

Town of *Dunstable* Selectboard
Meeting Minutes
September 2, 2015
Town Hall, Dunstable, MA 01827

Convened: 6:00 pm

Present: Kenneth J. Leva, Walter F. Alterisio, Daniel F. Devlin, members; Tracey Hutton, Town Administrator; Jeffrey Rider, Town Engineer; Fire Chief Brian Rich; Lorraine Leonard, Town Accountant; Dana Metzler, Advisory Board; Robert Nelson, Town Moderator; Joan Simmons, Planning Board; Carol Bacon, Affordable Housing; John Callahan, Safe Pathways

Selectboard Reviewed & Signed the Following:

- Vendor & Payroll Warrants
- Skytop Road Taking

Open Forum

Mr. Leva started the meeting by explaining the public forum, and its purpose. From there, the Board recognized Marie-Ann Durst. Ms. Durst started off by explaining that she is a high school teacher at GDRSD and a Dunstable resident. Currently, she is sitting on a special advisory committee to the School Committee. This subcommittee's focus this year is encouraging students to volunteer in their communities. Unfortunately, while Ms. Durst has found numerous opportunities in the Town of Groton, she has not found comparable opportunities in Dunstable. The opportunities in Groton include helping the Historical Society with research, working with an organization that helps families in emergencies, and other similar programs. It was her hope that the Board could enlighten her of similar opportunities for student volunteerism in Dunstable. The Board responded by noting that there are a number of opportunities in the town including with the Fire Dept., the Council on Aging's Meals on Wheels program, as well as volunteer work that can be done with the Board of Health and the Veterans Services Office. Ms. Durst thanked the Board for their recommendations and agreed to work with entities mentioned. She also agreed to remain in contact with the Board's administrative assistant in case she needed assistance with the aforementioned bodies politic.

Town Engineer

Ms. Hutton started off the discussion by announcing to the Board the dissolution of Cuoco & Cormier, the firm which employed Jeffery Rider the Town Engineer. Thankfully, Mr. Rider was appointed as an individual so for the time being this should not cause any problems with him remaining as Town Engineer until his appointment expires. At this juncture, Ms. Hutton recommended that the Board discuss with Mr. Rider what they expect from him going forward. Mr. Rider then addressed the Board, explaining his firm's disavowal and his intention to maintain his relationship with the town. While on this subject, he explained to the Board that a possible issue could arise in how to maintain the town's relationship with Michelle Stein who was hired as an MS4 permit consultant through Cuoco & Cormier. He urged the Board to pursue a means of retaining her. The Board responded that they want to retain Mr. Rider as Town Engineer, but they stipulated that his fee structure remain within what the town has appropriated for this fiscal year. Mr. Rider responded that he is confident that his fee schedule will be pleasing to the town. The Board also noted that they are fine with retaining Ms. Stein as long as her fee structure remains within the appropriation.

Mr. Rider stated that Ms. Stein's fees would stay the same. From there the Board turned to the issue of the work which was being done by the firm, including drawings, stamps, and other matters. Mr. Rider stated that the electronic files are on his computer and the paper files are under his control as well. He further assured the Board that the town will have access to the documents generated so far. The Board then inquired with Mr. Rider concerning whether he would seek employment at a firm again. Mr. Rider stated that he is talking to various firms, but noted that in so doing he has made it clear to them that he intends to keep Dunstable as a client. He also assured the Board that the MS4 matter will continue to go forward since it is apparent that the town's application for another waiver has been denied. He followed by noting that he will be meeting with Ms.

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Hutton to discuss how to respond to the denial and how to proceed from there. The Board concluded discussion of Mr. Rider's employment status and turned to the issue of the earth removal by-law. Currently Ms. McKenzie has been retained to continue work on this issue with the hope that any proposed changes are ready in time for the special town meeting tentatively scheduled for October.

The Board then discussed with Mr. Rider the Alexander Estates emergency access road. Mr. Rider stated that the road has been designed, and he has discussed with the Planning Board about this. The Planning Board has to release the lots, and he has advised them to how many they may release before the construction of the road. The Board discussed the monitoring of Alexander Estates so far and adherence to the terms agreed to with the town. Chief Rich informed the Board that Planning has indicated to him that no more lots will be released (then have already been released) until the emergency access road has been built. Hopefully addressing the earth removal by-law will help address issues that arose during the approval process for Alexander Estates.

