

Town of *Dunstable* Selectboard
Meeting Minutes
September 7, 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; James Dow, Interim Chief of Police; David Lockwood and Judy Houle, TMSolution; Joe Dean, Veterans Agent; Jennifer McKenzie and Stephanie Cronin, Dunstable GDRSD School Committee members; Susan Prescott; Alan Chaney, Conservation Commission

Selectboard Reviewed & Signed the Following:

- Vendor & Payroll Warrants

Open Forum

Mr. Devlin briefly explained the purpose of the public forum and went over the Boards agenda which included appointments, approval of a job description, a presentation from TMSolution, Inc., and a use of town property request.

Presentation from TMSolution

Ms. Hutton introduced Mr. Lockwood and Dr. Houle to present the results of their study on the possible withdrawal of Dunstable from GDRSD. Mr. Lockwood explained that the study is intended to present the pros and cons of de-regionalization. TMSolution takes no position on whether Dunstable should or should not leave the school district. Mr. Lockwood then explained his experience, education, and knowledge. Dr. Houle followed suit noting her numerous positions including as a professor and former Superintendent. Mr. Lockwood then highlighted several parts of the study in order to start the discussion. The Board inquired as to some of the student population questions and some financials. Dr. Houle responded by that Dunstable's situation is not unusual in the Commonwealth. There has been a greater exercising of options for education from charter schools to private schooling to various forms of school choice. What the declining population says for financials is on the side of the Commonwealth and how they calculate. Dr. Houle then explained what goes into those calculations and the function of Chapter 70.

Dr. Houle explained that the General Court has tried to keep pace with factors like enrollment and other costs which go into school districts like infrastructure and healthcare costs. Numerous hearings and tours have been done across the Commonwealth, but unfortunately, few changes have been made to Chapter 70 which is still true to its 1993 formula. The Board noted that the study shows a decrease from 2013 to 2017 of 17.5 percent¹. This percentage covers, Dr. Houle noted, only Dunstable's students. It costs roughly the same amount of money to teach 10 children as it would 14. So enrollment numbers cannot be considered in a vacuum for the reduction of costs. From 2010 to present there is a population of roughly 18.7 percent². The Board noted the assessment ratio is currently 77/23 which floats based on student enrollment. The new agreement for the regional district agreement would look at things on a five-year span. Mr. Lockwood clarified how the proportioning of the costs would usually be undertaken and how over time such formulas can become skewed.

The Board then inquired as to the origins of some of the data. Dr. Houle explained that the data is mostly from the Commonwealth. Mr. Lockwood made some clarifications on the numbers noting that the numbers regarding student enrollment are based on actual student enrollment of Dunstable students in GDRSD. He noted that the trend that appears to be occurring is enrollment is declining from Dunstable. If the number

¹ This figure originates from the TMSolution withdrawal preliminary feasibility study which may be found on the town's website by going to the home page and selecting Departments, then selecting Schools. The study is linked under the heading of "additional links" on the Schools page. This figure and related figures should be taken into context with this study.

² Supra, see above note

declines, the Chapter 70 number would also potentially decrease. The formula that dictates what the state aid will be is tied to enrollment. There was some brief discussion of the withdrawal process for de-regionalization with the Board noting that the decision would be the voters. That process would have to start at a Town Meeting and then go to a ballot. Discussion then turned back to the issue of funding from the Commonwealth. Dr. Houle responded that the Commonwealth has not addressed the matter in the FY17 budget. Mr. Lockwood explained how minimum contribution is calculated. This covers requirements for the minimum education. Due to unfunded mandates, the minimum is mostly a maximum for most. What is deemed adequate in one community may not be considered adequate in another. So there is a level of subjectivity to the process. While enrollment has gone down, spending is up. The Board inquired as to whether the town spends more than the minimum. Dr. Houle responded that the town is above the minimum. Ms. McKenzie noted that the School Committee has done an analysis that determined the spending is only a few percentage points above the minimum. Mr. Lockwood reminded that the minimum is mostly the norm in most communities. The Board asked as to why the increases have been as much as 6 percent. Dr. Houle responded that this is a question that would require additional analysis beyond the study's scope. Mr. Lockwood turned discussion to what the costs would be if the town left the district. He stated that initially the costs would increase. This would include re-negotiating bargaining unit contracts and higher transportation costs. The town would need to anticipate this. Some areas would likely stay the same, but would be costlier since Dunstable would be paying on its own.

