

Minutes: Selectmen's Meeting – Monday, April 11, 2011

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

Meeting was called to order at 7:00PM with all members present. Chief Rich advised he'd spoken with Selectman Alterisio earlier this week on the medic situation with Lowell – been some disagreement with towns because service agreement that has been signed says P1 will be dispatched 1st if available otherwise Trinity will be dispatched. Other towns will keep him up to date on what their arrangements are – is a difference of opinion with Trinity and P1 – we have contract with P1, if you read what Trinity is trying to tell us, there's nothing listed for ALS service, only ambulance service. Selectman Alterisio we have agreement with P1 because in the contract with Trinity special ALS was not included and we had signed a contract with P1 for ALS service. Selectman Alterisio – with Trinity capabilities' of having all resources on gps so they can see all on their screen, it also includes P1 – so they can see P1 and Trinity. Selectman Alterisio understands the law says whenever you have an emergency that requires ALS, dispatcher must contact closest one. Charlie indicated this goes back to contract with them and from service agreement with OLS. Chief Rich will research the contracts further in conjunction with the other towns that are contracted with Trinity. He thinks what they're saying is that if P1 is coming from Tewksbury and we get a call and they're available from Drum Hill, shouldn't we take the closest unit. Right at this moment he still thinks P1 is coming this way. Selectman Alterisio advised we don't call P1 at all, we call Trinity, and if ALS is required, they call P1. The rub is that Trinity believes now because of the law, if one of their units is closest, they should be contacted. Discussion continued on the other options – Charlie will get on the agenda for next Monday, and provide update and best process to follow. P1 is definitely fighting this approach. Selectman Alterisio provided history that Chris Dick sent an e-mail to Selectman Alterisio that he wanted to meet the next day; Selectman Alterisio referred to Chief to work out and bring recommendations to the board. Board agreed best to move forward, main thing is don't want the service compromised. Board agreed best to wait and see how the other towns handle and follow suit.

Chief Rich reported on service items with engine 6 and engine 2 – is a possibility the rear end could be going in the truck – warranty is good for 3 years.

The board met with Cheryl Mann and Leah Basbanes who presented the board with supporting documentation from the Conservation Commission's decision on 4/4/11 (copied below) for a 97 cent per hour

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salary increase for Cheryl Mann secretary to the Conservation Commission coincidental to that already approved by her two other boards – Water and Planning Board.



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TO: Board of Selectmen
FROM: Dunstable Conservation Commission
DATE: April 11, 2011
RE: Secretary's Salary

Members of the Conservation Commission voted at their last meeting to increase our secretary's hourly wage from \$17.28 to \$18.25 plus whatever percentage the Town votes for wage increases at Annual Town Meeting. The reason is because she takes on extra duties and attends classes outside of work hours to increase her knowledge of changing regulations/laws, etc (please see attached). No additional burden will be placed on our fiscal year 2012 budget which was submitted in January.



Extra Duties & Classes Attended

Planning Board

1. Plan Reading Course given by MassHighway – December 2006
2. Attended Town Clerk Conference in December 2006 regarding bylaws
3. Organized attic files for easy accessibility to older files and subdivisions folders.
4. Developed checklist “Requirements for Application Submittal” for applicants to ease burden of finding out what is needed when they file an application.
5. Developed a “step by step” list of what to do for special permits, scenic road, definitive subdivisions, etc.
6. Developed list of approved Special Permits and the date/book/page of recording at the Registry of Deeds.
7. Took 3 courses through Citizen Planner Training Collaborative – Saturday March 20, 2010 – “Special Permits and Variances”, “Writing Defensible Decisions” and “Ethics for Municipal Boards” at Holy Cross College in Worcester, MA
8. Took 3 classes through Citizen Planner Training Collaborative - Saturday March 19, 2011 – “Introduction to Subdivision Control Law/ANR”, “Everything You Should Have Told Town Counsel in the First Place”, “Site Plan Review”

Conservation Commission

1. Took eight “Fundamentals of Conservation Commissions” courses given by MACC. Received certificate that I successfully completed all courses.
 - a. Unit #1-Overview of CC: Relationships, Responsibilities, Funds, & Fees. - Worcester
 - b. Unit #2-Participating in an Effective Meeting – Wakefield
 - c. Unit #3-Fundamentals, Process & Procedures – Worcester
 - d. Unit #4-Plan Review & Site Visit Procedures – Wellesley
 - e. Unit #5-Wetland Types: Their Functions and Values – Burlington
 - f. Unit #6-Writing an Effective Order of Conditions – Burlington
 - g. Unit #7-Open Space Planning and Protection Techniques – Wellesley
 - h. Unit #8-Managing Conservation Lands - Wellesley
2. Attends some site visits.
3. Cataloged Conservation, DRLT, and Town owned properties: have files on each parcel with copies of deeds, assessor cards, descriptions, maps, etc.
4. Coordinates and attends annual Christmas tree sale in December.
5. Attended MACC conference in March 2007 and attended 2 Conservation classes.
6. Attended MassGIS Arcview classes in Boston with Chair (Leah) to learn more about the software – 10/17/07 & 10/18/07
7. Organized attic files for easy accessibility to older files.

