



BOARD OF SELECTMEN'S MEETING

Town of Dunstable

May 7, 2024
DUNSTABLE TOWN HALL
511 Main Street | Dunstable, MA

**OFFICE OF THE BOARD OF SELECTMEN
TOWN OF DUNSTABLE**
511 Main Street Dunstable, MA 01827
(978) 649-4514 | bos@dunstable-ma.gov



BOARD/COMMITTEE/COMMISSION: Board of Selectmen
SUBMITTED TO TOWN CLERK: 5/2/2024 2:45 pm
MEETING DATE: May 7, 2024
MEETING TIME: 8:30 AM
LOCATION: Town Hall - Upper Level

NOTICE OF A PUBLIC MEETING POSTED IN ACCORDANCE WITH THE PROVISIONS OF MGL 30A §18 - 25

Topics the Chair Reasonably Anticipates will or could be Discussed:

Note: All topic placement & times are estimated and may vary *tremendously* from projections

Topics the Chair Reasonably Anticipates will or could be Discussed:

SCHEDULED AGENDA ITEMS

| | |
|----|---|
| 1. | Meeting Called to Order |
| 2. | Public Comment |
| 3. | Approval of Meeting Minutes April 9, 2024* |
| 4. | Middle School Naming - Marion Stoddart* |
| 5. | 2024 Annual Town Meeting Warrant Articles* |
| 6. | Consideration of 41 Lowell St. LIP Proposal* |
| 7. | Topics Not Reasonably Anticipated by the Chair |
| 8. | Executive Session – Pursuant to M.G.L. Chap. 30A, §21(a), Clause 6, to consider the purchase, exchange, lease, or value of real property: 41 Lowell St. |
| 9. | Meeting Adjournment |
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***Votes likely to be taken**
Meeting will be streaming at: youtube.com/@townofdunstable3179

(Note: This listing of matters reflects those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.)



Town of Dunstable Board of Selectmen Meeting Minutes

Tuesday, April 9, 2024

In attendance: Chairman Ron Mikol, Vice Chair Leah Basbanes, Selectman Kieran Meehan, Town Administrator Jason Silva, Exec. Assistant Sue Fayne, Chief Erik Hoar, Chief William Farrell, Advisory Board Members Jake Lewon, Matthew Naughton, Clinton Kenney, Harold Simmons, and Timothy Stewart.

*The meeting was called to order at 5:00 pm by Chairman Mikol.
Advisory Board called meeting to order at 5:08 pm by Jake Lewon*

Public Comment

Nikki Rockwell wanted to share her opinion that the position of Town Administrator is an invaluable position that she hopes would not be under consideration to cut based on the override failure.

Approval of Meeting Minutes from 3/12/24 and 3/26/24*

On a **motion** by Selectman Meehan and **seconded** by Vice Chair Basbanes, it was **voted to APPROVE** the meeting minutes from 3/12/24 and 3/26/24 as submitted. **The vote was unanimous.**

FY2025 Operating Budget Discussion

Before TA Silva began the presentation, Advisory Member Matt Naughton asked to make a point of clarification. He stated that the Advisory & Select Boards cannot do a line-by-line approval of the school budget. They approve an overall number.

TA Silva began by stating that last Tuesday the override request failed at the ballot. The town had a strong voter turnout, 47%, which is very high for a Town Election. Tomorrow night the School Committee will be meeting to approve their budget. Their vote is contingent on the decision & vote from tonight by the Board of Selectmen and Advisory Boards.

TA Silva shared some good news. As the budget process started earlier this year, there were several budget areas that were based on projections. The final numbers have now been received by the town, and in total the budget updates amount to \$78,133 in savings:

- Health insurance came in at a 2.2% increase vs. 5% planned.
- General Liability insurance was reduced, and we planned for 10% increase.
- Greater Lowell Tech's assessment was reduced due to decreased enrollment.

TA Silva reviewed 3 Budget Options for the Town of Dunstable:

Scenario 1: Entire deficit is covered by the Town or the School



If the school covers the entire deficit, the Town of Dunstable's deficit would be \$0. However, if the town were to absorb the entire deficit, there are significant reductions that would need to be made including eliminating staff, closing the library, cuts to Public Safety & Highway. In summary, it would bring town services down to barebones.

