

RECEIVED
2018-11-20
12:45 PM
TOWN OF CHELMSFORD
PATRICIA E. DZURIS
TOWN CLERK

Approved 11/19/18

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

Regular Meeting MINUTES
August 13, 2018

Attending:

Glenn Diggs, Chairman
Kenneth Lefebvre, Vice Chairman
Emily Antul, Clerk
George Dixon, 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 Diggs called the meeting to order at 7:00 PM. Wilmington Independent Newspaper also recorded the meeting.

PUBLIC SERVICE ANNOUNCEMENTS

2018 State Primary Election

The Primary election will be held on September 4, 2018. The list of open positions was summarized by Chairman Diggs. Selectman Wojtas announced that August 15, 2018 is the last day one can register to vote, and absentee ballots are available now. There will be no early voting for this election

9/11 Remembrance Ceremony

Selectman Wojtas announced that the Military Community Covenant will host this ceremony which will take place on Saturday, September 8, 2018, in front of the Fire Department Headquarters beginning at 9:00AM. Everyone is welcome.

Aug 27, Candidates Night Sponsored by the League of Women Voters

Mary Frantz announced this event is co-sponsored with several communities, and will be held at the Chelmsford High School Performing Arts Center starting at 7:00PM. Candidates for the Third Congressional District will be available, and everyone is welcome. Other similar events have seen heavy attendance.

OPEN SESSION

Kevin Goscila, Recycling Committee, explained the Committee is supporting the proposed plastic bag bylaw. He explained that plastic bags cause a litter problem, they cannot be recycled, and they do not biodegrade. This hurts wildlife. Similar proposals have been done in at least 81 communities in the state to date. Stores are ready to support it. The goal is to get people to re-use bags; some stores offer to take the bags back.

Cynthia Fiekers, 67 Pine Hill Rd., asked for support for better control and reduction in use of single-use Styrofoam containers, straws and plastics. She has put forward citizen petitions for Fall Town Meeting to regulate use of these materials in commercial businesses. She showed a silicone straw as an example. Mr. Cohen noted this would impact the schools, and he suggested that Ms. Fiekers contact the school department to discuss various options.

Approved 11/19/18

Hank Houle, Precinct 4 Town Meeting Representative, asked if the Regional Dispatch Plan would be voted on tonight. He was advised this would not be voted on until September.

Jerry Hall, 34 Lovett Lane, asked if the Rt. 40 rezoning warrant article could be delayed until the Spring Town Meeting so that residents could have more time to work with the information presented.

United Steel Workers - Moratorium regarding National Grid lockout

Jim Mariolis, Local 12012, stated the National Grid lockout continues, and the workers are still not working. He cited situations in Lowell and Burlington where work is not being done properly by the replacement workers. This will impact public safety and will cost everyone more money in the long run.

Mr. Cohen advised that he met with National Grid representatives a month ago. The Town has been assured by National Grid that the contractors are vetted and there should be no concerns.

Mr. Mariolis provided informational packets to the Board. Most of the municipalities that have joined a moratorium on all work have a lot of older infrastructure that is causing concern for them. The workers want to go back to work.

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

Wine & Malt Beverages Restaurant License: Chelmsford Pizza, Inc., 170 Concord Road

Atty. Philip Eliopoulos spoke for George Giannetos, owner of Chelmsford Pizza. He noted that prior owners at this location had a similar license, however, they let their license lapse. Mr. Giannetos has had 10 years experience with this type of license in Winchendon.

No concerns were raised from other town departments. Application appears to be complete.

Atty. Eliopoulos requested waiving the two week waiting period, as the Board's next meeting is in 4 weeks. Selectmen Diggs and Dixon supported the waiver. Selectman Wojtas did not support the waiver as it does not follow Board Policy.

Audience comments:

Dave Sneden, 4 Laredo Dr. stated that he supports this application.

Motion: by Selectman Dixon to close the Public Hearing for Chelmsford Pizza, Inc. Seconded by Selectman Lefebvre. Selectman Wojtas opposed, all others in favor. **Motion carries, 4-1.**

Motion: by Selectman Lefebvre to approve the application for a Wine and Malt Beverages License for Chelmsford Pizza, Inc. to be exercised on the premises at 170 Concord Rd., as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Selectman Wojtas advised that although she has no objection at this time to granting this license, she does not support waiving the Board's policy for alcohol licenses.

