

Approved 9/23/2019

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

Regular Meeting MINUTES
June 17, 2019

Attending:
Kenneth Lefebvre, Chairman
Patricia Wojtas, Vice Chairman
Emily Antul, Clerk
George Dixon, Selectman
Virginia Crocker Timmins, Selectman

RECEIVED
2019-09-25
8:59 AM
TOWN OF CHELMSFORD
PATRICIA E. DZURIS
TOWN CLERK

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 Lefebvre called the meeting to order at 7:02 PM.

PUBLIC SERVICE ANNOUNCEMENTS

Monday, August 5th by 4:00 PM: Deadline for Submission of Citizen Petition Warrant Articles for October 21, 2019 Fall Annual Town Meeting

Mr. Cohen made this announcement, and advised that assistance with document preparation can be obtained through the Town Manager's office.

OPEN SESSION

No one came forward at this time.

COMMITTEE VACANCIES

Selectman Wojtas 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

All Alcoholic Beverages Hotel, Common Victualer, and Entertainment Licenses: Rushil Hospitality, LLC DBA Element by Westin, 25 Research Place

Atty. John Mooradian and Manager Siddartha Bhowmik explained the hotel has been under renovations, and they want to re-open in July. They are also seeking a pledge of the license to South Shore Bank.

Abutter notifications were turned in, and operating hours were clarified.

No comments or further questions were received from the audience.

The hearing will be held open until the next meeting on July 8, 2019 for any additional comments.

Motion: by Selectman Wojtas to continue the Hearing for the All Alcoholic Beverages Hotel, Common Victualer, and Entertainment Licenses for Rushil Hospitality, LLC DBA Element by Westin, 25 Research Place. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Transfer of All Alcoholic Beverages Package Store License: from John G. DaSilva & Son, Inc. to C& J Arteaga LLC DBA The Wine Rack, 210 Boston Rd., Unit 2

Atty. Angelique Eliopoulos spoke for the applicants, Cassandra and Johnny Arteaga. Mrs. Arteaga has been managing the shop for over 6 years with no complaints, and is niece to John Silva, the current owner. Mr. Silva has been in business for 29 years. Mr. Silva is retiring and selling the business to the Arteagas.

The applicants requested waiving the two week waiting period due to ongoing past involvement of the new owners. The purchase price in the documents was clarified. The Board agreed to the request.

No questions or comments were received from the audience.

Motion: by Selectman Wojtas to close the Public Hearing for C& J Arteaga LLC DBA The Wine Rack, 210 Boston Rd., Unit 2. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Wojtas to approve the Transfer of All Alcoholic Beverages Package Store License from John G. DaSilva & Son, Inc. to C& J Arteaga LLC DBA The Wine Rack, 210 Boston Rd., Unit 2. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Transfer of All Alcoholic Beverages Restaurant, Common Victualer, and Entertainment Licenses: TCDC, Inc. DBA Lenzi's Glenview, 248 Princeton St.

Atty. Karen Bolton and applicant Michael Lenzi were present. Mr. Lenzi has been in business for 40 years, and currently owns Lenzi's Catering and The Tavern at Lenzi's in Dracut. Michael Riley will be the manager at the restaurant. Both the business and the building need significant improvement. Seating capacity and hours of operation will remain the same. The applicant requested waiving the two-week waiting period so the sale can be closed, and the current owners can pay off their tax debt owed to Mass. DOR.

Selectman Dixon stated he has known Mr. Lenzi for many years, and he supports the waiver as the quicker the location can be cleaned up, the better it will be for the neighborhood.

The restaurant is still open, but may shut down effective July 1, 2019 for the improvements to be done.

Audience Comments:

John Harrington, retired business owner, asked the Board to support waiving the two-week waiting requirement to help he applicant to move ahead, as the restaurant does need a lot of work.

