

**ANNUAL TOWN MEETING
TOWN OF DRACUT
JUNE 3, 2013**

The Annual Town Meeting for the Town of Dracut was held on Monday, June 3, 2013 at the Lakeview Junior High School, 1570 Lakeview Avenue, Dracut, MA.

The meeting was called to order at 7:11 PM with a quorum certified by the Town Clerk.

The Pledge of Allegiance was recited.

A moment of silence was observed in memory of:

George Boule	Retiree – School Department
Catherine Breen	Retiree – Fire Department
Roger D. Marsh	Retiree – Public Works Department
Peter Apostolas	Retiree – Police Department
James Rousos	Employee – School Custodian
Doris Provencher	Retiree – School Department
Daniel W. Smith Jr.	Retiree – School Department
Julie L. Boisvert	Employee – School Cafeteria
George Chouinard	Retiree – School Department
Joseph Foley	Retiree – School Department
Margaret Copley	Retiree – School Department

Paulina Phan, Valedictorian of Dracut High School, Graduating Class of 2013, read the following Tercentennial Proclamation into the minutes:

In accordance with the provisions set forth in Article 2 of the June 3rd, 2002 Annual Town Meeting, I hereby publicly proclaim that the time capsule buried on April 28th in the year 2002 at Tercentennial Park, shown on Assessors' Map 50 as Lot 202, 1310 Bridge Street, Dracut, Massachusetts, shall be opened and all items therein placed be displayed at a public ceremony to be held in the Year Two Thousand One Hundred One, (2101), and further that this proclamation will continue to be made each and every year at the Annual Town Meeting, and within the Annual Town Report for the next 88 years.

ARTICLE #1:

Unanimously, the Town voted to waive the reading of the Town Meeting Articles as printed in the warrant.

Submitted by Kathleen M. Graham, Town Clerk
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #2:

Unanimously, the Town voted to hear the report of the Town Accountant, the Board of Selectmen, and any other committee having a direction from previous Town Meetings.

Submitted by Kathleen M. Graham, Town Clerk
Board of Selectmen Recommended approval
Finance Committee recommended approval

ARTICLE #2-1:

Unanimously, the Town voted to dissolve the Study Committee referred to the June 2, 2013 Town Meeting, by Article #24 of the June 4, 2012 Annual Town Meeting.

Submitted by Kathleen M. Graham, Town Clerk
Board of Selectmen recommended approval
Finance Committee recommended approval

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ARTICLE #2-2:

Unanimously, the Town voted to accept Barn Road, described as follows:

BARN ROAD:

A certain parcel of land known as Barn Road as laid out in the Town of Dracut, Middlesex County, Massachusetts, as now shown on a plan of land entitled "Street Acceptance Plan – Farm Gate Subdivision", prepared for DRACO Homes, Inc., dated August 28, 2012, prepared by Cornerstone Land Consultants, Inc. being drawing #9183.

Commencing at a point, marked by a stone bound with a drill hole, lying along the Northerly Right of Way of Cart Path Road and the Westerly Rights of Way of Barn Road, being a 50' wide way, said point being the "Point of Beginning" of the herein described parcel of land:

Thence running along said Barn Road Right of Way being a circular curve concave to the left with a radius of 30.00' and an arc length of 47.12 feet to a point;

Thence running N.31 01'38"W., a distance of 190.00 feet to a point;

Thence running on a curved concave to the right with a radius of 150.00 feet and an arc length of 235.62 feet to a point;

Thence running N.58 58'22"W., a distance of 391.34 feet to a point;

Thence running on a curved concave to the left with a radius of 30.00 feet and an arc length of 48.99 feet to a point laying at the Westerly Right of Way of Cart Path Road; Thence running along Cart Path Road Westerly Right of Way, S.34 35'50"E., a distance of 110.22 feet to a point of intersection with the Right of Way of Barn Road;

Thence running along said Barn Road Right of Way being a circular curve concave to the left with a radius of 30.00' and an arc length of 45.25 feet to a point;

Thence running N.58 58'22"E., a distance of 398.20 feet to a point;

Thence running on a curve concave to the left a radius of 100.00 feet and an arc length of 157.08 feet to a point;

Thence running S.31 10'38"E., a distance of 190.00 feet to a point;

Thence running on a curve concave to the left a radius of 30.00 feet and an arc length of 47.12 feet to a point laying at the Northerly Right of Way of Cart Path Road;

Thence running along Cart Path Road Northerly Right of Way, S.58 58'22"W., a distance of 110 feet to the "Point of Beginning"; or act in any other way relative thereto.

