

SELECT BOARD MEETING AGENDA

August 14, 2023

Dennis Ready Meeting Room 204
Town Offices, 50 Billerica Road
Chelmsford, MA 01824

This meeting of the Select Board will be held in person, with in-person, public participation allowed. Members of the public may watch the meeting live at live.chelmsfordtv.org.

1. 6:00 PM CALL TO ORDER

2. TOWN MANAGER BID AWARDS

- Senior Center HVAC
- Conservation of Historic Documents

Documents:

[BIDAWARDRECOMMENDATION 8.1.23.PDF](#)
[HISTORIC DOCUMENTS CONSERVATION BID AWARD MEMO.PDF](#)

3. TOWN MANAGER REPORTS

- 1st Draft of Annual Fall Town Meeting Warrant

Documents:

[2023 FALL ATM LIST OF WARRANT ARTICLES.PDF](#)
[2023 FALL ANNUAL TOWN MEETING WARRANT.PDF](#)

4. SELECT BOARD AND TOWN MANAGER FY24 GOALS

5. MEETING MINUTES

- Select Board Regular Meeting Minutes July 24, 2023
- Announcement of Determination of Releasability of Executive Session Minutes
 - Minutes for Release
 1. July 24, 2023
 - Minutes Not for Release
 1. July 10, 2023 Segment 1

Documents:

[07-24-2023 SB MINUTES DRAFT.PDF](#)

6. ADJOURN

NEXT REGULAR MEETING DATE: August 21, 2023

ENGINEERING 978-250-5228
FACILITIES 978-250-5228
HIGHWAY 978- 250-5270
TRASH/RECYCLE 978-250-5203



PARKS 978-250-5228
SEWER (OFFICE) 978-250-5233
STORMWATER 978-250-5228

DEPARTMENT OF PUBLIC WORKS

9 Alpha Road
Chelmsford, MA 01824-3167

Christine Clancy, P.E.
Director

Telephone: 978-250-5228
Fax: 978-250-2416

MEMORANDUM

Date: 8/1/23
To: P. Cohen
From: M. Schweitzer 
Subject: Bid Award Recommendation – Senior Center HVAC Upgrades

On Thursday 7/27/2023 the DPW/Facilities Division received bids for the Chelmsford Senior Center HVAC Upgrades. Two (2) Bids were received (results attached). The lowest responsible and eligible bidder was Ambient Temperature Corporation (ATCO) with a Bid in the amount of \$829,000 (within budget). ATCO's bid package was reviewed by both TOC Facilities and BLW Engineers and was complete (see attached letter from BLW Engineering). Ambient Temperature Corporation's DCAMM Update statement included favorable review ratings and they are currently under contract with the Town for the McCarthy and Parker RTU Replacement Project.

We recommend awarding the construction contract to Ambient Temperature Corporation in the amount of \$829,000.

If you have any questions, please do not hesitate to contact me. Thank you.

July 31, 2023

Mr. Matthew Schweitzer
DPW / Facilities Manager
Town of Chelmsford
9 Alpha Road
Chelmsford, MA 01824

RE: HVAC Ventilation Upgrades
Chelmsford Senior Center
Chelmsford, MA

Mr. Schweitzer:

The General Bids were received, opened and read aloud for the above referenced project on Thursday, July 27, 2023 at 1:00 PM.

This office has reviewed the apparent low bidder's, Ambient Temperature Corporation, submitted paperwork. The appropriate paperwork appears to be in order, the references were deemed favorable and the bid price was reasonable for the listed work.

BLW Engineers recommends that the Town of Chelmsford accept the Proposed Total Contract Price of eight hundred twenty-nine thousand dollars (\$829,000.00), Unit Price UP-1 of seven dollars per square foot (\$7.00/SF) for ACT and Unit Price AP-2 of ten dollars per square foot (\$10.00/SF) for Gypsum Ceilings submitted by Ambient Temperature Corporation, 14 Graf Road, Newburyport, MA 01950.

If you have any questions or need additional information, please feel free to contact our office.

Very truly yours,

BLW Engineers, Inc.



