

**Board of Selectmen
Minutes of May 12, 2015
Selectmen's Chamber, Town Hall**

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

The Chairman opened the meeting at 7:01 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.

WARRANT APPROVAL:

Motion made by Mrs. Hughes to approve the Warrant. Motion seconded by Ms. Richardson. Motion passed unanimously.

TOWN MEETING WARRANT APPROVAL:

Motion made by Mrs. Hughes to approve the Town Meeting Warrant. Motion seconded by Mr. Archinski. Motion passed unanimously.

SPECIAL TOWN MEETING WARRANT APPROVAL:

Motion made by Mrs. Hughes to approve the Special Town Meeting Warrant. Motion seconded by Ms. Richardson. Motion passed unanimously.

REORGANIZATION OF THE BOARD OF SELECTMEN:

Motion made by Mrs. Hughes to Nominate Mr. Archinski as Chairman of the Board of Selectmen. Motion seconded by Ms. Richardson. Motion passed unanimously.

Motion made by Ms. Richardson to Nominate Mrs. Hughes as Vice-Chairwoman of the Board of Selectmen. Motion seconded by Mr. Archinski. Motion passed unanimously.

Motion made by Ms. Richardson to Nominate Mrs. Dristiliaris as Clerk of the Board of Selectmen. Motion seconded by Mr. Archinski. Motion passed unanimously.

Mr. Archinski thanked the Board for their unanimous vote as Chairman of the Board of Selectmen.

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COMMUNITY INPUT:

*Ms. Caroline Zuk, 100 Old Parker Road – Ms. Zuk discussed the possibility of having a FERC scoping meeting in Dracut and asked the Board to send a letter to FERC requesting a scoping meeting be held in Dracut. Ms. Zuk asked if a letter was sent to Kinder Morgan regarding the surveying on Public Ways. Ms. Zuk provided the Board with information from Bowditch & Dewey dated May 11, 2015 regarding Initial Comments of Northeast Energy Solutions, Inc.: Resource Reports. Ms. Zuk stated that the next Pipeline Awareness Group meeting would be held on May 21, 2015 at 7:00 p.m. at the Dracut Police Station.

* Ms. Lisa Lipomi, Gilbert St/Marsh Hill Rd – Ms. Lipomi asked how many actual number of residential properties would be impacted by the proposed pipeline? Ms. Lipomi asked in there were any procedures in place in case of water contamination and provided handouts to the Board regarding a natural gas pipeline.

* Mary Thomann, 39 Colonial Drive – Ms. Thomann expressed her concerns with the proposed pipeline and compressor station and asked what happens to properties, etc. with a compressor station that is unmanned.

* Maurice O'Brien, 27 Trout Brook Road – Mr. O'Brien stated that he is a 43 year homeowner and he has never run out of gas. Mr. O'Brien stated that he has replaced windows, etc. in his home and has saved on his gas bills. Mr. O'Brien stated that a 36" pipeline has never been installed in a residential area. Mr. O'Brien discussed granite ledge, drain pipes and explosions.

TOWN MANAGER'S REPORT:

Mr. Duggan stated that Attorney Jim Hall, Sr. is being honored tonight by the Lowell Five Savings Bank. Mr. Duggan stated that the Finance Committee has recommended most Town Meeting Warrant Articles to move forward. Mr. Duggan discussed the MEMA reimbursement and stated that the Town should receive the money in September/October 2015. Mr. Duggan stated that the Dracut Water Supply District had their annual meeting and in regards to senior housing the consultants are finishing making the presentation at the Board's next meeting. Mr. Duggan stated that the skateboard park opened Memorial Day weekend and they have hired three monitors. Mr. Duggan stated that the skateboard park would be open seven days a week from 12:00 noon to 7:00 p.m. weather permitted. Mr. Duggan stated that Mill City Environmental is currently completing an environmental study as the old Sewer Department building which should take about ten days to complete. Mr. Duggan discussed the final pavement for Arlington Street and stated that they did not receive any bids for the Monahan Park bathroom project and would be putting the project back out to bid. Mr. Duggan stated that the Town Clerk's Office realized the Town Charter Changes ballot was incorrect and out of the seventy-seven absentee ballots that went out everyone was contacted and sent a

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new ballot. Mr. Duggan thanked the Town Clerk's Office for all of their hard work. Mr. Duggan discussed the recent Chamber of Commerce breakfast and announced the Veteran's Campaign.

