

Town of *Dunstable* Selectboard
Meeting Minutes
June 14, 2017
Town Hall, Dunstable, MA 01827

Convened: 6:30 pm

Present: Walter F. Alterisio, chair, Leah D. Basbanes, vice chair, Ronald J. Mikol, member; Tracey Hutton, Town Administrator; James Dow, Chief of Police; Jennifer McKenzie, School Committee; Christine Muir, chair, Harold Simmons, Bob Nelson, Kieran Meehan, Leo Tometich, Advisory Board; Lorraine Leonard, Town Accountant; Mike Martin, Roads Commission; Melinda Ordway and Marcia Bohinc, DOR Division of Local Services; David Mastroinanni, 91 River Street

Selectboard Reviewed & Signed the Following:

- Vendor & Payroll Warrants

Open Forum

Mr. Alterisio explained the purpose of the public forum and went over the Boards agenda which included a Use of Town Property Request, Appointments, July Holiday Office Closure, a Sign Relocation, Authorization of an Expenditure from the Wetlands Protection Act Fund, a Q & A with DLS, the Use of Pesticides & Herbicides on Town Property, Discussion of Projects & Action Items for FY18, and a Remote Participation Policy.

- *91 River Street Residents*

Mr. Mastroinanni introduced himself and explained his current situation as one of the tenants of 91 River Street. The Board responded by again explaining the decision by the town to discontinue the renting of 91 River. This included the lack of a formal lease, as well as an inspection of the property which resulted in multiple concerns as to the continuing use of the property. Some of the concerns relate to the issue of subtenants, the number of persons living in the residence, the existence of an illegal bedroom, as well as some structural concerns. The town has given notice to the tenants. Ms. Hutton then reported on her discussions with Town Counsel. Town Counsel advises the Board not to enter into any new lease with the tenants or subtenants at this time. In the meantime Ms. Hutton has worked to help the tenants find a new place to live.

She then noted that the town doesn't have the ability to monitor the situation more than it has. Town Counsel does not advise entering even a short term lease. There is also the issue of the installation of a new plug for the oven on the property, which appears to have been done without permitting. Mr. Mastroinanni noted the work was done by a licensed electrician. The Board then discussed whether any short term accommodation is possible in the face of the concerns of Town Counsel. Discussion centered on whether 60 to 90 days would work. Ms. Hutton stated that such a short term accommodation would require a new lease and Town Counsel advises against this. Mr. Mastroinanni then answered questions as to the number of tenants. He explained that there were 4 people living on the premises, but there are now only 3 people and a dog.

The Board then noted some issues of liability, and the fact that they cannot be contracted away under MGL. These may present hazards to the tenants, and concern the town. Mr. Mastroinanni addressed the Board's concerns and explained that at this point he is not looking to stay, but simply needs time to find a new place to live and that currently he cannot accomplish this by July 1st. The Board expressed its sympathies to the tenants. Discussion returned to the issue of a short term lease to accommodate the tenants. There was concern about what things would have to be fixed while human occupation continues. There was a question as to the notice to vacate. It was noted that the notice to vacate could be extended; however, it would not relieve the town from liability. The Board determined it would be willing to explore an extension. Ms. Hutton agreed to consult with Town Counsel further.

Approved and adopted on 6/28/17

July Holiday Office Closure

Ms. Hutton started off by explaining that the Independence Day Holiday (July 4th) will fall on a Tuesday this year. The Town Hall will be closed in observance. The majority of employees who work in the Town Hall intend to use benefited paid time off on Monday, July 3rd, 2017. As a result, most Town Offices will be unstaffed. Ms. Hutton asked the Board if it would be permissible to formally close the Town Hall on that date. The Board saw no reason to object. It was agreed that the Town Hall would close on July 3rd and July 4th and normal office hours would resume on July 5th, 2017.

