

Town of *Dunstable* Selectboard
Meeting Minutes
January 23, 2018
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; Brian Rich, Fire Chief; Dana Kinne, DPS

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 Use of Town Property Requests, Discussion Regarding Tighe & Bond, Further Consideration of Possible Curbside Pickup, and Plans for 91 River Street.

Discussion Regarding Tighe & Bond

Ms. Hutton updated the Board on her discussions with Town Counsel regarding where the town stands on an engineering firm the town previously used for some water project engineering. Due some deficiencies in contract, primarily no provision regarding intellectual property staying with the town, the town has lost some of the engineering done by the firm. Current plans for a water project would not require the use of that engineering since the current proposal is substantially different. Ms. Hutton noted, as she did at the last meeting when the Board requested she make inquiries with Town Counsel about the towns options relating to the matter, was the fact that the process used did not conform to the proper procurement process. Thankfully, these kinds of mistakes are not being made now that the town has a functional Town Administrators office. Previously various volunteer and elected officials were vetting these contracts with limited legal assistance. That has changed. Having a professional Administrator overseeing the process that is licensed and trained in procurement has greatly improved the situation and should prevent these problems from reoccurring. As to what, if any, recourse the town has Town Counsel believes that the town does not have any recourse available to it at this time. If the town needed the engineering, it might have been possible to leverage concerns for the firm's reputation, but the engineering is not needed and already 4 years out of date.

Currently the new engineering has come in under budget so there is a little wiggle room. The focus is to get on a shovel ready plan once a final number for the project is needed. Wright Pierce, the current engineers, are working on the plan with the intention of having that shovel ready project for the Annual Town Meeting in May. The Board had some questions about the bidding process, once the engineering is done, for the actual build. Ms. Hutton responded by outlining how the process would work once Wright Pierce has an estimate. The Board had some concerns about going to the Annual Town Meeting with only the engineer's estimate which is not as solid as an actual bid by any builder. This prompted some discussion of contingencies and what could happen if the estimate from Wright Pierce is off in any way. The Boards concern is that this be done correctly from start to finish in order to ensure that this project works. Ms. Hutton proposed some solutions including the possibility of putting the water project on a fall Special Town Meeting. This would allow for the full bid process to run its course and more information to be gathered to present to the public. Ms. Hutton noted that the projection at this early stage is that it will be considerably less than the last proposal that failed. The Board suggested more discussions with the Water Commission and Advisory Board regarding the options and questions about how to educate the public on the topic. Ms. Hutton noted that the new plan is less expensive, but it is not just a band aid. It is also an investment in the overall system.

Further Consideration of Curbside Pickup

At the Boards prior meeting the chair of the Board of Health updated the Board on research that the Board of Health has done to consider the possibility of curbside pickup for the town. The Transfer Station has become *Approved and adopted on 2/6/18*

increasingly unsustainable with a large percentage of the town already using private curbside pickup, with three different companies serving the community. As it stands only a small group of citizens use the Transfer Station and most of the Transfer Station's costs are fixed; concerning personnel and operating costs. Comparable towns have gotten the costs down to about \$200 per household. The Board of Health is aiming for \$300 or less. Ms. Hutton updated the Board on where things are relating to those costs as well as answers for some of the Boards questions about how to handle private roads and shared driveways. Town Counsel is lukewarm on the questions regarding private roads and shared driveways, but has suggested it is not the same as road maintenance and promises to dig into both questions further. Town Counsel will also look into how the contract with any solid waste company would look. The Board noted that at the last meeting Board of Health reported only 225 households use the Transfer Station. It may be that rather than pursue curbside, the better option might be to make the Transfer Station sustainable and if the cost of permits is too much, voters can vote with their feet by going to private pickup.

There was then a question as to whether Board of Health can close the Transfer Station without providing public curbside pickup. Ms. Hutton reported that the Board of Health could in fact close the Transfer Station without providing an alternative. The concern about a shut down without a public option is that the public may pick options that are problematic, such as littering. So the matter must be pursued with any eye for what the cost of sustainability is and whether curbside is feasible. Mr. Kinne inquired about whether the town has the option of using any other towns Transfer Stations, in particular Groton's station. Ms. Hutton responded that she has spoken with Groton's Town Manager and Groton is not interested at this time. No other towns in the area have proposed allowing Dunstable use of theirs, and several of Dunstable's neighbors are themselves on curbside pickup. There is more to the Board of Health's proposal then the possibility of closing the Transfer Station, part of it is efficiencies and public safety by reducing the number of trucks on the road. Ms. Hutton noted that the Board of Health has multiple proposals, and with full participation by the town, the estimate is that the cost could come as low as \$204 per household with one truck on the towns roads. Discussion ended with Ms. Hutton promising to discuss the Boards thoughts with the Board of Health.

