

Town of *Dunstable* Selectboard
Meeting Minutes
July 15, 2015
Town Hall, Dunstable, MA 01827

Convened: 6:03 pm

Present: Daniel F. Devlin, Walter F. Alterisio, members; Tracey Hutton, Town Administrator; Peter Georges, Personnel Board & Fmr. Veterans Agent; Joseph Dean, Veterans Agent

Selectboard Reviewed & Signed the Following:

- Vendor & Payroll Warrants
- MARS Consulting Group, *pending Mr. Leva's signature*
- MS4 Letter, *pending Mr. Leva's signature*
- NMCOG and Dept. of Housing & Community Development letter, *pending Mr. Leva's signature*
- MassDOT Title VI/Nondiscrimination Assurances, *pending Mr. Leva's signature*

Open Forum

Mr. Devlin started off the meeting by noting Mr. Leva's absence and briefly explaining the open forum, its purpose, and covering the agenda for the evening. This included some appointments, a Veterans Agent update, and some other new business.

MARS Consultant Group

The Board reviewed the paperwork from MARS Consulting Group and noted that it will require Mr. Leva's signature before it may be returned. Ms. Hutton informed the Board that she intends to meet with Mr. Reid concerning this matter, scheduled for the next business day after this meeting. The Board then briefly discussed the joint meetings between Dunstable, Groton, and the GDRSD. These meetings concern the regional school district agreement, which is being reviewed so that it may be updated to reflect current changes in statutory law and federal judicial precedent.

Signatory Matters

The Board discussed some matters that will require Mr. Leva's signature as Board Chairman. The Board reviewed a letter for MARS Consulting, a letter to the EPA concerning the MS4 permit, a form from NMCOG concerning the Dept. of Housing & Community Development, and an assurance agreement between the town and MassDOT. The letter for the MS4 permit was discussed at more length. The town is seeking a waiver while it continues to work towards implementation and compliance with the MS4 permitting process. The idea, the Board noted, is to essentially use the waiver to buy more time to get the process complete. Ms. Hutton assured the Board that she would stay on top of this, and informed them that she is talking with the town's MS4 consultant.

Veterans Update

Mr. Georges addressed the Board concerning his recent retirement as Veterans Agent. He informed the Board that he needs to go through his office and sort what is his and what belongs to the town and the Commonwealth. He believes that 30 days is insufficient and is requesting 90 days. He has spoken with Mr. Dean about the process. Mr. Dean the new Veterans Agent has agreed to work with Mr. Georges on the transition as it continues. The Board commended Mr. Dean and Mr. Georges on the transition and how smoothly they have made the process.

Mr. Dean also spoke with the Board about some filing cabinet matters, including one cabinet that needs repair. He assured the Board that the transition of duties has been completed and that he is now managing veteran's affairs as necessary and as they arise. He gave an update on his work including the veterans he has worked

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with. The Board asked Mr. Dean if all the credentials with the Commonwealth have been completed. Mr. Dean informed the Board that he has a note from the Veterans Administration confirming his contact information and he is recognized as the Veterans Agent for Dunstable. Mr. Dean told the Board that one of his primary objectives is to ensure that veterans in need here in Dunstable receive the benefits they need and that these services occur in town. Mr. Dean said he is in full contact with the various agencies and requirements of the position. The Board noted that it hopes to see the service it should have. Mr. Dean said the town averages in line with the Commonwealth's average, but noted that what makes Dunstable different is the level of service. That in this small town there is a greater level of personal contact between the Veterans Agent and the veteran.

Appointments

Ms. Hutton started off by explaining the remaining vacancies that exist after the annual appointments. She noted that these vacancies include a member at large for the joint committee concerning GDRSD's agreement, an ADA Coordinator, Capital Planning, Personnel Board, designees for CPC, as well as some long running historic vacancies to the positions of Pound Keepers and Surveyors of Lumber. She also highlighted that one of the challenges faced by the Recreation Commission is a long term vacancy. These sorts of vacancies may be challenging to fill, but nonetheless must be filled. The Board responded by noting that Pound Keepers and Surveyors of Lumber were usually in the past made at the Annual Town Meeting, but with the most recent meeting this process has changed. As a result these are now positions that the Board needs to fill. The Board promised to consider the matter and attempt to brainstorm some possible solutions.

