

Town of *Dunstable* Selectboard
Meeting Minutes
May 15, 2018
Town Hall, Dunstable, MA 01827

Convened: 7:00 pm

Present: Walter F. Alterisio, chair, Leah D. Basbanes, vice chair, Ronald J. Mikol, member; Tracey Hutton, Town Administrator; James W. Dow, Chief of Police

Selectboard Reviewed & Signed the Following:

- Vendor & Payroll Warrants
- Special Election Warrant/Ballot Questions

Open Forum

Mr. Alterisio explained the purpose of the public forum and went over the Boards agenda which included an Application for a Banner Permit, Comments on the Route 113 Market Study, Discussion Regarding Authorization to Sign Lake Massapoag Contract, Town Administrators Evaluation, Town Meeting Recap, Signing of Special Election Warrant and Related Ballot Questions, and Two Executive Sessions.

Comments on Route 113 Market Study

Ms. Hutton started off by asking the Board if it was satisfied with the draft or had any comments. The Board responded by outlining some thoughts about the draft so far. One was concerning whether there would be any three story buildings. The Board felt that three story buildings would be unlikely unless an attic space is included. The whole concept is mostly to utilize existing buildings. Regardless, permits will be required and if issues arise that weren't thought about before come up, they can be dealt with as part of that permitting process. Discussion ended shortly thereafter.

Authorization to Sign Lake Massapoag Contract

Ms. Hutton started off by explaining that this contract is between the Town of Dunstable, the Town of Tyngsborough, and the Lake Massapoag Rod & Gun Club. The agreement is for the treatment of an invasive weed species in Lake Massapoag, which is located in Dunstable, Tyngsborough, and Groton. The agreement will allow the hiring of a company to conduct the treatment which will cost a total of \$84,650 of which the Town of Dunstable will pay \$45,000. The Town of Tyngsborough will pay \$25,000 and the Lake Massapoag Rod & Gun Club will pay \$14,650. Dunstable's funding for this project will come from Community Preservation Act funds. That said the Board determined the contract could not be signed at this meeting and tabled the matter.

Town Administrators Evaluation

The Board tabled the Town Administrators evaluation at its last regularly scheduled meeting held on May 1st, 2018 with the intent of taking up the matter at its next meeting. The Board started off by noting that this is still a learning process for all involved. The goals and objectives are what are normally expected as opposed to specific projects, but moving forward specific projects will be more likely considered. The Board then briefly discussed the goals part of the evaluation, these included areas of proficiencies, demonstrated talents, improvements to presentations and accuracy in the budget. Others included completion of certifications and strengths in insuring compliance. Some areas for consideration moving forward include communication and becoming familiar with the towns workings. Part of this is simply demeanor. There have been some difficulties. There is an attitude issue, and some learning curves. Interactions with other departments and elected boards, committees, and commissions could use some improvement. There have been enough situations to indicate that this is an area needing improvement. Promoting team building between different independent disciplines is needed. The Board senses more ownership by different parties in town as to

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different responsibilities. This is a positive. Elected boards, committees, and commissions have seen increased awareness of responsibility. Further, it is clear that the work done by Ms. Hutton with some department heads like Police and Fire has been positive.

For service and support to the Board, the feeling is that things are competent. Relations with other bodies in town have been better, but there are times when things aren't on the same wave length between different parties. When it comes to policies, law, compliance, and procurement, Ms. Hutton does excellent. The people part of the job, including the communication needs and management skills need some improvement. There needs to be more collaboration. The Board noted that the work done with the Union negotiations resulted in a good end product and the Board was pleased. Relations with media had mostly good results. But communication with the community has been occasionally troubled at times. The Board trusts that Ms. Hutton knows what she should be doing as Town Administrator, but sometimes the Board doesn't know and changing conditions can be confusing. This means that there needs to be communication with the Board about these conditions. Professional growth has clearly been occurring but there is still room for more. Mr. Mikol made a note that Ms. Hutton's formal annual review did not reflect his opinion. He addressed some concerns about the Annual Town Meeting and what occurred. He also recapped some previous discussions and noted some problems. He then disputed some of the ratings Ms. Hutton received. Feeling that some stepping up needs to occur. The public has demonstrated complete outrage at the direction of things. Something is clearly not right and this review doesn't help Ms. Hutton understand the gravity of the situation.