This would include the cost of a superintendent. He then noted how some regionalization components would impact cost if established. In order to really understand the costs, the town would need to have an in-depth financial analysis. Dr. Houle then turned discussion to some of the options available to the town including joining another school district, joining an education collaborative, and other cooperative steps that could be taken to mitigate costs. The Board noted that the value of the study is how informative it is for presenting the matter clearly and objectively. The Board then discussed some of the reasons for why the decision was made to commission the study, noting that the matter was triggered mostly due to the financial costs of the current district and the recent budget problems that have ensued. It is important for the public to understand what the available options are and the accompanying costs. Dr. Houle turned discussion to the capacity of the town to maintain the current level of education quality. She noted Boxborough as an example of what could be done. Some components could be done by the town, such as pre-k to fifth grade with regionalization for grades six through twelve. There was then discussion of the financial resources of the town and the ensuing limits.

The Board then turned to the capacity of the town to pay and the fact that Dunstable cannot compete with Groton. Currently 60 percent of households in Dunstable do not send children to GDRSD. Out of fairness these households must understand what they are paying for and why. This study helps the town to understand what the options are and what must be considered. Mr. Lockwood stated that should the town choose to leave the district; the process will take several years. Therefore, the next few school years will remain unchanged cost wise. There are a number of different ways to tackle this and the public must consider the options. But once the choice has been made, the options will be dictated by regulations and agreements. Discussion turned to the matter of re-negotiating parts of the regional agreement. The Board noted that Groton is not interested in substantially modifying the agreement. In the past, regional school districts were to some extent the hot topic of their day. The Commonwealth put in place many incentives for towns to seek regionalization which have since faded away. When the GDRSD agreement was signed in the 60's there were significant advantages to the district. Starting in the 70's things began to change, and by the 90's those changes became dramatic.

Mr. Lockwood turned discussion back to the costs of what withdrawal would mean. This includes various funding sources that may become unavailable to the town, and others that could become available. Some are grant funds, others are entitlement related, and some are pure aid. The town must also consider the issue of school choice, where parents can move their children elsewhere, and much of the funding provided per pupil follows them. Therefore, it is important that the people in the district be interested in what is being provided. Additionally, what windfall does the current district receive from school choice students who are coming into the district. This must be considered. Leaving will require creativity, so perhaps would staying. The Board stressed that viability has to be at the core of the decision. Dr. Houle reminded that this process is governed in no small part by DESE. Whatever is proposed must be ready to withstand the scrutiny that would result. She also noted that education is labor intensive. There was then some ensuing discussion as to how much is spent on labor. Mr. Lockwood noted that 70 to 80 percent spent on labor is not unusual.

Approved and adopted on 9/21/16

Ms. Cronin made some comments about the study, including some areas she was concerned about including state aid through Chapter 70. Currently the Commonwealth holds the district “harmless” and any concrete change could impact that. Ms. McKenzie noted that the district is unique in what it gets for Chapter 70, and expressed concern about what withdrawal would mean. Mr. Lockwood responded by noting that the school district is viewed independently and subject to different rules than a town school system would, with one of the biggest such differences being transportation. As such the math is really different between town school systems and regional school districts. Mr. Lockwood then noted some ways that comparisons could be made to see what the math would look like for the town on its own as compared to the regional district. The Board stressed the fact that there has to be community buy-in, in essence an understanding of what the costs will be and a commitment to the choice made. Mr. Lockwood suggested that instead of giving purely numbers, since those can be rather subjective depending on what the course chosen is, other factors should be considered such as what the quality of education should be. Ms. Prescott noted some of the community related problems such as volunteering and even fielding candidates for the school committee.

Mr. Dean inquired about what the cost range would be. Dr. Houle responded explaining how a range could be established. This would require generating multiple options for consideration. Small districts face challenges that regional and bigger school districts don't. This includes everything from staffing costs to building costs to special education. Mr. Lockwood noted that if Dunstable left the district, it would not be the only community impacted. Groton would face challenges as well. Mr. Lockwood further stated that the responsibility of the school is to provide the most educationally sound budget possible. This unfortunately can result in situations where the communities involved find it difficult to pay. Ms. McKenzie reminded that in order to withdrawal, not only would Dunstable have to vote, but so would Groton, and then DESE would have to sign off. Mr. Lockwood responded that it is not impossible to leave a district, but it certainly isn't easy. Ms. Cronin inquired as to what the next steps are. The Board responded that really, the next step is to make the study and related information available to the public. There was then some discussion of how to present the matter.