Mr. DiRocco stated that the outside of Town Hall looks horrible and asked what was happening between the Permanent Building Committee and the contractor. Mr. DiRocco asked if the Town Hall project was in budget? Mr. Duggan stated that they are right there. Mr. DiRocco asked about the front doors at Town Hall. Mr. Duggan stated that the front doors are an ongoing nightmare and it is not acceptable.

Mrs. Dristiliaris discussed the seventy-seven absentee ballots that were contacted. Mr. Duggan stated that forty-two residents chose not to re-vote and thirty-five came in or sent their corrected ballot back. Mr. Duggan stated that all seventy-seven residents were contacted personally. Mrs. Dristiliaris stated that Mr. Duggan did a great job at the Chamber breakfast.

Ms. Richardson discussed the recent Household Hazardous Waste Day and thanked the residents for their participation. Ms. Richardson discussed the letter from a resident on Farragut Street and asked Mr. Duggan to clarify who owns the property in question.

Mr. Archinski questioned a sewer back up issue at the corner of Darrin Road and Lakeview Avenue. Mr. Duggan stated that he would look into that.

FIRE CHIEF'S REPORT:

Chief Brouillette discussed last month's calls and stated that the Department is currently doing EMT and EMD training. Chief Brouillette discussed the Rapid Intervention Team conducting training at the old Town Hall Annex. Chief Brouillette stated that Firefighter Chris Gagne has graduated from the Fire Academy. Chief Brouillette introduced to the Board, Marion Bernard and Matthew Silva, the two newest members of the Fire Department. Chief Brouillette stated that they are both currently training in Dispatch. Ms. Richardson congratulated the Fire Department on their win against Patriot Ambulance at the charity basketball game. Mrs. Dristiliaris also congratulated the Fire Department on their win.

AGENDA ITEMS:

* Dynasty Donuts, 1480 Broadway Road – Review and Vote on Site Plan Special Permit Waiver – Mr. Archinski read the letter dated May 12, 2015 from Veasna Seng respectfully requesting to withdraw the request for a special permit site plan waiver without prejudice.

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* David Paquin – Request Re-Appointment to Historical Commission – Motion made by Mr. DiRocco to Re-Appoint David Paquin to the Historical Commission. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

* Review and Vote on Agricultural Commission Membership Changes – Mr. Archinski read the letter dated May 7, 2015 from Robert Berube, Chairman of the Agricultural Commission, requesting that John Brox, Daniel Berube and Donald Couture be moved as Alternate Members to Full Members and Mark Shaw and David Dumaresq be moved from Full Members to Alternate Members.

Motion made by Mrs. Hughes to approve the Membership Changes of the Agricultural Commission. Motion seconded by Ms. Richardson. Motion passed unanimously.

*Review and Vote on 10 Year Tax Increment Financing Agreement between the Town of Dracut and Gralia Group, 21 Broadway Road – Mr. Duggan stated that Elm Development Services is making a \$20 million dollar investment and would be employing 50 people. Mr. Duggan stated that the property is assessed as one parcel and discussed the Tax Increment Financing Agreement. Mr. Duggan stated that the Personal Property Tax would be assessed at 100%. Mr. Duggan stated that this is a complete investment all around and the Mass Works Grant has been applied for. Mr. Duggan discussed the corner location being a difficult corner and MASS DOT helping with improvements. Mr. DiRocco asked if there would be traffic lights at the intersection? Mr. Duggan stated that it would be the owner's responsibility for traffic lights if MASS DOT does not put in the traffic lights. Mr. Edwards stated that the Zoning Board of Appeals has \$50,000 put aside which would help with the grant for traffic lights. Mr. DiRocco stated that traffic lights are an obligation and want the business to be held responsible for the traffic lights if the MASS DOT does not put them in.

Motion made by Ms. Richardson to accept the 10 Year Tax Increment Financing Agreement for Elm Development Services, LLC. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

* Review and Vote on 5 Year Tax Increment Financing Agreement between the Town of Dracut and Heav'nly Donuts, 592 Merrimack Avenue – Mr. Duggan stated that this business increases the commercial tax base and discussed the property tax. Mr. Duggan discussed the Tax Increment Financing Agreement and stated that the minimum requirement is the business just has to create one job.

Motion made by Mrs. Dristiliaris to accept the 5 Year Tax Increment Financing Agreement for H-Donuts Dracut, Inc. d/b/a Heav'nly Donuts. Motion seconded by Ms. Richardson. Motion passed unanimously.

