

Town of *Dunstable* Selectboard
Meeting Minutes
November 28, 2017
Town Hall, Dunstable, MA 01827

Convened: 6:30 pm

Present: Walter F. Alterisio, chair, Leah D. Basbanes, vice chair; Tracey Hutton, Town Administrator; James Dow; Chief of Police; Brian Rich, Fire Chief; Joan Simmons, Community Preservation Committee; Harold Simmons, Advisory Board; Victoria Tidman, Assistant Assessor; Bob Ricardelli, Assessor; Lorraine Leonard, Town Accountant; Marlena Gilbert, Jennifer McKenzie, Ryan McLane, GDRSD School Committee; Phil DeNyse, Alan Chaney, Memorials & Monuments; Dana Metzler, Town Moderator; David Lantagne; Debbie and Danny Pantacelos

Selectboard Reviewed & Signed the Following:

- Vendor & Payroll Warrants
- Tax Classification Paperwork for DOR

Open Forum

Mr. Alterisio explained the purpose of the public forum and went over the Boards agenda which included a Tax Classification Hearing, Appointments, A Request for Consideration of a Street Light, Discussion of the GDRSD Stabilization Fund, Consideration of the Draft FY19 Budget, An Offer to the Town for the Purchase of Real Property, Proposals for a Market Study, and Discussion Relating to Benches on the Town Common.

Tax Classification Hearing

Mr. Alterisio, in his capacity as chair, formally opened the Tax Classification Hearing. Ms. Tidman then explained the process and gave the recommendation of the Board of Assessors. The Assessors recommend the Board adopt a factor of 1 for all properties. The Board inquired about property values. Ms. Tidman responded that property values have gone up a little. Ms. Tidman then noted that the rate won't be official until approved by the Commonwealth following this hearing. There was then light discussion of the current state of commercial property in town. The majority of the tax base remains residential. Ms. Tidman then went over the excess in levy resulting from the last override which passed in Dunstable, but did not pass in Groton. This is why there is a significant jump this year, but things should return to normal next year. Ms. Tidman then went over the new growth figures, which were up slightly from last year due to the number of houses built so far since last year. There are additional new houses expected in the upcoming year. From there the Board determined that it had no further questions regarding the hearing and determined to accept the recommendation of the Board of Assessors.

A motion was made by Mr. Alterisio to adopt the recommendations of the Board of Assessors for one tax rate to be changed by a factor of 1. The motion was seconded by Ms. Basbanes and passed by majority vote.

A motion was then made by Mr. Alterisio to close the hearing. The motion was seconded by Ms. Basbanes and passed by majority vote.

Request for Consideration of a Street Light – Hollis Street

Ms. Hutton began by explaining that there has been a request by a resident of Hollis Street for the placement of a street light. This light would illuminate a parking lot for a nearby trail. All that would have to be done is a petition to National Grid. They would install it and the town would pay the monthly light bill. The Board noted the property to be illuminated is owned by the Commonwealth. As a result, the town would have to put its light on its right of way. Unfortunately, the Commonwealth would not be responsible for the light or the recurring monthly bill. Mr. Pantacelos introduced himself as the resident requesting the light. He expressed his concerns as to the parking and explained why he feels the light is necessary. He stated that the police have been notified of activity in the area, and while responsive, it hasn't solved the issue. Chief Dow then interjected to speak

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briefly about the police response to date. There has been reported drug use in that area, and people have been there at various hours engaging in unusual activities, including sleeping in cars on occasion. The Board, in light of that, felt that a light on the area would be a good idea. Chief Dow agreed, stating that it would be a good idea to illuminate the parking area if at all possible. Ms. Hutton expressed reservations about how much light would be used since none of the neighbors have been consulted on this and the light could constitute light pollution on an otherwise residential street. The light would likely illuminate more than just that parking lot. She suggested asking the neighbors prior to making the decision.