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8. Working on list of DEP filings that have not applied for their Certificate of Compliance – about 1/3 completed
9. Set up step by step list of what to do for NOI filings, RD filings, etc.
10. Helped with self help grant application for High Street (Henry) property.
11. Pictometry seminar in Lawrence with John Matley (NMCOG) on 11/6/08.
12. Pictometry workshop in Lowell w/John Matley (NMCOG), Don Pottle & Vic Stewart on 2/3/09.
13. Helped with the self-help grant application for Hardy Street (Carter) property.
14. Attended eDEP filing class for Order of Conditions – DEP Office - 205B Lowell Street Wilmington, MA on 1/20/2010
15. Chapter 91 – dock permits – contacted residents on lake to inform them of regulation and helped many through the process.
16. Will be attending the Regional ConsCom meeting on Monday March 28th from 8 am to 9 am.

Water Department

1. Attended Consumer Confidence Report class in Littleton – March 2005 & 2007.
2. Water forms that are filled out by the Secretary are generally filled out by Operator/Superintendent in other towns. (Yearly CCR Reports and Statistical Reports as well as 5-year Sanitary Survey).
17. Took on additional meetings and responsibilities as clerical person for Water Investigation Committee – new well project
18. Took on additional meetings and responsibilities as clerical person for Groundwater Protection Committee, including elementary school visit.
19. In 2007, participated in TURI healthy lawns grant program with Westford Water Department and other towns. This involved attending meetings, participating in a seminar in Lowell, mailings, distributing posters, etc.
20. Developed and updated Emergency Plan for the Water Department.
21. Put Water Department in for a 2007 Small System Security Award - which was awarded to us.
22. Took ICS-100 & ICS700 – Incident Command System classes – October 2006 in the event that the town is involved in an emergency situation that could affect our town wells.
23. Put the Water Department in for a 2008 Small System Security Award – which was awarded to us.
24. Organized attic files for easy accessibility to older files.
25. Took WARN Seminar in Holliston, MA on 9/25/08
26. Took “Communicating with the Public” class on 5/26/09 at the Littleton Electric Light and Water Dept. through MWWA.
27. Developed the Identity Theft Program procedure for the Water Dept. Commissioners signed off on May 26, 2009 and procedure is filed in our office.

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28. Put the Water Department in for a 2009 Small System Security Award – which was awarded to us – Don Pottle attended and accepted award on behalf of department.
29. Attended class – Mentoring Session for the e-ASR (Annual Statistical Report), on-line – Littleton Electric & Water, 39 Ayer Road, Littleton, MA – Lawrence Stepenuck on March 10, 2010
30. Attended class – Preparing for and Responding to a Sanitary Survey, Littleton Electric & Water, 39 Ayer Road, Littleton, MA – Dick Tinkham On November 23, 2010
31. Gave printed power point presentation to Selectmen on Water Dept. - background and update - May 2010.
32. Signed up for class – “Rate Setting and Collections”, Littleton Electric & Water, 39 Ayer Road, Littleton, MA – Chris Woodcock and Dave Russell on June 14, 2011

Benefits All Departments/Extra Duties as Town Hall Employee

1. Attended Open Meeting Law class at the Groton Town Hall – January 2006.
2. Attended Commonwealth Capital class w/Danice in Lowell – 2005
3. Represented the Town Hall at Community Reading Day at the Swallow Union Elementary School. – 2007
4. Attended Commonwealth Capital class w/Danice in Andover – 2008
5. Since 2005, every spring, speak with 3rd grade classes (3 of them) from Swallow Union Elementary School on what I do for my departments.
6. Answers phone and covers for Terry when she is not available.
7. After a difficult time finding custodial help, took on the responsibility of hiring Paul Cushion who has been here over 2 years.

