



Town of *Dracut*
MASSACHUSETTS

2024 Annual Town Meeting Vote

June 3, 2024

**ANNUAL TOWN MEETING VOTE
TOWN OF DRACUT
JUNE 3, 2024**

The Annual Town Meeting for the Town of Dracut was held on Monday, June 3, 2024, at the Lester G. Richardson Center for the Performing Arts, Dracut High School, 1540 Lakeview Ave., Dracut, Massachusetts.

The meeting was called to order at 7:12 PM, with a quorum certified by the Town Clerk.

The Pledge of Allegiance was recited.

A moment of silence was observed in memory of:

William Desrosiers	02/06/2024	Retired Town Employee
Michael Cahill	02/06/2024	Retired Town Employee
David Despirito	02/23/2024	Retired Town Employee
Sharon Tully	04/21/2024	Retired School Employee
Gary Dallaire	04/21/2024	Retired Town Employee

Anthony D'Agostino, Valedictorian of Dracut High School Graduating Class of 2024, read the following Tercentennial Proclamation into the minutes:

In accordance with the provision 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 the Tercentennial Park, shown on the 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 77 years.

**ANNUAL TOWN MEETING VOTE
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**ARTICLE #1
READING OF TOWN MEETING ARTICLES**

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

Submitted by: Jayne Boissonneault, Town Clerk
Recommendations: Approval Recommended (Selectmen)

**ARTICLE #2
READING OF REPORTS**

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: Ann Vandal, Town Manager
Recommendations: Selectmen Approval Recommended

**ARTICLE #24 – November 13, 2023 TOWN MEETING
COMMERCIAL PROPERTIES – DUMPSTERS (Referred Article)**

Unanimously, the Town voted to dismiss Article 24 of the November 13, 2023 Town Meeting.

Submitted by: Tony Archinski, Selectmen
Recommendations: Selectmen Approval Recommended

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**ARTICLE #3
COMPENSATING BALANCE AGREEMENTS**

By Majority, the Town voted to authorize the Town Treasurer to enter into compensating balance agreements during the fiscal year beginning July 1, 2024, as permitted by General Laws, Chapter 44, Section 53F.

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended (Selectmen and Finance Committee)

**ARTICLE #4
SALARIES & COMPENSATION ELECTED OFFICIALS**

Due to the potential conflict of interest, the Moderator recused himself and passed the gavel to the Town Clerk, Jayne Boissonneault. The following Amendment was submitted from the floor:

“I move to amend the article to set the stipends of all elected officials to zero.”

Submitted by: Richard Silvio

By Majority, the Amendment failed.

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, 2024, and to raise and appropriate the following sums of money under the various Town Departments.

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

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended (Selectmen and Finance Committee)

ANNUAL TOWN MEETING VOTE
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ARTICLE #5
FY2025 OPERATING BUDGETS

By 2/3rds Majority Voice Vote (clearly heard and so called by the Moderator), the Town voted to appropriate \$100,098,845 for expenditures in the fiscal year beginning July 1, 2024, as follows:

School Department:

School Department Operations	\$ 39,293,700
Transportation	3,144,684

Greater Lowell Regional Technical High School

Education Assessment	\$ 5,827,703
Transportation	303,409

Essex North Shore Agricultural & Tech High School

Assessment	\$ 22,000
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Town Manager's Budgets

Salaries, Wages and Expenses	\$ 51,262,541
Transfer to Stormwater Enterprise Fund	244,808

Total Expenditures & Transfers **\$ 100,098,845**

To meet said appropriation the Town shall:

Raise through Taxes and other General Fund Revenues:	\$ 96,257,619
Transfer from Sewer Enterprise Fund	840,000
Transfer from Water Enterprise Fund	191,000
Transfer from Town Hall Stabilization Fund	86,756
Transfer from Wetland Protection Fund	5,000
Transfer Special Revenue Funds	123,470
Transfer from Free Cash	2,205,000
Transfer TIP & IT Stabilization Fund	90,000
Transfer from School Cafeteria Fund	300,000
Total Revenues & Transfers	<u>\$ 100,098,845</u>

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended (Selectmen & Finance Committee)

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**ARTICLE #6
FY2025 SEWER ENTERPRISE BUDGET**

Unanimously, the Town voted to raise and appropriate or transfer from available funds including retained earnings the sum of \$7,792,276 or any other sum to operate the Sewer Department for fiscal year beginning July 1, 2024.

