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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  
May 14, 2018

Attending:

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

Paul Cohen, 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. Chairman Diggs called the meeting to order at 7:00 PM.

**PUBLIC SERVICE ANNOUNCEMENTS**

**Adelle Stavis, Roberts Field Advisory Committee: Friendship Park Groundbreaking, Wed., May 16, 4:00 PM, fundraisers and community build volunteer sign-up**

Ms. Stavis advised their group has raised \$82,000 toward the park. The brick fundraiser was successful and the new bricks will be combined with the old bricks. Several grant applications are pending, and they expect to hear something in September. There will be a fundraising event at Chipotle Restaurant on May 15, 2018 from 4:00PM-8:00PM. A Groundbreaking Ceremony will be held at 4:00PM on May 16, 2018, and will feature Jeff Bauman as a speaker. The Community Build event is being held on June 2 and 3, 2018. Interested participants can sign up on their website. The Grand Opening of the new playground is set for June 23, 2018.

**OPEN SESSION**

Mary Bator, 151 Middlesex St., provided background on past businesses in her neighborhood. She noted there were no issues with past tenants until car dealerships moved in, and there were problems with owners and lots of activity. The next tenant made the place look like a junkyard, with lots of debris. She questioned whether another dealer is really needed in this location. She requested information regarding hours of operation, how many cars would be present, noise and odor concerns, and use of overnight lights. The proposed site for this new car dealership currently looks very bad.

**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**

**Class II Auto Dealer: Capital Motor Group, 154 Middlesex Street, vacant portion of lot**

Rodrigo Silva, of Haverhill, Ma., explained his proposal is to lease the right side of this parcel for 1 year. A trailer will be on the lot for the one year, and he will be building an office. Maaco is next door. He is

expecting to have 35 cars here. He also works at a location in Swampscott. He is transferring his driver's license from NH to MA, as requested by RMV, on June 14, 2018. Hours of operation will be Monday-Saturday, no hours on Sunday. Selectman Dixon requested continuance of this hearing to June, after Mr. Silva obtains his MA driver's license. Mr. Silva was advised the site plan may require Planning Board approval.

Chairman Diggs suggested obtaining Town Counsel opinion on the driver's license situation. Mr. Silva was advised to have his attorney contact the Building Inspector to discuss the Planning Board process, obtain his MA driver's license, and then come back to this Board.

Ron Bator, 151 Middlesex St., stated he felt 35 cars are too many cars in a lot of this size. Mr. Bator was advised he raise this concern at the Planning Board hearing.

**Motion:** by Selectman Lefebvre to continue the Class II Auto Dealer License for Capital Motor Group to June 25, 2018. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**Innholder All Alcoholic Beverages License, Alteration of Premises: Ronit Hospitality II DBA Radisson Hotel & Suites, 10 Independence Dr.**

Steven Merrill, Regional Manager for Radisson Hotel, spoke for the applicant, and stated that all paperwork should be in order. Their project was to change the restaurant location to another location in a different building on the same property.

One building of the current location is now a Holiday Inn Express. The bridge connecting the two buildings has been removed. The new inn is expected to open June 23, 2018. They will serve only breakfast at the Inn.

The restaurant will now be located in the Radisson building. Regarding the lifeguard concern at the swimming pool, he met with the Board of Health and all went well. A Variance was granted, and follow up with the Board of Health will continue. The pool will be open on weekends, and there will be employees at the pool every day.

**Motion:** by Selectman Lefebvre to close the Public Hearing for Ronit Hospitality II DBA Radisson Hotel and Suites. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**Motion:** by Selectman Lefebvre to approve the Alteration of Premises for the Innholder All Alcoholic Beverages License for Ronit Hospitality II DBA Radisson Hotel and Suites, to be exercised at 10 Independence Drive. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**LICENSES**

**One Day Expansion of Entertainment License: Center Brickhouse Pizza, 1 Central Sq., 7/3/18**

Charlie Micol explained the request is being made for an event on July 3, 2018, to complement Town Common Activities for the July 4<sup>th</sup> Celebration. A stage will be put out, and bands will be playing. A similar event was held several years ago without incident.

