

Town of *Dunstable* Selectboard
Meeting Minutes
November 14, 2018
Town Hall, Dunstable, MA 01827

Convened: 6:30 pm

Present: Leah D. Basbanes, chair, Ronald J. Mikol, vice chair, James E. Tully, member; Mark Haddad, Interim Town Administrator; James W. Dow, Chief of Police; Brian Rich, Fire Chief; Bob Nelson, Eric McKenzie, Kieran Meehan, Leo Tometich, Adria Fischer, Harold Simmons, Advisory Board; Michael Knight, GDRSD Finance Director; Ryan McLane, Jennifer McKenzie, School Committee; Lorraine Leonard, Town Accountant

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 an Update on Town Administrator Search, a Water Update, Holiday Related Closings, and a Joint Meeting with Advisory Board to Discussion the Preliminary FY20 Budget and Modification of Existing Administrative Assistant Position to Assistant Town Administrator.

Update on Town Administrator Search

Mr. Haddad started off by thanking the members of the Town Administrator Search Committee. To date 24 applications were received, which was whittled down to 4 candidates by the committee. The committee, based on a first round of interviews, determined two finalist candidates who should be interviewed by the Board at a final round. Each one of the 4 candidates was interviewed for an hour and asked a number of questions to determine temperament, the ability to work well with others, and communicate with the town. From there Mr. Haddad asked the Board to consider the questions it would like to ask and what kind of participation they want from stakeholders. The Board felt it important to include more viewpoints than just its own. There was then discussions regarding various dates, with the Board boiling down to whether it should be on November 20th or November 27th as well as how long the interviews should be. It was determined to set up the interviews for 4:30 and 5:30 pm on November 20th, 2018. Mr. Haddad agreed to setup the times with the two candidates. Mr. Haddad recommended that the decision not be made immediately after the interviews, but rather have that formal decision made the week after at the Board's meeting on November 27th, 2018. This would give the Board time to think about each candidate fully before making a decision. The Board agreed.

Update on Water

Mr. Haddad reported that the Water Operator RFP has been approved and plans are proceeding. Several inquiries by interested parties have already been received, and Mr. Voelker is sending out copies of the RFP and related documents upon request. In the meantime, DEP has issued an amendment to the Administrative Consent Order with Penalty (ACOP) to extend the timetables for compliance found within the ACOP's original language and provisions. The appropriate paperwork has been signed and returned to DEP. Mr. Haddad than turned to discussion of a problem that the Town Accountant has brought forward. When the budget was put together, there was an increase in rates that was supposed to generate \$128,000 in revenue to fund the Water Departments budget. The town bills twice a year. The first commitment, which covers the summer months, went out this fall. Based on projections the billing should have been about \$70,000. Last year that first half year bill brought in \$32,000. Only \$37,000 was received. It appears that the rates were not doubled as had been intended. Clearly a mathematical mistake was made. As a result, it is now clear that the department will not bring in the funds necessary. This is a problem as the department had set rates intending to receive sufficient funds to operate. The Board had some questions about how the rate hearing worked with the Water Commission and what the ramifications are. Mr. Haddad explained that all of this comes down to a

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mistake in rates which means that instead of a doubling we only had what appears to be a 15 percent increase. As a result, Mr. Haddad recommends that the Water Commission have a rate hearing as soon as possible to raise the rates and further recommends that the Town Accountant work out the math and ensure the rates are correct this time. That said there will still be a budget issue for the Water Department going into the next fiscal year. Mr. Haddad stated for the record that this was not the Water Commissions fault, but rather the town employee who did the work and presented the rate increase to the Commission. This individual did so assuring them of a result that did not, in the end, occur. The Board agreed that this matter must be addressed as quickly as possible. Discussion then shifted to one of the remedies at Annual Town Meeting. The town may have to use some Free Cash. Mr. Haddad felt confident the amount would be small enough to be acceptable to be taken from Free Cash; likely around \$50,000. The town's Free Cash should be around \$400,000. It is not advisable to use Free Cash in this manner regularly, but this is an emergency situation for the Water Department. Discussion ended there.

Holiday Related Closings

Mr. Voelker reported that currently all Town Hall employees that work on Friday's intend to take benefited time off on Black Friday. As a result, it would seem prudent to formally close the Town Hall on that date. Mr. Haddad agreed with that recommendation and suggested that since Christmas and New Year's both fall on Tuesdays the Board should also consider taking action regarding those days as well. He recommended for Christmas Eve and New Year's Eve that the Town Hall be formally closed at 12 pm. The Board had no objections for closing the Town Hall on Black Friday since all Town Hall employees working that day already intend to use benefited time anyway. As for Christmas Eve and New Year's Eve, the Board felt it good for moral to authorize the closing on the whole day with pay and proceeded to do so. This would not be something that would happen every year and would depend when the Federal Holidays fall.

