

**Board of Selectmen  
Minutes of May 26, 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 and Recording Secretary Shannon Rowe Beaulieu

The Chairman opened the meeting at 6:36 p.m.

\* Kevin Buckley, KBA Architects- Senior Housing Presentation – Mr. Buckley appeared before the Board and presented the Dracut Senior Housing Feasibility Study dated May 12, 2015. Mr. Buckley started his presentation with the Town Hall Annex located at 11 Springpark Avenue. Mr. Buckley discussed the property and stated that 13 units would be proposed for that location. Mr. Buckley explained that the project would take up one half of the site and would have two ways of egress. Mr. Buckley discussed parking, the proposed floor plan and the proposed look of the building. Mr. Buckley stated that there are no other possibilities of outside amenities on this property.

Mr. Buckley discussed the Greenmont Avenue location and discussed the 13 units that would be proposed for that location. Mr. Buckley discussed parking, the proposed buildings being 500' from Bridge Street. Mr. Buckley showed the Board the entire site and discussed wetlands and open space. Mr. Buckley discussed Phase One of the development being soils analysis and water tables, possible Phase Two being development and a possible Phase Three with up to 50 unites on the parcel. Mr. Buckley discussed the number of areas that could be placed on the property. Mr. Buckley discussed the one and two bedroom units, the proposed floor plans and the proposed look of the buildings. Mr. Buckley discussed the borings and soils on the property and stated that the slabs would be on grade. Mr. Buckley reviewed with the Board the Executive Summary in the Feasibility Study and discussed the total construction costs for each project.

Mr. DiRocco discussed putting all of the units on one level.

Mr. Buckley discussed residential lifts, generators, etc. and the costs relative to those items.

Ms. Richardson stated that there were no figures for contingent fees.

Mr. Buckley discussed soil issues, excavation costs and design contingencies.

Mrs. Dristiliaris commended KBA Architects for their work and stated that she is very happy and very excited about the project.

(Board of Selectmen Meeting Minutes of May 26, 2015)

Mr. Archinski asked that the information that Mr. Buckley provided be put on the Town's website.

Mr. Archinski called for a recess at 6:59 p.m.

Mr. Archinski resumed the meeting at 7:05 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 Mr. DiRocco to approve the Warrant. Motion seconded by Mrs. Hughes. Motion passed unanimously.

COMMUNITY INPUT:

\* Michael McNamara, 34 Brox Road – Dr. McNamara stated that Joint Budget Task Force Committee is moving forward and would like to get the word out regarding the Committee to the residents. Dr. McNamara read a few residents' comments regarding the need for additional funding for the Schools.

\*Ms. Caroline Zuk, 100 Old Parker Road – Ms. Zuk discussed the impact of the proposed pipeline and discussed Congresswoman Tsongas and State Senator L'Italien being involved in the opposition of the pipeline. Ms. Zuk discussed the impact study and stated that FERC is requesting information in revised drafts from Kinder Morgan. Ms. Zuk stated that resident's voices are being heard.

TOWN MANAGER'S REPORT:

Mr. Duggan stated that the Memorial Day events went well and the July 1, 2015 tax bills are being sent out. Mr. Duggan discussed Phase 4 of the Sewer project and the cameraing of the sewer system. Mr. Duggan stated that all streets were read during Phase 4 and all are in very good condition and they will be starting with Phase 5 of the sewer project. Mr. Duggan stated that the Building Department has issued 500 permits within the last five months and stated that the DPW is working on the FEMA reports for snow reimbursement. Mr. Duggan stated that National Grid is working on the gas main at Lakeview Ave and Mammoth Road and that the Skateboard Park has opened for the season with a park monitor. Mr. Duggan stated that the park monitors will be logging all activity and making sure skaters wear helmets. Mr. Duggan stated that the Town Accountant is working on the year end reports and the Arlington Street paving has been postponed as a few adjustments need to be made. Mr. Duggan stated that the final paving of Arlington Street would be completed in June.

