

CHELMSFORD FINANCE COMMITTEE
MINUTES

September 17, 2020



MEETING: A virtual meeting was held on Thursday, September 17, 2020 at 7:30 PM using Zoom Video Communications software.

PRESENT: J. Clancy, D. Goselin, E. Chambers, K. Duffett, A. Langford, V. Parks, and A. Tanini

ALSO PRESENT: P. Cohen, J. Sousa, G. Persichetti, G. Ryan, D. Newcomb, D. Boyle, M. Raisbeck, N. Araway, D. Taverna, and public

HANDOUTS: Schedule for Fall Town Meeting Warrant Book, 2020 Fall Annual Town Meeting Presentation

The meeting was called to order at 7:33 PM.

J. Clancy read the following statement regarding the virtual meeting:

“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 Finance Committee 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.”

Approval of Minutes:

August 27, 2020:

Minutes were not available for approval. Approval of the minutes will be moved to the next meeting.

Review and Discussion of Warrant for the Fall 2020 Annual Town Meeting:

P. Cohen reported that the Fall 2020 warrant had 19 warrant articles. He said that the first article required no action but was for reports of which there would be a report from the Vision and Values Committee, Five-Year Financial Forecast and a Financial Overview. P. Cohen stated that there would be a consent agenda with six articles which could be taken together. He explained that this would cover articles two through seven and would take care of one third of the articles right away. Discussion on the warrant articles was as follows:

Article 2 – Cemetery Improvement and Development Fund:

P. Cohen stated Article 2 was requesting a transfer of \$50,000 from the Sale of Graves and Lots Account to the Cemetery Improvement and Development Fund. He said that D. Boyle was present to provide an update on the cemetery expansion project. D. Boyle reported that phase 1 and phase 2 of the cemetery improvement plan at Pine Ridge Cemetery were completed. He added that phase 3 was just about done. He explained that they planned to lay the loam and hydroseed in mid-October. He explained that once the hydroseed was completed it needed to sit for a year and then grave lots could be marked out. He stated that this work would be done around October of 2021 and the lots would be ready to use around the spring of 2022. He stated that the only other thing left to be done would be some paving. D. Boyle reported that the Cemetery Improvement and Development Fund currently had a balance of \$155,000 and after the completion of phase three it would be at about \$31,000. He stated that the current two niche walls were about 85% to 90% full so it was time to add additional niche walls. He stated that the plan would be to install one this fall and a second next spring. He explained that the \$50,000 would provide enough funding to move forward with the second wall. He noted that the top row of the new wall was already sold. He explained that the balance left in the fund for Spring Town Meeting would be about \$65,000.

Article 3 - Transportation Infrastructure Fund:

P. Cohen reported that Article 3 would appropriate \$10,696.90 received by the Town from the Commonwealth Transportation Infrastructure Fund to fund the installation of solar powered flashing LED stop signs and other traffic safety improvements at the intersection of Graniteville Road and School Street. He explained that this income was from the funds collected from Uber and Lift rides originating in Chelmsford. He said that the state collects 20 cents per ride and the town where the ride originated gets half of that amount or 10 cents per ride. He stated that the number of rides was increasing with the total being 78,025 in 2018 and 106,969 in 2019. He said that the funds must be used for transportation-related projects. P. Cohen reported that there was talk of possible changes being made to this program. J. Clancy asked if there was any indication that Chelmsford would see a dip in the current year. P. Cohen replied that it was such a nominal amount that changes wouldn't impact Chelmsford.

Article 4 - Sewer Construction Stabilization Fund:

P. Cohen stated that Article 4 would transfer \$335,050 from free cash to the Sewer Construction Stabilization Fund. P. Cohen said that the person who oversees this account is J. Sousa. J. Sousa reported that the sewer had two main sources of income. He explained that funds came from the \$1.05 sewer capital surcharge and from sewer betterment fees. He stated that interest on these accounts goes to free cash and the Town then needed to appropriate the funds from free cash to the Sewer Construction Stabilization Fund. He reported that the amount to be transferred was

\$335,050. He added that the current balance in the Sewer Construction Stabilization Fund was \$2,290,295.