Expenditure from Wetland Protection Act Fund

The Conservation Commission requests authorization to spend \$1,500 from the Wetland Protection Act Fund for the purposes of conducting a title search for the Westford Street property. This title search relates to the Commission's intent to purchasing a Conservation Restriction (CR) on the property. The Wetland Protection Act Fund may be used to assist the Conservation commission in the carrying out of its duties under the act, one of which is the permanent protection of important local land and water resources. A title report will safeguard the town against encumbrances limiting the owner's authority to otherwise grant the CR. The Board saw no reason to oppose the Conservation Commissions request and agreed with the Commissions position that that conducting a title search would safeguard the town.

A motion was made by Mr. Mikol to approve the Conservation Commissions request. The motion was seconded by Ms. Basbanes and passed unanimously.

Appointments & Resignations

Ms. Hutton started off by noting that Amie Stevens has submitted a letter of resignation from the Advisory Board to the Town Clerk's office. The Board thanked Ms. Stevens for her public service and tireless dedication. The Board then noted a letter from the Town Clerk regarding multiple failures to elect. Thankfully all effected boards, committees, and commissions have working quorums at this time. Ms. Hutton then highlighted some appointed committees that have vacancies. The Board asked the public to consider service on these vital parts of the town. The Board then briefly explained how these vacancies would be filled, noting in particular how the elected offices terms would work. From there the Board turned to the matter of filling the two vacancies on the Advisory Board. One as a result of Ms. Stevens's resignation, and the other as a result of Mr. Mikol's election to the Board. The Advisory Board requested that the Board appoint Kieran Meehan and Leo Tometich to fill the vacancies. The Board seeing no reason not to proceed determined to do so.

Kieran Meehan is appointed to the Advisory Board Expires May 15th, 2018
Motion by Ms. Basbanes, seconded by Mr. Mikol, passed unanimously

Leo Tometich is appointed to the Advisory Board Expires May 15th, 2018
Motion by Ms. Basbanes, seconded by Mr. Mikol, passed unanimously

The Board then considered the list of annual appointments; seeing no reason not to approve the appointments determined to move forward.

Annual Appointments 2017 – One Year Term

Leah Basbanes – Nashua River Study Committee
Jeffery Hastings – Parks Designee to CPC
Dana Metzler – Memorials & Monuments
Dana Metzler – Affordable Housing
Alan Chaney – Memorials & Monuments
Alan Chaney – Affordable Housing
Carol Bacon – Affordable Housing
Paul Dalida – Safe Pathways
Diana Dalida – Safe Pathways

Annual Appointments 2017 – Three Year Term

Alan Chaney – Town Forest Committee
David Greenwood – Capital Planning
Joan Simmons – CPC Member at Large
Claudia Novak – Cultural Council
Lisa Ann Wright – Cultural Council

Annual Appointments 2017 – Five Year Term

Leah Basbanes – Conservation Commission
Jeffery Haight – Conservation Commission

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A motion was made by Ms. Basbanes to approve the annual appointments as listed with the exception of her to the Nashua River Study Committee and the Conservation Commission. The motion was seconded by Mr. Mikol and passed without objection.

A motion was made by Mr. Mikol to approve the appointment of Leah Basbanes to the Nashua River Study Committee and as a member of the Conservation Commission as otherwise listed above. The motion was seconded by Mr. Alterisio and passed by majority vote with the abstention of Ms. Basbanes.

Sign Relocation

Ms. Hutton reported that there is a historic sign that Mr. Dean would like to see relocated. The Board noted that the place that the sign might be relocated is currently being discussed as possibly being removed. Additionally, there is the issue of possible damage to the sign being located there. The Board was not in favor of relocation.

