

**Town of *Dunstable* Selectboard**  
**Meeting Minutes**  
**October 31, 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; Joan Simmons, Community Preservation Committee; James W. Dow, Chief of Police; Brian Rich, Fire Chief

**Selectboard Reviewed & Signed the Following:**

- Vendor & Payroll Warrants
- Standard Commonwealth Contract for Council on Aging

**Open Forum**

Mr. Alterisio explained the purpose of the public forum and went over the Boards agenda which included Use of Town Property Requests, Disposal of Playground Equipment, Discussion Regarding the Swallow Union Playground Steps, Removal of Wood from the Premises of 91 River Street, and Recommendations on Article 6 of the Special Town Meeting Warrant.

**Storm Recovery Update**

There are still very sporadic power outages in some areas. Teams have been in the town working to restore services. There are 8 trucks in Dunstable working to restoring power. All of the town's emergency services and related essential services have been active and working on the situation. Chiefs Dow and Rich have made contact with and are monitoring all citizens that are vulnerable. The town has also heard from Commonwealth and Federal officials. Representative Tsongas, in particular, has contacted the town to offer any support the town may need. The Board recognizes that whenever trouble comes up, frustrations may also arise over the pace of recovery. But citizens should rest assured that the town is working hard to see to it that resources and services are restored. Unfortunately, some things are out of the control of the town. Chief Dow noted that he, Chief Rich, and Mr. Crandall the Emergency Management Director, have worked hard to reach out to National Grid, Charter, Verizon and all other related parties to see smooth restoration of services and to ensure public safety. The Board inquired as to communication to the public and how the town is currently updating the public. Chief Dow went over what the town does, what the requirements are under law, and what future options might be utilized by the town. He then agreed to follow up on future options and present them to the Board. Discussion then shifted to some of the community outreach done by utility companies in the past and how to help educate citizens on how to contact and reach utilities during outages. Chief Rich reported on what the contingency plans are for getting injured citizens out of town and how that relates to the Highway Department. He noted that there are some citizens with serious medical conditions that should they need to be taken to medical centers, will have to be priorities and that's why contingency plans are in place. Discussion ended there.

**Disposal of Playground Equipment**

Ms. Hutton started off by explaining that the Parks Commission has not yet finished compiling a list of equipment to be disposed of. The Parks Commission intends to hold another meeting to discuss and finalize the matter prior to presentation to the Board. As a result, this topic should be tabled. The Board sought clarification over what disposal means in this context. Ms. Hutton elaborated on the various ways that the equipment might be disposed of. This included having the equipment broken up. Some may remain in the town, some may not. The Board was satisfied and determined to table the topic in order to give the Parks Commission a chance to meet on the matter and provide further details.

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## **Swallow Union Playground Steps**

The Board began discussion by explaining that this topic was placed on its agenda to allow the Board to address the concerns of Joan Simmons as presented to the Board at its last meeting during the Open Forum. Ms. Simmons was concerned about the steps which were installed at the recently renovated Swallow Union Playground. From there Ms. Hutton reported on her work regarding the matter and explained where things currently stand. Ms. Hutton consulted with a licensed professional regarding the matter who determined that the steps to be acceptable and that the installation was done well. Although at least one railing should be installed, which Parks intends to do, the steps are built to code and appear safe for their intended purpose. There was some discussion regarding the installation of railings. Ms. Hutton explained that the intent is to have two railings, but there is only funding for one railing at this time. It is expected that the second railing will be installed and Parks has expressed commitment to see it done. There was then some ensuing discussion as to the status of the stairs as to code with some contention that they might not actually be to code. Ms. Hutton stated the steps were constructed in accordance to code. There was still some remaining uncertainty that was expressed by the Board considering the rise over the run and the slope entailed as well as the number of steps involved. This prompted a great deal of discussion regarding various ways that the steps could potentially be modified and how the math is done by installers and code enforcement to ensure the steps are in fact built to code. It was noted that the only way to change the steps while maintaining the rise over run required by code would be landings. It was subsequently proposed that the Building Inspector inspect the stairs and certified whether they are code compliant and safe with appropriate references to the code so as to satisfy any lingering doubt.