Ken Beck, Principal
PE, LEED AP, MCPPO, CPHC

Location: Chelmsford DPW, 9 Alpha Road, Chelmsford, MA

Bidder	ON TIME	Bid Bond	Add #1	Add #2	Add #3	DCAMM Update	Exclusion/s	Signed	Base Bid Price
Ray Services, Inc.	X	X	X	X	X	X	None	X	\$859,569.00
Ambient Temperature Corp	X	X	X	X	X	X	None	X	\$829,000.00



Paul E. Cohen
Town Manager

Office of the Town Manager
50 Billerica Road
Chelmsford, MA 01824-2777

(978) 250-5202

MEMORANDUM

To: Select Board
From: Paul E. Cohen, Town Manager
Date: August 8, 2023
Re: Bid Award – Conservation of Historic Documents

Dear Members of the Board:

This memorandum serves as a request for your confirmation of the bid award for the Conservation of Historic Documents. This project is pursuant to 2023 Spring Annual Town Meeting Article 26 for the continuation of full restoration and digitization of the Town's vital historic records.

My office, working with the Town Clerk's Office, issued a Request for Proposals (RFP) on July 17, 2023. We received only one proposal from a responsive bidder: Northeast Document Conservation Center (NEDCC).

The Town Clerk evaluated the proposal using the criteria identified in the RFP, which included: years of experience, qualifications, quality requirements, and references. It was determined that the bidder met all criteria and bid requirements.

Based upon the foregoing information, I am seeking your confirmation of the bid award for the Conservation of Historic Documents and the conditional contract to NEDCC in an amount not to exceed \$275,000.

DRAFT 8/7/23

2023 Fall Annual Town Meeting List of Warrant Articles

1. Reports of Town Officers/Committees
2. Cemetery Improvement and Development Fund
3. Sewer Construction Stabilization Fund
4. Funding for Collective Bargaining Agreements
5. Amend Fiscal Year 2024 Operating Budget
6. Appropriation of Statewide Opioid Settlement Abatement Funds
7. Community Preservation Fund – Koulas Farm
8. Land Acquisition – Adjacent to Cranberry Bog off Elm Street
9. Chelmsford High School Kitchen Renovation
10. Roadway and Sidewalk Construction
11. Sewer Infiltration and Inflow
12. PFAS Remediation at 54 Richardson Road
13. Adams Library Masonry Repair
14. MacKay Library Masonry Repair
15. Strategic Plan
16. Transfer Free Cash to the General Stabilization Fund
17. Public Shade Tree Revolving Fund
18. Community Preservation Fund – Vault Shelving for Archived Records
19. Zoning Bylaw Amendment – RB to RC for Portion of Littleton Road {Citizen Petition}
20. Zoning Bylaw Amendment – Adult Social Day Care
21. General Bylaw Amendment – Posting Locations for Town Meeting Warrants
22. Town Charter Amendment – Number of Nominating Signatures for Town Meeting Representatives
23. Adoption of Specialized Energy Code
24. Acquire Permanent Easement at 9 Acton Road
25. Acquire Sewer and Drainage Easements off Old Farm Way



TOWN OF CHELMSFORD

DRAFT 8/7/23

**WARRANT FOR THE
2023 FALL
ANNUAL TOWN MEETING**

OCTOBER 16, 2023

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town Meeting Representatives of said Chelmsford to meet at the Senior Center, 75 Groton Road, North Chelmsford on Monday, the sixteenth day of October in the year two-thousand and twenty-three at 7:30 p.m. in the evening and there to act upon the following articles, VIZ:

ARTICLE 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

SUBMITTED BY: Select Board

ARTICLE 2. To see if the Town will vote to transfer a sum of money from the Sale of Graves and Lots Account to the Cemetery Improvement and Development fund; or act in relation thereto.

