

Town of *Dunstable* Selectboard
Meeting Minutes
May 6, 2015
Town Hall, Dunstable, MA 01827

Convened: 7:03 pm

Present: Walter F. Alterisio, Kenneth J. Leva, Daniel F. Devlin, members; Madonna McKenzie, Town Administrator; Lorraine Leonard, Town Accountant; Sue Psaledakis, Community Preservation Committee; Carol Bacon, Affordable Housing; Alan Chaney, Conservation Commission; Joan Simmons, Planning Board; Dana Metzler, Advisory Board; Bob Nelson, Town Moderator; Jon Callahan, Safe Pathways

Selectboard Reviewed & Signed the Following:

- Payroll & Vendor Warrants

Open Forum

Mr. Alterisio explained and detailed the open forum and asked whether anyone present had any matters to bring before the Board during this process. He then proceeded to outline the agenda for the evening, which will be mostly consumed with the motions for the Annual Town Meeting on Monday. There will also be discussion of a first right of refusal for a property coming out of an agricultural restriction.

Motions at Town Meeting

Ms. McKenzie started off by talking about the process for the motions and each party that would be assigned for each one. She then discussed the first article, which will involve Safe Pathways. This will also include a report from Safe Pathways on its work since the Special Town Meeting in the fall. Mr. Nelson then mentioned the process and how procedure usually starts out. Mr. Larkin asked whether readable motions will be supplied. Ms. McKenzie said yes, and that she would also be giving a fillable sheet to the Town Clerk as well. She further elaborated that she will also provide a handout. Mr. Larkin stated that motions are usually subject to corrections. He outlined how he normally handles this issue. The Board also discussed briefly the fact that they will be asking for Ms. McKenzie and their Administrative Assistant to sit at their table.

From there the Board moved to discussion of the articles. Article 1 will go to Mr. Leva, Mr. Callahan will then issue the Safe Pathways report and any other reports will be allowed at discretion. Article 2 will also be handled by Mr. Leva; this article does include some changes in appointment powers for the Board i.e. transfers of authority from the Meeting to the Board. There was some discussion on these particular positions prompted by Mr. Larkin who explained some statutory ramifications. Article 3 and 4 would go to the Advisory Board, and likely will be Mr. Metzler given that they are financial in nature. Article 5, will be Ms. Psaledakis as it is CPC related. Article 6 concerns the salaries of elected officials and must be handled separately from the budget according to Ms. McKenzie. Article 7 is the budget, and likely will be Advisory Board. Article 8 concerns Chapter 90 funds. There was discussion as to whether Highway would need to talk about this, but it was ultimately decided that Advisory Board will handle this article. Discussion then turned around GDRSD and its part of the budget which is Article 9, the stabilization fund. Ms. McKenzie suggested that one of the School Committee Members should make this motion.

Article 10, has to do with the Town Hall furnace repair and will be handled by Mr. Devlin. Article 11 is a continuation of the MS4 storm water permit issue; Mr. Devlin will also handle this. Article 12 will take no action due to no transfers and Advisory Board will handle this article. Article 13 is the water project, and the Water Commission chair Bryan Conant will probably handle this one. The Water Commission plans on having a presentation for the townspeople. Mr. Nelson brought up the betterment fee question and debt exclusion. The Board noted that they will be prepared to discuss the topic and noted that the Treasurer/Collector has some information that could be helpful. However, the Board noted that the numbers may change and anything put out there could easily become wrong. It has been a number of years since the town last had a betterment, and

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the Board will need to get up to speed on this topic. The Board noted that it would likely not have an answer really until the next Annual Town Meeting, at best at a Special Town Meeting. But they noted further that the project really won't get started until closer to the Annual Town Meeting in 2016. Mr. Larkin clarified that this is really just a vote to borrow the initial funds.

Article 14 involves revolving funds. Ms. McKenzie noted that she and Town Counsel came to the conclusion that this will need to be potentially modified. Mr. Larkin said that he would work something out with Ms. McKenzie. Mr. Alterisio will handle this article. Article 15 will be transfer station related and handled by Board of Health. Article 16 will also be handled by the Water Commission as well, again likely Mr. Conant. Article 17, which is renewable energy related and relates to the Citizens Energy project. This article relates to another article, Article 31. Article 17 will be handled by Mr. Alterisio (who noted that this ultimately authorizes the Board to enter into an agreement with the solar company). Article 18 relates to CPC and will be handled by Ms. Psaledakis. Mr. Larkin explained why Article 18 and Article 19 are related and are one issue in two parts. Mr. Nelson brought up a few options to how this could be handled and how to conduct the vote. Ms. Leonard sought some clarification of some of the funding found in these articles.