Ms. Pantacelos responded stating that the problems there are ongoing and in some cases disturbing including public sex and drug use. She suggested that her neighbors have had plenty of opportunity to respond to this meeting and its agenda, which conforms to the open meeting law and was posted publicly in advance. There was then follow up question regarding the cost of the light. The precise cost was uncertain. Mr. Pantacelos explained that he cannot sell his house, which he has tried to do to get away from this problem. But he feels confident that this light will help resolve the problem and make the neighborhood safer. He is often forced to call the police, but they simply can't respond all the time to this ongoing and continuous problem. It was noted that the land in question is owned by the Commonwealth and falls under the purview of DCR. The Board was generally in favor of taking action, but was concerned about that action not solving the real problem. The Board inquired about the existing pole. Mr. Pantacelos responded that the existing pole is bordering his driveway and on the Dunstable side of the property. His driveway is about in the center of his lot. It was determined that the Board would consider the options, and would notify the abutting neighbors in the area. The matter will then be placed on the Board's agenda again, which will give neighbors the opportunity to respond. Otherwise the Board will pursue the available options including erection of a light pole with National Grid.

Appointments

Ms. Hutton began by providing the Board with the request by the Zoning Board of Appeals for appointments to fill vacancies. The ZBA intends to move Mr. Norkunas from Associate Member to full Member. Further, a David Lantagne has come forward volunteering his service. Mr. Lantagne took a moment to introduce himself and elaborated on his knowledge base and why he felt he would make a good fit for the ZBA. The Board inquired whether the ZBA supported his nomination. Ms. Hutton confirmed that the ZBA has requested he be appointed as a Member. The Board then noted that this leaves the ZBA with no Associate Members. Ms. Hutton confirmed, but noted that the ZBA will have a full complement of five Members and Associate Members may now be sought. In the meantime, the ZBA has a quorum and is able to function. Seeing no reason not to proceed with the appointments the Board determined to move forward.

Stanley Norkunas is appointed as a full member of the ZBA Term Expires: June 30th, 2018
Motion by Ms. Basbanes, seconded by Mr. Alterisio, passed by majority vote

David Lantagne is appointed as a full member of the ZBA Term Expires: June 30th, 2021
Motion by Ms. Basbanes, seconded by Mr. Alterisio, passed by majority vote

Discussion of the GDRSD Stabilization Fund

The Board began by noting that there have been some questions by the School Committee as to the position of the Board on the adoption of the Stabilization Fund. The Board started by noting that yearly increases to the schools operating budget may result as a consequence of the fund. Usually the increase in operating budget is 4 percent; when that number is greater, the problem for Dunstable's budget grows. The town may only increase its tax levy by 2 ½ percent unless there is an override. Ms. Gilbert responded that it appeared there was general consensus that the town was in favor of the stabilization fund prior to the Special Town Meeting, and the School Committee was concerned after seeing the Board express disfavor for the funds adoption, as to what changed. The Board responded by further explaining its reasoning, noting the problem was the funding mechanism. There had been a question of whether a debt exclusion was possible mechanism. However, there were problems regarding the MGL involved. Ms. Hutton clarified on the timeline and how things occurred. Ms. McKenzie noted that this entire matter has been confusing, and the goal of the school is to bring clarity to the matter and attempt to again achieve consensus. She felt that at the Special Town Meeting, the reasoning appeared to be that Town Counsel had advised against it. But it was then clarified by Town Counsel that he had not so advised. All of this created a layer of confusion as to exactly what was happening.

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She then went over the debt exclusion question, and made some comments on how the process can work. There are two separate ways of assessing capital. Ms. Hutton noted that the School Committee has choices in how to do its budget for which the town has no control. This prompted discussion of how the process would work and how the School Committee and the Board can work together to reach consensus on the budget. Ms. McKenzie noted that the district has a capital plan. Like it or not, the capital projects are coming and the district will be putting those capital projects forward over the next few years. The Board responded that this still constitutes a financial burden to the town. Ms. Gilbert interjected to clarify a few points about what the School Committee intends and what the costs will be. This included what the Capital Stabilization fund will do for the district. She elaborated on how the School Committee can save for capital projects and how that will help reduce the direct costs to the town. This fund will allow the district to save. Additionally, the district can put its version of Free Cash into the stabilization fund and this would lessen the burden on the towns to fund the stabilization. This allows a way for the district to help reduce the impact it will have on the towns as these capital projects come up. She then went over some of the things Groton has done to save for funds to help the district, and how the district has successfully worked with them. In her vision for the next fiscal years, there will be multiple options for funding capital projects and means to lessen the expense for the towns. Just because the School Committee has the authorization to establish the Capital Stabilization fund doesn't mean that there isn't still a reason to collaborate with the towns on how to fund and use it.