(Board of Selectmen Meeting Minutes of May 26, 2015)

Mr. Duggan stated that the DPW is clearing trees at Cross Road and the utility companies will be coming in front of the Board for proposed pole locations. Mr. Duggan thanked Mr. Edwards for his work on applying for a grant for the 2016 safety and efficiency study for Broadway Road all the way to Willard Street. Mr. Duggan discussed the extra Chapter 90 funds that the DPW used for re-paving and lining of streets and discussed the FEMA grant the Fire Chief and Deputy Patterson worked on for face gear.

Mrs. Dristiliaris asked if there was any update on the completion of the New Town Hall? Mr. Duggan stated that he has discussed the issue with the Permanent Building Committee Chairman and discussed the change orders, etc. Mr. Duggan stated that they also discussed the issues with the doors and stated that they are not ignoring the issue.

Ms. Richardson stated that Colburn Avenue is extremely littered and should be cleaned up. Mr. Duggan stated that he would look into it and report back to the Board.

#### POLICE CHIEF'S REPORT:

Mr. Duggan stated that the Police Chief was not available to attend tonight's meeting.

#### AGENDA ITEMS:

\* Hayley Jasmin – Request Approval for 1<sup>st</sup> Annual Roger A. Cote Run for Courage Road Race – June 14, 2015 – Ms. Hayley Jasmin and Ms. Nicole Wood appeared before the Board to request approval of the road race in honor of Roger Cote who passed away due to Agent Orange from serving in Vietnam.

Motion made by Mrs. Dristiliaris to approve the road race. Motion seconded by Ms. Richardson. Motion passed unanimously.

\* MaryAnn & Louis Darvirris – Request for One Day Beer & Wine License – Harmony Hall – June 28, 2015 – Mr. Darvirris appeared before the Board and stated that his oldest daughter is getting married and they are having her shower at Harmony Hall. Mrs. Dristiliaris asked about the Town's liability and asked Attorney Hall if the applicant would need liability insurance for this event? Attorney Hall stated that there might be a Town By-Law regarding serving alcohol on Town property and he would need to look into the By-Law further.

Motion made by Mrs. Hughes to table the request until June 9, 2015. Motion seconded by Ms. Richardson. Motion passed unanimously.

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

(Board of Selectmen Meeting Minutes of May 26, 2015)

\* Kathleen Graham, Town Clerk – Request Appointment of Election Officers, Election Worker Deputy Clerks, Inspectors and/or Tellers – Mr. Archinski read the names on the Memorandum dated May 12, 2015 from the Town Clerk.

Motion made by Mr. DiRocco to Appoint the Election Officers, Election Worker Deputy Clerks, Inspectors and/or Tellers listed in the Memorandum dated May 12, 2014 from the Town Clerk. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

\* John Smolak – Review and Vote to Approve an Amendment to the Local Initiative Program Agreement for TGS Development, Mascuppic Village – Attorney John Smolak and Steve Coravos appeared before the Board to request an amendment to the Local Initiative Program (LIP) agreement for Mascuppic Village. Attorney Smolak stated that the reason for the First Amendment is to adjust maximum sale prices for the affordable unites based upon the latest HUD income levels for 2015. Attorney Hall stated that he has reviewed the agreement and has reported his approval to the Zoning Board of Appeals.

Motion made by Ms. Richardson to approve the First Amendment to the Local Initiative Program Regulatory Agreement for Mascuppic Village. Motion seconded by Mr. DiRocco. Motion passed unanimously.

\* Approve Submission of the Economic Development Incentive Program (EDIP) Local Incentive-Only Application for Elm Development Services, LLC – Mr. Duggan stated that this is simply a housekeeping issue.

Motion made by Mrs. Dristiliaris to approve the submission of the Economic Development Incentive Program (EDIP) Local Incentive-Only Application for Elm Development Services, LLC. Motion seconded by Ms. Richardson. Motion passed unanimously.

\* Approve Submission of the Economic Development Incentive Program (EDIP) Local Incentive-Only Application for H-Donuts Dracut, Inc. d/b/a Heav'nly Donuts – Mr. Duggan stated that this is simply a housekeeping issue.

