



**BOARD OF ROAD COMMISSIONERS  
TOWN OF DUNSTABLE  
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MINUTES  
July 25, 2011

The meeting began at 7 p.m. In attendance were Chairman Tom Dumont, Commissioners Mike Martin and Dave Crandall and Secretary, Terry Atwood.

The board discussed the personnel policy for the new hire.

The applicant, Robert Bacon, arrived at 7:07 p.m. for an interview appointment. Tom Dumont presented an overview of the hiring process. He recognized that Bob knew everybody and he considers Bob an asset to the Highway Dept. He outlined the job. It is a full time position with overtime when over 40 hours worked. The job does have the stipulation that there will be no vacations taken between December 1 and April 1 each year due to snow and ice removal responsibilities of the department. Tom stated that the newly created position did not come easy and the Highway Dept. requires employees to remain available during the winter months. It was noted that Bob has the required hydraulics and CDL licenses. Bob stated that his DOT physical is good until 2012. Bob stated that he does have a couple of vacations planned for this coming fall, but he understands the board's position and will take these vacations without compensation if necessary. Dave Crandall stated that winter is the most important season to be here and the vacations he has planned in the fall are okay. Tom Dumont explained that the no vacation in winter requirement excludes family emergencies or any necessary reasonable request for time off. The board feels that Highway will be closely scrutinized to confirm that the new hire and new truck are being managed efficiently. Tom informed that the hours of the job are 7 am - 3:30 pm. David Tully is the foreman and the new employee will take direction from him. The board is approachable should there ever be an issue that is unresolvable between the foreman and employee. Dave Crandall further stated that if employees think something in the department can be improved upon, they should feel free to talk to anyone on the board. The board is trying to run the department as efficiently as possible. Safety is the #1 priority. If, for some reason, something feels unsafe and an agreement can't be made with the foreman, please come to the board. The board only wants to get involved in day-to-day operations if there's a problem that can't be resolved. Once the new employee is on board, the foreman will create a new schedule of projects which will include backfilling shoulders, rims and covers raised as needed, a roller rented for the new truck so hot asphalt can be used to patch. The board agrees that if any other town boards request tasks to be done by the Highway employees, that town board should be referred to the road commissioners.

Bob questioned whether it was necessary to pay into County retirement. Terry confirmed that it is a mandatory contribution. Discussion followed regarding whether Bob's Tree Warden position will have to be forfeited if he was hired. It is to be determined. The Board thanked Bob for coming in and will be in touch after a decision has been made. At 7:35 pm, Bob left the meeting.



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The board voted unanimous to hire Bob. An offer letter draft has been sent to the personnel attorney for review. The offer letter will include rate of pay at \$21.00/hour, 'at will' employee status defined after clarification from the attorney, vacation time eligibility, insurance eligibility and the no winter vacation between Dec. 1<sup>st</sup> and April 1<sup>st</sup> stipulation. Once the attorney approves the draft of the offer letter, Terry will prepare and ask Bob to come in and sign a copy of the personnel policy. The anticipated start date will be 8/8/2011.

Discussion followed regarding streets that need paving. Terry informed the Board that Ted Gaudette mentioned that Brook St. is in bad condition and questioned whether it was going to be paved this year. It was noted that Westford St. is deteriorating and they'd like to see about ½ mile paved up to meet the Tyngsboro line. David will need to give the board an estimate of the cost. It will be noted on Brox's bid extension letter that no subcontractors are to be used and roads are to be keyed when paving for the town.

Terry will forward a spreadsheet she prepared showing what was paved yearly with Ch90 money. The Board approved the bid for chip seal to go out. Terry will prepare.

It is noted that although Sunshine Paving called earlier today and wanted to attend the meeting tonight regarding the bid extension request, they did not attend the meeting.

Attorney Rich Larkin joined the meeting at 7:50 p.m. Discussion followed regarding the bid extension clause. He made a couple of observations about the current bid documents. The contract we send out to winning bidders doesn't mention the extension. Also, it is not expressed whose option it is - the town's or the winning bidder's - to extend the bid. In addition, if both the town and the winning bidder agree, no option is needed. Mike asked if the bid documents could be reworded for future use. Rich will work on clarifying the contract. Rich thought it was okay to invoke a one year extension option. Terry has called the winning bidders and all but one are agreeable to the extension for a year. Rich will draft a bid extension confirmation letter for the winning bidders and send it to Terry.

The minutes of July 18, 2011 were accepted as written. The next meeting will be determined. The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Terry Atwood  
Secretary