Direct Cost

Salaries	\$ 281,155
Expenses	3,202,550
Capital Outlay	50,000
Debt	<u>3,418,571</u>
Total Direct Cost	<u>\$ 6,952,276</u>

Indirect Cost

Departmental & Other Expenses	\$ 600,000
Insurance & Benefits	<u>240,000</u>
Total Indirect Cost	<u>\$ 840,000</u>

Total Expenditures	<u>\$ 7,792,276</u>
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Revenues & Transfers

Sewer Revenues	\$ 7,492,276
Retained Earnings	<u>300,000</u>
Total Revenues	<u>\$ 7,792,276</u>

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended (Selectmen and Finance Committee)

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**ARTICLE #7
FY2025 WATER ENTERPRISE BUDGET**

Unanimously, the Town voted to raise and appropriate from water revenues and transfer from retained earnings the sum of \$2,063,026 as follows, to operate the Kenwood Water Department for fiscal year beginning July 1, 2024.

Direct Cost

Salaries	\$ 47,026
Expenses	<u>1,825,000</u>
Total Direct Cost	<u>\$ 1,872,026</u>

Indirect Cost

Departmental Expenses	\$ 139,000
Insurance & Benefits	<u>52,000</u>
Total Indirect Cost	<u>\$ 191,000</u>
Total Expenditures	<u>\$ 2,063,026</u>

Revenues

Water Revenues	\$ 1,863,026
Water Retained Earnings	<u>200,000</u>
Total Revenues	<u>\$ 2,063,026</u>

Submitted by:

Ann Vandal, Town Manager

Recommendations:

Approval Recommended (Selectmen and Finance Committee)

**ANNUAL TOWN MEETING VOTE
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**ARTICLE #8
AMEND FY2024 SEWER ENTERPRISE BUDGET**

Unanimously, the Town voted to amend the FY2024 Sewer Enterprise Budget for the fiscal year beginning July 1, 2023 by increasing such appropriation by \$200,000 as voted under Article six (6) of the 2023 June Town Meeting, that to meet this appropriation, the Town will transfer \$200,000 from Sewer Retained Earnings.

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended (Selectmen and Finance Committee)

**ARTICLE #9
AMEND FY2024 WATER ENTERPRISE BUDGET**

Unanimously, the Town voted to amend the FY2024 Water Enterprise Budget for the fiscal year beginning July 1, 2023 by increasing such appropriation by \$200,000 as voted under Article seven (7) of the 2023 June Town Meeting, that to meet this appropriation, the Town will transfer \$200,000 from Water Retained Earnings.

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended (Selectmen and Finance Committee)

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ARTICLE #10
FY2025 STORMWATER ENTERPRISE BUDGET

Unanimously, the Town voted to raise and appropriate or transfer from available funds including retained earnings the sum of \$394,808 as follows, to operate the Stormwater Enterprise Fund for the fiscal year beginning July 1, 2024.

Expenditures

Salaries	\$ 237,808
Expenses	<u>157,000</u>
Total Expenditures	<u>\$ 394,808</u>

Revenues

Transfer from General Fund	\$ 244,808
Stormwater Retained Earnings	<u>150,000</u>
Total Revenues	<u>\$ 394,808</u>

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended (Selectmen and Finance Committee)

ARTICLE #11
FY2025 PEG ACCESS ENTERPRISE BUDGET

Unanimously, the Town voted to raise and appropriate or transfer from available funds including retained earnings the sum of \$511,934 as follows, to operate the PEG Access Enterprise Fund for the fiscal year beginning July 1, 2024.

Expenditures

Expenditures	\$ 511,934
Capital	<u>-</u>
Total Expenditures	<u>\$ 511,934</u>

Revenues

Franchise Fees	\$ 480,000
Retained Earnings	<u>31,934</u>
Total Revenues	<u>\$ 511,934</u>

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended (Selectmen and Finance Committee)

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**ARTICLE #12
CHAPTER 90 PROGRAM**

Unanimously, the Town voted to transfer from available funds, the sum of \$818,362 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: Ann Vandal, Town Manager

Recommendations: Approval Recommended (Selectmen and Finance Committee)

