

Town of *Dunstable* Selectboard
Meeting Minutes
April 6, 2016
Town Hall, Dunstable, MA 01827

Convened: 6:30 pm

Present: Kenneth J. Leva, chair, Daniel F. Devlin, Walter F. Alterisio, member(s); Tracey Hutton, Town Administrator; Brian Rich, Fire Chief; Ron Mikol, Chair, Harold Simmons, Pamela Crocker, Dana Metzler, Amie Stevens, Christine Muir, member(s) Advisory Board; Alan Chaney, Conservation Commission; Dr. Kristen Rodriguez, GDRSD Superintendent; John Callahan, Safe Pathways; Leah Basbanes, Conservation Commission; Bob Nelson, Town Moderator

Selectboard Reviewed & Signed the Following:

- Warrants & Payroll

Open Forum

Mr. Leva briefly explained the purpose of the public forum and went over the Boards agenda which included an appointment to Affordable Housing, the complete streets policy, and a joint session with Advisory Board to review and consider the draft Annual Town Meeting Warrant.

Proceeds for New Scholarship

Mr. Chaney addressed the Board about a scholarship that is supposed to be set up by the proceeds of the sale of a house by a recently deceased citizen. The Board elaborated on the situation. Ms. Hutton aided the Board by explaining that Mr. Larkin has been working on the whole process and the logistics of the matter.

Budget Discussion with Advisory Board

Mr. Mikol started off by explaining the work done as of today on the budget process. He gave credit to Ms. Hutton for all her work on the budget and the warrant. Ms. Hutton thanked Mr. Mikol and elaborated further on the budget and some of the numbers from the Commonwealth that will impact the overall budget. She highlighted some major changes, including fixing how inspectors are compensated, which includes a COLA among other impacts. She then spoke about the override budget which considers the GDRSD budget. From there she elaborated on the various figures and some of the options for the override. Ms. Hutton highlighted various columns in the budget providing information on each and elaborating on how she and the Advisory Board have worked with the numbers. The Board inquired as to several numbers. Ms. Hutton started off with the recommended municipal budget would have a deficit just over \$1.1 million. The current deficit is produced by some school related issues, not just GDRSD, but also Lowell Tech. The Transfer Station is also being brought into the budget and some Personnel Board changes as well. Mr. Metzler noted that most of the deficit is being moved by needs assessment. There was some light discussion regarding Free Cash. The Board noted that Free Cash needs to be considered very carefully in regards to the budget.

Mr. Mikol agreed noting that Free Cash isn't certified until the fall and there is the problematic issue of paying reoccurring expenses with non-reoccurring revenue. The Board agreed that the town must be careful with how it does this and to budget accordingly. There was then some discussion of the schools carry over, and how that impacts the budget. Free Cash may be something to consider, but the figure is always uncertain until it's certain. As the town improves its budgeting, the lower the Free Cash figure will become overtime Mr. Metzler explained. Ms. Hutton noted that she has been working with Advisory Board for weeks on this and they have considered the budget in great depth. She highlighted some things that are important for the Board to consider, including some line items going down and others going up. There was an inquiry into the Transfer Station that cost is the offset between the operating cost and what the Transfer Station generates for itself. Discussion then turned to the Personnel Boards recommendations. Ms. Hutton elaborated on their work on the wage and

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classification scale. The recommendation is to split the cost of what it will take to correct some wages which are lower than they should be over three years. The cost per year is around \$36,000. Eventually the town will need to consider wages again in a number of years, so the ultimate cost is a moving target. Ms. Hutton reminded the Board that what has been presented to them so far is draft and will be refined again soon.

The Board then discussed how this process would work. Employees will get a 2 percent COLA on July 1st. After that the Board would hold the extra funds until they are satisfied with the Personnel Board's work and then make the decision to increase wages to the appropriate amount. Until then, the funds are set aside in the budget. This provoked discussion of Personnel's work to date, and the need for updates of job descriptions, and other related work. Ms. Hutton explained that some movement may occur as well up or down on wages depending on some final work that needs to be done. From there discussion turned back to the override. Ms. Hutton elaborated on discussions she's had with Advisory regarding the override. It may be prudent to split the override up into two or keep it in one. Mr. Metzler explained how the process could work either way. He has some reservations that with two, one could pass and the other fail and this could cause issues. He recommends doing one. The Board generally agreed, noting that Groton has been able to construct a revenue plan to bring down the cost on their end. Ms. Hutton stated she would find out what the number is from her counterpart in Groton. The Board moved the discussion to the possibility of the triggering of a super town meeting between the towns and what impact that would have. The Board does not want to leave Dunstable exposed. Mr. Metzler noted that the municipal side of the budget has grown about \$200,000. If the town cuts, it's not just a trim here or there it is also cutting people. Ms. Hutton noted that the town has already cut back and is lien already.

