

**Town of *Dunstable* Selectboard**  
**Meeting Minutes**  
**November 30, 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; Richard Nalewski, National Grid Representative; Brian Rich, Fire Chief

**Selectboard Reviewed & Signed the Following:**

- Vendor & Payroll Warrants
- Emergency Management Standard Contract

**Open Forum**

Mr. Devlin briefly explained the purpose of the public forum and went over the Boards agenda which included a pole hearing, a tax classification hearing, an appointment for a Cemetery Commission vacancy, the adoption of a Call Back Policy, approval and implementation of the Personnel Wage Chart, and ongoing discussion of Police Department leadership.

**Pole Hearing**

Mr. Nalewski started off by explaining the location of the pole. The pole will be placed along the town line between Tyngsborough and Dunstable as part of a series of poles for the Citizens Energy project which is a solar installation. The roadway this pole will be on is Blodgett Street in Dunstable and Cummings Road in Tyngsborough. Only one pole will be installed in Dunstable (Pole 37-25). There is an existing transformer for Pole 37, which, Mr. Nalewski stated was the reason why National Grid wishes to place Pole 37-25. He further stated that Pole 37-25 will be near the driveway for the solar installation, as will all the poles ultimately installed for the project. The poles will be on the same side of the street as present power lines. There was an inquiry as to what the term JO means in regards to a pole. Mr. Nalewski stated it means “jointly owned” a term that usually describes poles owned by Verizon and National Grid. The Board noted a commercial building in Tyngsborough that is close to the site and inquired as to its impact on the pole placement. Mr. Nalewski elaborated on the location and noted that it would not impact this property. Hearing no objections, the Board determined that the pole should be approved.

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

**Tax Classification Hearing**

Mr. Devlin, in his capacity as chair, formally opened the Tax Classification Hearing. It was then reported by Ms. Hutton that due to multiple factors on DOR’s end the Tax Classification Hearing would need to be continued until a date certain. Ms. Hutton noted that Vicki Tidman, the Assistant Assessor, has proposed December 12<sup>th</sup>, 2016 as the continuation hearing date. Thankfully the town will not need to re-do the applicable notices in the newspaper. The Board concluded that the continuation could occur at 4 pm on Monday, December 12<sup>th</sup>, 2016.

A motion was made by Mr. Devlin to continue the hearing until December 12<sup>th</sup>, 2016 at 4 pm. The motion was seconded by Mr. Alterisio and passed unanimously.

**Call Back Policy**

*Approved and adopted on 12/28/16*

Ms. Hutton elaborated on the proposed policy. This is a separate policy about minimum hours paid to emergency and clerical employees for work outside of normal hours. The policy would pay 4 hours for responding for an emergency call, and 2 hours for responding for a clerical emergency related call. This policy sets minimum payment. Essentially 4 hours for a plow driver, and 2 hours for clerk. The policy would only apply in situations that overtime would not cover and would only cover employees that would otherwise qualify for overtime. The Board characterized the policy as a “fall back” policy, meaning one that would kick in under specific circumstances otherwise governed by another policy or rule, in this case overtime. Ms. Hutton finished by noting that the hourly pay would be based on the employee’s normal rate. The Board saw no reason not to adopt the policy which essentially formalizes the previous practices of the town.

A motion was made by Ms. Basbanes to adopt the policy as written. The motion was seconded by Mr. Alterisio and passed unanimously.

### **Personnel Wage Chart**

Ms. Hutton started off by informing the Board that the Personnel Board has approved the Personnel Wage & Compensation Chart and recommends adoption and implementation by the Board. She elaborated on the chart and the process by which raises will be implemented over the next 3 years. Unless something happens in the FY18 budget, the 3-year track will continue to be used. The Board inquired into making the raise retroactive back to July 1<sup>st</sup>. Ms. Hutton responded that this has been previously budgeted for and will be done. The Board was pleased and saw no reason not to adopt noting that this work is the result of months of consultation with all stakeholders.

A motion was made by Mr. Alterisio to adopt the Wage & Classification Chart as proposed and previously approved by the Personnel Board with retroactive wage increases to July 1<sup>st</sup>, 2016. The motion was seconded by Mr. Devlin and passed without objection.

### **Appointments**

Ms. Hutton reminded the Board of the ongoing vacancy on the Cemetery Commission resulting from the resignation of Ann Marie Winkowski. The Commission has asked the Board to appoint former Commissioner Judy Larter to fill the vacancy. The Board noted Ms. Larter’s many contributions to the town and her previous years of service on the Cemetery Commission. Seeing no reason not to appoint her the Board determined to proceed.