SUBMITTED BY: Cemetery Commission

ARTICLE 3. To see if the Town will vote to transfer from Free Cash a sum of money to the Sewer Construction Stabilization Fund; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 4. To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money to be used to fund employee contract agreements between the Town and its collective bargaining units; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 5. To see if the Town will vote to amend the Fiscal Year 2024 operating budget adopted under Articles 4, 5, and 6 of the Warrant for the Spring Annual Town Meeting held on April 24, 2023; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Board of Health in accordance with the Massachusetts Attorney General's statewide opioid settlement abatement funds allocation agreement with certain Massachusetts political subdivisions; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 7. To see if the Town will vote to authorize the Select Board to acquire by purchase, gift, eminent domain, or otherwise, four parcels of land containing 41.91 acres, more or less, in total, one parcel which is identified as 185 Pine Hill Road, shown as Lot 1 on Assessors' Map 91, Block 321, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 34200, Page 69, another parcel which is bordered by Pine Hill Road, shown as Lot 5 on Assessors' Map 91, Block 362, and more fully described in a deed recorded with said Registry of Deeds in Book 34200, Page 69, another parcel which is located off of Hunt Road and bordered by Interstate 495, shown as Lot 4 on Assessors' Map 91, Block 378, and more fully described in a deed recorded with said Registry of Deeds in Book 34200, Page 69, and another parcel which is bordered by Hunt Road, shown as Lot 3 on Assessor's Map 91, Block 378, and more fully described in a deed recorded with said Registry of Deeds in Book 971, Page 366, said parcels to be held for the purpose of open space, including, without limitation, for agricultural purposes; to authorize the Select Board to convey a perpetual restriction in said parcels that meets the requirements of G.L. Chapter 184, Section 31, as required by G.L. Chapter 44B, Section 12 (a), as amended, and that said restriction may be granted to any organization qualified and willing to hold such a restriction in accordance with G.L. Chapter 44B; and further to appropriate a certain sum of money to fund said acquisition, including related appraisal, survey, and legal costs, and other costs incidental and related thereto; and to meet said appropriation, borrow a certain sum of money; and authorize the Town Treasurer with the approval of the Select Board to issue bonds and notes therefore pursuant to General Laws Chapter 44, Sections 7 or 8, or Chapter 44B, Section 11, or any other enabling authority; and further authorize the Select Board to take all actions necessary to acquire said parcels; or act in relation thereto.

SUBMITTED BY: Town Manager

Community Preservation Committee
Two-Thirds Vote

ARTICLE 8. To see if the Town will vote to authorize the Select Board to acquire by purchase, gift, eminent domain, or otherwise, a parcel of land located off of Elm Street containing 1.15 acres, more or less, bordered by Town-owned conservation land known as the cranberry bog, shown as Lot 19 on Assessors Map 124, Block 462, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 5297, Page 4, said parcel to be under the care, custody, and control of the Conservation Commission and held for open space purposes; and further to raise and appropriate and/or transfer from available funds a certain sum of money to fund said acquisition, including related appraisal, survey, and legal costs, and other costs incidental and related thereto; and further to authorize the Select Board to take all actions necessary to acquire said parcel; or act in relation thereto.

SUBMITTED BY: Town Manager
Conservation Commission
Two-Thirds Vote

ARTICLE 9. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money to renovate the kitchen at Chelmsford High School; or take any other action relative thereto.

SUBMITTED BY: Town Manager
Two-Thirds Vote

ARTICLE 10. To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund roadway and sidewalk construction; or act in relation thereto.

SUBMITTED BY: Town Manager
Two-Thirds Vote

ARTICLE 11. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money to correct, remedy, repair, prevent and prohibit any and all forms of infiltration or inflow from groundwater and other sources of leakage into pipes, facilities and other components of the sewer system; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 12. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money to remediate PFAS in the soil and groundwater at the Town's highway yard located at 54 Richardson Road; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 13. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to repair the masonry entrance to the Adams Public Library; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 14. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to repair the masonry entrances to the MacKay Public Library; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 15. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Select Board for the development of a community-based vision and strategic plan for the Town of Chelmsford; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 16. To see if the Town will vote to transfer from Free Cash a sum of money to the General Stabilization Fund; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 17. To see if the Town will vote to: a) amend Chapter 35, Section 6. Departmental Revolving Funds of the Code of the Town of Chelmsford by adding thereto a new Public Shade Tree Revolving Fund with an authorization for the Director of Public Works to spend from the fund those receipts from the payment pertaining to public shade tree removal as a result of construction or utility work to replant public shade trees for Fiscal Years 2024 and subsequent fiscal years; and b) to authorize the total amount of expenditures for Fiscal Year 2022 from said revolving account to be \$25,000; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 18. To see if the Town will vote to transfer a certain sum of money from the Community Preservation Fund General Reserve to be expended by the Town Clerk for the installation of shelving in the Town's archive storage vault; or act in relation thereto.

