

Town of *Dunstable* Selectboard
Meeting Minutes
August 10, 2016
Town Hall, Dunstable, MA 01827

Convened: 6:30 pm

Present: Daniel F. Devlin, chair, Walter F. Alterisio, Leah D. Basbanes, member(s); Tracey Hutton, Town Administrator; Lieutenant James Dow, Police Department

Selectboard Reviewed & Signed the Following:

- Vendor & Payroll Warrants
- Standard Commonwealth Contracts for Grant Funds
- Proclamations for Ruth L. Tully and James G. Downes III

Open Forum

Mr. Devlin briefly explained the purpose of the public forum and went over the Boards agenda which included two executive sessions, an update from Personnel Board, and discussion of a Department Heads meeting.

Discussion of Department Heads Meeting

The Board held a meeting with Department Heads and the chairs of various committees, boards, and commissions with supervisory roles over town employees. The Board extended thanks for all those involved in the meeting for their attendance and contribution to the ongoing discussion which was illuminating. It appears, coming out of this meeting, that the issue is that employees were not fully part of the development of the Personnel Policy. It appears that over time conflicts between how it is and how it is supposed to be have developed. The Board further noted that some misinformation has spread by rumor and by some jumping to conclusions. The issue of actual versus what is standard practice needs to be addressed. In the past things were agreed upon that made sense at the time and which now need to be looked at. The Board noted that some Department Heads appear to feel that “if it’s not broken, why fix it?” This is problematic because while it may not be broke now, it may lead to liability or problems later. As a result, the Board cannot agree to change nothing. The modern era we live in is one that requires written policies and indemnification. The town must comply with statute, and with the standard practices expected by the Commonwealth.

In the past the town has flown under the radar, and nobody was hurt. But the town is now dealing with some areas that require more of the town. This is not to criticize or single anyone out, but rather to protect the town and move forward in a professional way. It cannot be forgotten that what may appear subtle changes to the Board may not be to employees and that fact must be taken into consideration. This requires a determination of what employees believe they have and determining what is fair and equitable. Ms. Hutton elaborated on the process thus far, the Personnel By-Law and the charge of the Personnel Board. She expressed some concern about the Wage & Classification Chart noting that this has been re-done once (updated from FY15 figures to FY16 figures and some other changes) and re-doing this again will postpone the process for another year and require FY17 figures. Simply put, compiling the data is time intensive. Discussion then turned from Wage & Classification to Job Descriptions.

Ms. Hutton explained the method behind the Job Descriptions. It was decided in the spring that the Personnel Board should review the Job Descriptions. Ms. McKenzie originally drafted them and they were edited and worked on by Ms. Hutton which was done with each employee. Every employee was allowed to suggest changes and make recommendations and the Job Descriptions were then submitted to the Personnel Board. More than half have now been reviewed and approved by the Personnel Board. Discussion turned back to the Wage & Classification Chart and how it came into being. The Personnel Board started off with 18 towns which were whittled down to 9 towns which were then whittled down again to 6 towns. Each town was considered for various factors. There was some discussion of why the 6 towns were picked and whether they

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truly were comparable to the town. Dunstable is unique in many ways and most positions are hard to compare. The best interests of the town and town employees must be considered. Discussion then turned to how to compare and whether the process needs to be re-done. It was concluded that the process has to be completed.

There was some discussion regarding the concern from employees as to the reporting process and who employees report to and how the personnel process will impact this. Ms. Hutton noted that the appointing authorities of each department will remain in their supervisory role and that will not change. She then elaborated on the Wage & Classification Chart and how the chart takes into consideration the issue of employees who hold more than one position. The chart is job specific because while one person may do more than one position, that may not always be the case. This led to some discussion regarding an employee who has brought up the issue of not being compensated for some of the work they do. Ms. Hutton explained the situation and the legal side of the argument as to whether the employee is or is not compensated for the work. The Board noted that this may need to be addressed by figuring out what the standard is for this kind of situation. The Board followed up that the chart needs to be rational and explainable. Discussion then turned to whether there is limit on how many positions a single employee can hold in the town. Ms. Hutton stated that since the town is under 5,000 in population, the law allows the Board to determine what is in the best interest of the town as to how many positions one employee may hold.