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* Ongoing Discussion Regarding Tennessee Gas Pipeline – Ms. Richardson read the letter dated May 11, 2015 sent to Alan Fore, Kinder Morgan, regarding surveying on public ways in Town. Mr. Caroline Zuk, 100 Old Parker Road, appeared before the Board and discussed the information she received from Congresswoman Niki Tsongas and stated that it demonstrates another Politician who has taken a strong role in the proposed pipeline issue. Ms. Richardson stated that the next coalition meeting will be held on May 18, 2015 in Pepperell and discussed sending a letter to FERC requesting that a scoping session be held in Dracut. Ms. Richardson stated that the only place for public input is at the FERC scoping meetings. Mrs. Zuk asked how the letter to Alan Fore, Kinder Morgan, regarding surveying on public ways would be enforced. Mr. Duggan stated that private property is a civil matter and suggested residents post no trespassing signs on their property and he would have to defer the surveying on public ways to Town Counsel. Mrs. Zuk asked if there was a need for Police details? Mr. Duggan stated that he would need to refer that question to the Police Chief. Mrs. Zuk asked about the possible drop in property values due to the proposed pipeline? Mr. Duggan stated that his is not a liberty to discuss that right now as he is trying to research that information. Mrs. Zuk stated that the next Pipeline Awareness Group meeting would be held on May 21, 2015 at 7:00 p.m. at the Dracut Police Station. Mr. Edwards stated that he has been in contact with the Police Department regarding the surveying on public ways. Mr. Edwards stated that the only permit needed for the proposed pipeline is through the Conservation Commission and it is very important for residents to attend the scoping sessions to discuss their concerns and ask questions. Ms. Richardson stated that she would set up a walk through with the Board and asked that writing a letter to FERC requesting a scoping session be held in Dracut be placed on the next agenda.

* Review and Vote on Town Meeting Warrant Articles for the Upcoming June 1, 2015 Town Meeting:

Article #2-1 – Mr. Duggan reviewed the Article with the Board and recommended that the Article be tabled until the next meeting.

Motion made by Ms. Richardson to Table Article #2-1 until May 26, 2015. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Article #24 – Dr. Mike McNamara, Dracut School Committee, appeared before the Board to discuss a proposed trash fee. Dr. McNamara stated that he is still working on the wording for the proposed Warrant Article and discussed level service funding for the schools. Mrs. Hughes discussed this not being a formal motion yet and she would be meeting with Dr. McNamara and the Town Manager tomorrow morning regarding the proposed trash fee.

Motion made by Mrs. Hughes to Table Article #24 until May 26, 2015. Under Discussion:

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Mrs. Dristiliaris stated that she would like to know when the meeting are happening regarding the proposed trash fee.

Dr. McNamara discussed this fee not being strictly for school funding also for Municipal funding.

Ms. Kathy Graham, Town Clerk, appeared before the Board and stated that they are reviewing the Warrant Article and recommended the Board does not vote on the motion as they don't know what the petitioner would bring to Town Meeting.

Mr. Archinski stated that he would like to see the whole picture regarding the proposed trash fee.

8:17 p.m. Mr. Archinski called for a recess.

8:24 p.m. Mr. Archinski resumed the meeting.

Mr. Duggan discussed the previous meetings regarding the proposed trash fee, the questions regarding the trash fee and discussed trying to collaboratively working together.

Mrs. Hughes stated that it is very difficult to nail done the numbers regarding the proposed trash fee.

Dr. McNamara stated that the numbers were given to him from the Town.

Mrs. Hughes withdrew her motion to Table Article #24 until May 26, 2015.

Motion made by Ms. Richardson to approve Warrant Article #24. There was no second to the motion. Motion failed.

Attorney Hall explained to the Board that they can only recommend or not recommend Warrant Articles for Town Meeting.

Motion made by Mr. DiRocco to not recommend Warrant Article #24. Motion seconded by Ms. Richardson. Under Discussion:

Dr. McNamara discussed the cutting of programs, etc. and the immediate need for additional funding.

Mrs. Hughes discussed her concern with the proposed trash fee serving future years. Mrs. Hughes discussed the additional shortcomings in the future.

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Mr. Archinski stated that there is not a good sense of what the deficit in the school budget is and not knowing how much money the proposed trash fee will actually generate. Mr. Archinski stated that the proposed trash fee doesn't solve the problem.

Mrs. Dristiliaris discussed the fees opposed to the parents'.

Dr. McNamara discussed the proposed fees, rescinding fee's and asked that the Board please recommend the Warrant Article.