Article 19 will be handled by Alan Chaney or someone from Conservation, but likely Mr. Chaney. He brought up some points to better clarify the language on this motion, in particular the \$10,000 figure from the Conservation Commission Timber Fund. Mr. Chaney further elaborated on this process and the CR. Ms. McKenzie noted that this figure can be changed to "Funds." Article 20 relates to PEG Access and is a Cable Related Fund. This article will be handled by Mr. Devlin. Mr. Larkin noted that the motion needs to have Chapter 44 included in the motion, as adopted by Chapter 53 apparently. Article 21 has to do with the Skytop Lane matter. It was noted that Mr. Leva may have a conflict of interest and therefore Mr. Devlin will handle this. There was some discussion whether the Roads Commission needs to report on this. Mr. Larkin didn't believe that it would be necessary. Ms. McKenzie noted that the only real question that is likely to be asked is the eminent domain. Mr. Larkin clarified that the manner by which the road will be taken is technical and will not have a negative impact on any land owners.

Article 22, is the wage classification scale which will be handled by Mr. Leva. Article 23 is a free cash transfer and will be handled by the Advisory Board. Article 24 is related to the Personnel By-Law and will be handled by Mr. Leva. Article 25 is an anti-litter by-law and will be handled by Mr. Devlin. Article 26 is Dog Control and will be handled by Mr. Devlin. Article 27, a zoning by-law amendment, will be handled by the Planning Board and therefore most likely Ms. Simmons. Article 28, is another zoning by-law amendment that will also be handled by Planning Board. Articles 29 and 30 are related to Article 28 and will be handled by Planning Board. Article 31 is the solar related zoning by-law. There was some discussion concerning the Charlie George Landfill and who it was owned by. It is under all kinds of liens, according to Mr. Chaney, but is privately owned. Ms. Psaledakis asked whether this article may be limited to commercial only. The Board noted that this will not be so limited. The motion will be made by Planning.

There was some discussion as to the issue of renewable energy in the town and how the solar matter in Article 31 impacts this. The Board concluded that given the cost of the process, it is not likely that there will be a great deal of private action. There was further talk about the reason behind the acreage restriction. The Board elaborated on this a bit and their vision. Ms. Simmons explained that most of the questions are addressed being asked are within the by-law. From there Ms. McKenzie moved discussion to clarification of the authority of the Town Moderator as to the motions and articles. Ms. Simmons returned the Board to the topic of water, noting that people in town will want to know the cost. The Board reiterated that the betterment numbers will not be known, really, until after the project is started. There was further discussion as to the assessment to the whole town and the betterment. It was noted that the Water Commission did not support a betterment fee. Ms. McKenzie simply noted that the Board sets this fee and decides if it will be set.

Mr. Callahan asked whether the water project would go as far as the proposed Senior Housing. The Board affirmed that it would. Finally on this topic the Board needs to take some positions. Ms. McKenzie asked whether the Board had any concerns or matters it wants to hold back. The Board determined that it supports all the articles and motions.

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A motion was made by Mr. Leva to accept the articles as written for the Annual Town Meeting, seconded by Mr. Devlin and passed unanimously.

Acknowledgements – Town Moderator

The Moderator started off by stating that he intended to recognize the Boy Scouts for their contribution, as well as recognition of Gerry Simmons for his work in the town as dedicated in the Annual Town Report, and recognition of Mr. Tully. Ms. McKenzie also suggested having a list of persons that are going off the various boards and committees to recognize their work and contribution to the town. This might include Peter Georges. There was also discussion on having potentially a separate “recognition” night for such matters. Ms. McKenzie suggested having a separate night. Ms. McKenzie suggested that this could be an evening set aside by the Board and televised. She also noted a date will need to be sought.

Right of First Refusal – McLoon

This was postponed due to the need for Town Counsel and the assessors to be present for recommendations. This matter is deferred until the meeting after the Town Meeting.

Consultant’s / Administrator’s Report

Ms. McKenzie updated the Board on the issue of the Electrical Room, the Elevator Mechanical Room, and the issue of its roof being punctured as well as the ramifications of how the slate roof may be responsible for the damage and may require repair as well. The Board also discussed the needed repairs to the ladies room, and other parts of the Town Hall that require repairs. Ms. McKenzie noted that we already have estimates for these repairs and that MIIA has suggested that all the repairs be done at once. The Board then asked about the funds. Ms. McKenzie notes that she’s already spoken to the Advisory Board about this and she thinks the deductible is \$5,000 or less.

