

**Board of Selectmen
Minutes of November 10, 2015
Selectmen's Chamber, Town Hall**

Present: Tony Archinski, Chairman, Alison Hughes, Vice-Chairwoman, Tami M. Dristiliaris, Clerk, Cathy Richardson, Jim Duggan, Town Manager, Attorney James Hall and Recording Secretary Shannon Rowe Beaulieu

Absent: Joseph DiRocco, Jr.

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. Ms. Richardson asked for the moment of silence to also include the Zarak Family and Mr. Archinski asked for the moment of silence to also include all Veteran's.

COMMUNITY INPUT:

* Dr. Jolly Aujla, 209 Jones Avenue – Dr. Aujla appeared before the Board and stated that he is a Director of Medicine and moved his family here from Alabama. Dr. Aujla discussed the Dracut farmland and stated that he just heard about the proposed pipeline and compressor station. Dr. Aujla discussed the health consequences, health issues due to lead and other chemicals in the air. Dr. Aujla discussed the proposed compressor station being close to the Campbell School and the possible health issues to for the students. Dr. Aujla stated that the neighbors and he have hired an Attorney and discussed the proposed pipeline not being needed. Dr. Aujla asked the Board what side they were on?

* Mr. Lawrence Panfil, 17 Cart Path Road – Mr. Panfil appeared before the Board and discussed the October 20, 2015 Lowell Sun article regarding the compressor station and stated that the neighbors have concerns, questions and fears. Mr. Panfil stated that the neighborhood has young children and would be degraded. Mr. Panfil stated that their homes and children's health still matter. Mr. Panfil requested that the Board ask FERC to start a new docket number for the new proposed area, requested the Town hire an Attorney and discussed the blasting at Brox Industries.

* Mr. Tom Berube, 270 Wheeler Road – Mr. Berube appeared before the Board and stated that he is greatly affected by the new proposed pipeline and stated that proposed meter station and access road is near his home. Mr. Berube asked how would his home be protected? Mr. Berube discussed the letter to FERC from the Town Manager of Merrimack, NH. Mr. Berube asked questions regarding the access road and stated that the proposed situation is very upsetting. Mr. Berube requested that the Board submit information to FERC to help residents who are affected.

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* Anna Corey, 215 Jones Avenue – Mrs. Corey appeared before the Board to discuss the proposed compressor station and meter station issues. Mrs. Corey discussed the Kinder Morgan meeting held last week and stated that they only showed maps that did not show the proposed stations. Mrs. Corey stated that Kinder Morgan never discussed station size, etc., during their meeting. Mrs. Corey stated that residents did not have a chance to ask about the proposed stations during the Kinder Morgan meeting and stated that they deliberately mislead residents at their meeting. Mrs. Corey requested that the Board please place on their agenda to discuss the proposed stations issues and questions. Mrs. Corey also asked the Board and the public to join them at the public information session at Harmony Hall on November 22, 2015 from 1:00 p.m. to 4:00 p.m.

* Brian Levesque, 45 Jones Avenue – Mr. Levesque appeared before the Board and stated that he did not realize the implications of a compressor station and asked the Board to join in the efforts in opposing this proposal. Mr. Levesque stated that he asked questions at the Kinder Morgan meeting regarding a compressor station but they had no answers. Mr. Levesque stated that he would hate to see the devastation of what the impact of these stations do. Mr. Levesque discussed the health impact, noise pollution, etc.

* Cindy Benedict, 75 Sesame Street – Ms. Benedict appeared before the Board and wanted to publicly thank Jim Duggan, Town Staff and Tom Bomil for taking care of the issue with the dwelling at 91 Sesame Street. Ms. Benedict stated that now that the dwelling has been demolished the neighborhood can sell their homes, etc. Ms. Benedict stated that Mr. Duggan is a great addition to the Town.

* Rich Cowan, 12 Greenlawn Avenue – Mr. Cowan appeared before the Board and commented on the Joint Budget Task Force Committee's final document. Mr. Cowan stated that the document raises questions on how to proceed. Mr. Cowan gave suggestions on requesting additional budget requests, chargebacks, enrollments, new construction, the amount of renovations and public facilities.