Mr. DiRocco discussed using the fee for operational use and stated that he doesn't think the proposed trash fee is the answer. Mr. DiRocco discussed the past proposed override vote and stated that he was only going to support something that is for all Departments.

Dr. McNamara stated that it is not fair to put additional fees, etc. onto the parent's.

Mr. DiRocco stated that the last override was voted against because the School Committee wanted more money and ended up not getting anything.

Ms. Richardson discussed the long term problems with unfunded State mandates.

Mrs. Dristiliaris discussed selling under used buildings and properties. Mrs. Dristiliaris stated that the proposed Warrant Article generates more questions than answers and discussed giving residents the right to vote.

Mr. Duggan discussed how the proposed trash fee would work and discussed money from the General Fund.

Mrs. Dristiliaris asked how many meetings have occurred regarding the proposed trash fee?

Mrs. Hughes stated that they have had one meeting and there is a meeting scheduled for tomorrow morning.

Mrs. Dristiliaris stated that she would like the proposed trash fee discussed at the upcoming Tri-Board meeting.

Motion passed unanimously.

Article #30 – Mr. Duggan stated that the language in this Warrant Article was developed with Superintendent Stone regarding the lease arrangement with the Parker Avenue School. Mr. Duggan discussed the 70/30 split after utilities and discussed the Warrant Article being amended on the Town Meeting floor.

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Motion made by Mrs. Hughes to recommend approval of Warrant Article #30 with the amendment on the Town Meeting floor. Motion seconded by Ms. Richardson. Under Discussion:

Mr. Duggan discussed the money from the lease being used for maintenance not salaries.

Ms. Richardson discussed the leasing out of the High School auditorium and the High School cafeteria.

Dr. McNamara stated that the leasing of the High School auditorium and cafeteria are separate from this Warrant Article.

Mr. Duggan stated that he would be making the amendment on the Town Meeting floor regarding the 70/30 split.

Motion passed unanimously.

Article #31 – Mr. Rich Cowan, 12 Greenlawn Ave, appeared before the Board to discuss his Warrant Article regarding the un-bonded debt for the New Town Hall.

Mrs. Ann Vandal, Assistant Town Manager/Finance, discussed having previously gone to the voters for a debt exclusion for the New Town Hall and it failed miserably. Mrs. Vandal stated that the Town can't borrow more than it spends and stated that there isn't much money in the General Fund.

Mrs. Vandal explained that a debt exclusion goes away and a tax override does not go away. Mrs. Vandal discussed letting the Administration figure out what is needed for the Town.

Motion made by Mrs. Dristiliaris to not recommend approval of Warrant Article #31. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Article #32 – Mr. Duggan stated that Warrant Article #32 is being withdrawn.

Article #33 – Motion made by Mrs. Hughes to Table Warrant Article #33 until May 26, 2015. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #34 – Motion made by Mr. DiRocco to Table Warrant Article #34 until May 26, 2015. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #35 – Motion made by Ms. Richardson to Table Warrant Article #35 until May 26, 2015. Motion seconded by Mrs. Hughes. Motion passed unanimously.

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Article #1 – Motion made by Ms. Richardson to recommend approval of Warrant Article #1. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Article #2 – Motion made by Mrs. Hughes to recommend approval of Warrant Article #3. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #2-2 – Mr. Duggan stated that this Warrant Article is in regards to the Exxon property from the last Town Meeting. Mr. Duggan stated that there is going to be a public hearing at the next Planning Board meeting and there is no wording changes to the Warrant Article.

Motion made by Ms. Richardson to recommend approval of Warrant Article #2-2. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Article #3 – Motion made by Mrs. Hughes to recommend approval of Warrant Article #3. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #4 – Motion made by Ms. Richardson to recommend approval of Warrant Article #4. Motion seconded by Mr. DiRocco. Under Discussion:

Mrs. Dristiliaris stated that she is 100% against stipends as the Board is elected to serve the residents of Dracut.

Motion passed 3 to 2. Mrs. Dristiliaris and Mrs. Hughes voted no.

Article #5 – Motion made by Mrs. Hughes to recommend approval of Warrant Article #5. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #6 – Motion made by Ms. Richardson to recommend approval of Warrant Article #6. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Article #7 – Motion made by Mrs. Dristiliaris to recommend approval of Warrant Article #7. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Article #8 – Motion made by Mrs. Hughes to recommend approval of Warrant Article #8. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Article #9 – Motion made by Mr. DiRocco to recommend approval of Warrant Article #9. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #10 – Motion made by Mrs. Dristiliaris to recommend approval of Warrant Article #10. Motion seconded by Mr. DiRocco. Motion passed unanimously.