Scenario 2: Proportionally assign new available revenue 65% to the School District and 35% to the Town

This scenario would create a \$74,478 deficit for the municipal budget based on the FY25 proposed budget. This deficit would be entirely covered by the savings experienced in assessments for health insurance, general liability insurance, and the Greater Lowell Tech assessment reduction. It would also allow for reinstatement of the Police Officer and Per-Diem firefighter positions that were cut as part of FY24 budget. The school would see a reduction of \$2.7 million.

Scenario 3: Proportionally assign the bottom-line deficit 65% to School District, and 35% to the Town

This scenario would create a \$243,102 deficit for the Town. Municipal reductions would include training reductions, no reinstatement of the Police Officer or Per Diem firefighter cut in FY24, funds for Library repairs & supplies would be reduced, and there would be paving and line painting reductions in the Highway Dept.

Other considerations discussed included the FY25 reduction of \$100,000 in free cash from FY24. The spending plan also includes approximately \$120,000 in capital expenses. TA Silva then explained that after working closely with the Town of Groton and the School District, the impact on the Town of Groton if Dunstable chooses Scenario 2, would make the Town of Groton's assessment approximately \$619,000 below their tax levy. Town Manager Haddad spoke of this being donated or granted to the School District briefly and TA Silva explained that to avoid impacting our assessment and starting point in FY26, that these funds would be used for one-time expenses only.

TA Silva's recommendation, based on the community reaction to override requests over the last 2 years, would be to fund the school district at the Scenario 2 level but make some of the cuts in Scenario 3, which would reduce free cash use by another \$165,000.

Open Comment Period:

Jake Lewon, Advisory Chair: Jake supports Scenario 2 and making the reduction as proposed by TA Silva and he also feels that the financial situation is so dire that we should also be looking at some more extreme options for FY26, short term and long-term revenue opportunities, such as selling the Library building and rezoning that area.

Joan Simmons - Will the scenario you're talking about re-instate the 2 public safety positions? TA Silva responded that no, he doesn't believe we can afford the positions long-term, and if we restored the positions in FY25, we would likely be laying them off in FY26.

Erica Flynn: Can we do a municipal only override? Chairman Mikol explained that, yes, we can, but there doesn't seem to be a lot of appetite to do that.



Vice Chair Basbanes: It's very difficult to have so much uncertainty in these critical departments. The Chiefs should be empowered to hire the people they need without worrying about having to let them go the following year. It makes morale very difficult to manage.

Selectman Meehan: Based on this vote, as well as our override request that failed last year, the voters are telling us that they do not want their taxes to exceed a certain level, and they are ok with the risks that come along with it. In his opinion, as a board, it's their responsibility to listen to their residents.

Resident: What's the cost to run the library? \$200,000.

Tiffany Naughton: Would the town consider looking at other areas to make reductions instead of the Library, such as Parks. Because the library is so important to our community, she would like to make sure we are looking at all options that could help reduce the impact.

Keith Garofano: Has anyone looked at opportunities with town land? The Land Use Committee is currently looking into that. Most of our land has been designated open space and conservation but there may be a few parcels that the town could look at for one-time revenue.

Alan Chaney: There are 2-3 parcels that the town might look at for a one-shot revenue. In Alan's opinion, Town Property is not the way we're going to be able to solve our short-term or long-term problems. He also mentioned that our water supply is protected by open space, and that resource is tremendously valuable, as we will be selling water to Pepperell in the future.

Niki Rockwell: Niki shared that she hates the thought of not having a library, as there are so many benefits to the community. However, these are the consequences of not passing the override.

Joan Simmons: Closing the library would put the seniors on the street.

Matt Naughton wanted to caution people that challenging the budget line by line at Town Meeting is not a good idea, because it could have additional consequences that could, in turn, cost more for Dunstable. The Town Budget is not a negotiation.

Alan Chaney: Alan stated that he's not sure that the ZBA would approve changing the zoning by the library, and a zoning change would need a 2/3 vote at Town Meeting.

There is no recommendation right now to close the library.

Sara Axon: What do you think was the driver of the result of the vote? Selectman Meehan answered that the cost was a deterrent for our residents. He stated that you could potentially have more success within one year but then you're going back to the table again the following year.

Sarah Axon: Would you consider a one-year override for municipal only? Vice Chair Basbanes stated that the message was given to us by our residents. They do not want an override. Matt Naughton stated that the Advisory Board is not interested in entertaining another override this year.