Dr. Houle noted that the study provides three options with pros and cons. The question to the public then becomes, “what do you think?” The Board stated that the public is interested in sustainability. The consensus appears to be that we are getting a quality education. It is the cost that has become a concern. Dr. Houle responded noting ways that the existing district might be able to save money giving several examples of what other districts have done. Mr. Lockwood followed up with several examples and suggested that both communities consider how to reduce costs together. Ms. McKenzie then highlighted several steps already being taken by the School Committee to find cost savings. Ms. Prescott inquired with the Board as to how many residents have expressed interest in de-regionalization. The Board responded that this is not an actual proposal to de-regionalize and that this study is a matter of due diligence of addressing recent budget problems faced by the town due to the expanding needs of the school district. The Board then finished by thanking Mr. Lockwood and Dr. Houle for their work.

Approval of Custodian Job Description & Hire

Ms. Hutton updated the Board on the job description which was previously approved by the Personnel Board. This updated description incorporates the recycling and trash custodian's duties back into the Town Hall custodian's job description. Previously the town had a custodian for cleaning the Town Hall and a custodian for trash and recycling. Since Mr. Debreceni, the Trash & Recycling Custodian has agreed to take on the position of Town Hall Custodian, it is no longer necessary to have a bifurcation. Since the combination of the two positions as one was the original intent of the Personnel Board, Ms. Hutton asks the Board to approve the job description. The Board saw no reason not to take action.

A motion was made by Mr. Alterisio to approve the job description and hire. The motion was seconded by Ms. Basbanes and passed unanimously.

Spending from Wetland Protection Act Fund

Ms. Hutton reported that the Conservation Commission is requesting permission to spend \$123 from the Wetlands Protection Act Fund for signage to be placed at the entrance of Flat Rock Rd. The signage would be to indicate prohibited use. The Board saw no reason not to authorize the expenditure as requested.

Approved and adopted on 9/21/16

A motion was made by Mr. Alterisio to approve the expenditure as requested. The motion was seconded by Mr. Devlin and passed by majority vote with Ms. Basbanes abstaining.

135 Pleasant Street

Ms. Hutton updated the Board on where things stand regarding this matter. Due to a perceived lack of action on the part of the town and more specifically the Zoning Enforcement Officer, Joe Dean in his capacity as a private citizen and neighbor to the 135 Pleasant Street property is requesting the Board look into the matter and consider taking action. Ms. Hutton informed the Board that she invited the Zoning Enforcement Officer to attend the meeting, but did not hear from him. The Board inquired what the next step to be taken. Ms. Hutton reported that the next step must be taken by the Zoning Enforcement Officer. Mr. Dean informed the Board of the history of the process and what has happened. There was a court case but unfortunately due to the Zoning Enforcement Officer missing the hearing the case was dismissed. This dismissal occurred over a year ago.

In the meantime, the problem has persisted. Debris have been built up in excess of 15 feet, and includes tree stumps, granite, and other similar items. Commercial equipment is also being stored. The owner of the property does not appear to live there anymore, and the property is being rented. But it is not the renter that is responsible for the materials and equipment in question. Mr. Dean would like to see the property restored to its state prior to the start of this problem. The Board discussed the available options and how to proceed. Ms. Hutton agreed to consult with Town Counsel. Mr. Dean noted that a cease and desist letter was sent several months ago, but the offender has not desisted, and no further action has been taken by the town. Ms. Hutton agreed to keep Mr. Dean informed as to the progress made and the next steps to be taken.

Veterans Agent Report

Mr. Dean gave a report on where his office stands. He has seen a considerable increase in support for veterans. In the process he explained some of the relevant MGL and the costs to the town. The Board thanked Mr. Dean for his work.

