

BOARD OF SELECTMEN – MEETING OF JANUARY 8, 2013
HARMONY HALL

PRESENT – Cathy Richardson, Chairperson, Joseph DiRocco, Jr., George A. Malliaros, Clerk, Robert O. Cox, John J. Zimini, Dennis E. Piendak, Town Manager, Glen Edwards, Assistant Manager/Town Planner and Barbara Souza, Recording Secretary.

The meeting was called to order at 7:00 p.m. by the Chairman.

The Pledge of Allegiance was recited followed by a Moment of Silence being observed in honor of those who have given the ultimate sacrifice and for those currently serving, especially in Iraq and Afghanistan.

WARRANT – Motion by Mr. DiRocco and seconded by Mr. Malliaros, **it was unanimously voted to approve.**

APPOINTMENT/RECOGNITION- Dracut High School Fall Cheerleading Squad Accompanied by Tim Woods, Athletic Director. Mr. Woods addressed the board and expressed how honored they were to be invited here tonight. He noted that the cheerleading squad won the State Championship and the 2012 MIAA Athletic Sportsmanship award, an award that is given to one out of sixty teams each year. Following some additional comments, Mr. Woods introduced Brad Berlamachi who came forward and introduced all the cheerleaders who in turn came forward one at a time and gave a brief statement of their activities and accomplishments. Ms. Richardson, on behalf of the board, congratulated the girls and thanked them for coming here this evening.

Community Input: No one signed up.

Town Manager's Report – Unwanted Meds Disposal Kiosk -Mr. Piendak announced that a kiosk specifically designed for the disposal of unwanted medications has been placed within the lobby of the Dracut Police Department and is accessible to residents 24/7. Library Director – Nancy Malone-Hill has been selected to fill the position and will begin work on January 22nd and comes to us as the former director of the Boxford Town library. Staff Changes – Ms. Jill Laffin will be moving from the treasurer's office to the Board of Health to replace Dolly Lareau who recently retired; an upcoming posting will be coming forward for that position in the treasurer's office; there is also a retirement at the end of the month in the office at the library and there will be a posting for that. Abandoned Property – Mr. Edwards continues to work with the Attorney General's Abandoned Property initiative and reported that yesterday the Lowell Housing Court appointed CTI Youthbill Program as a receiver to rehab an abandoned property on Dana Court. Town Hall Project

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continues along with the architect; they expect to have the schematic design process completed by the end of the month; the Building Committee has scheduled a public information meeting at Harmony Hall on January 30th at 6:00 p.m. Harmony Hall Information – He has been advised by Historical Society members who care for this facility that in the year 2012, a total of 434 events were held in this complex and breaks down to 323 municipal and civic group meetings and 111 training sessions, private or other gatherings.

Public Comments re: Proposed Automated Trash Collection -

Rich Cowan, 12 Greenlawn Avenue stated he does not want to speak about this right now; he would like to hear from the recycling coordinator and then have the public be given an opportunity to speak after. He gave the board a copy of a schematic of a transfer center in Marshfield and also noted that a drop-off center just opened in Lowell and is open to Dracut residents.

APPOINTMENT – Matt Zettek, Recycling Coordinator re: Proposed Automated Trash Collection – Mr. Zettek began by saying that as the town's recycling coordinator, it is his job to find ways for the community to recycle more, reduce trash and save the town money. He has worked for the town for about twelve years and a number of initiatives have been implemented over those years; he continued to explain some of the programs. Mr. Zettek proceeded to explain the automated trash program and its cost savings. Every household will receive the same standard sized wheeled cart or trash barrel and it will be twice the size of the typical trash barrel you see out on the curb which is roughly 32-gallon size. The type we're talking about for the automated trash program is the 64-gallon size. He explained the various ways they have been reaching out to the public for their feedback.

Responding to some of the questions from the board, Mr. Zettek stated that there will be no fee for the first barrel; residents who would like a second barrel will be charged an additional fee (to be determined). One bulky household item per week, per household, will still be picked up at no charge to the resident. The only difference will be is the company will have to send out a different truck, other than the truck with the mechanical arms, to pick up the bulky items.

