

**Board of Selectmen
Minutes of October 25, 2016
Selectmen's Chamber, Town Hall**

Present: Alison Hughes, Chairman, Joseph DiRocco, Jr., Vice-Chairman, Tami M. Dristiliaris, Clerk, Tony Archinski, Jesse Forcier, Jim Duggan, Town Manager, Attorney James Hall and Recording Secretary Shannon Rowe

Mrs. Hughes 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.

COMMUNITY INPUT:

* No one signed in for Community Input.

POLICE CHIEF'S REPORT:

Chief Ouellette appeared before the Board to discuss the current missing person case and stated that the entire region has helped with the search. Chief Ouellette stated that Lieutenant Chaput is in charge of the NEMLEC team and discussed all of the K-9 Units involved and response teams. Chief Ouellette discussed the searched areas and the numerous Civilians that have helped in the search. Chief Ouellette discussed how the search was conducted.

Mrs. Dristiliaris asked about the Silver Alert Program? Chief Ouellette discussed initiating any programs necessary in the search.

TOWN MANAGER'S REPORT – Mr. Duggan stated that Stormwater Management, within time, would be a utility and they would be looking at a fee of \$60 to \$70 per year. Mr. Duggan discussed Stormwater Management being an unfunded mandate by the Federal Government. Mr. Duggan discussed the Mass Downtown Development Corp and the Downtown Initiative Grant. Mr. Duggan stated that he is creating a draft budget memorandum and the Cross, Crosby and Colburn Ave project would be paved with markings next week. Mr. Duggan stated that Mr. Dave Paquin has been awarded the Chamber of Commerce's Volunteer Award which will be held on November 16, 2016 at 6:00 p.m. at Lenzi's. Mr. Duggan stated that October is Substance Abuse month and discussed the Board of Health's vigil last Sunday. Mr. Duggan stated that the vigil was a very nice event. Mr. Duggan stated that he is so impressed by the Community with the events on Sunday and the Community doing all that they could do in the search for Mrs. Lucier. Mr. Duggan thanked the volunteers and Colleen Garry for all of their hard work and stated that he was impressed by Lieutenant Chaput, Chief Ouellette and the Fire Department.

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Mr. DiRocco stated that after Mrs. Lucier's family is taken care of, the Departments need to meet to review the events of the search.

COMMUNITY CALENDAR:

The Chairman read the information in the Community Calendar.

AGENDA ITEMS:

* Paul Bettencourt – Requesting Acceptance of a Donation from the Dracut Old Home Day Committee – Mr. Paul Bettencourt appeared before the Board and stated that the Dracut Old Home Day 5K Committee would like to donate \$1,000 to the Town to help with the Opiate epidemic.

Motion made by Mrs. Dristiliaris to accept the donation from the Dracut Old Home Day 5K Committee. Motion seconded by Mr. DiRocco. Motion passed unanimously.

* Mike Kuenzler, Four Oaks Country Club, 1 Clubhouse Lane – Requesting Reimbursement of a Bond – Mr. Mike Kuenzler appeared before the Board to request a reimbursement of a bond from ten years ago. Mr. Kuenzler stated that they have met all of the requirements for the reimbursement of the bond. Attorney Hall stated that he reviewed the original conditions and they have been maintaining the water level below 175 and they have agreed to the maintenance. Attorney Hall stated that it is appropriated to release the bond.

Motion made by Mr. Forcier to relinquish the \$30,000 bond to Four Oaks Country Club. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

* Ratification of the Clerks, Secretaries, Bookkeepers & Library Staff (SEIU) Contract – Mr. Duggan discussed the SEIU Contract being a collaborative effort and reviewed his memorandum to the Board dated October 20, 2016.

Motion made by Mr. DiRocco to Ratify the SEIU Contract from July 1, 2016 through June 30, 2019. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

* Veteran's Park Concession Stand Committee – Requesting Acceptance of a Donation for the Movie in the Park Nights – Mrs. Hughes read the letter from the Veteran's Park Concession Stand Committee dated October 20, 2016 requesting acceptance of a donation from the Dracut Firefighter's Union for the Movie in the Park Nights.

Motion made by Mrs. Dristiliaris to accept the \$250.00 donation for the Veteran's Park Concession Stand Committee's Movie in the Park Nights. Motion seconded by Mr. DiRocco. Motion passed unanimously.