The Board agreed that maintenance of facilities has to be done, and capital projects can't be avoided. However, the Board continues to have questions as to some of the funding mechanisms for the stabilization fund. The Board is concerned with the cost, and the possible burden it may place on the municipal side of the budget in the event that an override is needed and fails. This would likely result in cuts to the municipal side and as a result cuts to essential services. There are also some concerns about the fact that the School Committee may remove funds from the Capital Stabilization fund by a two thirds vote with Dunstable holding less than one third of the vote on the committee. Ms. Gilbert responded by noting the ground work she has already taken to assuage and lessen these concerns. She has reached out to the Groton Finance Committee and the Dunstable Advisory Board to determine what the financial policies are. The hope is to have policies that reflect and address the concerns of both towns. The Board noted that currently the Advisory Board doesn't have official policies in all of those areas. More or less there is agreement between the Advisory Board and the Board not to use Free Cash to offset the tax levy as that is unsustainable. Ms. Gilbert suggested that the School Committee can help with the putting in place of policies to assuage and address the concerns of both towns. She stated that she continues to reach out to try and maintain consensus between all stake holders because it is important to find ways to pay for both our municipal and school expenses. She noted that sacrificing the municipal side makes her personally feel uncomfortable. So, finding ways to fund all of these important expenses is paramount. The Board noted that Groton has more resources than Dunstable, and that will remain part of the problem. Bottom line is that the Capital Stabilization fund now exists, it will need to be funded, and there will be capital projects. Working on policies is good, but the funding will remain central.

Mr. McLane interjected to address some of the concerns expressed. From his viewpoint, he represents Dunstable and cares about the whole town. What he is looking for is an answer to how he should advocate for the town. He stated he isn't looking for reactionary rhetoric; but rather seeks to hear proactive rhetoric. The Board responded that there can be no doubt, that in the last two years, dramatic change has occurred in the relationship between Dunstable and the School Committee. This is a direct result of the town's representatives on the School Committee, and that should be recognized. That said, the Board is concerned about what will occur should the school district ever seek funds that require an override and where an override fails, the impact on the municipal side will be devastating. Mr. McLane responded that it doesn't have to be that way. He stated that the school versus town positioning has to stop. This shouldn't be an adversarial situation. The Board responded that Dunstable cannot compete with Groton on resources. Dunstable will continue to advocate for supporting the district so long as it is sustainable. This will require Dunstable to continue to seek ways to improve and increase its resources for funding. Right now, the Board noted, Dunstable is behind the ball on funding resources, but the town commits to do what it can. Mr. McLane reminded those present that the school district has done its best to keep its costs down. Sacrifices have been made on both sides, and will continue to be made. Ms. Gilbert elaborated on some of the reasons as to why the costs continue to rise, most of which are driven by the Commonwealth. The Board agreed that much of the problem is the result of unfunded mandates, and that there must be attempts made to petition for a change in how schools are funded. But this will require pressure at the General Court. Ms. Gilbert agreed generally, but noted that many possible corrections by the

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Commonwealth might actually hurt GDRSD. Other communities, mostly in the west, will likely see their state level funding increasing. Regardless of what will happen, we have to deal with realities today. She then respectfully asked the Board and the town to trust the School Committee. She noted that while Dunstable may only have two members on the School Committee, they aren't isolated or alone. She stated that she personally fought to keep the budget down last year, not for Groton's sole benefit, but for Dunstable's as well. Ms. Basbanes, stating that she was speaking for herself rather than the Board, went over the process as she understood it going into the Special Town Meeting. This included the numerous opinions and information that were provided and how there was indeed confusion. This wasn't about trust; this was about not being entirely clear on what it was that the town was voting for that night. It was simply, that night, not having a working understanding of how this fund would function. She is pleased by the capital plan, and by the commitment to transparency made by the School Committee. The numbers are going to be coming at the town, and the town will have to react to them. Mr. McLane responded that a vote was taken and the Board was against it.

