

Minutes: Selectmen's Meeting – Monday, June 27, 2011

Present: Chairman Walter F. Alterisio, Daniel F. Devlin, Clerk and Procurement Officer and Member Kenneth J. Leva

The Meeting was called to order at 7:00PM with all members present. Dave Barker advised that Chief couldn't make it but Brian and he will be in attendance.

Chairman Alterisio noted resignation from Emergency Management Director Bill Ahern. Not major lifting, but in times of emergency – have to be available – updates must be completed, coordination of police, fire, emergency management directors in the area. Chairman Alterisio noted uncertainty as to how much time is involved, but must make sure things are in place – responsibility of the chief elected official Chairman of the Board of Selectmen. Selectman Devlin suggested getting in touch with Mr. Ahern as to the job description and role that must be addressed. Chairman Alterisio indicated this is not something that, if there were an emergency tomorrow, we're in big trouble – are teams in place. Role of emergency management director is to review what new things are up and make sure town is comfortable with what's in place. Board will work to find a replacement for the position.

Chairman Alterisio reported on sessions he'd participated in. Board will post the opening. Chairman Alterisio noted that Mr. Ahern has done a bang up job in the years he's served...letter of appreciation will be put together.

Chairman Alterisio drew attention to the request received from our Police Department for appointment of special police officers from Tyngsboro, Groton and Pepperell for Fiscal Year 2012 – per recommendation of Chief Downes. Motion was made by Selectman Leva to appoint said special police officers per Chief Downes' recommendations; 2nd by Selectman Devlin – vote taken with all in favor. The board endorsed paperwork provided to reflect their vote.

Chairman Alterisio noted the once a year request from Nashoba Valley Pedalers for use of common on Saturday, 10th of September for their rest stop during their annual ride. Have been very cooperative and responsible to insure things are picked up. Motion by Ken to approve, 2nd Selectman Devlin and voted with all in favor.

Chairman Alterisio referenced his call to secretary requesting copy in packets of the letter sent out by Building Inspector and Zoning Officer to Wesley Goss. He indicated he, himself, might have approached this

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differently – specifically how these particular events comply with agricultural exemption. He suggested it might have been addressed differently – which would have allowed the individual the opportunity to respond for further discussion. He noted that the individual has responded that it falls under agri-tourism – problem if is charging entrance fees, question as to whether it continues to fall under the agricultural exemption. Ken advised that he recalls the original discussion on the subject, and question as to special counsel – and name wasn't given. Chairman Alterisio advised that it was suggested that if Dana wanted to pursue this, could write letter that see these items advertised. Dana probably talked with Mark 1st and then town counsel was brought in after the fact. Selectman Leva was concerned that it might be personal between Dana & Wes which could become complicated. Chairman Alterisio indicated that while operating under agricultural exemption, are specific things that must be maintained. The Board noted the response from Wes querying if Dana is satisfied, are we satisfied. Chairman Alterisio expressed concern with what the board's thoughts are as to whether these things are permissible under the agricultural exemption.

Secretary advised she had a telephone call from Mr. Goss this afternoon requesting an appointment on tonight's Selectmen's agenda on an undeclared matter but she advised it was too late to get on the agenda per OML. Going forward, the overtone of the letter seems to indicate further action may be possible. Chairman Alterisio, if we're comfortable with this, ought to ask Dana. Selectman Devlin questioned whether another good byproduct of that, ethical implications of cousins – may have another bees nest. Chairman Alterisio advised that's why we have an alternate Harry Cullinan from Pepperell to assist Dana in these types of measures. If Dana is satisfied with Wesley's response then there's no problem, but if the Board sees implications of questionable activity, must be prepared to address. Chairman Alterisio would like to get feedback from Dana whether he's comfortable with response.

The board will set up some time for discussion with Dana on the subject. The board noted this is different for Dunstable ...business was approved under privy of agricultural exemption – some questions as to whether he's straying from that category. Board doesn't need to micromanage, have Dana as Building Inspector and Zoning Officer – need to allow him to do the job impartially. If there's going to be an issue may have to get involved.

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The board reviewed the list of respondents to their notice of appointments due. Chairman Alterisio noted that the appointments from Zoning Board of Appeals are customarily made after confirmation from the Zoning Board of Appeals that they're confident individual will work well for the process.

They also noted the interest in new appointments – Alan Chaney as Veteran's Grave Agent and John Martin in appointment to Zoning Board of Appeals. Selectman Leva noted no other interest in any other positions – Town Engineer or Town Counsel so we have nothing to choose from. Chairman Alterisio noted the only way we'd expect to have others to review would be through RFP process. He referenced the background of the town's operation for Town Engineer – have been operating with a firm – Jeff Rider thru Howe Surveying, and later thru Cuoco & Cormier. Chairman Alterisio reported on the reservations with the change because of the town's background with the new company relative to gravel permits. Discussion continued on the aspects of changing town engineer – Selectman Devlin questioned whether it might be best to look outside to see if we could get a better deal. Chairman Alterisio indicated he didn't know cost wise whether we could get a good deal for town engineer. Other boards who work more closely with Town Engineer than the Selectmen do – in the older days when gravel permits were a norm, Town Engineer worked very closely with the Board of Selectmen. Discussion continued On what options are available – interested in input from Planning, Conservation and Road Commissioners as to their recommendations. Chairman Alterisio is going to raise the issue of technical and professional appointments.

