

Approved 11/16/2020

Town of Chelmsford Board of Selectmen Minutes
Chelmsford, MA 01824

Virtual meeting via Zoom

Regular Meeting MINUTES
August 10, 2020

Attending:

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

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 7:00 PM, and read the following announcement:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Town of Chelmsford Board of Selectmen will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town's website, at www.chelmsfordma.gov For this meeting, members of the public who wish to watch the meeting may do so by accessing the Chelmsford Telemedia website www.chelmsfordtv.org No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

OPEN SESSION

No one came forward at this time.

COMMITTEE VACANCIES

Selectman Timmins read the list of current vacancies. Interested applicants can apply online at <http://www.chelmsfordma.gov> or through the Town Manager's office.

PUBLIC HEARINGS

National Grid Pole Petition: Brick Kiln Road

National Grid Engineer Paul Pellegrini requested permission to install a pole to service solar panels for the UPS distribution center on Brick Kiln Rd. The pole will hold the electric lines that will service the panels on the roof of the UPS building.

There were no further questions from the Board, and no comments from the public.

Motion: by Selectman Timmins to close the Public Hearing for the National Grid Pole Petition for Brick Kiln Rd. Seconded by Selectman Dixon.

Roll Call Vote:

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

Motion carries, unanimous, 5-0.

Motion: by Selectman Timmins to approve the National Grid Pole Petition for Brick Kiln Rd., as presented. Seconded by Selectman Dixon.

Roll Call Vote:

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

Motion carries, unanimous, 5-0.

LICENSES

Change of Manager, All Alcoholic Beverages Restaurant: The Indian Palate, Inc. DBA Madras Grill, 7 Summer St., Units 31 & 32

Shashidhar Bogelli was present with Atty. Angelique Eliopoulos, who spoke on behalf of the applicant. Mr. Bogelli will be the new manager of the restaurant. He has always been a principal of the business. He has recently received his citizenship.

No other changes will be occurring.

Motion: by Selectman Timmins to accept the Change of Manager under the All Alcoholic Beverages Restaurant License for The Indian Palate, Inc., DBA Madras Grill, 7 Summer St., as presented. Seconded by Selectman Dixon.

Roll Call Vote:

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

Motion carries, unanimous, 5-0.

APPROVE AND SIGN PURCHASE AND SALE AGREEMENT FOR THE 54-ACRE WARREN-POHL PROPERTY AT 95 BOSTON ROAD

Mr. Cohen advised that the Warrant for a Special Town Meeting is already signed. The Community Preservation Fund Committee has reviewed the two appraisals, and the seller and Town Counsel have reviewed the Purchase and Sale Agreement. The agreed upon price for the parcel is \$1,150,000.00. The sellers have signed the P&S agreement. This purchase will be funded from Community Preservation funds via a borrowing of debt service for 10 years. The Community Preservation Fund has the capacity to support the borrowing, and there will be no impact to the Town's tax levy. Town Meeting Representatives will be allowed to meet on the site prior to Town Meeting. Phil Stanway will be asked to coordinate a

Approved 11/16/2020

public tour of the property. There will be a preservation restriction and deed restriction prepared as required under CPA legislation. It is expected that the Chelmsford Land Conservation Trust will hold and enforce the Preservation Restriction.

The deposit would be paid after the Special Town Meeting.

Motion: by Selectman Timmins to approve and sign the Purchase and Sale Agreement for the Warren-Pohl Property on 95 Boston Rd., as presented. Seconded by Selectman Dixon.

Roll Call Vote:

Selectman Wojtas: Aye

Selectman Antul: Aye

Selectman Timmins: Aye

Selectman Dixon: Aye

Chairman Lefebvre: Aye

Motion carries, unanimous, 5-0.

DIVERSITY, RACIAL EQUITY, AND INCLUSION

Board members were previously asked to provide their feedback from this listening session.

Selectman Wojtas advised that the Mass. Municipal Association has a program for this topic, and they have a lot of resources that would be beneficial to create a plan and a time line. She felt that this will be a continuous and difficult process, and that forming a committee is a good idea. Mr. Cohen agreed that a nine person committee would be appropriate.

Selectman Antul stated that adults also need to be held accountable for racist comments and actions. Organizations should review their Mission Statements on a regular basis, and there are educational and workplace training opportunities that should be pursued.