ARTICLE #2-3:

Unanimously, the Town voted to accept Cart Path Road, described as follows:

CART PATH ROAD

To see if the Town will vote to accept Cart Path Road described as follows:

A certain parcel of land known as Cart Path Road as laid out in the Town of Dracut, Middlesex County, Massachusetts, as now shown on a plan of land entitled "Street Acceptance Plan – Farm Gate Subdivision", prepared for DRACO Homes, Inc., dated August 28, 2012, prepared by Cornerstone Land Consultants, Inc. being drawing #9183.

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ARTICLE #2-3 (Cont'd):

Commencing at a point marked by a drill hole lying along the Easterly Right of Way of Parker Road, a public way of variable width, and the Northerly Right of Way line of Cart Path Road, being a 50' wide way, said point being the "Point of Beginning" and the Northwesterly corner of the herein described parcel of land;

Thence continuing along said Cart Path Road Right of Way being a circular curve concave to the left with a radius of 30.00' and an arc length of 51.03 feet to a point;

Thence running N.62 23'24"E., a distance of 229.76 feet to a point;

Thence running on a curve concave to the left with a radius 975.00' and an arc length of 62.73 feet to a point;

Thence running N.58 42'14"E., a distance of 249.84 feet to a point;

Thence running on a curve concave to the left with a radius of 100.00 feet and an arc length of 124.54 feet to a point;

Thence running N.12 39'13"W., a distance of 100.00 feet to a point;

Thence running on a curve concave to the right with a radius of 150.00 feet and an arc length of 195.77 feet to a point;

Thence running N.62 07'29"E., a distance of 64.97 feet to a point;

Thence running on a curve concave to the left with a radius of 100.00 feet and an arc length of 218.02 feet to a point;

Thence running S.34 35'50"E., a distance of 836.66 feet to a point;

Thence running on a curve concave to the right with a radius of 150.00 feet and an arc length of 244.97 feet to a point;

Thence running S.58 58'22"W., a distance of 673.35 feet to a point;

Thence running on a curve concave to the right with a radius of 175.00 feet and an arc length of 107.00 feet to a point;

Thence running N.85 59'40"W., a distance of 135.80 feet to a point;

Thence running on a curve concave to the left with a radius of 110.00 feet and an arc length of 59.41 feet to a point;

Thence running S.63 03'33"W., a distance of 100.22 feet to a point;

Thence running on a curve concave to the left with a radius of 30.00 feet and an arc length of 46.45 feet to a point laying along the Easterly Right of Way of Parker Road;

Thence running along said Parker Road Right of Way, N.25 38'47"W., a distance of 29.33 feet to a point;

Thence continuing along said Parker Road Right of Way, N. 26 56'27"W. a distance of 80.00 feet to a point of intersection with the right of way of Cart Path Road;

Thence running along said Cart Path Road Right of Way being a curve concave to the left with a radius of 30.00 feet and an arc length of 47.12 feet to a point;

Thence running N.63 03'33"E., a distance of 99.55 feet to a point;

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ARTICLE #2-3 (Cont'd):

Thence running on a curve concave to the right with a radius of 160.00 feet and an arc length of 86.42 feet to a point;

Thence running S.85 59'40"E., a distance of 135.80 feet to a point;

Thence running on a curve concave to the left with a radius of 125.00 feet and an arc length of 76.43 feet to a point;

Thence running N.58 58'22"E., a distance of 673.35 feet to a point;

Thence running on a curve concave to the left with a radius of 100.00 feet and an arc length of 163.31 feet to a point;

Thence running N.34 35'50"W., a distance of 836.66 feet to a point;

Thence running on a curve concave to the left with a radius of 100.00 feet and an arc length of 145.35 feet to a point;

Thence running S.62 07'29"W., a distance of 64.97 feet to a point;

Thence running on a curve concave to the left with a radius of 100.00 feet and an arc length of 130.51 feet to a point;

Thence running S.12 39'13"E., a distance of 100.00 feet to a point;

Thence running on a curve concave to the right with a radius of 150.00 feet and an arc length of 186.81 feet to a point;

Thence running S.58 42'14"W., a distance of 249.84 feet to a point;