Dr. Chesson clarified that their meeting tomorrow, April 10th, will be to vote on the overall number. Their meeting on April 24th will be when they will talk about reductions based on the overall budget number.

On a **motion** by Selectman Meehan and **seconded** by Vice Chair Basbanes, it was **VOTED to recommend** the Town's FY2025 Operating Budget with total expenditures of \$13,060,923, funding the Groton Dunstable Regional School District Assessment at an amount of \$7,962,156, to be presented to the residents of the Town of Dunstable at the Annual Town Meeting Tuesday, May 13, 2024. **The vote was unanimous.**

The Advisory Board Adjourned at 6:40pm

Joint Grass Brook Culvert

Hoyle & Tanner attended the meeting to review the Joint Grass Brook Culvert project. Old culverts are corrugated metal pipes. There are thousands across the northeast, and they went in quick and easy. These structures are not recommended because they have low service life and often, they're hydraulically undersized.

The preferred option is an Aluminum Box covered option, which has a 50-year life. The town received state funding for design and construction purposes of \$250,000.

The current culvert (off Mill Pond and crosses under Main Street) gets clogged quickly and the Highway Department must clean it out. The design and engineering fee to start the process is \$191,000 and that's out of the earmark from the state. That would include:

- \$20,000 in permitting.
- Field Surveys
- Grant Writing
- Project Management is included in this number but not construction management.
- They recommend biannual inspections, every 2 years.
- As part of the agreement, if there are savings, the money will be returned to the town.

Chairman Mikol asked if there were any issues with the PH of the water being acidic and corroding the aluminum. It will have an impervious membrane to mitigate this risk.

The recommendation is for Town to consider doing the work over the summer, not during school months, since there will need to be road closures. Would like it to be finished by September. Would divert local traffic up Mill St., but for truck traffic they are looking at 111A in Nashua.

On a **motion** by Selectman Meehan and **seconded** by Vice Chair Basbanes, it was **VOTED to approve** Task Order #32 with Hoyle Tanner in the estimated amount of \$191,982 for costs related to the design and engineering of the Joint Grass Brook Culvert Replacement Project and authorize the Chair to sign the Task Order on behalf of the Board. **The vote was unanimous.**

Annual Report Dedication*

There will not be any dedication in this year's issue. In a future meeting we will discuss criteria for future editions.



Annual Town Meeting Warrant Discussion

Draft warrant has been provided to the Board of Selectmen. The CPC is meeting on Thursday evening to review CPC project applications. For any feedback or changes, please send them to TA Silva.

Appointments: Kate McNutt to MPIC, Brynn Durno to BOR, Bonnie Ricardelli to IAC*

On a **motion** from Selectman Meehan and **seconded** by Chairman Basbanes, it was **VOTED to appoint** Brynn Durno to the Board of Registrars for a term to expire on June 30, 2027, Kate McNutt to the Master Plan Implementation Committee for a term to expire on June 30, 2024, and Bonnie Ricardelli to the Insurance Advisory Committee for a term to expire on June 30, 2024. **The vote was unanimous.**

IT Contract Amendment*

As we transitioned to Patriot Dispatching, Umbral, our existing IT vendor, would like to ensure that by giving Patriot access to the network and some systems, that Umbral is not held responsible for any issues they could cause.

On a **motion** from Selectman Meehan and **seconded** by Vice Chair Basbanes, it was **VOTED to approve** the proposed contract amendment with Umbral Technologies subject to review, comments and approval from Town Counsel and authorize the Chair to sign the contract amendment on behalf of the Board. **The vote was unanimous.**

Topics Not Reasonably Anticipated by the Chair

There were no other topics discussed.

On a motion by Vice Chair Basbanes and seconded by Selectman Meehan, it was voted to adjourn the meeting. The vote was unanimous, and the meeting was adjourned at 7:15pm.

Respectfully Submitted,

**Sue Fayne
Executive Assistant to the Town Administrator
and Board of Selectmen**



MIDDLE SCHOOL NAMING

Town of Dunstable

NOVEMBER 21, 2023
DUNSTABLE TOWN HALL
511 Main Street | Dunstable, MA

**THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF DUNSTABLE
WARRANT
ANNUAL TOWN MEETING - May 13, 2024**



Middlesex, ss.

