

**Board of Selectmen
Minutes of August 18, 2015
Selectmen's Chamber, Town Hall**

Present: Tony Archinski, Chairman, Alison Hughes, Vice-Chairwoman, Tami Dristiliaris, Clerk, Joseph DiRocco, Jr., Cathy Richardson, Glen Edwards, Assistant Town Manager/Planner, Jim Duggan, Town Manager, Attorney James Hall, Sr. Attorney James Hall, Jr. and Recording Secretary Shannon Rowe Beaulieu

The Chairman 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.

COMMUNITY INPUT:

* Ms. Caroline Zuk, 100 Old Parker Road – Ms. Zuk appeared before the Board and discussed the opinion piece article in the Boston Globe on August 17, 2015 and discussed the “slam dunk” on rate payers for the proposed pipeline. Ms. Zuk discussed the alternative “TEAM” and stated that residents could contact Larry Hall at (800) 761-1400.

* Sue Boule, 15 Primrose Hill Road – Mrs. Boule appeared before the Board and stated that she is the proud Mother of Army Specialist Mathew Boule. Mrs. Boule stated that Mathew gave his life for Dracut and his Country and would like the property on Lakeview Avenue to be made a park and have the park named after Mathew. Mrs. Boule stated that she would be applying for Grants to help with the funding for the park and discussed having fishing areas, walkways, etc. on the property, having the property maintained by students and the ability to have concerts for children at the park, etc.

* Michael Blatus, 35 Old Road – Mr. Blatus appeared before the Board and stated that he has been involved in politics for 60 years and he has always wanted to help. Mr. Blatus discussed Mathew Boule's service to his Country and discussed the property on Lakeview Avenue. Mr. Blatus stated that now some people want to use the property on Lakeview Avenue for Commercial use instead of a park. Mr. Blatus stated that the Board's vote tonight will follow them through the rest of their lives. Mr. Blatus stated that Veteran's want action and to use the property on Lakeview Avenue has a park.

TOWN MANAGER'S REPORT – Mr. Duggan stated that the Town Hall Contractor, Permanent Building Committee and Attorney Hall, Jr. have come to an understanding and work will start next week on the outside of the Town Hall. Mr. Duggan stated that the Municipal Aggregation proceedings are going as planned. Mr. Duggan discussed the solar agreement with a 30% reduction and discussed the new Veteran's Service Officer appearing before the Board soon. Mr. Duggan thanked the Veteran's, Veteran's Hiring Committee, Chris Dery, Mary Hamilton, Board of Selectmen and Mike Blatus for their help in replacing Billy Zounes' position. Mr. Duggan stated that Glen Edwards will be

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retiring after 37 years and they have advertised for Mr. Edwards' replacement. Mr. Duggan discussed the year end close out and the upcoming audit in September. Mr. Duggan stated that the summer recreation activities have completed, the winter recreation activity registrations will be coming up and discussed the Skateboard Park. Mr. Duggan stated that they are revamping the Town's website which will be user friendly and they are currently phasing in the online building permit applications. Mr. Duggan stated that on September 1st, 2015 credit cards will be accepted in the Town Clerks' Office and the last day to file a Warrant Article for the November Town Meeting is September 18th, 2015.

Mr. DiRocco asked when the new Veteran's Service Officer will start? Mr. Duggan stated that they are currently completing a background check, etc. and he is hoping that he will start by September 15th, 2015.

Mr. DiRocco asked about a September 11th Memorial Program for this year. Mr. Duggan stated that he still needs to discuss a program with the Fire Chief.

RECOGNITIONS:

* Sergeant Barry Lyons – Chief Richardson appeared before the Board and stated that Sergeant Lyons has served the Community for 40 years. Chief Richardson have a brief history of Sergeant Lyons' employment and commended him for his years of service. The Board presented Sergeant Lyons with a Citation for his years of service to the Town of Dracut.

* Billy Zounes, Veteran's Service Agent – Mr. Archinski stated that he does not know how they will replace Mr. Zounes especially with the Veteran's he has helped over the years. Mr. Duggan stated that Mr. Zounes was instrumental with the selection of the new Veteran's Service Agent. The Board presented Mr. Zounes with a Citation for his years of service to the Town of Dracut.

SPECIAL PERMIT FILING:

* Holton Street Auto Body, Inc. – 2111-2125 Bridge Street – Attorney Michael Fadden appeared the Board with a Special Permit filing with Site Plan Waiver for up to two light vehicle sales at Holton Street Auto Body.