Motion: by Selectman Wojtas to waive the waiting period and close the Public Hearing for TCDC, Inc. DBA Lenzi's Glenview, 248 Princeton St. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Wojtas to approve the Transfer of All Alcoholic Beverages Restaurant, Common Victualer, and Entertainment Licenses for TCDC, Inc. DBA Lenzi's Glenview, 248 Princeton St. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

INTRODUCTION OF MUNICIPAL SAFETY SPECIALIST STEPHEN CERVEN

Mr. Cerven will begin his work on June 24, 2019. He has 30 years of experience in this field working for multiple companies. Mr. Cohen described the hiring process. Mr. Cerven will report to the Town Manager, and his office will be in the Town Offices.

REPORTS AND PRESENTATIONS

Finance Director John Sousa: Vote to Vacate Foreclosure Judgment for 91 Concord Road

Town Finance Director John Sousa provided the Board with written background on the property. The property owners have made full payment in all back taxes and legal fees.

This action was previously done in 2014 for 5 years of unpaid taxes. The home is vacant at this time, and may be put it on the market to be sold.

Motion: by Selectman Wojtas to hereby vacate the final judgment covering the tax taking made against Timothy P. Russell and Margaret A. McPhee for unpaid taxes covering the property at 91 Concord Road, Chelmsford, upon payment of all taxes, interest, and charges due as provided under MGL 60:69. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Finance Director John Sousa: Approval of \$7.015M Bond Sale

Town Finance Director John Sousa, reported a successful auction for this bond series was held on June 12, 2019. Part of this auction was for a refunding of previously issued bonds from 2011, which will save \$248,000.00 over the next 12 years. The Series B bonds will fund the FY20 capital plan. Nine firms bid on both series.

Raymond James and Associates was the winning bidder on both series of bonds. Approval of a motion prepared by Bond Counsel was requested.

Motion: by Selectman Wojtas to approve the following Bond sale: Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund the Town’s \$3,736,731 General Obligation Sewer Bonds, Series A, dated June 15, 2011 maturing on and after June 15, 2020 (the “Refunded Bonds”) and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$3,355,000 General Obligation Municipal Purpose Loan of 2019 Bonds, Series A, of the Town dated June 26, 2019 (the “Series A Bonds”), to Raymond James & Associates, Inc. at the price of \$3,792,842.31 and accrued interest, if any, is hereby approved and confirmed. The Series A Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2020	\$350,000	5.00%	2026	\$260,000	5.00%
2021	345,000	5.00	2027	260,000	4.00
2022	340,000	5.00	2028	260,000	4.00
2023	345,000	5.00	2029	260,000	4.00
2024	340,000	5.00	2030	170,000	3.00
2025	260,000	5.00	2031	165,000	3.00

Further Voted: that the sale of the \$3,005,000 General Obligation Municipal Purpose Loan of 2019 Bonds, Series B, of the Town dated July 2, 2019 (the “Series B Bonds”, and together with the Series A Bonds, the “Bonds”), to Raymond James & Associates, Inc. at the price of

\$3,404,634.55 and accrued interest, if any, is hereby approved and confirmed. The Series B Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2021	\$575,000	5.00%	2026	\$120,000	5.00%
2022	575,000	5.00	2027	120,000	4.00
2023	575,000	5.00	2028	115,000	4.00
2024	575,000	5.00	2029	115,000	4.00
2025	120,000	5.00	2030	115,000	3.00

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 5, 2019, and a final Official Statement dated June 12, 2019 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.]

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

TOWN ACCOUNTANT PERFORMANCE APPRAISAL

Chairman Lefebvre compiled the Board's comments. Some work on last year's goals will be ongoing. Goal #1 is mostly complete. Goal #2 is ongoing. Goal #3 is ongoing, pending closing of year end books. Goal #4, is ongoing due to employee attrition. Two people are retiring on August 1.

The preliminary Annual Audit usually takes 5 days, this year it took 2 days as the department is well organized, and everyone was very cooperative. The final audit for FY19 will be done in September.

Goals for next year will remain the same.

