Town of Dunstable Board of Selectmen
Meeting Minutes

Tuesday, June 25, 2024

In attendance: Chair Leah Basbanes, Vice Chair Kieran Meehan, Select Board Member Ron Mikol, Town Administrator Jason Silva, Exec. Assistant Sue Fayne

The meeting was called to order at 5 PM by Chair Basbanes.

2. **Public Comments**

There were no public comments offered.

3. **Approval of Board of Selectmen Meeting Minutes – May 28, 2024 and June 11, 2024***

On a motion made by Mr. Mikol and seconded by Mr. Meehan, the meeting minutes of Mary 28, 2024 were approved, as presented, and June 11, 2024 minutes were approved, as amended by Chair Basbanes.

4. **Appointments***

New committee appointments were presented to the Board of Selectmen, as follows:

Appointments – Staff, Committee's, Boards, & Commissions			June 25, 2024
Committee/Commission/Board/Staff	**Name**	**Term (Years)**	**Term Expiration**
Affordable Housing Committee	John DeNyse	1	June 30, 2025
Affordable Housing Committee	Deborah Courtney	1	June 30, 2025
Board of Water Commissioners	Mat Morton	1	May 21, 2025
Capital Planning Committee	Leo Tometich	3	June 30, 2027
Parks Commissioners	Tiffany Naughton	3	June 30, 2027
Union Building Committee*	Lacey McCabe	2	June 30, 2026

*Original Term was 3 years. Taking the seat formerly occupied by Sherry Kersey

On a **motion** by Mr. Mikol and **seconded** by Mr. Meehan, it was **VOTED to appoint** town officials, board and committee members as presented in the document entitled "Appointments – Staff, Committees, Boards, & Commissions" dated June 25, 2024. **The vote was unanimous.**

5. **Town Accountant Contract***

It was explained that the Town Accountant has been working without a contract. The proposed contract is a one-year agreement, formalizing the terms, scope of work, and price, which has not changed from FY24 to FY25. The contract is the Town of Dunstable's template contract used for most all projects and consultants.

On a **motion** by Mr. Mikol and **seconded** by Mr. Meehan it was **VOTED to approve** a contract with Eric A. Kinsherf, CPA LLC for accounting and financial services in the amount of $36,000 to expire on June 30,

2025 and authorize the Town Administrator to sign the contract on behalf of the Board. **The vote was unanimous.**

6. **Declaration of Covenants and Restrictions on Unkety Brook Way**

A draft, proposed Declaration of Covenants and Restrictions for the Unkety Brook Way subdivision was presented to the Board. It was explained that the declaration imposes obligations of the developer that run with the land. It does not convey any easements or open space, but gives the Town enforcement authority with respect to the developer's obligations. Easements and open space deeds will come later.

However, there were many questions and concerns expressed by the Board relative to the specifics of the declaration and how it relates to the property, especially the open space parcel that has already been conveyed to the Department of Fish and Game.

The Board had additional questions on the Covenants and Restrictions Agreement they requested the Town Administrator to share with Town Counsel and Planning Board. The questions were as follows:

- Do you know if "water infrastructure" is referring to stormwater infrastructure? Or, is it also referring to the fire cistern? There was concern regarding which party is responsible for maintenance of the fire cistern.
- There was also a desire to make it clear that the stormwater infrastructure or swales should be maintained and kept "as-is" or "as designed" by the developer or HOA.
- They asked for clearer language regarding the easement for the fire cistern and which party would own the easement.
- They also asked for clearer language regarding "landscape maintenance" responsibilities in general and along the right-of-way.

The Board did not take a vote on the declaration but will further consider it once they receive answers and additional clarification from the respective parties involved.

7. **Land Donation – O Hall Street**

It was mentioned that representatives from the Conservation Commission visited the site at 0 Hall Street and, based on observations from the site visit, looked suitable for the Town to accept as a donation. It was also noted that the property connected to open space in the area of Alexander Way. It was explained that both the Board of Selectmen and Conservation Commission need to vote to accept the donation of land for conservation purposes which will then allow the Town to work with the owner and Town Counsel to prepare the deed and record it.

On a **motion** by Mr. Mikol and **seconded** by Mr. Meehan it was **VOTED to** accept a donation of land at 0 Hall Street for conservation purposes under the care, custody, and control of the Conservation Commission and to authorize the Town Administrator to coordinate the preparation and recording of the deed. **The vote was unanimous.**

8. **Swallow Mill Pond Land Management Plan and Conservation Restriction***

Project is wrapping up, the Town closed on the property today, and both the Swallow Mill Pond Land Management Plan and Conservation Restrictions are requirements of the LAND grant received by the

Town to support the purchase the property. Both need final approval from the Select Board.

On a **motion** by Mr. Mikol and **seconded** by Mr. Meehan it was **VOTED to** approve the Land Management Plan for the Swallow Mill Pond property as presented and authorize the Chair to sign the Plan on behalf of the Select Board, and approve the Conservation Restriction from the Town of Dunstable, acting by and through the Conservation Commission, to the Trustees of the Dunstable Rural Land Trust, in the public interest pursuant to Section 32 of Chapter 184 of Massachusetts General Laws. **The vote was unanimous.**

9. **Kennedy Conservation Restriction Resolution and Authorization to Act, Chair of Conservation Commission**

It was explained that the documents are required to allow the Town to submit a LAND grant application to purchase the conservation restriction on the Kennedy property on High Street.

On a **motion** by Mr. Mikol and **seconded** by Mr. Meehan it was **VOTED** to approve a Resolution related to the Local Acquisitions for Natural Diversity (LAND) grant program, and authorize the preparation and filing of an application to the Massachusetts Executive Office of Energy and Environmental Affairs, for a LAND grant which could allow the Town's Conservation Commission to purchase a conservation restriction on 2 parcels of land totaling 29.8 acres – said land being located on High Street in Dunstable, owned by Robert Kennedy and described in a Deed dated October 29, 1974 – Book 2153, Page 611 and a Deed dated December 30, 1975 – Book 2179, Page 121, both filed at the Middlesex North Registry of Deeds, and authorize Alan Chaney, member of the Town's Conservation Commission, to act as official representative and project manager of the community and the Conservation Commission in connection with the Town's application for this grant. **The vote was unanimous.**

10. Building and Electrical Permit, Town Clerk, and Treasurer Collector Fee Adjustments

The Town Administrator provided a brief overview of work the Town has undertaken to review current municipal fees, survey neighboring communities, and develop recommendations. The Town is still finalizing these recommendations, so he expects some minor changes and additions, but he wanted to begin the review and discussion to ensure visibility and adequate time to review. A formal presentation will be prepared for a future meeting. The desire is not to be the lowest but also not to be the highest price when considering fee adjustments.

There was a brief discussion about options and the fees charged by neighboring communities that followed. It was also noted that PermitLink is planning to increase its per transaction fee by $2, from $10 to $12, so the Town should consider following suit.

Items Not Reasonably Anticipated by the Chair

It was discussed that Marianne Stoddart has emailed each of the Board of Selectmen members and wrote a note of thanks to the Board for supporting the renaming of the Middle School South building after her.

There was also a question about the retainer agreement for the PFAS litigation/class action lawsuits ensuring that we were in position to participate in the lawsuit. At this time, the retainer agreement has

not been signed but the Town was not at risk, the Town was assured it was in a position to file the claims for each class action suit.

The meeting was adjourned at 6:11 PM.

Respectfully Submitted,

Jason Silva
Town Administrator