

Town of *Dunstable* Selectboard
Meeting Minutes
July 9, 2018
Town Hall, Dunstable, MA 01827

Convened: 1:00 pm

Present: Leah D. Basbanes, chair, Ronald J. Mikol, vice chair, James E. Tully, member; James Dow, Chief of Police; Brian Rich, Fire Chief; Alan Chaney, Conservation Commission; Lorraine Leonard, Town Accountant; James Dow, Gas & Plumbing Inspector; Mary Dow; Mark Haddad, Groton Town Manager; John Giger, Groton Board of Selectmen; Dawn Dunbar, Executive Assistant, Town of Groton

Proposal by the Town of Groton for Provision of Interim Administrative Services

Mr. Haddad started off by introducing himself followed by Mr. Giger and Dawn Dunbar. The Board then asked some questions about the proposal and what the position of the Groton Board of Selectmen is. Mr. Haddad noted that there are some concerns, but Groton's Board of Selectmen is still willing to let him and Mr. Giger meet with Dunstable to discuss the matter prior to any decision. Mr. Haddad noted that he has been in this area of work for 30 years, 10 of which have been with Groton. He stated that the main questions for Groton revolve around how to compensate him for his time and ensuring no detriment to Groton's business. The Board agreed and outlined a few concerns, the principle of which would be Mr. Haddad's availability. Mr. Giger felt that there really shouldn't be a concern about Mr. Haddad's availability to do the work, assuming a package can be determined that is acceptable to both towns. The Board explained that the role being sought is more strategic than tactical. There is a void right now given the absence of a Town Administrator. The loss of that official has left a burden on the staff and meant the loss of some institutional knowledge. There is a lot that floats around, like Complete Streets, the Water Project, as well as simmering budget issues. Further there are various boards, committees, and commissions that need guidance on every day matters from compliance with the Open Meeting Law to other similar issues. Unfortunately, there haven't been a lot of bites for an Interim for a variety of reasons. Mr. Haddad suggested that the depth of knowledge and experience he has would be a plus and could prove valuable in reorganizing and defining the position. The Board then took a moment to outline the history of how the town came establish the position, and explained exactly what the Board would like to see done. The past Town Administrator was very good at MGL, procurement, and the adoption of professional written policies.

The weaknesses of that person in the job appear to be rooted mostly in communication skills, and a hoarding of information. This was hard because the position needs to be a focus point for the sharing of information and communication between different departments and town bodies. Mr. Giger noted some of the difficulties the town likely faced as a result. Mr. Haddad agreed noting that there has to be cooperative work with others even if they are resistant to change. The Board agreed suggesting that there has to be an element of understanding people. This resulted in some discussion of ongoing problems that need to be tackled like the Water Project and the transition to the inter-municipal agreement with Pepperell for water system operations. Mr. Haddad asked some specific questions on where things stand and made suggestions as to possible solutions. The Board outlined where things are on that subject and some specific concerns the Board has including DEP and the Administrative Consent Order. Pepperell has yet to sign the inter-municipal agreement due to concerns over the ACO in particular. Mr. Haddad then inquired what the Board's goals are. The Board stated that what they want is a forensics of people and boards and where things are and where they should be. There should also be a determination of whether the role should be full time or part time in essence defining the role of Town Administrator for Dunstable. Mr. Haddad suggested that the way he would approach this would be to review all the by-laws, review the operational structure, how the budget works, and then meet with various department heads to get an understanding of how individual departments operate. Then he would set up times to meet with boards, committees, and commissions and town employees. The Board agreed that meeting with all the stakeholders would be highly important. Mr. Haddad asked questions about how many town employees there are and suggested putting together an organization chart. He felt confident that this is something he can do in a few months.

The suggestion was that he would spend at least 8 hours a week in the building for a few months and was not averse to working in Dunstable on vacation time. He expressed concern about ensuring that tax payers in both