Motion made by Mrs. Hughes to approve the submission of the Economic Development Incentive Program (EDIP) Local Incentive-Only Application for H-Donuts Dracut, Inc. d/b/a Heav'nly Donuts. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

(Board of Selectmen Meeting Minutes of May 26, 2015)

\* Review and Approve Proposed Minor Language Changes to the TIF for Elm Development Services, LLC – Mr. Duggan discussed the Tax Increment Financing (TIF) agreement for Elm Services, LLC. Attorney Hall discussed the changes highlighted in red. Attorney Hall stated that he worked with the applicants Attorney and the agreed upon language is highlighted in yellow.

Ms. Richardson discussed certain jobs at the facility will require certain certifications.

Mr. Duggan stated that the Company shall have a policy establishing a goal for the majority of the Company's workforce at the facility to reside in Dracut.

Motion made by Mrs. Hughes to approve the minor language changes to the TIF for Elm Development Services, LLC. Motion seconded by Mr. DiRocco. Motion passed unanimously.

\* Review and Approve Proposed Minor Language Changes to the TIF for H-Donuts, Inc. d/b/a Heav'nly Donuts – Mr. Duggan withdrew this item.

\* Ongoing Discussion Regarding Tennessee Gas Pipeline, Discuss and Approve Sending a Letter to FERC re: Requesting a Scoping Session in Dracut – Ms. Richardson stated that she would like the support of the Board in sending a letter to FERC requesting a scoping session be held in Dracut.

Motion made by Ms. Richardson to send a letter to FERC requesting a scoping session be held in Dracut. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Mr. Archinski left the meeting at 7:42 p.m.

Mr. Edwards stated that there would be a Training Session for Public Official's on June 22, 2015 at 6:00 or 7:00 p.m. at Harmony Hall.

Mr. Archinski returned to the meeting at 7:43 p.m.

Ms. Caroline Zuk, 100 Old Parker Road, appeared before the Board and discussed the disturbing of areas and the need to focus on location. Ms. Zuk discussed the information she provided to the Board for their review:

\* Information Packet for Responding Agencies & Lawmakers by the Dracut Pipeline Awareness Group dated April 29, 2015

\* Comments on Draft Resource Reports from FERC to Mr. J. Curtis Moffat, Deputy General Counsel and Vice President, Gas Group Legal, Tennessee Gas Pipeline Company, LLC, dated May 15, 2015

(Board of Selectmen Meeting Minutes of May 26, 2015)

\* Vote on Date of Implementation for Charter Change – Article 6, Section 9, Town Manager Signing Approval of Warrants – Attorney Hall reviewed the Charter Change to Article 6, Section 9, with the Board, approved at the Town Election on May 4, 2015.

Motion made by Mrs. Dristiliaris to implement the Town Manager signing the Warrants starting June 1, 2015. Motion seconded by Mrs. Hughes. Motion passed unanimously.

\* Chairman Archinski – Appointment of Joint Budget Task Force Committee – Mr. Archinski appointed the following Joint Budget Task Force Committee under the authority of the Board of Selectmen By-Laws Section 5.13 – Discretionary Ad-Hoc Sub-Committee effective May 26, 2015:

- \* Board of Selectmen – Tony Archinski & Alison Hughes
- \* Support Staff – Jim Duggan & Ann Vandal
- \* School Committee – Betsy Murphy & Dr. Michael McNamara
- \* Support Staff – Steven Stone & William Frangiamore
- \* Finance Committee – Louise Tremblay & Robert Corey

Mr. Archinski stated that this would be a six month Task Force and the length of time could be extended with a majority vote by the Board of Selectmen.

Mrs. Dristiliaris stated that she would like a copy of the Ad-Hoc Committee information and the Board of Selectmen's By-Laws.

Mr. Archinski stated that he would provide the information to Mrs. Dristiliaris and stated that the members appointed were chosen for their willingness to serve.

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

Article #2-1 – Mr. Edwards stated that the petitioner attorney would be withdrawing the Warrant Article.

Motion made by Mrs. Dristiliaris to Not Recommend Approval of Warrant Article #2-1. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #20 – Mr. Duggan reviewed the Warrant Article and stated that he has met with Mass DHCD with Mary Karabatsos and the State wants a larger role and a bigger impact. Mr. Duggan stated that he recommends approval of the Warrant Article.

