

**Board of Selectmen  
Minutes of January 12, 2016  
Selectmen's Chamber, Town Hall**

**Present:** Tony Archinski, Chairman, Alison Hughes, Vice-Chairwoman, Tami M. Dristiliaris, Clerk, Joseph DiRocco, Jr., Cathy Richardson (arrived 7:08 p.m.), Jim Duggan, Town Manager, Attorney James Hall and Recording Secretary Shannon Rowe Beaulieu

The Chairman opened the meeting at 7:03 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:

\* Ada Peters, 167 Ruby Road – Ms. Peters appeared before the Board and stated that as she does more research she becomes more disturbed with the proposed pipeline project. Ms. Peters discussed the US Department of Transportation data since 1970 and stated that they only report incidents that they feel are significant incidents. Ms. Peters discussed classified incidents on the data and discussed the numbers on the data. Ms. Peters discussed the Documentary Series on Dracut Cable Access which is in one half hour increments. Ms. Peters stated that the Pipeline Awareness Group will be sending out comment cards, having information regarding the pipeline in shops, Churches, Facebook, etc. and hopes that the Board will do everything they can to stop the proposed pipeline.

TOWN MANAGER'S REPORT – Mr. Duggan stated that the Presidential Primary is in March, they will be replacing a full time Dispatcher at the Police Department as he has appointed Mike Kenyon as the Animal Control Officer. Mr. Duggan stated that the Municipal Aggregation Program is going well and Ms. Ware is in the process of completing a Mass Historical Grant for survey work of historical building in Town. Mr. Duggan stated that the Mass Historical Grant would have a \$15,000 match. Mr. Duggan stated that the Beaver Brook Vision Committee has hired a consultant to assess the existing buildings on the property. Mr. Duggan discussed the \$138,000 FEMA reimbursement that should be received late winter/early spring and stated that the reimbursement would fall to the bottom line. Mr. Duggan discussed the Police Department Risk Assessment and discussed the communication phone system being put into place. Mr. Duggan stated that he and Mrs. Vandal have been meeting with Department Heads for the upcoming budget, the Recreation Department has had to postpone their skiing program due to weather, the Veteran's Services Officer has established a Facebook page for Veteran's information and discussed partnering with Andy Graham in moving the Veteran's Office to the Council on Aging in the Spring. Mr. Duggan stated that Bethany Loveless, Council on Aging Director, had her baby and mom and baby are doing fantastic.

(Board of Selectmen Meeting Minutes of January 12, 2016)

Mr. Duggan stated that Mr. Buxton sent a thank you letter to Hudzik Contracting for their donation of 225 yards of gravel for the Monahan Field bathrooms project. Mr. DiRocco asked that the Board send a thank you to Mr. Hudzik as well. Mr. Duggan stated that the Board would be given an update at every meeting regarding the progress of the Dracut Police Department's follow-up from their risk assessment and provided the Board with this meeting's update. Mr. Duggan discussed the proposed compressor station and discussed the third party consultant hired by the Conservation Commission to complete a peer review of the project. Mr. Duggan discussed with the Board what would be reviewed for the project and stated that Wesson and Sampson would be charging Kinder Morgan a non-negotiable fee of \$33,250 to complete the peer review. Mr. Duggan stated that no one in the room is in favor of the proposed pipeline and compressor station and he does not think it is in the best interest for the Town, but it is his position to keep the lines of communication open and for them to stay open.

Ms. Richardson discussed Ms. Ware, Community Development Director, applying for a Historical Grant and stated that there is a hard copy of a past historical survey in the Dracut Library and the Historical Society.

Ms. Richardson stated that in the November Beacon, the MMA is looking for meeting space and asked Mr. Duggan to reach out and see if the MMA would like to use the Town Hall.

Mr. DiRocco asked Mr. Mike Kenyon, Animal Control Officer, to come up so the Board could congratulate him on his new appointment.

Mr. Archinski stated that when he was in Town Hall on Saturday, there were people doing work in the ceiling. Mr. Duggan stated that there were people doing work on the security cameras.

