

**Board of Selectmen  
Minutes of May 10, 2016  
Selectmen's Chamber, Town Hall**

**Present:** Alison Hughes, Chairman, Joseph DiRocco, Jr., Vice-Chairman, Tami M. Dristiliaris, Clerk, Tony Archinski, Jesse Forcier, Jim Duggan, Town Manager, Attorney James Hall and Recording Secretary Shannon Rowe

Mr. Archinski opened the meeting at 7:00 p.m.

The Pledge of Allegiance was recited followed by a moment of silence being observed for those who paid the ultimate sacrifice on behalf of this country and for those currently serving in the military particularly in Afghanistan and Iraq.

Mr. Archinski welcomed and congratulated Mr. Forcier on his recent election of the Board.

Mr. DiRocco congratulated Mr. Forcier on topping the ticket on his first time out.

APPROVAL OF WARRANT FOR JUNE 6, 2016 TOWN MEETING – Motion made by Mr. DiRocco to Approve the Warrant for the June 6, 2016 Town Meeting. Motion seconded by Mrs. Hughes. Motion passed unanimously.

REORGANIZATION OF THE BOARD OF SELECTMEN:

Motion made by Mr. DiRocco to Appoint Alison Hughes as Chairman. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Motion made by Mrs. Hughes to Appoint Joseph DiRocco as Vice-Chairman. Motion seconded by Mr. Forcier. Motion passed unanimously.

Motion made by Mrs. Hughes to Appoint Tami Dristiliaris as Clerk. Motion seconded by Mr. DiRocco. Motion passed unanimously.

COMMUNITY INPUT: No one signed in under Community Input

TOWN MANAGER'S REPORT – Mr. Duggan explained last Thursday's ALICE exercise at the Greenmont School. Mr. Duggan stated that the Part-time Plumbing Inspector has resigned and one Police Officer is transferring to the Lexington Police Department. Mr. Duggan stated that there are two new recruits at the Police Academy. Mr. Duggan stated that there would be two family movie night's at Veteran's Park, Town Meeting is June 6, 2016 and this is the 10<sup>th</sup> anniversary of the new Library building. Mr. Duggan stated that there are three finalist for the Veteran Service Officer and he would be interviewing them this week. Mr. Duggan stated that State Representative Colleen Garry and Selectwoman Tami Dristiliaris have created a Foundation to help benefit the Town.

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Mr. Duggan stated that purchase orders over \$100 will need prior authorization and the Conservation Commission has approved the proposed work at Boule Park which will start over the summer. Mr. Duggan stated that the binder has been put down at the Monahan bathrooms and a \$5,000 donation from the Girls' Softball Association to help with the cost would be coming soon. Mr. Duggan stated that the Police Department would be conducting speed monitoring and the MassWorks grant has been increased for the corner of Broadway and Loon Hill Roads. Mr. Duggan stated that the groundbreaking for the assisted living facility would be held on June 9, 2016.

Mr. Forcier asked if the road work would coincide with the construction of the assisted living facility? Mr. Duggan stated that there would be some overlap. Mr. Duggan stated that the traffic study is complete and was not done with the MassWorks grant.

Mr. Duggan stated that he attended a Chamber of Commerce meeting and exciting things are happening. Mr. Duggan thanked all for their support with the proposed override and stated that they would continue to work hard for the residents. Mr. Duggan stated that he would not recommend another operational override again.

Mr. DiRocco asked if the Police Officer who is transferring to Lexington has been here for five years? Mr. Duggan stated no and he understands where the Board is coming from.

Mr. Forcier asked if there was a Public Safety donation line on the tax bills like there is for the School's? Mrs. Vandal stated that it is possible to put an insert on the tax bills for a Public Safety donation.

Mr. Forcier asked about the status of the Veteran's Park Concession Stand? Mr. Duggan stated that no one wants to rent it and the Committee is trying to drum up activities to open the stand at times.

Mr. Forcier asked if there was a yard sale permit in Town? Mr. Duggan stated that he would need to look into it.