Article 5 - Affordable Housing Stabilization Fund:

P. Cohen reported that Article 5 would transfer \$618,750 that has been received by the Town under the Town's inclusionary housing zoning bylaw to the Affordable Housing Stabilization Fund. He explained that the town code requires that payment-in-lieu of moneys be transferred to the Housing Stabilization Fund. He stated that the funds came from 241 Littleton Road (\$270,000) and Grist Mill (\$348,750) for a total of \$618,750. He added that these were restricted funds and a two-thirds majority vote at Town Meeting would be required to appropriate these funds.

Article 6 - Funding for Collective Bargaining Agreements:

P. Cohen reported that no action would be requested on Article 6. He explained that collective bargaining agreements had not been reached for the two remaining unions of the police sergeants and the public safety dispatchers.

Article 7 - Amend Fiscal Year 2021 Operating Budget:

P. Cohen reported that no action would be requested on Article 7 as there were no modification needed for the FY2021 operating budget.

Article 8 – Parker Road:

P. Cohen reported that Article 8 would authorize the Select Board to obtain a .14 acre parcel of land on Parker Road for \$16,200. He explained that the owner of the land reached out to the Conservation Commission regarding the availability of this land. P. Cohen stated that this strip of land was to the right of the reservation and across the street from the Warren-Pohl property. He explained that given the location of the property it made sense to acquire it and add it to that conservation corridor. P. Cohen stated that F. Reen had researched the land court deed and the parcel was an “orphaned” remnant of land which was a natural addition for the Conservation Commission to acquire. He noted that the Warren-Pohl acquisition would close on October 1st.

Article 9 – Renovation and Expansion of the North Fire Station:

P. Cohen reported that Article 9 was drafted from the efforts of the Permanent Building Committee and would approve the borrowing of \$3.4 million for the renovation and expansion of the North Fire Station. He turned the meeting over to Chief Ryan. Chief Ryan reported that a study of the four older fire stations had been completed and a report on their overall condition and ability to increase staffing had been presented to the Select Board in November of 2019. He said that following the report the Permanent Building Committee explored options for renovating and expanding the North Fire Station (Engine 2) and approved a modular expansion/renovation design at the end of March 2020. Chief Ryan pointed out that the station was built for only two firefighters and adding a third or fourth presented serious challenges. He stated that the bunks were located within the apparatus room which could expose firefighters to carcinogens. He noted that the station was completed in 1956 and the “bedroom” was added as an afterthought. He added that the bunks were too close together especially during a pandemic and the station did not have accommodations for more than one gender. He stated that other issues included non-compliant lockers in the hallway, cracks in the ceiling and walls, a single shower stall, and outdated plumbing and electrical. Chief Ryan reported that the proposed renovation was for a

two story modular structure on a slab. He explained that the basement would be removed and each of the two floors would have 2,100 square feet. He stated that the current bunk room would be repurposed as an apparatus bay and six individual bunk rooms would be built on the second floor. He added that the design included a locker room, laundry room, a gear storage area, and a dedicated workout area. He said that the renovation would add another pull-through bay which would allow them to pull engines through rather than back them up. He pointed out that the station would be in the same spot that it was currently, and the response time would remain the same.

Chief Ryan reported that two options were considered for the North Fire Station. He explained that the first option was for a complete tear-down and rebuild which would have had a cost of \$5,059,100. He explained that this option would have required temporary housing and the apparatus to be stored outside for about 12 to 13 months. He explained that it was not good to store the apparatus outside during the colder months. Chief Ryan reported that option 2 which was being proposed called for the demolition of the existing structure, renovation of the apparatus bay and the installation of the modular building. He said that the cost of this option was the \$3.4 million for the article. He pointed out that this option would only require the renting of a temporary modular for about 8 months and the apparatus would not need to be displaced during the cold months. Chief Ryan reported that if the article is approved, they would plan to award the bid in December of 2020, and they would plan to be ready for occupancy in July of 2021. G. Persichetti pointed out that the Permanent Building Committee had approved the plan by a vote of 7 to 0. P. Cohen added that the funding would be done without a debt exclusion as part of the non-excluded debt schedule. He explained that it would be paid over a period of 20 years. J. Clancy asked what the useful life of a modular structure was. G. Persichetti replied that the minimum life would be 40 years. E. Chambers asked if Town Meeting approved the article how much confidence there was in the \$3.4 million amount. G. Persichetti replied that the numbers were very good. He explained that they had vetting the numbers twice as they had just gone back and reran the numbers again.