Abutters were notified. Music will be played between 4:00-10:00PM.

**Motion:** by Selectman Lefebvre to approve a One Day Expansion of Entertainment License for Center Brickhouse Pizza for July 3, 2018 to be exercised on the premises at 1 Central Square. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**One Day Beer & Wine License: Chelmsford Public Library, 25 Boston Rd., 5/18/18**

The applicant was not required to be present and there have been no issues with prior events.

**Motion:** by Selectman Lefebvre to approve a One Day Beer and Wine License to the Chelmsford Public Library for May 18, 2018 to be exercised on the premises at 25 Boston Rd. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**One Day All Alcoholic Beverages License: American Legion Vinal Post 313, Outdoors at 90 Groton Rd., 6/9/18**

The applicant was not required to be present and there have been no issues with prior annual events.

**Motion:** by Selectman Lefebvre to approve a One Day All Alcoholic Beverages License to the American Legion Vinal Post 313 for June 9, 2018, to be exercised on the premises at 90 Groton Rd. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**Class II Auto Dealer, Change of Location: PS Car Sales, 103 Tyngsboro Rd. to 123 Princeton St. (Currently Northeast Transmission Co.)**

Kenneth St. Hilaire of Northeast Transmission Co., is asking to transfer his Auto Dealer's license to Phil Smith, who was also present. Mr. St. Hilaire explained he is too busy with car repair, and not using the used car license. Mr. Smith has had his own auto dealership & license since 2012.

Selectman Lefebvre stated the Building Inspector has reported over 10 prior violations at this location, and the Board could decide that future violations will cause the license to be revoked. Mr. Smith was advised that he will need to comply with the 35 cars for sale limit. Mr. St. Hilaire admitted it is sometimes difficult to determine which cars there for repair, and which cars are waiting to be prepared for sale. There are available spaces for customers and employees. Chairman Diggs suggested increasing the amount of vehicles allowed to 45 cars to mitigate future problems.

A submitted photo shows 43 cars in a 35 car lot. Mr. Smith's application is asking for 45 cars. A submitted plan shows more spaces. Mr. St. Hilaire explained that a chain link fence divides the sale cars from the repair cars, but if a car is towed in overnight, sometimes they are dropped off in the front lot. Cars that need repair before being sold are sometimes put in the front lot. Prior dealers at this location had up to 50 cars.

Chairman Diggs reiterated that if there are future violations, the Board will revoke the license, and Mr. Smith could be fined. Two businesses are using a common lot. The Building Inspector will continue to make random inspections. The Fire Department has signed off in approval of 45 cars.

**Motion:** by Selectman Lefebvre to approve the transfer of Class II Auto Dealer License to PS Car Sales with an addition of 10 cars for a total of 45 cars, to be exercised on the premises at 123 Princeton St., as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**Class II Auto Dealer: Broadway, 103 Princeton St. (Currently PS Car Sales)**

Phil Smith of PS Car Sales is moving out of this location, as described in the previous hearing. Eduard Gukasov will be the new owner, and he would like to move his existing business, Broadway Used Car

Sales, which is currently located in Arlington, MA to the location at 103 Tyngsboro Rd. He will keep 9 cars for sale, and have 5 spaces for employees and customers.

**Motion:** by Selectman Lefebvre to approve a Class II Auto Dealership License for Broadway Used Car Sales to be exercised on the premises at 103 Tyngsboro Rd., for up to nine vehicles for sale. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

## **TOWN MANAGER REPORTS**

### **Housing Choice Community Designation**

A ceremony was held at the Statehouse earlier today, and the Town received a designation under this program. The award was shown. Sixty-seven other communities also received this award. The award will enable the town to qualify to apply for additional grant opportunities, like Massworks and other infrastructure grants.

