

Town of *Dunstable* Selectboard
Meeting Minutes
February 6, 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; Peter Gove, Mike Martin, Roads Commission

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 a Use of Town Property Request, Consideration of a New Inclement Weather Closure Policy, Mid-Year Personnel Reviews & Government Structure, Water Department Personnel Update, Free Cash Audit Funding Authorization, Burn-Sheet Review, and an Executive Session.

Snow & Inclement Weather Closure Policy

Ms. Hutton presented the Board with a new proposed policy for town offices closings for snow and other inclement weather. The Board requested Ms. Hutton draft a new policy for its consideration at its last meeting held on January 23rd, 2018. While the existing policy, which was adopted by the Board on January 7th, 2015, worked, the policy was imperfect with occasional closings that were unnecessary and causing some difficulties for the scheduling of night meetings. The new policy would continue to emphasize public and employee safety but would leave the decision on closure to the Town Administrators office following consultation with various public safety officials such as the Highway Superintendent, Fire Chief, and Police Chief. The policy would include components such as updating the town website to reflect closures or delays due to inclement weather, as well as news media notification. The policy would primarily cover the Town Hall and Library and if these buildings close for the day due to inclement weather day and night meetings would also be cancelled. However, if the buildings are delayed in opening, night meetings would still occur. If early closure occurs, night meetings would be cancelled. This policy would vastly clarify appropriate actions relating to meetings of various town deliberative bodies, as well as allow greater flexibility and response for weather that impacts normal office hours. The Board generally agreed with the policy as drafted, feeling that the proposal provides more guidance for decision making to address the needs and safety of all.

Although, the Board had some thoughts about the specifics as to how the policy would work. This included whether the chairs of various committees with affected meetings should have some say. Ms. Hutton responded by elaborating further on the policy and how notifications of closings would work, and how to address the concerns of various parties. It was proposed that committee chairs have greater control over the cancellation of meetings. Ms. Hutton elaborated on the need for some certainty in the policy, as well as the needs of the general public. Even if a consensus emerged among a majority of a particular committee to hold a meeting, the safety of the public who might wish to attend should be considered. There was discussion of whether or not a policy of following the Governor's Office on closings should be followed. The Board was uncertain as to following such a policy as it does not always consider local conditions. There was discussion surrounding the difficulties that inclement weather closings have caused important deliberative bodies like the Advisory Board. Ms. Hutton noted that extra meetings can be added, and the Open Meeting Law only requires 48 hours' notice (not including holidays and weekends). It may mean that committees meet with bare minimum quorums and add extra meetings to their schedules. The Board then discussed the concept of separating the issues of town office closures and meeting cancellations. If the school closes down, that should be a trigger for considering closing town offices, but it shouldn't be the end of it.

If public safety officials believe that the building may be opened with a delay, or closed early, that should be considered. The circumstances should dictate what is done. Close conversation among officials to determine

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the right course of action makes the most sense. If that means being flexible as to which departments are opened and which departments are closed, then that possibility should be considered. Some employees travel further than others, and weather can vary over distances. This all points to having the Town Administrator make the decision in consultation with the appropriate officials. This discussion resulted in a series of proposed changes by the Board to the draft policy. The most important of which was that meeting cancellations be determined at the discretion of the Town Administrator and the particular committee, board, or commission chair with public safety as a central concern. Mr. Gove had some thoughts as to judgment concerning whether or not various offices should be closed based on employees commutes. The Board clarified that employee commutes wouldn't necessarily be the basis for closing, more the basis for flexibility for particular employees and whether they are specifically required to come in. It was decided to revise the policy to reflect the Boards thoughts and concerns regarding the policy. Until this policy is modified, the 2015 policy remains in place.

Mid-Year Personnel Reviews & Government Structure

The Board noted that many employers hold mid-year personnel reviews. These reviews allow for room for corrective action when necessary, and when proper to allow for praise. This is fairer to employees as well as employers. Ms. Hutton was in favor of the idea of mid-year reviews, but noted that it may be too late to do this year. The annual reviews start in April. Last year, the Board determined that it would be proper for Ms. Hutton to review most officials appointed by the Board as she works closely with them on a day to day basis. This includes department heads such as the Fire and Police Chiefs, among others. She proposed that mid-year reviews be done in October. Discussion then shifted to the success of the review process. Last year only about half of the required reviews were done. A number of other appointing bodies do not appear to have done the reviews, despite reminders and offers of assistance. The Board expressed the feeling that what is needed is follow up to vision, when issues arise they should be addressed. Not everything should be left to the annual review, so a mid-year review is wise. But supervisors should aide employees by helping guide them on a regular basis. If there is an issue or problem, then it needs to be resolved. There is recourse in the review policy that allows for appeal. And at some point that Board itself may get involved. But the hope is that supervisors and appointing authorities are able to work with employees. Ms. Hutton went over how the review process, and corrective action process work.

