

Approved 8/13/18

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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  
June 25, 2018

Attending:

Glenn Diggs, Chairman

Emily Antul, Clerk

George Dixon, Selectman

Patricia Wojtas, Selectman

Paul Cohen, Town Manager

Michael McCall, Asst. Town Manager

Not present: Kenneth Lefebvre, Vice Chairman

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.

**JOINT MEETING WITH PLANNING BOARD**

**Appoint associate member to Planning Board to fill unexpired term ending 4/2/2019**

Planning Board Members Present:

Ed Roux

Glenn Kohl

Donald Van Dyne

Tim Shanahan

Michael Raisbeck

The Joint Meeting was called to order by Mr. Raisbeck.

There was one applicant for this position.

Henry Houle, 1 Pearson St., explained he has done many things in the town over many years, and is currently employed by the Fire Department. He is retiring from the Fire Department in two weeks. He thanked the Boards for their consideration.

**Motion:** by Selectman Antul to nominate Henry Houle as Associate Member to the Planning Board. Seconded by Mr. Kohl. The nomination was accepted by Mr. Houle.

Roll call:

Mr. Raisbeck-aye,

Mr. Roux- aye,

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Mr. Kohl-aye,  
Mr. Shanahan-aye,  
Mr. Van Dyne-aye,  
Selectman Dixon-aye,  
Selectman Antul-aye,  
Selectman Wojtas-aye,  
Chairman Diggs-aye.

**Motion carries, unanimous, 9-0.**

**Motion:** by Mr. Roux to close the Joint Meeting at 7:05PM. Seconded by Mr. Kohl. **Motion carries, unanimous, 9-0.**

### **PUBLIC SERVICE ANNOUNCEMENTS**

#### **Proclamation: Paul Center 50th Anniversary**

Michele Saba from the Paul Center described the center's mission and programs. The Proclamation was read by Selectman Antul, and was accepted by Ms. Saba.

#### **Claudia DeLucia: Chelmsford Farmers' Market, Saturdays from 10 AM – 2 PM**

Ms. Delucia announced that the market will run every Saturday through September 15, 2018 from 10:00AM-2:00PM. She was very appreciative that new committee members were able to put things together very quickly. Vendors are still wanted.

#### **John Osborn, Parade Committee: July 4th Parade**

Mr. Osborn, Chairman of the Parade Committee announced that the parade starts at 10:00am on July 4, 2018. This is the first year of the new Committee. This year's Parade Marshall is Fred Merriam of the Chelmsford Historical Society. Mr. Merriam's accomplishments as a historian were listed. To date, 84 confirmed entries will be in the parade, including 6 politicians who will march.

Mr. Cohen asked the public to not put chairs out along the parade route before July 2.

#### **Friendship Park at Roberts Field Ribbon Cutting Ceremony, Saturday, June 30th, 10 AM**

Bill Askenburg, Chairman of the Roberts Field Committee invited everyone to this ceremony. Additional fencing and other improvements will be installed at the park through the end of the year.

Mr. Cohen advised the Board that this Committee is looking for a liaison from the Board of Selectmen.

#### **Monday, August 6th by 4:00 PM: Deadline for Submission of Citizen Petition Warrant Articles for October 15, 2018 Fall Annual Town Meeting**

The announcement was read by Mr. Cohen. Anyone needing assistance can call the Town Manager's Office or the Town Clerk's Office.

#### **Mass DOT Design Public Hearing Route 129 & Riverneck Rd June 28, 7:00 PM Town Offices Room 205**

Mr. Cohen announced this hearing will allow residents to see the plans and submit comments and questions.

### **OPEN SESSION**

John Chemaly, 2 Douglas Rd., and owner of Trinity Ambulance wished to invite the Board to see his business, equipment, facilities and resources. He requested the Board delay starting a committee to

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address ambulance service in Town until after such a visit. He feels the public/private partnership between his company and the Town is a huge benefit to the town's residents. He noted the State is reviewing healthcare cost containment measures, which is being heavily lobbied. Mr. Chemaly announced his company is building a new base near 9 North Rd. to replace the facility in Central Square. Chairman Diggs advised the Board would follow up with him.

### **COMMITTEE VACANCIES**

Selectman Antul 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**

#### **Alteration of Premises – All Alcoholic Beverages Restaurant License: Pita Restaurant Group LLC, 18 Boston Rd.**

Sophia Tsianakas and Dan Lyons requested the Alteration of Premises to accommodate outdoor seating as a requirement of their liquor license. The Board had no further questions. There were no comments from the public.

**Motion:** by Selectman Antul to approve the Alteration of Premises Application for Pita Restaurant Group LLC as presented, to be exercised on the premises at 18 Boston Rd. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

#### **Continuation of Class II Auto Dealer Hearing: Capital Motor Group, 154 Middlesex Street, vacant portion of lot. CONTINUED TO JULY 23, 2018**

**Motion:** by Selectman Antul to continue the Hearing for Capitol Motor Group to July 23, 2018. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

### **LICENSES**

#### **One Day Beer & Wine License: Peter DePesa for the Murray Family Charitable Foundation, 162 Old Westford Rd., 7/7/2018**

Peter DePesa and Eric Murray announced a public fundraising event to be held at Mr. DePesa's residence for Autism Awareness. The Police and Fire Departments have approved permits.

