

Town of *Dunstable* Selectboard
Meeting Minutes
July 31, 2018
Town Hall, Dunstable, MA 01827

Convened: 8:30 am

Present: Leah D. Basbanes, chair, Ronald J. Mikol, vice chair, James E. Tully, member; Lorraine Leonard, Town Accountant; Mark Haddad, Interim Town Administrator; Susan Psaledakis, Community Preservation Committee; Carol Skerrett, Town Clerk; Bonnie Ricardelli, Treasurer/Collector

Selectboard Reviewed & Signed the Following:

- Ballot Questions for November Election

Inter-Municipal Agreement with Pepperell

The Board started off by discussing where things stand with the agreement. Ms. Leonard noted that she was at the last Water Commission meeting and things appear to be heading in the right direction. Mr. Voelker stated that last he'd heard the Commission was still reviewing the document and had scheduled a meeting for August 6th, 2018 to discuss the matter. This concerned the Board which had thought it would have the agreement in hand at this point. Mr. Haddad inquired with the Board about approval of signing an inter-municipal agreement, and ensuring that the Board checks with Town Counsel about the authorization of the Board to sign an inter-municipal agreement without having to get prior authorization at a town meeting. The Board was rather certain that it has a regular article on the Annual Town Meeting authorizing it to sign inter-municipal agreements. But the Board agreed to check with Town Counsel to be sure. The Board then expressed some concerns about how expensive this transition for Water is becoming. All the meetings that have been held and the requirements for the transition by Pepperell are going to add up. It could mean that cost is substantial. There could be an expense that's not provided for or even understood within the budget. Mr. Haddad then asked some questions regarding the ballot question and the project it concerns. The Board elaborated on the need for the Water Infrastructure Project and the issues with DEP that need to be resolved as part of that project. The Board had a question about Waters financial state. Ms. Leonard went over the numbers a bit noting what they have for capital repairs, their version of stabilization, and their version of free cash. This prompted some discussions about how some of the funds were put in place. Mr. Haddad then turned discussion to financing of the infrastructure project. It will have to be done through debt exclusion or similar vehicle.

Water & Assessors Clerical Support

Mr. Voelker spoke briefly about a proposed plan for reorganizing, which would create a newly aggregated position, a little over 32 hours a week, with the about 12 hours from Assessors for clerical, 12 hours from Water for clerical, and 8 hours from the Accountants office for clerical. He was clear that the sources of funding for the hours are already in place in the FY19 budget as other employees previously worked them. Mr. Voelker then stated that while this position would be benefited since it is over 20 hours a week, there should be no net increase in the number of overall benefited employees in the town since the Assessors hours were previously combined with Highways clerical hours and that person was a benefited employee. Now that that employee has retired and only retained their Highway hours, they are below 20 hours and no longer benefited. Further, that employee was entitled to enroll in the towns health insurance plan, but didn't. Still, there won't be a net increase in insured employees since another employee who was so enrolled will be coming off the plan within the next month. Additionally, there would be no net gain in total town employees since it would simply mean adding hours to an existing employee bringing them up from 8 hours to 32. Mr. Haddad then reported on the meeting's he's had with the employee in question and with the town's financial officers. The proposal works financially for the town and for all the departments involved and makes a lot of sense. The Board had a few questions about pay and the numbers behind that total yearly figure. Ms. Leonard briefly elaborated on what each department can pay per hour in accordance with the Wage & Compensation Chart and noted that it should be sufficient enough to follow through the end of this year. She further noted that these hours make sense, but there will have to be some discussions regarding FY20 as Assessors will need a bump from 12 hours to 14. Still, in her professional opinion the position is sustainable financially. The town would only have to

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find \$2,000 for FY20 for the Assessors and there are a number of options for the Advisory Board to consider once discussions about FY20 are started. The Board then went over how the hours would work and suggested that a formal offer letter should be written up for the employee in question. The Board then determined that a start date should be assigned. Ms. Leonard suggested September 1st, 2018. She noted that the departments can wait until that date. It was determined that Mr. Mikol will draft the offer letter with Ms. Leonard's assistance.