Mrs. Dristiliaris stated that she and Colleen Garry have started a Foundation called Foundation for a Better Dracut, Inc. which is a non-profit tax deductible foundation that would benefit the Town 100%. Mrs. Dristiliaris stated that the Foundation is located at 101 Broadway Road and anyone can review the books, give ideas, etc. Mrs. Dristiliaris stated that they would be creating a Board and they already have raised \$1,200.

FIRE CHIEF'S REPORT: The Fire Chief was unavailable for the meeting.

COMMUNITY CALENDAR:

The Chairman read the information in the Community Calendar.

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Mrs. Dristiliaris stated that the Grimes and Guinney concert is this Saturday.

Mr. DiRocco thanked Cathy Richardson for her six years of service on the Board and to the Town.

AGENDA ITEMS:

\* Y & G, Inc. d/b/a Chang Hai, 101 Broadway Road – Request for Approval of Two Pool Table Licenses, One Juke Box License and One Amusement Video License – Mrs. Dristiliaris recused herself as her business abuts this business.

Motion made by Mr. DiRocco to approve the two pool tables licenses, one juke box license and one amusement video license. Motion seconded by Mr. Forcier. Under Discussion:

Mr. Duggan stated that he conducted a site visit today to discuss the issues abutters have been having with noise from the establishment. Mr. Duggan stated that to help with the noise factor, they will be removing the existing juke box and replacing it with a new juke box. Mr. Duggan stated that they would also be relocating the juke box speakers.

Mr. DiRocco and Mr. Forcier rescinded their motions.

Motion made by Mr. Forcier to approve the two pool table licenses and one amusement video license. Motion made by Mr. DiRocco. Motion passed unanimously.

Motion made by Mr. Forcier to approve the one juke box license contingent upon the replacement of the juke box, moving of the speakers and a six month site visit. Motion seconded by Mr. DiRocco. Motion passed unanimously.

\* Nicolle Wood – Request Approval for the Roger A. Cote Run for Courage Road Race on Sunday, June 12, 2016 – Ms. Nicolle Wood and Ms. Hailey Jasmine appeared before the Board to request approval of the Roger A. Cote Run for Courage Road Race. Ms. Wood have a history of the event and stated that the route has been approved by Deputy Chartrand.

Motion made by Mr. DiRocco to approve the Roger A. Cote Run for Courage Road Race on Sunday, June 12, 2016. Motion seconded by Mr. Archinski. Motion passed unanimously.

\* Michael Cahill – Request for Re-Appointment as a Bonded Constable – Motion made by Mr. DiRocco to Re-Appoint Michael Cahill as a Bonded Constable. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

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\* Approval of Cellco Partnership d/b/a Verizon Wireless, 454 Hildreth Street, Special Permit #16-2 – Statement of Facts – Attorney Hall stated that he reviewed the Statement of Facts and it covers all issues and can be reviewed and revoked at any time by the Board.

Motion made by Mr. DiRocco to approve the Statement of Facts for Special Permit #16-2 with 17 Stipulations. Motion seconded by Mrs. Dristiliaris. Motion passed 4 to 0. Mr. Forcier abstained from voting.

\* Review and Vote on June 6, 2016 Town Meeting Warrant Articles

Warrant Article #1 – Mr. Duggan read the Warrant Article and stated that this is standard for Town Meeting.

Motion made by Mr. Forcier to Recommend Warrant Article #1. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Warrant Article #2 – Mr. Duggan read the Warrant Article and stated that this is also standard for Town Meeting.

Motion made by Mr. Archinski to Recommend Warrant Article #2. Motion seconded by Mr. Forcier. Motion passed unanimously.

Warrant Article #3 – Mr. Duggan read the Warrant Article.

Motion made by Mrs. Dristiliaris to Recommend Warrant Article #3. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Warrant Article #4 – Mr. Duggan read the Warrant Article.

Motion made by Mr. DiRocco to Recommend Warrant Article #4. Motion seconded by Mr. Archinski. Motion passed 4 to 1. Mrs. Dristiliaris voted opposed.

