

Town of *Dunstable* Selectboard
Meeting Minutes
January 4, 2022
Town Hall, Dunstable, MA 01827

Convened: 6:00 pm

Present: Leah D. Basbanes, chair, Kieran D. Meehan, vice chair, Ronald J. Mikol, member(s); Brian M. Palaia, Town Administrator; James W. Dow, Chief of Police; Joan Simmons, Community Preservation Committee

Selectboard Reviewed & Signed the Following:

- Common Victuallers Licenses

Call to Order & Public Forum

Ms. Basbanes called the meeting to order. She then went over the agenda which included an Appointment, issuance of Common Victuallers Licenses, Review & Approval of Article 97 Legislation for H3936 for the Rt. 113 Infrastructure Project, and an Executive Session.

- Chief Dow briefly provided a reported on COVID-19. Nashoba is no longer able to provide case numbers, including addresses of houses where there are known active cases and families quarantining. So we're back to former protocols from prior surges and taking all precautions. Mr. Palaia noted that the Commonwealth appears to be shifting to a new metric. Prominently the percent positive. The Board asked some questions about vaccinations among EMS. Chief Dow responded he hasn't mandated them as he was fortunate to have his officers all get vaccinated. Everyone is more or less up to date and many are getting the booster. He did note that there's one officer who's quarantining, but he's doing well. He reminded that the department is under Nashoba guidelines and officers are still essential and required to come to work unless showing symptoms. They have the ability to do testing still, and they equipment to disinfect cruisers. Masks are still required in the Police Station. The Board noted there is value in still wearing masks at this stage and in still seeking testing. The Chief agreed and again stressed the common sense precautions that can be taken and should be taken.
- Ms. Simmons asked about work being done by Cover Brook. The Board responded that there is repair work being done and Conservation Commission is aware of it. The wall in the area collapsed into the stream and wetland area and this work is being done to repair it and is being done for free.
- Ms. Simmons then asked about the town's water system having trouble in the last week. Mr. Palaia responded it was a well pump issue. A temporary solution was implemented and permanent repairs are ongoing.

Common Victuallers

The Board recalled that the issuance of these licenses is an annual matter. Mr. Voelker confirmed noting that approximately three are issued each year, one to the Farmhouse Café, one to the General Store, and the third to Dunkins. This particular license is needed by entities that serve food, which is not prepackaged. The Board asked Mr. Voelker if all of the necessary paperwork was in order for each applicant. Mr. Voelker responded in the affirmative. Seeing no reason to delay the Board determined to proceed with issuance of the licenses, which would expire December 31st, 2022.

A motion was made by Mr. Mikol to approve and issue Common Victuallers Licenses for the Dunstable General Store, the Farmhouse Café and Dunkins. The motion was seconded by Mr. Meehan and passed unanimously.

Review & Approval of Article 97 Legislation known as H3936, Passed by the MA House & Under Review by the MA Senate, in Relation to the Rt. 113 Infrastructure Project

Mr. Palaia reported this is the second to last step of this legislation. The changes are compatible with our needs. So once we can get this certified with the Town Clerk we can get the final vote in the Senate. This will be done before our new bid date. The Board was pleased to see this finally nearing the finish line. This has taken a long time and a monumental effort. The Board praised Mr. Palaia for all of his hard work as well as the work of Town Counsel. Ms. Simmons asked if this means the project will finally happen. The Board responded "God willing."

Approved and adopted on 1/18/22

A motion was made by Mr. Mikol to ratify and approve the Article 97 legislation passed by the Massachusetts House, known as H3936, including the changes made by the Massachusetts Senate. The motion was seconded by Mr. Meehan and passed without objection.

Appointments & Resignations

The Board noted there is only one appointment, that being of Lisa Kelly as the Town Accountant. Mr. Voelker noted this is the follow up to the Board's approval of another contract with Eric A. Kinsherf, CPA for accounting services at its last meeting. The contract is with the firm, Ms. Kelly is their designee, and the appointment is a formality. The Board saw no reason not to proceed with the appointment and determined to do so. The term mirrors the contract period which is based on the calendar year.