Leah represented Conservation as Chair of Conservation – since Conservation is appointed by Selectmen wanted to make sure the Selectmen were on board. Selectman Alterisio indicated he'd support Planning & Water since they are elected boards and further advised they've seen this play out once before and it's not a good scene – Selectman Alterisio's recommendation would be to concur with the move of Planning & Water. Only question is plus % approved for other salaries. This is a wage adjustment; believes that Fincom is aware of it – not changing the budget at all – money is there – former secretary was paid more than her so there's excess funding available.

She advised she now works 6 hours a week for water board and 14.5 between Conservation and Planning. Chairman Welch noted the

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problem right now is Fincom is \$70K in the hole – just wants to make sure there's no scenario where other departments feel the need to climb on board. She advised she's not asking for the highest paid or the second highest paid – Chairman Welch is saying if everyone comes in looking to be paid what they think they deserve, as most town employees go above and beyond requirements, and if all employees were to follow the lead and step forward for a higher wage, it won't be a good scene and therefore he's not in favor. BOS basically agreed that they'd like to look to Fincom for guidance on what the impact might be. Discussion continued with Selectman Alterisio in total support.

Water is going to be paying the town a portion of benefits to supplement the additional employee that Highway is putting on. Town Clerk Carol Skerrett happened to stop in and noted she's been requesting a part-time assistant for coverage, etc. for her office for some time; Chairman Welch further noted the town is looking for a Town Administrator where do we find that person. Cheryl advised that Water and Roads are meeting tomorrow night to see if they can work something out for Highway's new hire to ease the burden on the taxpayers. Selectman Alterisio asked to let minutes show that BOS concurs with 2 other elected boards.

Treasurer Bonnie Ricardelli then appeared before the board relative to health insurance rates. She advised got new rates 16.5% increase – met with MIIA options to lower premium – could increase co-pay from 15% to 20 or 25% and prescriptions, etc. As of July 1st, due to national health plan, regular office visits will be free. She's submitted a budget of \$154K but then was told of potential for another highway person, so she contacted Fincom to advise of need to increase by another \$13,100 for another family coverage. Understands their meeting with police departments, and doesn't know their position on this. She noted reservations in entering GIC, once adopt are required to pay % of retirees health insurance. For many cities and towns, they provide coverage for retirees, so there's a savings for them but for towns who don't, it's a different story all together. You can't pick and choose the plans that we offer. If we continue to do what we're doing right now, \$154K is the health insurance budget but Bonnie told Fincom, once she heard there was a new employee proposed for Highway, that we needed to provide allowance for another family plan in case the new hire for Highway chooses coverage through the town. Bonnie provided background on our health insurance costs, advising of the MIIA group, Dunstable has the highest % increase because of the small group and the claims for the 2 year

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period. Dunstable started out with the school and were going along fine until the school decided to charge the town \$100 per month to simply collect our money. Bonnie provided background with MIIA and research and changes made with Lively Insurance through different plans but concerns expressed by employees with changing carriers, doctors, etc. Not good news but it's the best available. She indicated that MIIA has said that if the Governor requires matching GIC, MIIA is keeping an eye on it – will come up with actuarial plan to compete. Bonnie distributed GIC plan information taken from municipal resource section of GIC website. As far as GIC in order to start out, union must approve to start the ball rolling.

The main thing as far as GIC is whether or not the town can afford to pay retirees benefits – would double the insurance cost to the town. Keep GIC under the rug for now, but down the road it may become the option. Bonnie needs to start open enrollments by middle of June, need determination on what option the town wants to make – if increased co-pays monthly amount would be lowered by around \$17 individual plan and \$47 for family. Selectman Alterisio noted additional \$10.00 co-pay could save \$70 per month on family – looking to have a program where everyone is pleased with what they can get at a cost effective premium.

GIC you're in a huge group, comparing against the school's FY2013 rates – school's rate chart shows employee portion only. The other thing we do right now – town pays 75% of HMO rate regardless of the plan taken. Discussion continued on the changes in health care, insurance, etc. Chairman Welch will work with police union and try to get Bonnie something by next week – he'll e-mail Darrell that need response, probably not a big deal in this scenario, Discussion continued on how the co-pay could affect the costs for insured.