PUBLIC HEARING:

* Annual Classification and Taxation of Property According to Use Hearing – Mr. Archinski read the public hearing notice. Ms. Kathleen Roark, Chief Assessor and Mrs. Ann Vandal, Assessor, appeared before the Board and discussed the FY16 annual classification and taxation of property. Mrs. Vandal discussed the class and figures, breakdown by class, percent of levy, history of percent of levy from FY02-FY16 and the FY15 classification hearing of other Communities. Mrs. Vandal stated that she recommends a single tax rate going forward.

Ms. Richardson discussed a number of business owners who also live in Town.

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No one spoke for or in opposition of the annual classification and taxation of property according to use hearing.

Motion made by Mrs. Hughes to close the public hearing. Motion seconded by Ms. Richardson. Motion passed unanimously. Motion made by Mrs. Dristiliaris to approve a single tax rate. Motion seconded by Mrs. Hughes. Motion passed unanimously.

TOWN MANAGER'S REPORT – Mr. Duggan stated that Mrs. Hughes presented Julie Sheehan with a citation for her 19 years of service to the Town today. Mr. Duggan stated that Ms. Sheehan worked at the Library and her last day of work was today. Mr. Duggan stated that the Dracut Reads program was very successful. Mr. Duggan stated that 131 Avis Avenue will be auctioned off by the bank and the Veteran's Day services will be held at 8:00 a.m. tomorrow at the Dracut American Legion. Mr. Duggan stated that Rebecca Ferreira, Veteran's Service Officer, has started a reading program for first graders regarding Veteran's. Mr. Duggan stated that the Mathew Boule park signs are up and the Monahan restrooms would be substantially completed next week. Mr. Duggan stated that they would be submitting the initial grant for the RECC and the Assisted Living facility has received approval from the Planning Board and Conservation Commission. Mr. Duggan stated that they have secured Municipal Aggregation and discussed the winter and summer rates. Mr. Duggan stated that he would be creating a commercial to be shown on Dracut Cable Access with Good Energy to explain to residents how Municipal Aggregation works.

Ms. Richardson stated that she would like an update at the next meeting on the Veteran's Park Concession Stand account balance. Mr. Duggan stated that no money has come into the account and all expenditures from the account are for the park.

Ms. Richardson stated that she is thrilled that 91 Sesame Street has been finally taken care of.

Mr. Archinski stated that the Veteran's Day ceremony has been moved to the Dracut American Legion tomorrow at 8:00 a.m.

Mrs. Hughes stated that six Veterans were reading to first graders today.

FIRE CHIEF'S REPORT:

Chief Brouillette appeared before the Board and introduced Firefighter Justin George who is a five year Veteran and just returned from Afghanistan in July. Chief Brouillette stated that the Fire Department responded to 301 calls last month and area completing training on foam operations and EMT training. Chief Brouillette stated that Engine 3 is now in service.

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Ms. Richardson asked about blasts from Brox Industries which occurred at 3:08 p.m. yesterday and 1:34 p.m. on October 27, 2015. Chief Brouillette explained that all of the blasts are conducted within the State requirements and there are Fire Department details at all blasts. Ms. Richardson stated that she would like the Chief and the Town Manager to visit with Brox Industries regarding the recent blasts.

AGENDA ITEMS:

* Discuss and Vote on Conservation Restriction from Constance Richardson, Nashua Road – Mr. Duggan stated that this gift to the Town equals millions of dollars. Mr. Duggan discussed the conservation restriction allowing the property to be maintained as farmland. Mr. Duggan stated that the property being donated is 18.77 acres at 165 Nashua Road and can continue to be actively farmed and hayed.

Mrs. Dristiliaris asked why the conservation restriction was granted to the Dunstable Land Trust and not the Dracut Land Trust? Mrs. Helen Dunlap, Member of the Dracut Land Trust, appeared before the Board and gave a history of how the restriction came about. Mrs. Dunlap explained that the land must have two individual owners; one to own the property and one to protect the property. Mrs. Dunlap stated that the Dunstable Land Trust will own the property and the Dracut Land Trust will protect the property. Mrs. Dunlap stated that with the land having a conservation restriction; the alternate forms of agriculture allows only haying and the property is only to see, there will be no public access. Mrs. Dunlap stated that this is a great day for the Town and land preservation.

Mrs. Dristiliaris thanked Mrs. Dunlap and thanked Mrs. Richardson for her donation.

Mrs. Hughes thanked Mrs. Richardson for her donation.