### **Municipal Vulnerability Preparedness Grant Application**

The Town has submitted an application for this grant. An award would be in the amount up to \$10,000.00, and will fund an assessment to look at vulnerabilities and strengths in situations like riverbank flooding, storm water runoff, and climate change preparedness. Mr. Cohen expects to hear in two weeks whether Chelmsford will be granted an award.

### **Regional Planning Assistance Grants**

NMCOG is managing a series of grants that will allow for data collection assessment on solar zoning rights to install solar panels, and a planning study assessment of accessory dwelling units (in-law apartments) which could allow these units to be counted as Affordable Housing Units.

Applications are due by May 15, 2018, The Board was asked to authorize these studies.

**Motion:** by Selectman Lefebvre to support and authorize the Town Manager to submit applications for solar zoning and accessory unit planning studies being managed by NMCOG, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

### **Rourke Bridge RFP**

The Board was advised that MassDOT has issued a Request for Proposals for preliminary design work for the replacement of the Rourke Bridge in Lowell.

### **Mobil Land in Town Center**

The parcel has been vacant for several years. A letter was sent to Mobil, and the Town was told they are still evaluating their options. The Town is interested in asking Mobil to donate the land to the Town as open space with a deed restriction.

**Motion:** by Selectman Lefebvre to authorize the Town Manager to express interest on behalf of the Town to the owner of a parcel of property in Chelmsford Center which was formally the location of Mobil Gas Station to donate the land to the Town as Open Space, with a deed restriction, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

### **Health Value Award**

This national designation was received for the Town's wellness activities. The award was accepted in Washington, DC by Jeanne Parziale.

### **Town Meeting Follow-Up**

The Board was asked to authorize Mr. Cohen to reissue the RFP for the 101 Mill Rd. property.

**Motion:** by Selectman Lefebvre to authorize the Town Manager to issue the documents for the disposition of 101 Mill Rd. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

### **TOWN MANAGER APPOINTMENTS**

**Board of Appeals, Associate Member: Jaime Outland-Brown, 1 year term ending 6/30/2019**

**Board of Assessors: Kevin Sullivan, unexpired 3 year term ending 6/30/2020**

**Center Village Master Plan Committee: Janet Askenburg, 1 year term ending 6/30/2019**

**Commission on Disabilities: Paul V. Smith, unexpired 3 year term ending 6/30/2019**

**Historic District Commission: Deb Taverna, unexpired 3 year term ending 6/30/2019**

**Tree Committee: Brian Zuzelo, unexpired 3 year term ending 6/30/2019**

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

### **BOARD OF SELECTMEN APPOINTMENTS**

#### **Tax Classification Study Committee**

Board members were asked to nominate someone from the Board to be a member of this Committee.

**Motion:** by Selectman Dixon to nominate Selectman Wojtas for the Tax Classification Study Committee. Selectman Wojtas accepted the nomination. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

The Board of Assessors has appointed Mary Frantz to be a part of this group.

The Finance Committee has appointed Sheila Pichette to be on the committee.

The Chelmsford Business Association has chosen Tom Boucher as their representative.

Evan Belansky will represent the Economic Development staff for this committee.

Applications were received from 8 resident members, of which 4 will be accepted.

Selectman Lefebvre chose Mike Rigney.

Chairman Diggs chose Daniel Burke.

Selectman Antul chose John Edward.

Selectman Dixon chose Helen Blasioli.

The committee will meet on Mondays when the Board of Selectmen are not in session. The meetings will be televised. The Committee will look at the nine tenets discussed in 2004, and they will also look at starting points used by other towns that have utilized classification. The Board will look for information from the committee prior to their vote on Tax Classification in later this year.

Chief Assessor Frank Reen was asked to prepare 10 binders containing the report from the 1995 study, the state statute, a copy of the 1994 study and the 2005 study. Mr. Reen advised he is also preparing a report for the committee as well, which will be based on the mission statement and DOR data. The Committee's first meeting will be held on June 11, 2018.