Thence running on a curve concave to the right with a radius of 1025.00 feet and an arc length of 65.94 feet to a point;

Thence running S.62 23'24"W., a distance of 246.00 feet to a point;

Thence running on a curve concave to the left with a radius of 30.00 feet and an arc length of 42.50 feet to a point laying at the Easterly Right of Way of Parker Road;

Thence running along said Parker Road Right of Way N.18 46'46"W., a distance of 76.30 feet to a point;

Thence continuing along said Parker Road Right of Way N.20 09'14"W., a distance of 34.18 feet to the "Point of Beginning"; or act in any other way relative thereto.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Planning Board recommended approval

ARTICLE #3:

Unanimously, the Town voted to authorize the Town Treasurer to enter into compensating balance agreements during the fiscal year beginning July 1, 2013, as permitted by General Laws, Chapter 44, Section 5F.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

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ARTICLE #4:

By Majority, the Town voted to fix the salaries and compensation of all elective officers of the Town, as provided by General Laws, Chapter 41, Section 108, as amended, to be effective July 1, 2013, and to raise and appropriate such sums of money under the various departments shown below.

Moderator:	\$ 550.00
Board of Selectmen:	\$2,000.00
School Committee:	\$2,000.00

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #5:

By Majority, the Town voted to defeat the following motion:

I move that the Town vote to raise and appropriate, borrow and/or transfer from available funds Sixty Seven Million, Twenty Two Thousand, Five Hundred Fifty Two Dollars (\$67,022,552) to defray Town charges and expenses for the fiscal year ending June 30, 2014, and further that the "Contingent Appropriations" of Seven Hundred Fifty Thousand Dollars (\$750,000) contingent upon passage of a Proposition 2 ½ Referendum Question under General Laws, Chapter 59, Section 21C, as follows:

School Department:	Non-Contingent	Contingent
School Department Operations	\$27,090,000	\$ 550,000
Transportation	1,600,000	
Regional Technical High School		
Education Assessment	\$ 3,372,537	
Transportation Assessment	91,015	
Town Manager:		
Salaries, Wages, Expenses & Transfers	\$ 34,332,600	200,000
Snow and Ice Removal	536,400	
Total Budget:	\$ 67,022,552	\$ 750,000

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval of the motion
Finance Committee recommended approval of the motion

By Majority, the Town voted to reconsider Article #5.

Submitted by John J. Zimini, Member, Board of Selectmen

By Majority, the Town voted to amend Article #5 to add the \$200,000 contingent to Proposition 2 ½ override.

Submitted by Joseph M. Wilkie, Jr., Member, Dracut School Committee

By Majority, the Town voted to raise and appropriate the \$67,022,552 as listed in Article #5, with the Town Manager's contingent budget of \$200,000.

Submitted by Joseph M. Wilkie Jr., Member, Dracut School Committee

Unanimously, the Town voted to take Article #17 out of order.

Submitted by Dennis E. Piendak, Town Manager

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ARTICLE #17:

By Majority, the Town voted to defeat the following motion:

“I move that Messrs. A and B (the leaders on the two sides) be allowed ten minutes each, to be divided between their two speeches at their pleasure, and that other members be limited to one speech of two minutes each, and that the question and amendments be limited to a total of forty minutes.”

Submitted by Gordon Scott

A motion was made and seconded from the floor to stop debate on Article #17 and move the question. The Moderator called for the vote.

By Majority (clearly heard and so called by the Moderator), the Town voted to raise and appropriate \$2,900,000.00 in real estate and personal property taxes for the purposes of funding the operating budget of the Dracut Public Schools, to be spent in fiscal year 2014 beginning on July 1, 2013, contingent upon approval of a Proposition 2 ½ override.

Submitted by Joseph M. Wilkie Jr. and Daniel O’Connell, Members, Dracut School Committee

Board of Selectmen recommended disapproval

Finance Committee recommended approval

ARTICLE #6:

By Majority, the Town voted to raise and appropriate or transfer from available funds a sum of Seven Million, One Hundred Seventy Seven Thousand, Eight Hundred Eighty Dollars (\$7,177,880) to operate the Sewer Department. Said sum shall be from the retained earnings and revenues of the Sewer Enterprise Fund and will be segregated and expended in the fiscal year beginning July 1, 2013 as follows:

Sewer Department:

Salaries, Wages and Expenses	\$ 463,300
Lowell/Methuen Sewer Treatment Charges	2,013,400
Debt Service	4,591,680
Capital Outlay	25,000
Fund Transfer	84,500
 Total Amount:	 \$7,177,880

Submitted by Dennis E. Piendak, Town Manager

Board of Selectmen recommended approval

Finance Committee recommended approval

ARTICLE #7:

By majority, the Town voted to raise and appropriate or transfer from available funds One Million, Three Hundred Twenty Seven Thousand Five Hundred Fifty Dollars (\$1,327,550) to operate the Kenwood Water Department. Said sum shall be from the retained earnings and revenues of the Water Enterprise Fund and will be segregated and expended in the fiscal year beginning July 1, 2013 as follows:

Water Department:

Salaries, Wages and Expenses	\$ 164,750
Water Charges	956,350
Debt Service	61,950
Capital Outlay	50,000
Fund Transfer	<u>94,500</u>
 Total Budget:	 \$1,327,550

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ARTICLE #7 (Cont'd):

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #8:

Unanimously, the Town voted to raise and appropriate, borrow and/or transfer from available funds, a sum of One Million One Hundred Ninety Thousand Four Hundred Ninety Eight Dollars (\$1,190,498), said sum to be used for the Town's Chapter 90 Program, reconstruction and improvement of Town roads and/or sidewalks, said sum to be reimbursed on a 100 percent basis by the Commonwealth of Massachusetts.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #9:

Unanimously, the Town voted to appropriate from the Wetland Protection Fund Five Thousand Dollars (\$5,000) to be used in the fiscal year beginning July 1, 2013 for the purpose of defraying the costs of the Conservation Commission in the performance of its duties.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #10-1:

Unanimously, the Town voted to authorize the Board of Library Trustees, with the approval of the Town Manager, to expend the funds from registration fees, activities fees, rental fees, lost books, fines, donations and grants to credit to the same to defray operational expenses and library patron activities for the fiscal year beginning on July 1, 2013; said expenditures shall be in accordance with the provisions of General Laws, Chapter 44, Section 53E ½ and shall not exceed in total the sum of Twenty Thousand Dollars (\$20,000).

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #10-2:

Unanimously, the Town voted to authorize the School Department to expend the funds received from registration fees, activities fees, rental fees, lost books, fines and donations to defray operational expenses for the fiscal year beginning July 1, 2013; said expenditures shall be in accordance with the provisions of the General Laws, Chapter 44, Section 53E ½ and shall not exceed in total the sum of Twenty Five Thousand Dollars (\$25,000).

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #10-3:

Unanimously, the Town voted to authorize the Council on Aging to expend the funds received from registration fees, activities fees, rental fees, bus fares, grants, and donations to defray operational expenses for the fiscal year beginning July 1, 2013; said expenditures shall be in accordance with the provisions of the General Laws, Chapter 44, Section 53E ½ and shall not exceed in total the sum of Ten Thousand Dollars (\$10,000).

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ARTICLE #10-3 (Cont'd):

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #11:

Unanimously, the Town voted to accept and appropriate the sum of Thirty One Thousand Eight Hundred Forty Three Dollars (\$31,843), in accordance with the provisions of General Laws, Chapter 78, Section 19A, as further amended by Chapter 636 of the Acts of 1970 (an act providing for State Aid to free and public libraries) and to authorize the Board of Library Trustees, with the approval of the Town Manager, to expend the same for the fiscal year beginning July 1, 2013.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #12:

Unanimously, the Town voted to appropriate from the Englesby Debt Account, One Hundred Three Thousand Five Hundred Dollars (\$103,500) to be used in the fiscal year beginning July 1, 2013 to defray Town charges and expenses.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #13:

Unanimously, the Town voted to appropriate from the Cemetery Trust Fund Eight Thousand Dollars (\$8,000) to be used in the fiscal year beginning July 1, 2013 for the purpose of defraying the costs of the Cemetery Department in the performance of its duties.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #14:

By 2/3rds Majority Voice Vote (clearly heard and so called by the Moderator), the Town voted to appropriate from the Stabilization Fund the sum of One Hundred Eighty Six Thousand Dollars (\$186,000) for the purchase of a DPW Highway Division Vehicle (Skyworker) for the fiscal year beginning July 1, 2013.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #15:

Unanimously, the Town voted to dismiss Article #15.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #16:

By Majority, the Town voted to amend the vote of the November 7, 2011 Town Meeting to increase the appropriation and borrowing authority for the Town Hall project by One Million Three hundred Thousand Dollars (\$1,300,000) such that the revised vote shall read as follows:

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ARTICLE #16 (Cont'd):

“Voted Nine Million Three Hundred Thousand Dollars (\$9,300,000) to be expended under the direction of the Permanent Building Committee for the following purposes: (a) planning and constructing a new Town Hall, including any design, architecture and engineering costs associated therewith, the cost of construction, original equipment and furnishings in connection therewith, the acquisition of any land or interests in land necessary therefore by gift, purchase, eminent domain or otherwise and the costs associated with the related relocation of the existing Town Hall offices to a temporary location; (b) remodeling, reconstructing, and making extraordinary repairs to the former police station located at 1600 Lakeview Avenue to be used for municipal offices, including any design, architecture and engineering costs associated therewith; (c) leasing a temporary facility to be used as a Town Hall; (d) the costs of relocating existing offices in the Town Hall Annex and Sewer Department to the new Town Hall; (4) costs associated with the demolition and/or preparation for closure and/or sale of the Town Hall Annex and Sewer Department Building; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow Nine Million Three Hundred Thousand Dollars (\$9,300,000) under Chapter 44 of the General Laws or any other enabling authority; the said sum shall be expended under the direction of the Permanent Building Committee; the Board of Selectmen is authorized to acquire any land or interest in land necessary for this project by eminent domain; and that the Permanent Building Committee and/or the Board of Selectmen are authorized to take any other action necessary to carry out this project.”

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

By majority, the Town voted to defeat the following motion:
“I move to take Article #34 out of order to be heard before the body prior to Article #18.

Submitted by Kenneth Lanier

ARTICLE #18:

By Majority, the Town voted to appropriate or reserve from Community Preservation Fund annual revenues or available funds the amounts recommended by the Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses in Fiscal Year 2014, with each item to be considered a separate appropriation as follows:

	<u>Recommended Amount</u>	<u>Funding Source</u>
<u>OPEN SPACE:</u>		
Capital Outlay (Funds to be used only for available Ch. 61A land purchases)	\$1,000,000	Open Space Reserve
<u>ADMINISTRATIVE:</u>		
Personnel Services	\$ 2,000	Administrative Reserve
Professional and Technical Services	55,650	Administrative Reserve
Supplies & Maintenance	350	Administrative Reserve
Other Charges & Expenses	2,650	Administrative Reserve
<u>DEBT SERVICE:</u>		
Debt Service	<u>\$ 505,427</u>	Historic/Admin. Reserves
Total Appropriations:	\$1,566,077	
<u>RESERVES:</u>		
Open Space	\$ 313,530	
Historic Resources	39,191	
Community Housing	<u>39,191</u>	
Total Reserves:	\$ 391,191	

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ARTICLE #18 (Cont'd):

Further, that any expenditure from the One Million Dollars (\$1,000,000) appropriated above for Capital Outlay (purchase of Ch. 61A land) must be recommended by a majority of the CPA Committee and a majority of the Finance Committee after a hearing and vote of the Board of Selectmen and Community Preservation Committee has been held on the recommended purchase.

Submitted by Community Preservation Committee
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #19:

By Majority, the Town voted to defeat the following amendment for Article #19:

“I move that the Town vote to consolidate Articles 19, 20, 21, 22, 23, 25, 26, 27, 28, 29 and to raise and appropriate Two Hundred Fifty Thousand Dollars (\$250,000) from the Community Preservation Committee Open Space Reserve Account to provide for the design, planning and spec cost of the work completed in the above cited articles for recreational purposes.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Finance Committee recommended approval

By Majority, the Town voted to consolidate Articles 19, 20, 21, 23, 25, 26, 27, 28, and 29.

