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TOWN OF CHELMSFORD PATRICIA E. DZURIS TOWN CLERK

Town of Chelmsford Board of Selectmen Minutes
50 Billerica Rd., Room 204
Chelmsford, MA 01824

Regular Meeting MINUTES

January 29, 2018

Approved April 9, 2018

Attending:

Patricia Wojtas, Chairman
Laura Merrill, Vice Chairman
Kenneth Lefebvre, Clerk
Glenn Diggs, Selectman
George Dixon, Jr., Selectman

Paul Cohen, Town Manager
Michael McCall, Assistant
Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. The meeting was recorded by Chelmsford Telemedia and the Chelmsford Independent. Chairman Wojtas called the meeting to order at 7:00 PM.

JOINT MEETING WITH BOARD OF HEALTH TO FILL VACANCY

Nick Parlee was present on behalf of the Board of Health. One person has expressed interest in the position.

Dr. Eric Mickle came forward and described his qualifications and interest in the position.

There were no audience members present who were interested in the position.

Roll Call Vote in Support of Appointing Dr. Eric Meikle to the Board of Health until the April 3, 2018

Annual Town election:

Mr. Parlee: Aye

Selectman Diggs: Aye

Selectman Merrill: Aye

Selectman Dixon: Aye

Selectman LeFebvre: Aye

Chairman Wojtas: Aye

PUBLIC SERVICE ANNOUNCEMENTS

George Simonian, CHS Alumni Hall of Fame

Mr. Simonian could not be present, so Terry McSheehy, President of the Alumni Association made the announcement. This event will be held on March 24, 2018 at the UMass Lowell Inn and Conference Center in Lowell. This year's inductees were read into the record. The proclamation was read by Selectman Merrill, and accepted by Mr. McSheehy.

Rabies Clinic, February 10th, 2 Olde North Road

Vivian Merrill, 23 Maple Rd., announced this event is being held at the Chelmsford Dog Pound from 10:00-12 noon, Rabies shots and microchips will be available to pets from any community, Dog Licenses will be for Chelmsford residents only.

Winterfest

This Annual Event is coming up this weekend. Tickets for the library event are still available. Other events were listed and summarized.

OPEN SESSION

Thomas Moran, Precinct 8 Town Meeting Representative, referred to a recent news article in the Lowell Sun newspaper on January 26, 2018, regarding the commuter rail train service study from Manchester, NH to Lowell. In 2003, Chelmsford was put on the list to have a train station. The Board was asked to get the Town involved to lobby for a train station in Chelmsford. Mr. Moran read parts of the article into the record. He thinks the study and planning will take 7-8 years to complete, and he asked people to attend these meetings in NH. Mr. Moran felt that having a stop in North Chelmsford would be a great opportunity; the concept has been looked at in the past and has received a lot of support. Mr. Moran felt a train stop could benefit UMass Lowell as well, and will reduce overall traffic, which will improve property values and will enhance economic growth.

Brian Latina, 15 Jessie Rd., thanked the Board for improved state efforts at snow clearing in the Rt. 129 bridge area. Mr. Latina went on to summarize past work done regarding the 101Mill Rd. property sale and restriction document. The Board was advised that the Historic Commission has reviewed the document and suggested changes. Lastly, Mr. Latina wished to let the public know that representatives in support of a Citizens' Petition for a non-binding ballot question regarding multi-family zoning will be at the library on Saturday and Sunday collecting signatures, and they ask for support from other residents.

Deb Taverna, member of the Historic Commission, notified the Board that the Preservation Restriction document for 101Mill Rd. was referred to the Mass. Historic Commission. She requested additional time to work on the document, as there are still outstanding enforcement concerns.

Kathy Kelley, President of the Chelmsford Business Association, read a letter in to the record regarding a non-binding request for a ballot question on tax classification. The CBA is asking the Board not to support the questions, as tax classification is a discriminatory policy and violates the Board's duty to determine the tax rate. The group believes this referendum will undercut the Boards authority, and will pit residents against businesses.

Eric Salerno, 6 Loisselle Lane, asked the Board to consider the message that the vote on the tax classification question will send to other Boards. He does not support this question or the way it is being handled. He requested the Board reject the motion in order to allow more dialogue with other committees.

Emily Antul, 9 Mansur St., felt a public hearing and ballot question is an excellent way to present the information on tax classification as long as the information is presented correctly. She supports asking the voters about this topic.

Brian Latina, 15 Jessie Rd., reminded the Board that Christine Bowman came to the Board with 20 signatures on her petition and was told that a non-binding vote would confuse the voters. Now, petition supporters have to get approximately 2500 signatures. He supports having a question on the ballot, and suggested that the Tax Classification question supporters also be made to obtain more signatures.

Helen Blasioli, 9 Augusta Way, felt the Board members were put on the Board to represent the people, and they should think about everyone.