The Board also determined that it would discuss the matter of Surveyors of Lumber with Alan Chaney who is a member of the Town Forest Committee. While on this subject, Ms. Hutton reminded the Board that Robert Kennedy is currently the only Fence Viewer & Field Driver, and it appears from town records that the town has had more than one in the past. The Board determined it would also consider this question. From there the Board turned to Capital Planning, noting that its current composition appears to be working out well and that any addition will need to be thought out well. The Board determined that the Personnel Boards vacancy will need to be addressed at a later time.

Leah Basbanes is appointed to the Nashua River Study Cmte. Term Expires: June 30th, 2016
Motion by Mr. Devlin, seconded by Mr. Alterisio, passed without objection

Judy Larter is appointed as alternate for Nashua River Study Cmte. Term Expires: June 30th, 2016
Motion by Mr. Devlin, seconded by Mr. Alterisio, passed without objection

Judy Larter is appointed as the designee for Conservation to CPC Term Expires: June 30th, 2016
Motion by Mr. Alterisio, seconded by Mr. Devlin, passed without objection

Daniel F. Devlin is appointed as the ADA Coordinator Term Expires: June 30th, 2016
Motion by Mr. Alterisio, seconded by Mr. Devlin, passed without objection

* As a point of information, Mr. Alterisio noted that he has already been re-appointed as Dunstable's representative to NMCOG.

Parks & Rec

The Board briefly brought Ms. Hutton up to speed on the situation with the Parks Commission and Recreation Commission including public inquiries concerning the maintenance and scheduling of use of Larter Field. From there the Board elaborated on the responsibilities of Recreation and how they relate to Parks. The wish of the Board is to see these two commissions collaborate and work together as efficiently as possible. There have been some concerns in the past regarding how Larter Field in particular is operated as well as some challenges concerning the availability and responsiveness of the two commissions. The Board reiterated that these commissions are made up of what amounts to, volunteers who give their time and energy to make things work. However, in light of the challenges faced by both commissions as of late, the Board asks Ms. Hutton to speak with the commissions at some point moving forward about how to improve and streamline things. The Board also determined that it may be necessary for Mr. Alterisio to sit down with the two commissions.

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Special Election/Water Project

Ms. Hutton started by giving the Board a copy of a revised information sheet. This mailer is to explain the water project. The Board asked her if this was cleared with Town Counsel. Ms. Hutton stated that it was and noted that there is an exception in MGL that allows for *purely* informational materials. Ordinarily the town would not be allowed to send out information sheet information for a ballot question, but in this case, because it is *purely fact* based and has no opinion one way or the other, town counsel feels it meets the exception. The Board had some questions as to a few points on the information sheet including possible fines from DEP. The implication from this information is that DEP can come along and make a decision to fine the town if it doesn't move quickly. Ms. Hutton explained the point more clearly and agreed to clarify it on the informational mailer. The Board noted that the DEP is requiring the town to file a "failure and repair" plan with them to elaborate on how the town would solve a failure. The Board felt this should be included in the informational mailer.

The Board also asked Ms. Hutton to have the mailer clarify the issue of expansion. She explained that the Water Commission told her that the current project would allow for expansion to 100 more units (users) so it would cover the planned for 56 additional units. However, the Board felt this could generate an issue because there is a great deal of infrastructure improvement and some might think the current wording is misleading. Therefore it needs to be clarified. Ms. Hutton elaborated that the 56 number comes from the MUD, which was designed to be up to 44 units, and the Best Triangle which is intended up to 12 units. Additional piping would be needed for both of them, but for the MUD the tank will be close to the site and therefore piping will already exist for the project itself. Both developments have substantially been approved by the town already. There was some discussion of how much the town can say about this subject without crossing the threshold of the MGL. Ms. Hutton emphasized how sterile this informational mailer must be to meet the standards of the law.

The Board then noted that what the town is asking for is not permission to construct, but permission to conduct the debt exclusion or in other words set the payments over a certain period of time with consideration of the town's current financial and budgetary constraints. Just to replace the tanks without additional capacity or pipes would be \$600,000. But even at that amount, a debt exclusion would be required. The Board wants the public to understand that no matter what is done, a debt exclusion will be necessary. But if we are going to invest it makes more sense to get a return on investment and build in pipe replacement and possible expansion. The Board also noted that if we went with straight tank replacement, no betterment would be on the table. Ms. Hutton elaborated on the Board's point by using the car analogy noting that if you do a \$50 oil change today you will prevent a \$1,000 bill tomorrow. The tanks will have to be replaced. The pipes might not need to be replaced, but they do not give the capacity that is really needed. And if capacity must be expanded to improve fire suppression coverage and for the public school, capacity must be expanded and if pipe replacement needs to be done, why not expand it to include improved tanks. But limits still apply in what we can say, she noted.

