

Approved 3/25/2019

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

Regular Meeting MINUTES
February 25, 2019

Attending:

Glenn Diggs, Chairman
Kenneth Lefebvre, Vice Chairman
Emily Antul, Clerk
Patricia Wojtas, Selectman

Paul Cohen, Town Manager
Michael McCall, Asst. Town Manager

Not attending: George Dixon, Selectman

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 Diggs called the meeting to order at 7:01 PM.

PUBLIC SERVICE ANNOUNCEMENTS

Nashoba Valley Technical High School Committee Applications due by March 20, 2019

Announcement was read by Selectman Lefebvre; a joint meeting with the School Committee will be held on March 25, 2019.

MassDOT Design Public Hearing – Boston Rd./Concord Rd. Intersection Improvements, February 27, 2019 Town Offices Rm. 205

Selectman Lefebvre announced this hearing will begin at 7:00PM; everyone is welcome.

Introduction of Candidates for Town Wide Office

BOS:

Virginia Crocker-Timmons: The Board was thanked for this opportunity. She has resided in Chelmsford for 23 years. She listed other volunteer and professional work she has done. She has leadership experience from her past employment and volunteer work. She wants to strengthen leadership for the people. Contact info was provided.

Glenn Kohl: He is a 58 year resident, and he listed his past experience with various other committees. He feels he would bring an outsider's view to the board.

Pat Wojtas: She recognized and thanked past committee and board members, which she listed. She reminded residents that the last day to register to vote is March 13, 2019, and the election will be held on April 2, 2019.

School Committee:

Maria Santos: The Board was thanked for this opportunity. She has lived in Chelmsford since 1988. She has practiced law since 1988, and has been on the board of a credit union. She came to America from Portugal to take advantage of educational opportunities, and she is very interested in education. She believes public schools are a good and strong institution. Her goal is to perpetuate the greatness in the system, and help the department be fiscally accountable and strategize to retain top notch teachers. She was on the PTO at Center School and McCarthy Middle School, and she is on Chelmsford Council of

Schools. She is a town meeting representative, which has given her perspective. She feels her ability to analyze will help the committee.

Planning Board:

Mike Walsh, 7 Burton Lane: He is currently finishing Ed Roux’s term. He has lived in Chelmsford for 20 years, and works in construction.

Maura Snow: She is pursuing the Associate position on the Board. She currently sits on the Chelmsford Telemedia Board, and was involved with the Chelmsford Friends of Music group. Her work experience was listed, and she described her vision for Chelmsford.

Board of Health:

Mike Raisbeck: Thanked the Board for this opportunity. He has been in town 35 years, was a Town Meeting Representative for ten years, and is currently on the Planning Board, and the Charter School Board of the Innovation Academy. His education is as an engineer and attorney, and he is currently working in medical services. He thinks he can help the Board with process and administration. He feels regulatory decision making and conflict management have been problematic, and processes are not open and transparent as they should be. He feels cooperation with other boards can be made stronger. He also feels the Health Department doesn’t get the credit it should, and this can be improved.

Library Trustees:

No one was present.

Cemetery Commission:

No one was present.

Housing Authority:

No one was present.

OPEN SESSION

No one came forward at this time.

COMMITTEE VACANCIES

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

PUBLIC HEARINGS

Continuation - Wines and Malt Beverages, Common Victualer, and Entertainment License: Marimena Inc. DBA Jimmy’s Pizza, 2 Alpine Lane

Atty. Truax was present with Mr. Ghobrial of Marimena, Inc. No further comments have been received since last meeting. There were no further questions from the board, and no comments from the audience.

Motion: by Selectman Lefebvre to close the Public Hearing for Marimena, Inc., d/b/a Jimmy’s Pizza. Seconded by Selectman Antul. **Motion carries, unanimous, 4-0.**

Motion: by Selectman Lefebvre to approve the Wine and Malt Beverages License, Common Victualer, and Entertainment Licenses for Marimena, Inc. d/b/a Jimmy’s Pizza, to be exercised on the premises at 2 Alpine Lane, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 4-0.**

LICENSES

Common Victualer and Entertainment License: Spicy Touch Inc. DBA Bawarchi Biryani, 313 Littleton Road, Unit 10

Sri Koneru explained he chose Chelmsford as a location because his wife works with people from Chelmsford. He has another restaurant in Framingham. This will be an Indian cuisine restaurant. The request is to serve food, and have a television. He will apply for an alcohol license in the future.