**ARTICLE #13
COMMUNITY PRESERVATION BUDGET – FY2025**

Unanimously, Town voted to appropriate the sum of \$797,950, from Fiscal Year 2025 Community Preservation Fund Revenues and the current Community Preservation Fund Balance, and to act upon the recommendations of the Community Preservation Committee, with each item considered a separate appropriation:

Proj #	Project	Submitted by	Source	Amount
1.	Fields Debt Payment	Victor Garofalo	Recreation	\$ 481,950
2.	Harmony Hall Debt Payment	Victor Garofalo	Historic	\$ 37,040
3.	Transfer to Historic Reserve	Victor Garofalo	Historic	\$ 104,460
4.	Transfer to Community Housing Reserve	Victor Garofalo	Community Housing	\$ 141,500
5.	Administration Expenses	Victor Garofalo	Administration	\$ 33,000
Total Community Preservation - FY25				\$ 797,950

Project Descriptions

1. **Field Debt Payment** – Funding would provide for the necessary debt payment in FY25.
2. **Harmony Hall Debt Payment** – Funding would provide for the necessary debt payment in FY25.
3. **Historic Reserves** – Required 10% transfer into Historic Reserves.
4. **Community Housing Reserves** – Required 10% transfer into community housing reserves.
5. **Administration Expenses** – to appropriate annual administrative costs, such as legal and dues.

Submitted by: Community Preservation Committee

Recommendations: Approval Recommended (Selectmen and Finance Committee)
Approval Recommended Community Preservation Committee

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**ARTICLE #14
COMMUNITY PRESERVATION – BEAVER BROOK FARM IMPROVEMENTS**

The following amendment was submitted from the floor:

“I move to amend Article 14 to only approve the portion of the article related to the driveway for \$547,000.”

Submitted by: Alyssa Nazzaro

By Standing Vote, (Yes 170, No 199) the amendment failed.

By Majority, the Town voted to appropriate \$978,000, from Fiscal Year 2025 Community Preservation Fund Revenues and the current Community Preservation Fund Balance, and to act upon the recommendations of the Community Preservation Committee, for the purpose of construction at 771 (formally 761) Mammoth Road, known as Beaver Brook Farm, to install a new driveway entrance, two lane driveway with sidewalk, emergency access, upper parking lot with approximately 15 spaces, secondary lower parking lot with approximately 4 ADA spaces, stone dust trail of approximately 1,350 LF from the lower parking lot to Beaver Brook.

Submitted by: Community Preservation Committee
Recommendations: Approval Recommended Selectmen
Approval Recommended Community Preservation Committee
Disapproval Recommended Finance Committee (The finance committee does recognize the driveway needs to be done, and does recommend approval of that portion of the project for \$547,000.
CPC Committee Recommends approval.

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**ARTICLE #15
COMMUNITY PRESERVATION – TENNIS & PICKLEBALL COURTS**

By Majority, the Town voted to appropriate \$2,547,435, and meet such appropriation \$297,435 be transferred from Fiscal Year 2025 Community Preservation Fund Revenues and the current Community Preservation Fund Balance, and \$2,250,000 be transferred from the Open Space Reserves and to act upon the recommendations of the Community Preservation Committee, for the purpose of construction of Tennis & Pickleball Courts at the Dracut High School Complex located at 1540 Lakeview Ave. Tennis and Pickleball Court construction will include 4 Tennis Courts and 4 Pickleball Courts, along with site improvements, which will include Stormwater improvements, concrete walkways, shade structures, bleachers, storage shed, chain link fence, landscaping and lighting.

Submitted by: Community Preservation Committee
Recommendations: Approval Recommended (Selectmen and Finance Committee)
Approval Recommended Community Preservation Committee

**ARTICLE #16
OFFSET RECEIPTS**

Unanimously, the Town voted to appropriate a sum of money from available “offset receipts” for the fiscal year beginning July 1, 2024, to be used in accordance with the provisions of General Laws, Chapter 44, Section 53E.