Jeff Hardy, 5 Maple Ave., explained he is a business owner and CBA member. Tax Classification will create problems, and 250 towns in the state do not split the tax rate. Doing so creates a mob mentality as

businesses can't vote, and he considers the practice taxation without representation. Under the proposed system, businesses in plazas are counted as a single entity and would be unfairly taxed. Many businesses are run out of homes, and it is not known how this would impact those businesses. Senior citizens should be educated about their currently available options for tax relief. The Board was urged not to put this referendum on the ballot.

Steve Flynn, 13 Dayton St., felt the Board should think about allowing people to express their opinion and have some kind of input. The Board should think about this.

COMMITTEE VACANCIES

Selectman Merrill read the list of current vacancies. Interested applicants can apply online at <http://www.townofchelmsford.us> or through the Town Manager's office.

101 MILL ROAD RESTRICTIVE COVENANT

Town Counsel Paul Haverty was present with a revised version of the Preservation Restriction document after his and the Historic Commission's suggested revisions. The Board was reminded that the goal was to create a document that wouldn't scare off potential buyers of the property. Atty. Haverty recommended the document actually be named a "restrictive covenant". The Mass. Historic Commission disagrees with his opinion. There is disagreement between the Historic Commission and himself on whether the Board of Selectmen should hold authority to hear appeals. The Historic Commission has added several provisions that are applicable to a historic preservation, not a restrictive covenant, and should not be in the document, in Atty. Haverty's opinion. The Board requested a document be compiled that shows all the additions, and to put the things Atty. Haverty doesn't agree should be there in a different color. Selectman Diggs asked if the proposal to make the building an inn is even allowed by zoning. He was advised that the Building Commissioner would determine this. Selectman Diggs feels any decision on this document should be held until after Town Meeting. Selectman Merrill agreed, and expressed concern that the current agreement is not enforceable. Atty. Haverty explained that the Mass. Historic Commission will not support any document that doesn't follow their template. Town Meeting did not support paying for a business plan for this property. Discussion will continue at the next meeting with the proper document.

REPORTS AND PRESENTATIONS

Michael McCall: Electric Vehicle Charging Station Update

Documents showing trends since fees were instituted on December 1, 2017 were provided to the Board. As expected, the number of users and length of visits have dropped. Revenues in December were \$224.15, and about \$58.42 to date for January.

Mr. McCall will come back in four months with another report to see if trends remain low, or if warm weather will change things.

John Beaudoin: Roberts Field Branding Project

Bill Askenburg, 185 Westford St., Chairman of the Roberts Field Advisory Committee introduced volunteer John Beaudoin to describe a branding program for Roberts Field.

John Beaudoin, 22 Longmeadow Rd., listed design themes throughout Roberts Field by playground, wildlife area, and athletic areas. Existing signs were shown, which he felt were not cohesive and do not work together. The Committee's goal was to encourage people to use entire area, and the new signs will work together to draw people to all the areas. There will be one logo for Roberts Field as a whole, a similar one for Friendship Park, one for the Wildlife Sanctuary, and one for the playing fields. Potential sign designs were shown, and can be used for promotional items like clothing or letterhead. Several signs

will be done, and their proposed locations were described. Additional signs with rules and wayfinding will be developed. Funding will come from what was approved for this location at Fall 2017 Town Meeting.

Mr. Askenburg requested a formal vote of support from the Board.

Motion: by Selectman Merrill to approve the branding and logos proposed by the Roberts Field Advisory Committee, as presented. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

TOWN MANAGER BID AWARDS

Roberts Field Playground Design

Assistant DPW Director Steve Jahnle, advised that seven companies sent in proposals. Three companies were interviewed, and a recommendation was made. They anticipate the work will be completed by the end of June, 2018.

Motion: by Selectman Merrill to accept the Town Manager's Bid Award for Roberts Field Playground Design to O'Brien and Sons of Medfield, MA, as presented. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

Solid Waste Collection

Recycling and Solid Waste Coordinator Nick Parlee explained that multiple options were reviewed. The recommended course will be a five-year continuation of the current contracts with Republic Services for trash removal. Recycling will be looked at again in 2 years, as the recycling market is changing because of negotiations with the international market.

Motion: by Selectman Merrill to approve the Town Manager's Bid Award for a five year contract with Republic Services for trash collection and a 2-year contract extension for Waste Management Co. for recycling services. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

The Town Manager announced that the RFP for management of the Forum was issued today.

