Saints is Paramedic. Rich in the meantime what about 1st responders and what can they do – Charlie advised he thinks the reason the squad started before Chief Rich came on line is the past chief didn't want to have the EMTs under the fire department. Question is do we need the squad, and why can't we abolish the squad and bring it all under the Fire Department. Brian advised the town would be getting the same basic service; just everyone will be designated as 1st responder. Selectman Alterisio indicated if you're purporting yourself to be something you're not; Chief Rich advised that Donna Galotta, Mike Nowak, Mike Schwartz and Jeff Desmarais and are not members of the Fire Department. Rich wondered whether we're going to run into a political storm when people realize we're abandoning the EMS. Brian described the response teams that go out to calls with the Fire Department first responder.

Chairman Welch – basically if we do away with the EMS designation, and simply classify as first responders under the Fire Department, what happens with those who aren't members of the Fire Department. Fire Chief will make the call as to which members carry the critical equipment – getting to the point where the portables in the truck – looking into moving EMS dispatch out of Groton into Pepperell so that EMS are on the same portable. By virtue of the fact, that we don't have EMS, don't qualify to have EMS, by virtue of what we're entitled to provide. Selectman Alterisio noted the dispatch is a sensitive issue – whether taking EMS out of there would disrupt the status as a regional emergency dispatch. Chief Rich advised they have a real problem communicating with Groton's dispatch because of the frequency and associated radio problems. From a political side there's one position, from the logical side, need to make a determination on what's best for Dunstable. Selectman Alterisio would like some information on what the relationship is, what impact it would have to Groton. If the impact is negative, agreement may need to be amended – most important thing is effective communication. Charlie advised he'd spoken with Frank Quattrochi relative to the possible financial impact for the change and Frank had indicated he didn't anticipate additional charge. Chief Rich indicated they

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were going to purchase a system whereas text message would be effective – they were going to by at cost of \$80 month plus \$300 start-up. Frank advised they'd just gotten the software and it wouldn't cost Dunstable anything.

If going to do away with the squad – next year will talk with Dan St. Jean – would like to do away with EMS budget and incorporate into the Fire Department budget. Right now only medical supplies come out of EMS budget except for the EMT wages. Chief Rich advised he think with doing this we'll be all set. Chairman Welch addressed the payment of volunteer fire department – Fincom in a vacuum came up with a salary structure without any input from the Board of Selectmen. The sums were appropriated based on structure that Fire Chief came up with – Rich indicated it's dependent on whose in charge – Chairman Welch noted under weak Fire Chief statute, the same as Police Chief., under control of the Board of Selectmen. Chairman Welch read the description and terms for each designation from the Massachusetts Selectmen's Handbook. Strong Chief fixes compensation under that statute with the approval of the Board of Selectmen – have always operated under the weak chief scenario.

Fact is the problem is that the Board of Selectmen were circumvented – Chairman Welch indicated the majority of Fincom doesn't care about any input from the Board of Selectmen – right now we're at a point where could be facing a shortage. Discussion continued on the response from the firefighters and how it can effectively work out. Chairman Welch noted reference in minutes as related to override, etc. He indicated it was included within the budget anyway, in a new format. Discussion continued on how the budget numbers originated provisions for salaries for firefighters, mentions of regionalization, etc. all put off until discussion of the override. Charlie indicated that he felt that BOS knew they were putting it in – Chairman Welch advised that it wasn't just Fire Department; Police administrative assistant was going to be hired and freeze town employee salaries to pay for it – that's why we said no until after town meeting. We can't come in front of town meeting and say we're going to double salaries of all highway workers, etc.

Brian Rich indicated it might not have been done properly, but the number was reflected in the budget – should have addressed it on town meeting floor. Discussion continued on proposals and how they should be presented – Selectman Alterisio noting it should come before the Board of Selectmen and be brought forward jointly with the support of the Board. Chairman Welch's position is that it's what the Selectmen are willing to support and present it to the Advisory Board. What we've experienced is the board wasn't included in the decision. Has nothing to do with their approach, it should be presented to the Board of Selectmen

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for buy in. Chief Rich is scheduled to go into Fincom on the 24th. Discussion continued on the whole procedure and how it's appropriate – no disrespect to the advisory board, the issue is the role each should play.

Rich advised it's the department which sets compensation, which in this case would be the Selectmen. Advisory Board made their own determinations and moved forward with. Chief indicated wages didn't double – had requested double but wasn't included.

Chief Rich and Deputy Chief Rich advised the Fire Department is over 50% from out of town; majority of the guys who show for the calls are not from Dunstable. Chairman Welch noted that Charlie did all the right things to make it better – came up with increased insurance, paying them, buying new equipment, fire trucks, gear, etc. and still not showing up to the calls. Charlie further indicated he's proposing 2½ % increase for department but can't hold the public safety back in order to support the schools. Selectman Alterisio cautioned that over the years we've been able to subsidize the school's requirement by reducing the budget of other town departments – if we're affecting the level of services must call fowl. He noted we can't work within confines that their budgets are requiring us to work. Chairman Welch advised the schools are getting their budgets in order – this year will be level funded and myself and others have saved the district over \$3Million over the last three years.

Selectman Leva noted it sounds like this is a real basic communication problem – has to be a little bit more communication. Chairman Welch advised he's attended many Fincom hearings or meetings. Harold indicated he abstains from voting on any fire department items. Never did he hear that the BOS didn't recommend this wage for the Fire Department. Chairman Welch disagreed indicating that it is in several of our meeting minutes with Fincom present – it should also be in Fincom's minutes. Harold abstains from any fire department vote. Harold indicated there's something going on now between Town Treasurer relative to unemployment, etc. Discussion continued – Rich noting he doesn't get what Fincom is doing that's out of kilter – Fincom's job is to recommend appropriations to the Town – supposedly bring departments in; come up with a number – maybe they go thru a process to come up with the number. Selectman Alterisio cautioned the problem is they don't come in, we come in. Rich indicated they can recommend anything they want, next question is presumably process allows the departments to go in with their numbers and Fincom works it into the mix – come to a number. Everybody involved – Fincom and the Town is stuck within a certain number they have to work with. In the end, they have to come up with something, what needs to be worked out is the logistics.