Mrs. Lussier thanked the Board for their support of her work. She works well with the Town Manager and the Town Treasurer.

Motion: by Selectman Wojtas to rate the performance of the Town Accountant as “Exceptional Performance”. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Wojtas to set the salary of the Town Accountant at Level 9, Step 5, to be effective as of July 1, 2019. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

TOWN MANAGER APPOINTMENTS

Center Village Master Plan Committee Re-Appointment: Brian Milisci, 1-year term exp. 6/30/2020
Roberts Field Advisory Committee: Tameka O’Brien, 1-year term exp. 6/30/2020

Motion: by Selectman Wojtas to approve the re-appointment of Brian Milisci to the Center Village Master Plan Committee for a term to expire June 30, 2020, and of Tameka O’Brien to the Roberts Field Advisory Committee for a term to expire June 30, 2020. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

TOWN MANAGER PERFORMANCE APPRAISAL

Selectman Dixon requested tabling this discussion to the next meeting, as he hasn’t looked at all the documents. The Board agreed with this request.

POTENTIAL POLICY FOR SIGNS ON TOWN PROPERTY AND MUNICIPAL DISPLAY OF FLAGS

Chairman Lefebvre explained residents have voiced concerns about this matter, and he requested a policy be drafted. Selectman Wojtas will prepare a draft document to be discussed at a future meeting.

MEETING MINUTES

BOS Regular Session 05-06-19

BOS Regular Session 05-20-19

Motion: by Selectman Wojtas to approve the Regular Session Meeting Minutes of May 6, 2019, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Wojtas to approve the Regular Session Meeting Minutes of May 20, 2019, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Dixon:

-Many of the Town’s athletic teams are doing very well, and were congratulated on their accomplishments.

Selectman Timmins:

-Residents were reminded that the Town’s new fiscal year begins on July 1, 2019, and there are tax exemptions available, which must be applied for by April, 2020.

-Residents were encouraged to check out concerts being held at the Chelmsford Center of the Arts.

-New planters will be installed in Vinal Square this week.

-Rosie’s Diner will be featured on the televised show “Restaurant Impossible”. Volunteers are requested, applications are due by June 21, 2019.

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Selectman Antul:

-The Rt. 40 Study Committee will be presenting their report to the Planning Board. The report is very thorough.

Selectman Wojtas:

-All recent graduates from Chelmsford High School and the Innovation Academy Charter School were congratulated.

-Damien Gould was congratulated on achieving Eagle Scout status.

-The library will be selling raffle tickets for baskets to be awarded on July 4; tickets will be sold from June 24, 2019 through July 4, 2019. A Membership drive for the Friends of the Library will be beginning; the goal is to have 2020 members by February 29, 2020, in recognition of the newest part of the Library being 20 years old.

Chairman Lefebvre:

-Residents were encouraged to volunteer for the Rosie's Diner show.

-The 2020 Town Master Plan Committee is looking at sections of the 2010 Master Plan to organize how to work on updating the new plan.

PRESS QUESTIONS

No one came forward at this time.

Adjourn

Motion: by Selectman Wojtas to adjourn at 8:03PM. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

NEXT REGULAR MEETING DATE: July 8, 2019

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Supporting Documents:

-Legal Notice for Fall 2019 Annual Town Meeting

-List of Committee Vacancies

-Supporting Documents for Rushil Hospitality All Alcoholic Beverages Hotel License

-Supporting Documents for All Alcoholic Beverages Package Store License for C&J Arteaga, LLC

-Supporting Documents for All Alcoholic Beverages Restaurant License for Lenzi's Glenview Restaurant

-Memo of June 13, 2019 introducing Municipal Safety Specialist Stephen Cerven

-Memo of June 5, 2019 regarding vacating the foreclosure for 91 Concord Rd.

-Supporting documents for the Bond Bid

-Town Accountant's Performance Review

-Committee Applications

-Town Manager's Performance Review

-Draft Meeting Minutes