The Board clarified that again, it is not against the Capital Stabilization fund itself, the decision was based on that information the Board had. Mr. McLane expressed the feeling of being blindsided having thought, going in, that the Board was in support. Ms. McKenzie followed noting that when the School Committee does something that impacts the towns, it makes attempts to reach out to the relevant boards and committees to keep them in the loop. She asked if there is a way to set up an agreement to ensure that there is notification. The Board responded that it works closely with the Town Administrator to determine its agenda and suggested Ms. Hutton can reach out to the School Committee to let them know when there will be discussion of School Committee related matters at its meetings. Ms. Hutton apologized noting that she thought it was clear to the School Committee that the Board had not yet reached a formal position on the article and had further meetings where to discuss the matter. Mr. McLane reiterated that more input from the town is needed to ensure that he is advocating effectively for the town. Such input would allow him to better balance the needs of the students with the needs of the town. The Board generally agreed to help reach that level of input noting that the bottom line is to become more familiar with the capital needs along with the general financial needs of the district going forward. Ms. Gilbert pledged to do her best to help the town achieve this. There was then some light discussion of the budget planning timeline for Dunstable and Groton. This prompted some discussion of the many "buckets" where funds get placed and the need for consolidation. Groton, in particular, has a number of these and Ms. Gilbert hopes to see ways of consolidating them. Discussion ended shortly thereafter on a renewed sense that the only way forward is collaboration, sharing of information, and consensus building.

Draft FY19 Budget

Ms. Hutton started off by providing the Board with the draft budget for FY19. Some things have gone down, some things have gone up. This budget reflects her work with department heads and includes their budget requests. She intends to present it to the Advisory Board by the beginning of January. It will continue to be tweaked. She noted that the Fire Chief is perpetually frugal and they have gone through the Fire Departments budget closely. She has also worked hard with the Police Chief to cushion the cost of the Union contract. The Board noted that there has been a substantial increase requested by the Highway Department. Ms. Hutton noted it constitutes an increase request of about \$600,000 and elaborated on some of the reasons for that number. The Board then noted some of the other proposed increases and some of the needs of the town. There appear to be aging problems for some town buildings, most prominently the Town Hall. Thankfully the town's insurer has been covering a lot of those, but it will mean higher premiums in time. Aside from some of the increases, it appears that things are going well. There were then some questions about a few line items being deleted this year. Ms. Hutton responded by elaborating on what the rationales are. From there discussion returned to repair needs and energy usage.

Ms. Hutton elaborated on the needs of various buildings, and how some of the repairs were being done, such as the Town Hall's boiler, which will decrease maintenance costs from emergency repairs to normal maintenance. She also further elaborated on the net metering agreement the town has entered into and how that impacts things. There was then some discussion of a few other items like office supplies and travel expenses. The town will be buying a new voting machine, so that is why there will be an increase in the Clerk's budget for that. However, her supplies budget is decreasing because last year's bump was due to a needed fire proof cabinet. Ms. Hutton then turned to explaining changes to the Inspections Department budget. There's a lot of consolidation in budget line items this year for Inspections. There was then some discussion of the Tree Warden's budget. The Warden hopes to get rid of more stumps this upcoming year. There was some brief

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discussion of transportation costs for school choice students. This led to some discussion regarding reimbursement by the Commonwealth. In the past it's been as high as 70 percent. Ms. Leonard noted that this year it was more like 7 percent. She stated the Commonwealth has dramatically cut transportation reimbursements. Ms. Hutton then reminded the Board that the Advisory Board's next meeting will be on December 5th, 2017. Discussion ended shortly after.

