

**Town of *Dunstable* Selectboard**  
**Meeting Minutes**  
**October 19, 2016**  
**Town Hall, Dunstable, MA 01827**

**Convened:** 6:30 pm

**Present:** Daniel F. Devlin, chair, Walter F. Alterisio, member(s); Tracey Hutton, Town Administrator; James Dow, Interim Chief of Police; John and Tina Livingston, Lower Dam Way

**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 a banner request, consideration of a drainage easement for Alexander Estates, the Environmental Notification for Bear Hill Estates, and an update on 10 Lake Circle.

**Alexander Estates Drainage Easement**

Ms. Hutton reported to the Board that an easement, as part of the development process, has been proposed for the purposes of drainage. Such an easement must be accepted by the Board of Selectmen and the Board of Road Commissioners. The Commissioners have already discussed the matter and are not opposed and the language in the proposed easement has already been approved by Town Counsel. The Board saw no reason not to accept the easement.

A motion was made by Mr. Alterisio to execute the easement. The motion was seconded by Mr. Devlin and passed without objection.

**Bear Hill Estates**

Ms. Hutton reported that a copy of a document entitled “*Estimated and/or Priority Habitat of State-Listed Rare Species for the Blanding’s Turtle*” has been received. The purpose of the document provided is to demonstrate to the Commonwealth that a conventional subdivision would do more damage to the turtle than the Open Space version approved by the Planning Board. The goal is to prove that the cluster subdivision is less damaging to the turtle than a normal subdivision. Ms. Hutton noted that Ms. Basbanes has already reviewed this document and is aware of the matter from her capacity on Conservation. It was then noted that the property is 35 acres total and each lot would be under 2 acres. The Board inquired about whether the Planning Board has reviewed the document. Ms. Hutton responded that she believes they have. She further elaborated on how the various committees, boards, and commissions relating to development have made a great effort to work together. Roads has even made some proposed modifications to Planning Boards regulations to help maintain this cooperation and smooth the process. There was some ensuing discussion of the volume of cars that would travel on the connecting roads and the fact that many developments are occurring in that area of town. Ms. Hutton promised to talk to the Roads Commission about the road and any possible solutions or modifications that could be made. She then finished by noting that the document, which is substantial, is available in her office for review.

**10 Lake Circle**

Ms. Hutton started off by reminding the Board of the complaint that was previously brought to the Board’s attention at a prior meeting. She has responded to the complaint and worked with the Inspections Department to address the matter. Since the complaint the Building Inspector has gone out to inspect the property. The building appears in conformity with the plans submitted to and approved by his office. Ms. Hutton further reported that she has spoken with the property owners and does not see what further action the Board may take  
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at this time. Mr. Livingston responded with the claiming that the plan that was followed was not the one submitted to, and approved by, the ZBA. He further alleged that the septic design was also changed. Ms. Hutton responded by citing the ZBA decision and their requirement that the plan be submitted to the Zoning Enforcement Officer and which was done as required. There was some ensuing discussion of changes concerning the elevation. Ms. Livingston provided the Board with a copy of the decision rendered by the mediation between them and the property owner. Ms. Hutton then elaborated on the plan and its approval, how the process got to where it is. This included some of the issues that came before the Board of Health involving the septic.

Mr. Livingston responded that he has spoken to legal counsel and has been assured that any changes to the plan required a return to the ZBA. He further stated he would consider litigation against the town. The Board stated that they do not have the authority to act upon this directly; rather it remains a ZBA and Planning Board matter. The Board did, however, assure the Livingstons that they are doing what they can to sort the matter out and bring it to the attention of the appropriate parties. The Livingstons again took the position that the plans submitted to the ZBA are different than those submitted after the ZBA's decision. The Board was troubled by this, but stated that the ZBA would be the proper authority with an appeals process to the Commonwealth from there. Ms. Hutton stated that according to Town Counsel, for this matter to go back to ZBA there must be an administrative appeal of the Zoning Enforcement Officers approval of the plan. Mr. Livingston again alleged that the plans he saw, and has a copy of, are not the same as the ones that were filed with the Zoning Enforcement Officer. The Board responded by again stressing that it does not have the direct authority to act upon this, but offered the help of staff to resolve the matter as well as the relevant bodies which do have direct authority on this matter. Mr. Livingston stated he has already sent a letter on advice of counsel to the Zoning Enforcement Officer regarding the matter. Ms. Hutton informed Mr. Livingston that she would help him obtain the appropriate paperwork to bring the matter back to the ZBA.

### **Appointments**

The Board made an inquiry about a vacancy among the Commissioners of Trust Funds. There are supposed to be three Commissioners, but there are currently only two Commissioners serving. Ms. Hutton reported that she has not yet had an opportunity to address the subject and find a candidate. Discussion then turned to, and quickly concluded on, the matter of the new scholarship fund that will be handled by the Commissioners of Trust Funds.

### **Banner Application**

Ms. Hutton reported to the Board that a request for approval to hang a banner across Main Street has been received from the Groton Community School. The purpose of the banner is to promote the Groton Community Home Tour which is a self-guided tour of unique homes in Groton and the surrounding communities. The banner would hang from October 30<sup>th</sup>, 2016 until November 11<sup>th</sup>, 2016. The Groton Community School has been made aware of the fact that they will need to arrange for someone with the appropriate equipment to hang the banner assuming the Board approves it. The Board saw no reason not to approve the banner. There was some related discussion of the responsibility for hanging banners, and ways that banners could be hung in the future. A pulley system or flag pole like system was proposed. Ms. Hutton stated she would speak with the Highway Department and the Road Commissioners.