TOWN MANAGER REPORTS

Proposed FY 2019 Operating and Capital Budgets

A presentation was provided to the Board. The overall budget will increase by 3.09%, to \$132 million. The schools will have \$59 million in their budget. General Government will have a budget of \$28.3 million. The Nashoba Technical high School Assessment increase is about \$175,000.00, benefits and insurance increases are about \$865,000.00, and debt service is \$14.2 million. The proposed budget maintains the existing level of governmental services; staffing and capital improvements budgets will remain the same. Other line item changes were summarized. It is hoped that collective bargaining issues will be resolved soon. Major expenditure increases were listed and revenue sources and amounts were listed. Local aid figures came in less than anticipated, and were about level funded. Five and ten year trends were shown in multiple categories. Public School funding and data was provided. Expenditure and funding comparisons between various communities were shown. Police & Fire department staffing and call volume data was shown. Retirement assessment data was shown, including unfunded pension and OPEB liabilities. Some debt service from the sewer project is being paid off. New levy capacity is \$3,741,712.00. Motor Vehicle Excise Tax commitments were listed. Approved Capital Plan Improvement projects were listed. The Finance Committee will begin their budget hearings later this week.

Draft Spring Annual Town Meeting Warrant

Two new articles were added since the last review, and one may be deleted. The Planning Board is discussing the zoning articles.

Electricity Aggregation New Supply Contract

The supply contract will be transferred from Constellation to Public Power, through November, 2020. The new company's rate is less than National Grid's rate by 3 cents per kilowatt hour.

TOWN MANAGER APPOINTMENTS

CCA Advisory Committee, Karen Cawley – 1 year term exp. 6/30/2018

Parade Committee, Alison Ludwig - 1 year term exp. 7/31/2018

Holiday Decorating Committee Re-Appointments – 1 year terms exp. 12/31/2018

Motion: by Selectman Merrill to approve the Town Manager's Appointments as presented. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

ADVISORY BALLOT QUESTIONS REGARDING TAX CLASSIFICATION

This question was proposed by Selectman Diggs. Selectman Diggs explained he understands why the CBA feels the way they do. He noted this Board has historically requested public input on a variety of items and surrounding towns are discussing this topic. Residents should be heard, and be given a chance to express their opinion. Things change over time, and the public should be able to weigh in on things.

Selectman Dixon stated he supports doing this, as the Board does represent the people.

Selectman Merrill agreed. She supported the citizen question that was presented to this Board last month going to the ballot, and this one should, too. It is the democratic process.

Selectman Lefebvre requested clarification about getting signatures. Mr. Cohen read the regulation into the record, and advised the Board can allow this to happen. Selectman Lefebvre stated that he feels this question will cause divisiveness within the Town.

Chairman Wojtas stated she does not support the ballot question. The Tax Classification process is worked on all year long, not just at the annual hearing. She suggested that this could be studied by a committee to look at the implications of classification.

Motion: by Selectman Diggs to accept the draft Advisory Ballot Questions Regarding Tax Classification from the Board of Selectmen. Seconded by Selectman Merrill. Selectmen Lefebvre and Wojtas opposed, all others in favor. **Motion carries, 3-2.**

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Dixon:
No reports tonight.

Selectman Lefebvre:
-There will a Brazilian Jazz concert on Feb 2, 2018 at the CCA. Everyone is welcome to attend.

Selectman Merrill:
No reports this evening.

Selectman Diggs:

-The new Business Development employee was introduced to the Economic Development Committee at their last meeting. Also discussed was Stage 2 of a branding program for the Rt. 129 area. The Committee will present a full report at Spring Town Meeting.

Chairman Wojtas:

-NMCOG is looking for proposals that will qualify for the next round of DLTA funding. Mr. Cohen will review the requirements for this request.

-Bid opening for work on the bridge on North Rd., by Rt. 495 will be done this week. The plan is to keep traffic flowing during construction, which is expected to be completed during the 2019 construction season.

-Design work on improvements in the Rt. 129/Riverneck Rd. area are ongoing. This project is expected to be completed by FY2021.

-Jeffrey Taylor was congratulated on achieving Eagle Scout status.

-Condolences were given to the family of Charlie Parlee, who recently passed away.

-The CCA was congratulated on the retirement of their debt for their Steinway piano. There was a concert and ceremony held in recognition of this achievement.

PRESS QUESTIONS

No one came forward at this time.

ADJOURN

Motion: by Selectman Merrill to adjourn this meeting at 10:02PM. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

NEXT REGULAR MEETING: February 12, 2018

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

Supporting documents:

- Legal Notice for Joint Meeting
- Proclamation for Chelmsford Hall of Fame Induction
- Rabies Clinic Flyer
- Winterfest Event Flyer
- Committee Vacancies List
- Supporting documents for the Restrictive Covenant for 101 Mill Rd., Chelmsford
- Electric Vehicle Charging Station Data sheet
- Presentation for the Roberts Field Branding Project
- Supporting information for Bid Awards
- FY 2019 Operating and Capital Budget
- Draft Annual Spring Town Meeting Warrant
- Electricity Aggregation Supply Contract Announcement
- Committee Appointments
- Draft Non-Binding Questions from the Board of Selectmen document