Lisa Kelly appointed as Town Accountant

Term Expires December 31st, 2022

Motion by Mr. Mikol, seconded by Mr. Meehan, adopted unanimously

Town Administrators Report

Mr. Palaia began his report by providing the Board with the latest on the Rt. 113 Infrastructure Project. The legislation is ready for a final roll call vote in the Senate certification of the vote held at this meeting by the Town Clerk. BCS Group, the design engineer is looking for additional compensation of \$26,000 for tasks associated with the ROW and environmental work done this year. This will increase the current deficit caused by the acquisition costs coming in higher than budget. Mr. Palaia then turned to Water Dept. and the inter-municipal agreement talks with Pepperell. Pepperell is supposed to send over an MOU to cover their operation of the water system when SWSS's contract is up at the end of January. He noted that once he has that he will provide formal notice to SWSS that the town no longer requires their services. In due course we will be re-analyzing the water rates and latest usage trends to account for the Town taking on some of the debt responsibility and will look to plan a rate hearing in the next few months with the Water Commission. Mr. Palaia then provided an update on the Fire Dept. regionalization and Ambulance Services. There is a meeting next week with the Chiefs from Groton, Dunstable, and Pepperell to discuss a regional fire district. The department Chiefs have been putting together information and data to guide decision making. He then turned to health insurance. The town previously joined a Joint Purchasing Group (JPA). The Town of Winchendon is considering joining the JPA which also includes Townsend and Templeton. This should help with the towns bid strategy for the upcoming renewal (for FY23) this winter. The Insurance Advisory Committee will be meeting on January 12, 2022 to consider any plan design changes, etc. In the meantime, the JPA will be analyzing Winchendon's suitability and claim data to determine whether Winchendon will be a positive addition. Mr. Palaia then reported on the news regarding the special legislation request for an appointed Town Clerk. That request was approved by the General Court and signed by the Governor. As a result, Mr. Palaia again suggested the Board consider reorganization of departments and combine the Treasurer/Collector position with the Town Clerk.

Both the Town Clerk and the Treasurer/Collector will be retiring later this year. He elaborated that he has been researching what this would cost for a combined position as well as the hiring of an assistant to cover both functions to a degree and to provide some general assistance. He was confident the town could achieve some savings and increase the coverage and service availability of requests to the Town Clerk. Still some functions would have to be realigned. He promised to fine tune some things a bit more and share a spreadsheet with the Board by the time of the Board's next meeting to allow for further consideration. He cautioned savings might not be realized immediately as there would probably be some temporarily higher salary costs to bridge the retirement of the two personnel since the vacancies will occur some months apart (Town Clerk will retire in May, Treasurer/Collector in August). Mr. Palaia then provided an update on the Woodward's Mill Pond Dam. We have the inspection report from Haley & Aldrich. It recommends some repairs to prevent any further deterioration. The very preliminary estimate is about \$170,000. He noted he's asked the Town Engineer to prepare a technical specification and firm up a budget figure so we can consider whether to make this a warrant article at Annual Town Meeting or not. The Board asked what our options are. Mr. Palaia suggested we can look at our infrastructure funds, but as it stands we may have to also consider borrowing. The Board expressed concern about subsidence and potential liability risks. Mr. Palaia submitted that given the nature of how hard it was to get the report done, he wasn't entirely confident in the \$170,000 figure. We need to research this further. Still, in his experience the longer we wait the more expensive it will become. The Board inquired about the potential to use Chapter 90 or CPA funds. Mr. Palaia wasn't certain. He has seen CPA funds used for a dam restoration before, but it was a historic dam. He was unsure about Chapter 90 but felt it worth researching. We haven't paid our engineers for this report yet, but he didn't feel that asking them to go back out and look again would necessarily improve the outlook. In other towns he's tried to go after some of the grants, but it doesn't always work. He felt it proper to get a better number from the Town

Approved and adopted on 1/18/22

Engineer and to pursue borrowing at ATM. Ms. Simmons felt it could qualify for CPA funds. It was agreed to research that option as well. Mr. Palaia then finished by updating on the FY23 Operating Budget. At the moment the only department he's waiting on is the Fire Dept. Chief Zbikowski has promised to provide it within a week. Once that budget is in hand the final draft can be finished.

Minutes

The Board reviewed the minutes for December 14th, 2021. Upon review the Board determined to approve the minutes.

A motion was made by Mr. Mikol to approve the minutes of December 14th, 2021, as written. The motion was seconded by Mr. Meehan and passed unanimously.

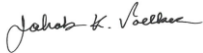
Executive Session

Kieran D. Meehan made a motion to enter Executive Session for purposes of discussing real estate (Negotiations for Town Common Land/Potential Transfer to Evangelical Church) in accordance with MGL Chapter 30A, §21(a)6, and with the intention not to return to ordinary session. The motion was seconded by Leah D. Basbanes. The motion was adopted by unanimous vote by Leah D. Basbanes, Kieran D. Meehan, and Ronald J. Mikol.

The Board entered into Executive Session at 6:22 pm

A motion to adjourn was made by Mr. Meehan at 6:56 pm. The motion was seconded by Mr. Mikol and passed by majority vote.

Respectfully submitted by



Jakob K. Voelker, Assistant Town Administrator