

**Town of *Dunstable* Selectboard**  
**Meeting Minutes**  
**December 18, 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; Dana Barnes, Building Inspector & Zoning Enforcement Officer; Kim Tavallaimola, Representative for National Grid; Kellee Wilson, chair, Lauren Chenelle, Sharon Chen, Trustees of the Morgan Babcock Scholarship; Mike Martin, Roads Commission

**Selectboard Reviewed & Signed the Following:**

- Vendor & Payroll Warrants
- Common Victuallers Licenses
- National Grid Pole Hearing Paperwork

**Open Forum**

Mr. Alterisio explained the purpose of the public forum and went over the Boards agenda which included a Pole Hearing, Appointments, Issuance of Annual Common Victuallers Licenses, Discussion Regarding the Playground Steps, Consideration of a Market Study Proposal, and an Executive Session.

**Pole Hearing**

Mr. Alterisio formally opened the public hearing and invited Ms. Tavallaimola to address the Board regarding National Grids petitioned for approval to relocate a pole on Hall Street to allow room for, and clear any obstruction to, Bear Hill Way. The Board noted that the pole may in fact be located in Groton. Ms. Tavallaimola responded that the pole is simply being relocated set about 8 feet southwest of the existing pole, and National Grid understood that to be still within Dunstable. The Board clarified that the town line appears to run right along 306 Hall Streets property line and Bear Hill Way intersects with a road that is technically in Groton. However, all of the homes in that area that would be serviced are within Dunstable. Ms. Hutton responded that if the Board believes that the pole is actually to be located in Groton then Groton should be the forum for the hearing. There was then debate among the members of the Board as to whether Bear Hill Way is within Dunstable or not. It would normally be required to fall in Dunstable as it is a new way for a subdivision before the Dunstable Planning Board. Ms. Hutton suggested continuing the hearing and requesting a more accurate map from National Grid as to the exact location. Bryanwood Lane is definitively within Groton. Bear Hill Way should be in Dunstable.

Ms. Tavallaimola again reiterated that National Grid believes that the pole is located in Dunstable. The Board asked how the location of the pole is located in a given town. The Board inquired as to whether GPS was used or if it was by some other method. Ms. Tavallaimola responded that it is done by measurement and road location. Ms. Hutton procured official road maps to determine whether Bear Hill Way is within Dunstable and if the pole would therefore likely be as well. It was determined that Bear Hill Way is in fact within Dunstable, and that the town line is about 70 feet from the centerline of Bear Hill Way. Therefore, the pole should be placed within Dunstable. Satisfied with this explanation the Board proceeded with approving the relocation of the pole. This pole will help service the new Bear Hill Way and provide service to about 7 homes. Mr. Martin had a few questions about the exact relocation of the pole. He noted that the further the pole can be set from Hall Street, the better. Hall Street's right of way is about 40 feet wide. Assuming the pole is right at that edge, it should be fine. Ms. Tavallaimola agreed to look into the matter further. The Board determined to move ahead with approval of the pole relocation.

A motion was made by Ms. Basbanes to accept National Grids application to relocate and erect the pole as applied for and to close the public hearing. The motion was seconded by Mr. Mikol and passed unanimously.

*Approved and adopted on 1/2/18*

## Appointments

Ms. Hutton started off by providing the Board with a request from the Conservation Commission for the re-appointment of Bill Moeller to the Commission. Mr. Moeller had previously resigned from the Commission for health reasons, but the Commission has been unable to replace him. It is requested he be appointed for the remainder of his original term which expired in June 2018 in order to avoid quorum issues. Ms. Hutton then elaborated on a request by the Advisory Board for the appointment of Adria Fischer to fill a recent vacancy on the board. Ms. Hutton then provided the Board with a request by the Chief of Police for the appointment of a new Reserve Officer. Chief Dow spoke briefly to explain the situation, how the last officer appointed for the position didn't work out, and why this candidate was chosen. This is not a new position, and the officer will fill a vacancy. The candidate is eager, already been to the Academy, and should be quickly on the road.