Warrant Article #5 – Mr. Duggan read the Warrant Article and discussed new growth and reviewed the proposed budget. Mr. Archinski asked if \$375,000 in new growth estimate high or low? Mr. Duggan stated that historically been o.k.

Motion made by Mr. DiRocco to Recommend Warrant Article #5. Motion seconded by Mr. Forcier. Motion passed unanimously.

Warrant Article #6 – Mr. Duggan read the Warrant Article. Mr. Duggan stated that the sewer rates will be increasing and the seniors will stay at the same rate.

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Motion made by Mr. Archinski to Recommend Warrant Article #6. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Warrant Article #7 – Mr. Duggan read the Warrant Article.

Motion made by Mr. DiRocco to Recommend Warrant Article #7. Motion seconded by Mr. Forcier. Motion passed unanimously.

Warrant Article #8 – Mr. Duggan read the Warrant Article.

Motion made by Mr. Archinski to Recommend Warrant Article #8. Motion seconded by Mr. Forcier. Motion passed unanimously.

Warrant Article #9 – Mr. Duggan read the Warrant Article.

Motion made by Mrs. Dristiliaris to Recommend Warrant Article #9. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Warrant Article #10 – Mr. Duggan read the Warrant Article.

Motion made by Mr. Forcier to Recommend Warrant Article #10. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Warrant Article #11A – Mr. Duggan read the Warrant Article.

Motion made by Mrs. Dristiliaris to Recommend Warrant Article #11A. Motion seconded by Mr. Archinski. Motion passed unanimously.

Warrant Article #11B – Mr. Duggan read the Warrant Article.

Motion made by Mrs. Dristiliaris to Recommend Warrant Article #11B. Motion seconded by Mr. Forcier. Motion passed unanimously.

Warrant Article #11C – Mr. Duggan read the Warrant Article.

Motion made by Mrs. Dristiliaris to Recommend Warrant Article #11C. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Warrant Article #12 – Mr. Duggan read the Warrant Article. Mr. Mike Buxton, Public Works Director, stated that they would be replacing the existing plows.

Motion made by Mr. DiRocco to Recommend Warrant Article #12. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

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Warrant Article #13 – Mr. Duggan read the Warrant Article.

Motion made by Mr. DiRocco to Recommend Warrant Article #13. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Warrant Article #14 – Mr. Duggan read the Warrant Article. Mr. Duggan stated that this is for the expansion of the Cemetery at Bailey.

Motion made by Mr. DiRocco to Recommend Warrant Article #14. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Warrant Article #15 – Mr. Duggan read the Warrant Article.

Motion made by Mr. DiRocco to Recommend Warrant Article #15. Motion seconded by Mr. Archinski. Motion passed unanimously.

Warrant Article #16 – Mr. Duggan read the Warrant Article.

Motion made by Mr. Forcier to Recommend Warrant Article #16. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Warrant Article #17 – Mr. Duggan read the Warrant Article. Mr. Duggan discussed the money that is reimbursed by the State for Elections.

Motion made by Mrs. Dristiliaris to Recommend Warrant Article #17. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Warrant Article #18 – Mr. Duggan read the Warrant Article.

Motion made by Mr. DiRocco to Recommend Warrant Article #18. Motion seconded by Mr. Archinski. Motion passed unanimously.

Warrant Article #19 – Mr. Duggan read the Warrant Article. Mr. Forcier asked if this has been presented to the Capital Planning Committee? Mr. Duggan stated yes and the balance in the account would be \$35,000.

Motion made by Mr. DiRocco to Recommend Warrant Article #19. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Warrant Article #20 – Mr. Duggan read the Warrant Article. Attorney Hall stated that the Law allows up to a \$1,000 exemption of Clause 41C. Mrs. Vandal stated that the exemption is based on age, income and assets. Mr. DiRocco stated that he would like to see this exemption continue.