#### FIRE CHIEF'S REPORT:

Chief Brouillette appeared before the Board and gave condolences to the families of Roland Belleville and Albert Desmarais. Chief Brouillette stated that as of today, the Fire Department has responded to 3,543 incidents. Chief Brouillette stated that they are currently training for EMT recertification, ice training, driver training for new hires and stated that DATV will be filming their ice training. Chief Brouillette discussed the Safe Grant for students K-6, the Senior Safe Grant for seniors and discussed going out to the Day Cares in the fall. Chief Brouillette discussed the FY15 Assistance to Fire Fighters Grant and stated that he has put in for the "Jaws" which are currently 20 years old. Chief Brouillette stated that the apparatus from the previous Assistance to Fire Fighters Grant has come in and they are currently taking an inventory and training with the new equipment.

(Board of Selectmen Meeting Minutes of January 12, 2016)

Mr. DiRocco discussed the amount of calls the Fire Department receives and stated that people do not have an idea of how many calls they respond to.

Chief Brouillette stated that the Fire Department's calls have been increasing by at least 200 per year.

SPECIAL PERMIT SUBMITTAL:

\* Four Oaks Country Club, 80 Meadow Creek Drive – Returning the Pro-Shop to the Barn – Mr. Mike Kuenzler appeared before the Board and presented the Special Permit to the Town Manager. Mr. Duggan read the application into the record.

AGENDA ITEMS:

\* Approval of DeFelice Corp., 28 Silva Lane, Special Permit #15-2 Statement of Facts – Motion made by Ms. Richardson to approve the Statement of Facts for Special Permit #15-2. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

\* Family Dollar Stores of MA, Inc., - 50 Pleasant Street – Requesting a Common Victualler License – Motion made by Mr. DiRocco to approve the Common Victualler License. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

\* Keith's Kitchen, 1794 Bridge Street, Unit 30A – Requesting a Common Victualler License – Motion made by Mr. DiRocco to approve the Common Victualler License. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

\* Frozen Ocean's LLC, d/b/a Orange Leaf, 1734 Lakeview Avenue, Unit #23 – Requesting a Common Victualler License – Motion made by Mrs. Dristiliaris to approve the Common Victualler License. Motion seconded by Mr. DiRocco. Motion passed unanimously.

\* Rosebuds Flowers & Gifts, 1420 Lakeview Avenue – Requesting a Common Victualler License – Motion made by Mr. DiRocco to approve the Common Victualler License. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

\* Kathleen Doiron – Requesting a One-Day Beer & Wine License for Harmony Hall on January 23, 2016 from 1:00 p.m. to 6:00 p.m. – Mrs. Doiron appeared before the Board and stated that she would be hosting a bridal shower at Harmony Hall.

Motion made by Mrs. Hughes to approve the One-Day Beer & Wine License. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

(Board of Selectmen Meeting Minutes of January 12, 2016)

\* St. Francis Church, 115 Wheeler Road – Requesting a One-Day Beer & Wine License for January 29, 2016 from 6:30 p.m. to 10:00 p.m. – Motion made by Mrs. Dristiliaris to approve the One-Day Beer & Wine License. Motion seconded by Mrs. Hughes. Motion passed unanimously.

\* Michael Kenyon – Requesting Approval as a Bonded Constable – Motion made by Mrs. Hughes to appoint Mr. Kenyon as a Bonded Constable. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

\* Maureen Graham – Requesting Approval as a Bonded Constable – Motion made by Mrs. Hughes to appoint Ms. Graham as a Bonded Constable. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

\* Discuss Notice from the Department of Environmental Protection Regarding 138 Lakeshore Drive and Determine if the Board Would Like to Take Any Action Relative Thereto – Attorney Hall stated that the proposed dock is located on Long Pond which is a Great Pond and is permitted by the Department of Environmental Protection. Attorney Hall stated that the Board was given notice of the proposed dock as an interested party. Attorney Hall stated that this was placed on the agenda for the Board to decide if they wanted to object to the proposed dock or would like more information. The Board discussed the proposed dock and stated that they had no issues with the project.

\* Discuss Notice from the Department of Environmental Protection Regarding 126 Lakeshore Drive and Determine if the Board Would Like to Take Any Action Relative Thereto – Attorney Hall stated that this is the same as the previous discussion. The Board discussed the proposed dock and stated that they had no issues with the project.

