

Approved 9/23/2019

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

Regular Meeting MINUTES
July 8, 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
Michael McCall, Asst. 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 7:01 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

OPEN SESSION

No one came forward at this time.

COMMITTEE VACANIES

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

Continuation - All Alcoholic Beverages Hotel, Common Victualer, and Entertainment License: Rushil Hospitality, LLC DBA Element by Westin, 25 Research Pl.

Atty. John Mooradian was present on behalf of the applicant. Selectman Wojtas advised that the hotel would not be allowed to serve alcohol 24 hours/day. The applicant was aware of this requirement, and explained the hotel is open 24 hours/day. The Common Victualer and Entertainment licenses can be approved immediately; the applicant will follow up with the ABCC regarding the All Alcohol license, once it has been approved by the Board.

There were no public comments.

Motion: by Selectman Wojtas to close the Public Hearing for Rushil Hospitality, LLC. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Wojtas to approve the Innholder All Alcoholic Beverages Restaurant License for Rushil Hospitality, LLC, DBA Element by Westin, to be exercised on the premises at 25 Research Place, including a pledge of the Alcohol License to South Shore Bank, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Wojtas to approve a Common Victualer License and Entertainment License for Rushil Hospitality, LLC, DBA Element by Westin, to be exercised at 25 Research Place. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

LICENSES

Transfer of Common Victualer, Entertainment, and Automatic Amusement Device License: Papa Gino's, Inc. to New England Authentic Eats LLC DBA Papa Gino's, 29 Chelmsford St.

John Campbell, Manager for Papa Gino's, was present for any Board Questions. Several addresses listed in the application were clarified.

Motion: by Selectman Wojtas to approve the transfer of the Common Victualer, Entertainment, and Automatic Amusement Device Licenses from Papa Gino's, Inc. to New England Authentic Eats LLC DBA Papa Gino's, to be exercised at 29 Chelmsford St., as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

TOWN MANAGER REPORTS

Chapter 40B Subsidized Housing Inventory

Mr. Cohen reported that the Town has received an extension for the Certification of the Town's Housing Inventory through October, 2020. The Town is in compliance with the 10% mandated Affordable Housing Limit under Chapter 40B. New census data in 2020 may result in adjustments to this requirement.

South Row School Roof – Massachusetts School Building Authority Accelerated Repair Program

On June 26, 2019, the Town was invited into this program. The Town will submit the required paperwork, and the Town has two years to complete the work.

There will be a warrant article at Fall Town Meeting to request full funding for the project; 50% of the cost will be reimbursed under this program, at about \$100,000.00.

Next year's request under this program will be to replace the boilers at Chelmsford High School, as they are nearing 20 years old.

Response to Traffic Safety Concerns

Mr. Cohen, Chairman Lefebvre, and Asst. Town Manager Mike McCall met to discuss and itemize concerns raised at the Public Input Session held on June 12, 2019. There will be a traffic study committee formed which will meet monthly to further vet these concerns.

The Police Department will be enhancing traffic monitoring in areas identified in the Public Input Session through October 1, 2019. If successful, there may be a request at Fall Town Meeting for additional resources for this initiative and to consider having a full time, year round Traffic Safety Unit.

Selectman Timmins requested a report for the Board's consideration. Chairman Lefebvre explained the items are still being categorized, and there will be monthly or quarterly updates.

Fire Station Location Study

Criterion Associates is the company chosen to complete data gathering on call runs for the Fire Department. Once this data is compiled, station configuration will be examined. The analysis should be done by the end of August, for discussion by the Board in September.

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Mr. Cohen explained the process that will be used in this analysis. Selectman Antul reminded the Board that her work regarding this subject which was done last year was essentially thrown out, and she recommended an external review of the whole Department be considered.

TOWN MANAGER FISCAL YEAR 2019 PERFORMANCE APPRAISAL

Each Board member submitted a review form. Multiple comments were read into the record.

Mr. Cohen thanked the Board, residents, and fellow town employees for the opportunity to serve the Town. The Board was reminded that his labor agreement will expire on June 30, 2020, and includes a 6 month notice if it will not be renewed.

TOWN MANAGER FISCAL YEAR 2020 COMPENSATION

Motion: by Selectman Wojtas to increase the Town Manager's Annual Salary by 2% to \$195,840.00, noting the increase is in line with other non-union positions, to be effective July 1, 2019. **Motion fails for lack of a second.**

Chairman Lefebvre requested tabling the vote until the next meeting, in order to discuss further in Executive Session. He was advised that this topic is not listed under Executive Session, and so cannot be discussed. Mr. Cohen indicated that action before the Joint Labor Management Committee will be heard between January and March of 2020. Mr. Cohen clarified some Board Members concerns about how this action is customarily handled.

Motion: by Selectman Wojtas to increase the Town Manager's annual salary by 2% to \$195,840.00. Seconded by Selectman Dixon. Chairman Lefebvre opposed, all others in favor. **Motion carries, 4-1.**

BOARD OF SELECTMEN AND TOWN MANAGER'S FISCAL YEAR 2020 GOALS

There were ten goals listed for the Town Manager, and three for the Board.

The goal for reviewing policies and regulations for Tap Rooms was moved to the Board's goals.

Chairman Lefebvre developed a draft document itemizing the goals, and requested feedback from the Board. Selectman Antul suggested posting some work sessions to get through this document. The Board decided to hold the first work session tonight.