LICENSES

One Day All Alcoholic Beverages License: American Legion Vinal Post 313, Outdoors at 90 Groton Rd., 8/18/18

Approved 11/19/18

The applicant was not required to appear for this hearing. Prior annual events have been held without any issues.

Motion: by Selectman Lefebvre to approve a One Day All Alcoholic Beverages License for American Legion Vinal Post 313 for an Outdoor Event to be held on the premises at 90 Groton Rd. on August 18, 2018. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

One Day Beer & Wine License: Chelmsford Public Library, 25 Boston Rd., 8/24/18

Vickie Turcotte, Assistant Director for Support Services, explained this request is to be used with a trivia event.

Motion: by Selectman Lefebvre to approve a One Day Beer and Wine License for the Chelmsford Public Library to be exercised on the premises at 25 Boston Rd., on August 24, 2018. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

One Day Beer & Wine License: Chelmsford Senior Center, 75 Groton Rd., 9/20/18

Darlene Costas, 1 Southwood Dr., Chairman of the Friends of the Senior Center, is requesting the license for an event being held from 6:00PM-9:00PM.

Motion: by Selectman Lefebvre to approve a One Day Beer and Wine License for the Chelmsford Senior Center to be exercised on the premises at 75 Groton Rd. on September 20, 2018, for the hours of 6:00PM-9:00PM. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

One Day Beer & Wine Licenses: Holiday Inn Express, 8 Independence Dr., 8/30/18 & 9/04/18

Katie LeBlanc, General Manager of Sid Management Company explained that a Common Victualer License was granted to them at the previous Board meeting. They are requesting this license for a ribbon cutting ceremony on August 30, 2018, and a vendor appreciation meeting for Zoll Medical on September 4, 2018.

The applicant was aware they can apply for up to 30 One Day Licenses per year; they do not want a full license as full events are held next door at the other hotel.

Motion: by Selectman Lefebvre to approve two One Day Beer and Wine Licenses for Holiday Inn Express, to be exercised on the premises at 8 Independence Dr., on August 30, 2018 and September 4, 2018. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Review of Carry-In Alcohol Licensing

A restaurant in town is interested in utilizing this option, and Town Counsel has reviewed insurance requirements. A Policy was put in effect in 2014 by the Board.

Selectman Wojtas explained that this option was intended as a one day option to be used for events such as painting parties. A permanent restaurant use was not envisioned; however it was not prohibited. The policy would still require a TIPS certified person to be present at all times, and there were numerous rules put in place within the policy language.

Motion: by Selectman Lefebvre to require that the Town receive all necessary certificates of insurance for approval of a BYOB license. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

REGIONAL PUBLIC SAFETY DISPATCH

This is a continuation of discussion which was begun at the previous Board Meeting. Members of the Public were invited to speak.

Mr. Cohen presented budgetary considerations. Currently, the net cost of salaries and other costs for nine dispatchers, after the offset from two grants, is about \$700,000.00 annually. The assessment to join a Regional Center is \$737,000, less anticipated grants, makes the net cost \$413,000.00, annually. The costs of new personnel and equipment would be paid from the anticipated savings of \$300,000.00.

Mr. Cohen noted that if a 4th town joined, costs become more efficient. At this time, the communities of Billerica and Lowell are not interested in joining at all.

Frank Goode, resident and Police Department employee, asked if there was a figure available identifying the proposed savings. Mr. Cohen advised the savings would be roughly \$200,000, including the new personnel. Mr. Goode indicated that as a Police Sergeant, and President of the Superior Officers Union, he is opposed to this proposal to regionalize, as it would negatively affect the operation of the police department. The Board agreed to not regionalize dispatch 3 years ago, and capital improvements were made. Regionalization is still a bad idea today. Chelmsford dispatchers will not be working the Chelmsford calls, but will answer calls from all three towns. Not all persons will be familiar with Chelmsford policies, which creates a threat to officer and public safety. He noted that regional centers have trouble retaining employees. Currently, Chelmsford has no retention issues. Chelmsford had 32,000 calls for service last year, which were more than 911 calls. They are a lifeline on the radio. Mr. Goode noted that towns smaller than Chelmsford want to leave regional centers, because they give up local control. Dispatch is not broken in Chelmsford. A chain of command is in place, which would cease to exist in a regional setting. Career advancement in regional centers is not evident, as there are less employees and positions. Mr. Goode listed the certifications of current employees.