Department	Ceiling	Funding Source
Board of Library Trustees	\$ 50,000	Fees, Fines, Donations, Grants
School Department	\$ 30,000	Fees, Fines, Lost Books
Council on Aging	\$ 50,000	Fees, Fines, Donations, Grants

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended (Selectmen and Finance Committee)

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**ARTICLE #17
SEWER PIPE LINING (SEWER DEPARTMENT)**

Unanimously, the Town voted to appropriate the sum of \$500,000 for phases two (2) – six (6) for the relining for the sewer pipe, as well as addressing sewer flow reduction and improvements, that to meet this appropriation, the Town will transfer \$500,000 from Sewer Retained Earnings:

Submitted by: Marguerite Hoover, Water & Sewer Director
Recommendations: Approval Recommended (Selectmen and Finance Committee)

**ARTICLE #18
SEWER FLOW METERING STUDY**

The Town Manager, Ann Vandal, pointed out a Scribner's error in the dollar amount in the motion. \$250,000 should be \$225,000 as printed in the warrant and shown on the screen at Town Meeting.

Unanimously, the Town voted to appropriate the sum of \$225,000 for activities related to a flow metering study of sewer mains within the Town of Dracut to pinpoint areas of infiltration and inflow, that to meet this appropriation, the Town will transfer \$225,000 from Sewer Retained Earnings:

Submitted by: Marguerite Hoover, Water & Sewer Director
Recommendations: Approval Recommended (Selectmen and Finance Committee)

**ARTICLE #19
ACCEPTANCE MGL CHAPTER 40, SECTION 38
PURCHASE, DEVELOPMENT AND USE OF PUBLIC WATER SUPPLY**

Unanimously, the Town voted to accept Massachusetts General Law Chapter 40, Section 38 Purchase, Development and Use of Public Water Supply as printed in the warrant.

Submitted by: Marguerite Hoover, Water & Sewer Director
Recommendations: Approval Recommended (Selectmen and Finance Committee)

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**ARTICLE #20
ACQUIRE TEMPORARY EASEMENT 46 SLADEN STREET and 1064 LAKEVIEW AVE**

Unanimously, the Town voted to dismiss Article 20.

Submitted by: Tina Rivard, Assistant DPW Director
Recommendations: Approval Recommended Selectmen

**ARTICLE #21
ACQUIRE TEMPORARY EASEMENT 5, 7, 8 and 9 Pagona Way**

Unanimously, the Town voted to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise the following temporary easement for 5, 7, 8 and 9 Pagona Way as follows:

To acquire by purchase, gift, eminent domain or otherwise a temporary easement on the properties located at 5 Pagona Way, parcel id 46-96-3, Dracut MA (the Property), owned now or formerly by Bobby Rathsombath and Sandy Thongkhamsouk, 7 Pagona Way, parcel id 46-96-4, Dracut MA (the Property), owned now or formerly by Beshara Boshera, 8 Pagona Way, parcel id 46-96-6, Dracut MA (the Property), owned now or formerly by Grace Robertson, 9 Pagona Way parcel id 46-96-5, Dracut MA (the Property), owned now or formerly by Paulo and Christine Cavalcanti, for the purpose of digging additional test pits that DEP has determined are needed on neighboring parcels to the Town landfill to determine the limits of prior disposals. These properties are areas that have been identified for further exploration. The temporary easement will allow a Town authorized contractor access to perform this work. Each potential test pit location will require a 10' wide access path in which vegetation is cleared/disturbed. The test pits themselves will be excavated and then back-filled the same day.

The proposed temporary easements are shown on plans entitled "Test Pit Location Plan" with reference to 5 Pagona Way, 7 Pagona Way, 8 Pagona Way and 9 Pagona Way, respectively prepared by Weston & Sampson, a copy of which is on file in the office of the Dracut Planning Department.

Submitted by: Alison Manugian, Community Development Director
Recommendations: Approval Recommended (Selectmen and Finance Committee)

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ARTICLE #22

REVOCATION OF FUNDS AND CLOSURE OF THE OPIOID SETTLEMENT STABILIZATION FUND

Unanimously, the Town voted to transfer the funds dedicated to the Opioid Settlement Stabilization Fund established at the November 7, 2022 Annual Town Meeting Article #9, to a special revenue fund established by the Director of Accounts, and to place all statewide opioid settlement receipts received into the same fund, after which the Opioid Settlement Stabilization Fund will be closed.

Submitted by: Victor Garofalo, Assistant Town Manager, Finance Director

Recommendations: Approval Recommended (Selectmen and Finance Committee)

ARTICLE #23

TAX INCREMENTAL FINANCING PLAN WITH J&J HEATING and AIR CONDITIONING

By Majority Voice Vote (clearly heard and so called by the Moderator), Article 23 failed.