Selectman Antul's concerns regarding Affordable Housing parameters were clarified.

Selectman Timmins clarified the philosophy behind creating a Mission Statement for the Town. Mr. Cohen felt this should be done by the Board, as they are the group that works on policies for the Town. The Board conceded that this could be a joint goal, and would require involvement from a variety of sources.

The goal relating to the impacts of the Split-rate Tax ruling could take a few years to measure. Mr. Cohen asked how the Board expected him to evaluate this. The Board advised that he can provide additional data to what the Board of Assessors provide annually. Selectman Wojtas advised the Board needs to determine what types of data they are looking for.

Mr. Cohen felt that the goal relating to Economic Development may be more appropriately addressed by the Planning Board. Selectman Timmins suggested there needs to be more town leadership presence when working with potential companies and prospects that are interested in coming to Chelmsford. Mr. Cohen advised that the Business Development Director, the Community Development Director and the Planning Board are doing everything they can to make the Town appealing to commercial development. As presented, this is not a measurable goal, nor is it within the Town's control. The Board suggested creating a better conference room area when meeting with prospects, and receiving more frequent presentations from staff in regard to economic development in Town.

Regarding online communications, the Town's website is being updated. Selectman Antul suggested using online tools to more effectively communicate with residents online. Selectman Wojtas suggested obtaining more data on where people are getting their information in Chelmsford. Additional goals may come out this survey.

Traffic concerns are being worked on. Selectman Dixon requested researching the installation of a traffic signal at the intersection of Princeton St. and Richardson Rd.

Another goal is to maximize participation in the 2020 census. Selectman Timmins suggested establishing a committee to accomplish this goal. The State is also looking at ways to accomplish this goal at their level.

A final goal was to review potential revenue sources and seek out additional sources. The Board agreed that this topic needs parameters on how to measure accomplishment.

Selectman Wojtas offered to re-draft the Town Manager's Annual Review Form to make it more relevant and easier to use, and the new form will include the Town Manager's goals.

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Dixon:

-Condolences were given to the family of Richard Defreitas, who was a past selectman, town moderator, and musician. He will be missed.

Selectman Timmins:

-The Rt. 40 Study Committee presented their report to the Planning Board, and it can be watched. The Planning Board is looking for alternatives for non-confirming parcels to see how they can help streamline the zoning process for the benefit of residents.

-The School Committee presented a review of programs and services for the Schools. Multiple community awards were listed. Parents were reminded that students must register to ride the bus, regardless of whether they need to pay the fee.

-The North Village Strategic Planning Committee will be finalizing the wayfinding project at their meeting on July 22, 2019.

-The stage and sound system at the Chelmsford Center for the Arts are being upgraded. They anticipate the work will done by early September. Summer camps and other events were listed, to which everyone is welcome.

Selectman Antul:

-The Recycling Committee saw a presentation of a 10-year solid waste plan by Julia Green, a state level recycling representative. Everyone needs to reduce waste, and all must do their part, as facilities are at

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capacity. More limits on trash disposal may be required in the future. The Committee will be hosting events to help reduce disposal in Town.

Selectman Wojtas:

- Condolences were given to the families of Richard Defreitas and Carol Sneden.
- There will be a book drop off event at the carriage house at the library in preparation for the Friends' annual book sale.
- The recycling calendar will be getting mailed to residents soon, and it is available on the Town website.

Chairman Lefebvre:

- The Parade Committee, DPW, Police and Fire Departments were thanked for the July 4th parade success. Everyone was kept safe.

PRESS QUESTIONS

No one came forward at this time.

EXECUTIVE SESSION

-Opioid Litigation Update

-Strategy with Respect to Collective Bargaining with the Firefighters Union, Highway Union, Clerical Union, Library Union, Dispatchers Union, Police Patrol Officers Union, Police Superior Officers Union

-Discuss retaining outside labor counsel regarding threatened litigation relating to an arbitration process before the Joint Labor Management Committee

Motion: by Selectman Wojtas to enter into Executive Session at 9:42PM, not to return to Regular Session, to Discuss the Opioid Litigation Update, Strategy with Respect to Collective Bargaining with the Firefighters Union, Highway Union, Clerical Union, Library Union, Dispatchers Union, Police Patrol Officers Union, Police Superior Officers Union, and to Discuss retaining outside labor counsel regarding threatened litigation relating to the arbitration process before the Joint Labor-Management Committee. Seconded by Selectman Antul.

Roll Call:

- Selectman Dixon: Aye
- Selectman Antul: Aye
- Selectman Crocker Timmins: Aye
- Selectman Wojtas: Aye
- Chairman Lefebvre: Aye

NEXT REGULAR MEETING DATE: July 29, 2019

Respectfully Submitted,
Vivian W. Merrill
Recording Secretary

Supporting Documents:

- Legal Notice for 2019 Annual Fall Town Meeting citizen petition warrant articles
- List of Committee Vacancies
- Supporting documents for Rushil Hospitality, LLC.
- Supporting Documents for New England Authentic Eats, LLC

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- Letter regarding the Affordable Housing Inventory Certification and Subsidized Housing Inventory
- Supporting documents for the South Row School Roof Replacement Project
- Supporting documents to date regarding Traffic Safety Initiatives
- Proposal regarding the Fire Station Location Study
- Supporting documents for the Town Manager's Performance Appraisal & Compensation Package
- List of Fiscal Year 2020 Goals for the Town Manager and Board of Selectmen