Q & A with DLS

Ms. Hutton started off by introducing the two representatives from the Department of Revenues Division of Local Services (DLS), Marcia Bohinc and Melinda Ordway. As part of the town's participation in the Community Compact Agreement program the town requested a 5-year financial forecast. Ms. Ordway then explained the forecast and its value. The forecast allows the community to take a template and personalize it. Ms. Ordway stated that DLS considered multiple points of information from the town, and she noted, many elements of the forecast will change as data points change. As such it is recommended that one person be assigned the responsibility of maintaining the forecast and sharing the results with the Board and the Advisory Board. DLS, of course, will assist the town in maintaining the forecast. Ms. Muir then put forward a few questions noting that this process is necessary for putting the town in a better fiscal position in the future. Her first question related to whether the town has an electronic copy. Ms. Bohinc stated she would provide a copy to the town. Currently the only copy the town has that is electronic is in PDF format. Ms. Muir then asked whether the Personnel Board's Wage & Classification Chart was included in this forecast. Ms. Bohinc responded that it was and elaborated on how they tackled the topic. Ms. Hutton then asked a follow up question regarding the impact of wages, in particular focusing on COLA's. Some of the math in the forecast appears to be thrown off.

Ms. Bohinc responded by explaining the forecast and agreed to do follow up with more information later. Ms. Muir thanked her and then inquired as to some other questions. These included some school funding projections. Given the size of education in the town's budget, Ms. Muir was concerned that the numbers be accurate. Ms. Bohinc responded by elaborating on the forecast and how it accounts for the school numbers. Mr. Nelson noted the issue of debt for the building of the High School and inquired as to the impact that would have as the debt is retired. Ms. Bohinc explained how this would work and promised to provide more figures to the town to ensure people's comfort with them. Mr. Nelson had some follow up questions to the issue of the debt. Ms. Bohinc explained that when the debt is looked at, what is excluded and what is not. Regional school debt is captured in the forecast, so when looking at the revenue, the excluded amounts are accounted for. Ms. Leonard inquired about the property tax levy and some concerns with how the numbers are accounted for in relation to Prop 2 ½. Ms. Bohinc elaborated on some of the background to the figures and why they appear as they do in the forecast. She then agreed to provide additional information about those figures and other requested data once back in the office.

She promised she would see to it that the town is comfortable with all the numbers in the forecast. Ms. Muir thanked her and then inquired about DLS's recommendations for how to balance the school districts needs and the needs of the municipal side of the budget. Ms. Ordway responded by explaining how a number of communities in similar situations have dealt with the problem. Principally discussions have to start early based on needs and available revenue. The process works best when it is a united front and everybody puts their cards on the table. The other alternative is to look at it as shared revenues. She then elaborated on how that

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process works and what some communities do to measure community growth and revenue sources. It is then normally agreed that a certain percentage goes to each party, i.e. so much to schools and so much to municipal. Ms. Muir noted that the towns of Dunstable and Groton have both worked to foster a closer relationship with each other and the school district to create a budget that worked for all. Thankfully all parties have proven willing to work together, but there are still some big challenges. Dunstable's growth is far smaller than Groton's growth, and smaller than the school district's needs. Ms. Muir then inquired whether towns have planned overrides over a time frame such as 10 years. Ms. Ordway responded that some towns have indeed done this, including the Town of Arlington. She noted it was intended because if you look at the geography and population of Arlington, there is no room for further growth or development without tearing down existing structures. They've done this twice now.

What they do is look at their current position and where they want to be as well as considering what the amount of the override should be. She then elaborated how they sweep some of the funds into stabilization. The stabilization is then used to help keep the town going between overrides, normally for a 5-year span, although they have managed to get to 6 years on one occasion. Ms. Muir then inquired as to whether this has been done in a regional school district situation. Ms. Ordway stated she is not aware of a specific school district setting, but has seen communities band together to attempt similar feats. Ms. Ordway suggested asking Arlington and some of the professional and municipal associations to see if this has been done in other communities. Ms. McKenzie noted that the new Superintendent for GDRSD previously worked in Arlington and may serve as a resource. She then asked some questions relating to new growth and some of the costs associated with different types of new growth. She wanted to know if more detail could be found for understanding new sources of possible revenue. Before answering, Ms. Muir noted that this question tied into her own question about what DLS can provide as to guidance. Ms. Ordway responded that this is definitely beyond their wheelhouse, but she referred the town to parties that may help.