Selectman Timmins organized concerns she heard into four categories: Schools, Town Government, First Responders, and the general Community in the Town including businesses, youth and young adults, and other at-large members of the community. She would support forming a larger than normal committee to address these needs. Chairman Lefebvre had similar categories, and added the Police as a separate category. He listed ideas for potential public events that could be organized.

Selectman Dixon believed a Town Human Resources employee should be involved with the Committee. Mr. Cohen suggested letting the committee research and determine what reforms are necessary, and create a plan which provides guidance to the Town. Let them prioritize target areas, needed resources, and potential funding needs.

Selectman Antul asked if participation could be flexible for participants who may not be able to commit to the full process. Selectman Dixon cited efforts of the Chelmsford Police Athletic League that helps kids be familiar with police.

More details on what the committee should look like will be discussed at the next meeting.

VOTE TO SUBMIT LETTER TO MASSACHUSETTS MUNICIPAL ASSOCIATION REGARDING POLICE REFORM

Chairman Lefebvre was provided a letter from the Town of Rutland which alleges that the Mass. Municipal Association took a stand on a piece of legislation without polling its constituents.

Selectman Antul requested the letter be read into the record. Selectman Wojtas pointed out that the MMA is an advocacy organization that has committees made up of people from across the state. She found some information on certain legislation which has not been finalized. Any letters sent should have unanimous support of the Board, or it should be an individual letter. Chairman Lefebvre read the letter into the record. The Town of Rutland feels the proposed reform in question pits law enforcement against municipal boards and departments. Selectman Dixon cited several rallies and efforts around defense of or against the police. The letter requests getting more feedback from participating communities prior to advocacy of any policy.

Selectman Timmins agreed that as a lobbying association, they don't always get feedback from all communities, and polling members may be a reasonable request. Selectman Wojtas asked who determines what the threshold is for how much advocacy input is reasonable. Selectman Timmins stated that she would appreciate more information on how the association makes some of their decisions.

Chairman Lefebvre agreed that police morale is at a low, but there is a lot going on. Selectman Dixon felt many police officers are getting apprehensive about how to effectively do their job.

Selectman Wojtas agreed to do more research, and Mr. Cohen offered to ask a representative from the MMA to come to a meeting to learn more how they operate and how they advocate on behalf of 351 cities and towns. After this the Board could decide if anything needs to be done. Chelmsford pays dues to the association, which are set according to population.

REPORTS AND PRESENTATIONS

Assistant Town Manager Michael McCall: Traffic Safety Update

Mr. McCall announced that the Traffic and Safety Committee met today. They reviewed the most recent e-mails received regarding enforcement and perceived problem areas. The police department has reviewed several of these areas, and traffic enforcement will be ongoing. National Grid's Tree Trimming program is ongoing. Traffic calming devices will be installed on Main St.; the final locations are still being determined. Signage requests are being reviewed. Some issues are still on hold awaiting response from the State.

Completed items were listed for the Board's information. Items beyond the Towns control were summarized. Mr. McCall will leave a list of all the tasks and his contacts for the new interim Asst. Manager. All departments involved have been helpful and supportive of the Committee's efforts.

Assistant Town Manager Michael McCall: Air Quality Study Request for Proposals

Air Quality studies in the vicinities of the Aggregate Industries and Newport Materials asphalt plants are still being coordinated. Mr. McCall described the process that will be used to complete this testing. He has received several inquiries; there are 61 approved companies that can do this testing. He is awaiting responses to a request for proposals.

TOWN MANAGER BID AWARDS

Conservation of Historic Documents

Mr. McCall worked with the Town Clerk to post a Request for Proposals. Two bidders responded. The Public Records Advisory Committee reviewed the responses, and they made their recommendation. The award is not to exceed \$450,000.00 to NEDCC.

Motion: by Selectman Timmins to approve the Bid Award for Conservation of Historic Town Documents to NEDCC, in an amount not to exceed \$450,000.00, as presented. Seconded by Selectman Dixon.

Roll Call Vote:

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

Motion carries, unanimous, 5-0.

TOWN MANAGER REPORTS

Citizen Petition Warrant Articles for Fall Annual Town Meeting

The deadline for submission of Citizen Petition Articles was last Monday. Four Citizen Petition Articles were received from Paul Rigazio, all involving the transfer of Free Cash and money from the Town's Stabilization Fund to reduce the tax levy. These articles will appear on the Annual Fall Town Meeting Warrant.