Appointments

Kenneth J. Leva is appointed as the BOS designee to CPC Term Expires: June 30th, 2016
Motion by Mr. Devlin, seconded by Mr. Alterisio, passed without objection

Mary Moeller is appointed to Affordable Housing Term Expires: June 30th, 2016
Motion by Mr. Devlin, seconded by Mr. Alterisio, passed without objection

Gerald Durkin is appointed to the Historical Commission Term Expires: June 30th, 2018
Motion by Mr. Devlin, seconded by Mr. Alterisio, passed without objection

Ronald Lamarre is appointed as a member of the ZBA Term Expires: June 30th, 2020
Motion by Mr. Devlin, seconded by Mr. Alterisio, passed without objection

Discussion with the Accountant Concerning Transfers & Budgeting

The Board started off by discussing the differences between FY appropriations and what is actually spent. This included the moving of money between line items within department budgets. Ms. Leonard joined the discussion by noting that money should only be moved at specific times of the year such as at the Annual Town Meeting in May or at the end of the fiscal year in June via end of year transfers. Otherwise the moving of funds must be moved by a special town meeting. From there the Board noted that the Police Dept. has had an unusual amount of internal line item transfers. Although, the Police Dept. has not overspent its overall budget, the movement is unusual. Ms. Leonard responded that this is indeed unusual. She believes that the budget should be maintained and internal transfers of this sort should be discouraged.

Ms. Hutton informed the Board that she has spoken with the Police Chief and these transfers likely won't occur again. The Board noted that the budget is ultimately under their authority, but they trust that department heads know what they need and should be able to manage their budgets. However, the Board is concerned that they be able to clearly see where money is spent and where funds are needed. These kinds of transfers can make it unclear what parts of the budget need to be prioritized in any department's budget. Ms. Hutton informed the Board that she has spoken with the Auditors and their fee is \$1,000 a day to audit a specific department in the town. The Board feels that such an audit would help them to better understand what is going on. The Board then noted that there has been a high demand on police overtime.

Ms. Hutton explained that she spoke with the Police Chief and part of the issue is the process by which the town allows officers to bid for certain shifts. The Board expressed the opinion that getting a better handle on what is needed and being able to feed this information back into the budget process would help improve budget process and management. The Board discussed the possibility of a department audit. The aim is to ensure sound budget practices. This includes better understanding where money is being spent and how it is being spent. Ms. Hutton advised the Board that at this point in the financial year we may want to wait until the next year's audit to see how things may change. She elaborated about how she's spoken with the Auditors about where to save money, and what best practices to adopt. She feels confident that she and Ms. Leonard will be able to tackle these issues and advised seeing where we are next year.

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Technology

Ms. Hutton started off by summarizing the audio broadcast equipment failure the town experienced. She took steps to immediately address the matter including contacting audio equipment companies for quotes on repairing the system. She also reached out to Charter for help with getting the system back online. Ultimately she was able to procure the correct equipment without having to hire any of the audio companies that responded. Once the sound system was restored she turned to the matter of the visual broadcast equipment. The cameras that have been recommended by various parties are significantly too expensive; therefore she has been researching the available options looking for affordable solutions. While there are some issues with the current camera she expressed confidence that the setup could be made to work for the time being.

Building Numbering Policy & Re-Numbering Alexander Way

Chief Rich started discussion on this topic by elaborating on the history of building numbering in Dunstable. A system was adopted by the Board of Selectmen in 1984, but somewhere in the intervening years that policy was lost. It now appears that in recent years the town has been sort of guessing when assigning numbers. To avoid quarter numbers, half numbers, and so forth, a new policy needs to be adopted and enforced. The policy drafted by the Chief and Ms. Hutton will restore the original policy, but with updates to make it current. The Chief then explained how with Alexander Way, numbers were improperly assigned such that even numbers were on the right and odd numbers on the left. This made it the only street in town that would be numbered that way. He stated unequivocally that a uniformed system is essential for emergency services and strongly urged the Board to adopt the proposed policy and act to renumber Alexander Way. Ms. Hutton then informed the Board that the building numbering by-law gives the authority to the Selectmen to adopt this policy. She also noted that the new policy would require the Assessors to work with the Fire Dept. to conduct the numbering of new buildings going forward. The Board agreed to adopt the policy and to renumber Alexander Way in accordance with it.