A series of questions were asked by board members to which Mr. Zettek responded. Much discussion followed.

Mr. Zettek said he feels this is really an appropriate program for Dracut; we are not taking the real drastic approaches that other communities are

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taking such as charging residents a user fee for each household that participates in the trash program and we are also not going with the “pay as you throw” program where people pay for every piece of trash.

Mr. Zimini asked why there is no single stream recycling program included. Mr. Zettek indicated that it may be included; the current recycling program we have is called the “dual-stream” which is all the paper related products can go into one container and then all the glass, metal, plastic, bottles and cans go into the other container. He said the “single-stream” program basically would be all of those materials would go into one type of container. When they go out for the procurement process, they will be seeking three types of proposals on the recycling side; one would be pricing for the current program, collecting it dual-stream at the curb; one would be collecting it single-stream but manually as they do it at present and then the third option they want to get pricing for is to go single-stream with an automated program. Discussion regarding single-stream and recycling continued.

Mr. DiRocco asked how many years the contract would be for to which Mr. Zettek replied that it would be a five-year contract and explained how a five-year would save the town money. A brief discussion continued.

Ms. Richardson asked if anyone from the public had any comments or questions. No one came forward.

Mr. Piendak said that he would like to see the board vote to endorse the program to move forward as he feels it is something the town should do.

Mr. Malliaros moved to endorse the program. Mr. Cox seconded the motion.

Under discussion, Mr. DiRocco said he feels a lot of headway has been made since this was first presented to the board; it’s not going to cost the residents any more from what it was costing them so he will therefore be speaking in favor of it.

Mr. Zimini said that he too was concerned about the cost and is glad to see there are no extra charges and also added that he is very interested in the single-stream recycling; he feels more people would be more apt to recycle if it was single-stream because there is not as much labor to it.

The motion to endorse the program passed unanimously.

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PUBLIC HEARING – Verizon New England & Mass Electric Company –
Joint Pole Petition/Pelham Road – Place one (1) Stub Pole –

Ms Richardson opened the public hearing by reading aloud the Abutter's Notice of Hearing and also noted that Mr. Buxton, DPW Director has reviewed the petition and is recommending approval.

Joseph Gleason, Right of Way Agent with Verizon New England addressed the board and explained that the request is to remove an existing guide wire tied to a dead tree at 335 Pelham Road and to set one stub pole.

There were no abutters recorded present to speak either in favor of or opposed to this petition.

Motion by Mr. Zimini and seconded by Mr. Cox, it was unanimously voted to close the public hearing.

Motion by Mr. DiRocco and seconded by Mr. Cox, it was unanimously voted to approve the petition.

PUBLIC HEARING/SPECIAL PERMIT – Four Oaks Real Estate Holdings, LLC,
80 Meadow Creek Drive-Application to Amend Special Permit #11-1
To allow for an increase in size of the clubhouse, a proposed 61X30 ft. patio
and a proposed basement level pro-shop –

Ms. Richardson opened the public hearing by reading aloud the Notice of Public Hearing that appeared in the Lowell Sun on Tuesday, December 25, 2012 and January 1, 2013.

Attorney George C. Eliades addressed the board on behalf of the applicants, Four Oaks Real Estate Holdings, LLC. He introduced the principle owners of Four Oaks namely Cindy and Mike Kuenzler and Peter and Tina Niarhos and indicated that the new owners have some great plans on what will happen in the future at that location and said they are aware of the many other obligations including the issues with the wells and water situation. Through the bankruptcy court, where the right to take over this project comes, they have also assumed the right to the landscape irrigation bond that is still being held by the town as surety for anyone who has any water problems. Attorney Eliades continued to say that a peer review meeting was held regarding all the plans and feels they were all looked upon favorably; he said the owners are looking to make some changes to make a better clubhouse and a better opportunity for the townspeople.