Submitted by: Ann Vandal, Town Manager

Recommendations: Approval Recommended Selectmen

Dis-Approval Recommended Finance Committee

The Moderator called for a short recess at 8:40 PM.

The Town Meeting reconvened at 8:49 PM.

ARTICLE #24

PURCHASE 1363 BROADWAY ROAD (PROPER – BROX FARM)

By 2/3rds Majority Voice Vote (clearly heard and so called by the Moderator), the Town voted to authorize the Board of Selectmen to acquire on behalf of the Town the property (the Property) known as the Proper (Brox) Farm, in the amount of \$940,000, located at 1363 Broadway Road in Dracut, shown on the Dracut Assessors' Map as Map 8, Parcel 14-3, consisting of twenty six (26) acres, more or less, and further described in a deed recorded with the Middlesex North Registry of Deeds, at Book 28006, Page 194; and, further, to authorize the Board of Selectmen to enter into a Purchase and Sale Agreement regarding the Property; which said amount will be paid from ARPA funds.

Submitted by: Ann Vandal, Town Manager

Recommendations: Approval Recommended Selectmen

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**ARTICLE #25
ZONING BY-LAW – ZONING MAP UPDATE
1100 Merrimack Avenue and 1351 Methuen Street**

The following amendment was submitted from the floor:

“Motion to refer to Board of Selectmen to report back at the fall Town Meeting”.

Submitted by: Richard Cowan

By 2/3^{rds} Majority Voice Vote (clearly heard and so called by the Moderator), the amendment failed.

By 2/3^{rds} Majority Voice Vote (clearly heard and so called by the Moderator), the Town voted to approve Article 25 – Zoning By-Law, Zoning Map Update 1100 Merrimack Avenue and 1351 Methuen Street as printed in the warrant, with the corrected Section 3.3 (Table of Permitted Uses) below.

Other Uses	Residential			Business				Industrial	
	R-1	R-2	R-3	B-1	B-2	B-3	B-4	I-1	I-2
Biotech and/or Pharmaceutical/Health Manufacturing and Distribution	0	0	0	0	0	0	0	0	PB
Research/Office	0	0	0	0	0	0	0	PB	PB
Distribution Center	0	0	0	0	0	0	0	0	PB

Submitted by: Alison Manugian, Community Development Director

Recommendations: Approval Recommended Selectmen and Planning Board

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**ARTICLE #26
GENERAL BY-LAW
CHAPTER 24 - STORMWATER AND EROSION CONTROL BYLAW**

By Majority, the Town voted to approve Article 26 – General By-Law, Chapter 24 – Stormwater and Erosion Control By-Law as printed in the warrant.

Submitted by: Tina Rivard, Stormwater Manager & Assistant Public Works Director
Recommendations: Approval Recommended Selectmen

**ARTICLE #27
GENERAL BY-LAW
CHAPTER 25 – ILLICIT DISCHARGE BYLAW**

By Majority, the Town voted to approve Article 27 – General By-Law, Chapter 25 – Illicit Discharge By-Law as printed in the warrant.

Submitted by: Tina Rivard, Stormwater Manager & Assistant Public Works Director
Recommendations: Approval Recommended Selectmen

**ARTICLE #28
WETLANDS BY-LAW**

Unanimously, the Town voted to approve Article 28 – General By-Law, Wetlands By-Law as printed in the warrant.

Submitted by: Jackie Anderson, Conservation Director
Recommendations: Approval Recommended Selectmen

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**ARTICLE #29
ROAD ACCEPTANCE – DOUGLAS ROAD**

By Majority, the Town voted to approve Article 29 – Road Acceptance – Douglas Road as printed in the warrant.

Submitted by: Ann Vandal, Town Manager
Recommendations Approval Recommended Selectmen and Planning Board

**ARTICLE #30
ACCEPTANCE MGL CHAPTER 140 SECTION 139**

Unanimously, the Town voted to defer Article 30 to Fall Town Meeting.

Submitted by: Colleen Morse, Animal Control Officer
Recommendations Approval Recommended Selectmen to Defer Article to Fall Town Meeting

A motion was made and seconded from the floor to adjourn the June 3, 2024 Annual Town Meeting at 9:30 PM. Motion passed unanimously.

A TRUE COPY ATTEST:



Jayne Boissonneault, Town Clerk