Motion made by Mrs. Dristiliaris to Recommend Approval of Warrant Article #20. Motion seconded by Mr. DiRocco. Under Discussion:

(Board of Selectmen Meeting Minutes of May 26, 2015)

Mrs. Karabatsos appeared before the Board and stated that the State wanted the Housing Authority to build the proposed units and discussed the funding rounds and the possibility of more vouchers for Dracut residents. Mrs. Karabatsos stated that up to 70% will be Dracut residents receiving housing in the proposed project.

Ms. Richardson asked if the Housing Authority would have control over the proposed 13 units? Mrs. Karabatsos stated they would still have control over the list for 28 units and they are hoping for Veteran's preference as well.

Mrs. Karabatsos discussed building 40 units at one time with additional Community Preservation Committee funding.

Motion passed unanimously.

Article #21 – Mr. Duggan stated that the Warrant Article would be withdrawn.

Motion made by Mrs. Hughes to Recommend Dismissal of Warrant Article #21. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #22 – Mr. Duggan state that the Warrant Article would be withdrawn.

Motion made Mr. DiRocco to Recommend Dismissal of Warrant Article #22. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Article #23 – Mr. Duggan discussed the Warrant Article with the Board and stated that he had a great meeting with the Community Preservation Committee (CPC). Mr. Duggan stated that the first appraisal came in at 1.8 million and the second appraisal came in at 3 million. Mr. Duggan stated that the first appraisal lacked in many areas. Mr. Duggan stated that the CPC offered 2.5 million for the property and Mr. Richardson accepted the offer. Mr. Duggan stated that Town Counsel is working on a purchase and sale agreement.

Mrs. Helen Dunlap, Chairperson of the CPC, stated that she thought they would be amending the Warrant Article to include consulting.

Mr. Leo Gaudette, Town Moderator, appeared before the Board and stated that the way the Warrant Article is written it gives enough latitude that an additional amendment would not be needed.

Mrs. Dristiliaris left the meeting at 8:15 p.m.

Mr. DiRocco asked how the CPC voted on purchasing the property? Mrs. Dunlap discussed how the CPC voted with the Board.

(Board of Selectmen Meeting Minutes of May 26, 2015)

Mrs. Dristiliaris returned to the meeting at 8:17 p.m.

Mrs. Dunlap discussed an amendment on the Town Meeting floor for an additional \$200,000.

Motion made by Mr. DiRocco to Recommend Approval of Warrant Article #23. Motion seconded by Mrs. Hughes. Motion passed unanimously.

Article #24 – Mr. Duggan discussed the Warrant Article with the Board.

Mrs. Hughes asked if the Board needed to make a recommendation to dismiss this Warrant Article?

Mr. Gaudette stated that the Board did not have to make a recommendation to dismiss the Warrant Article.

Dr. Mike McNamara appeared before the Board and stated that he would be withdrawing the Warrant Article at Town Meeting.

Article #27 – Mr. Duggan reviewed the Warrant Article with the Board and stated that he recommends dismissal of the Warrant Article.

Motion made by Ms. Richardson to Recommend Dismissal of Warrant Article #27. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #32 – Mr. Duggan reviewed the Warrant Article with the Board and stated that Attorney Hall is working on straightening out any issues with Brox Industries.

Motion made by Ms. Richardson to Recommend Approval of Warrant Article #32. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Article #33 – Mr. John Brox, 1363 Broadway Road, appeared before the Board to discuss the proposed Warrant Article. Mr. Brox stated that he is petitioning to rezone 2 ½ acres of his property to a B3. Mr. Brox stated that the lots at 1489 & 1499 Broadway Road have been subdivided and would like to rezone from an R1 to a B3.

Mr. Edwards read from the Zoning By-Laws what could be built in a B3 zone.

Motion made by Mrs. Dristiliaris to Recommend Approval of Warrant Article #33. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #34 – Mr. Duggan reviewed the Warrant Article with the Board.

(Board of Selectmen Meeting Minutes of May 26, 2015)

Motion made by Mrs. Hughes to Recommend Approval of Warrant Article #34. Motion seconded by Ms. Richardson. Motion passed unanimously.

Article #35 – Mr. Mike Kuenzler and Mr. Peter Niarhos, the petitioners, appeared before the Board to discuss the proposed Warrant Article. Mr. Kuenzler stated that the Planning Board has recommended approval to rezone the proposed property from R2 to R3. Mr. Kuenzler discussed the proposed project and stated that the proposed units would be on the site located at the bottom of the golf course and would be a 55 and over project with tied in paths to the golf course.