Personnel Board Update & Membership

Ms. Hutton updated the Board on the situation with the Personnel Board. Unfortunately, the Personnel Board has been forced to cancel its last two meetings, the most recent of which was due to a medical issue with one of the members. Personnel Board is a 5-member board that currently only has 4 members, two of which are dealing with personal or family medical issues. As a result, scheduling meetings with the appropriate quorum has become very difficult. Ms. Hutton requested the Board consider appointing a fifth member. She reminded the Board that Personnel Board requires a substantial time commitment and members must be capable of being fair and decisive. Ms. Hutton also noted that she expects two more vacancies to result in the near future. The Board considered several people and made a few recommendations for Ms. Hutton to follow up on. From there the Board discussed the adoption of job descriptions and the need for the Personnel Board to meet again to consider if any of the work done needs to be re-done.

Appointments & Resignations

Ms. Hutton started off by reporting to the Board that a resignation has been received from Anthony Lively on the Capital Planning Committee. Ms. Hutton requests the Board fill the resulting vacancy by appointing Kieran Meehan. Ms. Hutton then updated the Board on two vacancies on the Zoning Board of Appeals and requested the Board appoint Nancy Chaney and Nathaniel St. Jean as full members reporting that she has consulted with ZBA as to their appointments and ZBA had no objections. Ms. Chaney was a full member until she decided not to seek re-appointment in June, and has since changed her mind. The Board thanked Mr. Lively for his service and having no objections to any of the requests determined to appoint.

Kieran Meehan is appointed as a member for Capital Planning Term Expires: June 30th, 2017
Motion by Ms. Basbanes, seconded by Mr. Alterisio, passed without objection

Approved and adopted on 9/21/16

Nancy Chaney is appointed as a full member for the ZBA Term Expires: June 30th, 2018
Motion by Ms. Basbanes, seconded by Mr. Alterisio, passed without objection

Nathaniel St. Jean is appointed as a full member for the ZBA Term Expires: June 30th, 2021
Motion by Ms. Basbanes, seconded by Mr. Alterisio, passed without objection

Administrators Report

Ms. Hutton started off by informing the Board that she will see to it that the de-regionalization study is put on the website for citizens to review. From there she discussed the work done by staff to work with Trinity Ambulance and the Town of Tyngsborough. What is being proposed is a 6-month agreement to stay with Trinity that can be voided if Tyngsborough accepts Dunstable into its system. Using Trinity will extend response times by 3-5 minutes. The recommendation is to go with Trinity for a while until a possible agreement with Tyngsborough might be agreed to. There was some discussion of what other towns in the region are doing and the various competitors to Trinity. The Board inquired whether the option of working closer with Groton has been considered. Ms. Hutton responded that Groton has been considered and so has Pepperell. She promised more detail on the topic at the Board's next meeting.

There was some inquiry as to any partnership with Nashua. Chief Dow responded that while there is a close relationship with Nashua in many areas, there are some concerns about crossing the state line. Ms. Hutton turned discussion to the incident of a dog bite in the Town Hall. The injured party has requested the Board consider adopting a policy of only allowing service dogs in the Town Hall. The Board asked Ms. Hutton to discuss the matter of a policy and its necessity with Town Counsel. Ms. Hutton then turned to the issue of the School Committees sustainability subcommittee. It has been proposed that the Board send the Town Accountant as an interim representative along with the Town Administrator. The Board was agreeable assuming the Town Accountant is interested. Ms. Hutton stated she is the one who made the suggestion. The Board determined that this plan should be implemented.

Town Property Use Request

An application by the Swallow Union Association of Parents & Teachers to use the Town Common for a back to school picnic has been received. Ms. Hutton noted that the date in consideration is September 16th, 2016 and the APT has already spoken with the Police Department and scheduled a Police Officer to direct traffic for the event. The Board had no objections and determined to approve the application.

A motion was made by Mr. Alterisio to approve the application by the Swallow Union APT for use of the Town Common for a Back to School Picnic on September 16th, 2016. The motion was seconded by Ms. Basbanes and passed unanimously.

Minutes

The Board considered the minutes for August 24th, 2016. Seeing no necessary corrections or changes the Board resolved to approve the minutes.

A motion was made by Ms. Basbanes to approve the minutes of August 24th, 2016 as written and presented. The motion was seconded by Mr. Alterisio and passed without objection.

Warrants & Mail

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

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

Approved and adopted on 9/21/16

Respectfully submitted by

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

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

Approved and adopted on 9/21/16