She then elaborated on some of the drivers of the school districts costs and some of the areas of revenue growth that can impact that. From there Ms. Ordway elaborated on how new growth is accounted for and some options under MGL. Ms. Hutton noted that the regional planning authority for Dunstable is NMCOG. Ms. Muir then asked a question as to the increasing costs of insurance for employees and how towns are paying for this under Prop 2 ½. Ms. Ordway elaborated on how some communities are paying for their insurance plans, some are tinkering with co-pays, some are changing their risk pools, and others their insurers. Ms. Muir noted that the towns cost has risen by about 5 percent this year alone, which is already above the 2 ½ percent, and the school districts went up about 14 percent. The current split for the town is 25/75. Ms. Ordway responded that towns are doing all of the above. The decisions have to be local. Which necessitates discussions as the process goes forward and building on it. This has to happen not only with entities like the school district, but with the departments within the town themselves. Everyone has to understand the ramifications and the benefits of the decisions being made. Mr. Nelson noted that providing some services are more expensive precisely because the town is small, he inquired whether a small town like Dunstable can regionalize more.

Ms. Bohinc responded by talking about some unusual examples like Lee and Lenox which are currently sharing a Town Administrator, as well as some of the small towns in Western Mass that are sharing various officers like Accountants, Treasurers, Collectors, and Assessors. The problem with sharing so many officials is the fact that so many of them are aging out into retirement. Currently the Governor is looking into the possibility of having one central unit that provides financial services to multiple towns. Whether this requires the formation of a collaborative or some other similar structure is still in development. Mr. Nelson asked whether this has been done with bigger things like Fire and Police. Ms. Ordway elaborated on a few examples of regionalized ambulance services and some sharing of Police Chiefs and the like. Fire has had less of this for various reasons. The Board noted that in the past the town has shared officers with other towns, in particular the Accountant used to be shared with the Town of Townsend. The Board felt that this was done successfully and could be done again. But there is an open question of how far regionalization and sharing can go. Especially in the face of increasing Highway costs and emergency services like Fire.

Ms. Bohinc noted that the Community Compact has a regionalization best practice portion, and the town has already achieved grant funds through the compact. Ms. Bohinc stated that the Governor is committed to the compact program, although continuing funding is up to the General Court. Ms. McKenzie then noted some of the questions the School Committee has considered and the current audit being done by the school district to

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find efficiencies. She asked whether other communities have found success in such efforts. Ms. Ordway responded by elaborating on some of the resources available for finding information and contacting other municipalities to find out more. Ms. McKenzie then inquired as to OPEB. Ms. Muir responded that Dunstable never adopted OPEB, which is why it wasn't considered in the forecast. Ms. Hutton noted that the Board is talking with the Personnel Board about OPEB, but before adopting it, the town has to make sure that it can afford it. Ms. Muir responded that many towns are finding it hard to fund. Ms. Bohinc elaborated further on the costs of implementation and the ongoing costs associated with it.

The Board noted that many of the towns appear to regret OPEB and it appears to be becoming unsustainable. From their discussion centered on how far the town has come since the last assessment by DOR and DLS. A great deal has been accomplished. Discussion then turned to how the town can continue to improve and better understand municipal finance. Understanding how to make the process work and to see the town shepherded into good fiscal health. The Board then discussed the constraints of Prop 2 ½ and school funding, including what other towns have done. This resulted in Ms. Muir asking if DLS has seen other revenue streams that have successfully helped resolve these kinds of problems. Ms. Ordway elaborated on how the rate can be shifted and split, and explained how some towns have used commercial and related revenue sources. There are pro's and con's to everything. A lot of this feeds back into the Master Plan and how to develop the town moving forward. There was some brief discussion of school choice costs and how that impacts overall education expenses for the towns. Ms. Ordway noted that keeping a bench mark for that in the forecast is important. Ms. Muir generally agreed elaborating on how to develop financial solutions for addressing these and other sometimes unexpected expenses. Dunstable has, for all intents and purposes, lived paycheck to paycheck. And this can't continue. Mr. Meehan noted that this really comes back to the Master Plan and the strategy for the town. The town has to be realistic as to what the plan should be. Ms. Bohinc finished by saying this meeting isn't the end of the relationship. DLS will continue to work with the town in this important area.