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towns are aware of how the structure is setup and advantageous for them. He expressed that he would be more than happy to help recruit and search for a permanent replacement. He felt confident that this would not impact his work in Groton. Mr. Giger noted that some of the things described will likely be after business hours, meetings with various elected bodies and so forth so that part is less likely to be a problem. He suggested that this be positioned as mutual aid. This prompted the Board to ask what Mr. Haddad's schedule is. Mr. Haddad responded by outlining his work hours and admitted he works more than the hours he has posted. He felt that if he takes a vacation day a week, he could easily make the 8 hours. The Board had some concerns about the vacation idea and how acceptable it would be viewed by Groton. Mr. Haddad outlined how he would get express consent from the Board of Selectmen in Groton as required in his contract and Groton's Town Charter. The Board felt that this matter needs to be done professionally and not treated like a band aid. Mr. Haddad suggested that in a month or two he could get a good handle on things and then the town could start its search for candidates. He expressed confidence that this can be done quickly but efficiently. Mr. Giger noted that Groton's Board of Selectmen meet less during the summer and apart from a few ongoing projects Mr. Haddad would be in less demand. He then spoke briefly about the logical arguments, suggesting that as much of this that can be done over the summer the better. Mr. Giger then asked the Board if it had a feel for how long. The Board suggested anywhere between 2 to 4 months.

The town also has a fall Special Town Meeting to plan and prepare for, the likely in October. Mr. Haddad suggested helping setup such a meeting and its related warrant would be something he could do. There was a suggestion to take the matter month to month. Mr. Haddad had some suggestions of how to work it suggesting he could meet with people on Saturdays, such as volunteer and elected officials. This prompted some discussion of what the town is working on besides the Water Project. A particular issue was Complete Streets. Mr. Giger noted that all that usually means is following the policy if it's being funded with state money. There was then ensuing discussion of funding for such projects and how it relates to a proposed paving management plan the Roads Commission is putting forward as well as the Water Project. Mr. Haddad noted that it is possible to get to the bottom of all of these issues and address them. He noted that Groton just finished a \$2 million project for sewer and didn't have to worry about Complete Streets even though Groton is part of Complete Streets. There was no requirement by the Commonwealth to do Complete Streets on that project. Mr. Giger expressed some reservation as to Mr. Haddad helping Dunstable with Special Town Meeting in October since Groton has its own town meeting in September. That said, he asked Mr. Haddad if he could do both. Mr. Haddad responded that he's already started working on Groton's September town meeting. Mr. Giger then made some suggestions about how Groton could square the hours and package things. Mr. Haddad had some suggestions in addition as to how it could be worked with both his personal time available, such as on weekends and evenings, and his time for Groton. That said there would have to be compensation. Mr. Giger suggested that compensation would have to be worked out between Groton and Dunstable. The idea is to avoid sticky situations.

The Board expressed reservations about paying Groton to compensate for Mr. Haddad, preferring to pay directly through some form with Mr. Haddad as a consultant. The Board suggested that if one day a week would be worked, that would best be scheduled for Wednesdays. There was then some follow up on the use of vacation days from Groton to work in Dunstable. Mr. Haddad admitted he has a lot going on in Groton, but felt he can make this work for a short time. There was then a question of Mr. Haddad's wage. He reported it is \$68 per hour. Mr. Giger asked if this would go as far as December. The Board felt that the goal isn't to fully replace a Town Administrator but dissect the role and get a good overview of the town. Mr. Haddad asked for a list of department heads, chairs of various town committees, boards, and commissions with contact info. He also stated he would want to sit down with the Town Clerk first. He'll need to talk with his Board of Selectmen in Groton. The Board noted that it is certainly a priority that Groton is okay with any arraignment. The Board then spoke briefly about its next meeting and what it hopes to achieve in the next 10 weeks. One of the Board's concerns is some toxicity that has endured past the Town Administrators departure. Mr. Haddad spoke about his people skills and suggested that he would be able to diffuse situations. The Board was glad to hear it noting a number of employees that have been mistreated. Mr. Giger then spoke about how Groton would likely consider the matter and determine whether to move forward. Mr. Haddad suggested regular updates to both Boards of Selectmen to review where things stand. Both the Board and Mr. Giger felt that would be good. Mr. Haddad asked that anything to do with the Water Project be sent to him as that project appears to be the most pressing. Mr. Giger then outlined what he understood the deal to be including the hours and compensation with particular areas of focus for work being the organization structure, chart and assessment, working on the Water

Project, and getting the town ready for a Special Town Meeting in the fall. Discussion ended shortly thereafter with the understanding that Mr. Haddad and Mr. Giger must now talk to the Groton Board of Selectmen.