ARTICLES #19, 20, 21, 23, 25, 26, 27, 28, and 29:

By Majority, the Town voted to raise and appropriate and expend from the Community Preservation Open Space Reserve Account the following amounts:

- 1) Up to \$500,000 (Five Hundred Thousand Dollars) to resurface/reconstruct the existing high school track located at 1540 Lakeview Ave., expand the number of home straight lanes from 6 to 8, relocate and reconstruct the existing high jump, field even runways, and construct bathrooms and storage facilities, lighting and seating for spectators, and move an existing fence, install new fencing to accommodate same for recreational purposes ((article 23)
- 2) Up to \$187,000 (One Hundred Eighty Seven Thousand Dollars) to:
 - a. Resurface the basketball courts at 1021 Methuen Street, Assessors Map 67, Lot 104, also known as the Campbell School, for recreational purposes (\$100,000) (Amended article 21).
 - b. Renovate by leveling, installing sod, and repairing existing fence on the little league field at 1021 Methuen St., Dracut, MA, Assessors Map 67, Lot 104, also known as the Campbell School, for recreational purposes \$25,000) (Amended article 26).
 - c. Level, irrigate, sod/hydroseed the infield and install a new scoreboard at the little league field at 330 Pleasant St., Dracut, Assessors Map 50, Lot 12, also known as Hovey Playground, for recreational purposes (\$15,000) (article 27).
 - d. Construction of bathrooms at 499 Pleasant St., Assessors Map 50, Lot 176, also known as Monahan Park, for recreational purposes (\$42,000) (article 28)
 - e. Improve hiking trails and kayak or canoe launch areas on existing town-owned land for recreational access. Funds also to be used for necessary tools and equipment. For recreational purposes (\$5,000) (Amended Article 29).

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ARTICLE #'S 19, 20, 21, 23, 25, 26, 27, 28, and 29 (Cont'd):

3) Up to \$300,000 (Three Hundred Thousand Dollars) for the:

- a. Design of improved drainage on all fields at 80 Broadway Rd., Veteran's Memorial Park, for recreational purposes (\$100,000) (Amended article 19).
- b. Design and lighting of a multipurpose recreational field and related parking facilities for the town-owner property located at 40 Diana Lane (the former Dadak Farm) for recreational purposes (\$100,000) (article 20).
- c. Redesign the layout of Carrick Field located at 1285 Mammoth Rd. to accommodate additional parking, a 50/70 baseball field, tot lot, large multipurpose utility field, and a basketball/tennis court for recreational purposes (\$100,000) (Article 25).

Submitted by Helen Dunlap, CPC Chairperson, by majority vote of the Community Preservation Committee

ARTICLE #22:

Unanimously, the Town voted to refer Article #33 to the November 2013 Fall Town Meeting, and to request that the Board of Selectmen include it in the warrant.

(Article #23 was taken out of order)

ARTICLE #24:

Unanimously, the Town voted to dismiss Article #24.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended dismissal
Finance Committee recommended dismissal

(Articles #25, 26, 27, 28, and 29 were taken out of order)

ARTICLE #30:

By Majority, the Town voted to defeat the following motion:

“I move that the Town vote on the following matter relative to the Dracut Housing Authority:

To see if the Town will enter into a Grant Agreement with the Dracut Housing Authority, and appropriate an amount up to \$20,000 (Twenty Thousand Dollars) from the Community Preservation committee in order to conduct a new development feasibility study on the property owned by the Dracut Housing Authority located at 144 Greenmont Avenue, Dracut, MA (Assessor's Map 47, Lot 249) and 1530 Bridge Street, Dracut, MA (Assessor's Map 47, Lot 115).

The purpose of the study is to assist the Dracut Housing Authority in determining the best type of housing units for the property as well as the number of housing units the site can accommodate.”

Submitted by Helen Dunlap, Chairperson, Community Preservation Committee
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #31:

Unanimously, the Town voted to act on the report of the Community Preservation Committee to appropriate and expend from the Community Preservation Committee Open Space Reserve Account Six Thousand Dollars (\$6,000) to subsidize weed control to preserve the Lake in the Massachusetts portion of Long Pond for open space purposes.

Submitted by Helen Dunlap, Chairperson, Community Preservation Committee
Board of Selectmen recommended approval
Finance Committee recommended approval

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ARTICLE #32:

Unanimously, the Town voted to appropriate an additional \$47,500 from the Community Preservation fund to pay a judgment against the Town by Dedousis, et al, Trustees of the Hildreth Street Realty Trust, that this appropriation be funded by a transfer from the certified available balance on deposit in the Recreation Reserve account and open space reserve account in the Community Preservation Fund, and that the Selectmen be authorized to execute any and all instruments as may be necessary to obtain a release of judgment.

Submitted by Helen Dunlap, Chairperson, Community Preservation Committee
Board of Selectmen recommended approval
Finance Committee recommended approval

ARTICLE #33:

The following motion was ruled out of order by the Moderator:

“I move that the Town vote to amend Article #33 to move decision on local meals tax to a ballot vote taken at a special election for a 2 ½ override.