Inclement Weather Closing

Mr. Haddad took the opportunity while discussing closings to recommend to the Board that the Town Hall be closed on November 16th, 2018 in anticipation of inclement weather. Under the current policy the decision on closing or delay is made by the Town Administrator in consultation with Highway, Fire, and Police. That said Mr. Haddad will be undergoing a medical procedure on the morning of November 16th which will result in his being unable to make that determination that morning. In light of this, and given weather reports, Mr. Haddad asked the Board to consider simply closing the Town Hall. Only three Town Hall employees work on Fridays, two of whom would otherwise end their workday at 1 pm. The Board inquired about whether the inclement weather policy should be changed noting the history in the past with the policy and previous policies that have been tried. There have, rather frankly, been a number of people that have complained. Mr. Haddad felt that it would be more prudent to wait to make any changes to that policy until after a new Town Administrator is hired as that person may have recommendations and ideas regarding best practices relating to such weather. That said the Board determined that rather than closing, the Board empowered its Chair to make the call on Friday, November 16th, 2018 in the morning.

Restoration of Town Hall Façade & Slate Roof

The Board briefly discussed where things stand on this topic noting that CPA funding for historical preservation should be available. The Board discussed whether any project would have to go to bid. Mr. Haddad outlined the procurement process. If it is under \$10,000 no bid is needed. If over \$10,000 but up to \$50,000, the process would only require the town to obtain three bids. It was further noted that prevailing wage would have to be considered. This particular project may require spending more than \$50,000 which would trigger the formal bidding and proposal process as outlined under MGL Chapter 30B.

Town Hall Office & Meeting Spaces

The Board discussed the possibility of reorganizing the Town Hall's office and meeting spaces. The town could hire consultants that would use the floor plans of the building to plan out the space. This would likely mean moving some offices and seeing if it is possible to add more meeting spaces or simply reconfigure. The town doesn't have to commit directly to any changes and the cost of the consultants wouldn't be substantial.

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Joint Meeting with Advisory Board – Preliminary Discussion of FY20 Budget

Mr. Haddad started off by explaining where the budget process is. He also spoke about preliminary budget projections. The first thing he did was establish a new version of the budget. He built the budget to be more reader friendly. This includes a summary with line items to aid the town meeting process. He then elaborated further on each part of the budget and how it works for each department. Mr. Haddad then discussed some issues with the prior budget, FY19, and some of the errors that have been baked into that budget. Some of them will cause issues as the financial year closes for the Town Accountant and could require fixes to be made at the Annual Town Meeting. From there Mr. Haddad discussed how he will reach out to departments to complete the building of the budget. The budget will have transparency, showing what was requested, what the Town Administrator recommended, and what Advisory Board decided. He then went over documents he's constructed to aid the Advisory Board and the Town Accountant in implementation and monitoring. Mr. Haddad then went over how the calculations work, how this budget would consider debt exclusions, estimated receipts, and other revenues needed to help balance the budget. The budget would also allow for the use of Free Cash and account for it. He then spoke about the levy limit, aid from the Commonwealth, the enterprise funds, community preservation funds, and Free Cash.

The idea of this budget is to make it easy to plug and play around with numbers and this is the style of budget that he has used for years in Groton and it has served them well in no small part because he's been able to adjust it over the years to address issues that have arisen. He felt that this system will allow for informed decisions and aid the Advisory Board substantially. Mr. Haddad then stated that most of the mistakes that happened in the past were a result of not consulting with the Town Accountant. This particular town officer is critical and both the Advisory Board and the Town Administrator should rely on that officer to assist in the process. While ultimately this is Advisory Board's responsibility, but the Town Administrator and Town Accountant are there to assist and help ensure accuracy. Mr. McKenzie then had some questions about the numbers, noting that this is early and some figures like the school districts are not yet fully known. Mr. Haddad responded by providing some initial information he has regarding the school district and some of the other numbers. He felt that starting this process now makes sense. Mr. Nelson explained that Advisory Board has been involved in the past, but perhaps not as early as now. Mr. Haddad suggested that the Town Administrator can assist in putting together the preliminary budget. That budget then could be given to the Advisory Board along with recommendations. Mr. Haddad then reported on new growth, it would appear to be about \$105,000 with commonwealth aid likely to stay level at its prior funding. Mr. Knight then spoke briefly about where the school district's budget is currently. Discussion shifted quickly back to county retirement and health insurance increases.