The Board turned back to Job Descriptions. Ms. Hutton noted that the Job Descriptions are not written for the particular person in the job but rather for the job itself. It is not, she stated, practical to write it for the particular person. The Board generally agreed and noted that Job Descriptions may be re-written and otherwise modified as necessary. This is essential because jobs may become more complex with time and in the face of growth and change by the town. From there Ms. Hutton turned discussion to the question of liability noting that the town is already not operating in the way Town Counsel recommends on many fronts to prevent liability. This is something that needs to be considered in order to better protect the town. The Board agreed and noted that there needs to be a determination of what needs to be done to move forward with the Job Descriptions in order to finalize any wage increases. From there the town will need to look at the Wage & Classification Chart again. Ms. Hutton responded that the Personnel Board has adjusted employees on the chart in accordance with the Job Descriptions. The next step really is the wage increases and how to go about doing it.

Personal Board Update & Recommendations

Ms. Hutton report that Personnel Board recommends doing the wage increases over a multiyear time period. Advisory Board recommends that time period be a 3-year time frame. Ms. Hutton noted that re-doing the chart again now will require postponing wage increases. There was then some ensuing discussion of benefits and how to determine what is fair. Ms. Hutton informed the Board of the importance of the changes on fronts like overtime. Currently the Highway Dept. has an overtime policy of its own that Town Counsel is not entirely in favor of for multiple reasons. These kinds of issues need to be addressed. Ms. Hutton then highlighted some changes that have been made to the draft policy at the request of employees. She also noted that the first year will be made flexible to move employees from past practices to the new policy.

All of the concerns which have been brought up have to a degree been addressed. While some fundamental issues remain to be worked out, many have been. Ms. Hutton stated that she feels that the Personnel Board is on the home stretch and that they should be allowed to finish. This simply means that they make their presentation to the Board and then the Board must do its due diligence. The Board agreed and determined that would be the best path forward. It was then noted that the Personnel Board was supposed to meet this past Tuesday, August 9th; however, Ms. Hutton reported the lack of a quorum forced the meeting to be canceled. Ms. Hutton had hoped to have things settled with the Personnel Board by August 24th. As a result of the lack of quorum she is taking steps to schedule another meeting for which a quorum will be assured.

GDRSD Sustainability Advisory Committee

Ms. Hutton reminded the Board that a Selectmen's representative or designees for the schools Sustainability Committee needs to be chosen. The meetings for this committee will be 3 hours long and will start early in the mornings on week days at the Prescott Building in Groton. This committee will require a great deal of time investment so any choice should be willing and able to make the commitment. Ms. Hutton reported that she
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has spoken with the chair of the Advisory Board about this. It appears that the committee was set up to work for Groton and the school district without any input as to what would work schedule wise for Dunstable. The Advisory Board in particular has had difficulty determining who should represent them because of the time commitment and hours for meetings.

The Board then turned discussion to the fact that so often the school's processes are to determine what works for Groton and then inform Dunstable. Sustainability appears to be all about what is sustainable for Groton not what is sustainable for Dunstable. The Board would like to see transparency, and a consideration of what is sustainable for both towns. Prop 2 ½ must be considered as part of this calculus. Otherwise the communities need to reach out to the Commonwealth to address the issues of unfunded mandates and the sustainability of funding schools. Groton has demonstrated that they can act outside of the Prop 2 ½ world when it comes to school district funding. Dunstable doesn't have those resources. Ms. Hutton agreed to discuss the committee further with the Superintendent as to what sustainability means and what the real goals of the committee are.

Lease of Real Property – Swallow Union School

Ms. Hutton provided the Board with a draft of the new Swallow Union Lease. Assuming the document is acceptable to the Board, the town may move forward by providing it to the School Committee for their consideration. The Board noted that it has been discussed in the past for a bifurcation of the lease. It is possible that the school district will determine in the future that they do not need use of the Union School Building and therefore it might make sense to have separate leases. Ms. Hutton agreed to consult Town Counsel as to the possibility of having a lease that has a provision allowing termination specifically of the Union Building should the district determine it doesn't need use of it.

Appointments

A motion was made by Ms. Basbanes to approve the annual appointments as presented. The motion was seconded by Mr. Devlin and passed unanimously.