From there Ms. Hutton updated the Board on the search for a new Electrical Inspector and provided the Board with a recommendation on the appointment of a new Inspector. The candidate is Peter Martin. He is qualified and prepared to do the job. His scheduling is a bit challenging, so Ms. Hutton recommends appointing him until June and then during annual appointments appoint for a year. The Board was amenable to this recommendation. There were a few questions as to where the job notice was posted and the candidate pool. Ms. Hutton responded by outlining the process and briefing on the candidates. She then finished by reminding the Board that the Trustees of the Morgan Babcock Scholarship are present for the appointment of Mr. Alterisio to the Trustees. They explained that they have already officially made the appointments at their most recent meeting and the Board is only asked to concur. From this point the Board proceeding with motions.

William Moeller is appointed to the Conservation Comm.                      Term Expires: June 30th, 2018  
*Motion by Mr. Mikol, seconded by Mr. Alterisio, passed by majority vote with one abstention*

Adria Fischer is appointed to the Advisory Board                                      Term Expires: May 15th, 2018  
*Motion by Ms. Basbanes, seconded by Mr. Mikol, passed unanimously*

Michael Pietroforte is appointed as a Reserve Officer                                      Term Expires: June 30th, 2018  
*Motion by Ms. Basbanes, seconded by Mr. Mikol, passed unanimously*

Peter M. Martin is appointed as Electrical Inspector                                      Term Expires: June 30th, 2018  
*Motion by Ms. Basbanes, seconded by Mr. Mikol, passed unanimously*

A motion was made by Mr. Mikol to agree and concur with the Trustees of the Morgan Babcock Scholarship in the appointment of Mr. Alterisio as a Trustee and the official liaison of the Board. The motion was seconded by Ms. Basbanes and passed without objection.

## Common Victuallers Licenses

Ms. Hutton presented the Board with the Common Victuallers Licenses for the Dunstable General Store, the Farmhouse Café, and the Dunkin Donuts in town. All three license applications were received in a timely manner this year. The Board saw no reason not to approve the issuance of these annual licenses.

A motion to approve and issue Common Victuallers Licenses for the Dunstable General Store, the Farmhouse Café, and Dunkin Donuts was made by Ms. Basbanes. The motion was seconded by Mr. Mikol and passed without objection.

## Playground Steps

The Board started the discussion. There appears to be a possible technical issue with the pitch of the steps. From top to bottom you can only have a change in grade that is not greater than 30 to 31 percent in the incline of the step. It would appear, at least visually, that the steps are not compliant as they may be at 40 percent currently. After the New Year, it is proposed that the grades be officially determined through proper measurement, and a resolution be found. This will include consultation with the Building Code. There was a

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question of whether there is compliance with the code. Ms. Hutton reiterated her position that the steps are in conformance with the code. The Board determined that because the steps are specifically intended for children there is a great need for the Board to be certain in the safety of the steps. Ms. Hutton stated she would report to the Parks Commission and setup a measurement of the steps to determine if the incline is within the required percentage or exceeds it. Discussion ended there.

### **Market Study Proposal**

Ms. Hutton started off by explaining how the scope of work has been re-worked due to the Board's desire to move away from a Town Center District towards a broader assessment of the town. The price won't be affected for the proposal, but the work will be more general. The Board was pleased by the proposal given the planning aspects of it. The company being considered does have a generally well known reputation, but the Board would like to get a little bit more background on them prior to agreeing to the proposal. The Board also had some questions as to the cost of the proposal and ensuring that it does not exceed the funds allocated by the town for the study. The total allocated is \$17,500 and it appears the proposal on its face would not exceed that. Nonetheless, the Board expressed a desire to be careful and see the language on that be made clearer. Ms. Hutton noted that this can be made clearer in the actual contract. There was then some subsequent discussion of presentation of the results. Any presentation by the company will cost more, but they will, as a part of the contract, provide the town with a slideshow and accompanying data for the town to present. The Board was concerned about the town having to present the data itself. It may be better to determine what the cost would be to have them present it.