Assuming a 2 percent increase on the municipal budget, anticipated new expenses are around \$500,000 with anticipated increases in revenue and funding sources leaving about a \$190,000 gap. Ms. Leonard noted that some of that may be debt that should be adjusted in how it's accounted. Mr. Simmons then had some questions about Free Cash. Mr. Haddad responded that the number is healthy, and to date so far only \$50,000 of that really has to be committed for the Water Department. Otherwise the remaining sum is available. Obviously things will change. And the town should not overly rely on Free Cash as the town needs to reduce its reliance on and use of Free Cash. Discussion then shifted back to the school district. So far the district's needs are doable, but likely tight. Mr. Nelson then had some questions about estimated receipts. Mr. Haddad responded by explaining how he's been very conservative with all projections and noted that his time will probably be up at the end of this month or early December and he does not want to leave this unsettled. He hopes to stay into December, but that will depend on the Groton Board of Selectmen as well as whether Dunstable is able to hire a new Town Administrator by then. He asked Advisory Board how he should proceed in the interim. Advisory Board recommended that Mr. Haddad proceed with building the preliminary budget for their consideration. Mr. Knight then gave a quick update on where the school district is in its budgeting process. Discussion finished by returning to whether it may be possible to get a balanced preliminary budget completed by the end of December.

Joint Meeting with Advisory Board – Proposal to Modify of Existing Administrative Assistant Position to Assistant Town Administrator

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Mr. Haddad started off by taking a moment to restate his proposal to modify the existing position of Administrative Assistant to the Board of Selectmen & Town Administrator into the position of Assistant Town Administrator. The Town Administrator would be part time, at 20 hours a week. The Assistant Town Administrator would be 40 hours a week. Mr. Haddad explained that if this position is made an Assistant Town Administrator with additional duties, coupled with a good Town Administrator, it would function very well for Dunstable. With the right Town Administrator, the current employee could be trained and further elevated in work quality. That said there would need to be a bump in wages which could be taken from the Town Administrators wage line. Because the Town Administrators wages are separate in the budget from the Administrative Assistants position, you would need a transfer from the Town Administrators wage line. Mr. Haddad then reported on a wage study he did using the same towns as the Personnel Board has used for all employees. This study concluded that the position should be paid about \$60,000. Currently the employee in question is paid roughly \$47,968. The pro-rated cost for the remainder of the year would be about \$8,726, which could be taken from the Town Administrators wage line for FY19. Doing so would still leave sufficient funds to complete paying Mr. Haddad as well as pay the wages for a new Town Administrator for the remainder of the fiscal year. The wage change would be sustainable as the increase for FY20 would be taken from the Town Administrators wage line which would be decreased from its existing sum of \$79,825 down to \$60,000. So the wage adjustment could be done while still leaving funds to use elsewhere. The Board noted that whoever is hired as Town Administrator will come in knowing they are part time. That can be changed in the future, but it makes sense given some of the town's recent experiences.

Mr. Tometich then asked about adding responsibilities to an already full time position. Mr. Haddad responded that the employee in question has stepped up and is already doing the work. In his opinion the employee has historically been underutilized and with mentorship can be a real asset to the town. Mr. Nelson then had a few questions about the proposal of paying a Town Administrator \$60,000 for 20 hours. Mr. Haddad responded that the salary is set to be attractive in order to get talent. If a Town Administrator does later go full time again, it wouldn't be a doubled salary. Rather in such an event the salary would likely staying under \$100,000. The Board stated that what the town needs is someone with sufficient experience. Mr. Nelson then inquired as to whether this change would require hiring more administrative support for administration. Mr. Haddad stated that it would not be the case as the core of the job would still be the same. Mr. Nelson noted some of the issues with the last Town Administrators wages and how that contract was done. The Board clarified whether the issue is a concern over any possible backdoor changing of the Town Administrator to full time in the future. Because in such an event Advisory Board should be assured that would not occur. The Board has learned a lot from the situation with the last Town Administrator. The Board felt that 20 hours should do it. Now, 10 years down the road that could change. Even 3 years down the road. But that said the Board would not make the mistake of trying to change the position without consultation. Just as the Board is now consulting on this change. Mr. Tometich asked if the Town Administrator would be in a 3-year contract. The Board responded that 3 years is standard, but the matter hasn't been negotiated yet. Mr. Meehan and Mr. Tometich jointly suggested utilizing a clause in whatever contract that is negotiated to allow for regular review and potential early exit if need be.