To either of the Constables of the Town of Dunstable in the County of Middlesex:

GREETINGS

IN THE NAME OF the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and town affairs, to meet at Swallow Union Elementary School, 522 Main Street in said Dunstable on Monday, May 13, 2024, at 7:00 PM, and thereafter continuing from day to day until completed, with a back-up date of May 20, 2024, at 7:00 PM in the event that inclement weather or other circumstances require a postponement, then and there to act on the following articles:

REPORTS

ARTICLE 1 - Reports: To hear and act upon the reports of Town Officers, Boards, Committees, Commissioners, and Trustees, or take any action in relation thereto.

Sponsored by the Board of Selectmen

FISCAL YEAR 2023

ARTICLE 2 - Unpaid Bills of FY23: To see if the Town will vote to appropriate from Free Cash (Surplus Revenue) a sum of money for the purpose of paying unpaid bills of FY2023, or take any action in relation thereto.

Sponsored by the Board of Selectmen

FISCAL YEAR 2024

ARTICLE 3 – Transfer to Water Enterprise Fund: To see if the Town will vote to appropriate or transfer from available funds to the Water Enterprise Fund a sum of money for the purpose of funding operating expenses or other purposes as deemed necessary by the Board of Water Commissioners for FY2024, or take any action in relation thereto.

Sponsored by the Board of Water Commissioners and Advisory Board

FISCAL YEAR 2025

ARTICLE 4 - Operating Budget: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, or any combination thereof, to fund the various departments, boards, committees, commissions, and other operating expenses of the Town for Fiscal Year 2025, beginning July 1, 2024, or take any action in relation thereto.

Sponsored by the Advisory Board

ARTICLE 5 - Free Cash Transfer for FY25: To see what sum the Town will vote to appropriate from Free Cash (Surplus Revenue) to meet the appropriations of Fiscal Year 2025, beginning July 1, 2024, or take any action in relation thereto.

Sponsored by the Advisory Board

ARTICLE 6 - Revolving Fund Expenditure Limits: To see if the Town will vote pursuant to Massachusetts General Laws Chapter 44, Section 53E½, to set the annual expenditure limits for Fiscal Year 2025 for all revolving funds established by the General Bylaws, as follows, or take any action in relation thereto:

| | |
|-----------------------------|-----------|
| Cemetery | \$10,000 |
| Recreation | \$7,000 |
| COA Transport | \$3,500 |
| Permit Application Fees | \$5,000 |
| Approval Not Required Plans | \$15,000 |
| Transfer Station | \$155,400 |

Sponsored by the Advisory Board

Article 7 - Capital Improvements for Municipal Departments: To see if the Town will vote to raise and appropriate a sum of money for remodeling, reconstructing, and making repairs to existing Town buildings, infrastructure, and the purchase of necessary equipment, including all incidental and related costs, or take any action in relation thereto.

Sponsored by the Board of Selectmen

ARTICLE 8 – Water System Infrastructure Improvements: To see if the Town will vote to transfer from Water Retained Earnings the sum of \$35,000 for design, repair, replacement, construction, and installation of various water infrastructure and associated work, including all incidental and related costs, or take any action in relation thereto.