Mr. Goode stated they are not afraid of change, they are afraid of the consequences. The department works closely with schools to avoid another Columbine incident. Active shooter training includes dispatchers. They are trained and ready to answer the calls from the kids and faculty. The dispatchers can see the video feeds, and can react quicker to neutralize a threat. Failures at other dispatch centers contribute to additional casualties. Mr. Goode reminded the Board that privatizing custodians in the public schools created more problems than it solved, and there were no savings. Keep the dispatchers in Chelmsford.

Kate Couture, 4 Clover Hill Dr., stated that she is opposed to regionalizing. Her husband is a police officer in another town that regionalizes, and it is not good. There was a shooting in her neighborhood, she needed immediate help. We should not be looking to save money, we should save lives.

Denise Pelletier, Brick Kiln Rd., recalled that 3 years ago there were 9 communities in this proposal, now there are three. She recalled the concerns were the same: more costs, not worth the risk, local dispatch is better, they are more familiar with area, and dispatchers know the problem areas. No one is guaranteed a job with the regional center. Many here have been at the job many years. Availability of paperwork is not as efficient.

Chris Bowman, 3 Julio St., reminded the Board that hundreds of residential units are planned for this town, and this is not the time to compromise protection and safety. The Town budget is \$133 million, and the projected savings from this proposal is \$200,000. She agreed there is opportunity to eliminate

unnecessary things, but this is not one of them. Residents were overtaxed \$800,000 last year, and were told this was negligible and not returned to the residents. The proposed savings are even more 'negligible', so this should be voted down.

Hank Houle, Precinct 4, explained he was a firefighter and a captain. Dispatchers helped him a lot, they knew what needed to be done, and where to send equipment. Misinformation usually comes from state police, other towns, highway calls, which wastes time and resources. He suggested figuring out the ambulance and fire station configuration first.

Richard Stander, 153 Turnpike Rd., stated he agrees with Ms. Bowman, and seconds count in an emergency. He has saved 3 lives. One was a heart attack on the Mass Turnpike; that person lived. On the Concord River, a boat turned over in April. Six other boats took off, but he was able to help an elderly person and a child. The water was very cold, and seconds did count. Do not compromise communication and put people's lives at risk.

Richard Montuori, Town of Tewksbury Town Manager, explained the he was here to answer questions, not convince people to join the regional center. In his town, they felt this will be a state of the art facility with employees who will receive enhanced training. He believed regionalizing will make things better as there will be more dispatchers available to handle a situation, or handle overtime. There will be opportunities for growth, and the staffing of dispatchers will not be reduced. This center will provide enhanced service to residents. Chairman Diggs asked what happened as there were nine towns originally in this proposal. Mr. Montuori advised that several towns joined other centers closer to them. Lowell wanted a greater majority of control, which was not promised and decided not to join. This will be a town run facility, not a state run facility. All towns will have an equal vote in what happens. There are 13 regional centers serving 80 communities across the state.

James Duggan, Dracut Town Manager, explained that everyone wants the best service. People calling dispatch want efficient service. He has visited centers in Pennsylvania and in Massachusetts. Situations are the same-dispatchers know their areas; there is software that helps them with colloquialisms. He cited an example where the Town of Danvers had a major explosion 6 years ago. He heard tapes that this department was overwhelmed, and broke down. The sentiment was that a regional center would have been able to handle a major situation better because there is more manpower. He was looking for an opportunity that would bring state of the art equipment for Dracut's residents. People do become familiar with areas. Dracut feels the model works, and there are other successful centers out there.

Ross Klun, Executive Director of the Nashoba Valley Regional Dispatch Center in Devens, explained that he worked in the Barnstable Regional Center previously, which served 10 communities. The facility at Devens serves 7 communities.