Judy Larter is appointed as a Commissioner for the Cemetery Commission      Term Expires: May 15<sup>th</sup>, 2017  
*Motion by Mr. Alterisio, seconded by Ms. Basbanes, passed without objection*

James W. Dow is appointed as Chief of Police      Term Expires: June 30<sup>th</sup>, 2017  
*Motion by Mr. Alterisio, seconded by Ms. Basbanes, passed without objection*

The appointment of James W. Dow was formally made after discussion of Police Department Leadership and may also be found under that heading.

### **Police Department Leadership Discussion**

Ms. Hutton reminded the Board that it was previously determined that the Board would make a decision at this meeting on whether or not to advertise the Police Chief position or to move forward with contract negotiations with Interim Chief of Police James Dow. The Board expressed general satisfaction with the direction of the department, but noted the consideration of any moral issues or discomfort with the current direction. There was also an inquiry as to what direction the Chief would like to take in regards to the budget and leadership structure. Ms. Hutton noted that the dispersed leadership structure with three Sergeants will save the town about \$25,000 from the current structure that includes a Lieutenant. Chief Dow elaborated on the reasons for the dispersed leadership structure including a greater level of supervision on all shifts. He noted there may be a small amount of resistance to the structure change, but the overall majority appears in favor. He then informed

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the Board about the work he has done with Ms. Hutton to determine how this process would work and what the best way forward is.

There was then a subsequent question of whether to appoint the Chief at this stage or waiting till a later point. Ms. Hutton stated that appointing the Chief now would still give the town time, about a month, to negotiate the contract. This provoked some discussion regarding the upcoming Union contract negotiations and the impact an appointment as well as the dispersed leadership structure proposals. Chief Dow elaborated on how the dispersed structure would work and noted that it will actually benefit the Union. Sergeants may be part of the Union and may hold senior positions in the Union whereas Lieutenants may not. There was some discussion of how an interim chief or acting chief would work under this kind of leadership. Chief Dow stated that it is his opinion that the advantages would outweigh the risk. The Board inquired as to whether this structure is unusual. The Chief responded that it is not unusual for a department of this size. Chief Rich elaborated on some Fire examples that are common for a town this size that would be equivalent. There was some ensuing discussion of how long the Lieutenant's position has existed.

Chief Dow stated that Chief Downes was Lieutenant prior to him, and it appears that he was the first. The Board responded that with Chief Downes the Board deferred to what he thought the correct structure should be and expressed the opinion that Chief Dow should be given similar latitude. Ms. Hutton stated that the question really is what is of the greatest benefit to the town. Chief Dow explained why the Lieutenants position was necessary and elaborated on how the role has changed and why he feels that the dispersed structure he has proposed is better suited for the department at this point. The Board determined that the appointment should go forward. A motion to appoint James Dow as permanent Chief was made and approved. The Board then read a letter into the record regarding a citizen who would like to extend public appreciation to the town for the help provided to her in a time of need by the Dunstable Police Department. The incident speaks highly of the departments work and the Board is extremely proud to call this "business as usual."

A motion was made by Mr. Alterisio to appoint James Dow, with immediate effect, as the Chief of Police for a term to expire June 30<sup>th</sup>, 2017. The motion was seconded by Ms. Basbanes and passed unanimously.

### **Administrators Report**

Ms. Hutton started off by reporting that Mike Palumbo has informed the Board of Health that he can no longer discharge the position of Animal Inspector. This is an appointment that Board of Health makes and they intend to appoint the Animal Control Officer. She then turned to discussion relating to MIIA and necessary assessment of town owned buildings. This is to determine proper management of property and any repairs. There is no cost to MIIA's assessment. Having nothing to discuss with the Board Ms. Hutton finished her report.

### **Minutes**

The Board considered the minutes for November 16<sup>th</sup>, 2016. The Board seeing no necessary changes or adjustments determined to approve the minutes as drafted.

A motion was made by Mr. Alterisio to approve the November 16<sup>th</sup>, 2016 minutes as written. The motion was seconded by Ms. Basbanes and passed by majority vote with an abstention by Mr. Devlin.

### **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 7:10 pm. The motion was seconded by Ms. Basbanes and passed without objection.

Respectfully submitted by  
*Approved and adopted on 12/28/16*



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

*Approved and adopted on 12/28/16*