Mr. John Sandelli, Member of the Dracut Land Trust, appeared before the Board and stated that he is really pleased to be able to participate in this donation. Mr. Sandelli stated that this land is always going to be here.

Mr. David Tully, Member of the Dunstable Land Trust, appeared before the Board and stated that he is honored and was shocked to be able to hold a piece of this property. Mr. Tully stated that the Dunstable Land Trust has done very well, they have no debt and there is no property as visible at this property.

Mr. Archinski explained that there is a feeling of being in the country with this parcel.

Ms. Cathy Richardson stated that this donation exemplifies the legacy of this family.

Motion made by Mrs. Hughes to approve the Conservation Restriction for 165 Nashua Road. Motion seconded by Ms. Richardson. Motion passed unanimously.

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* Announcement of MassWorks Grant – Mr. Duggan stated that they were successful in receiving a MassWorks Grant of \$960,000 for Phase 1 of improving the intersection of Loon Hill Road and Broadway Road. Mr. Duggan thanked the Board and the State Delegation for all of their support.

* Mario Pereira & Hector Casasola – Request to Transfer Special Permit #09-4 from Mario’s Corp. to Hector Casasola d/b/a Mario’s Auto Repair and Sales at 1336 Merrimack Avenue – Mr. Pereira appeared before the Board to request the Special Permit be transferred to Hector Casasola. Mr. Pereira discussed the issues he is having with the Corporation and stated that his accountant suggested that he transfer the Special Permit until all of the Corporation issues are settled.

Motion made by Ms. Richardson to Transfer Special Permit #09-4 to Hector Casasola d/b/a Mario’s Auto Repair and Sales. Motion seconded by Ms. Dristiliaris. Motion passed unanimously.

* Daphne Gill – Requesting Re-Appointment as a Bonded Constable – Motion made by Mrs. Dristiliaris to Re-Appoint Daphne Gill as a Bonded Constable. Motion seconded by Ms. Richardson. Motion passed unanimously.

* Acceptance of Donation from the Conservation Commission for the Peer Review at 231 Wheeler St/Poppy Lane – Motion made by Mrs. Dristiliaris to accept the donation for the peer review at 231 Wheeler St/Poppy Lane. Motion seconded by Ms. Richardson. Motion passed unanimously.

* Approval of Licenses for 2016 – Mr. Duggan requested that the approval of licenses be tabled until the next meeting.

Motion made by Mrs. Hughes to Table the Approval of Licenses for 2016 until November 24, 2015. Motion seconded by Ms. Richardson. Motion passed unanimously.

Ms. Richardson stated that the Police Chief usually provides a recommendation letter as well.

* Discuss and Vote on Memorandum of Agreement with Public Employees Coalition – Mr. Duggan discussed the Group Insurance Commission (GIC) and discussed the Tufts PPO plan changing to a POS plan. Mr. Duggan discussed his memorandum to the Board dated November 5, 2015 and the negotiation of the Flexible Spending Account.

Motion made by Ms. Richardson to Accept the Memorandum of Agreement with the Public Employee Committee. Motion seconded by Mrs. Hughes. Motion passed unanimously.

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* Discuss and Vote on Town Manager's Employment Compensation under His Agreement – Mr. Archinski stated that the Board recently evaluated the Town Manager as part of his Employment Agreement. Mr. Archinski read the Town Manager's Employment Agreement that discusses evaluations and compensation.

Ms. Richardson stated that Selectmen DiRocco is not present for tonight's meeting and the Town Manager's compensation should be discussed with the entire Board.

Mr. Archinski stated there is no need for an Executive Session as the Board is not negotiating benefits and stated that the Board does not need Selectmen DiRocco to make the compensation decision.

Ms. Richardson stated that Selectmen DiRocco's opinion matters as all five Board members are Mr. Duggan's boss.

Mrs. Hughes stated that the Board does have a quorum but she agrees that all five Board members should be in attendance.

Mrs. Dristiliaris stated that she was ready to vote on the Town Manager's compensation tonight.

Mrs. Hughes stated that Mr. Duggan does a great job and she was glad to hear some of the resident's feedback tonight regarding Mr. Duggan.

Attorney Hall stated that the Town Manager's compensation is the Board's decision and it could be retroactive from July 1st or any date the Board would want.

Motion made by Mrs. Dristiliaris to increase the Town Manager's salary 2% retroactive from July 1st, 2015. Mr. Archinski gave the gavel to Mrs. Hughes and seconded the motion. Under Discussion:

Ms. Richardson stated that a 1% salary increase would be good.