Annual Appointments 2016 – Three Year Term

Donna Stram – Cultural Council

Timothy P. Joyce – Historical Commission

Annual Appointments 2016 – Five Year Term

Brian Locapo – Recreation Commission

Town Property Use Request

A request for use of the Town Common was made by Jennifer Dinneen on behalf of the Swallow Union Elementary School Alliance of Parents & Teachers on October 15th, 2016. The Board had no objections to the application.

A motion was made by Mr. Alterisio to approve the application for use of the Town Common. The motion was seconded by Ms. Basbanes and passed without objection.

Administrators Report

Ms. Hutton started off by reporting that the police cruiser that the town was planning on leasing had to be put out to bid. The bids are due back on the 24th of August. They will be opened at 4:00 pm on that date. The Board asked some questions about the bidding process which Ms. Hutton answered. She explained how the process works and what the law requires. Part of the problem under MGL is that municipalities don't typically lease cruisers. This cruiser is a bridge. Starting in FY18 the town will start purchasing cruisers. The Board inquired as to how long cruisers last. Lt. Dow responded that it's about 3 years. The cruisers will be on a rotation and used as trade in's when a new one is purchased. She then reported that the most recent procurement bulletin has caused the town to determine that Deputy Tax Collection must be put out to bid. The Deputy Collector collects excise bills once past due. This is usually done by a company that is hired for the purpose. The contract the town has with its existing Deputy Collector is indefinite and therefore not legal. So that has to be addressed. From there Ms. Hutton updated the Board on the technology situation. The town will be moving to a new email host. She then noted some grants that the Fire Dept. has obtained.

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She then informed the Board that on Wednesday, August 17th, some of the town offices will be closed for training. These are the Selectmen's Office, the Town Administrators Office, the Clerk's Office, and the Treasurer/Collectors Office. The Board had no objections noting the importance of training for all of these positions. From there Ms. Hutton turned to the matter of the Police and Fire Dept.'s being offered a used bus from Groton. It would be used for storage purposes. Lt. Dow explained and elaborated on how many things are stored currently. Cones, signs, and other materials are stored in a trailer and there are limits to this. Storing them in the bus would actually work rather well. There is no cost to Dunstable except insurance. Ms. Hutton noted the cost is about \$600 a year and both Police and Fire will be able to split the cost. Lt. Dow noted that if the bus doesn't work they won't take it. But if it does it can actually be of benefit to the town. The bus has lights and a siren. The only thing it doesn't have is a radio; however, the Police Dept. has a spare radio that could be used. Other possible uses for the bus were discussed and several scenarios' that could arise. The Board determined that there was little risk in considering the matter and moving forward.

Ms. Hutton and Lt. Dow then turned discussion to sponsoring an officer to the Police Academy. The person in question has expressed a desire to go, but should he not, he intends to join the Marines. Lt. Dow would like to retain this person for the Dunstable Police Dept. He is currently in a part time role and has been in that role for 5 years. The Board was in favor of the sponsoring on Lt. Dow's recommendation. There was a question of what sponsoring means and Lt. Dow elaborated on it. In this situation the person in question will pay for the academy themselves rather than the town. Lt. Dow has spoken with Chief Downes and he has no objections to the recommendation. The Board determined that the town should sponsor this person to the academy, but the Board asked that they appear before the Board for a meet and greet. Lt. Dow then turned discussion to his vacation. Chief Downes will be available during the Lieutenant's absence should the Department need him.

Proclamations

The Board signed proclamations for Ruth L. Tully and James G. Downes III in recognition of their years of service to the town. It was determined that the proclamations would be presented to each individual at their respective retirement parties.

Minutes

The Board considered the minutes for July 27th, 2016.

A motion to accept the minutes as drafted was made by Mr. Alterisio. The motion was seconded by Mr. Devlin and passed unanimously.

Warrants & Mail

The Board reviewed the vender and payroll warrants and went through their mail.

Executive Session

Walter F. Alterisio made a motion to enter Executive Session for Contract Negotiations with Non-Union Personnel in accordance with MGL Chapter 30A §21(a)2, and with the intention not to return to ordinary session afterwards. The motion was seconded by Leah D. Basbanes. The motion was adopted without unanimously by Daniel F. Devlin, Walter F. Alterisio, and Leah D. Basbanes.

The Board entered into Executive Session at 7:46 pm

A motion to adjourn was made by Ms. Basbanes at 8:34 pm. The motion was seconded by Mr. Alterisio and passed without objection.

Respectfully submitted by

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

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