Cutting further, she stated, could compromise public service. Mr. Metzler noted that some of the driving forces like Veterans benefits are not easily cut, or even possible to cut. This lead to discussion on what would happen if the town had to cut the municipal side. It is important that the general public understand that this isn't something that the town has done to itself, but rather something moved by outside forces like the unfunded mandates of the Commonwealth, especially in the case of the schools. This is not an issue of overspending by the town, but rather the need to respond to what is required. Ms. Hutton noted that the budget does not take into account the Capital Plan. Anything that is done in regards to Capital Planning will have to be taken out of whatever Free Cash ultimately is. She then highlighted a few things that Capital Planning would like to do and what the costs would be. These would include a new voting machine, municipal building evaluations, and feasibility work on future investment in public resources like fire and police. Currently the Highway Dept. has been able to postpone the purchase of a new truck, but this won't last forever. From there Mr. Mikol turned discussion to the framework of the override and the budget. He discussed the Advisory Board's work and what they will have to do if the override fails. In regards to that issue, he explained that the town has been moving towards weaning itself off using Free Cash to balance the budget and has to face the issue of funding for the schools. This provoked some questions regarding the school budget and its certification by the Commonwealth that Dr. Rodriguez answered. From there the Board turned to public questions.

The first question was in regards to whether the town intends to provide more public information sessions (the school has already been doing this). The Board noted that a lot of time has been invested into the process already and Ms. Hutton noted that the law fairly limits what the town can say. Mr. Metzler explained that some questions can be answered in regards to the budget, but the law is tricky around this. The town cannot directly advocate one way or the other. Dr. Rodriguez noted that she has shared her presentation with the Office of Campaign Finance and their work has been approved. The OCF has told them what they can and cannot say and is allowing them to move forward. If there is information on the municipal side that may be of interest, she recommends talking to OCF. Ms. Hutton reminded the Board about the history behind the Water issue and the difficulties the town had in ensuring compliance. There was a follow up question regarding precisely the manner by which the town can educate the public. Ms. Hutton explained that there is a very narrow margin of what can be said and advocated by town officials and all such materials and information would have to be put through Town Counsel. There was some question as to whether handouts and other informative materials may be produced in house. Dr. Rodriguez explained what the School Districts legal counsel has said and what she has learned from OCF. The Board noted that the town has to walk a fine and the materials will have to be rather sterile. This provoked discussion of how to publish and dispense such information. There was then a question regarding the totals for the override. Ms. Hutton and Ms. Muir finished discussion on this topic by elaborating further on the figure.

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Warrant Review with Advisory Board

Ms. Hutton started off by explaining the costs of the various articles. She noted that the reserve fund will need to be increased from years past. Article 9 is a recommendation by Advisory that at the end of the next term of the Town Clerk the position become appointed. Ms. Hutton explained that the warrant is an “all in warrant” and the Board can remove anything from it they think should be removed. The Board expressed some thoughts regarding Article 5 which relates to compensation of the inspectors. Ms. Hutton elaborated on this a bit and explained the article further. The number is just over \$24,000. There will be a catch up because the town is moving them from being paid based on calendar year to fiscal year. Article 7 involves \$20,000 for the Capital Plan. Article 12 involves funds to do design and engineering for safe pathways. Ms. Hutton explained that funding for this is being sought from grants. There was then talk of a proposed article relating to the River Street Survey. There are some carryover funds from the existing budget that could help with the total cost of this. The survey is important to help determine the exact number of acreage. Mr. Chaney elaborated on this and the fact that the land may be greater than the 39 acres the town understood it was acquiring. The Board noted that if the town does anything with this land it will need to be done. Article 9 is the operating budget.

Mr. Metzler questioned if an article will put before the voters regarding a Prop 2 ½ question. Ms. Hutton elaborated on the opinion of legal counsel in regards to this, and how the process will work at town meeting. The Board noted that there is no negotiating the school budget number at town meeting. Ms. Hutton highlighted that the budget will look differently this year and the town will vote this year by line number as opposed to doing each departments budgets. This process will clean up the paperwork. Article 13 relates to the MS4 permit and the funding of consultant work to continue to help the town meet the obligation of the permit. Ms. Hutton feels that the funds being carried over will help keep the cost down for this fiscal year, but in FY18 the number will increase substantially. Article 14 will correct the issue of the Affordable Housing Feasibility Study. Previously the funding for this was specific to the Best Triangle, but the town is now looking at the MUD. Mr. Metzler elaborated on the Affordable Housing issue, noting that he is a member of the Affordable Housing Committee. One of the preferences for MUD is the availability of public water. Article 15 relates to lighting at the library. Previously funds were set aside to design lighting, and have not been spent. These funds have been carried since 2011, and need to be allocated to actually procure fixtures. Article 16 involves authorization of \$150,000 to address a safety ingress egress issue and would be borrowed funds. The cost won't impact the current budget but rather the FY18 budget. Article 17 impacts the lease of Swallow Union School facilities. Article 18 concerns the ratification of the Citizens Energy PILOT. Article 19 is the standard stabilization article. Article 20 creates a new revolving fund for the application fees for the online permitting process for inspections.