Motion made by Mrs. Dristiliaris to accept the Special Permit filing for Holton Street Auto Body, Inc. Motion seconded by Ms. Richardson. Motion passed unanimously.

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PUBLIC HEARINGS:

Public Hearing – Verizon New England, Inc. & Massachusetts Electric Company – Pole Petition – Crosby Road, Colburn Avenue & Cross Road – Mr. Scott Burns from Verizon New England, Inc. appeared before the Board to request 6 new pole locations at Crosby Road, Colburn Avenue & Cross Road. Mr. Burns stated that they are relocating existing poles and placing new poles. Mr. Burns stated that the proposed work has been approved by the Department of Public Works.

Motion made by Ms. Richardson to close the Public Hearing. Motion seconded by Mr. DiRocco. Motion made by Mrs. Hughes to Re-Open the Public Hearing. Motion seconded by Ms. Richardson. Motion passed unanimously.

Mr. Scott Ogden, 235 Crosby Road, appeared before the Board and asked about the work that is happening on his property. Mr. Duggan stated that he would have the Public Works Director give Mr. Ogden a call to discuss the proposed work at the intersection.

Motion made by Ms. Richardson to close the Public Hearing. Motion seconded by Mr. DiRocco. Motion passed unanimously. Motion made by Ms. Richardson to approve the pole locations. Motion passed unanimously.

Motion made by Mr. DiRocco to approve pole location 63-20. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Motion made by Mr. DiRocco to approve pole location 21. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Motion made by Mr. DiRocco to approve pole location 22. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Motion made by Mr. DiRocco to approve pole location 38. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Motion made by Mr. DiRocco to approve pole location 37/37-89. Motion seconded by Ms. Richardson. Motion passed unanimously.

Motion made by Mr. DiRocco to approve pole location 12. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Mr. DiRocco asked Mr. Duggan to have the Department of Public Works and the Town Engineer get in touch with the residents regarding any taking of land for the proposed intersection work.

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Public Hearing – Furtado, Inc. Requesting to Transfer the All Alcoholic Beverages Restaurant License to Tony F. Furtado & Frank G. Furtado d/b/a Scola's Restaurant – Attorney George Malonis appeared before the Board and stated that the owners of Scola's Restaurant are requesting to transfer the license to their children. Attorney Malonis stated that there will be no significant changes but they may change the menu and update the restaurant.

Motion made by Mrs. Hughes to close the Public Hearing. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously. Motion made by Ms. Richardson to approve the Transfer of the All Alcoholic Beverages License to Tony F. Furtado and Frank G. Furtado. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Public Hearing – Tony F. Furtado & Frank G. Furtado Requesting to Transfer the All Alcoholic Beverages Restaurant License to Furtado Brothers Italia, Inc. d/b/a Scola's Restaurant – Attorney George Malonis appeared before the Board and stated that the brothers are creating a Corporation for tax purposes.

Motion made by Ms. Richardson to close the Public Hearing. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously. Motion made by Mrs. Dristiliaris to approve the Transfer of the All Alcoholic Beverages License to Furtado Brothers Italia, Inc. Motion seconded by Ms. Richardson. Motion passed unanimously.

AGENDA ITEMS:

* Owen & Ollie's Restaurant – Request a One-Day Outdoor Liquor License – September 13, 2015 from 11:00 a.m. to 5:00 p.m. – Mr. Harry Gorman appeared before the Board and read the letter dated August 17th, 2015 requesting a One-Day Outdoor Liquor License for the 9th Annual Cycling for a Cause bike ride on September 13, 2015.

Motion made by Ms. Richardson to approve the One-Day Outdoor Liquor License on September 13, 2015 from 11:00 a.m. to 5:00 p.m. Motion seconded by Mrs. Dristiliaris. Under Discussion:

Mr. DiRocco reminded Mr. Gorman that tents, etc. needed to be approved by the Fire Department.

Motion passed unanimously.

* Phil Thibeault – Presentation Regarding Proposed Use of 1200 Lakeview Avenue – Mr. Thibeault appeared before the Board and gave a presentation on his proposed use of the property located at 1200 Lakeview Avenue. Mr. Thibeault discussed how the Town could use the property for a tax base where the existing garage is currently. Mr. Thibeault discussed his proposal of a viable building and discussed the whole property being sold and opened to public access by the developer.