Part of the problem is in having so many various appointing authorities, including those that while elected are uncompensated. These are volunteers, in many cases. Such bodies include the Roads Commission, the Library Trustees, the Board of Assessors, and others. A way has to be found to help resolve problems when they are minor and fixable. There are always going to be common problems in the work place, and there has to be a release valve that provides a way to communicate, both for the employee as well as the supervisor. Problems cannot be allowed to fester. Ms. Hutton noted that for most high level management, the communication is there. Her office often addresses issues as they arise, including assisting appointing authorities and other deliberative bodies when necessary relating to the issue of employee management. The problem that can arise, is relating to elected officials. There can be problems with recourse when the issue is one between an employee and an elected official. This prompted discussion regarding HR practices and how to improve. Ms. Hutton noted that the paid employees are not, in the majority of cases, the problem. It is more the management through various elected appointing authorities where problems arise. The Board briefly shifted back to the mid-year review idea, with the suggestion that such a review be about goals and objectives. Discussion then shifted to the actual structure of the town, and the need for more organization. It may be necessary to update the reporting structure. This may include granting further authority to the Town Administrator to oversee day to day operations. This does not mean eliminating appointing authorities, or their authority, but allowing greater day to day management.

Additionally, elected officials are often here today and gone tomorrow and naturally have agendas. Employees need to be protected. Ms. Hutton generally agreed, noting that employees are often caught between serving their appointing authority and what might be the proper course of action. There needs to be a professional organization with clear rules and reporting structures with input at various levels from elected appointing authorities and deliberative bodies. The Board expects pushback to reforms, but felt that these reforms are too important not to proceed with. An organization chart is a step in the right direction. It would solidify what the proper processes are, what the rules are, and how the relationships between elected officials and town employees should function. Stakeholders should be part of these processes, and it will take time. Participation

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needs to occur so that proper vetting happens and everyone gets a chance to have a say. The only way this will work is if it is brought about in a collaborative way. It was decided that a draft chart be put together and then input should be sought from stakeholders. The goal for chart adoption would be by the end of the year. Ms. Hutton agreed to assist the Board in putting together a draft chart.

Water Department Personnel Update

Ms. Hutton started off by reporting on a number of personnel changes. The town has a new operator operating the Water Department. It is a private firm. The first few minutes into the transition didn't go as well as hoped. Unfortunately, there were a few minutes where people on the water system didn't have water. Thankfully that issue has been resolved. There was an inquiry into the process behind choosing the private operator. Ms. Hutton responded by elaborating on the process and how the town came to hire the private operator it did. Ms. Hutton then reported on the work she has done with DEP to ameliorate the cost of the change. The change was required by DEP, and is costly. It will cause Water to have to go into a deficit, and all options to resolve that deficit are being sought. Ms. Hutton is committed to finding a municipal partner to replace the private firm as it would be preferable. The Water Superintendent has resigned, along with the Water Secretary and registered operator. The various duties are being divided up among other officials and the private operator. The formal reporting will be done by the private operator. Water Commission secretarial duties in the form of minutes and will fall to the Administrative Assistant to the Board and Town Administrator. Ms. Hutton will assist the Water Commission and the operator with management. The Commission meets once a month, and Ms. Hutton is keeping them in the loop as to all day to day management decisions that she has had to assist the operator with. Ms. Hutton then reported on where things stand with the proposed water project. The Board noted that DEP has the power to impose fines on the town, and the town has been found to have three fineable violations. DEP has exercised forbearance and thankfully sought to work with the town rather than fine it. The town continues to work towards improvement, and at this point the town is coming increasingly closer to full compliance. The Water Commission remains committed to asking good questions, and figuring out how to not only reach compliance with DEP, but to make the Water Department better as a whole.

Free Cash Audit Funding Authorization

Ms. Hutton reported to the Board on her research into addressing concerns and questions the Board had at its last meeting regarding the town's Free Cash. This included the possibility of conducting a special peer review audit focused on the numbers considered for Free Cash. Before Free Cash was certified the full financial audit was completed. This is unusual for most towns. The Town Accountant and DOR as a result were in fact working with audited numbers. The cost of a special audit would be over \$1,000. The Town Accountant is prepared to answer questions regarding Free Cash and is scheduled to go before the Advisory Board to do so. The Board expressed the feeling that when the town has exposure the obligation is to reduce the exposure. That said, the Board has confidence in appointed officials who oversee the town's finances, such as the Town Accountant and the Treasurer/Collector. That said it is not unreasonable to request appropriate officials explain to the Board and Advisory Board the information behind the numbers and the processes used so that everyone is comfortable with the numbers. There was some ensuing discussion regarding the potential for error. Things happen, and when a number is a significant outlier, it must be considered carefully. The Board's consensus was to pursue an attempt to gain comfort with the numbers and the processes behind them. Should that be achieved then a special audit may not be needed. If not, then that would be the time to pursue such an audit. It was requested that visuals be included. Ms. Hutton noted that she included that request with her discussions with the Town Accountant. Discussion ended there.