Summer schedule – next week being the 4th we're off – that could be the beginning usually runs from around the 4th to Labor Day with meeting every two weeks. The board agreed to schedule meetings for July 11th, 25th, 8th August, 22nd and 12th of September – alternate weeks off.

At 8PM the Board met with representatives of the Fire Department, Assessors, Town Clerk, Road Commissioners, etc., the purpose of meeting being to go over some projects the Board would like to focus on and provide some visibility and advise that we're obviously going to need support and assistance in some areas. Tonight is not a debate – so a lot of questions that people might have will be addressed and dealt with as we move forward with the project.

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Being anxious versus having the facts, knowing what we can and can't do down the line. Theme for a few of them is dealing with economic development....it is in fact, not a surprise to anyone in town, relying on real estate and excise taxes is not sustainable. The town works on 2 ½% increase restriction – but no one else does so we must be ready to find ways to satisfy the budget. One of the large items is the school, we're partners with the school, and have been able to work with them but have from time to time had to go for override.

Need to really come up with ways that economic development can happen over time. BOS was in support of the water commissioner's concept initiative – it's a big project going to be a lot involved. The board is supportive of looking further to investigate the possibilities for revenue generating project – and all that's involved. Clearly, how it's put together and managed has to be looked at closely. At best, if are able to present the program and have articles on next year's town meeting warrant, it will be a great accomplishment at best. – Putting project together for presentation to the town is a huge project – all the homework must be done.

Chairman Alterisio reported there is in fact a program that talks about infrastructure and grants for infrastructure as long as it's part of a development project...so we're at a position of taking another look at the mixed use district. Would like to take a look at it, though right now isn't a great time to be developing, but is a good time to be looking at whether or not it still makes sense. Chairman Alterisio referenced a recent article relative to municipality's conformance with the 10% minimum for affordable housing where Dunstable was the only 0 which doesn't bode well for the Town. He noted there were an awful lot of reasons that project didn't get off the ground and the board is interested in taking another look at it. One of the stumbling blocks was a 10" water line to feed the project, originally being provided by another LIP affordable housing project that was on line, which did not materialize. He indicated there are grants, providing opportunity for infrastructure improvements that should be done anyway in addition to addressing the initiative to provide affordable housing.

Master Plan review would like to go back to the master plan to review to see if there are items that have changed or items that are now appropriate for the town that might generate funding and opportunities for development.

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Issue of cell phone communication – have had 2 occasions recently where town was shut down and one of them if it wasn't for the Middlesex County Sheriffs Department activating their mobile unit and setting it up in town would have had major issue. Another was motor vehicle accident north of center where family was struck and EMT had to leave the scene of the accident to get cell phone coverage. Brian advised that probably once a week you'll hear dispatch say an emergency call was dropped. Al Horton suggested investigating options for placing cell tower on town property where town could get the revenue. Discussion continued on the revenues that might be generated from such an agreement – have to go back and take a look at what the technology is and where.

Last item was governance review – how basically do we govern ourselves – operated the same way since the 70^s when things were a lot different and much simpler – Chairman Alterisio finds himself overwhelmed in trying to keep up. Along with a financial review called for last year from DLS, who have been overwhelmed, review is now scheduled for this August, will look at how we operate and how we're set up and provide recommendations. On the other side, organizationally are we set up correctly ... issue of volunteerism, most elected and appointed positions are unpaid, volunteers who try very hard and are often up against some very difficult issues which frequently requires more professionalism and support. He advised the Board is contacting UMass for a review – where will look at what recommendations might be appropriate for the governing and day to day operation of the town whether it be a town administrator, manager, etc. If have read in the paper a number of regionalization operations going on around us – all have these things going on – Groton, Pepperell, Littleton, etc. Dunstable does not but all the others have a one person representative to negotiate whereas Dunstable has a Board of Selectmen...as opposed to a single individual with the authority to negotiate and contract for these essential services and items of importance. Dunstable could only benefit.

Chairman Alterisio advised those are the five areas – how successful and how much we'll be able to do, don't know – going to need your help. He further noted officials will be approached by forming committees for each of the selective areas with a selectmen serving on each of the committees. At this point, there are no predetermined expectations of what these committees are going to look like – only the subject matters to be addressed but need to thoroughly investigate each.