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Mr. Thibeault stated the building could be revitalized and could also provide an area for green space, picnic tables, etc. and would be maintained by the property owner. Mr. Thibeault stated that he has met with Mrs. Sue Boule and discussed his proposal with a 4,000 square foot building with the remainder being developed as a park owned by the Town. Mr. Thibeault discussed the 3,500 square feet of park space and discussed Lakeview Avenue being the busiest Street in Dracut.

Mrs. Dristiliaris asked Mr. Thibeault what are his credentials? Mr. Thibeault stated that he is a registered Architect, is a member of the Planning Board, a member of the Permanent Building Committee and a member of NMCOG.

Mr. Duggan discussed the need to demolish two buildings, the construction of a new building and the Riverfront Act.

Mr. DiRocco discussed the land being filled in when it was the past Public Works Department.

Mr. Thibeault stated that soil tests would need to be completed.

* Selectwoman Tami Dristiliaris – Discuss Proposed Use of 1200 Lakeview Avenue –

Mrs. Dristiliaris thanked Mr. Thibeault for showing what could be done with the property. Mrs. Dristiliaris stated that she also has respect for Mrs. Boule and Mathew deserves a Memorial. Mrs. Dristiliaris stated that 15,000 to 20,000 cars pass the property each day and our Town needs revenue. Mrs. Dristiliaris discussed the property being prime commercial property and stated that a Memorial for Mathew could be built at Veteran's Memorial Park. Mrs. Dristiliaris stated that back in 2004, when the park was first discussed, the cost for the work was in excess of \$500,000 and asked how much the work cost would now? Mrs. Dristiliaris stated that she asks that the property be sold.

* Discuss and Vote on Proposed Re-Use of 1200 Lakeview Avenue by Town Manager –

Mr. Duggan discussed re-use options for Springpark Avenue and this location. Mr. Duggan discussed the past file in regards to this location by Dennis Piendak, Retired Town Manager. Mr. Duggan discussed the Community wide outreach regarding a proposed park, timing, potential cost, maintenance and time line. Mr. Duggan discussed his Memorandum dated August 14, 2015 to the Board regarding the re-use request of 1200 Lakeview Avenue. Mr. Duggan stated that Mrs. Boule and Mr. Zounes met with him regarding the proposed park and the naming of the park after Mathew Boule. Mr. Duggan stated that it is under the Board's authority to name a park and discussed the history of the property being filled land and stated that it is a better position to maintain the property as a park. Mr. Duggan stated that he is all for Economic Development but he is looking at the long term goal for the property. Mr. Duggan stated that the property should remain a park and they should move forward with demolishing the buildings. Mr. Duggan discussed applying for park grants, private donations and stated that no money would come from the General Fund to create the park.

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Mr. DiRocco stated that the property is a high profile area and Mathew Boule was the first person in New England to be killed in the Iraq War. Mr. DiRocco stated that the people at a past Town Meeting spoke and wanted the property to be a park.

Mrs. Hughes stated that she agrees with Mr. DiRocco and stated that the park would be a beautiful memorial.

Ms. Richardson stated that she also agrees with Mr. DiRocco and Mrs. Hughes. Ms. Richardson stated that when she came onto the Board, it was always her understanding that the property would be park.

Mrs. Dristiliaris asked if the fill on the site would not be checked if it were a park? Mr. Duggan stated that they would fill over the property and repave the existing lot which is in the floodplain. Mr. Duggan stated that they would not have to go in front of the Conservation Commission for approval.

Mrs. Dristiliaris stated that she is pro Economic Development and stated that there has been no Economic Development but a lot of parks built.

Mrs. Hughes stated that no money is coming from the General Fund to build the park.

Ms. Richardson stated that there has been Economic Development in the Town.

Mrs. Dristiliaris stated that the Town needs more revenue.

Motion made by Mr. DiRocco to continue the re-use of the property located at 1200 Lakeview Avenue as a Park. Under Discussion:

Mr. Archinski stated that he is the only Veteran on this Board and asked how do you put money on a life? Mr. Archinski stated that this park would be a beautiful tribute to Mathew Boule.

Mrs. Hughes took over the Chairmanship of the Board from Mr. Archinski.

Motion seconded by Mr. Archinski. Motion passed 4 to 1. Mrs. Dristiliaris voted no.

Discuss and Vote on Naming the Property at 1200 Lakeview Avenue after US Army Specialist Mathew Boule – Motion made by Mr. DiRocco to name the Park to be located at 1200 Lakeview Avenue after US Army Specialist Mathew Boule. Motion seconded by Mr. Archinski. Motion passed unanimously.

Mrs. Hughes called for a recess at 8:16 p.m.