\* To Consider and/or to Vote to Clarify the Intent of the Home Rule Legislation Relative to Special Police Officers by Including Additional Language to the House Rule Petition – Mr. Archinski discussed the Home Rule Petition approved at the November Town Meeting and stated that the proposed language was not correct. Attorney Hall stated that all Towns are going to hiring Special Police Officers to the age of 68 years old. Mr. Archinski stated that the House Attorney and legal staff reviewed the language and stated that there was a housekeeping issue as the language did not strike 65 years of age from the Old Act and discussed what if the State wanted to raise the age to 70 years of age. Mr. Archinski suggested to keep as part of the petition, 111F protection to 68 and to 70 years of age where it was changed from 65 to 68 years of age. Mr. Archinski stated that the language does not have to go back for Town Meeting approval.

Motion made by Mrs. Hughes to waive the reading of the motion. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously. Motion made by Ms. Richardson to vote to clarify and adopt the language on page 32 of the Board of Selectmen's Agenda, which reads as follows:

(Board of Selectmen Meeting Minutes of January 12, 2016)

An Act relative to Special Police Officers in the Town of Dracut.

Section 1. Section 1 of Chapter 48 of the Acts of 2010 is hereby amended by striking out the section sentence and inserting in place thereof the following sentence: Special Police Officers shall not be subject to the same maximum age restrictions as applied to Regular Police Officers under Chapter 32 of the General Laws, but shall not be eligible to service as Special Police Officers if they have reached the age of 68; provided, however, that in the event the maximum age restriction applicable to Regular Police Officers serving a Town is increased from the current 65 years of age and beyond reaching the age of 68, Special Police Officers shall be eligible to serve until they reach the maximum age allowable for Regular Police Officers under said Chapter 32; and provided further, that no Special Police Officer shall be eligible to serve beyond reaching the age of 70.

Section 2. Section 4 of said Chapter 48 is hereby amended by adding the following sentence: A Special Police Officer's appointment shall automatically terminate upon the Officer's sixty-eighth birthday, unless the Special Police Officer is eligible to serve until a higher age as provided in Section 1.

Section 3. Section 7 of said Chapter 48 is hereby amended by striking out the fourth and fifth sentences and inserting in place thereof the following sentence: Payments under said Section 111F of said Chapter 41 shall terminate at the conclusion of the appointment period or when a Special Police Officer reaches the age of 68, whichever occurs sooner; provided, however, that if the Special Police Officer is eligible to serve until a higher age as provided in Section 1, benefits under said Section 111F of said Chapter 41 shall terminate at the conclusion of the appointment period or when the Special Police Officer reaches the higher age limit.

Section 4. This Act shall take effect upon its passage.

Motion seconded by Mrs. Hughes. Motion passed unanimously.

EXECUTIVE SESSION:

Attorney Hall stated that no decisions would be made during the Executive Session.

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.

Mr. Archinski questioned if there were two openings on the Finance Committee? Mr. Duggan stated that he would look into the positions on the Finance Committee.

(Board of Selectmen Meeting Minutes of January 12, 2016)

Mr. Duggan stated that the Zoning Board of Appeals position has been filled.

Mrs. Dristiliaris asked if Mr. Duggan has received an applicant for the Conservation Commission? Mr. Duggan stated no, that no one has applied for the Conservation Commission position.

SUB-COMMITTEE REPORTS:

Tri-Board - Mr. DiRocco asked if another Tri-Board meeting has been scheduled?

Mr. Archinski stated that the Tri-Board met last Wednesday night and the funding shortfall was discussed for the next fiscal year. Mr. Archinski stated that the Tri-Board looked at options and would be meeting again on January 19<sup>th</sup> for a public input session. Mr. Archinski stated that the session would be a one way conversation.

Mrs. Hughes stated that the public can ask any questions and the answers would be discussed at the next Tri-Board meeting.

Mr. Duggan stated that he would make sure the questions and answers are posted on the Town's website.

Mrs. Hughes stated that the public session would be held at the Dracut High School Auditorium.

Mrs. Dristiliaris stated that the public session would start at 6:00 p.m.