## **Removal of Wood from the Premises of 91 River Street**

The Board reported on some conversations with the Highway Superintendent regarding the removal of wood from 91 River Street. The reason why there is a price tag for removal of the wood is purely the logistics and challenges of setting up the equipment to remove it. The cost would be around \$2,500 with about \$800 already available to pay for it. The remainder would have to come out of the Reserve Fund. The Board noted there is the question of possible hazard if the wood remains. It was resolved to move forward with having the wood removed. This isn't about aesthetics. The Board's main concern, and that of the Roads Commission, is safety.

## **Recommendations on Article 6 of the Special Town Meeting Warrant**

Ms. Hutton updated on where things stand. At the last Advisory Board meeting the School Committee elaborated further on how they would seek to fund the proposed Capital Stabilization. The School Committee believes they could assess zero and allow the town to use a debt exclusion. The Board was highly uncertain as to how that process would work. Without the money going into a specific project, it simply can't be debt excluded. There is also the risk that the town agree to a commitment and then should an exclusion fail or it not be possible to use one, the town would be on the hook to pay. If Groton and Dunstable don't agree jointly to the creation of this Capital Stabilization, it cannot be implemented. It was noted that the School Committee has adopted a capital plan and will assess the towns for funding it every year as part of the operating budget. But, as Ms. Hutton noted, the town will have the ability to decide how to pay for it every year. It was noted that under this process debt exclusions would remain viable. Ms. Hutton then went over some of the funding mechanisms that are available to the town besides debt exclusions, and how things work under MGL in regards to regional school districts. This prompted some discussion regarding several different chapters of MGL that govern the creation of stabilization funds and how each one works. The Board then noted that there are different advantages to some kinds of stabilizations over others, and saving for projects in the future isn't bad. But there will also be projects that can qualify for debt exclusions. The Board further noted some of the issues inherent in the process proposed by the School Committee and how cumbersome some of the requirements would be as well as some of the risks as to loss of control of funds.

Ms. Hutton reminded the Board that the town can create its own stabilization fund for the school district. DOR recommends that towns have stabilization equal to 5 percent of the yearly budget. The town currently has stabilization amounting to 2.5 percent. The plan is to use some of the surplus Free Cash this year to bring the towns percentage up to the recommended 5 percent. In doing this, the town can also work simultaneously to

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establish a stabilization fund for the school. The Board favored this over establishing a fund under the control of the School Committee. This would allow the town the way to accommodate the school districts need for stabilization funds, while still preserving the towns funding options as capital needs arise. The Board was pleased to see the capital plan implemented because it shows a willingness by the district to work towards making needs known, defined, and finding ways to pay for them. But there are a lot of unknowns and confusions around the entire process. And where such a situation exists, it is not advisable to take the course of action recommended by the school district. Ms. Hutton suggested that the Town Accountant could address any questions pertaining to debt exclusions and stabilization funds at the Special Town Meeting. The Board agreed, and expressed the feeling that things need to continue to improve with the school district and between the towns. Unfortunately, Dunstable does not have the same financial resources as Groton. That said, the Board has the utmost confidence in the towns representatives to the School Committee and to the work they have done so far. The Board concluded by determining how to proceed on Article 6.

A motion was made by Mr. Mikol to recommend not supporting Article 6 as currently configured. The motion was seconded by Ms. Basbanes and passed unanimously.

### **Follow Up on Advisory Board's Warrant Recommendations**

Ms. Hutton reported to the Board that Advisory Board has recommended against adoption of Article 3's and Article 10. Article 3 regards the hiring of an actuary to analyze the OPEB obligations of the town should it to choose to offer retiree health insurance. The Board expressed the feeling that part of professionalizing the town's employees may require consideration of this topic. But this would have to be done under the constraints of the town. Ms. Hutton explained that Advisory Board is concerned the town cannot afford the liability. A lot of towns have done this and are finding it difficult to properly fund OPEB. The Board noted that the town should avoid kicking the can down the road. Many of those hurting towns may simply have made the mistake of not properly funding the liability and ultimately all this article does is empower the town to find out if this is something it can afford to do and provide data to help the town to make an educated decision.