Chairman Diggs commented that the fear is that quality of service will decrease. Mr. Klun felt that if there is commitment by the community, they will make it work. If they want it to fail, they will not support it. Concern over loss of control is not valid from what he has witnessed. Governance by town officials has worked well for Devens and Barnstable. Turnover in any center is high, and it is tough to retain dispatchers. This position was always seen as a stepping stone to other police and fire jobs. The goal is to entice and retain people to stay in this career as a dispatcher. Cross training between communities can happen. Having more people to answer the phone is helpful in a major event.

Chairman Diggs compared this scenario to a bank that moves managers all over a region, because this gets them more experience. Mr. Klun admitted he has seen it work both ways, people are brought outside their comfort zone. They have a larger pool of knowledge to draw from. The goal is not only to save

Approved 11/19/18

money, but to improve service and funding. Nashoba been open five years and has received \$2 million in funding which is used for capital and IT improvements. It had four towns when it opened, and now has seven. Operating expenses are divided equally between the towns. Some centers do a proportional formula between costs and percentage of say at the table. As needs change, some agreements change. They have made changes over time.

Colleen Carragher, 105 Locke Rd., explained she has lived in Syracuse, NY. In 2012 there was a fire, and there was a 4 minute delay in dispatching which contributed to the caller's death, and two officers to be hurt. Regionalization may not be the best choice for Chelmsford.

Angela Dulac, 7 Lynch Way, explained she is very involved with the Pop Warner Football League. She feels response under the current system is excellent, and the proposed savings is not in the best interests of Chelmsford residents.

Christine Bowman, 3 Julio St., wished to dispute Mr. Klun's statements about major events. She stated that a state agency in Framingham would handle a major event, not the local regional center. She wished to clarify comments about dispatch supervisors versus officer supervisors. Officers and firefighters make sure things are done right, supervisors are not better than officers. Directives will come from the state, because they have the funding. She felt decisions will be political.

Dave Sneden, 4 Laredo Dr., asked how mutual aid backup situations involving other communities would be handled, as this should also be a consideration.

Chairman Diggs advised that discussion will be continued to September 10, 2018, and a vote will be taken at that time. Executives from other communities were thanked for their time and input.

TOWN MANAGER BID AWARDS

Chelmsford Telemedia HD Cameras and Accessories

Asst. Town Manager Mike McCall explained two bids were received. Access AV is the lowest bidder at \$146,299.00. The new equipment will be replacing four high definition cameras. This item was budgeted at \$200,000.00.

Motion: by Selectman Lefebvre to approve the Town Manager's Bid Award for Chelmsford Telemedia HD cameras and accessories to Access AV in an amount not to exceed \$146,299.00, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Merrimack River Stabilization at Wellman Avenue

Nine proposals were received for this project. The low bidder was Sumco, with a bid for \$2,768,806.00. This company has completed a similar project in Haverhill, and had good reference checks.

The proposed construction process was described by Chairman Diggs and Selectman Dixon. Chairman Diggs acknowledged past Board members' efforts in getting this project to this stage.

Motion: by Selectman Lefebvre to approve the Town Manager's Bid Award for Merrimack River Bank Stabilization at Wellman Avenue to Sumco, in an amount not to exceed \$2,768,806.00, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Water Fountain Replacement

Approved 11/19/18

This is a request from the Chelmsford Public Schools for the replacement of 45 drinking water fountains to be upgraded. The low bidder was Castron Plumbing for \$16,120.00.

Motion: by Selectman Lefebvre to approve the Town Manager's Bid Award for Water Fountain Replacements to Castron Plumbing in an amount not to exceed \$16,120.00-. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

TOWN MANAGER REPORTS

Citizen Petition Warrant Articles

The articles regarding prohibition of styrofoam and plastics was heard during Open Session.

Revised Draft Fall Annual Town Meeting Warrant

The revised warrant was presented to the Board, and will be signed at the Board Meeting on September 10, 2018. Presentations will be heard at the next several Board meetings. Fall Annual Town Meeting will begin on October 15, 2018.

Mr. Cohen read through the list of warrant articles. The Storm~~w~~Water budget will start in January 2019. The consultation costs for an ambulance study committee could be up to \$75,000.00. Supplemental funding for the Center for the Arts was proposed; Chairman Diggs requested that an amount for the North Town Hall be added to this request, as well as an amount for the Chelmsford Open Space Stewardship. The Vinal Square Implementation Committee is requesting funding for surveys and portable tree planters. The Planning Board is holding a public hearing at the Center for the Arts on August 22, 2018 to discuss the Groton Rd. zoning article, to which everyone is welcome.