Submitted by Joseph Theall

By Majority, the Town voted to accept Mass General Law Ch. 64G, Sec. 3A, to impose a local meals tax.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen did not make a recommendation
Finance Committee recommended approval
Committee on Government Rules & Regulations recommended approval by majority vote.

ARTICLE #34:

By Majority, the Town voted to defeat the following amendment:

“I move that the Town vote to table Article #34 and to request that the Board of Selectmen put this matter on the November 2013 Town Meeting warrant.”

Submitted by Richard Cowan

By Majority, the Town voted to defeat the following amendment:

“I move that the Town vote to reduce Article #1 of the Town of Dracut Special Town Meeting held February 26, 2001, acceptance of Sections 3 to 7, inclusive of Chapter 44B of “MGL”, also known as Community Preservation Act, establishing a dedicated funding source to acquire and preserve land for certain space, historic resources and affordable housing purposes and to reduce a property tax surcharge to the amount of one-half percent (0.5%) of the taxes assessed annually on real property, beginning July 1, 2014.”

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen did not make a recommendation
Finance Committee recommended approval of the amendment

By Majority, the Town voted to defeat the following motion:

“I move that the Town vote to revoke Article #1 of the Town of Dracut Special Town Meeting held February 26, 2001 and revoke acceptance of Section 3 to 7, inclusive of Chapter 44B of “MGL”, also known as Community Preservation Act, establishing a dedicated funding source to acquire and preserve land for certain space, historic resources and affordable housing purposes and to revoke a property tax surcharge in the amount of two percent (2%) of the taxes assessed annually on real property, beginning July 1, 2014 thereto.

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ARTICLE #34 (Cont'd):

Submitted by Matthew Sheehan, Member, Dracut School Committee
Board of Selectmen did not make a recommendation
Committee on Government Rules & Regulations recommended approval

ARTICLE #35:

Unanimously, the Town voted to accept Mass General Law, Chapter 59, Sec. 5, Clause 56, for the purposes of allowing members of the Massachusetts National Guard or military reservists who are on active duty in a foreign country to obtain a reduction of up to 100% of their real and personal property taxes for fiscal years 2014 and 2015.

Submitted by Dennis E. Piendak, Town Manager on behalf of the Board of Assessors and Veteran's Agent
Board of Selectmen recommended approval
Finance Committee recommended approval
Committee on Government Rules & Regulations recommended approval

ARTICLE #36:

Unanimously, the Town voted to dismiss Article #36.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended dismissal
Finance Committee recommended dismissal
Committee on Government Rules & Regulations recommended dismissal

ARTICLE #37:

Unanimously, the Town voted to dismiss Article #37.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended dismissal
Finance Committee recommended dismissal
Committee on Government Rules & Regulations recommended dismissal

ARTICLE #38:

Unanimously, the Town voted to discontinue as a public way or private way that portion of Champlain Street, which portion originates at Arlington Street and runs to the Southerly line of Lafayette Street, at the intersection of Lafayette Street and Champlain, and to transfer the care, custody, and control and management of said discontinued portion of Champlain Street from the Board of Selectmen for public way purposes to the Board of Selectmen for the purpose of making up the new Town Hall parcel.

The discontinued portion of Champlain Street is described as follows:

Beginning at the intersection of the Southerly line of Lafayette Street with the Westerly line of Champlain Street; thence Southerly along the Westerly line of Champlain Street 352.00 feet to the Northerly line of Arlington Street; thence Northeasterly along the northerly line of Arlington Street 40.00 feet; thence Northwesterly in a line parallel with the 40 feet distance Easterly from the first described line, 352.00 feet to the Southerly line of Lafayette Street; thence Northwesterly along the Southerly line of Lafayette Street, 40.00 feet to the point of beginning.

For a more particular description, see Plan of a Portion of Champlain Street as prepared for Town Meeting, Dracut, Mass., April 2013; Scale: 1 inch. = 30 feet.