Ms. Hutton suggested using funds from the professional and technical budget line if she is unable to get them to agree to in the contract for the work at \$17,500. Regardless she will determine what will be included for the \$17,500 and what would be extra and what that cost would be. It was noted that the overall hope is to marry the recommendations of the Master Plan with what can be determined to be viable development interests for the town. There likely won't be a lot of recommendations for short term investments that generate nearly immediate income for the town itself. Rather, it is more likely that what will be recommended are ways to help stimulate and encourage commercial investments. Ms. Hutton clarified this is to evaluate and study a long range plan for encouraging development. This is about seeking out what is missing, what can be offered up, what can be used, and what the options are. All of this will be an integral part the Master Plan process. The Board hopes to see ways to find both short term and long term ways of generating income to address the issues inherent in Prop 2 ½ and the increasing funding needs of the school district and the municipal government. Discussion concluded with a decision for Ms. Hutton to clarify on costs and review of a contract hopefully for the Board's next meeting.

### **Update on the Budget Burn Rate**

The Board noted that the budget is doing well in the burn rate currently. The town is currently at about 31 percent. Ordinarily the town would be at 42 percent, so this is good. The legal account appears to be tightening, so there may be a need for some discussion down the line as to where things stand for that. This may result in some moving around of funds as allowed or permitted by applicable law come the end of the fiscal year. Otherwise the accounts appear to be in good shape.

### **Update on School Committee Communications**

The Board discussed some communications with the School Committee. There's been some positive news regarding some grant funding the school district has been seeking. Ms. Hutton then noted some figures being mooted for the proposed assessment in FY19. The Advisory Board will be holding a meeting with the Board soon in regards to this topic. The Board turned then discussion to the request by the School Committee for certain financial policies of the town. Currently there really aren't any policies of the nature the School Committee is looking for, but the Advisory Board is open to creating such policies. The Board is fine with this development, but expressed some reservations. It is very important that whatever is adopted take into consideration the differences in funding capabilities from Groton as to the school district. There are a few areas where caution should be taken and concerns that must be addressed. From there discussion turned to some interest by the Commonwealth regarding Florence Roche and the proposed improvements. No Dunstable

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students currently attend Florence Roche. Groton would seek to move all Groton students back to Florence Roche, and the School Committee suggests possibly seeking to move Dunstable's students to Florence Roche from Swallow Union as well. The result might mean the closing of Swallow Union. The Board had some reservations and would like to hear more from the districts educational professionals as to the merits of the proposal of moving students and possibly closing Swallow Union as there are considerations such as any impact that would be felt on class sizes among other concerns. While such decisions are within the School Committees purview, it is important to have educators involved in these kinds of decisions.

Ms. Hutton suggested that the School Committee should be focused on the policy setting and the Superintendent should be doing the work. It appears currently, that the School Committee is coming up with day to day operations rather than just policy. The Board agreed noting that the Board focuses on policy and has the Town Administrator doing the day to day work. Additionally, the Board felt that prior to making decisions that might lead to the closure of a school in Dunstable that serves Dunstable students, Dunstable's residents should be consulted to some extent. But not just that, the process should be driven in no small part by the education professionals. This is about more than just a building. It may impact students and class sizes. It was clarified that if Groton moves all of its students currently in Swallow Union out, the school could remain open, but its maintenance and related costs would be paid for by Dunstable alone. So the choice may be that Dunstable participates in renovating Florence Roche or takes full responsibility for maintaining Swallow Union. This prompted some light discussion as to where Swallow Union stands in its life as a facility and whether any work will need to be put into the building to maintain its usefulness. Discussion turned back briefly to the issue of financial policies and what the intent behind the request is. There was the suggestion that the School Committee's only interest was to determine if such policies exist or not rather than to see such policies created. Regardless, if the Advisory Board is interested in developing some the Board is not opposed. The consensus emerged that neither the financial policy questions nor the Florence Roche questions were more than news at this stage and to allow more development prior to any formal response.