Motion: by Selectman Lefebvre to approve a Common Victualer and Entertainment Licenses for Spicy Touch, Inc. d/b/a Bawarchi Biryani to be exercised on the premises at 313 Littleton Rd., Unit 10, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 4-0.**

Change of Corporate Name, All Alcoholic Beverages Package Store: Harrington Wine & Liquors, Inc. to Mall Liquors, Inc., 10 Summer Street

Rick Aranovitz, Lincoln Liquors, explained this request is a corporate name change to merge two corporations into one.

Chairman Diggs asked Mr. Aranovitz about the status of the model trains that used to run around the store when it was Harrington Liquors. Mr. Aranovitz explained they are being stored in the attic of the building. The company did not feel putting them in a car dealership was appropriate.

Motion: by Selectman Lefebvre to approve the corporate name change from Harrington Wine and Liquors d/b/a Lincoln Liquors, Inc. to Mall Liquors, Inc. d/b/a Lincoln Liquors, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 4-0.**

SIGN SPRING ANNUAL TOWN MEETING WARRANT

The Warrant has 27 articles to be heard at Spring Town Meeting, and includes the warrant for the Spring Town Election. The Warrant will be posted with the Town Clerk, and processed by the Constable tomorrow.

Chairman Diggs requested a summary of the new employee positions that will be voted on as part of the annual Town budget. Mr. Cohen explained the town will hire another full time school resource officer at the middle school within the police department budget, and a community services coordinator that is a resource officer for social services needed within the community. An OSHA compliance person will be a town wide position within the public works department. The School Department will also have 4 new hires.

Mr. Cohen is still working on Selectman Antul's request to see if any overall savings from these new positions were realized in other towns.

Mr. Cohen explained how appropriations are approved at Town Meeting and how department budgets are managed and administered. Mr. Cohen attends the Finance Committee meetings to monitor opinions on various requests.

Mr. Cohen explained the benefit of having an OSHA Compliance Officer is to coordinate training, prevention and record keeping which equate to future claims, liability and cost avoidance and reduced litigation costs because things are being monitored. This includes hazardous material issues, slip and falls, and general workplace safety. It also opens up grant & rebate opportunities. This is a position that is required because of new legislation mandates.

Mr. Cohen further explained that having resource officers in the schools is an important service, because it is helping people who need social services. Funding is not being provided at the state and federal government levels anymore, and the police and health departments see the fallout from this. Many people need help.

Motion: by Selectman Lefebvre to approve and sign the 2019 Spring Annual Town Meeting and Election Warrant. Seconded by Selectman Antul. **Motion carries, unanimous, 4-0.**

PSA-Candidate Introduction (re-opened)

Dr. Meikle was now present and was allowed to speak about his candidacy for the Board of Health. He explained the Board has always been comprised of a doctor, a lawyer, and a Public Works person due to the nature of the things they deal with. Having this expertise helps with coordination of policy and emergent things that come up.

REQUEST THE ATTENDANCE OF HEALTH DIRECTOR SUE ROSA TO DISCUSS THE STRUCTURE OF THE BOARD OF HEALTH DEPARTMENT AS IT RELATES TO THE BOARD OF HEALTH

Chairman Diggs requested this discussion so he can understand this relationship, and he sees this as a public service. Selectman Antul agreed, as the Board of Health meetings are not televised. This could be educational, and a gesture toward transparency. Mr. Cohen will request Ms. Rosa's attendance at a future meeting.

REQUEST THE ATTENDANCE OF CCA EXECUTIVE DIRECTOR SUSAN GATES OR CHAIRMAN DONALD VAN DYNE TO DISCUSS HOW THE \$30K APPROPRIATION APPROVED BY TOWN MEETING HAS AND WILL BE SPENT

Chairman Diggs made this request to see how things are going, and what the money being used for.

Mr. Cohen advised that a technical director was hired in January. Selectman Wojtas felt there has not been enough time to see any significant results.

The CCA has notified the Town in writing that they will be responsible for unemployment costs if the technical director is not kept on staff. The CCA Board is aware this is a one-time funding award.

TOWN MANAGER REPORTS

List of Permit Fees

Lists of fees from various departments were gathered and provided to the Board. Some departments have upgraded their fees over time, others have not. Some fees seem inconsistent. Research will be done on what other towns gets for similar services.

Monitoring Cameras on Ledge Road

Currently, there are no fiber lines in this area. The IT Department is in the process of obtaining remote cameras with wireless service. The cameras can be moved to other areas as needed. The cameras will record, and could be in place by the end of March.

Selectman Lefebvre advised that he is receiving more calls from unhappy residents in the Ledge Rd., Mission Rd., and Main St. areas, and that Selectman Dixon gets a lot of calls as well. Mr. McCall will contact Jeff Coombs from MASSDot and Dave Tilton from NMCOG to see if they or a different representative are willing to come to a meeting to explain trucking regulations. There is a concern that Chelmsford back roads are being used as a cut-through to avoid congestion on Rt. 3.