Water Project

The Board spoke about some concerns about the Water Project's engineering and whether it is going forward still or not. Mr. Voelker was asked to contact Wright Pierce, the engineers for the project, to determine if they are still working on the project or not. There was some discussion of Road's Commissions views on Complete Streets and whether or not Complete Streets has to be considered as part of the Water Project. All the project would mean is a new pipe, not a new road. Complete Streets really shouldn't apply. Especially in light of what Groton's experience with Complete Streets has been. The Board also discussed the need for firm numbers for the project. There has to be a shovel ready plan before the matter is brought to town meeting. There was some ensuing discussion of the deadlines for a Special Town Meeting Warrant. The Board noted it has a joint meeting with the Water Commission at its next regularly scheduled meeting for July 10th, 2018 and should be able to get more information from Water on where things stand.

14 Hillcrest Street

The Board reported that the problem appears to have been fixed and the matter is now resolved.

Groton Herald

The Board had some concerns about some statements made in the article that were wrong and untrue. The Groton Herald has been contacted about the Board's concerns. When a news publication writes things that are completely untrue, it is concerning. Untrue statements should be corrected. Ms. Basbanes noted she would write a letter to the Editor to ensure that the record is corrected as the untrue statements are damaging to the town. The point isn't to trash a journalist, or to argue with a news publication. Rather, the intention is to set the record straight. Unfortunately, the journalist involved won't write a retraction or correction, so the letter to the Editor is the only option left for correction. The Board as a whole was fine with such a letter assuming its seen prior to submission. The main issues being the falsehoods that town land was sold that was not in fact sold and a project was approved that was not in fact approved.

Fire Department Update

Chief Rich reported about two firefighters he's had out on medical. They're both Dunstable residents. They can start working again in a limited capacity assuming the town is okay with that. The Board felt that as long as there is no liability or case for Workman's Comp and they fully understand what the limitations are, then the Board would not be adverse. Both firefighters' doctors have given them letters signing off on light duty. Although, the Board did feel it might be a better course of action to wait until the firefighters are cleared to come back in full.

Gas & Plumbing Inspector's Pay

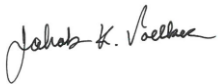
The Board started off by noting this is old business that has been ongoing and discussed at multiple meetings. Ms. Leonard then outlined how the matter came to her particular attention and what actions she's understood to have been taken previously. The Board noted that the Advisory Board is concerned and has asked for the Board's help addressing the issues. Ms. Leonard outlined the problems with how the Inspector was being paid and how the matter had become unduly complex prior to the transition to a stipend. Ms. Leonard went over the problems and how to address the issues. There are really no clean ways to resolve compensation for inspectors as there are concerns with every conventional method. The Board understood that, but felt that there has to be a way to fix the current situation and move forward. Ms. Leonard had a few suggestions as to where funds can be found to fix the current pay matter. Ms. Dow then had some questions about why the stipend for FY19 is the figure it is and why the Electrical Inspector is paid more in his stipend. Ms. Leonard outlined the historical data and the fact that the Electrical Inspector usually pulls in more. She then went over the historical data for Gas and Plumbing outlining how the FY19 stipend as it stands appears to be fair. This included discussion of total revenue collected for inspections and how far back Ms. Leonard went to find comfortable numbers both in what is owed and what should be paid going forward.

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For one period the Gas & Plumbing Inspector was shorted \$1,800, and the second period about \$3,100. This prompted the Board to ask what is left in the various buckets to pay. There are some funds left in the Electrical Inspectors line that could be utilized. This would leave the town only having to find about \$1,000 to resolve this particular problem. The Board felt it necessary to be clear that right now the town is going to pay \$4,962 in resolution of what is owed for FY18. Then the stipend kicks in for FY19 which would be \$1,750 every quarter. Ms. Dow felt that number was not a fair one. Ms. Leonard went over the data again and outlined how the budgeted was built on that information. There were some questions of how to compare the differences between each inspector and how the town got into this mess. Ms. Leonard noted that the stipend can be reassessed every fiscal year and a case can always be made to increase it. The Board resolved that the Gas & Plumbing Inspector will be paid the \$4,962 to make the inspector whole for FY18. Moving forward there will be a stipend in FY19 that can always be renegotiated for FY20. Further, the Board asked the Dows to come up with a number that is more comfortable for them going forward so there can be discussion for FY20. Ms. Leonard then quickly outlined a few of the things she will do for the joint meeting between the Board and Advisory Board that is scheduled for July 10th, 2018. That included a few brief thoughts on how this matter would be handled as part of that. Discussion ended shortly thereafter.

A motion to adjourn was made by Mr. Mikol at 3:00 pm. The motion was seconded by Mr. Tully and passed without objection.

Respectfully submitted by

A handwritten signature in cursive script that reads "Jakob K. Voelker".

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

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