

**Board of Selectmen  
Minutes of September 22, 2015  
Selectmen's Chamber, Town Hall**

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

The Chairman opened the meeting at 7:00 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:

\* Mrs. Caroline Zuk, 100 Old Parker Road – Mrs. Zuk appeared before the Board and discussed the front page article in yesterday's Lowell Sun by Todd Feathers. Mrs. Zuk discussed FERC and transparency being maintained. Mrs. Zuk discussed the Department of Public Utilities position and thanked Mr. Feathers for his article. Mrs. Zuk stated that transparency is key and it is up to the Legislature to protect their residents. Mrs. Zuk stated that the next Pipeline Awareness Group meeting will be held on September 24, 2015 at 7:00 p.m. at Harmony Hall.

\* T.J. Cooper, 120 Starr Ave, Tewksbury, MA – Ms. Cooper appeared before the Board and stated that she is a part-time Dispatcher in Dracut and she is against the RECC plan. Ms. Cooper discussed loss of jobs, less staff at the RECC and taking dispatching out of the Community. Ms. Cooper discussed new equipment and stated that the Dispatchers are against joining the RECC.

\* Leo McMahon, 215 Lexington Road – Mr. McMahon stated that there has been talk about the Board reconsidering joining the RECC. Mr. McMahon stated that he wanted to make sure the Firefighters stance is clear. Mr. McMahon stated that if Firefighters remains in the dispatching roles the Town would need to hire additional Firefighters. Mr. McMahon discussed staffing and technology currently not being in a good place and stated that the Board needed to think about the investment in equipment and staff.

TOWN MANAGER'S REPORT – Mr. Duggan stated that the 2<sup>nd</sup> quarter tax bills are going out, the recap/revaluation is underway to certify the tax rate, the outside auditors will be in the next couple of weeks and a new Police Officer is starting at the Academy. Mr. Duggan stated that the sewer pump stations now have visual alarms and the Skateboard Park will close after Columbus Day weekend. Mr. Duggan stated that the Committee will meet and evaluate the future of the Skateboard Park over the winter. Mr. Duggan stated that the Department of Public Works is currently paving Primrose Hill Road, Parker Road and Indian Hill Road.

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Mr. Duggan stated that the construction of the Monahan Field bathrooms is underway and the bids for the demolition of the Lakeview Avenue buildings are due on October 10, 2015. Mr. Duggan stated that Town Meeting Warrant Articles have been submitted for the November Town Meeting.

Mr. Edwards discussed Municipal Aggregation and stated that they have received positive responses. Mr. Edwards stated that they have done tremendous outreach and have advertised on WCAP and WBZ. Mr. Edwards discussed the opting out process. Mr. Edwards stated that they have also advertised in the Lowell Sun and the goal is to be wrapped up before winter.

Mr. Duggan stated that tonight would be Mr. Edwards last meeting after 37 years with the Town. Mr. Duggan stated that he has great respect for Mr. Edwards and stated that he has made a great impact in the Community. Mr. Duggan thanked Mr. Edwards for his hard work and many years of service.

Mr. Duggan stated that Mr. Edwards's position was advertised and he has offered the position to Elizabeth Ware who is the Planner in Westin. Mr. Duggan stated that Ms. Ware will be starting on Monday.

Ms. Richardson asked what Ms. Ware's title would be? Mr. Duggan stated that Ms. Ware will be the Community Development Director for the Town.

Mr. Archinski asked when the land auction would be held? Mr. Duggan stated that the auction would be October 24, 2015 at 1600 Lakeview Avenue at 10:00 a.m.

Mr. Archinski asked about the previous dedications of the meeting rooms in Town Hall. Mr. Duggan stated that he has the plaques they just need to be installed in the meeting rooms.

Mrs. Dristiliaris commented on the outside work being completed at Town Hall. Mr. Duggan stated that they should be done with work within the next 14 days.

FIRE CHIEF'S REPORT – Chief Brouillette appeared before the Board and thanked everyone for the help his Department received during Firefighter Mahoney's funeral services. Chief Brouillette stated that the Fire Department went to 287 calls last month and discussed the different calls. Chief Brouillette stated that the Department is currently training in company operations, hazardous training and EMT training. Chief Brouillette introduced Firefighter Matthew Silva to the Board and stated that October is Fire Prevention Month and reminded residents to change their batteries in their smoke and carbon monoxide detectors. Chief Brouillette discussed the Assistance to Firefighters Grant they received and stated that he has an example of the new self-contained breathing apparatus at the Fire Station if anyone would like to stop by and see it.