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Mike Kuenzler addressed the board and commented on how appreciative they are for all the help and support they received from the Selectmen and the town. Mr. Kuenzler, demonstrating on the design plan, proceeded to point out and explain the anticipated changes to the clubhouse and the function banquet hall and said that by opening it up and making it larger, they are hoping to accommodate more functions and more weddings. Following Mr. Kuenzler presentation, Attorney Eliades said he feels this is something the town will be proud of and thanked all the departments for their help along the way.

Mr. Edwards said they had a departmental review meeting and there were really only two things that he wanted to clear up before the board voted on this.

The first was the original site plan where it still showed the trailer and walkways on it; they were asked to remove those; Mr. Edwards said they have been removed so the plan of record, which would be the first condition, would be the plan of January 3rd, 2013. He said the second is that the money is in place if there is a dispute over someone having a problem with their well; the idea is that a service company is supposed to go out and determine if the golf course is causing the well problem or maybe it's just something else. He has asked the applicant, as per the agreement that is part of the previous special permit, that they have an ongoing contract, 24 - 7, that if someone has a well problem they can get on out there so that people aren't stuck without water and to also determine whether the golf course may have had an impact or not. Mr. Edwards said he would request that if the applicants do not have a contract set-up at this point, that the board consider putting a condition in the permit and they are not given an occupancy permit until they have a standing contract with a firm. Other than that, he has no other issues.

Attorney Eliades indicated that Mr. Kuenzler has been dealing with the Skilling's Company and the people who were involved in getting that particular item were on vacation last week and couldn't produce anything. They had hoped to have it for tonight and said he has no problem with putting it as a condition.

Abutters Speaking In Favor –

- Matt Buxton, 11 Cedar Creek Drive
- Richard Ducharme, 189 Jones Avenue
- Bill Sullivan, 19 Schiripo Way
- Rich Bradley, 6 Cedar Creek Drive

No one spoke in opposition.

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Motion by Mr. Zimini and seconded by Mr. DiRocco, **it was unanimously voted to close the public hearing.**

Mr. Zimini moved to approve the special permit application with all the stipulations outlined by town staff and that the permit be signed upon preparation by staff as opposed to bringing it back in two weeks. Mr. Malliaros seconded the motion.

Under discussion, Mr. DiRocco said it was gratifying to hear that everyone who came here tonight was all positive and shows they have a lot of confidence for what is going on; it's good for Dracut.

Mr. Cox said he firmly believes that if anyone can make a project of this magnitude work, its Mike Kuenzler and his partners.

The motion to approve passed unanimously.

AGENDA ITEMS: Kevin Richardson, Chief of Police – Request for approval of Stop Sign Locations –

1. Hurley Avenue @ Intersection New Boston Road;
2. Arlington Street @ Intersection of Methuen Street.

On a motion by Mr. Zimini and seconded by Mr. Cox, **it was unanimously voted to approve both locations.**

Alcoholic Beverages Control Commission – Population Estimates for Seasonal Licenses in 2013 -

On a motion by Mr. Cox and seconded by Mr. Malliaros, **it was unanimously voted that the temporary increased resident population of Dracut as of July 10, 2012 will be zero.**

OTHER ITEMS FOR DISCUSSION – Whether to vote to purchase the two parcels of land; one at 144 Greenmont Avenue and the other at 1530 Bridge Street. Source of funds for purchase to come from affordable housing revenue account in the Community Preservation Fund.

Ms. Richardson commented that this was voted on at Town Meeting in November.

Mr. Zimini stated that due to of a possible conflict of interest because of where he works and deals in affordable housing, this project could be impacted in his work so he will abstain from voting and remove himself from any discussion.

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With regard to the Bridge Street property, Mr. DiRocco commented that he believes in the will of the people; Town Meeting authorized us to be able to purchase that piece of property. He is a little concerned about some of things that got said, one of which by Ken Martin that we haven't gotten any housing money since 1995; they did get money in 2009 but Mr. Martin, Cunha and Surprenant voted to give three million back to the State. Mr. DiRocco continued to say that another thing that upsets him a little bit is that during a meeting before town meeting, Mr. Bond was in the room and he was making quite a bit of noise and was telling people that he (DiRocco) didn't tell the truth about the subcommittee meeting, which is not true. The problem is that some of this is becoming personal. Mr. Bond was telling people that "they beat Joe DiRocco" and said "it is not about me", it should be what's best for the seniors. As far as what is going on tonight, he is not sure how he is going to vote; he would like to hear what the board has to say and then make a decision.