A motion was made by Mr. Alterisio to accept the building numbering policy as written and prepared. The motion was seconded by Mr. Devlin, and passed without objection.

A motion was made by Mr. Alterisio to adopt the re-numbering of Alexander Way as recommended by the Fire Chief and in accordance with the newly adopted building numbering policy. The motion was seconded by Mr. Devlin and passed without objection.

Water Election

The Board started off by noting the results of the Special Election held on August 25th, which resulted in a defeat. This defeat means that the town will need to address the needs of the water system and how to move forward in light of events. Ms. Hutton noted that a meeting will be held on September 10th to re-group. The vote was clear and overwhelming in nature, so the Board felt that what the town needs to focus on now is what needs to be done to fix the system and prevent future failure. The Board consensus was that there should be something ready to propose towards this end at the Special Town Meeting so long as Town Counsel confirms that this is permissible. Ms. Hutton informed the Board that she has spoken with Town Counsel and he is doing research but will have more information for the September 10th meeting. The Board explored the topic of having a contingency in place for failure of the system. DEP has stressed that they are not interested in fining communities, but they won't hesitate to fine if they have to. The Board noted that this is not a simple matter of choice, the water system was built and adopted by the town over 90 years ago and the town has a responsibility to prevent failure. Discussion concerning the history of the water system briefly ensued including several projects proposed over the years by the Federal Government and the towns of Tyngsborough and Pepperrell.

Mr. Nelson returned the discussion to why the current proposal failed, commenting that to him the process appeared rushed. He noted that there appeared a lack of clarity for the plans at the Annual Town Meeting and the fact that the town could not give a clear answer on the legalities of a betterment were all issues that likely led to defeat. Mr. Nelson's comments lead to further discussion regarding presentation of the project. It was reiterated that a large part of the problem appeared to be that the public did not fully understand the need for

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the project and while many supported the idea of fixing the system, they didn't appear to agree with the proposed project as it was. This included confusion concerning why the amount was what it was as well as the assessment of a betterment and the need to fix the pipes, add pumps, and increase the capacity of the tanks. The Board responded by noting that this ultimately comes down to the point that more people need to be involved with the process or at the very least give the benefit of the doubt to those who have been involved with researching the problem and how to resolve it.

Fire Communications

Chief Rich started off by explaining the problem. Ever since the Fire Dept.'s repeater was removed from private property emergency response has experienced radio difficulties and there is a considerable lack of coverage. The Chief has worked with Ms. Hutton to address this problem including ordering equipment to address the problem. There is a clear public safety issue here that needs to be resolved. The Board agreed that this is an issue that must be addressed. The Chief then presented several maps that show coverage for radio over the town, and indicated the spots that do not have coverage. The Board inquired as to what repeaters could be obtained that could help improve the situation immediately. There was a question as to how much help could be provided by local towns.

The Chief indicated that unfortunately given the topography of the town, not much. There are several ways to address the need for repeaters. He noted that both Groton and Pepperell are being forced to address similar problems. Part of the issue is the use of bandwidth that is allocated to Fire. The Police don't have this issue because of the type of bandwidth open to them. There was some discussion regarding the alternative of digital equipment. The Chief responded that Nashua recently spent \$4 million going digital. Groton's fix for their system appears to be around \$600,000 plus. The Chief stated he may be able to go to private property owners and try to persuade them to enter into agreements to locate repeaters. The Board indicated they would like to see such arrangements as a short-term solution to solve immediate concerns while also proceeding to work on addressing the long-term issue. The Chief finished by informing the Board that he will continue to look for grants to help pay for this.