Plans Relating to the Disposition of 91 River Street

Ms. Hutton started off by laying out a plan for how to handle 91 River Street. She noted that the Board previously concluded at its last meeting that repairing the building and renting it out is not an option. The best use of the building would likely be to use it for some sort of field training for EMS. Leaving it sitting empty only serves as an invitation for problems, so the building should be disposed of in some fashion. Ms. Hutton then reported on her discussions with the Fire and Police Chiefs about possible usage of the building and various ways it may be disposed of. One of the issues with disposal of the property is the fact that there is asbestos in the building, and the cost of removing that would be about \$10,000. The Board questioned that figure as unexpectedly affordable. Chief Rich responded by elaborating on why the cost is \$10,000. This reassured the Board. Ms. Hutton then inquired about whether she should talk to the Advisory Board about proceeding. The Board determined that this shouldn't be dealt with separate from the rest of the issues relating to the property. Ms. Hutton reported that the town has a liability about the asbestos regardless of whether anyone has access to the premises or is living there so the matter must be addressed. The Board inquired about what the Reserve Fund stands at. Ms. Hutton noted that it was budgeted for \$35,000.

The Board was concerned, since the liability isn't easily alleviated, and should be dealt with sooner rather than later. Chief Rich suggested doing the work in April when things are drier given certain properties of asbestos. Meanwhile, there is an old bus on the property that is filled with debris. The bus was used for some yard sale type activities until the town shut it down. Disposal of the bus is an issue. Chief Dow went over the issues with how to dispose of the bus. He agreed to reach out to prior tenants to try and determine who holds the title to the bus. The Board noted that the most recent tenants were not the ones who brought the bus in. It was previous tenants. There was then discussion of a boat on the property and some other odds and ends that require disposal. Discussion shifted to shutting off utilities. The house will be winterized once the heating fuel has run out. Ms. Hutton then reported on discussions with Fish & Game about what parts of the property they might be interested in purchasing from the town. They mostly want a strip along the rivers as an environmental buffer. That land would not be usable for any purpose anyway given setback requirements. They also want a lot that would be classified as "buildable" although they would not build on it. This prompted discussion of the need for surveying of the property. Ms. Hutton then reported on some of Fish & Games ideas about how to handle acquisition and possible sharing of any costs. If the sale and survey can be put on the warrant for this year, the

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process can move forward. The amount for the sale will depend on the appraisal, which is believed to be in the ballpark of \$100,000 to \$200,000.

Administrators Report

Ms. Hutton started off by reporting on the contract being signed by the Water Commissioners with a water operator. She is working with DEP to reduce the number of hours required. The Water Dept. will have to go into reserves to pay for it and will have to do a rate increase for next year. This operator contract is being done at DEP's insistence as part of compliance by the town. DOR has said that Water can go into a deficit until the funds are approved by a town meeting. At the current requirements from DEP, the cost of the operator would be \$92,000 a year. This operator would be a private company. Unfortunately, the town was unable to find a municipal partner for the immediate future although Pepperell might be willing. The first contract will only be a 5 -month contract and Ms. Hutton hopes to negotiate a municipal agreement with Pepperell if possible. Ms. Hutton then turned to the matter of the street light for Hollis Street. She sent a letter to abutters about it and has not received any responses for or against it. As a result, she proposes the Board proceed with consideration of the installation of the light. The Board was for this, but suggested receiving further information about the cost. Ms. Hutton noted that the light itself would be installed by National Grid at no cost to the town, but the ongoing light bill would be the town's responsibility. There was then a proposal of seeking to have lights installed by the Commonwealth since the parking lot that is causing the disturbances, and for which the light is being requested to illuminate, is on the Commonwealths property. If this were done the lights would likely be solar powered. It was determined to have the request made and wait until a decision has been made in Boston.

Ms. Hutton then reported on the situation on Thorndike Street. The Board of Health is scheduled to hold a hearing on the habitability of the property on January 25th, 2018. Ms. Hutton then turned to reporting on some information she has received from the School Committee regarding the issue on Florence Roaches renovations and what that will mean for Swallow Union. The current proposal is to close Swallow Union and send all students in those grades to a combined school, i.e. a renovated Florence Roche. The Board noted that the only information presented so far is conceptual. The Board would like to hear more from the School Committee about what the entire process would entail and what the ultimate costs of keeping Swallow Union would be. The feasibility study required for the funding for Florence Roche would be about \$750,000 and if Dunstable is for a combined school it would be on the hook for a portion of that cost. However, if the town prefers to keep Swallow Union, it would be only Dunstable students at Swallow Union and the cost of maintaining the building would fall to Dunstable. None of this would occur over night and the towns would have the ability to consider all of the options. The Board consensus was that more concrete information is needed from the School Committee with an emphasis on determining of this move would be the most beneficial for the school district as a whole.