Regional Transportation Plan

There was hope to put the Main Street Repair Project on that plan. In order to do this a letter needs to be sent to NMCOG asking for endorsement and support. Unfortunately, this matter might not end up on the plan until 2017. The Board was not sure whether such a letter has already been sent by Ms. McKenzie or not. Ms. Hutton assured the Board that she would look into the matter further.

Transfers/Advisory

Ms. Hutton started off by noting that things appear to be settled. Indications are that the town underspent its appropriations by about \$180,000. There are some amounts that could in fact support a transfer to free cash for the issue of any outstanding bills of which there were around \$3,000 bills. This comes out of reserve funds. The balance at the moment is \$19,000 with about \$4,000 being authorized to transfer out. This leaves \$16,000. That final amount will fall into the free cash once the Commonwealth certifies later in the year. Ms. Hutton discussed with the Board the snow and ice deficit. She noted that DOR will allow a deficit to carry over the next several years. She also updated the Board on the Advisory Board's determination concerning the best course of action. Advisory intends to bring this issue before a Special Town Meeting, likely after free cash certification in October. Ms. Hutton also noted that in addition we continue to wait to see what FEMA's reimbursement will be. There are a number of things in the pipeline that are coming down that will put

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pressure on the budgets moving forward, so the Board doesn't want to gobble up all the money now, but at the same time there are other considerations. Ultimately, the Board determined it wants to chart a prudent course.

Administrators Report

Ms. Hutton started off her report by discussing with the Board her plans for future Department Heads meetings. From there she pivoted to discussion of the Ford Crown Victoria's that are located behind the Highway Dept. These were originally police cruisers that were transferred to the Highway Dept. for use, but ultimately have ended up sitting unused. With these vehicles is the recently retired Fire Chiefs truck. There is also some old furniture that needs to be disposed of as well. The vehicles and furniture in question are all obsolete at this point in time. The Board discussed how to move forward on disposal, including the Fire Dept.'s request to use the vehicles for Jaws of Life practice before final disposal. The Board asked Ms. Hutton if it could dispose of the vehicles in question as scrap rather than auction them off as the town has done in the past. Ms. Hutton informed the Board that municipal vehicles worth less than \$10,000 under MGL may be declared obsolete and disposed of as junk. The Board determined that they would address this matter further at their next meeting.

From there Ms. Hutton explained her classes for the procurement training. She addressed the matter of how she will get to Boston. She also noted the issue of her budget on memberships in professional associations. She spoke with Ms. McKenzie, who confirmed that the amount for the procurement training was intended to include Ms. Hutton staying in Boston, but she still advised her to run it by the Board. The Board determined that this matter should be formally put on its agenda. Ms. Hutton also noted an association event she cannot attend because it conflicts with the procurement training. She also informed the Board that her membership and dues budget doesn't have enough funds for all of the associations she needs to be a member of. After speaking with the Town Accountant regarding this, she determined that if they combine the funds with what the Board has budgeted there are sufficient funds to cover the dues and membership fees. The Town Accountant has told her that this combination would be permissible. The Board agreed with this solution.

Police Dept. Department Meeting

The Police Dept. will be having a department wide meeting. The intention of this meeting is for the Police Chief to be able to meet with and talk to the whole department. There was some discussion from the Board concerning whether a member of the Board should be present at the meeting, but the matter was not conclusively concluded one way or the other.

Warrant & Minutes

The Board reviewed and signed the vender and payroll warrants. From there the Board turned to minutes. It was determined that the minutes presented to the Board should be tabled until Mr. Leva is present. Mr. Alterisio so moved and was seconded by Mr. Delvin. The motion prevailed and the minutes were tabled until the subsequent meeting.

It was, however, noted by Mr. Alterisio that he will not be present at the next meeting but that he is okay with the Board adopting the minutes presented at this meeting without him if Mr. Leva favors doing so.

A motion to adjourn was made by Mr. Alterisio at 7:04pm. The motion was seconded by Mr. Devlin and passed without objection.

Respectfully submitted by



Jakob K. Hamm
Admin. Assistant to the Selectboard & Town Administrator

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