Mr. Cox said the biggest issue he has with this is there is no funding mechanism in place and said no one seems to know where the money is coming from to develop the property if it is purchased. He said that is a real concern, especially with the way the Town of Dracut (DHCD) handled the whole Louisberg Square fiasco.

Following some comments by Mr. Malliaros, he said he would like to see housing for seniors; he feels Mr. Cox and Mr. DiRocco had worked so hard to land that project and feels it was a bitter pill but feels we have moved past that. He said the people at town meeting voted for this and agrees we need senior housing; hopefully our State Representative and Senator can urge the State to come forth with more money the way they did in the past and we can get some housing built out there. Mr. Malliaros said he supports this one hundred percent.

Mr. DiRocco commented that he just finds it hard understanding why we've stayed on this piece of land since '09 and feels we have all thought of other parcels that might have been better.

Ms Richardson, in summing up, said we have the information from town meeting which basically gives us the authority to purchase so at this point we need a motion and noted that a motion was prepared by Town Counsel.

Mr. Malliaros moved to purchase for \$650,000 a 17.31 acre parcel of land, more or less, at 144 Greenmont Avenue, Dracut, MA Assessor's Map 47, Lot 249, also known as Richardson Farm, and to purchase for \$207,000 another .94 acre parcel, more or less, Assessor's Map 47, Lot

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115 at 1530 Bridge Street, Dracut, MA. The Board of Selectmen, on behalf of the Town, are purchasing these properties for affordable housing purposes and this purchase shall be funded by a transfer from the certified available balance on deposit in the Affordable Housing Reserve Account in the Community Preservation Fund. The motion was seconded by Mr. Cox.

Under discussion, Mr. Malliaros noted that Community Preservation funds were used to develop the Dillon/McAnespie Park and feels it is about time we spend money on the seniors and affordable housing and said that is just another reason why the townspeople, in their wisdom, voted for this and why we should endorse it.

Ms. Richardson added that the message she heard at town meeting was that the people were in favor of this project and the housing people have been very supportive of it so she certainly will support this. Hopefully we are able to get funding for housing because that is a huge issue and she would also like to see us get 60-units in there as was suggested.

Mr. DiRocco commented that it is a tough piece of property but hopefully everything will go well; he is sure that anything can be done on almost any site, it is just at what cost.

Debra DeWitt, member of the Housing Authority, commented that she realizes there is a real concern for funding and noted that she personally will do anything she can to assist Mary Karabatsos (Housing Director). She feels more will get done if everyone works together on these projects instead of fighting over issues and do what is in the best interest of the town. A brief discussion continued.

The motion passed unanimously (4-0).

(Mr. Zimini returned to the meeting).

Substance Abuse Task Force – Ms. Richardson offered a quick update noting that on January 10th at 10:00 a.m. at the Police Training room, they will be doing an Opiates Task Work Shop and said all town employees are invited.

Old Business – Town Charter – Mr. Edwards noted that representatives from the Collins Center will be attending the February 12th meeting. Also to be discussed at that meeting will be the Town Manager search.

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Parker Grill/Broadway Road – Mr. DiRocco noted that the board is in receipt of a letter from the owner of the Parker Grill Restaurant that they have surrendered their liquor license and have closed their doors. Noting that it is tough out there for businesses due to the economy, Mr. DiRocco urged people to try and support our local businesses rather than going out of town. A brief discussion continued.

The Chairman read the Community Calendar at this time.

ADJOURNMENT – On a motion by Mr. Cox and seconded by Mr. DiRocco, **it was unanimously voted to adjourn at 8:30 p.m.**

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Cathy Richardson, Chairperson

Joseph DiRocco, Vice-Chairman

George A. Malliaros, Clerk

Robert O. Cox

John J. Zimini