A motion was made by Mr. Tully to approve the new position as proposed. The motion was seconded by Mr. Mikol and passed unanimously.

Compensatory Time

Mr. Haddad went over compensatory time and how it works. Compensatory time is an alternative to overtime pay, and as such it should be regulated and tracked carefully. Salary employees should never receive compensatory time, only hourly employees who would otherwise qualify for overtime. This prompted discussion of how payroll sheets are done and who reviews them. Ms. Leonard went over how that process works with her office and the Town Treasurer's office. Mr. Haddad recommended that department heads and supervisors should be required to track the hours and record them carefully. The Board then discussed if employees can be salaried to avoid the issue. Mr. Haddad explained the way MGL works on this and noted there's a test on whether an employee can be salaried. The Board then discussed the issues it had with Ms. Hutton regarding compensatory time and was wary of seeing it left unchanged. Mr. Haddad suggested not throwing out the baby with the bathwater, as one bad apple shouldn't ruin it if the system otherwise works. Most departments appear to be tracking employee compensatory time and as long as it is tracked and monitored it can be a benefit. If you don't have compensatory time you have to have the overtime in the budget for hourly employees. Mr. Haddad then inquired about whether he could conduct the test on Mr. Voelker and determine if he should be salaried or not. The Board was okay with it but wanted to ensure that the town is fair to Mr. Voelker; simply changing him to salary at his existing overall yearly appropriated amount and expecting him to attend evening meetings, some of which can be rather lengthy, could be unfair as currently he receives a benefit for attending those meetings in the form of compensatory time.

Approval of Ballot Questions for Highway & Water and Town Meeting

Mr. Haddad started off by reporting on the meetings he had with Highway and Water. He was able to draft the two debt exclusion questions, which he read to the Board. There was then a question as to why there are no numbers in the questions. Mr. Haddad explained that debt exclusions don't have the number as part of the question. Prop 2 ½ overrides do have to have the number, but not debt exclusions. The numbers aren't sum certain yet, but there's time. The only reason this is being signed now is to make a deadline to schedule the questions for the November ballot to save money since the town will be holding Federal and State Elections. This prompted discussion of how to deal with this for any Special Town Meeting. That meeting won't be certain until the warrant is signed. And these questions if left off the warrant mean nothing legally. The Board had a question of credibility, noting that if these questions show up on the ballot but aren't legally binding because the town isn't ready. Mr. Haddad understood the concern, but noted that then you have to call a Special Town Election. The only reason to do this is to save the cost of such an election. The Board still had misgivings feeling that the Water Infrastructure Project may not be ready in time and the numbers need to be solid. Mr. Haddad had some questions about the engineering and how funded it is. The Board elaborated on where things stand with that subject. Mr. Haddad suggested that if DEP will allow the town to delay until the Annual Town Meeting, it could be wise to do so. The Board felt confident that it could wait until the annual. Mr. Haddad stated that the Board will have to make its decision by today. He further noted he is ready to write the Special Town Meeting's warrant if the Board is ready. Roads are clearly ready for town meeting.

They've marshalled reports and data. Mr. Haddad noted that Roads has given detailed information and numbers. They appear ready. There was a question of whether or not the roads question should be a debt exclusion or an override. Mr. Haddad noted that the Town of Grafton did a road override. They did a ton of road repairs and this has been successful. But voters usually prefer debt exclusions. The Board countered that by the time the town is brought up to par, which could take years, it might be better as an override. Mr. Haddad suggested that if that is the vehicle then it should be held off until the Annual Town Meeting and done as part of the operating budget. If this work is going to take 7 – 10 years, then an override might make sense. This prompted more discussion of the merits of a debt exclusion versus an override and which is best. Mr. Haddad

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stated that for an override the numbers have to be certain. The Board noted that an override was done to fund the snow and ice budget and it has carried that ever since preventing the problem from persisting and ensuring that the problem was resolved. An override could fix the issues on a permanent basis. Mr. Haddad explained that a decision has to be made because of the deadline for the November ballot. So he suggested voting the ballot questions contingent on DEP for water and leaving Highway for an override in the spring. There was some discussion of Chapter 90 funds, and what resources Roads has for Highway to do maintenance. Mr. Haddad felt a general override for Roads makes sense while a debt exclusion for Water makes sense.