It was noted that Ms. Hutton has a high level of education and that should be producing rewards for the town. But the interpersonal issues are hurting things. There has to be collaborative and positive relationships with other boards, committees, and commissions. This isn't just a job, it's a career. The goal is to make a success of things. There was some discussion about how performance evaluations with employees were done. This included some discussion with Town Counsel. It was understood that Ms. Hutton was reluctant to produce those evaluations upon request of a member of the Board. The Board wants to see both the town and Ms. Hutton be successful. This requires putting some things on the table. The Board is hearing the public outrage and while some of the issues are not specific and some of it is not legitimate, but there is so much of it that it cannot be ignored. This has been a distraction for the Board and the town as a whole. It was noted that one of the loudest critics at the Annual Town Meeting is the CEO of Digital Credit Union. That is highly concerning. Ms. Hutton interjected to respond by stating that it is clear she has lost the support of the Board. Only one member was willing to support her and even then the information was filled with errors. She further stated she has taken on additional responsibilities beyond her job description the most prominent of which is the Water Department. She refuses to be berated and belittled. The Board as a whole noted that the chair of the Board made it clear he would speak at the Annual Town Meeting on this issue and asked the other members to allow that, which they did. The Board then outlined several situations and scenarios where different approaches may be taken. The Board affirmed that it does support Ms. Hutton. And the public should have heard that. Ms. Hutton countered about what her education means and what her value is to the town post the actions of the Annual Town Meeting. Without a strong defense, few saw the value. The Board conceded that there is a lot of collateral damage that has resulted from the meeting and public perception.

Still, it is not a secret that there have been struggles with interactions with people. There are a lot of strong personalities in the town, but it is part of the job to make things work better. When things get difficult, Ms. Hutton gets defensive and her demeanor does change when dealing with that. How this can be repaired, is unclear. With some people in town things are clearly unrepairable. A big part of the position is this level of diplomacy that needs to be had and softness in approach which should be coupled with a demonstration of willingness to work with people even if they are wrong or doing things incorrectly, it's all in the delivery. Some people view the approach taken at times to be offensive. Because this keeps happening, people bristle. So when Ms. Hutton walks into meetings rather than a positive greeting, the demeanor is negative. Everyone has to take ownership over their own work. The stage has become set a while ago and everyone is riding on a heightened waive. Which means the moment Ms. Hutton walks into the room, people are bristling. This is unfortunate. This has prompted an angry public. Some may change their minds, but others won't. The work product is excellent, but the facilitating and people skills are troubled. Clearly there is an agenda going on in different parts of the community. The Board then discussed the contract some and how the going rate was determined for compensation. The public clearly didn't understand exactly how that worked and viewed things solely in a lens of a raise. It is clear that the role of Town Administrator should exist and is needed.

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Ms. Hutton responded that regardless of whether the room could be moved or not, there was a responsibility of the Board to support her. And that didn't occur. The Board agreed that the outcome was terrible. The good side was clearly not presented. The Board then discussed what the action that was taken was and what should be done in light of it. Town Counsel has been consulted and is considering the ramifications of the situation and should issue a clarification as to the effect on Ms. Hutton's wages. Town Counsel currently believes that the motion at Annual Town Meeting might have no effect on Ms. Hutton's wages and the Board's authority to contract. Ms. Hutton noted that the way in which the motion was handled has some other problems as well as to the raising and appropriating part. The Board suggested waiting for a more formal opinion from Town Counsel and noted that explanations will be made thereafter to the public and other boards, committees, and commissions. In the meantime, a path forward has to be determined. Interpersonal relationships must be repaired. The issues with style have to be addressed. The idea is to achieve. Mr. Alterisio stated for the record he felt that he did the best he could to support Ms. Hutton at the Annual Town Meeting. The Board then suggested if need be the budget may be fixed at a fall Special Town Meeting.