Mr. Archinski resumed the meeting at 8:23 p.m.

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* Victory Distributors, LLC – Requesting Change of Manager on All Alcoholic Liquor License from Matthew Dion to Diego Comesana – There was no one present at the meeting from Victory Distributors, LLC.

Motion made by Mr. DiRocco to table the request until the September 8, 2015 meeting. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

* City 2 City Transport, LLC – Request for a Livery License for One Vehicle – There was no one present at the meeting from City 2 City Transport, LLC.

Motion made by Ms. Richardson to table the request until the September 8, 2015 meeting. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

* Salvation Army – Requesting Permission for Bicycle Event – September 12, 2015 – There was no one present at the meeting from the Salvation Army.

Motion made by Ms. Richardson to table the request until the September 8, 2015 meeting. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

* Brandon Sweeney – Requesting Permission for Duathlon Event – October 3, 2015 – Mr. Sweeney appeared before the Board to request permission for the Duathlon Event being held on Saturday, October 3rd, 2015 at Dillon McAnespie Park. Mr. Sweeney stated that his Grandmother, Father and Uncle have Multiple Sclerosis. Mr. Sweeney discussed the Duathlon Event and discussed how people could register for the event.

Motion made by Mr. DiRocco to approve the Duathlon Event at Dillon McAnespie Park on October 3rd, 2015. Motion seconded by Mrs. Hughes. Motion passed unanimously.

* Dracut Girl's Softball Association – Request to Accept Donation for the Monahan Bathroom Project – Mr. Duggan stated that the Girl's Softball Association is donating \$5,000 for the additional funds needed for the construction of the bathrooms at Monahan Field. Mr. Duggan stated that the Permanent Building Committee is overseeing the project and the Contractor is ready to sign the agreement.

Motion made by Mrs. Hughes to accept the \$5,000 donation from the Dracut Girl's Softball Association for the bathrooms at Monahan Field. Motion seconded by Mr. DiRocco. Motion passed unanimously.

* Chief Kevin Richardson – Stop Sign Request – Kelly Road at Methuen Street – Motion made by Mr. DiRocco to approve the Stop Sign Request for Kelly Road at Methuen Street. Motion seconded by Mrs. Hughes. Motion passed unanimously.

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* Chief Kevin Richardson – No Parking Signs Request – Emerson Ave – Motion made by Mrs. Hughes to approve the No Parking Signs Request for Emerson Ave. Motion seconded by Mr. DiRocco. Motion passed unanimously.

* Bill Greenwood – Requesting Appointment to Dracut Cultural Council – Motion made by Ms. Richardson to appoint Bill Greenwood to the Dracut Cultural Council. Motion seconded by Mr. DiRocco. Motion passed unanimously.

* Douglas Wiggins, Jr. – Requesting Appointment as a Bonded Constable – Motion made by Mrs. Dristiliaris to appoint Douglas Wiggins, Jr. as a Bonded Constable. Motion seconded by Ms. Richardson. Motion passed unanimously.

* Ongoing Discussion regarding Tennessee Gas Pipeline – Mrs. Caroline Zuk, 100 Old Parker Road, appeared before the Board and discussed the Breaking News article in Ottawa's The Globe and Mail, published August 17, 2015, titled "Two National Energy Board-Approved LNG Projects Hinge on U.S. Permits". Mrs. Zuk also presented the "Kinder Morgan's Proposal, FERC PF14-22, Fundamental Concerns, prepared by the Dracut Pipeline Awareness Group, Slides by Dan Mooney and Rich Cowan, dated August 13, 2015, for the Board's review. Mrs. Zuk stated that the FERC deadline on the current proposed draft is August 31, 2015.

* Selectwoman Cathy Richardson – Discuss and Vote on Dracut's Participation as Intervener in Northeast Energy Direct Project – Ms. Richardson explained to the Board that the Coalition was going to file as an Intervener and asked that the Municipalities file as an Intervener as well. Ms. Richardson stated that by filing as an Intervener, the Board would have access to legal documents, etc. Ms. Richardson discussed the postage costs for participation and stated that the Board would only have 21 days to file as an Intervener once Kinder Morgan files for their permit.

Attorney Hall stated that he has reviewed the Motion to Intervene and recommends taking the Town Manager off the document and adding either the Chairman, Vice-Chairwoman or Clerk.

Mr. Archinski stated that he would recommend Selectwoman Richardson to sign the Motion to Intervene as she is the Board Member who has participated in all of the Coalition meetings with Mr. Edwards.