Permitting Software

Ms. Hutton started the discussion by explaining to the Board that her researched indicated that Point Software was the cheapest and most appealing solution for the town. She also explained how adopting this software would require changes in the fee structure for inspections. Currently she has a meeting with the inspectors to start talking about how to address the fee structure to pay for the software costs. The budget appears to be there to implement the new system, but the fees will need to be addressed for the future. The software will do a couple of things, including improve customer service and efficiencies. Contractors will be able to apply online, and once the permit is approved the contractors can print their permits offline. They can also submit complaints and other related matters. Ms. Hutton reported that this will also help inspectors to have the ability to sign off permits in the field, and the system will have checks and balances included. So for example, the building inspector won't be able to issue a permit that requires the Fire Chiefs approval without a sign off by the Chief. The need for this was brought forward by the Building Inspector who wants to see this implemented.

Skytop Road Taking

Ms. Hutton presented the Board with the order of taking drawn up by Town Counsel. This is the last step in the process and will be completed by the signing of the Board. The road previously was not made a public way, but the process was started off at the Annual Town Meeting and this is the final step to do it. The Board reviewed and signed the order of taking.

Town Heating System Update

Ms. Hutton started by elaborating where the process is so far on boiler repair project. She has not been able to find a second firm willing to fix the system. A big part of the problem involves a circulator pump that is leaking down on the system, which has caused damage to part of the system. The issue is that if during repair efforts it this component cracks the whole boiler might need to be replaced. Therefore, most of the companies

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have proposed replacing the boiler altogether. Ms. Hutton has worked with the Advisory Board to look at the bids and consider how to move forward. The Advisory Board has proven helpful and supportive in this process and has put this issue on their agenda for their next meeting. Ms. Hutton noted that unfortunately, there are no commercial grants still open for this year. She reported that in light of that she continues to work closely with the Advisory Board to determine the best path forward. Due to the bid process it appears that it will be November before the work can be done. Unfortunately she noted a patch may be required during the interim.

AC System Update

Ms. Hutton turned briefly to the AC issue. She reported that a quote has been given that is favorable and the bid that has come in a little below budget. Advisory has advised waiting until spring to address the AC repairs. This would give the town some time to address the boiler issue first, which is more pressing.

Minutes

The Board noted several changes and modifications that should be made for the two sets of August 12th minutes including some minor changes to the minutes covering the joint meeting with the Roads Commission as well as the minutes covering the subsequent meeting of the Board that same evening.

A motion was made by Mr. Alterisio to the joint meeting minutes of August 12th pending the noted changes. The motion was seconded by Mr. Devlin and the minutes were approved.

A motion was made by Mr. Alterisio to accept the Boards minutes of August 12th pending changes. The motion was seconded by Mr. Devlin and the minutes were approved.

Warrants & Mail

The Board read several items of mail and reviewed and signed the warrants.

Next Meeting

The Board discussed when to schedule its next meeting. The Board had to reschedule its meeting from August 26th and therefore this meeting is out of its normal schedule. Ms. Hutton requested the Board not hold a meeting next week since they will be at the water meeting that is scheduled for the Sept. 10th. She elaborated that doing this would return the Board to its normal meeting cycle. The Board agreed and set its next meeting for Sept. 23rd.

Administrators Report

Ms. Hutton started her report by discussing the proposed Kinder Morgan pipeline. So far only a few communities have signed off on becoming interveners for the pipeline matter and she does not see an immediate benefit in the town becoming an interpleader at this time. From there she informed the Board she is no longer keeping Police Orders on file but instead putting them into the Boards agenda packets for the meetings. She also reported on the Highway Dept.'s purchase of a new truck. They intend to use an existing truck as a trade in and she informed the Board that she will be working with them to ensure the town gets proper value and she has been working with the Advisory Board in regards to this matter as well. Highway will be using Chapter 90 funds. She spoke with the Superintendent about the tri-board meeting. It appears that the school committee only appointed one designee when they needed to appoint two, one from each town. In order to rectify this, the school committee will need to meet again.

A motion to adjourn at 7:37 pm was made by Mr. Alterisio and seconded by Mr. Devlin. It passed unanimously.

Respectfully submitted by

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

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