Offer to the Town for the Purchase of Real Property

Ms. Hutton started off by explaining that the owner of real property, Map 13 Lot 4A, near Hall Street and town owned land in the vicinity of Larter Field, has offered the landlocked property to the town for purchase. The property is roughly 1.01 acres in size. The property in question appears to be too small to build upon and lacks frontage. The Board noted the lot in question is adjacent to open space property. It appears that the property cannot be readily developed. Mr. Chaney had some questions regarding the parcel and its location as well as the sought for price. Ms. Hutton responded that the property owner hasn't put forward a price. The intent appears to be to find out if there is interest. Ms. Hutton agreed to inquire with the property owner as to what the price sought would be. Mr. DeNyse asked that Parks be kept informed. Although the property is not contiguous to Larter Field, it is in the vicinity. Ms. Simmons inquired as to whether this property is behind a house. Ms. Hutton responded that it is. Discussion ended there.

Proposals for a Market Study

The funds for conducting a Market Study were approved at the Special Town Meeting held on November 7th, 2017. Ms. Hutton provided the Board with two bids. The Board then expressed some thoughts about what the focus should be. The Master Plan had two objectives, the first to look at long term community development, the second to deal with ideas for short term and long term economic investment. The analysis should probably, therefore, be focused on what the opportunities are for investment and returns on investment are that are in concert with the Master Plan. Short term would likely be either immediate, or within a 2-year window. Such ideas might include a solar farm and the potential for the sale of water. These kinds of projects would generate income in short order, and likely not impact the character of the town. Nonetheless, there would be an investment cost to start. So the Board suggested that the analysis consider what these kinds of projects would cost, what they would require, and identify them. Ms. Hutton noted that this study should be more focused on long term potential because this is an analysis of the supply and demand on a long term basis. Discussion turned back to the bids. Two have been provided so far. A third was sought, but the bid wasn't returned as of yet. One of the bids appears to be more catered to the town itself and the company involved has clearly looked at the notes and minutes from a variety of meetings held in the town as well as the history of the community. Ms. Hutton noted the bids have already gone through at least one revision, and inquired about whether the Board wants to see any more revisions. The Board noted that it would like to see the bids revised a bit more town wide. The existing bids appear to be more focused on the Town Center.

Benches on the Town Common

Ms. Hutton started off by providing an email to the Board from Brenda Bacon. Ms. Bacon has informed the town that her family is unhappy with the discussion so far on moving the benches. Ms. Hutton has responded to her and the family to express the fact that it was not the intention to hurt any feelings and the town is attempting to keep all stakeholders involved. Mr. DeNyse then responded as to why there is a proposal to move the benches. It regards the pouring of their foundations, as well as their utility. The benches are too close to the Bandstand for comfortable use during Summer Concerts, as well as in other situations. The Board noted that part of the issue is that while there were two benches placed after a request and approval, others simply appeared. It was the recommendation of the Memorials & Monuments Committee to establish policies and standard designs, and rather than continue the current status quo, move the benches to an area where they have greater utility. This isn't intended to slight or disrespect any of the families that donated the benches. There was then a question of whether there is a detriment to keeping them where they are. Mr. DeNyse responded that Memorials & Monuments intends to have a structure and process in place for any future placements. Although, the current recommendation is that there be no further additions. Ms. Hutton noted that moving the benches will be expensive, so if there is any hesitation, then it may be better to leave the benches where they are for now. Mr. Chaney noted that there are three main issues. The first being the care taken for the benches, second that they would be better placed elsewhere, and third being aesthetic. There was a feeling by some

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folks that they would look better placed elsewhere than around the Bandstand. The benches don't have backs and aren't particularly comfortable to sit on. Nonetheless, they represent feelings and care by the donor families and that should be considered. Chief Rich noted that in the case of the bench for the Bacon family, a process was followed and the matter was previously governed by the Parks Commission. Ms. Hutton returned the discussion to whether the Board wants to pursue this matter further or put it on hold. The Board felt that for the time being, it is likely best to take no action.