### **Roads Plan Update**

Ms. Hutton briefly updated the Board on a meeting of the Roads Commissioners. About half the money needed for the road pavement plan has been secured. Roads is in support of the plan assuming funds can be procured to cover the gap between the grant funds and the cost. This would constitute about \$5,000 which would be taken from the Reserve Fund. Mr. Martin addressed the Board. He elaborated on Road's concerns and willingness to do this, but that it would have to be contingent on getting reserve funds. The total cost of the project is about \$13,000. Roads can chip in about \$3,000; the grant covers about \$5,000. So that leaves the \$5,000 gap. Ms. Hutton noted the Reserve Fund is about \$35,000. This is an increase from prior years where those funds were around \$25,000. That increase was achieved through trimming department budgets. This is precisely what the fund is for. Roads is chipping in, and there are grant funds. She then went over some of the ways this project could be funded. There are alternatives, but those alternatives have drawbacks which are why Roads doesn't want to use them.

They include Chapter 90 and the Highway Departments current paving line. There was a question about how many funds would be left in the pavement line if the \$5,000 was taken from there. Mr. Martin was unsure but felt that it would leave only about \$12,000 or so. Any overrun would then be a concern. There was then discussion as to what the study would provide and how it may or may not assist in funding requests at the Annual Town Meeting. Ms. Hutton felt that it would help at the ATM, and would also have the benefit of gaining more grant funds and funding from MassDOT through complete streets as well as Chapter 90 itself. It was noted that Advisory Board's next meeting is January 4<sup>th</sup>, 2018. Mr. Martin stated that Roads has already put a request in with Advisory Board for a Reserve Fund transfer. The Board felt the plan is a good idea given the funding opportunities. Ms. Hutton noted that there will be a \$500,000 request for additional funding for paving at the ATM. This kind of plan will help back up that request. Mr. Martin noted some of the recent paving done and the costs of it. His fear is that if the \$5,000 is taken from the paving line, it could pose some problems by end of fiscal year. Discussion ended shortly thereafter with some brief explanations of the ins and outs of Chapter 90.

## **Administrators Report**

Ms. Hutton started off by reporting on a request for permission to do some metal detection on town property. Some of the land the applicant would like to do this on is Conservation land, but the Conservation Commission has referred the matter back to the Board. The Commission simply desires to have a stipulation that anything that is found be reviewed by the town prior to him keeping it to ensure that any artifacts found are not lost. It was clarified that this is purely metal detection and not ground penetration. This prompted discussion about MGL regarding the issue. There was some discomfort with granting permission for a variety of reasons. Anything produced should be of first right to refusal for the town should this application be approved. The applicant expresses a desire to be ethical and is interested more for historical reasons than for personal gain. One of the Board's concerns was any liability for the town should the applicant injure themselves. Ms. Hutton suggested asking for indemnification. The property in question was a homestead in colonial times, and there are historic interests for the town. Ms. Hutton suggested drafting an agreement for the Board to review. From there she turned to an update regarding the need for repairs to the Town Halls roof. The roof slate is over 100 years' old which is towards the end of the lifetime for slate. She is seeking grant funding for this and there will need to be some testing. CPA funds may also be used as well.

She then updated on where things stand with a new emergency notification system for the town being sought by the Emergency Management Director and the Chiefs of Police and Fire. It would not only cover landlines, but also cell phones. The systems being considered are expandable and usable beyond emergencies and would allow for citizens to sign up for notifications. It appears that the cost of such a system can be funded out of the existing budget. The systems under consideration would have limits and controls to ensure that there is oversight and not constant pushing out of notifications that might bog the system down or cause citizens to unsubscribe. The Board had some questions as to how the subscribing part of the system would work and how residents who leave town would be able to discontinue. Ms. Hutton elaborated on how the system would work and noted that yes, anyone moving out of town, if they enrolled a cell phone or email, would have to unsubscribe from it. Overall, she feels this would be a good asset for the community. Ms. Hutton then turned to a letter from MMA. Mr. Alterisio won't be attending. If another Board member wishes to go, they need to sign the MMA paperwork which Ms. Hutton will keep in her office.