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Chief Brouillette stated that the final fittings are going on Engine 3's replacement and the new truck should be delivered in early October. Chief Brouillette thanked the Board for their unanimous vote in joining the Regional Emergency Communication Center (RECC) and respectfully requested the Board continue to support joining the RECC.

AGENDA ITEMS:

\* Agricultural Commission – Requesting Permission to put “Dracut Right to Farm Community” Signs at Specific Locations – Mr. Daniel Berube, Member of the Agricultural Commission, appeared before the Board and discussed the Right to Farm By-Law. Mr. Berube stated that many Communities have also created a Right to Farm By-Law and many Communities have placed signs along their Town lines. Mr. Berube presented the Board with the “Dracut Right to Farm Community” signs and requested that the Board allow them to be placed in specific locations.

Mrs. Dristiliaris asked how the signs would be installed? Mr. Berube stated that Department of Public Works would be installing the signs.

Ms. Richardson stated that she is thrilled about the signs as many Towns are doing this.

Mr. Berube stated that the Right to Farm By-Law shows the Community that Dracut is a Town that respects farming and residents being good neighbors to farms.

Ms. Richardson discussed the New Sustainable Entry farm on Jones Avenue.

Motion made by Mrs. Dristiliaris to allow the “Dracut Right to Farm Community” signs to be placed at specific locations by the Department of Public Works. Motion seconded by Ms. Richardson. Motion passed unanimously.

\* Andrea Leaver, Back to the Boathouse – Requesting a One-Day Beer & Wine License, October 18, 2015 from 12:00 Noon to 6:00 p.m. – Ms. Andrea Leaver appeared before the Board to request a one day outdoor beer and wine license for a shopping event. Ms. Leaver stated that the event would be held on October 18, 2015 from Noon to 5:00 p.m. Ms. Leaver stated that she would be setting up tents in the front parking lot and all proceeds will be donated to the 50 Legs Charity.

Motion made by Ms. Richardson to approve the One-Day Outdoor Beer and Wine License on October 18, 2015 from Noon to 5:00 p.m. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

\* Approve and Vote on Statement of Facts for Special Permit #15-1, Holton Street Auto Body, Inc., 2111-2125 Bridge Street – Mr. Edwards stated that the Board approved the Special Permit at their last meeting and they now have to approve the Statement of Facts for the Special Permit.

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Motion made by Mrs. Hughes to approve the Statement of Facts dated September 22, 2015 with 9 Stipulations. Motion seconded by Mr. DiRocco. Motion passed unanimously.

\* Lakeview Gas Station, Inc. d/b/a Jay's Mart – Requesting a Change of Manager from Arvindkumar M. Patel to Jayeshkumar A. Patel – Attorney Brian Akashian appeared before the Board to request a Change of Manager at Jay's Mart. Attorney Akashian stated that Arvindkumar Patel is currently the Manager and would like his son, Jayeshkumar Patel, to be the Manager. Attorney Akashian discussed Jayeshkumar Patel's work history and stated that there have been no issues at Jay's Mart.

Motion made by Mrs. Dristiliaris to Change the Manager at Lakeview Gas Station, Inc. d/b/a Jay's Mart to Jayeshkumar Patel. Motion seconded by Mrs. Hughes. Motion passed unanimously.

\* Rebecca Duda – Discuss Joseph Varnum Day Award Nomination Procedures – Mr. Archinski stated that Ms. Duda could not attend tonight's meeting and this would be placed on the next agenda. Ms. Richardson stated that she met with Ms. Duda yesterday regarding the updated procedures.

\* Kevin Richardson, Chief of Police – Stop Sign Request for Mullen Lane at Patricia Lane – Motion made by Mrs. Hughes to approve the Stop Sign Request for Mullen Lane at Patricia Lane. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

\* Raymond Cote – Requesting Appointment as a Bonded Constable – Motion made by Mrs. Dristiliaris to Appoint Raymond Cote as a Bonded Constable. Motion seconded by Ms. Richardson. Motion passed unanimously.

\* Selectman Joseph DiRocco, Jr. – Discuss Regional Emergency Communication Center (RECC) in Lieu of Chelmsford Recent Vote – Mr. Archinski stated that his Employer represents the Dracut Dispatchers Union and would be handing over the Chairmanship to Mrs. Hughes during this discussion. Mr. DiRocco stated that when this was originally discussed 3 Towns were joining the RECC and now only 2 will be. Mr. DiRocco stated that he requested an update of actual costs now with only 2 Towns joining the RECC and he just received a "draft" of the updated costs.