Mr. DiRocco discussed override questions and discussed the split between the School Department and Public Safety. Mr. DiRocco stated that some people may not agree with having split override questions and discussed the Superintendents 8% raise. Mr. DiRocco stated that the Superintendent was give the raise but users fees have doubled and all has been put on the backs of parents. Mr. DiRocco stated that a lot of people are not happy and they need people to come out and express their concerns. Mr. DiRocco stated that in his personal opinion, if you lump an override question together, we will get nothing.

Mr. Archinski stated that he does not agree with Mr. DiRocco but also wants to hear what people want to say. Mr. Archinski stated that we are all one Town and he does not want a split override question. Mr. Archinski stated that the Joint Budget Task Force worked very hard to create a bond.

Mr. DiRocco discussed perception and stated that people will do what their hearts tell them to do.

Mrs. Dristiliaris asked if they have any alternative plans for the public session in case it snows?

(Board of Selectmen Meeting Minutes of January 12, 2016)

Mr. Archinski stated that he had a tough time narrowing down the date for the public session with trying to accommodate 15 people so we will have to deal with the weather.

Ms. Richardson stated that she was surprised that this topic was not placed on tonight's agenda.

Mrs. Hughes stated that they need public input then the topic can be discussed at the next Board's meeting.

Pipeline Coalition - Ms. Richardson stated that the Pipeline Coalition met in Lunenburg and the Coalition is now 15 Communities strong. Ms. Richardson discussed there being a lot of input and a joint press release regarding Compressor Stations health risks and discussed sending a letter regarding Kinder Morgan's lack of responses, residents not being notified and wanting a scoping session again. Ms. Richardson discussed 8 compressor sites and stated that she would provide the letters and press release to the Board once they are completed by the Coalition.

EXECUTIVE SESSION:

\* Discussion of Dracut's Legal Strategy as an Intervener in the Tennessee Gas Pipeline Company, LLC, Filing before the Federal Energy Regulatory Commission (FERC), Washington, D.C., Docket #CP16-21-000

8:04 p.m. Mr. Archinski read the disclosure. Motion made by Mrs. Hughes to go into Executive Session. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Mrs. Dristiliaris called for a roll call vote:

Mr. DiRocco – Yes	Mrs. Hughes - Yes
Mr. Archinski – Yes	Ms. Richardson – Yes
Mrs. Dristiliaris – Yes	

8:56 p.m. The regular meeting resumed with no votes being taken in Executive Session.

AGENDA ITEMS (CONT'D):

Motion made by Ms. Richardson to Vote to Authorize James A. Hall, Town Counsel, to Secure the Legal Services of Outside Counsel, namely Richard A. Kanoff, to Legally Represent the Town in the Tennessee Gas Pipeline Company, LLC Filing before the Federal Energy Regulatory Commission (FERC), Washington, D.C. #CP16-21-000, and Other Such Commonwealth (State) Hearings, Matters or Cases as Need Be. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

(Board of Selectmen Meeting Minutes of January 12, 2016)

APPROVAL OF MINUTES:

Motion made by Mr. DiRocco to approve the November 24, 2015 Board of Selectmen's meeting minutes. Motion seconded by Mrs. Dristiliaris. Motion passed 4 to 0. Mrs. Hughes abstained from voting.

Ms. Richardson asked the Chairman to place the Varnum Award on the next agenda for discussion.

COMMUNITY CALENDAR:

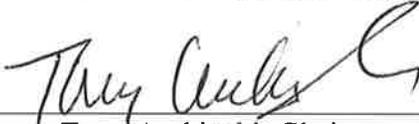
The Chairman read the information in the Community Calendar.

ADJOURMENT:

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

The meeting adjourned at 9:00 p.m.

BOARD OF SELECTMEN



Tony Archinski, Chairman



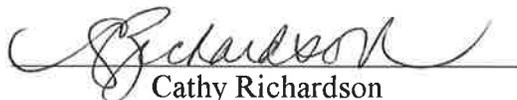
Alison Hughes, Vice-Chairwoman



Tami M. Dristiliaris, Clerk



Joseph DiRocco, Jr.



Cathy Richardson