**Motion:** by Selectman Antul to approve a One Day Beer and Wine License to Peter DePesa for July 7, 2018, from 3:00PM to 11:00PM to be exercised on the premises at 162 Old Westford Rd., as presented. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

#### **Common Victualer License: Ronit Hospitality II LLC, DBA Holiday Inn Express, 8 Independence Drive**

Katie Blake, Manager for the Holiday Inn Express, explained the application is for a breakfast room at the hotel. This building used to be part of the Radisson Hotel, and the address is now 8 Independence Drive. The Radisson Hotel now only occupies the other building. Both franchises have the same owners.

**Motion:** by Selectman Antul to approve a Common Victualer License and Entertainment License to Ronit Hospitality II LLC, dba Holiday Inn Express to be exercised on the premises at 8 Independence Drive. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

#### **Common Victualer License: Hema Hotel LLC, DBA Best Western Plus Chelmsford Inn, 187 Chelmsford Street**

Brian Burke explained the hotel has been renovated.

**Motion:** by Selectman Antul to approve a Common Victualer License and Entertainment License to Hema Hotel, LLC dba Best Western Plus Chelmsford Inn to be exercised on the premises at 187 Chelmsford St. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

**LOCAL INITIATIVE PROJECT REGULATORY AGREEMENT FOR PROPOSED RENTAL HOUSING UNITS AT 104 TURNPIKE ROAD**

Atty. Melissa Robbins, Deschene and Farrell Law Firm, explained the proposal is to construct a 168 rental unit development. This will be the first project to be filed under the BAOD bylaw. The project has been reviewed by Town Counsel, and the Chelmsford Housing Authority has approved the monitoring agreement. Thirty five units will be “affordable”, and will be awarded on a lottery basis by the Chelmsford Housing Authority. DHCD will review, update and hopefully approve the plans. Once constructed, the project will bring the Town to the 10% Affordable Housing limit required under Chapter 40B.

**Motion:** by Selectman Antul to accept the Local Initiative Project Regulatory Agreement for Proposed Rental Units at 104 Turnpike Rd., as presented. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

**REPORTS AND PRESENTATIONS**

**John Sousa, Finance Director: Approval of Bond Sale**

Mr. Sousa explained that 5 bids were received for this Bond Sale. The proceeds will fund 19 approved projects under the FY19 Capital Improvement Plan, borrowing for Roberts Field Playground, and the purchase of the Chelmsford Forum.

**Motion:** by Selectman Antul, that the sale of the \$3,400,000 General Obligation Municipal Purpose Loan of 2018 Bonds of the Town dated July 3, 2018 (the “Bonds”), to Robert W. Baird & Co., Inc., at the price of \$3,710,032.55 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2019	55,000.00	3.00%	2024	240,000	5.00%
2020	565,567	5.00	2025	240,000	5.00
2021	540,000	5.00	2026	240,000	3.00
2022	535,000	5.00	2027	240,000	3.00
2023	535,000	5.00	2028	230,000	5.00

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 13, 2018, and a final Official Statement dated June 19, 2018 (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 Treasurer to establish post issuance federal tax compliance procedures in such form as the 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.

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.

Motion was seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

Mr. Sousa was asked about the latest auction for 101 Mill Rd. Mr. Sousa explained that no bids were received. The property will be re-bid after Labor Day. One interested party is still working on getting financial backing for her proposal to make the building an Inn.

### **TOWN MANAGER REPORTS**

#### **Katrina Road Brownfields Redevelopment Project**

The Planning Board has approved permits for the site, a closing on the sale of the site is being scheduled.

#### **Merrimack Riverbank Stabilization Project**

This project is now out to bid, and the results are expected by next meeting. Supplemental funding may be needed through MEMA or FEMA. Work is expected to begin in 2019.

#### **List of Qualified Officers & Designated Backup Signatory**

This list is same as last year. The qualified officers are Assistant Town Manager Michael McCall, Public Works Director Gary Persichetti, and Finance Director John Sousa.

Selectman Wojtas asked about Federal reimbursement fund awards for the March snowstorms. Mr. Cohen explained that Middlesex County was not included, and only coastal counties received funding for the first two storms. Mr. Cohen has not heard anything about the third storm yet, and is hoping it will be approved.

### **APPOINTMENTS**

#### **Annual Appointments**

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A list of appointments was provided to the Board.