Mr. Duggan stated that there were slight changes with the "draft" presented at tonight's meeting. Mr. Duggan stated that there would be \$187,783 in savings and they will continue to maintain control in the RECC. Mr. Duggan stated that NMCOG would bring the 2 Communities together and discussed what is needed to move forward.

Mr. DiRocco asked about the need to add personnel to the stations?

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Mr. Duggan stated that the Fire Department has an Administrative Assistant during office hours and cameras will be installed at the stations with call boxes to the RECC if personnel are not available at the stations. Mr. Duggan stated that the Police Department would need to hire one full time civilian. Mr. Duggan stated that the Record Keeper at the Police Department would move to a full time position and a part time position would be added for the off hours. Mr. Duggan stated that the Superior Officer would be at the station late nights watching the prisoners.

Mr. Duggan discussed the cameras and call boxes to the RECC. Mr. Duggan stated that the additional full time position at the Police Department would cost approximately \$56,000.

Ms. Beverly Woods from NMCOC appeared before the Board and stated that the square footage of the RECC would be less with only the 2 Communities joining the RECC. Ms. Woods stated that there would be 4 Dispatchers and 1 Supervisor on during the day, 3 Dispatchers and 1 Supervisor on late night and 1 Director and 1 Administrative Assistant hired for the RECC.

Ms. Woods stated that there would be additional incentives for Communities to join the RECC in the future. Ms. Woods stated that a new facility would still need to be built and Tewksbury would be providing the land. Ms. Woods stated that GPS would be placed in public safety vehicles and there would be no cost to the Communities for the construction of the new building. Ms. Woods stated that this is a great opportunity for the Town.

Mrs. Hughes stated that she and Selectman DiRocco visited an RECC today and they had a lot of questions for the RECC Director. Mrs. Hughes stated that the Director was very informative and she was very impressed with what the RECC's do.

Mr. DiRocco discussed funding, etc. for the RECC.

Ms. Joanne Rich, 98 Rainbow Avenue, appeared before the Board and stated that she has been a resident for 31 years and is concerned about the loss of local jobs with joining the RECC. Ms. Rich stated that she is also concerned about the RECC being a Terrorist Threat as Lowell is a major City and being so close to Boston.

Mrs. Hughes explained that all backup systems for the RECC's are located in different locations.

Mr. DiRocco explained that both Dracut and Tewksbury will have more opportunities for jobs now in the RECC than any other Community joining the RECC in the future. Mr. DiRocco stated that he knows there is no guarantee that our current Dispatches will receive jobs at the RECC and he also heard today that the State will only be giving funding to RECC's in the future.

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Ms. Woods stated that the State would be favoring Communities with an RECC and would be using incentives for Communities to join RECC's.

Ms. Woods stated that the State would be paying the Executive Directors' salary for two years; one year before the opening and the first year of operation.

Mr. DiRocco read and had questions on a previous RECC agreement and showed it to Ms. Woods. Ms. Woods stated that there have been many "draft" of the RECC agreement.

Mr. DiRocco stated that he does not want to sign an agreement that shows the Town would be paying for the construction of an RECC building.

Mrs. Hughes asked about a no funding clause?

Ms. Woods stated that the next step is Dracut and Tewksbury meeting and to start working on an agreement which would be reviewed by Town Counsel. Ms. Woods stated that they would also begin to start the information for funding.

Ms. Richardson stated that the State 911 Department still needs to give their approval for the RECC.

Mr. DiRocco stated that he wants to see the agreement before the Town Manager signs it.

Mr. DiRocco stated that RECC's are coming and they can't do much about it. Mr. DiRocco stated that he just wants to make sure it is done right.

Mrs. Hughes called for a recess at 8:06 p.m.

Mr. Archinski resumed the meeting at 8:10 p.m.

\* Discuss and Vote on Advocating Verizon to Invest in Reliable Fiber Optic Technology  
– Mr. Duggan stated when out speaking with business owner's and when trying to attract business' to Dracut, there has been conversations regarding the lack there of Fiber Optic Technology in Town. Mr. Duggan stated that Comcast is like a monopoly and stated that Lowell is taking the same stance with Verizon. Mr. Duggan stated that he wrote a letter to Verizon dated September 14, 2015 requesting them to invest in an all-fiber FiOS network in Dracut. Mr. Duggan stated that he has also created a Resolution to Verizon that he would like the Board to approve and sign. Mr. Duggan stated that Representative Garry and Senator L'Italien are also asking Verizon to bring FiOS to Dracut.

