

Town of *Dunstable* Selectboard
Meeting Minutes
June 12, 2018
Town Hall, Dunstable, MA 01827

Convened: 6:30 pm

Present: Leah D. Basbanes, chair, Ronald J. Mikol, vice chair, James E. Tully, member; James Dow, Chief of Police; Brian Rich, Fire Chief; Bob Nelson, Advisory Board; Susan Psaledakis, Community Preservation Committee; Paul Dalida, Roads Commission; Ken Leva, Personnel Board; Kevin Welch

Selectboard Reviewed & Signed the Following:

- Vendor & Payroll Warrants

Open Forum

Ms. Basbanes explained the purpose of the public forum and went over the Boards agenda which included a Request for Use of Town Property, Annual Appointments, Police Department Staffing, Discussion of Water Department Property on Skytop Lane, Discussion Regarding Warrant Delegation Involving Town Clerk as Found Under MGL Chapter 41, Section 52

Police Department Staffing

Chief Dow reported that his department is currently understaffed due to the recent separation of one officer, and the authorized necessary absence of another. He outlined some situations that have recently arisen that have made the lack of proper staffing acute. What's happening is that while there are still 6 full time officers, overtime has become overwhelming for those who are active duty. Officers simply can't work more than 40 hours every single week. Chief Dow stated that he simply wants to get staffing back to the levels they were prior to the current situation. The Chief then put forward a few solutions he's thought of to help resolve the matter. The Board expressed the feeling that the department needs support. That said the solutions do not just involve staffing as there are also issues of cost. While adding staff sounds great, there has to be financial support. The Board recommended the Chief talk to the Advisory Board. Chief Dow noted that there are some MGL options and explained that the town does have some money since a new hire would be paid out of the salary not being paid to the recently separated employee. The Board had some questions relating to various mechanisms available. Chief Dow elaborated further and expressed willingness to talk to the Advisory Board about the situation. His big concern is that the summer is the busiest time of the year for the department. He then elaborated on some scheduling issues that have arisen and what steps he's taken to address them. His major concern is for officer health as well as public safety. The Board inquired about how many overnights are being staffed with only one officer. Chief Dow responded that currently that stands at five nights a week. This is part of his concern as it could become dangerous.

The Board asked if this problem is one that is persistent even at under the state of staffing prior to recent events. Chief Dow responded that it has varied, but yes this has been a problem in the past. Mr. Nelson then had some questions. He suggested that the money should already be in the budget considering that a new hire would simply replace the separated employee. Chief Dow explained that there is the potential that the separated employee could file an appeal through Union arbitration, if successful, that could include paying back wages. Mr. Nelson asked when the town would be certain that the back pay scenario is settled. Chief Dow responded that according to Town Labor Counsel, January would be when the town would know for certain. Chief Dow then spoke about further changes to his personnel. One of the full time officers will be going out on military based leave for training soon. So department staffing could fall to 5 full time officers. The Board asked some questions about the part time officers and whether they can pick up the slack. Chief Dow elaborated on how he uses part time officers and the training they need. The Chief then discussed how any hiring of any further staff, full or part time, would work. He noted that there might not be any candidates interested in what the department has to offer, but he'd like to try it. The Board expressed concern about ensuring public safety and avoiding officer burn out. The Board felt that it would be willing to support the

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Chief in staffing needs assuming the Advisory Board is also on board. There was then some discussion about whether this hiring would be temporary with a goal of going permanent. Chief Dow explained that he would hope to have it temporary with the possibility of going permanent if possible. There was then further discussion about special officers and what they can do in the meantime. Chief Dow elaborated on how special officers work and what the department does. The Board finished again with the consensus that the staffing needs should be addressed, but Advisory Board needs to be consulted to ensure the town has the funds. Chief Dow agreed to schedule with Advisory Board.

A motion was made by Mr. Mikol to support the Chief's request on staffing. The motion was seconded by Mr. Tully and the motion passed unanimously.