Article 10 – Fiscal Year 2021 Capital Budget:

P. Cohen reminded the Finance Committee that the capital requests had been limited at Spring Town Meeting due to the uncertainty revolving around the pandemic and possible cuts to state aid. He reported that the state had announced that they would be level-funding state aid so there would be the ability to do a second round of the capital budget at the Fall Town Meeting. He said that desire from the community for road work and side walks to be done was clear, so they were included. He added that with the hybrid teaching model it was a good time to do the work at the schools of the kitchen renovation at Parker School and the auditorium renovation at McCarthy School. J. Sousa stated that \$115,000 had also been added to the capital budget for turn-out gear for the fire department which would fund 44 sets of gear including helmets. He said that the school projects had been deferred from spring and the price tag from these items had come down due to efficiencies from being able to do the projects in one shot. He explained that due to the pandemic meals were not being provided from the kitchen, so the school facilities cost was now \$1,113,000 with \$373,000 for the kitchen renovation and \$740,000 for the auditorium renovation. He explained that the auditorium renovation would include seating, lighting and sounds system. He pointed out that the auditorium had been built in the 1950's and this would be the first total renovation it has had. He stated that the road improvements were budgeted at \$400,000 and the sidewalk construction at \$350,000 for a total of \$750,000 in public works. J.

Sousa stated that the total for the proposed fall capital projects totaled \$1,978,000 which when added to the approved capital projects at Spring Town Meeting of \$1,475,073 resulted in a total FY2021 capital budget of \$3,453,073. J. Sousa reported that the upcoming future capital needs in the pipeline were in the amounts of: FY2022: \$6,313,414, FY2023: \$4,775,563, FY2024: \$3,707,243, FY2025: \$4,059,681 for a total of \$18,855,901. E. Chambers asked if the reason the FY2022 amount was so high was due to the need for new fire apparatus. J. Sousa replied that it was. He added that it also included renovations of the high school basketball and tennis courts. He added that some projects may need to be reprioritized. E. Chambers asked if the turn-out gear was on a rotating schedule. Chief Ryan replied that he budgeted to have two compliant sets of gear for each firefighter. He stated that in 2010 he had received a grant for \$80,000 which allowed for the purchase of 50 sets of gear. He explained that he had applied for a grant earlier this year but was rejected. He noted that some communities were struggling to maintain one set of gear per firefighter. He stated that in 2015 a capital request was approved for \$98,000 for 39 sets of gear and in 2017 \$20,000 had been included in his operating budget which covered less than 10 sets of gear. He stated that he requested 44 sets of gear from the current capital budget and anticipated a request for another 35 sets in 2026. He explained that they tried to maintain sets of gear for 10 years.

D. Goselin asked if any thought had been given to funding parking lot renovations at the Senior Center. He stated that the parking lot had many safety issues. J. Sousa replied that right now renovations for the Senior Center parking lot were in the FY2023 plan. D. Goselin replied that this should probably be addressed before then due to safety concerns. G Persichetti stated that he had worked with the Senior Center regarding the conditions of the parking lot and they had filled out cracks and topped areas with a clear overcoat about a year and a half ago. He stated that he had also had discussions with D. Hedison, and they would like to encompass sidewalks, crosswalk and handicapped accessibility into one renovation. D. Goselin replied that due to the limited activity at the center now it would be the perfect time to replace the lot. He added that the Town had hired an OSHA expert and wondered if they could give an opinion on the condition of the lot and the dangers that may be presented to seniors such as people using walkers. P Cohen responded that since the Senior Center would probably not open until January of 2022 an article could be brought forward for this at the next Spring Town Meeting. He added that he understood the concerns expressed by D. Goselin and he agreed that work needed to be done, but he noted that he did not think the work needed to be done this fall. D. Goselin reiterated that he would be interested in OSHA rendering an opinion. P. Cohen replied that he would have him do that but added that he had confidence in G. Persichetti's judgement since he has been doing facilities for the town for over 20 years. He noted that they had taken interim steps of repairs and he did not believe the lot was a hazard today, especially given the current activity level. P. Cohen stated that he did not think the facility would be opening for at least a year or perhaps 15 months from now, but the schools would be coming online sooner. He added that they wanted to address the parking lot renovation as part of a comprehensive plan rather than tackle it in pieces. He noted that they were not ready with the full comprehensive plan. V. Parks said that she wanted to give kudos to P. Cohen and G. Persichetti for the work on the high school parking lot which looked much improved. V. Parks added that she also wanted to applaud Chief Ryan for his consistent effort in trying for grants. J. Clancy commented that he would like to echo this sentiment as both departments have not had it easy during this difficult time and their efforts were much appreciated.