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Mr. McCall advised the Police have put signs up and are doing increased patrols and enforcement. There is an increase in out-of-state traffic. Some is seasonal, and some has been re-routed from construction areas. There is no viable alternate route for many streets, which DOT would require. Traffic counts will be done again in April.

Selectman Antul requested increased police enforcement at Dalton and Stedman streets. Mr. McCall will follow up.

The state sets speed limits on state roads. A previous attempt to change the default speed limit to 25 mph was defeated at town meeting.

Proposed Improvements to Mill Rd./Turnpike Rd. Intersection

The survey work has been completed; the mitigation work will not begin until around late summer/fall 2019.

Rich Freitas, Precinct 4, 11 Muriel Rd., explained that he travels Turnpike Rd. which is unsafe when icy. Site lines are poor, and snow is piled very high near the Mill Rd. intersection. Police have done extra patrols and used a speed warning signal. Mr. Freitas wants to make sure this area is not ignored, especially with all the proposed housing developments nearby.

TOWN MANAGER APPOINTMENTS

Personnel Board: Patrick Lawlor, 2 year term exp. 6/30/2020

Energy Conservation Committee: Brandon Johnson, 3 year term exp. 6/30/2021

Motion: by Selectman Lefebvre to approve the Town Manager's appointments of Patrick Lawlor to the Personnel Board for a term to expire June 30, 2020, and of Brandon Johnson to the Energy Conservation Committee for a term to expire June 30, 2021. Seconded by Selectman Antul.

Motion carries, unanimous, 4-0.

MEETING MINUTES

BOS Regular Session Minutes 02-04-19

Motion: by Selectman Lefebvre to approve the Regular Meeting Minute of February 4, 2019, as presented. Seconded by Selectman Antul. Chairman Diggs abstained, all others in favor. **Motion carries, 3-0.**

Vote to Release Executive Session Minutes

- a. 02-29-2016**
- b. 02-27-2017**
- c. 03-13-2017**
- d. 03-27-2017**
- e. 05-04-2017**
- f. 08-21-2017**
- g. 09-25-2017**
- h. 10-23-2017**

All issues discussed in these documents have been resolved.

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Motion: by Selectman Lefebvre to Release the Executive Session Minutes of February 29, 2016, February 27, 2017, March 13, 2017, March 27, 2017, May 4, 2017, August 21, 2017, September 25, 2017, and October 23, 2017, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 4-0.**

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Wojtas:

-NMCOG is in the process of updating their Regional Transportation Plan. A transportation survey is available on their website. NMCOG will hold three public input sessions in Westford, Lowell and Tewksbury.

Selectman Lefebvre:

-Everyone is welcome to attend the Volunteer Fair being held on March 2, 2019, at the Senior Center from 12 noon-3:00PM.

-The Council on Disabilities has finished putting together their kit to help restaurants get large font menus in their establishments, and includes information on being helpful to disabled people. They will visit restaurants and give out the kits.

Selectman Antul:

No reports this evening.

Chairman Diggs:

-Per Chairman Diggs' request, Mr. McCall provided an update on the negotiations with the Police Superior Officers Union. Union representatives are gathering documents and information, and they will be back to discuss options for settlement with the Town. Documents requested include minutes and e-mails from the Town as a Public Records request. Negotiations will continue when the union is ready. Chairman Diggs requested an Executive Session following the next Regular BOS meeting to further discuss this issue.

Selectman Lefebvre is aware he cannot participate in any Executive Sessions regarding this matter at all due to a conflict of interest.

PRESS QUESTIONS

No one came forward at this time.

NEXT REGULAR MEETING DATE: March 11, 2019

ADJOURN

Motion: by Selectman Lefebvre to adjourn at 9:01PM . Seconded by Selectman Antul. **Motion carries, unanimous, 4-0.**

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

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Supporting Documents:

- Legal Notice for Joint Meeting with the School Committee
- Notice of Public Hearing from Mass DOT
- List of Candidates running for Town Wide Offices in April 2019
- List of Committee Vacancies
- Supporting documents for hearing for Maramena, Inc.
- Supporting documents for the hearing for Spicy Touch, Inc.
- Supporting documents for Lincoln Liquors
- 2019 Spring Annual Town Meeting Warrant
- Town Departments' Schedule of Fees
- Memo of February 15, 2019 regarding Turnpike Rd.
- Committee Applications
- Draft Minutes, regular session only