Warrant Items

The Board requested that Ms. Hutton provide the Board with a general outline of what some of the warrant article topics should be for the Annual Town Meeting. The thinking about what needs to appear on the warrant should be underway. In particular, addressing some of the questions about elected versus appointed needs to be considered. There are a number of elected positions that are chronically vacant and these should be considered for transition to appointed where permissible under applicable MGL. Other considerations should include length of term for those offices that must remain elected, again where permissible under applicable statute. Ms. Hutton suggested starting by making a list of what offices can be made appointed, and putting together an outline of topics for the warrant. The warrant should be finalized in mid-April.

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Burn Sheet Review

The Board noted that the major accounts are looking good. Fire and Police are both in the low 50 percentiles, which is good news. Police lockup needs to be monitored as the end of fiscal year approaches. There was discussion of end of year transfers and the moving of money between accounts. In the past some departments moved funds between accounts, this practice has been stopped in favor of end of year transfers and use of the Reserve Fund. The budget as a whole is in good shape, but there are some specific areas where improvement should be sought. Ms. Hutton reported on a few of those areas, noting that any area that looks like it will be tight or go over budget, is being monitored closely both by her office as well as appropriate department heads and the Advisory Board.

Town Administrators Report

Ms. Hutton started off by reporting on the situation at 389 Thorndike Street. The Board of Health has condemned the building and found it unfit for human habitation. Ms. Hutton then reported on a meeting she held with both of Dunstable's GDRSD School Committee representatives. Discussion included the issue of Florence Roche and whether Swallow Union should remain open. Ms. Hutton has asked the School Committee to pull out, from their budget, the costs of Swallow Union so that the town can better judge what costs it would face if Groton proceeded with improving Florence Roche and moving all Groton students to it. The Board had some concerns about the cost of the study the school district has to do, and what the other options are. Ms. Hutton noted that one of the problems with Florence Roche is the student population, with the district feeling that it is over populated under the buildings current configuration and design. There are also some concerns with the structure as well. It was clarified that Groton's question is whether Dunstable wants to participate in a renovation and remodel of Florence Roche or not. If Dunstable chooses not to, then Swallow Union, without Groton's students, will become the full responsibility of Dunstable per the regional school district agreement. If Dunstable chooses to participate and eventually send all of its students to a new Florence Roche, the town will need to consider what to do with Swallow Union. Ms. Hutton agreed to find out more information for the Board from the district and the School Committee. Ms. Hutton then reported on where the town stands on its Cherry Sheet numbers. Unfortunately, they are set to go down. Ms. Hutton then reported on a draft report for the Board and her office for the Annual Town Report. She asked the Board to consider the draft. She then briefly reported on the dedication to the Annual Town Report. This year is a dual dedication to two individuals in town who passed away in 2017. Ms. Hutton then finished her report by discussing the DLT funding application has come out. The grant funds can cover two projects one of which relates to permitting.

Use of Town Property Requests

The Board considered an application for use of the Town Common. The application was from the organizers of the Dunstable Summer Concert Series for use of the Town Common for every Wednesday, with the immediate subsequent Thursday as a rain date, starting on June 20th, 2018 and ending on August 8th, 2018. The Board saw no reason to deny the application and determined to move forward.

A motion was made by Ms. Basbanes to approve the application by the organizers of the Dunstable Summer Concert Series for use of the Town Common for every Wednesday, with the immediate subsequent Thursday as a rain date, starting on June 20th, 2018 and ending on August 8th, 2018. The motion was seconded by Mr. Mikol and passed without objection.

Minutes

The Board considered its minutes from its roundtable event on January 18th, 2018 with the Lt. Governor as well as its minutes from its regularly scheduled meeting held on January 23rd, 2018. Seeing no necessary changes or modifications the Board determined to approve the minutes as written. OR noting several changes determined to approve the minutes pending modification.

A motion was made by Ms. Basbanes to approve the minutes of January 18th, 2018 as written. The motion was seconded by Mr. Mikol and passed unanimously

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A motion was made by Mr. Mikol to approve the minutes of January 23rd, 2018 pending modification. The motion was seconded by Ms. Basbanes 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.

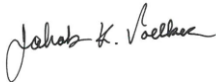
Executive Session

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 8:18 pm

A motion to adjourn was made by Ms. Basbanes at 8:39 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