**Motion:** by Selectman Antul to approve the list of Annual Appointments, as presented. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

**Roberts Field Advisory Committee, Justin Whitehouse - 1 year term exp. 6/30/2019**  
**Vinal Square Strategic Action Plan Committee, Joseph Tierney - 1 year term exp. 6/30/2019**  
**North Town Hall Advisory Committee, Joseph Tierney - 1 year term exp. 6/30/2019**  
**Recycling Committee, Kevin J. Goscola-1 year term expiring 6/30/2019**

**Motion:** by Selectman Antul to approve the Town Manager's appointments as presented. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

### **TOWN MANAGER AND TOWN ACCOUNTANT PERFORMANCE APPRAISAL PREPARATION**

The revised new form will be used for next year's evaluations. Selectman Lefebvre was acknowledged for his help in developing the new form.

**Motion:** by Selectman Antul to accept the new Performance Appraisal Forms for the Town Manager and Town Accountant, as presented. Seconded by Selectman Dixon. **Motion carries, unanimous, 4-0.**

### **BOARD OF SELECTMEN AND TOWN MANAGER FY19 GOALS**

A revised list was provided to the Board.

Goal #3 will be deleted as it is complete.

Goal #9 may require a warrant item request to obtain funding for a consultant to assist this proposed Ad Hoc Committee. Regional dispatch services may need to be discussed as a separate item from ambulance services and the consolidation of Fire Stations. Selectman Wojtas explained that NMCOG is advocating that towns join a regional dispatch center early in order to have a stronger voice in decisions that are made. The proposed regional facility in Tewksbury is expected to be open by next fall.

Chairman Diggs suggested further discussion of Regional Dispatch Services for the next several meetings to include input from the Fire and Police Chiefs, NMCOG, and Chelmsford's current dispatchers.

**Motion:** by Selectman Antul to discuss Goal #9 to Establish an Ad Hoc Public Safety Study Committee at the next meeting and for the Board to vote on the Regional Dispatch proposal by September, 2018. **Motion fails for lack of a second.**

Selectman Wojtas noted that no motion is needed as this topic can put it on an agenda and all information is public.

**Motion:** by Selectman Antul to put a discussion about Regional Dispatch Services on the next Board meeting agenda with a potential vote in September, 2018. Seconded by Selectman Wojtas. Selectman Dixon abstained, all others in favor. **Motion carries, 3-0.**

Mr. Cohen agreed to notify the Police and Fire Chiefs and the Dispatchers Union President about this matter. Selectman Dixon requested more data and information on how this initiative will impact everyone involved, and he did not support having a deadline to make an informed decision.

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**Motion:** by Selectman Antul to create a warrant article for Fall town Meeting to request funding for a consultant to assist the proposed Public Safety Study. Seconded by Selectman Wojtas.  
**Motion carries, unanimous, 4-0.**

Selectman Antul was asked to write the first draft of the warrant article. Mr. Cohen requested the draft for discussion at the July 23, 2018 Board meeting, as the Warrant for Fall Town Meeting must be signed by September 10, 2018. Selectman Antul will work with Town Counsel on the draft warrant article.

### **SELECTMEN LIAISON REPORTS & REFERRALS**

Selectman Wojtas:

- Jack Fox was congratulated on achieving his Eagle Scout status.
- Residents were advised that North Rd. bridge work will begin very soon, and is expected to be completed by Spring/Summer of 2020.
- Selectman Wojtas is looking forward to seeing people at the July 4<sup>th</sup> festivities in Town.

Selectman Dixon:

- Everyone was wished a happy and safe July 4<sup>th</sup> holiday.

Selectman Antul also wished everyone a happy and safe July 4<sup>th</sup> holiday.

Chairman Diggs:

- The Tax Classification Study Committee has completed developing their Mission Statement. They will meet often and work hard.
- Chairman Diggs hopes to see many residents at the Friendship Park Opening Ceremony.

### **PRESS QUESTIONS**

No one came forward at this time.

**NEXT REGULAR MEETING DATE: July 23, 2018**

### **ADJOURN**

**Motion:** by Selectman Antul to adjourn at 8:30PM. Seconded by Selectman Wojtas. **Motion carries, unanimous, 4-0.**

Respectfully Submitted,

Vivian W. Merrill  
Recording Secretary

Supporting Documents:

- Legal Notice of Joint Meeting
- Application for Alternate Planning Board position
- Proclamation for the Paul Center
- Flyer for the 2018 Farmers Market
- Flyer for Roberts Field Grand Opening

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- Legal Notice for 2018 Fall Annual Town Meeting
- Flyer for Public Hearing by Mass DOT
- List of Committee Vacancies
- Application for Alteration of Premises-Pita Restaurant
- Application for a One Day Beer and Wine License
- Applications for Common Victualer & Entertainment Licenses
- Supporting documents for the LIP Regulatory Agreement for 104 Turnpike Rd.
- Supporting documents for Bond Sale
- List of Qualified Officers
- Annual Committee Appointment List.
- Committee Applications
- Revised Performance Appraisal Forms
- List of FY2019 Board and Town Manager Goals
- Copy of the Chelmsford Fire Services Study from August, 2007
- Regional Emergency Call Center documents