Appointments & Resignations

The Board accepted a letter of resignation from Nancy Nowak, a member of the Council on Aging. The Board thanked Ms. Nowak for her service. The Board then considered the list of annual appointments and made a few amendments accepting some appointments and deferring others. The Board then discussed the selection of a representative to the Community Preservation Committee and to NMCOG. It was determined that Ms. Basbanes would continue to represent the Board on the Community Preservation Committee and Mr. Tully would assume representation of the town at NMCOG.

Annual Appointments 2018 – One Year Term

David Sweet II – Alternate Electrical Inspector
Robert Nelson – Affordable Housing Committee
Carol Bacon – Affordable Housing Committee
Alan Chaney- Affordable Housing Committee
Dana Metzler – Affordable Housing Committee
Jon Hughes – Affordable Housing Committee
David Tully, Sr. – Rep. to Lowell Regional Transit Auth.
Joseph Dean – Memorials & Monuments Committee
Alan Chaney – Memorials & Monuments Committee
Dana Metzler – Memorials & Monuments Committee
Kieran Meehan – Conservation Commission Designee to CPC
Tiffany Naughton – Parks Commission Designee to CPC
George Basbanes – Planning Board Designee to CPC
Henry Fontaine – Alternate Building Inspector
Henry Fontaine – Alternate Zoning Enforcement Officer

Annual Appointments 2018 – Three Year Term

Jeffrey Haight – Town Forest Committee
Donald Pottle – Council on Aging
Mary Dow – Council on Aging
Nancy Curran – Cultural Council
Gerald Durkin – Historical Commission
Carol Bacon – Historical Commission
Susan Psaledakis – Community Preservation Com.

Annual Appointments 2018 – Five Year Term

Stanley Norkunas – Zoning Board of Appeals

A motion was made by Mr. Mikol to approve the preceding list of appointments as amended and modified. The motion was seconded by Mr. Tully and passed without objection.

James E. Tully is appointed as the Rep. to NMCOG Expires June 30th, 2019
Motion by Mr. Mikol, seconded by Ms. Basbanes, passed by majority with Mr. Tully abstaining

Leah D. Basbanes is appointed as the Designee to Community Preservation Expires June 30th, 2019
Motion by Mr. Mikol, seconded by Mr. Tully, passed by majority with Ms. Basbanes abstaining

A motion was made by Mr. Mikol to approve the special police appointments as presented with necessary modifications reflecting corrections by the Police Chief. The motion was seconded by Mr. Tully and passed unanimously.

Water Department Property on Skytop Lane

Mr. Welch addressed the Board asking if there have been any further developments regarding this matter. The Board had no news on the topic. That said the Board has finally seen the NDA, but has been advised by Town Counsel that the NDA is not for public consumption at this point. The Board then outlined what it knows for sure. At this stage it appears that the issue is a dead one. The Board is still putting together a clear picture of

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the situation and how it came to be. Mr. Welch noted that Water Commission appears to have had further meetings on this and expressed some concern. Mr. Leva agreed, noting that he's attempted to contact the developer and has been given little information. Mr. Welch felt that the issue remains uncertain and he would like to see it formally closed. He asked if a time frame could be ascertained. The Board explained that there are still some unknowns, but once the full picture has been put together the situation will be better understood. It was determined that there should be a joint meeting with the Water Commission. The Board suggested that Mr. Welch and Mr. Leva should check back in a month at which time the Board should know more. That said, from the towns viewpoint this project is not moving forward.

Warrant Delegation to Town Clerk

Under MGL Chapter 41, § 52, the Town Clerk is permitted to sign the warrants in the absence of the Board of Selectmen. The Town Clerk is very uncomfortable with this authority. In light of this the Board felt it unnecessary to take any further action. The MGL in question would need to be accepted by the town formally, and it does not appear that it has been so accepted. As a result, the Board felt that no action should be taken.