**SCHEDULE TOWN ACCOUNTANT AND TOWN MANAGER PERFORMANCE APPRAISALS**

Selectman Lefebvre designed a new format for the evaluation form. Jeanne Parziale will be invited to the meeting on May 21, 2018, and the Board will discuss how the evaluations will be completed.

Mr. Cohen advised that Open Meeting Law has impacted how these appraisals can be done. The Town of Wayland was penalized because their Board of Selectmen did their appraisals individually, and the data was compiled by the chairman. The Court ruled that information sharing must be done in a public meeting, and the information must be made public immediately. Assessments can be done individually and presented in a public meeting, and compilation must be done by a non-board administrator.

The Board's goal is to have both evaluations completed by July 1, 2018.

**MEETING MINUTES**

**BOS Regular Meeting Minutes 04-09-18**

**BOS Regular Meeting Minutes 04-23-18**

**BOS Regular Meeting Minutes 04-30-18**

**Motion:** by Selectman Lefebvre to approve the Regular Meeting Minutes of April 9, 2018, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**Motion:** by Selectman Lefebvre to approve the Regular Meeting Minutes of April 23, 2018, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**Motion:** by Selectman Lefebvre to approve the Regular Meeting Minutes of April 30, 2018, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

**SELECTMEN LIAISON REPORTS & REFERRALS**

Selectman Wojtas:

-Armed Forces Day will be on May 19, 2018. Agway on Maple Rd. is hosting a cookout on this day, and all proceeds will benefit the Military Community Covenant. The cookout will be held from 11:00AM-2:00PM, rain or shine, and everyone is welcome.

-An Active Shooter Drill was held at the Lockheed-Martin facility on Maple Road on May 11, 2018. Selectmen Wojtas and Dixon attended as observers; procedures to address this type of situation were demonstrated.

-A memorial ceremony was held today at Forefathers Cemetery for Patrolman Donald Francis Adams who was killed in line of duty. The ceremony was held to commemorate Public Safety Memorial Day.

Selectman Lefebvre:

-Selectman Lefebvre noted that his son participated in the Lockheed drill, and he observed the role-playing was very realistic.

-Residents were reminded that the High School Prom is being held on May 30, 2018. Organizers for the After-Prom Breakfast at the Senior Center are looking for raffle donations and parent volunteers. The Breakfast is being held from midnight to 5:30AM on May 31, 2018.

-The CCA will be hosting a Sinatra Tribute concert by the Hal McIntyre Orchestra on May 20, 2018.

Selectman Dixon:

No reports this evening.

Selectman Antul:

| Approved 7/23/18

-The Mass Commission of the Status of Women will be attending an Advocacy Day at the State House on Wednesday, May 16, 2018, and she will be lobbying for women's, children's and families' bills.

Chairman Diggs:

-Mr. Cohen was congratulated on being able to complete Spring Annual Town Meeting in two nights. Mr. Cohen gave credit to the Town Moderator for keeping comments to a time schedule.

**PRESS QUESTIONS**

No one came forward at this time.

**NEXT REGULAR MEETING DATE:** May 21, 2018

**Adjourn**

**Motion:** by Selectman Lefebvre to adjourn this meeting at 8:45 PM . Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Respectfully Submitted,

Vivian W. Merrill  
Recording Secretary

Supporting Documents:

- Flyer for Friendship Park Groundbreaking Ceremony
- List of Committee Vacancies
- Supporting documents for Class II Dealers Licenses
- Supporting documents for Ronit Hospitality
- One Day License Applications
- Presentation regarding the Housing Choice Initiative
- Information on the Municipal Vulnerability Preparedness Program
- Supporting document for the Rourke Bridge Replacement Proposal
- Photo & Flyer regarding the 2018 Health Value Award
- Committee Applications
- Supporting documents for the Tax Classification Study Committee
- Draft Minutes