Article 11 – Free Cash to Reduce the Tax Levy:

P. Cohen stated that Article 11 was a citizen's petition and the Finance Committee could invite the citizen into a meeting.

Article 12 – Free Cash to Reduce the Tax Levy:

P. Cohen stated that Article 12 was also a citizen's petition similar to Article 11, but with a different amount.

Article 13 – Free Cash to the General Stabilization Fund:

P. Cohen reported that Article 13 would transfer \$1,370,300 from free cash to the stabilization fund. He stated that \$2 million had been transferred out of the stabilization fund in June to help fund the FY2021 operating budget. He said that this left the current balance at \$9,310,771 which would increase to \$10.7 million with approval of this article. He pointed out that this would put the level at 7.75% of the operating budget which was right in the middle of the policy of keeping the stabilization fund at 5% - 10% of the operating budget. He stated that this would be sound financial policy, especially given the significant challenges that will be faced in the years ahead.

Article 14 – General Stabilization Fund to Reduce Tax Levy:

P. Cohen reported that Article 14 and 15 were two more citizen petitions.

Article 15 – General Stabilization Fund to Reduce Tax Levy:

P. Cohen reported that Article 14 and 15 were two more citizen petitions.

Article 16 – Historical Preservation and Reuse:

N. Araway stated that Article 16 was similar to the articles they had tried for in the past in an attempt to preserve historic properties. She explained that they were trying with this article one more time, however, this version would not allow for three-family structures and would only apply to buildings built in 1800 or prior. She explained that this article would have no increase in the density allowed. She added that in having the article only apply to the oldest properties only about 42 properties would be qualified. She added that the minimum lot size of 40,000 square feet would allow the lot to be cut in half to two 20,000 lots. D. Taverna stated that historic properties were in danger of going away and this article was a tool to try to preserve those buildings. J. Clancy asked if D. Taverna could speak to the conditions for qualifying. D. Taverna replied that the property must have a preservation restriction and be filed with the registry. She added that the preservation restriction must be maintained and once a year they checked these properties. She said that the minimum lot size was 40,000 square feet. V. Parks asked if the properties covered could be identified. N. Araway replied that she would have a map available by Monday. A. Tanini asked if a property not on 40,000 could be split if the second lot was 20,000 square feet. N. Araway replied that a lot less than 40,000 could not be split. A. Tanini asked if the setbacks would also be cut in half. N. Araway replied in the affirmative. She added that under the bylaw passed last fall these properties would have no required setback as the rules of the year they were built would apply. A. Tanini asked if this would mean that one house could be built within 10 feet of another house. N. Araway replied that she believed that a 20 foot setback would be required for the new house.

K. Duffett asked if the objective of this article was to maintain historic buildings or if it was to allow for the building of more houses. N. Araway responded that this was a fair question. She

stated that the purpose was to save historic structures. She added that they could not prohibit people from tearing down these structures but could only delay the destruction by one year, so they looked at this as a financial incentive for owners to maintain the historic properties. A. Tanini asked if the Town could provide other financial incentives. N. Araway replied that the Town was not permitted to give public funds to private residents.

V. Parks commented that 42 properties were applicable under this article. She asked how many had been covered under last year's article. N. Araway replied that she thought it had been around 140 or so.

J. Clancy commented that having an updated map of the area as well as a comparison of what had changed from last year's article would be helpful to have for next Thursday's meeting.

Article 17 – Wildlife Feeding:

P. Cohen reported that K. Lefebvre had brought Article 17 forward. He suggested that he may be willing to come into the next meeting. He added that the intent of the article was to avoid a nuisance situation from the feeding of wildlife.