Update on Roads Resources

Mr. Dalida provided an update on some of the topics discussed by Roads and a handout with wage information. First and foremost, the Roads Commission is pleased that the Highway Secretary will stay on in a part time capacity after she formally retires on July 1st, 2018. She will remain available to assist in training her replacement in her position as Assessors Secretary. Highway has the funds available for this transition. Mr. Dalida then went over some further information on wages for Highway employees. After much research, Roads feels confident that they will be able to persuade the Personnel Board at their upcoming joint meeting. Mr. Dalida then spoke about some additional positions that Roads would like to establish within the Highway Department. The immediate concern that Roads has is in retaining employees. They expressed some concern that employees might look for work elsewhere. Mr. Dalida then went over some other considerations such as alternative forms of compensation. The Board had some thoughts about possible incentives and expressed a desire to better understand alternative forms of compensation. The Board also had some thoughts about on call employees and asked for more clarity about how that process works and how such employees are designated. Mr. Dalida responded by outlining various ways towns compensate and how on call employees are handled. For on calls, in particular, towns use a variety of solutions with a number of them using some kind of rotation of employees. Mr. Dalida felt that Roads has done its homework, what's left is to talk to Personnel Board. Personnel Board appears scheduled next for June 26th, 2018. Mr. Dalida then reported on some grant programs. Complete Streets is one that should be targeted.

One of Water Commissions projects would likely fall under Complete Streets so there may be some opportunities there. He elaborated on what funds might be available and suggested a letter be written by the town and sent to the Commonwealth. Mr. Dalida then turned to the MassWorks program. There is a specific amount of that grant program that is set aside for small towns. Several small towns in the Commonwealth have been able to get funds for road repairs. The idea would be to use the repaving program and seek contributions through the grant program. The Roads Commission continues to work on its roadway inventory and other related work. There are a lot of moving parts, but Roads is committed. In the meantime Highway is doing an equipment inventory which was requested by the Board previously. Mr. Dalida then spoke briefly about how Roads intends to work on future engineering and how it will handle upcoming repairs. The intention is to have comprehensive plans for town meetings to keep the public informed and on board. Mr. Dalida then spoke about the current status of the Rt. 113 Project. That project should receive funding from the Commonwealth. The engineering is complete and the project is ready for funding. Mr. Dalida then noted that about 85 percent of the traffic on Rt. 113 is out of town pass through traffic and not local in town traffic. There is still leg work that has to be done on this project, but it should be proceeding. Mr. Nelson had some questions about Complete Streets. Mr. Dalida gave some background on the program including what the Commonwealth requires. Complete Streets look at more than just the roadway, it also looks at sidewalks, bike lanes, and shoulders. The Commonwealth is reasonable. They prefer 12 foot lanes, with 5 foot sidewalks, and bike lanes. Still, they are willing to negotiate and Roads has successfully got them to agree to modified dimensions. There is a balancing act there, but there is also a willingness to do the balancing. Mr. Dalida then went briefly over

the application process and how the funds are awarded. Roads has learned from the process and prior attempts at applying and now feels confident the town will qualify in the future.

Use of Town Property Requests

The Board considered an application by the Council on Aging for use of the Town Hall for December 1st, 2018 for the Merrimack Bell Ringers. The Board saw no reason not to approve the request and proceeded to do so.

A motion was made by Mr. Mikol to approve the application which was seconded by Mr. Tully and passed unanimously.

Minutes

The Board considered its minutes from May 14th and May 15th which it tabled at its previous regularly scheduled meeting held on May 29th, 2018. The Board also considered minutes from its meeting held on June 5th, 2018.

A motion was made by Mr. Mikol to approve the minutes of May 14th and May 15th and June 5th, 2018 as written. The motion was seconded by Mr. Tully and passed without objection.

Administrators Report

Nothing to report in the absence of a Town Administrator.

Selectmen's Packets

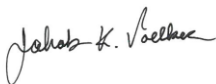
The Board noted that the packets used to be delivered. The town moved away from that, but the Board would like to restore delivery of the packets. This would ensure that the Board receives them in a timely fashion before meetings. Chief Dow noted that it was always the Police that delivered them and as long as the request for delivery is made during the day shift he saw no problem with them being delivered. The Board then determined the packets should be delivered again.

Warrants & Mail

Ms. Basbanes reported on the warrants she 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 Mr. Mikol at 7:45 pm. The motion was seconded by Mr. Tully and passed without objection.

Respectfully submitted by



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

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