The Board noted that Roads has data and they've got reports and the maintenance case is clear. It makes sense to go with that as an override. Ms. Psaledakis had a question about how the work would be done and what the yearly amount would be. The Board explained that the work would be done by subcontractors. Mr. Haddad felt that the yearly amount could be done as an override and could be a very manageable amount. This prompted some discussions about the Roads Commission and its authority over roads in town. It was determined to approve both debt exclusion ballot questions pending review with DEP on waters case and with the Roads Commission on the roads question to determine if an override in the spring would be acceptable. Discussion then turned to the Special Town Meeting. The Board briefly went over a couple of things that it had for a meeting, unpaid bills, a revolving account for Board of Health, and a few by-laws. But it appears that if Roads and Water aren't going to have their projects ready, there is no pressing need as the items so far can wait until the Annual Town Meeting. The Board did note that there are a few other lesser issues brewing that might benefit from a meeting. Mr. Haddad gamed out the options and suggested that the town probably can wait. There was then some discussion of Free Cash and whether that number will be substantially less than prior years. Mr. Haddad reported on some discussions he's had with the Assessors and feels that it won't be a huge number, but there should be Free Cash as new growth appears to be okay. Mr. Haddad then got the marching orders on what projects he should work on next. The Board then voted on the questions.

A motion was made by Mr. Mikol to vote the ballot questions forward and authorize signing them contingent on further discussion regarding the structure of the debt exclusions and discussion with DEP and Roads and to authorize the chair, Ms. Basbanes, to act on behalf of the Board. The motion was seconded by Mr. Tully and passed unanimously.

CPA Questions

Ms. Psaledakis had some questions regarding CPA. The CPA had a question of whether the chair of the CPA can sign the agreement for its plan commissioned with NMCOG. Mr. Haddad stated it would need to be signed by the town's executive which is the Board. Ms. Psaledakis asked in that event that the topic be put on the Board's agenda for August 7th, 2018 so that it can be signed. CPA is paying for it and has it in its budget. The Board was fine with them moving forward.

Affordable Housing

The Board discussed various financing options for Affordable Housing. This included different financial vehicles. If the town doesn't give the land to the developer, the housing is unlikely to end up being affordable. Affordable Housing is considered 20 percent below market value. So the units have to be lower than market value to be considered affordable. It no longer appears that Affordable Housing can build on the Best property given the determination of the Board of Health as to the water and septic. So it would have to be built on the MUD. The Board further discussed if the units would be rentals or sold and whether they would have solar or not. It appears they would be rented. This prompted discussion of how many units there would be with the conclusion of between 18 to 40 units, with the MUD being able to support up to 40 units. The Board concluded that the town needs to look at the approach and the Board should sit down with Affordable Housing and possibly Board of Health. It was determined to pursue a morning meeting on August 14th, 2018 that would include Affordable Housing.

Restructuring

The Board briefly turned to the question of restructuring and reorganizing. From what Mr. Haddad has done so far it appears that reorganization is needed. But the Board wants to ensure that it is fair, especially if restructuring results in changes for some employees from hourly to salary.

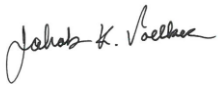
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Alternate Building Inspector & Zoning Enforcement Officer

Ms. Skerrett had some questions about how the alternate is paid. The Board explained that the alternate is paid by the Building Inspector who pays him out of his budget. Depending on how that is handled a disclosure should be filed for ethics. Ms. Skerrett had some questions about the difference between elected and appointed officials. The Board decided to ask the Treasurer/Collector. Ms. Ricardelli reported that the town does not pay them, the Inspector would. The town doesn't cut any checks directly. If the town would like to change this, it could. The Board determined the disclosure should be done.

A motion to adjourn was made by Mr. Mikol at 10:10 am. The motion was seconded by Mr. Tully and passed without objection.

Respectfully submitted by



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