Article 18 – Sewer Capacity Study:

P. Cohen reported that Article 18 would appropriate \$150,000 for a study of the options for increasing sewer capacity. He stated that Chelmsford had an intermunicipal agreement with Lowell to transfer 3.01 gallons per day to their wastewater facility. He said that Chelmsford had also allocated 350,000 gallons per day to Tyngsborough leaving Chelmsford with a net sewer capacity of 2.66 million gallons per day. He explained that Chelmsford was not yet over capacity but was nearing the end of capacity being at 2.56 million gallons per day in 2019. He noted that with projects coming online from Turnpike Road, Hunt Road, and Gorham Street, this was an issue that needed to be addressed. He reported that as far back as 2002 the Sewer Commission became concerned with having sufficient capacity and instituted a two-year moratorium on large unforeseen sewer connections. He added that in 2003 Chelmsford instituted a home rule petition to establish the Chelmsford Sewer System Capital Improvement Fund to provide revenue for increasing capacity. He said that the sewer capacity fee was then established in 2004 and the current fund balance was \$2,306,624. P. Cohen explained that Article 18 would fund the gathering and analysis of data and expansion options including the potential for a wastewater treatment at Southwell. He added that the \$60,000 required for a field investigation into Southwell as an option was included in the \$150,000 requested for the article. P. Cohen reported that the DPW had just issued a soft sewer moratorium on connections to the sewer system. He explained that additional modest expansions would be allowed, but no large connections to the system. He added that other communities such as Tyngsborough, Dracut, and Tewksbury were also facing capacity issues and Lowell was willing to work with the communities on capacity. He added that Lowell also had capacity issues and the communities would all need to come together to adequately address the needs for the future. E. Chambers asked when the agreement with Lowell would expire. P. Cohen replied that it had just been updated and was a 25 year agreement so he believed that the current agreement would not expire until 2037. E. Chambers questioned why the Town would pay someone for a study when negotiations to increase the capacity could just be done with Lowell. P. Cohen replied that Lowell was about at capacity and according to the agreement the individual town was responsible if they exceeded their capacity. He noted that the consequences of exceeding

capacity were not specified in the contract. P. Cohen reported that the data he had for the current year indicated that the flow would not increase this year, however, with the new development the flow would be increasing in the future and this article would allow the Town to understand the options.

Article 19 – General Bylaw Amendment – Connection to Sewer:

P. Cohen stated that he worked with Town Council and S. Rosa on Article 19 to amend the sewage disposal section of the town bylaws. He stated that they had removed reference to the Sewer Commission which was disbanded with the completion of the project. He added that they added wording to clarify that sewer capacity must be available for a connection to be made. He said that language was also added to indicate that properties were not required to connect to the sewer if a functioning septic or private wastewater treatment facility existed on the property. He added that the Board of Health could order a property owner to connect if there were any environmental concerns. E. Chambers asked if the number of houses not on the sewer system wasn't very low at this point. P. Cohen agreed that this was accurate but added that they would allow latitude for not connecting where there was no environmental threat.

P. Cohen reported that the Fall Town Meeting was scheduled for Monday, October 19, 2020 in the High School gymnasium. He added that there would be no fans and the sound system would be improved so it should be a viable option. He stated that the free cash amount had been certified earlier in the day and Monday at the joint meeting a financial update and the debt schedule would be provided.

Discussion of Future Meetings, Invitations to Article Proponents, and Timeline for Finance Committee Warrant Book Production:

J. Clancy stated that the Finance Committee could meet next Thursday to review the articles and invite any guests and then would vote on October 1st. V. Parks asked if these meetings would be Zoom meetings. J. Clancy replied that they would be. He noted that it would be easier this way and would alleviate concerns regarding speakers. E. Chambers asked if there was a chance that voting could be done next week to condense the two meetings into one meeting. J. Clancy said that this was possible but stated that A. Tanini would need to run the meeting as he had a conflict. A. Langford commented that she thought that all members should be present for the voting.

Public Comment:

There was no public comment.

K. Duffett made a motion to adjourn. E. Chambers seconded the motion. All voted in favor.

The meeting adjourned at 9:22 PM.

Respectfully submitted,

Pamela A. Morrison