Mrs. Dristiliaris stated that the 2% salary increase is conservative.

Mr. Archinski stated that he likes the Town Manager and wants to keep him here. Mr. Archinski stated that the Town Manager has made the investment and has moved here. Mr. Archinski discussed the Town Manager's salaries in the surrounding Communities.

Ms. Richardson stated that she cares about Dracut and is not concerned about the other Communities. Ms. Richardson stated that Dracut has significant financial challenges and a 1% salary increase with the car this year, in her opinion, is more than fair.

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Mrs. Dristiliaris discussed what the Town Manager is bringing into Dracut with the Assisted Living facility and businesses and stated that a 2% salary increase is a start.

Mrs. Hughes stated that she thinks the Town Manager deserves a raise, discussed him receiving a car and Mr. Duggan moving the Town forward in the last 18 months.

Motion passed 3 to 1. Ms. Richardson voted No.

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.

NEW BUSINESS – There was no new business to discuss.

SUB-COMMITTEE REPORTS:

* Joint Budget Task Force (JBTF) – Mrs. Hughes stated that the JBTF has wrapped up their six month charge on November 4, 2015 and stated that the final report is available and would be distributed to the Boards. Mrs. Hughes stated that the Board of Selectmen would be reviewing the final report on November 24, 2015.

* Pipeline Coalition – Ms. Richardson stated that the Coalition met here at Town Hall on November 9, 2015 and there was a great turnout. Ms. Richardson discussed residents starting to hire Attorney's and discussed hiring an Attorney from the Town to help residents. Ms. Richardson discussed Mr. Berube's property and the letter from the Merrimack, NH, Town Manager, sent to FERC. Ms. Richardson stated that she could draft a letter like the Merrimack, NH, letter and place it on the Board's agenda the first meeting in December. Ms. Richardson discussed the five competing pipeline projects which is more than what is needed and discussed creating a letter to FERC requesting that they look at all five projects in their entirety as they are all not needed. Ms. Richardson discussed the Townsend, MA, letter the Coalition sending a letter as well.

Ms. Richardson stated that Kinder Morgan promised design specification of the proposed compressor station and would like the Town Manager to send them a friendly reminder for the specifications.

Ms. Richardson discussed the hybrid route going through the Mass Pike.

Ms. Richardson discussed the Board of Health needed baseline environmental's and the need for the baselines to be documented. Ms. Richardson discussed cancer, asthma, etc. rates being documented as well.

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Ms. Richardson stated that the proposed FERC filing date is November 20, 2015.

Ms. Richardson discussed having a Campbell School evacuation plan and being proactive with the proposed compressor station being so close to the Campbell School.

Ms. Richardson stated that there are two upcoming public meetings one on November 12, 2015 at 6:00 p.m. at the Pelham Town Hall and the other on November 22, 2015 at 1:00 p.m. at Harmony Hall.

Ms. Richardson discussed Article 97 and land being taken for the proposed pipeline at the Otis State Forest.

* Healthy Communities Committee – Ms. Richardson stated that the Committee would be having a presentation on Depression in January and they are discussing putting together an Opiate documentary for Dracut.

APPROVAL OF MINUTES:

Motion made by Mrs. Hughes to approve the Minutes of October 22, 2015 Tri-Board Meeting. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

COMMUNITY CALENDAR:

The Chairman read the information in the Community Calendar.

ADJOURNMENT:

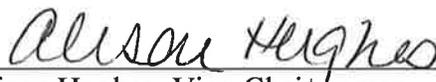
Motion made by Mrs. Dristiliaris to adjourn the meeting. Motion seconded by Mrs. Hughes. Motion passed unanimously.

The meeting adjourned at 8:50 p.m.

BOARD OF SELECTMEN

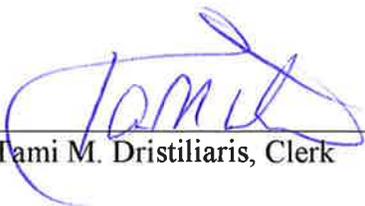


Tony Archinski, Chairman



Alison Hughes, Vice-Chairwoman

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Tami M. Dristiliaris, Clerk

ABSENT

Joseph DiRocco, Jr.



Cathy Richardson