Ms. Richardson discussed possibly being able to file as an Intervener by email.

Mrs. Caroline Zuk, 100 Old Parker Road, appeared before the Board and offered to have a working session between them and the Pipeline Awareness Group.

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Mrs. Hughes asked if the Pipeline Awareness Group would also be filing as an Intervener? Mrs. Hughes asked what is the scope for the Board if the Town generates information and they have to send out the generated information because they are now an Intervener?

Mr. Edwards stated that the Town cannot make any statements unless they intervene.

Mr. DiRocco asked about the cost if there is a need for special legal counsel? Mr. Duggan stated that there is no money available for special legal counsel. Attorney Hall stated that his Office can file all of the appropriate paperwork, but they are not experts in regards to the proposed pipeline.

Motion made by Ms. Richardson to approve the Motion to Intervene and to strike out the Town Manager on the document and to add Selectwoman Richardson to the document. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

OLD BUSINESS:

Mr. Archinski stated that the Finance Committee, Capital Planning Committee, Open Space Committee, Government Rules and Regulations Committee, Affordable Housing Partnership Committee, Conservation Commission, Zoning Board of Appeals and Dracut Cultural Council are looking for new members.

SUB-COMMITTEE REPORTS:

* Joint Budget Task Force Committee (JBTF) – Mr. DiRocco stated that he has read information in the Lowell Sun about the JBTF but has not heard anything from the Board Members on the Committee. Mrs. Hughes stated that the JBTF is currently reviewing the 5 year revenue projections for the Town and School Department. Mrs. Hughes stated that they have not reviewed the expenditure side yet. Mr. Archinski stated that the JBTF has run into some problems with the Superintendent not being able to discuss some information without the School Committee's permission. Mr. Archinski stated that all meetings are open to the Public and are also televised. Ms. Richardson stated that a Tri-Board meeting should be held before the Town Meeting Warrant Articles are due on September 18, 2015. Mrs. Hughes stated that the only thing discussed at the JBTF meetings have been the revenue side for the Town and School Department. Mr. DiRocco stated that he does not need the minutes from the meetings, he would like the Board Members on the JBTF to give reports after the JBTF has met. Mrs. Dristiliaris stated that she would like copies of the JBTF agenda's. Mrs. Hughes stated that she would give copies of the revenue projections to Mrs. Dristiliaris, Ms. Richardson and Mr. DiRocco.

Ms. Richardson asked that the annual review of the Town Manager be placed on the next agenda. Ms. Richardson suggested that the annual review of the Town Manager be completed at a separate meeting.

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Mr. Archinski reminded the Board, that they should be meeting quarterly with their Sub-Committee's.

APPROVAL OF MINUTES:

Motion made by Ms. Richardson to approve the minutes of July 12, 2011. Motion seconded by Mr. DiRocco. Motion passed 2 to 0. The other members could not vote on these minutes.

Motion made by Mr. DiRocco to approve the minutes of September 13, 2011. Motion seconded by Ms. Richardson. Motion passed 2 to 0. The other members could not vote on these minutes.

Motion made by Mrs. Hughes to approve the minutes of April 28, 2015. Motion seconded by Ms. Richardson. Motion passed unanimously.

Motion made by Mrs. Hughes to approve the minutes of May 12, 2015. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Motion made by Mr. DiRocco to approve the minutes of May 26, 2015 for the Joint Meeting of the Board of Selectmen and School Committee. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Motion made by Mr. DiRocco to table the approval of minutes of May 26, 2015. Motion seconded by Mrs. Dristiliaris. Under Discussion:

Mrs. Dristiliaris requested that the minute's show, on page 3, under MaryAnn & Louis Darvirris' Request for One Day Beer & Wine License – Harmony Hall – June 28, 2015, that she asked Attorney Hall for clarification in regards to insurance liability.

Motion passed unanimously.

COMMUNITY CALENDAR:

The Chairman read the information in the Community Calendar.

ADJOURNMENT:

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

The meeting adjourned at 9:09 p.m.

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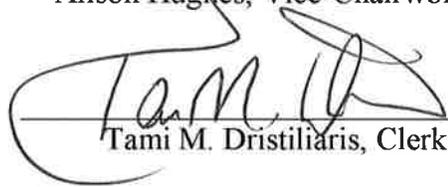
BOARD OF SELECTMEN



Tony Archinski, Chairman



Alison Hughes, Vice-Chairwoman



Tami M. Dristiliaris, Clerk



Joseph DiRocco, Jr.



Cathy Richardson