Burn Sheet

The Board started off by noting the accounts it has been monitoring and how each accounts exhaustion rates are running in the high 50s. The Police are about 72 percent, but the other accounts are far lower. There was a certain amount of movement, but no increase in appropriate, simply movement between accounts. Going into next year and looking at where the town is, it leaves some challenges. Some components in the budget will be at risk, mainly the energy bill. The focus must be to manage these risks. Ms. McKenzie noted that a good agreement with Citizen’s Energy could help mitigate the concerns about the energy matter. The Board will continue to monitor expenses and manage areas that it feels are at risk and as amounts must be moved within particular categories. Ms. McKenzie noted that transfers between all accounts will not occur until closer to the end of the year in June. She also explained some legalities. For all accounts across the board, the town is about 75 percent exhausted. For the most part, the Board feels that things are in good shape for meeting expectations.

Debt Exclusion/Betterments

Ms. McKenzie told the Board that she would pull down the relevant law for them. The Board also briefly explained the debt exclusion issue and how normal it is.

Meeting Between Groton and Dunstable about GDRSD

The Board clarified the reason for this meeting and how Groton initially requested it. The idea is to get the School Board Chair, the Superintendent, the Town Manager of Groton, Town Administrator of Dunstable, and the two Boards of Selectmen Chairs in the same room. The meeting will be to discuss modification to the school district in accordance with the Mars Consulting Groups recommendations to the School Board. This meeting will be arranged for after Town Meeting.

Kick Off Meeting with BSC Group

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Ms. McKenzie noted that all of the relevant parties have been invited. The meeting is set for May 8th at 9am. This project concerns the Main Street road project that will be going in front of the Central Cemetery. This meeting will address the projects scope as well as an issue involving a culvert. The project will also impact the cemetery and surrounding wetlands.

Snow Removal Overage

The Board brought this subject up, but Ms. McKenzie explained how this issue will be addressed. It appears that FEMA will not be giving out the amount formerly expected. Only about \$35,000 will be paid out to the town by FEMA and MEMA. Some deferred funds may need to be used to help cover the resulting gap.

Highway Raise

Ms. McKenzie noted that Highway would like to use funds left over from the retirement of an employee to give all remaining employees a .50 cent raise. Ms. McKenzie noted that nothing under the current personnel policy is preventative, but that the new personnel by-law would bar this from occurring, and that the wage classification plan will govern raises and increases going forward.

Upcoming Meetings

The Board's next normally scheduled meeting will be on the 20th. The Board will seek to square away the Town Administrator interview process. Ms. McKenzie noted that she will use the same people for the screening committee as she did for the hiring of the Administrative Assistant. She is hoping to have this process completed before the end of May so that a hiring can theoretically occur by the end of June. This group will be Dana Metzler, Bonnie Ricardelli, and Sue Psaledakis as well as Ms. McKenzie. The Board inquired as to whether one of it should be present, but Ms. McKenzie highlighted that they have the final say and final interview and it while it is fine for them to do so, it isn't necessary. The Board also discussed the potential need for having a meeting to determine job description formally, and a few other details.

The Board also suggested that some interested parties that will be working with the Administrator should have some input ability, including the Treasurer/Collector, the Town Clerk, the Town Accountant and a few others. Ms. McKenzie explained how her process worked and how each person she's selected for the screening group is representative for the town. She also inquired from the Board what they want to see in candidates, noting that she knows what she wants to see, but she needs to know what the Board wants. She also explained her criteria, including personnel experience, understanding and grasp of the law, and a few others. The Board also discussed how it needs to hash out the elements of a contract. Ms. McKenzie suggested that she could get further information on that topic.

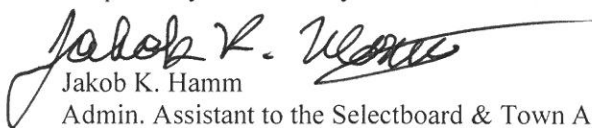
The Board also noted that it will determine at this meeting how to reorganize for the new financial year. From there the Board discussed potentially having a working meeting after the Annual Town Meeting to just talk about the issues and concerns they have for the Town Administrator position. The Board decided that they could do a meeting during the day hours of May 13th at approximately 10am. Ms. McKenzie agreed and stated she would put together an agenda.

Minutes

The Board decided due to time constraints to take up the topic at its next ordinary meeting.

A motion to adjourn at 9:06pm was made by Mr. Leva, and seconded by Mr. Devlin. The motion passed unanimously.

Respectfully submitted by


Jakob K. Hamm

Admin. Assistant to the Selectboard & Town Administrator

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