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* Conservation Commission – Requesting Acceptance of a Donation for an Independent Wetland Peer Review – Mrs. Hughes read the letter from the Conservation Commission dated October 7, 2016 requesting acceptance of a donation for a wetland peer review.

Motion made by Mr. Forcier to accept the \$10,000 donation for the Conservation Commission. Motion seconded by Mr. DiRocco. Motion passed unanimously/

* Department of Public Works – Requesting Acceptance of a Donation for Work to be Completed at the Boule Memorial Park – Mrs. Hughes read the letter from the Public Works Director dated October 20, 2016 requesting acceptance of a donation for the Boule Memorial Park.

Motion made by Mrs. Dristiliaris to accept the donation of lay out and striping of parking spaces, fire lane and handicap spots for Boule Memorial Park. Motion seconded by Mr. Archinski. Motion passed unanimously.

Mr. DiRocco asked how much money was left for the Boule Memorial Park? Mr. Duggan stated that he does not have the exact figure but between both the Town and the Fundraising Committee, there is plenty.

* Review and Recommendations for November 7, 2016 Town Meeting Warrant Articles

Article #13, 14, 15 & 16 – Mrs. Hughes stated that the Board has already voted to recommend approval of these Warrant Articles and the Planning Board has recommended approval as well.

Mr. John Crowley, Chairman of the Zoning By-Law Review Committee, appeared before the Board and reviewed his memorandum to the Board dated October 25, 2016 regarding the Zoning By-Law Review Committee's recommendations relative to the Town Meeting Warrant Articles.

Article #17 – Mrs. Hughes reviewed the Warrant Article and stated that the Board has already recommended approval. Ms. Betsy Ware, Community Development Director, appeared before the Board and discussed the Planning Board's decision and the Building Inspector wanting a clearer Zoning By-Law. Ms. Ware stated that the Planning Board is recommending dismissal of this Warrant Article.

Mr. Forcier discussed this Zoning By-Law going back years ago.

Article #20 – Mrs. Hughes reviewed the Warrant Article. Attorney Hall stated that this has been a long standing problem as the Zoning Board of Appeals cannot grant cells tower use variances. Attorney Hall discussed crafting the new Zoning By-Law and discussed the new canister antenna's being used by the utility companies. The Board discussed the proposed Warrant Article and who would sign any leases of the property.

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Mr. Crowley appeared before the Board and stated that Zoning By-Law Review Committee would not be amending the proposed Warrant Article at Town Meeting.

Mr. Archinski stated that he would not be recommend the Warrant Article as written.

Mr. Duggan stated that the Board needed to recognize that the current resident would be vacating the property.

Attorney Hall stated that the Warrant Article could be amended at Town Meeting or they could have the Beaver Brook Farm Committee amend the Warrant Article before the Board recommends it.

Motion made by Mrs. Dristiliaris to Recommend Warrant Article #20 with the amendment that the Board of Selectmen have the authority to sign any leases for the property. Motion seconded by Mr. DiRocco. Motion passed 3 to 2. Mr. Archinski and Mr. Forcier voted no.

Article #24 – Mrs. Hughes reviewed the Warrant Article. Mr. Duggan discussed the modifications to the Warrant Article by decreasing the fee to \$5.00 with frequencies of three times a year.

Mr. Forcier stated that the Warrant Article would be amended at Town Meeting.

Motion made by Mr. DiRocco to Not Recommend Warrant Article #24. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #26 – Ms. Ware stated that the Petitioner would be withdrawing the Warrant Article.

Motion made by Mrs. Dristiliaris to Not Recommend Warrant Article #26. Motion seconded by Mr. DiRocco. Motion passed unanimously.

Article #27 – Ms. Ware stated that the Petitioner would be withdrawing the Warrant Article.

Motion made by Mrs. Dristiliaris to Not Recommend Warrant Article #27. Motion seconded by Mr. Archinski. Motion passed unanimously.

Article #28 – Mrs. Hughes reviewed the Warrant Article. Mr. Forcier stated that the Public Works Director recommends approval.

Motion made by Mr. Forcier to Recommend Warrant Article #28. Motion seconded by Mr. Archinski. Motion passed unanimously.

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Article #29 – Mrs. Hughes reviewed the Warrant Article. Mr. Forcier stated that the Public Works Director has deferred this Article to the June 2017 Town Meeting.