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Article #11a – Motion made by Mrs. Hughes to recommend approval of Warrant Article #11a. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #11b – Motion made by Ms. Richardson to recommend approval of Warrant Article #11b. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Article #11c – Motion made by Ms. Richardson to recommend approval of Warrant Article #11c. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Article #12 – Motion made by Mrs. Hughes to recommend approval of Warrant Article #12. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Article #13 – Motion made by Mrs. Hughes to recommend approval of Warrant Article #13. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #14 – Motion made by Mr. DiRocco to recommend approval of Warrant Article #14. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Article #15 – Motion made by Ms. Richardson to recommend approval of Warrant Article #15. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously/

Article #16 – Motion made by Mrs. Hughes to recommend approval of Warrant Article #16. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #17 – Motion made by Mrs. Dristiliaris to recommend approval of Warrant Article #17. Motion seconded by Mr. DiRocco. Under Discussion:

Mr. Rich Cowan, 12 Greenlawn Ave, appeared before the Board and asked about the money in the Gerry Carle Memorial Fund? Mrs. Vandal stated that they can't start spending money from the Fund until it starts accruing interest.

Motion passed unanimously.

Article #18 – Motion made by Mr. DiRocco to recommend approval of Warrant Article #18. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #19 – Motion made by Mr. DiRocco to recommend approve of Warrant Article #19. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #20. Mr. Duggan stated that he recommends that the Board tables this Warrant Article until the next meeting.

Motion made by Mrs. Hughes to Table Warrant Article #20 until May 26, 2015. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

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Article #21 – Motion made by Mrs. Hughes to Table Warrant Article #21 until May 26, 2015. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #22 – Motion made by Mr. DiRocco to recommend approval of Warrant Article #22. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Article #23 – Motion made by Mrs. Hughes to Table Warrant Article #23 until May 26, 2015. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #25 – Motion made by Mr. DiRocco to recommend approval of Warrant Article #25. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #26 – Motion made by Mr. DiRocco to recommend approval of Warrant Article #26. Motion seconded by Ms. Hughes. Motion passed unanimously.

Article #27 – Motion made by Mrs. Hughes to Table Warrant Article #27 until May 26, 2015. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #28 – Motion made by Mrs. Dristiliaris to recommend approval of Warrant Article #28. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Article #29 – Motion made by Mrs. Dristiliaris to recommend approval of Warrant Article #29. Motion seconded by Mrs. Hughes. Motion passed unanimously.

EXECUTIVE SESSION – Ratification of the DPW Contract – Mr. Duggan stated that the Board previously approved the DPW Contract and there were just a few housekeeping issues and there is no need for an Executive Session.

Mr. DiRocco asked if the Town could afford the DPW Contract? Mr. Duggan stated yes.

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 and Dracut Cultural Council are looking for new members.

SUB-COMMITTEE REPORTS:

* Healthy Communities Work Group – Ms. Richardson stated that the Healthy Communities Work Group met this morning and discussed the 68 Hours of Hunger Program and the Breaking Free from Depression DVD.

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APPROVAL OF MINUTES:

Motion made by Mrs. Hughes to approve the Minutes of March 10, 2015. Motion seconded by Mr. DiRocco. Motion passed 4 to 0. Mrs. Dristiliaris abstained from voting.

COMMUNITY CALENDAR:

The Chairman read the information in the Community Calendar.

Motion made by Mrs. Hughes to take up all Warrant Articles Tabled at the May 26, 2015 meeting. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

SPECIAL TOWN MEETING WARRANT ARTICLE:

Article #1 – Motion made by Mrs. Hughes to Table Special Town Meeting Warrant Article #1 until May 26, 2015. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

ADJOURMENT:

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

The meeting adjourned at 10:18 p.m.

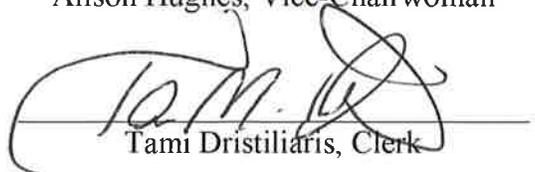
BOARD OF SELECTMEN



Tony Archinski, Chairman



Alison Hughes, Vice-Chairwoman



Tami Dristiliaris, Clerk

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Joseph DiRocco, Jr.


Cathy Richardson