Free Cash Recertification

Ms. Hutton reported on a very recent change to the towns Free Cash made by DOR, the notice of which came after the Board's agenda was posted for this meeting. DOR has recertified at a slightly lower number. The figure is about \$1,400 less than originally certified. The number is still substantial for this year. There was ensuing discussion about how Free Cash works and what the process with DOR is. Ms. Hutton advised the Board that more detailed answers would need to come from the Town Accountant who is the most familiar with how Free Cash works. The Board noted that the good figure this year provides some opportunities, but the town must act wisely as this figure is not likely to occur again next year since this number is the highest it has been since 1975. Ms. Hutton outlined a few areas which might have prompted this number, these included new growth and calculations relating to receipts. She then noted a few areas where Free Cash can be spent this year and how to be responsible with it. That includes putting money in the towns Capital Stabilization in order to meet the recommendations of DOR and the goals of the Advisory Board. There was some concern about the number and how it is accounted for. Whether it includes funds intended for the Tobey Scholarship, or some other source. Ms. Hutton noted that this calculation is done by DOR and expressed confidence in its correctness. All of the numbers have been reviewed by the town's auditors as well. There was some debate about whether the town's books should be re-audited to ensure that figures are correct. Ms. Hutton agreed to look into the matter further but the Board will have to determine how to pay for a peer review audit focused on the numbers considered for Free Cash. In the meantime, she will meet with the Town Accountant and Treasurer/Collector regarding the matter.

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Request for More Information on the Budget from the School Committee

The Board inquired as to whether this request, made primarily by Dunstable School Committee member Ryan McLane, for more information as to the towns budget process has been answered. Ms. Hutton reported on where Advisory Board stands on the FY19 budget and what information has been provided to Mr. McLane and the School Committee as to the budget process. The Board articulated what it's understood the process to be in the past and how to change things for the better. Ms. Hutton noted that there is discussion on formulating a 5-year budget plan, which is being formulated by Advisory Board in concert with the School Committee. All efforts to work cooperatively have been made. Groton is ahead of Dunstable as to its budget, but that is primarily because its town charter requires the proposed budget be done by the end of December. Dunstable does not have this kind of requirement and its proposed budget isn't known until closer to the Annual Town Meeting held in May. From there discussion related to the upcoming meetings with Advisory Board and School Committee. The next Advisory Board meeting will be held on January 24th, 2018 at 7 pm. The School Committee is holding a meeting of its own on the same date.

Update on Budget Requests & Proposed Projects

The Board discussed some of the requests that may be made at the Annual Town Meeting. These include Highway needs for paving and some capital plan requests. The Fire Chiefs truck will be paid off in this upcoming year, so the funds used for the car payment can be used to purchase other equipment. It was also noted that the proceeds from any sale of River Street property to Fish & Game could make other acquisitions more feasible, including a possible new location for the Highway Garage and for a solar farm. Master Plan will be important to this. The Board noted that the discussion with Lt. Governor Polito was that the town truly must seek diversification of the tax base in order to reach sustainability with school funding and other tax needs. The Governor's Office is committed to helping the towns as much as possible, but in some ways the town has to find its own solutions. This prompted discussion of ways to generate that diversification and how it relates to the towns budget. Discussion on the topic ended shortly thereafter.

Winter Weather Closure Policy

The Board requested the Town Administrator prepare a new policy regarding Winter Weather closures. While the existing policy works, there are times when Town Offices are closed and don't need to be. The current policy also causes chaos for night meetings given its wording. There was brief discussion of what the policy should be. It was ultimately suggested that a new policy should allow for the Town Administrator to make the call on whether to close for snow in consultation with the Board's chair, the Highway Superintendent, and with the Fire and Police Chiefs.

Use of Town Property Requests

The Board considered several applications. The first application was for use of the Town Hall by the Lake Massapoag Rod & Gun Club on January 31st, 2018. The second and third applications were from the 2nd Massachusetts Regiment for use of the Town Hall for training on February 17th, 2018 and February 18th, 2018. 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 Lake Massapoag Rod & Gun Club for use of the Town Hall for a meeting on January 31st, 2018. The motion was seconded by Mr. Mikol and passed without objection.

A motion was made by Mr. Mikol to approve the application by the 2nd Massachusetts Regiment for use of the Town Hall for training events to be held on February 17th, 2018 and February 18th, 2018. The motion was seconded by Ms. Basbanes and passed without objection.

Minutes

The Board considered its minutes from January 2nd, 2018. Seeing no necessary changes or modifications the Board determined to approve the minutes as written. The Board noted that it should have minutes at its next meeting for both this meeting as well as the roundtable meeting with the Lieutenant Governor.

Approved and adopted on 2/6/18

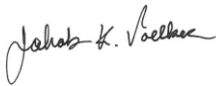
A motion was made by Ms. Basbanes to approve the minutes of January 2nd, 2018 as written. The motion was seconded by Mr. Mikol and passed unanimously.

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.

A motion to adjourn was made by Ms. Basbanes at 8:10 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