Dana Barnes visited the board, and Chairman Welch reflected on the letter in the works to go out to Goss Farm relative to the violations of the agricultural exemption – not the intention or purpose of the agricultural exemption as written – some of the activities are not consistent within regulations of agricultural exemption – if Goss disagrees he'd have to come back and repute it. Dana was in contact with Rich via e-mail multiple times last week. Dana is trying to find out if this is a cease and desist, or preliminary letter. Can't get a straight answer – takes so much to try to get a straight answer. Dana provided background on this particular situation. Chairman Welch referenced lack of appointment for Harry Cullinane as Assistant Zoning Enforcement Officer and Dana reported on his conversations with

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Harry on requests he'd received from Wes. Chairman Welch noted this is basically why Mark Bobrowski made appearance a few years ago – Rich hasn't been effective or cooperative in these types of situations; Chairman Welch indicated it's a problem we keep running up against, giving as an example, voters decide to pursue inclusionary bylaw and yet Rich comes up with all sorts of reasons why we shouldn't consider or act on this and other items. Chairman Welch noted that once Dana gets answer and needs further assistance, should Dana have to keep this up with Rich. He understands the relationship with the town, good guy done great things, but can't count on him when you need him.

Chairman Welch advised that Mark Bobrowski is researching the inclusionary zoning article with Bob Richie who's currently the attorney with MA Dept. of Agriculture. Dana advised that Mark told him he'd spoken with Bob Richie who suggested there's been vast misinterpretation of what can be done. Dana would still like something from Rich or Mark before he moves forward so he knows how to move forward. Going forward, can either keep pursuing Richard or give Mark another call. Dana indicated he'd hoped to have something done before Goss Farm opens up.

Dana is comfortable working with Mark Bobrowski on this issue. Chairman Welch and the board discussed funding for the legal costs. Selectman Alterisio indicated he would call Rich tomorrow morning and get back to Dana – so he at least has an answer in his mind, where we are at this point. Chairman Welch cautioned that we've been addressing this situation for years; in any case he'd like the board to submit their support to Dana. Selectman Alterisio – you have board's support to take action.

Chairman Welch continued to note it's humiliating to get nothing done around here – people have quit because of Rich – entire Personnel Board, as well as Affordable Housing. Selectman Leva indicated it sounded like he agreed with Dana, doesn't know what's happened since then.

Next subject is the church's letter requesting removal of the article from the town warrant. Selectman Leva has been involved from the beginning – initial asked for 3 phases – needed decision to get on town warrant – CPA awarded \$15K for the doors and scheduled another meeting to address the other items – not that much negativity but concerns. Dana Metzler left and a week later Reverend visited and was satisfied with the doors this year and pursue other items at later

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date. Chairman Welch indicated he's of the opinion we should approach the church and ask them to take the \$15K this year and pursue the other items the following years. Interpretation of letter is that church is concerned with negative impact – Selectman Leva gave background of discussions that CPA members had with representatives of the church, indicating some uncertainty as to how it came to this point. Board agreed it would be a good idea to speak with Pastor Rich – going to have to be done in a hurry in order to be included within the ATM warrant. Discussion continued on how best to approach – invite to executive board via e-mail for meeting on subject.

Request by Dunstable Fire Department for use of Grange Room on May 5th & May 12th from 6PM-10PM; board conditionally approved based on its availabilities but looking at earlier request, noted conflict. Babcock Scholarship requested for the same night – same time. Secretary will speak with Fire Chief on options that might be available.

The board signed confirmation of request for legislative action authorizing Chief Rich to continue to serve until the end of FY2012 – 3 months past his 65th birthday – board signed official notice for Senator Donahue's office so they can proceed. The board further voted to maintain a single precinct for the Town of Dunstable based on the 2010 State Census and signed the related paperwork.

Chairman Welch referenced the inclusionary bylaw written by Mark Bobrowski – as general bylaw rather than a zoning bylaw and reported on the research being done into the applicability as a general bylaw. Chairman Welch and Selectman Alterisio provided Selectman Leva with some of the background with 40B's in the area. The board briefly discussed the advantages of inclusionary zoning in the planning process for the community, planned production plans for affordable housing, etc. Discussion also included the approvals for NRLC property on River Street and what effect this might have on that.

Minutes of 1/10 – Chairman Welch provided corrections – secretary will amend with Chairman Welch's corrections and distribute to board for approval; 1/24th approved as written; 1/31 one typo 1st page; February 7th – Chairman Welch added that knocked overtime budget down from \$177K to 117K and approved floor in police station and 2/14 as written. Selectman Alterisio also recommended approval of 3/28 minutes & board approved as written.

Selectman Leva advised he's had some feedback relative to the Beagle Property – bought for a lot more than we're selling it for. Selectman

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Alterisio noted the Town initially actually purchased it for the scouting program. Board will be prepared to address.

Board may not meet next Tuesday unless finds it absolutely necessary.

Treasurer's warrants were reviewed and signed and the meeting adjourned at 9:00PM after appropriate motion and vote.

Respectfully submitted,

Danice N. Palumbo,
Board Secretary