From there discussion shifted to Article 10. Article 10 involves the allocation of funds to conduct a Market Analysis to inform future economic development decisions in the town. The Board expressed the feeling that this is a fundamental step in understanding how to implement the Master Plan and address the economic and future financial needs of the town. There has to be some kind of understanding and commitment to marshalling the resources necessary to see the vision of the town carried out. Ms. Hutton noted that the Advisory Board was not unanimous on recommending against Article 10. From there discussion finished on who would make the various motions on each article on the town meeting floor. This included, in particular, what motions would be made by the Board.

### **Town Administrators Report**

Ms. Hutton started off by asking the Board if the customary strategy meeting prior to the town meeting should be scheduled. The Board was in favor of doing so, noting that it would provide a chance to meet with Town Counsel to discuss some of the particulars. From there Ms. Hutton reported on the situation with the McLoon Estate. There have been some court preceding's regarding an intractable tenant. The Fire and Police Chiefs are concerned about the safety of the property in question. Ms. Hutton would like the Boards approval to pursue possible condemnation of the property. The Board noted that if the property is unfit, then the town really doesn't have a choice but to pursue the matter. Chief Dow reported on how the process would work and what steps are currently being taken. Ms. Hutton noted that there will be some requirements that the town will have to take in regards to this, such as having to help provide some assistance to any persons living on the property in their efforts to relocate. Chief Dow clarified on what assistance the town would have to provide and what the town has already done in regards to this matter. At this point this is about public safety. Ms. Hutton then finished her report there.

### **Use of Town Property Request**

The Board considered several applications. The first application was for use of the Grange Room for a meeting of the Morgan Babcock Scholarship Trustees on November 2<sup>nd</sup>, 2017. The second was from the Dunstable

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Democratic Town Committee for use of the Grange Room on November 14<sup>th</sup>, 2017 for the purposes of holding a meeting. The third was an application from the Dunstable Evangelical Congregational Church for use of the Town Common on December 9<sup>th</sup>, 2017 for the purposes of holding a theatrical presentation. The Board saw no reason to deny any of the applications and determined to move forward.

A motion was made by Ms. Basbanes to approve the application by the Morgan Babcock Scholarship Trustees for use of the Grange Room on November 2<sup>nd</sup>, 2017 for a meeting. The motion was seconded by Mr. Mikol and passed without objection.

A motion was made by Ms. Basbanes to approve the application by the Dunstable Democratic Town Committee for use of the Grange Room on November 14<sup>th</sup>, 2017 for a meeting. The motion was seconded by Mr. Mikol and passed without objection.

A motion was made by Ms. Basbanes to approve the application by the Dunstable Evangelical Congregational Church for use of the Town Common on December 9<sup>th</sup>, 2017 for the annual Community Cookie Swap. The motion was seconded by Mr. Mikol and passed without objection.

### **Minutes**

The Board considered the minutes for the meeting held October 18<sup>th</sup>, 2017 as well as Executive Session minutes for December 28<sup>th</sup>, 2017, March 15<sup>th</sup>, 2017, March 22<sup>nd</sup>, 2017, April 26<sup>th</sup>, 2017, June 1<sup>st</sup>, 2017, and June 28<sup>th</sup>, 2017. The Board seeing no necessary changes to the minutes determined to approve them.

A motion was made by Ms. Basbanes to approve the minutes of October 18<sup>th</sup>, 2017 as written. The motion was seconded by Mr. Mikol and passed without objection.

A motion was made by Mr. Alterisio to approve the Executive Session minutes of December 28<sup>th</sup>, 2017, March 15<sup>th</sup>, 2017, March 22<sup>nd</sup>, 2017, and April 26<sup>th</sup>, 2017 as written. The motion was seconded by Ms. Basbanes with Mr. Mikol abstaining. The motion passed by majority.

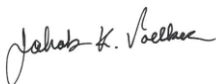
A motion was made by Ms. Basbanes to approve the Executive Session minutes of June 1<sup>st</sup>, 2017, and June 28<sup>th</sup>, 2017 as written. The motion was seconded by Mr. Mikol and passed without objection.

### **Warrants & Mail**

Mr. Alterisio reported on the warrants he has signed. This included highlighting the sums spent, including some of the larger payments made to vendors as well as brief discussion of the payroll. The Board then reviewed its mail.

A motion to adjourn was made by Ms. Basbanes at 8:05 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

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