**SUBMITTED BY: Community Preservation Committee
Town Clerk**

ARTICLE 19. To change the land parcels directly on Littleton Rd., between Forefathers’ Burying Ground and Gingerale Plaza on the East and Lime Kiln Quarry and Miriam E. Warren Wetlands on the West, from RB zoning to RC zoning, consisting of 35 residential properties and 1 commercial property, to more appropriately match the existing use, to include the following properties:

Book-Block-Lot	Location	Book-Block-Lot	Location
83-320-44	105 LITTLETON RD	83-337-8	68 LITTLETON RD
83-320-45	109 LITTLETON RD	83-320-31	69 LITTLETON RD
83-320-47	115 LITTLETON RD	83-320-32	71 LITTLETON RD
83-320-9	31 LITTLETON RD	83-337-9	72 LITTLETON RD
83-320-12	37 LITTLETON RD	83-320-34	73 LITTLETON RD
83-337-1	40 LITTLETON RD	83-337-11	76 LITTLETON RD
83-320-13	41 LITTLETON RD	83-320-35	79 LITTLETON RD
83-320-14	45 LITTLETON RD	83-337-12	80 LITTLETON RD
83-337-2	46 LITTLETON RD	83-320-39	81 LITTLETON RD
83-320-17	47 LITTLETON RD	83-337-13	84 LITTLETON RD
83-337-3	50 LITTLETON RD	83-320-41	85 LITTLETON RD
83-337-4	52-54 LITTLETON RD	83-320-42	87 LITTLETON RD
83-320-27	53 LITTLETON RD	83-337-14	88 LITTLETON RD
83-320-8	57 LITTLETON RD	83-320-38	93 LITTLETON RD
83-337-5	60 LITTLETON RD	83-320-43	97 LITTLETON RD
83-337-6	62 LITTLETON RD	83-320-37	99 LITTLETON RD
83-320-28	63-65 LITTLETON RD	83-337-10	LITTLETON RD
83-337-7	64 LITTLETON RD	83-320-40	LITTLETON RD

**SUBMITTED BY: Michael Smith – Citizen Petition
Two-Thirds Vote**

ARTICLE 20. To see if the Town will vote to amend the Town Code, Chapter 195: “Zoning Bylaw” regarding Adult Social Day Care; or act in relation thereto.

**SUBMITTED BY: Planning Board
*Two-Thirds Vote***

ARTICLE 21. To see if the Town will vote to amend the Code of the Town of Chelmsford by adding a new section, Section 154 – 1.5 pertaining to the posting location of Town Meeting Warrants as follows:

Section 154 – 1.5 Posting of Town Meeting Warrants.

The Town Constable shall notify and warn the Inhabitants of the Town of Chelmsford by posted attested copies of Town Meeting Warrants at each of the Town’s designated polling locations, police station, fire stations, libraries, and Town Offices.

; or act in relation thereto.

SUBMITTED BY: Town Clerk

ARTICLE 22. To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws Chapter 43B, Section 10 and Section 7-1 of the Town Charter, to amend the Town Charter, Part II, Legislative Branch/Representative Town Meeting, Section 2-3 Town Meeting Membership, by amending the text in paragraph (b) as follows:

- (b) **Nomination Procedures.** Nomination of candidates for town meeting member shall be made by nomination papers signed by not less than ~~twenty-five~~ **ten** voters of the precinct in which the candidate resides and from which the candidate seeks election. Nomination papers shall be filed with the town clerk at least thirty-five days preceding the date of the town election. Every nomination paper shall be submitted to the registrars of voters for certification of names thereon on or before five o'clock in the afternoon of the fourteenth day preceding the day on which it shall be filed with the town clerk. The written acceptance of the candidate shall be on or attached to the nomination papers when filed in order for it to be valid.

; or act in relation thereto.

SUBMITTED BY: Town Clerk

ARTICLE 23. To see if the Town will vote to enact Chapter ___ of the Town of _____ General Bylaws, entitled “Specialized Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy and reduction of greenhouse gas emissions, pursuant to the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including

future editions, amendments or modifications thereto, with an effective date of _____, a copy of which is on file with the Town Clerk, or take any other action relative thereto. adopt; or act in relation thereto.

SUBMITTED BY: Clean Energy & Sustainability Committee

ARTICLE 24. To see if the Town will vote to accept an easement to pass and repass by foot or by non-motorized vehicle for access to, and travel within, and to construct all necessary infrastructure to allow a walking area near the area known as “Beaver Brook” over the area shown as “Proposed Access Easement 8’ Wide Area = 2,081 S.F.+/-“ as shown on a plan entitled “Easement Plan 9 Acton Road Chelmsford, Massachusetts prepared for Acton Road Development LLC” dated June 27, 2023, prepared by WSP USA Inc. and recorded at the Middlesex North Registry of Deeds in Plan Book 251. as Plan 64; a copy of said easement exhibit plan and the associated Easement Agreement is attached to this warrant; or act in relation thereto.