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Motion made by Mr. DiRocco to Recommend Warrant Article #20. Motion seconded by Mr. Forcier. Motion passed unanimously.

Warrant Article #21 – Mr. Duggan read the Warrant Article. Mrs. Vandal reviewed the Community Preservation Fund budget.

Motion made by Mrs. Dristiliaris to Recommend Warrant Article #21. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Warrant Article #22 – Mr. Duggan read the Warrant Article. Ms. Helen Dunlap, Community Preservation Committee Chairperson, appeared before the Board and stated that this Warrant Article stems from a previously completed historical survey. Ms. Dunlap stated that the next step that was recommended, was 150 historical surveys which would be completed with these monies. Ms. Dunlap explained that \$15,000 would be reimbursed from a grant secured from the Massachusetts Historical Commission.

Motion made by Mrs. Dristiliaris to Recommend Warrant Article #22. Motion seconded by Mr. Forcier. Motion passed unanimously.

Warrant Article #23 – Mr. Duggan read the Warrant Article. Ms. Helen Dunlap, Community Preservation Committee Chairperson, appeared before the Board and stated that this is for the proposed field house at the Dracut High School. Ms. Dunlap stated that the field house would have restrooms, storage and some landscaping work would be needed. Ms. Dunlap stated that the Permanent Building Committee is asking for an additional \$50,000 as all bids have come in over the \$350,000 previously approved. Ms. Dunlap stated that any monies left would go back to the Community Preservation Fund. The Board discussed the previous monies approved and questioned the need for additional \$50,000.

Motion made by Mr. Forcier to Table Warrant Article #23 until the May 24, 2016 meeting. Motion seconded by Mr. Archinski. Motion passed unanimously.

Warrant Article #24 – Mr. Duggan read the Warrant Article. Ms. Helen Dunlap, Community Preservation Committee Chairperson, appeared before the Board and requested that the discussion regarding this Warrant Article be tabled until the next meeting as she is gathering more information.

Motion made by Mr. Forcier to Table Warrant Article #24 until the May 24, 2016 meeting. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Warrant Article #25 – Mr. Duggan read the Warrant Article. Ms. Helen Dunlap, Community Preservation Committee Chairperson, appeared before the Board and discussed the original Town Meeting Warrant Article from June 1, 2015.

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Ms. Dunlap discussed the \$300,000 left over difference after the closing costs, etc., and stated that the Community Preservation Committee (CPC) is asking voters to decide how to use the rest of the money.

Attorney Hall stated that the CPC should have been more specific and reviewed the memorandum dated May 10, 2016 from Betsy Ware, Community Development Director.

Ms. Dunlap stated that all work on the property is historic work and land preservation and the Community Preservation Funds cannot be used to demolish the buildings.

Mr. Archinski reviewed the wording in the Warrant Article and asked if the Community Preservation Act allows the use they are requesting? Attorney Hall stated that he needed to check into it and possibly re-write the Warrant Article.

Motion made by Mrs. Dristiliaris to Table Warrant Article #25 until the May 24, 2016 meeting. Motion seconded by Mr. Archinski. Motion passed unanimously.

Warrant Article #26 – Mr. Duggan read the Warrant Article. Mr. Duggan stated that is seeking the Legislature to approve four additional Section 12 Liquor Licenses.

Motion made by Mr. DiRocco to Recommend Warrant Article #26. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Warrant Article #27 – Mr. Duggan read the Warrant Article. Mr. Duggan discussed replacing the current hiring system at the Dracut Police Department which would remove the Police Chief's position out of Civil Service. Mr. Duggan stated that this would not affect the current Police Chief's position. Mr. Duggan reviewed the Police Chief Civil Service Reform presentation provided to the Board.

Mr. Archinski stated that as a Retired Police Officer and who currently works for a company that represents Police Officers, he checked with the Ethics Commission and would be participating in this discussion.

Mr. DiRocco asked if it was o.k. that Mr. Archinski was participating? Attorney Hall stated that he cannot advise anyone to recuse themselves. Attorney Hall stated that he believes the Ethics Commission has all of the information from Mr. Archinski.