From there she turned to discussion regarding requests the town consider hiring a planner. The town cannot afford a full time or part time planner. Ms. Hutton is pursuing the option of having a planner on retainer the same way the town has its Engineer. She then asked the Board to consider what the options are for 91 River Street and what should be done with it. The Board noted that there will need to be some thought on this. In the meantime, heating oil will need to be procured for the property to ensure the pipes don't freeze. The property should not be allowed to fall into total disrepair. There was a suggestion of having the property winterized. It was determined that the topic be put on the Board's next meeting agenda. The consensus was that winterization would make the most sense. Purchasing oil would be costlier. Ms. Hutton agreed to look into the matter further and seek out a winterization option. She finished her report there.

## **Use of Town Property Requests**

The Board considered several applications. The first application was for use of the Town Hall by the Grange for a State Grange event April 15<sup>th</sup>, 2018. The second was from the Dunstable Democratic Town Committee for use of the Grange Room for a meeting on February 10<sup>th</sup>, 2018. The third request was from the Trustees of the Morgan Babcock Scholarship for use of the Town Hall for meetings on January 4<sup>th</sup>, 2018, April 12<sup>th</sup>, 2018, April 28<sup>th</sup>, 2018, and their annual scholarship awarding event on May 3<sup>rd</sup>, 2018. The Board saw no reason to deny any of the applications and determined to move forward.

A motion was made by Mr. Mikol to approve the application by the Dunstable Grange for use of the Town Hall for a State Grange event on April 15<sup>th</sup>, 2018. The motion was seconded by Ms. Basbanes and passed without objection.

A motion was made by Mr. Mikol to approve the application by the Dunstable Democratic Town Committee for use of the Grange Room on February 10<sup>th</sup>, 2018 for a meeting. The motion was seconded by Ms. Basbanes and passed without objection.

*Approved and adopted on 1/2/18*

A motion was made by Ms. Basbanes to approve the application by the Trustees of the Morgan Babcock Scholarship for use of the Town Hall for meetings to be held on January 4<sup>th</sup>, April 12<sup>th</sup>, and April 28<sup>th</sup>, 2018 as well as an event to be held on May 3<sup>rd</sup>, 2018. The motion was seconded by Mr. Mikol and passed with one abstention.

### **Minutes**

The Board started by considering the minutes for November 7<sup>th</sup>, 2017, and November 14<sup>th</sup>, 2017 both of which were tabled by the Board at its last meeting due to the absence of Mr. Mikol. The Board also considered its minutes from November 28<sup>th</sup>, 2017. Seeing no necessary changes or modifications the Board determined to approve all of the minutes as written.

A motion was made by Ms. Basbanes to approve the minutes of November 7<sup>th</sup>, 2017 as written. The motion was seconded by Mr. Mikol and passed unanimously.

A motion was made by Ms. Basbanes to approve the minutes of November 14<sup>th</sup>, 2017 as written. The motion was seconded by Mr. Mikol and passed unanimously.

A motion was made by Ms. Basbanes to approve the minutes of November 28<sup>th</sup>, 2017 as written. The motion was seconded by Mr. Mikol and passed unanimously.

### **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.

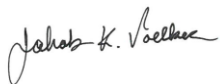
### **Executive Session**

Leah D. Basbanes made a motion to enter Executive Session for the purposes of a discussing Real Estate in accordance with MGL Chapter 30A §21(a)6, and with the intention not to return to ordinary session afterwards. The motion was seconded by Ronald J. Mikol. The motion was adopted without objection by Walter F. Alterisio, Leah D. Basbanes, and Ronald J. Mikol

The Board entered into Executive Session at 8:22 pm

A motion to adjourn was made by Ms. Basbanes at 8:53 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 1/2/18*