SUBMITTED BY: Planning Board
Two-Thirds Vote

ARTICLE 25. To see if the Town will vote to accept easements for drainage and sewer off of Old Farm Way.... ~~over the area shown as “Proposed Access Easement 8’ Wide Area = 2,081 S.F.+/-“ as shown on a plan entitled “Easement Plan 9 Acton Road Chelmsford, Massachusetts prepared for Acton Road Development LLC” dated June 27, 2023, prepared by WSP USA Inc. and recorded at the Middlesex North Registry of Deeds in Plan Book 251. as Plan 64;~~ a copy of said easement exhibit plan and the associated Easement Agreement is attached to this warrant; or act in relation thereto.

SUBMITTED BY: Town Manager
Two-Thirds Vote

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

Given under our hands this 11th day of September, 2023.

SELECT BOARD OF THE TOWN OF CHELMSFORD

Mark C. Carota, Chair

Patricia Wojtas, Vice Chair

Virginia E. Crocker Timmins, Clerk

George R. Dixon, Jr.

Erin Drew

NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
ANNUAL TOWN MEETING

The Select Board shall propose the following dates and times for continued sessions of the Town Meeting of October 16, 2023 to be held at the Senior Center, 75 Groton Road, North Chelmsford:

Thursday, October 19, 2023 at 7:30 p.m.

Monday, October 23, 2023 at 7:30 p.m.

Thursday, October 26, 2023 at 7:30 p.m.

If additional continued sessions are necessary, they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to Town of Chelmsford Code Chapter 154-9, these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

September _____, 2023

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Senior Center, 75 Groton Road; North Chelmsford Fire Station, 35 Princeton Street; McCarthy Middle School, 250 North Road; Parker Middle School, 75 Graniteville Road; West Chelmsford Fire Station, 260 Old Westford Road; Westlands School, 171 Dalton Road; Byam Elementary School, 25 Maple Road; Town Offices Building, 50 Billerica Road; South Row Elementary School, 250

Boston Road; East Chelmsford Fire Station, 115 Riverneck Road; and South Chelmsford Fire Station, 295 Acton Road.

Signed:

Edwin Paul Eriksen,
Constable

A True Copy Attest,

Edwin Paul Eriksen,
Constable

DRAFT

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

Regular Meeting MINUTES
July 24, 2023

Attending:

Patricia Wojtas, Vice Chair
Virginia Crocker Timmins, Clerk
George Dixon, Board Member
Erin Drew, Board Member

Paul Cohen, Town Manager

Absent: Mark Carota, Chair

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.

In Chair Carota's absence, Vice Chair Wojtas called the meeting to order at 6:00PM followed by the Pledge of Allegiance.

PUBLIC SERVICE ANNOUNCEMENTS

Board Member Timmins made the following announcements:

Deadline for Submission of Citizen Petition Warrant Articles for October 16, 2023 Fall Annual Town Meeting: Monday, August 7th by 4:00PM

Citizen petition warrant articles must be submitted to the Town Manager's office no later than Monday, August 7th at 4:00PM for inclusion in the October 26th Fall Annual Town Meeting.

Chelmsford Public Schools Recruitment Event: July 25th at 2:00PM

Recruitment event scheduled for Tuesday, July 25th at 2:00PM at Town Hall sponsored by MassHire Lowell Career Center. Pre-register at masshirelowellcc.com/chelmsfordschools.

Military Community Covenant Task Force Military Appreciation Cookout August 8th from 5:00-7:00PM

The Chelmsford Military Community Covenant Task Force invites the community to attend the Military Appreciation Cookout on Tuesday, August 8th from 5:00-7:00M at the Chelmsford Lodge of Elks Pavilion. Join us to show your support to our local veterans for their service and sacrifice.

PUBLIC INPUT

There was none.

COMMITTEE VACANCIES

Board Member 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

Alteration of Premises on All Alcoholic Beverages Restaurant License: Matthew Maries LLC DBA The Establishment, 75 Princeton St.

Matthew Greer appeared before the Board in support of the application for alteration of premises for the purpose of increasing the capacity of function rooms on the upper level on the all

alcoholic beverages restaurant license for Matthew Maries LLC DBA The Establishment located at 75 Princeton St.

There were no public comments on the application.

