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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

February 12, 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, Asst. Town Mgr.

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. Chairman Wojtas called the meeting to order at 7:00 PM.

PUBLIC SERVICE ANNOUNCEMENTS

Evelyn Thoren: ATEF Grant Applications Available

Evelyn Thoren, 18 Pinewood Rd., provided some history on how the ATEF Program was started 22 years ago. The program was created to provide grants for small school projects to supplement existing curriculum in the schools. Funding comes from donations via the Town's real estate and excise tax bills. The 2018 application cycle begins in February, applications can be downloaded from the Town website. Donors were thanked for their support.

OPEN SESSION

Brian Latina, 15 Jessie Rd., Precinct 4 Town Meeting Representative, wished to discuss the 40B project on 150 Turnpike Rd. He noted heavy equipment and trailers are blocking the street, and there is no detail officer. Residents cannot make turns and there are traffic problems. Mr. Latina requested that detail officers be assigned to the area. He also reported that at the intersection of Billerica Rd. and Turnpike Rd. cars and school buses are running red lights. Tree trimming is needed on Turnpike Rd. and some trees need removal. Supporters have collected about 600 signatures on a petition to address housing density via a non-binding question on the ballot. Mr. Latina asked the Board to waive the 2500 signature requirement to get the question put on the ballot. Chairman Wojtas stated this request could not be considered this evening as it is not on the agenda. Mr. Latina was not pleased to be advised by the Zoning Board of Appeals that abutters to a project could not voice opposition to a project. The Board could only accept testimony from a developer. He feels this is not fair to any community.

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

Three versions of this document were provided to the Board. Selectman Lefebvre summarized differences he noticed between the documents. Selectman Diggs noted that the establishment of an inn is not mentioned in any of them, and a warrant article discussing the property will be heard at Town Meeting. Chairman Wojtas noted some zoning changes might be needed if an inn was desired. The property will not be on the market until after town meeting, per the Boards preference at the previous meeting.

Outstanding issues include creating a reference to clarify single family or two family use needs to be put in the document. The appeal process needs to be settled on. Selectmen Merrill and Lefebvre indicated a preference that the Historic Commission should be the appeal board. Mr. McCall reminded the Board that the problem with the first sale attempt was that the preservation document scared off potential buyers. Mr. Cohen noted that no other historic building in town has had an issue with a preservation restriction being enforced by the Historic Commission. Terms of both 20 and 30 years are referenced in the document, and references to this being perpetual or renewable are used intermittently. A decision on whether this will be a covenant or a restriction also needs to be clarified.

Deb Taverna of the Historic Commission advised a restriction would follow the state laws, but the Commission would be comfortable with making the agreement a covenant.

An amended document will be reviewed at the next meeting.

LICENSES

One Day Beer & Wine License: Harrington PTO at Chelmsford Senior Center, 75 Groton Rd., 3/16/18

Theresa Kraft, Harrington Elementary School PTO, explained the event is an annual Trivia Night fundraising event being held at the Senior Center.

Motion: by Selectman Merrill to approve a One Day Beer & Wine license for the Harrington School PTO for March 16, 2018 to be exercised on the premises at 75 Groton Rd. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

Change of DBA: Matthew Maries, DBA The Establishment

This was missed in the original application, and is now being corrected.

Motion: by Selectman Merrill to approve the amended application for a Change of DBA from The Millhouse to The Establishment for Matthew Maries, LLC, as presented. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

REPORTS AND PRESENTATIONS

Christopher Illsley, Town of Chelmsford Energy Manager: Report on Second Year of Energy Performance Contract

Mr. Illsley listed the savings amounts realized in year two of the 20-year energy performance contract. Data was broken down by locations, and fixtures, and both years were compared. Byam and South Row Schools will have some adjustments made to improve their ratings.

DPW Director Gary Persichetti advised the baseline figures use average temperatures; actual results will vary because of specific temperature and weather variations. This year saw lower solar production because of the lack of sun and heavier snow fall. Last year was a milder winter with more sun. Overall, the program is still operating at a profit.

TOWN MANAGER REPORTS

Approval of Documents Pertaining to Purchase of the Chelmsford Forum

The documents to finalize the purchase of the Chelmsford Forum were provided to the Board. Once approved, the sale can be completed.

Motion: by Selectman Merrill to approve and execute the Release Deed for the Chelmsford Forum, as presented. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

Revised Draft Spring Annual Town Meeting Warrant

The latest changes pertain to land. Acceptance of land by the Rail Trail in the center was accepted by the Conservation Commission, as was a 9.8 acre wetland parcel off Technology Way which was acquired by tax possession. There will be another article regarding the land donation in the Town center which will also be managed by the Conservation Commission.

Selectman Diggs asked the Board to allow him to ask Brian Latina a question regarding Article 26. Permission was granted. Selectman Diggs asked what the goal for the Article was. Mr., Latina explained there is a proponent making a presentation to the Finance Committee to make this building either an inn or a Bed & Breakfast establishment.

The Article on Storm Water has been removed. No resolution has been made at the state level on pending appeals.

The final version of the Warrant will be approved by the Board in two weeks.

Winstanley Enterprises' Donation of Land off of Cushing Place

Winstanley is seeking to donate a 2.6 acre parcel in the Town center. The parcel will be accepted by the Town as conservation land. A deed will be prepared by Town Counsel, which will also be approved by the Board at a future meeting.

District Local Technical Assistance Proposals

DLTA proposals being accepted for technical support requests from NMCOG to establish a permitting guidebook for future development, and an economic development report via the EDSAT Program.

TOWN MANAGER APPOINTMENTS

CCA Advisory Committee, Katherine Harbison – 1 year term exp. 6/30/2018

Motion: by Selectman Merrill to approve the Town Manager's appointment of Katherine Harbison to the Chelmsford Center for the Arts Advisory Committee for a term to expire on June 30, 2018. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

MEETING MINUTES

BOS Executive Session January 8, 2018

Motion: by Selectman Merrill to approve and release the Executive Session Minutes of January 8, 2018, as presented. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Diggs:

-The Economic Development Committee is close to coming up with a logo for the Route 129 area; this project should be finished soon.

Selectman Merrill:

-The Friendship Park Advisory Committee is hosting their public input session tonight and on February 27, 2018 at the Senior Center for feedback on their new playground designs.

Selectman Lefebvre:
No reports this evening.

Selectman Dixon:
-Residents were wished a Happy Valentine's Day

Chairman Wojtas:
-The Police Department was congratulated for achieving their re-accreditation for following Best Practices for a Police Department. The first accreditation was done in 2011.

PRESS QUESTIONS

No one came forward at this time.

NEXT REGULAR MEETING DATE: February 26, 2018

ADJOURN

Motion: by Selectman Merrill to adjourn this meeting at 8:15PM. Seconded by Selectman Lefebvre. **Motion carries, unanimous, 5-0.**

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

Supporting documents:

- ATEF Grant Application
- Committee Vacancies List
- 101 Mill Rd. Historic Preservation documents
- One Day License Application
- Energy Performance Presentation
- Release Deed, MEPA Agreement & Disclosure Statement for the Chelmsford Forum
- Draft 2018 Spring Town Meeting Warrant
- Letter of January 26, 2017 regarding a Land Donation
- DLTA Project Description documents
- Committee Application
- Draft Minutes