Article 21 relates to revolving funds. Article 22 concerns the Transfer Station and transforming it back into being a town department. Article 23 is a Water Enterprise article. Article 24 relates to relates to CPC. Article 25 involves the purchase of a conservation restriction. Article 26 closely relates to 25 and involves Timber Funds. Ms. Hutton noted that there remain some outstanding legal questions that she is working on with town counsel. Article 27 is the acceptance of deeded land in the Alexander Estates development for Open Space. Article 28 relates to the acceptance of a gift of real property (10 acres) from Elizabeth Woods valued at \$50,000 to the town. So far this has been entirely handled by Town Counsel. This property is near Swallow Lane and Main Street according to Mr. Chaney. He noted that it is very close to the Simmons Farm near the little Arch Bridge. Article 29 relates to a Free Cash transfer. Article 30 is to amend the town by-law relating to Town Meetings to allow Town Reports to no longer be delivered by hand but instead be kept at the Town Hall and provide that a postcard be mailed to inform the public of availability. Article 31 relates to the adoption of MGL a number of years ago and relates to the suspending and revocation of licenses where failure to pay has occurred. Article 32 would turn Capital Planning from an ad hoc committee into a proper standing committee. The Board noted some edits that need to be done from the draft on this article.

Article 33 is a stormwater management and erosion control by-law that relates to the MS4 permit. This article will result in a by-law that will be administered by the Planning Board. The by-law won't be particularly expensive to administer. Article 34 is the marijuana dispensary by-law. The zoning hearing has been held by the Planning Board and is something that they have requested. There will be four questions, the override, a debt exclusion on the middle school roof, a similar question regarding the Lowell Tech renovation debt being excluded, and the issue of appointing the Town Clerk. From there the Board turned to what should be

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Budget Burn Rate

The town is now at 75 percent. It is becoming clear now that there will be some things that will happen at the end, but also some things that won't happen. Fire is right where it should be, and the bills are being paid timely. Police are running in their normal range around 67 percent. Spending has been kept where it should, Ms. Hutton noted. There are no glaring problems at this time. Ms. Hutton elaborated on some of the funds not yet spent due to outstanding projects.

Complete Streets Policy

Ms. Hutton brought the Board back to the Complete Streets Policy noting that the Board postponed this matter at the last meeting. She urged action stating that time is running out to adopt this. This policy makes the town eligible for funding and grants that it is not otherwise eligible for. The Board had some questions regarding the policy and implementation. Ms. Hutton elaborated on the benefits of the policy and the related programs for funding. The Board noted that they would like Planning Board to be involved in implementation of this. The Board elaborated on some thoughts about grants. Grants tend to be starter funds to get the town to do something it should be doing, and the town shouldn't overlook the continued cost of whatever the grants are starting.

A motion was made by Mr. Alterisio to approve the Complete Streets Policy as written. The motion was seconded by Mr. Leva and passed without objection.

Administrators Report

Ms. Hutton started off her report by updating on where the town stands regarding Chapter 90 funds. The number will be \$178,744 this year. She also highlighted a cancellation notice for the bond for the earth removal and building of the road for Alexander Way. She is talking to Town Counsel on how to deal with this since the road has not yet been finished and trucks will continue to travel on town roads. Ms. Hutton then discussed the employee evaluation form for her position. She noted that her entire evaluation has to be held in open session rather than in executive session. She asked the Board to think about the goals and objectives they want for the next few years.

Minutes

The Board considered the minutes for March 15th, 21st, and 23rd. There was some discussion of the minutes of March 15th, on the second page, second sentence the word "every" needs to be changed to "ever." With this change the Board favors adoption of those minutes. The minutes from the 21st were drafted by the Advisory Board and the Board favors concurring with those minutes. The minutes from the 23rd, the Board had no changes that should be made (regular meeting minutes). As for the executive session minutes can also be released and should be accepted.

A motion was made by Mr. Alterisio to adopt the minutes for March 15th, with the necessary changes. The motion was seconded by Mr. Devlin and passed without objection.

A motion was made by Mr. Alterisio to concur with the minutes of the Advisory Board from March 21st. The motion was seconded by Mr. Devlin and passed unanimously.

A motion was made by Mr. Alterisio to adopt the minutes from March 23rd for the regular session. The motion was seconded by Mr. Devlin and passed unanimously.

A motion was made by Mr. Alterisio to adopt and release the minutes for the March 23rd executive session now that the matter has been finished. The motion was seconded by Mr. Devlin and passed unanimously.

Warrants & Mail

The Board reviewed their mail and signed the warrants.

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A motion to adjourn was made by Mr. Devlin at 8:15 pm. The motion was seconded by Mr. Alterisio and passed unanimously.

Respectfully submitted by

A handwritten signature in black ink, appearing to read 'Jakob K. Hamm', with a stylized flourish at the end.

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

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