Mr. Forcier asked about Civil Service being State wide? Mr. Duggan explained to the Board how the current process works.

Mrs. Dristiliaris stated that she has a lot of concerns with taking the position out of Civil Service. Mrs. Dristiliaris stated that taking the position out of Civil Service is a problem as then the appointment becomes political.

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Mrs. Dristiliaris discussed having to pay more for the position and stated that it under minds the Department. Mrs. Dristiliaris stated that the Department already has a morale problem. Mrs. Dristiliaris stated that she does believe Mr. Archinski has a conflict of interest by participating in this discussion. Mrs. Dristiliaris asked why is this only happening for the Police Department and not for the Fire Department as well? Mrs. Dristiliaris stated that MRI already had the opinion of taking the position out of Civil Service when they conducted their risk assessment of the Police Department.

Mr. Duggan stated that MRI made the recommendation for improvements to the Police Department. Mr. Duggan stated that the current system is political and the proposed reform offers the process to be more transparent. Mr. Duggan stated that Mrs. Dristiliaris is putting words into his mouth, he never said someone currently hired would not have a chance to become the Police Chief. Mr. Duggan explained that the proposed reform would allow for a larger pool of internal candidates if the position was taken out of Civil Service.

Mrs. Hughes stated that she has done some research and the last two Police Chiefs were hired from within in Lowell and they are not Civil Service Police Chiefs. Mrs. Hughes stated that she has not seen any negative impact with taking the position out of Civil Service.

Mrs. Dristiliaris read the MRI quote regarding the Police Chief's position from their risk assessment.

Motion made by Mr. Archinski to Recommend Warrant Article #27. Motion seconded by Mr. DiRocco. Under Discussion:

Mr. DiRocco discussed the pros and cons of Civil Service and discussed the surrounding Town's that have taken the position out of Civil Service and still hired their Chief's from within.

Mr. Forcier discussed the timing of this all and stated that the Department is already down and out. Mr. Forcier stated that he doesn't disagree with the process but the process would take new hires out of the mix.

Motion passed 3 to 2. Mr. Forcier and Mrs. Dristiliaris voted no.

#### OLD BUSINESS:

Mrs. Hughes stated that the Finance Committee, Capital Planning Committee, Open Space Committee, Government Rules and Regulations Committee, Affordable Housing Partnership Committee, Conservation Commission and Dracut Cultural Council are looking for new members.

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Mrs. Hughes stated that they are also looking for volunteers for Old Home Day.

Mr. DiRocco stated that the Planning Board is also looking for one full member and one alternate member as they only have four permanent members at this time.

Mr. Duggan stated that anyone interested in any of these Boards or Committees can apply online on the Town's website.

NEW BUSINESS:

\* There was no New Business discussed.

SUB-COMMITTEE REPORTS:

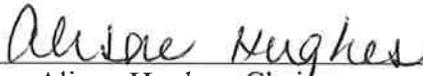
\* No Sub-Committee reports were given.

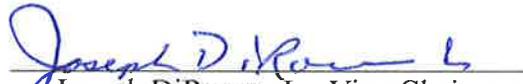
ADJOURMENT:

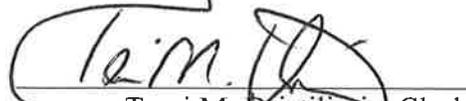
Motion made by Mrs. Dristiliaris to adjourn the meeting. Motion seconded by Mr. Forcier. Motion passed unanimously.

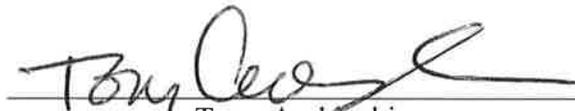
The meeting adjourned at 8:51 p.m.

BOARD OF SELECTMEN

  
Alison Hughes, Chairman

  
Joseph DiRocco, Jr., Vice-Chairman

  
Tami M. Dristiliaris, Clerk

  
Tony Archinski

  
Jesse Forcier