Motion made by Mrs. Dristiliaris to Recommend Approval of Warrant Article #35. Motion seconded by Ms. Richardson. Under Discussion:

Ms. Richardson asked if this proposed project would be across from the storage units on Broadway Road? Mr. Kuenzler stated yes.

Mr. Kuenzler stated that there could possibly be approximately 48 units proposed with the project.

Mrs. Helen Dunlap, Chairperson CPC, appeared before the Board and stated that he CPC has been trying to salvage the proposed property over the years. Mrs. Dunlap stated that the property is one of Dracut's Historical Monuments and would hate to see it go.

Ms. Richardson asked if the family is still interested in selling the land to the CPC? Mrs. Dunlap stated that the family was not happy with the appraisal provided from the CPC.

Ms. Richardson stated that maybe Dracut Access Television could document the property before the removal of the dwelling for historical purposes.

Motion passed unanimously.

Ms. Richardson left the meeting at 8:41 p.m.

Special Town Meeting Warrant Article #1 – Mr. Duggan discussed the Special Town Meeting Warrant Article and discussed the FY15 deficit and free cash.

Mr. Richardson returned to the meeting at 8:42 p.m.

Mr. Duggan discussed the stabilization fund and free cash fund.

Mr. DiRocco asked why money would be taken out of the stabilization fund and stated that he is fearful when taking money out of the stabilization fund the fund becomes a target.

(Board of Selectmen Meeting Minutes of May 26, 2015)

Mr. Duggan stated that he is not setting a precedent by taking the money from the stabilization fund this is a case by case basis. Mr. Duggan explained that the money will be returned for the Fire Department and Department of Public Works.

Motion made by Mrs. Dristiliaris to Recommend Approval of Special Town Meeting Warrant Article #1. Motion seconded by Mrs. Hughes. Under Discussion:

Ms. Richardson stated that the Fire Chief is concerned about the funds being replaced. Ms. Richardson stated that free cash really isn't free and the need to hold people accountable and stated that the funds need to be replaced.

Motion passed unanimously.

\* Discuss and Vote on Summer Meeting Schedule – The Board discussed the upcoming summer meeting schedule. Ms. Richardson stated that she is respectfully requesting that there be two meetings in June.

Motion made by Mr. DiRocco to have Selectmen's Meetings on June 9, 2015, July 14, 2015 and August 11, 2015. Motion seconded by Mrs. Dristiliaris. Motion passed 4 to 1. Ms. Richardson voted opposed.

#### 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 would be reviewing the DVD regarding depression on June 16, 2015 at 2:00 p.m. in the Selectmen's Chamber in Town Hall. Ms. Richardson stated that the Work Group would be reviewing the DVD to put a presentation together.

\* Economic Development Committee – Mrs. Hughes stated that the Committee has been meeting with NMCOG and they are moving along well with the draft Economic Development Plan and the final Plan would be presented to the Board in the Fall.

#### COMMUNITY CALENDAR:

The Chairman read the information in the Community Calendar.

(Board of Selectmen Meeting Minutes of May 26, 2015)

ADJOURNMENT:

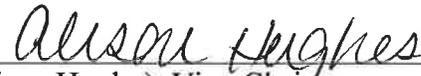
Motion made by Mrs. Hughes to adjourn the meeting. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

The meeting adjourned at 9:01 p.m.

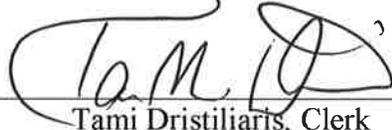
BOARD OF SELECTMEN



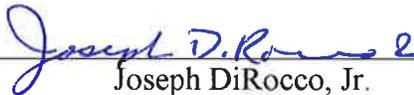
\_\_\_\_\_  
Tony Archinski, Chairman



\_\_\_\_\_  
Alison Hughes, Vice-Chairwoman



\_\_\_\_\_  
Tami Dristiliaris, Clerk



\_\_\_\_\_  
Joseph DiRocco, Jr.



\_\_\_\_\_  
Cathy Richardson