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Fire Chief Rich inquired if he comes in two weeks before presentation to Fincom and BOS doesn't support, does he need to do the whole budget over or does he just take the budget he'd prepared to Fincom. Question raised was now that we already have that money in that budget, if he stays 2½% without the wages, are we going to be okay. Selectman Alterisio indicated the argument that he fundamentally has with budgets, you have to work out what it takes to run the ship, doesn't necessarily have to be whatever the number that sounds right – need to work out what it will take to run it. Budget is a wish list generally based on the worst circumstances can imagine, can come in at a lot less than budgeted – Selectman Alterisio noted that every year he sees 30-60K that was tied up and could have been used somewhere else – this 2½ or 3% is what he has an argument with. Operating should be broken down to reflect actual costs – Brian Rich advised that what they've been doing is putting things off until they know what they have. Selectman Alterisio indicated by saying wages are going to be 3% are constraining possible use in another area. Chief advised he has a guy that does the fire reports but doesn't get paid to do it; he has another who does the mechanical work and often doesn't put in for it. He'd like to hire a guy to work from 10AM-12 Noon during burning season to issue permits, etc. coming to the point where may not have response on the weekends; really think it's time for the Board of Selectmen to look into what they're going to do a year from March when he retires. Thinks it's time to put a committee together to make some decisions on how the Fire Department will operate in future years. Board agreed there needs to be a plan put in place for Fire Department operations in future years. Discussion continued on how plans, etc. should be put together and presented for consideration, differences between volunteer and call department. Chief Rich advised he'd spoken with Chuck Winn after discussion with Chairman Welch the other day and he advised that was the only difference.

Chairman Welch read additional reference information from the Massachusetts Selectmen's Handbook relative to Fincom's responsibility. Discussion continued on the importance of everyone being on the same page, Board concurred with Chief Rich's recommendation to include the emergency medical services within Fire Department, with personnel, budget, etc. Harold Simmons indicated he had 2 things he'd like to say about this whole process – in the past were hard copies that went out to all departments but recently became aware that the Selectmen weren't included in the process as they had been in the past.

Harold also advised that he now sees what Charlie is talking about with the 2½% & 3%; also have an agreement with school district that they get 60% - it's apples and oranges. Walter indicated he already knows what the number is it's 2.2% for school district but Harold indicated report that Superintendent is reported to have said he's coming in with level budget.

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Discussion reflected on impact of local aid on the town's budget and the inability to come up with a number until we know what is coming in from the state. Chairman Welch advised that Fincom would have to work miracles to give 3%; Harold indicated he has a real problem saying to other departments that they get no pay raise or limited pay raise but the police officers will get the % provided in their contract. Walter indicated the argument he had with them looking at 1 ½ % as opposed to 3%, with the small amount of employees it didn't make sense when the difference was \$7K for the year. Chairman Welch reflected on the previous year's decisions and the importance of making sure the whole process was done correctly. Brian Rich advised there's obviously been a communication problem noting he just presumed that the Selectmen had been part of the decisions. Chief Rich advised the only problem he sees with the budget request is if he puts together a budget for presentation and the Board doesn't support, feels he should be able to bring both budgets to Fincom.

Chairman Welch reflected on past approach by recommending the use of stabilization funds for police records management system – a totally inappropriate use of stabilization funds.

Charlie advised he'd hoped would be able to address the situation with skydiving, possible bylaw or appropriate measure which would protect the Town of Dunstable from rescue fees. Chief Rich has been in contact with a number of neighboring towns relative to a possible approach.

Chairman Welch presented draft of Police Union negotiations ground rules to town counsel indicating he'd be asking secretary to put these ground rules on town letterhead; board was supportive as long as it wasn't in opposition to normal negotiations. Town counsel indicated looking it over, there's nothing about it that leaps up and makes him think it's unwise, illegal, etc but noted some minor adjustments that might be applicable.

Walter advised he'd be abstaining from minutes as he wasn't present for the entire meeting but asked for one sentence to be struck from the minutes. Chairman provided marked up version which secretary will incorporate into new version for approval at a later date.

Alan approached board relative to special municipal employees' designation for Bob Bacon and communication from Town Accountant who couldn't process payment for cutting work he'd done for Cemetery – Alan was advised that disclosure needed to be filed with Town Clerk.

Alan also reported the town purchased lot on edge of Hawk Swamp, next to the old landfill some time ago – thinking it might be a good spot to build a new highway garage (before we purchased 589 Pleasant), also

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thought it best to restrict development as a house lot – now sits idle – what if Fish & Game were interested in purchasing it from the Town of Dunstable. He advised that Fish & Game likes to extend existing properties – gorgeous piece of property (they're not going to pay \$90K for it but will the board authorize him to investigate an offer from them). Alan noted the abutters, etc. – this wouldn't change the hunting status of it. He also reported the timber at 91 River Street has been marked and bids will be forthcoming; he suggested the board visit and if they see a tree they'd like saved, to either let him know or mark accordingly.

Treasurer's warrants were reviewed and signed and the meeting adjourned at 9:30PM after appropriate motion and vote. Board discussed possible review with Fincom on future policy.

Respectfully submitted,

Danice N. Palumbo,
Board Secretary