Town Meeting Recap & Signing of Special Election Warrant/Ballot Questions

Ms. Hutton reported on the comments from Town Counsel and some suggestions he made as to the order of the questions. She spoke briefly about the costs and format. The Fire Truck will cost just north of \$400,000, with the Dumont Property coming in at \$2.6 million, and the Marijuana By-Law having no specific cost. Ms. Hutton then provided the Board with copies of the warrant. She noted the various clarifications made by Town Counsel as to the Marijuana By-Law in particular. The Board then went over the language, expressing the desire to ensure that it is water tight and without error. Ms. Hutton assured the Board she has done the same and so has Town Counsel. Assuming the Board is comfortable with the warrant, it may be signed now and posted with all due haste. The Board determined it was in favor of signing the warrant and did so. The Board then noted that the Marijuana By-Law was received well, passing by an overwhelming majority. Ms. Hutton gave special credit to the Planning Board and in particular that board's chair.

Town Administrators Report

Ms. Hutton briefly reported on the Building Inspector. He recently injured himself and required surgery. He has been released and is currently catching up on work from his home office. The Board inquired as to the issue of an alternate. Ms. Hutton responded that the Building Inspector has not yet given her a candidate to present to the Board but she promised to follow up with him on the topic. Ms. Hutton then turned to another health matter. A volunteer firefighter, who has been with the department for many years, is gravely ill. She hopes to hear more from Chief Rich in coming days. The Board conveyed its wishes for recovery. Ms. Hutton then ended her report there.

Use of Town Property Requests/Banner Permit

The Board considered two applications, one from the Lake Massapoag Rod & Gun Club and another from the organizers of the Memorial Day Parade. The Lake Massapoag Rod & Gun Club permit application is for retroactive permission for use of the Town Hall for the holding of a meeting on May 9th, 2018 at 6:30 pm. Due to the timing of the event, which included some urgency and given that there were no conflicts, the Lake Massapoag Rod & Gun Club was allowed to proceed with its meeting. The Board was comfortable with retroactive approval for the event considering the sensitivity of the timing of the event and the availability of the Town Hall. As for the Memorial Day Parade's request for permission to hold the banner, the Board saw no reason to deny the request. The banner would hang from approximately May 21st until May 28th, 2018. This is an annual event that the town holds and the Board saw no reason to deny request. The Board then determined to move forward with approval of both requests.

A motion was made by Ms. Basbanes to retroactively approve the application by the Lake Massapoag Rod & Gun Club for use of the Town Hall on May 9th, 2018. The motion was seconded by Mr. Mikol and passed without objection.

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A motion was made by Ms. Basbanes to approve the banner application submitted by the organizers of the Memorial Day Parade event for the hanging of a banner across Main Street from May 21st until May 28th, 2018. The motion was seconded by Mr. Mikol and passed without objection.

Minutes

The Board also considered its minutes from its regularly scheduled meeting held on May 1st, 2018. Seeing no reason not to approve the minutes the Board determined to do so.

A motion was made by Ms. Basbanes to approve the minutes of May 1st, 2018 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.

Executive Session

Leah D. Basbanes made a motion to enter Executive Session for the purposes of a discussing a Personnel matter in accordance with MGL Chapter 30A §21(a) 1, 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.

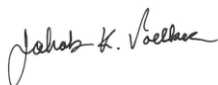
Leah D. Basbanes made a motion to enter Executive Session for the purposes of a discussing a Collective Bargain related matter in accordance with MGL Chapter 30A §21(a)2 & 3, and with the intention not to return to ordinary session afterwards. The motion was seconded by Ronald J. Mikol. The motion was adopted without objection by Walter F. Alterisio, Leah D. Basbanes, and Ronald J. Mikol.

The Board then directed its Administrative Assistant to leave the room and determined that Mr. Alterisio would take the Executive Session minutes and then supply them to Ms. Basbanes. Ms. Basbanes then agreed to supply the Administrative Assistant with those minutes as well as the motion for adjournment at a later date.

The Board entered into Executive Session at 7:50 pm

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

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