The Board agreed stating that such clauses are usually standard and noted that what really needs to happen now is buy in from the various bodies politic of the town. Mr. Nelson suggested that any future job reviews include getting feedback from bodies that regularly deal with the Town Administrator. He suggested that perhaps the Board should consider a 1-year contract with a review and the right to renew for 2 years subsequent. This prompted some discussion of the legal process for contracting, including the likelihood of subjecting it to town meeting. Mr. Haddad gave some examples and explanations and stated that buy in from town meeting makes sense. Mr. Meehan asked about how 20 hours would work for rebuilding public confidence. Mr. Haddad responded that they would work 5 hours a day, four days a week, and work consistently from a reasonable start time in the morning to a reasonable time in the afternoon. That way department heads know they will be there. Mr. Meehan followed by asking if the town would be better served with a full time Town Administrator. Ms. Fischer echoed this concern. She noted that a lot of this is predicated on current employees staying in their positions for years. That is a lot to expect of one particular employee in her mind. She clarified that the plan includes having a full time Assistant Town Administrator and a part time Town Administrator. Mr. Haddad responded that it is the plan, but nothing is set in stone as this could be changed in the future. Further he stated other towns have done similar models. The Board noted a number of towns that do have such a model. The Board then asked what the alternative models are. Mr. Nelson suggested

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that it could be hiring someone full time for the amount the town already has. This prompted further discussion, including the quality of candidates that have applied for the part time proposal. Mr. McKenzie stated that the goal is to get a candidate that is experienced and that can assist the town from the start in dealing with some of the big problems. Mr. Haddad felt that the quality of the finalist candidates is excellent and addresses those needs. Obviously the candidates are aware that they may have to adjust their hours and possibly work more hours in one week than another. Mr. Tometich then asked where things stand with the Personnel Board. Mr. Haddad responded that they are aware of the proposal. They have to date not participated. Mr. Meehan then asked how the \$60,000 figure was determined. Mr. Haddad explained the research he did and noted that the figure is intended to attract a good pool of candidates. Mr. Nelson noted that having participated in the search committee, the pool of candidates was good and he is generally pleased with the finalists. The Board then determined, after consultation with Advisory Board, to proceed with Mr. Haddad's recommendations.

A motion was made by Ms. Basbanes that the Town Administrator's position be reduced to a part-time position and that the position of Administrative Assistant to the Board of Selectmen & Town Administrator be reclassified and renamed as the Assistant Town Administrator and that the wages for both positions be set as recommended. The motion was seconded by Mr. Tully and passed without objection.

Appointments & Resignations

The Board started off by noting receipt of a resignation letter from the Town Clerk for David Lantagne. Mr. Lantagne is resigning from the Zoning Board of Appeals. Currently the ZBA only has four full members with a vacancy in a full membership and three vacancies in associated membership. Given the importance of the ZBA more members should be found. Mr. Haddad asked Mr. Voelker to proceed with placing notices asking for interested parties in local publications. The Board then turned to appointments. The Commissioners of Trust Funds have finally had their first formal meeting. In the process it has been discovered that language presented at the Annual Town Meeting which placed all of the town's disparate trust funds under the Commissioners authority omitted the Commissioners of the Parkhurst Lecture Funds. As such, the Commissioners request appointment as the Commissioners of the Parkhurst Lecture Funds and request the Board consider rectifying this issue at the next Annual Town Meeting. Mr. Voelker reminded the Board that the Commissioners of the Parkhurst Lecture Funds are elected and as such a joint meeting with any remaining members of that commission will need to be convened in order for the Board to fill any vacancies. The Board determined that this should be placed on the agenda, if possible, for the Board's meeting scheduled for November 27th, 2018.

Use of Town Property Request

The Board considered two applications from the Dunstable Theater Collaborative, the first being for a small show production and the second for a larger production. The small show productions dates ranged from late November until early January with breaks around the holidays. The second larger productions dates ranged from mid-January until April. Mr. Voelker noted that all the requested dates are available, and the collaborative has promised to be flexible and willing to move, switch, or swap dates as necessary to accommodate town bodies that have an active meeting schedule in the early spring. The Board was supportive of both events based on that stipulation and saw no reason not to approve the applications. Mr. Haddad took a moment to recommend that the Board consider empowering an official to approve building use of this nature. The Board agreed and determined to empower Mr. Voelker to do so in the future.

A motion was made by Mr. Mikol to approve the application by the Dunstable Theater Collaborative for a range of dates from November 26th, 2018 until January 26th, 2018. The motion was seconded by Mr. Tully and passed without objection.

A motion was made by Mr. Mikol to approve the application by the Dunstable Theater Collaborative for a range of dates from January 14th, 2018 until April 14th, 2018. The motion was seconded by Mr. Tully and passed without objection.

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A motion was made by Mr. Mikol to empower Mr. Voelker to approve use of the Town Hall and Town Common unless some unique conflict or dispute arises that the Board would need to resolve. The motion was seconded by Mr. Tully and passed without objection.

Minutes

The Board considered its minutes from its meeting held on October 30th, 2018. Seeing no reason not to approve the minutes, noting several changes the Board determined to approve the minutes pending modification.

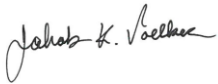
A motion was made by Mr. Mikol to approve the minutes of October 30th, 2018 pending modification. The motion was seconded by Mr. Tully and passed without objection.

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 7:50 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, Assistant Town Administrator

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