Submitted by Glen Edwards, Assistant Town Manager/Planner
Board of Selectmen recommended approval
Planning Board recommended approval

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ARTICLE #39:

Unanimously, the Town voted to amend the Town's Zoning Bylaw by adding a new Section 2.11.21 "Temporary Moratorium on Medical Marijuana Treatment Centers" that would provide as follows, and further to amend the Table of Contents to add Section 2.11.21:

Section 2.11.21 Purpose

Whereas, by vote at the state election on November 6, 2012, the voters of the Commonwealth approved legislation regulating the cultivation, distribution, possession and use of marijuana for medical purposes; and

Whereas, the legislation provides that the law is effective on January 1, 2013; and

Whereas, the State Department of Public Health is required to issue regulations regarding implementation within one hundred twenty (120) days of the law's effective date; and

Whereas, currently under the Town of Dracut Zoning Bylaw, Section 2.11.30 and Section 2.11.40, a medical marijuana treatment facility is not specifically listed as a permitted use in the Town; and to insure that there is no ambiguity in the Zoning Bylaw as to whether or not such treatment centers are allowed use; and

Whereas, any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including medical marijuana treatment centers; and

Whereas, the regulation of medical marijuana raises novel and complex legal and planning issues; and

Whereas, the Town needs time to study and consider the regulation of medical marijuana treatment centers and address such novel and complex issues; and

Whereas, the Town needs time to undertake a planning process to consider amending the zoning bylaw regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana; and

Whereas, the Town intends to adopt a temporary moratorium on the use of land and structures in the Town for medical marijuana treatment centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws in a manner consistent with sound land use planning goals and objectives;

Wherefore, the Town of Dracut hereby adopts the following temporary moratorium on the use of land or structures for medical marijuana treatment centers in the Town.

Section 2.11.21.2 TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision in the Town of Dracut Zoning Bylaw to the contrary, the Town of Dracut hereby adopts a temporary moratorium on the use of land or structures for a medical marijuana treatment center. The moratorium will be in effect until July 1, 2014. During the moratorium period, the Town will undertake a planning process to address the potential impacts of medical marijuana in Dracut, consider the Department of Public Health regulations regarding medical marijuana treatment facilities and related uses, and adopt new zoning regulations to address the impact and operation of medical marijuana treatment centers and related uses.

Submitted by Board of Selectmen

Board of Selectmen recommended approval

Planning Board recommended approval

Committee on Government Rules & Regulations recommended approval

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ARTICLE #40:

The Moderator announced there was a typographical error in paragraph two of Article #40 under Other Uses:

Reads: Public Transit Vehicle Parking
Should read: Student Transit Vehicle Parking

Unanimously, the Town voted to amend the Zoning Bylaw to add to 2.11.45 the following use:

Student Transportation Vehicle Parking:

The parking and temporary storage of student transit vehicles including buses, special needs equipped vehicles, and related or support vehicles serving educational facilities. The term includes, if needed, the on-site repair and maintenance of vehicles, the storage of and dispensing of fuel products for the aforementioned vehicles and the provision for dispatching and securing personnel and necessary emergency vehicles and equipment; and to see if the Town will vote to amend 2.11.30, Table of Permitted Uses – Page 3 of 3, by adding to the other uses, the following:

	<u>Residential</u>			<u>Business</u>				<u>Industrial</u>	
Other Uses:	R-1	R-2	R-3	B-1	B-3	B-4	B-5	I-1	I-2
Student Transit Vehicle Parking	0	0	0	0	0	0	0	SPB	SPB

Any property owner who has continuously operated a bus terminal or has continuously rented to someone who has operated a bus terminal on a property for a combination of at least forty years prior to the enactment of this Section, the bus terminal operations shall be a grandfathered use and may continue to operate thereof so long as the owners maintain the current ownership of the property. Once the property is transferred to an unrelated party, the grandfather use is terminated.

If any provision of this article or the application thereof to any persons or circumstance shall to any extent be held invalid or unenforceable, the remainder of the article or the application of such provision to persons or circumstance other than those to which it is held invalid or unenforceable shall not be affected thereby, and each remaining provision of the article shall be valid and enforceable to the fullest extent permitted by law; or act in any other way relative thereto.

Submitted by Dennis E. Piendak, Town Manager
Board of Selectmen recommended approval
Planning Board recommended approval
Committee on Government Rules & Regulations recommended approval

A motion was made and seconded from the floor to adjourn the June 3, 2013 Annual Town Meeting.

Unanimously, the Town voted to adjourn the June 3, 2013 Town Meeting at 10:36 PM.

A TRUE COPY ATTEST: _____
Kathleen M. Graham, Town Clerk