Motion made by Mr. Forcier to Not Recommend Warrant Article #29. Motion seconded by Mrs. Dristiliaris. Under Discussion:

Mr. Mark Corey, the Petitioner, appeared before the Board and stated that he waited for three weeks for a return telephone call from the Town Engineer and the Public Works Director and is now missing out on the deadline. Mr. Corey stated that after the inspection he now has a punch list of requirements. Mr. Corey discussed emails between the Town Engineer and himself regarding the street acceptance.

Mrs. Hughes discussed how Town Meeting works.

Mr. Forcier pointed out that this is not a public hearing.

Motion passed unanimously.

Article #30 – Mrs. Hughes reviewed the Warrant Article. Mrs. Hughes read the letter from the Public Works Director dated October 19, 2016 regarding the street abandonment and a possible future easement for drainage or utilities if needed.

Attorney Hall stated that he would not recommend approval of the Warrant Article.

Motion made by Mr. Forcier to Not Recommend Warrant Article #30. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Article #31 – Mrs. Hughes reviewed the Warrant Article. Mrs. Hughes read the letter from the Public Works Director dated October 19, 2016 regarding access to the gate to the retention pond for maintenance.

Motion made by Mr. DiRocco to Not Recommend Warrant Article #31. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

* Selectman Archinski – Discuss and Vote on Town Manager’s Employment Compensation under His Agreement – Mr. Archinski discussed the Town Manager’s employment compensation now that the evaluation process is complete. Mr. Archinski discussed why he feels as though the Town Manager deserves a raise.

Motion made by Mr. Archinski to increase the Town Manager’s salary by 2% retroactive from July 1, 2016. Motion seconded by Mrs. Dristiliaris. Under Discussion:

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Mr. DiRocco stated that everyone deserves a pay increase, but discussed the most recent litigations that are most likely coming and discussed the Town Charter not allowing the discipline of the Town Manager only the removal. Mr. DiRocco stated that the Town Manager is directing the Board, not the Board directing him. Mr. DiRocco stated that not everything is as rosy as other Board members are portraying them to be.

Mrs. Dristiliaris stated that a 2% pay increase is not a lot of money and stated that Mr. DiRocco made the motion for a 13% raise for the former Town Manager.

Mr. DiRocco stated that the motion for a 13% raise was for compensation over many years.

OLD BUSINESS:

* Mrs. Hughes stated that the several Committees are looking to fill vacancies and applications can be completed on the Town's website.

SUB-COMMITTEE REPORTS:

* Education Sub-Committee – Mr. Forcier stated that the Education Sub-Committee recently met and discussed the technology update, DESE audit and an operational audit.

Attorney Hall explained that the Board cannot tell the School Committee how to spend their money. Attorney Hall stated that the Town could give the School Committee the money for an operational audit.

* Housing Sub-Committee – Mr. Forcier stated that the Housing Sub-Committee recently met and had a discussion with an Attorney who is very well versed in the development of housing. Mr. Forcier stated that there are new regulations and restrictions and discussed the disposal of land and partnering with a non-profit organization.

Mr. DiRocco discussed a long term lease that would go back to the Town in future years.

Mr. Forcier stated that the Housing Authority would be meeting with a DHCD representative and looking for a new consultant.

Mr. Forcier and Mr. DiRocco discussed the previous project and the new regulations.

Mr. DiRocco stated that the seniors can thank Ken Martin, Ken Cunha, Jerry Surprenant and Brian Bond for the situation that the Housing Authority is in now with senior housing.

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Mr. DiRocco stated that he attended the Beaver Brook Farm Committee's public hearing regarding the use of the land. Mr. DiRocco stated that there were a number of people that were very interested in the parcel and it was a very informative meeting.

APPROVAL OF MINUTES:

Motion made by Mr. DiRocco to approve the Board of Selectmen's meeting minutes of September 27, 2016. Motion seconded by Mrs. Dristiliaris. Motion passed unanimously.

Mrs. Dristiliaris thanked the hundreds of volunteers that have been looking for Mrs. Lucier and stated that Mrs. Lucier is in her thoughts and prayers.

ADJOURMENT:

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

The meeting adjourned at 8:25 p.m.

BOARD OF SELECTMEN

Alison Hughes, Chairman



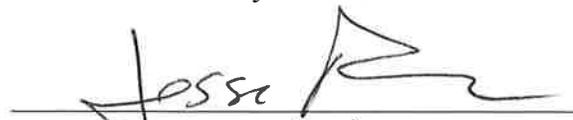
Joseph DiRocco, Jr., Vice-Chairman



Tami M. Dristiliaris, Clerk



Tony Archinski



Jesse Forcier