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Chairman Alterisio further addressed the use of technical and professional appointments – Town Counsel, Town Engineer, Town Accountant noting we use them all when necessary. Chairman Alterisio indicated that issue has come up from time to time where need access to town counsel has been questioned, shouldn't have to ask permission for necessary items. However, if issue is just to run ideas, and considered initiatives past town counsel and/or town engineer that's somewhat different. When it comes to the point of using town engineer, town counsel or any of the services that are made available, the Board like to have an idea if it's going to cost the town money; have appropriated a certain amount of money for the services and would like to stay within them. While not necessarily imperative to ask permission for access, need to be cognizant of the costs involved. Have also contacted town counsel and town engineer advising them that they need to be 1st line of defense, if initiative is presented to them, they should be directing to the selectmen for authorization if it will entail more than minimal expenditure. Other issue that's come up is special counsel, is not just for privy of Board of Selectmen, but it's use is only when things are put before the town where we need the town's interest protected appropriately. If it's within the realm of town counsel, then that's the direction we'll take. If it's outside the realm of town counsel, who might be able to do it but will take him that much more time, such as Marc Terry as labor counsel whose expertise is in labor issues. Question come up on town floor, what about town counsel, how it is used, why we are using it, often presented via special interest; how much was spent on special counsel last year. Chairman Alterisio referenced the 113 project where engineering costs ran over.

Issues are long term, where is the town going and if town doesn't keep up with demands of the town, is going to die. When package is put together, will make assignments with each of the Selectmen taking a project; will present issue and how to address via committees. May bump into other things as each committee moves forward, committee will make recommendations which will hopefully result in articles on the warrant. Question was asked what it would take to put together a bylaw which would require cell towers only on town land to prevent private individuals from putting up numerous towers to bring in their own private revenue. Board would need to go ahead and put out an RFP again for companies who are involved in this type of service. It was noted that no-one was interested in having towers all over town. .. but also want to do whatever the town can do to provide cell coverage throughout town. George Basbanes advised what basically dictates the process is the location. Has anyone every proposed a law

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which requires an individual to pay the town – federal law. Discussion continued on all of the items that come into play when locations for cell towers are proposed, NIMBY.

Suggestion was made for development of senior housing – not necessarily affordable housing but an area set aside for senior housing. Chairman Alterisio explained that with affordable housing, can't be discretionary but explained the MUD design which limited the size of the majority of the units.

Inquiry was brought forward on how the Board intended to get the information out to townspeople and generate interest in the projects with suggestions such as Neighbor to Neighbor, town website, individual mailings, cable channel, stuffing in town reports, etc.

Town Clerk suggested action to retrieve minutes from Mixed Use District and noted that collection of minutes and storage of minutes can be somewhat cumbersome – going forward when appointing committees, an item when officially dissolved, must transmit minutes to Town Clerk for preservation.

Bill Moeller suggested that the town solicit from all the families in town, people who might be willing to serve on various positions in town, solicit their experience and knowledge and specialization. Solicit from the citizens in town to volunteer for the areas they have some expertise. Board basically agreed that it made sense.

Brian Rich recommended putting someone from the Fire Department on the Water line expansion because of the insurance costs, implication of savings etc. which could be very beneficial to town property owners.

Planning Board member George Basbanes indicated he felt it was a great plan – majority of the board here – supportive of the initiative.

Al Horton expressed concerns for the Zoning Board of Appeals positions – Chairman Alterisio referenced the past experience will forward information to ZBA for their input.

Minutes of 6/20 – board discussed important point that amount of hours for reserves with respect to total hours are minimal – hold minutes and reword them to come up with amended version. Selectman Leva provided motion to pursue an engineering study for potential location of solar energy equipment on town buildings, 2nd and

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voted with all in favor. Chairman Alterisio signed the appropriate authorization for DC Energy.

Appointments: Kim Fales as Town Accountant, Suggestion was made that, in the future, possibly once every few years, as far as professionals, could put out an RFP in March that town will be accepting proposals for Town Accountant, Town Engineer, Town Counsel. With Town Accountant we know what we've got – but with Town Engineer hope that things are in position where someone could step in. Selectman Devlin felt with history of the town, shouldn't be a problem with finding someone who could take on the responsibility and move forward.

Discussion continued with reference to town counsel with Chairman Alterisio indicating one of the problems with Rich is that he doesn't wrap things up to meet.

Selectman Leva was concerned with the idea of someone from one committee having a specific individual who they'd like on the committee – discussion continued on the advantages and possible disadvantages of providing the opportunities for interested individuals. Chairman Alterisio indicated he felt we also have to promote individual boards to investigate the options and encourage expressions of interest. The board agreed the intent is to simply try to make sure that everyone who might be interested in serving has the opportunity for consideration.

Motion to approve appointments as listed by Selectman Leva, 2nd Selectman Devlin and voted with all in favor.

Treasurer's warrants were reviewed and signed and the meeting adjourned at 9:35PM after appropriate motion and vote.

Respectfully submitted,

Danice N. Palumbo,
Board Secretary