Sponsored by the Board of Water Commissioners and Board of Selectmen

ARTICLE 9 - Community Preservation Committee Recommendations: To see what transfers or other actions the Town may vote with respect to any recommended action of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 10 – Removal of Invasive Weeds at Lake Massapoag: To see if the Town will vote to transfer from available funds, including CPA funds, a sum of money for the continued removal of invasive weeds in Lake Massapoag, including all incidental and related costs, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 11 – Renovation of Wells at Larter Field: To see if the Town will vote to transfer from available funds, including CPA funds, the sum of \$11,940 for the renovation of wells at Larter Field, including all incidental and related costs, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 12 – Town Center Trail Loop Feasibility Study: To see if the Town will vote to transfer from available funds, including CPA funds, the sum of \$20,000 for consulting services to develop a feasibility study and concept design for the Dunstable Town Center Trail Loop project, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 13 – Union School Building Restoration and Rehabilitation: To see if the Town will vote to transfer from available funds, including CPA funds, borrow pursuant to Massachusetts General Laws Chapter 44B, Section 11, (the Community Preservation Act), or any other applicable statute, or otherwise provide a sum of money not to exceed \$1,132,750 to restore and rehabilitate the exterior of the Union School Building, including all incidental and related costs, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 14 – Town Hall Chimney and Roof Repairs: To see if the Town will vote to transfer from available funds, including CPA funds, the sum of \$20,000 for repairs to the Town Hall chimney and roof, including all incidental and related costs, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 15 – High Street Property Conservation Restriction: To see if the Town will vote to transfer from available funds, including CPA funds, the sum of \$300,000 to purchase through the Conservation Commission on behalf of the Town a conservation restriction for open space and conservation purposes on a 29.8-acre +/- tract of real property adjacent to 346 High Street identified on Assessors Map 15 Parcels 2 and 3B, and shown as “Parcel B” and “Assessor Parcel ID: 15-2” on a plan recorded in the North Middlesex Registry of Deeds in Plan Book 251, Plan 34, which is on file with the Town Clerk, based upon the recommendation of the Community Preservation Committee, and further, to determine whether the town will seek and/or accept any gifts or grants therefor, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 16 – Construction of Tennis Courts at Larter Field: To see if the Town will vote to transfer from available funds, including CPA funds, an additional \$140,875 for the purpose of constructing new tennis courts at Larter Field, including all costs incidental and related thereto, based upon the recommendation of the Community Preservation Committee, or take any action in relation thereto.

Sponsored by the Community Preservation Committee

ARTICLE 17 - Chapter 90 Funds: To see if the Town will vote to appropriate any sums of money received by the Town under provisions of Massachusetts General Laws Chapter 90 for the purposes authorized by Chapter 90, or take any action in relation thereto.

Sponsored by the Board of Selectmen

ARTICLE 18 – Establishment of an Elderly and Disabled Taxation Fund for the purpose of defraying real estate taxes of elderly and disabled persons of low income: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 60, Section 3D to establish aid to the elderly and disabled through a taxation fund to be used for the purpose of defraying the real estate taxes of low income elderly and disabled citizens and establish an Elderly and Disabled Taxation Fund Committee under said Section 3D to administer the provisions contained herein, including the identification of citizens to receive such aid, or take any action in relation thereto.

Sponsored by the Board of Selectmen

ARTICLE 19 – Municipal Electrical Aggregation: To see if the Town will vote to initiate the process to aggregate electrical load pursuant to Massachusetts General Laws Chapter 164, Section 134, and further, to authorize the Select Board, or its designee, to research, develop, and participate in a contract or contracts to aggregate the electricity load of the residents and

businesses in the Town, independently or in joint action with other municipalities, and to enter into agreements with consultants, experts, and attorneys in connection with the establishment and operation of an electricity aggregation plan, and to reestablish such plan if its operation is suspended, retaining the right of individual residents and businesses to opt out of the aggregation, or take any action in relation thereto.

Sponsored by the Board of Selectmen

And furthermore, in the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of Dunstable who are qualified to vote in Town affairs, to meet at the Dunstable Public Library on Tuesday, May 21, 2024 between the hours of 12:00 o'clock noon to 8:00 PM, to cast their ballots for the following officers:

Select Board, one position for three years; Board of Assessors, one position for three years; Board of Assessors, one position for two years; Board of Health, one position for three years; Board of Road Commissioners, one position for three years; Constables, two positions for one year; Cemetery Commissioners, one position for three years; Board of Water Commissioners, one position for three years; Board of Water Commissioners, one position for one year; Planning Board, one position for five years; Commissioners of Trust Funds, one position for three years; Advisory Board, two positions for three years; Advisory Board, one position for 2 years; GDRSD School Committee, one position for three years, Library Trustees, one position for three years; Town Moderator, one position for three years.

And you are hereby directed to serve this warrant, by posting attested copies thereof, one at the Post Office and one at the Town Hall in said Dunstable seven days at least before the time of holding such Town Meeting.

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of the meeting as aforesaid.

Given under our hands this _____ day of _____, two thousand and twenty-four.

DUNSTABLE SELECT BOARD

Kieran Meehan

Leah D. Basbanes

Ron Mikol

A true copy.

Attest:

Brynn Durno, Town Clerk

DATE: _____, 2024

I have served this warrant by posting attested copies thereof, one at the Post Office and one at the Town Hall _____ days before said meeting.

Date

Constable