A motion to approve the application was made by Mr. Alterisio. The motion was seconded by Mr. Devlin and passed without objection.

### **Update on Administrative Support for Inspectional Services**

The Board inquired as to how things are going since the change in secretarial support. Ms. Hutton reported that the change has been in effect for 3 days and things are going okay so far. Training has been completed, and while there have been a few flustered moments, things are going well. She then updated on some of the discussions she's had with the software company to improve the system as well as the work she's done with the Inspectors. The Inspectors have met with the new person and discussed the particulars of each area of inspections. From there Ms. Hutton turned to reporting on the ways the town continues to pursue to the ability

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to have payments be done online, so contractors can fill out and apply for the permits and make the payments immediately. She reported that while some contractors have had trouble, those that do are mostly those that are less tech savvy or do not have emails. So far every effort has been made to help assist them whether over the phone or in person to get through the process. The Board was pleased with developments so far, but noted that this is a high visibility area with the public and it is important to get it right. There was some discussion of protocol for calling out Inspectors in emergency situations which Ms. Hutton noted has been previously discussed.

### **Regional Dispatch**

It was noted that Dunstable is part of a regional dispatch with Groton. There are certain things that come from being involved in a regional dispatch, including some sums of money for equipment. Ms. Hutton reported that she has spoken with Groton and highlighted the fact that the fees for the dispatch will not go up next year. Chief Dow elaborated on some of the grant monies already being used. He further noted that Groton intends to bring in another town, which will increase the monies available to the regional dispatch. In fact, the town already qualifies for some sums that may help in the improvement of radio connectivity for the Fire Department. Chief Dow further noted that Chief Palma in Groton is fully supportive of improving the radio communication issue. He then elaborated on other ways the town can access funds and what the town can do in the future and noted some mistakes made by other communities that the town has avoided and what the difference was that made Dunstable and Groton successful. A big part of the success may be chalked up to the towns being flexible and willing to work out problems. There was some concern about the plan to bring on a third town but Chief Dow expressed confidence that the challenges posed can be handled.

### **Current Budget Expenditures & Related Discussion**

The Board discussed the current state of the budget and the funds that have been expended. Ms. Hutton elaborated on some of the condensing of accounts noting that when Advisory Board looks at the budget there will be some changes. Over the years the town has developed a lot of small accounts or line items in various departments. A good example of this is the Police Department. Recently Ms. Hutton has met with the Interim Chief of Police and the Town Accountant to address consolidating some of the accounts that the Police Department has. Ms. Hutton stated that there is no need to have an account for \$100 or to have three different communication accounts, noting that while some accounts have to stay such as dispatch, others can be consolidated. She noted that it is the three biggest departments that have a lot of accounts and line items in particular, and those are the ones she's focused on. There was some discussion of other departments including a question regarding Inspections.

Last year, just with accounts that the Board monitors, the town came under what was appropriate. The Board doesn't advocate that figures ought to always be less than what is allocated, since prudent budgeting should be for what a department truly needs, but the town has done a good job of finding efficiencies. Ms. Hutton noted that this fiscal year's budget should be tighter, so finding any efficiencies to save funds allocated will be far more challenging. Discussion then moved to areas where the town has had to postpone decisions to save funds. This includes the matter of the boiler, where the town decided to postpone replacement of the boiler in favor of repairs to keep the boiler going. This unfortunately led to a day where the Town Hall was unusually cold, but Ms. Hutton noted that was prior to the time frame where the Commonwealth requires the building be at 66° Fahrenheit. In the meantime, the boiler was repaired for \$6,000 rather than replaced for \$50,000. The boiler will need to be replaced in a few years, but for the time being the town has been able to keep it going.

### **Administrators Report**

Ms. Hutton started off by talking about the Complete Streets plan. She then elaborated on the update she's published on the town's website and in the Neighbor to Neighbor. From there she turned discussion to the Library's application for a waiver from the Commonwealth regarding its budget. The budget was reduced below the ratio required. A letter has been drafted by Ms. Hutton and will be put with the application to the Commonwealth. There was a small mistake regarding funding for personnel, but the funds will be restored in the next budget. Ms. Hutton then elaborated on the process with the Commonwealth and any appeals that might occur. From there Ms. Hutton reported to the Board that the assessing data is now online. Citizens can

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now access assessing data on the town's website. This is a grant success which paid for putting the assessing data online. The same grant is also supporting the GIS mapping which will be going online as well. Ms. Hutton then elaborated on plans to improve radio communication and dispatch through another grant, which she is applying for. She noted that she has already spoken with Advisory Board to ensure that there is will to make the ongoing financial commitment. Grants serve as seed money, so there is a necessity to ensure that ongoing commitment. Ms. Hutton stated that putting these kinds of materials online helps reduce demand on town offices. She then noted some ways that the GIS mapping and GPS data will do to help the town. Discussion then turned to the Master Plan Committees work and the ongoing Master Plan survey being done with the help of NMCOG. The most recent Master Plan meeting was very productive. The Board stated it was pleased to hear about and witness the community come together to make the Master Plan happen. It is a testament to the townspeople to make the town move forward.

### **Minutes**

The Board considered the minutes for October 5<sup>th</sup>, 2016, but ultimately decided to table the minutes until Ms. Basbanes has returned from vacation.

### **Warrants & Mail**

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

A motion to adjourn was made by Mr. Devlin at 7:31 pm. The motion was seconded by Mr. Alterisio and passed without objection.

Respectfully submitted by



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

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