Mass Trails Grant Award

The Town was awarded a \$90,000.00 grant for a Freeman Rail Trail maintenance project. The trail has been in service for 11 years. DPW will be doing work to repair various areas this fall.

FEMA Grant Award to the Chelmsford Fire Department

Fire Department Chief Gary Ryan submitted an application and received an award of \$213,490.00, subject to obtaining a 10% local match. The grant award will be used toward the replacement of mobile and portable radios. This funding will replace a previous Town Meeting award for capital improvements. The returned Town funding will be used for another item in the Capital Improvement Project List.

State Financial Aid for the Current Fiscal Year

A second state budget, through the end of October has been announced. Municipalities will receive Chapter 70 and General Government Aid. Much of the Chapter 70 funding will be beneficial to added expenses in relation to Schools reopening soon. These details are still being developed. Communities are still awaiting word on whether any Federal assistance will be provided.

As a result of the release of the State funding, the Fall Town Meeting Warrant will include placeholders for amending the Town's operating budget, and one for funding Capital Improvement projects.

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Dixon:

- A Town employee was seriously injured in a fatal accident on School St., involving a DPW truck and another motor vehicle. The Town employee is recovering.
- Condolences were given for the passing of Steve Flynn, who was an avid proponent of the Senior Circuit Breaker Credit program. He will be missed.
- The Police and Fire Departments and Trinity Ambulance were acknowledged for their quick response times to several incidents in his neighborhood.
- Steve Maffetone was congratulated and welcomed as the interim Assistant Town Manager.

Selectman Wojtas:

- Steve Flynn will be missed.

- The Library is now open part time. Visitor contact information is maintained in case they need to be contacted, and employees are disinfecting every two hours.
- Chelmsford High School graduates were congratulated as they finally received their diplomas during a virtual graduation ceremony in August.
- The voter registration deadline for voting in the September 1 primary is August 22, 2020.
- Mike McCall was wished good luck in his new position with the Town of Southbridge.
- The Board was asked to allow in-person meetings. The School Committee has been doing this for several weeks. Mr. Cohen advised this would be decided by the Chairman. Chairman Lefebvre stated that the whole Board would need to approve of this action. Selectman Timmins would not want to force in-person meetings for high risk people, and she would support the majority decision. Selectman Dixon advised that he has had a cold, and wouldn't want to get anyone sick. Selectman Antul felt it was hard to say, but she will follow the wishes of the Board. Current guidelines provide that no more than 8 people can meet in the room. Masks would be required. The room is sanitized. Chairman Lefebvre stated he would not be inclined to support a face-to-face meeting. Selectman Wojtas felt things are lost with virtual meetings. Chairman Lefebvre agreed to think about this more.

Selectman Antul:

- At a recent School Committee meeting it was announced that they conducted a survey which received an 80% response rate where 1/3 of families are not supporting a full return to school. The School Dept. is considering a hybrid model where remote and in-person attendance is done.

Selectman Timmins:

- The Planning Board will be discussing a Historic Preservation Bylaw proposal on August 12, 2020.
- The Finance Committee will meet on August 13, 2020 to discuss the sale of the Warren-Pohl property.
- The Conservation Commission announced that fire gates were installed at the Russell Mill Reservation, and extraction points have been determined for emergency egress. DPW is in the process of removing trees at the Cranberry Bog dam.

Chairman Lefebvre:

- The Master Plan Update Committee will be meeting this Thursday via Zoom.
- Mr. McCall was wished well.
- The Board was advised that discussions about hiring an interim Assistant Town Manager and about forming a Town Manager Search Committee will be on the agenda for the next meeting.

PRESS QUESTIONS

No one came forward at this time.

ADJOURN

Motion: by Selectman Timmins to adjourn the meeting at 9:12PM. Seconded by Selectman Dixon.

Roll Call:

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

Motion carries, unanimous, 5-0.

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NEXT REGULAR MEETING DATE: August 17, 2020

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Supporting Documents:

- List of Committee Vacancies
- Supporting Documents for Pole Petition
- Supporting Documents for Madras Grill
- Warren-Pohl Purchase and Sale Agreement
- MMA Letter from Town of Rutland
- Supporting documents for Bid Award
- Citizen Petition Articles for Fall Town Meeting
- Award letters for Grant Awards
- Memo of July 31, 2020 regarding release of State funds