Ms. Richardson asked why hasn't Verizon brought FiOS to Dracut? Mr. Duggan stated that Verizon is not interested in investing anymore in FiOS and are only investing in the current Communities that have FiOS.

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Mr. Edwards stated that north of Pelham Road has FiOS which serves 375 homes. Mr. Edwards stated that there is no FiOS in any of the business areas in Town and Verizon has no plans on expanding FiOS in Dracut. Mr. Edwards stated that Methuen has FiOS.

Motion made by Mrs. Hughes to Sign the Resolution to Verizon. Motion seconded by Ms. Richardson. Motion passed unanimously.

\* Discuss Annual Review of Town Manager – Mr. Archinski stated that he presented the Board with 3 evaluation options titled A, B & C for their review.

Mrs. Dristiliaris stated that she does not like evaluation option B.

The Board discussed evaluation option A and reviewed the timeline, discussed the procedures being outlined and the option to have a one on one meeting with the Manager.

Attorney Hall discussed the Open Meeting Law and discussed the Chairman creating a summary of all of the evaluations from the Board.

Attorney Hall stated that the evaluation is a public record and discussed a few changes that he would suggest are made on the evaluation form.

Attorney Hall stated that the Board may meet one on one with the Town Manager but do not necessarily need to.

Mr. Archinski stated that the annual review of the Town Manager would be on the agenda for the Board's October 27, 2015 meeting.

#### 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.

#### SUB-COMMITTEE REPORTS:

Ms. Richardson stated that Mr. Edwards attended the recent Coalition meeting. Mr. Edwards discussed Article 97, H.3691 and suggested residents call their Legislatures to uphold the Article. Mr. Edwards stated that there would be a FERC scoping meeting on September 29, 2015 at Franklin Pierce University and stated that the deadline for comments is October 16, 2015. Mr. Edwards stated that the next Coalition meeting would be held on October 19, 2015 at the Tewksbury Library. Mr. Edwards stated that Kinder Morgan should be filing in late October.

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\* Housing Sub-Committee – Mr. DiRocco stated that the Dracut Housing Authority is moving forward with senior housing and discussed them partnering with the Chelmsford Housing Authority. Mr. DiRocco stated that they are moving in a great direction and are very productive.

\* Joint Budget Task Force Committee – Mrs. Hughes stated that Mrs. Vandal has finished giving her 5 year expenditure projections and they would be getting through the School Departments 5 year expenditure projections during the next couple of meetings. Mrs. Hughes stated that the meetings are moving along well.

\* Open Space Committee – Mr. Archinski stated that the Open Space Committee has met and have discussed some projects but he is not ready to fully discuss the projects with the Board yet.

\* Tri-Board – Mr. Archinski stated that he is currently discussing meeting dates with the other Chairman's.

APPROVAL OF MINUTES:

Motion made by Mrs. Hughes to approve the Minutes of June 9, 2015. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Motion made by Mrs. Dristiliaris to approve the Minutes of July 2, 2015. Motion seconded by Ms. Richardson. Motion passed 3 to 0. Mr. DiRocco and Mrs. Hughes abstained from voting.

Motion made by Mrs. Hughes to approve the Minutes of July 14, 2015. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Motion made by Mrs. Dristiliaris to approve the Minutes of August 11, 2015. Motion seconded by Ms. Richardson. Motion passed unanimously.

COMMUNITY CALENDAR:

The Chairman read the information in the Community Calendar.

Mr. Duggan stated that there would be a ribbon cutting ceremony at Lenzi's on Saturday at 3:30 p.m. Mr. Duggan stated that Mr. Mike Lenzi would be reaching out to the Board with a personal invitation to the ceremony.

Mr. DiRocco stated that there will be a kick off fundraiser for the US Army Specialists Mathew Boule's Memorial at O'Hara's Tavern on October 4, 2015 from 2:00 p.m. to 5:00 p.m.

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Mrs. Dristiliaris stated that the Dracut Lion's Club would be hosting a Wellness Fair in conjunction with the Flu Clinic on October 3, 2015 at the Richardson Middle School.

ADJOURNMENT:

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

The meeting adjourned at 8:39 p.m.

BOARD OF SELECTMEN



Tony Archinski, Chairman



Alison Hughes, Vice-Chairwoman



Tami M. Dristiliaris, Clerk



Joseph DiRocco, Jr.



Cathy Richardson