Remote Participation

Ms. Hutton presented the Board with a formal policy permitting remote participation as well as various guidelines, forms, and related documents. The Board determined to table the matter until its next meeting.

FY18 Goals & Initiatives

Ms. Hutton presented the Board with a draft list of goals and initiatives for FY18. These included establishment of a financial plan with projections, establishment of fiscal policies, and an assessment of assets for economic development. The Board determined to table discussion until its next meeting.

Use of Pesticides & Herbicides on Town Property

Ms. Hutton reported that the town's determination to discontinue the use of certain pesticides and herbicides in town has posed a question of what to do with Larter Field. The Parks Commission and the Recreation Commission have expressed concerns about not being able to use them. The Board noted that the fact that the field is a playing field opens some questions as to possible exposure to the public. The Board would like to see additional information before making any formal decisions regarding Larter Field.

Administrators Report

Ms. Hutton started off by reporting that there has been a request from a police officer to set up a meeting between the Union and the Chief and the Board to talk about the education opportunities allowed for the educational incentive. The Union contract allows for a panel or board to be convened to consider the issue. This would require a member of the Board along with the Chief, and a Union Representative. Mr. Mikol agreed to be the Board's member present. The Board went over some of the history behind this particular provision in the contract. Ms. Hutton then turned to reporting on the notice of intent for MS4. This is nearly done and will be on the Board's next agenda for Ms. Hutton to be authorized to sign off. The EPA will be reviewing it. She then reported on a presentation on the public safety building which will be put before the Board at its next meeting scheduled for June 28th, 2017. Ms. Hutton then finished by highlighting the latest

edition of the Municipal Advocate, which has an excellent article on pedestrian and cyclist safety and the need for safe pathways which she is referencing to various boards, committees, and commissions in town.

Use of Town Property Requests

Ms. Hutton started off by informing the Board of a request from the Nashoba Valley Pedalers for use of the Town Common for their annual Apple Country Century event on August 26th, 2017. Use of the Town Common would include the arrangement of an inconspicuously placed portable toilet as well as a table set up with light food and water. The event would start at 9:30 am and would run until approximately 2:30 pm. The Board saw no reason not to approve the event, but asked that the Pedalers, as they have in the past, consult with the Fire Chief and Police Chief about their course through the town in order to ensure public safety and the safety of their participants.

A motion was made by Ms. Basbanes to approve the application of the Nashoba Valley Pedalers for use of the Town Common on August 26th, 2017. The motion was seconded by Mr. Mikol and passed without objection.

Minutes

The Board considered the minutes for the meeting held on May 31st, 2017. Seeing no necessary changes or modifications the Board determined to proceed with adoption of the minutes.

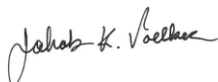
A motion was made by Ms. Basbanes to approve the minutes of May 31st, 2017 as written. The motion was seconded by Mr. Mikol and passed without objection.

Warrants & Mail

Mr. Alterisio reported on the warrants he has signed for the Board during its off week. This included highlighting the sums spent, some of the larger payments made to vendors as well as brief discussion of the payroll. He then went over the current state of the budget for accounts monitored by the Board. The Board then signed the current warrants before it and then reviewed its mail.

A motion to adjourn was made by Ms. Basbanes at 8:40 pm. The motion was seconded by Mr. Mikol and passed without objection.

Respectfully submitted by



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

Approved and adopted on 6/28/17