Town Administrators Report

Ms. Hutton started off by reporting where things stand with the search for a new Electrical Inspector. After a job posting was placed in the Lowell Sun, a number of qualified applicants have come forward. Ms. Hutton hopes to have a new Inspector appointed by January 1st, 2018 if at all possible as that is the start of a new quarter and the new calendar year and it would represent a clean break. The Board was pleased and proposed that Ms. Hutton come up with a recommendation for appointment. Ms. Hutton then proposed the Board consider looking at the Fee Inspection Schedule. This would include increasing some fees and lowering others. From there Ms. Hutton reminded the Board that the Town Hall will be closed for three days for the replacement of the Town Hall's boiler, the cost of which was approved by the Special Town Meeting. The Town Hall will be closed on November 29th, 30th, and December 1st, 2017. This closing is due to the minimum heating requirements of MGL Chapter 149, Section 113, for office buildings as well as the related regulations promulgated by the Massachusetts Department of Labor Standards (MDLS).

MGL and MDLS regulations require a minimum temperature be maintained from October 15th until May 15th of every year. Without a working boiler, the required minimum temperature cannot be maintained. Ms. Hutton then reported on the savings from the Nexamp net metering agreement. It appears that the town will save about \$100 per town building. The agreement has already taken effect. From there discussion turned to an old well on town property. This well should be capped. Ms. Hutton purposed a concrete cover. The Board favored such a cover. Ms. Hutton briefly updated the Board about the Board of Health's current interest in pursuing a pick up option for waste in town. They will be discussing the matter and its costs with the Advisory Board soon. She then reported on the current status of the water system. The Water Commission is considering the possible dissolution of its Enterprise Fund, as well as other matters including a possible deficit that will be run due to compliance with DEP. Ms. Hutton then finished by noting her schedule for the next two weeks as well as the Board's next scheduled meeting on December 12th, 2017.

Police Update

Chief Dow briefly updated on a possible grant for battling drug abuse and providing help for mental health. A program has been developed between Dunstable's department and a couple of other towns. This grant opportunity would help support those efforts. The program has helped reduce overdoses, and provides opportunities for mental health support and other related resources. Dunstable, Groton, Shirley, Townsend, Littleton, Ashby, Boxborough, and Ayer are all served by the program. The Board was pleased but had questions about the grant and what the seed money will do. Chief Dow elaborated further on the grant funds and how the program will be sustained beyond them. The grant will be a powerful step in the right direction. The plan is to build the services in such a way as to get support from insurance companies and other stakeholders. The grant will be over a 3-year period with most of the funds upfront. Currently the program is already entirely grant funded; this grant will simply continue this. There is no existing monetary commitment by the town. Chief Rich noted that most of the increases in calls for emergency response are related to drug and mental health issues. Chief Dow agreed that arrests and injuries are being driven by this. A lot of times the drug use is related to mental health problems as well. The Board okayed Chief Dow to pursue the grant. There was then some light discussion with Chief Dow regarding the department's budget. Off Duty Details are down this year. The cost for lock up is increased, but only modestly. There are more patrols out. Chief Dow continues to aggressively seek regionalization opportunities and cost savings. As for lockups, a lot of these feed back into the need for the program that grant funds are being sought for.

Minutes

The Board started by considering the minutes for October 31st, 2017, which were tabled by the Board at its last meeting. The Board subsequently determined to table its minutes from November 7th, 2017 and November

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14th, 2017 in the absence of Mr. Mikol. The Board ultimately noted several corrections to the October 31st minutes, but determined to move forward with approval pending corrections and modification.

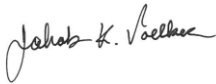
A motion was made by Ms. Basbanes to approve the minutes of October 31st, 2017 pending modification. The motion was seconded by Mr. Alterisio and passed by majority vote.

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 8:45 pm. The motion was seconded by Mr. Alterisio and passed without objection.

Respectfully submitted by



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