UMass Lowell West Campus Legislation

Chapter 192 of the Acts of 2012 was signed by the Legislature. The next step is to issue a Request for Proposals (RFP) for the disposition of the property. UMass Lowell will receive any proceeds from the sale.

FY19 State Budget Impacts on Chelmsford

Mr. Cohen reported that initial documents received to date are showing overall reductions in local aid, especially on the Public School side. Chairman Diggs requested that School superintendent Dr. Jay Lang be invited to a future meeting to discuss. Mr. Cohen suggested such a meeting after October 1, once certain reports are available, and after Town Meeting is completed.

TOWN MANAGER APPOINTMENTS

Recycling Committee Re-Appointment: Rebecca Gore, 1 year term exp. 6/30/2019

Recycling Committee: Cynthia Fiekers, 1 year term exp. 6/30/2019

Community Action Program Committee: Olivia Ventullo, 1 year term exp. 6/30/2019

Roberts Field Advisory Committee: Nikki Taylor, 1 year term exp. 6/30/2019

Agricultural Commission: James Dergay, 3 year term exp. 6/30/2021

Motion: by Selectman Lefebvre to approve the Town Manager's re-appointment of Rebecca Gore to the Recycling Committee for a 1 year term to expire 6/30/2019, the appointment of Cynthia Fiekers to the Recycling Committee for a 1 year term to expire 6/30/2019, Olivia Ventullo to the Community Action Program Committee for a 1 year term to expire 6/30/2019, Nikki Taylor to the Roberts Field Advisory Committee for a 1 year term to expire 6/30/2019, and James Dergay to the Agricultural Commission for a 3 year term to expire 6/30/2021. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Approved 11/19/18

MEETING MINUTES

BOS Regular Meeting Minutes 06-25-18

Motion: by Selectman Wojtas to approve the Regular Meeting Minute of June 25, 2018. Seconded by Selectman Antul. Selectman Lefebvre abstained, all others in favor. **Motion carries, 4-0.**

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Dixon:

No referrals or Reports this evening.

Selectman Antul:

No referrals or Reports this evening.

Selectman Wojtas:

-The Tax Classification Committee meeting schedule has been moved to Tuesdays and she is not able to attend, therefore she intends to step down. Chairman Diggs agreed to be the new Board liaison to this committee.

Motion: by Selectman Lefebvre to appoint Glenn Diggs as the Board of Selectmen liaison to the Tax Classification Study Committee. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

-The Tax Classification Study Committee is hosting an Open Session on August 28, 2018, to which everyone is welcome.

-The Military Community Covenant is hosting a cookout at the Elks on August 14, 2018 from 5:00-7:00PM, to which everyone is welcome.

Selectman Lefebvre:

-A new retail development project was recently approved by the Conservation commission and the Planning board on Billerica Rd. The proposal is to have a restaurant and four retail spaces.

Chairman Diggs:

No referrals or reports this evening.

PRESS QUESTIONS

A reporter from the Wilmington Wicked Local newspaper covering for the Chelmsford Independent asked if Board meetings [are](#) usually this busy, or if the Dispatch question impacted attendance tonight.

NEXT REGULAR MEETING DATE: September 10, 2018

ADJOURN

Motion: by Selectman Lefebvre to adjourn at 10:06PM-. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Respectfully Submitted,

Approved 11/19/18

Vivian W. Merrill
Recording Secretary

Supporting Documents:

- Flyer for 9-11 Remembrance Ceremony
- Warrant for 2018 State Primary & Constables Return of Service document
- Letter from United Steelworkers regarding National Grid
- List of Committee Vacancies
- Application and supporting documents for Beer & Wine License-Chelmsford Pizza
- One Day License Applications
- Supporting documents for discussion of BYOB Policy
- Presentation for Regional Emergency Communications Center
- Supporting documents for Bid Awards
- Fall 2018 Annual Town Meeting Warrant & Supporting documents
- Supporting documents regarding legislation for UMass West Campus
- Memo dated August 7, 2018 regarding the State Budget
- Committee Applications
- Draft Minutes