MOTION: by Board Member Timmins to close the public hearing. Seconded by Board Member Dixon. **Motion carries 4-0, unanimous.**

MOTION: by Board Member Timmins to approve the alteration of premises on the all alcoholic beverages restaurant license for Matthew Maries LLC DBA The Establishment at 75 Princeton St. as presented. Seconded by Board Member Dixon. **Motion carries 4-0, unanimous.**

National Grid Double Pole Hearing in Accordance with Chapter 142 Section 37 of the Code of the Town of Chelmsford

Susan Griffin, representative of National Grid, appeared remotely before the Board and reviewed the report showing the number of double poles in Town. She reported that within the last 30 days, the number of double poles has been reduced from 62 to 55. She thanked AT&T, Crown Castle and the Chelmsford Fire Department for their contributions to the mitigation efforts. She stated that the operations team is giving high priority to completing the transfer of 9 poles. She stated that good progress has been made within the last 30 days, and she is confident that the remaining 55 poles can be addressed quickly.

She outlined the National Grid (NG) process including the following highlights:

- NG sets the pole and handles all aspects of the transfer of wires the same day.
- Information is entered into the National Joint Utilities Notification System (NJUNS) database, a national utility notification system of the above transactions.
- Action is triggered for all other “next-to-go” attachees on the list.
- Fire Department moves all public safety-related wires and DPW moves street light wires.
- Other attachees on the pole are notified, including fiber, Crown Castle, Comcast and last to Verizon, having the lowest line on the pole.
- Verizon is responsible for removal of the pole and necessary remedial work in the area.

Ms. Griffin stated that NG is working on communication of notification as well as enforcing the terms of the contract for attachees to remove wires in a timely manner. Insofar as NG is working toward its goals on electrifying a large part of the state to meet 2050 clean energy goals resulting in an uptick in taller and wider poles and an uptick in double poles, she realized the importance of “getting the process right.” Toward that end, NG has made the Town’s needs a priority. She stated that Curtis Davis will provide an update in thirty days, which will show a “dramatic improvement.”

Discussion ensued. Town Manager Cohen noted that half of the 55 double poles have designated Verizon as the “next-to-go,” and asked what measures could be taken to expedite Verizon’s removal. Ms. Griffin stated that both NG and Verizon are “good partners,” and that in fairness to Verizon, they are seeing the trickle-down effect” to NG’s expediting its work. Addressing Mr. Cohen’s question on whose responsibility it is to expedite work from non-participating parties, Ms. Griffin stated that the responsibility directly lies with NG and Verizon as they are joint

owners of the poles “and (we) need to manage our tenants.” She suggested that poor data over the last 50-75 years have exacerbated the problem, and sometimes the only way to know the names of third parties was through a manual bucket truck investigation. Although NG and Verizon authorize licensure of third-party attachees, illegal attachees can only be identified by the former means.

Mr. Cohen noted that there are a number of double poles in Town not appearing on the list. Ms. Griffin stated that oftentimes NG is notified by residents of double poles, and a site visit is scheduled and information is entered into the system. In answer to Mr. Cohen’s question why NG does not have a proactive regular inspection of double poles around Town, Ms. Griffin stated that inspections are usually made when NG is conducting a number of upgrades across Town, and the entire line will be surveyed at that time. She noted that the entire Town had been inventoried when ownership of street lights was transferred to the Town. Mr. Cohen responded that the survey was done over a decade ago, and the information has not been updated. In the absence of a survey by NG, the Town would need to conduct its own inventory and submit information to NG for resolution.

Ms. Griffin recognized that, while not a “good excuse,” oftentimes crews are brought in from out-of-state in storm conditions and are focused on restoring service and do not report on double poles observed. In connection with the current elimination and relocation of the substation in the center of Town, large contractors are employed to go down the line and handle mitigation of all poles and get them entered into the system. Sometimes, with attachees’ permission, NG will move their lines for them. At the conclusion of the project, the information is entered into the system as a whole.

Board Member Timmins stated that, insofar as it was not the Town’s fault that the number of double poles was incorrect, it was not the Town’s responsibility to notify NG of the number of double poles, but rather the responsibility of NG to audit the Town and update the list to reflect the correct number. She asked for NG’s help in including the number of double poles in the list to be included in the Board’s right to exercise the 180-day notice period.

Town Manager Cohen asked DPW Director Christine Clancy to offer perspective on a resolution. She stated that office interns could be utilized to accompany highway department employees in doing a survey of poles along the plow routes. She estimated a day’s work would be involved, but agreed with Board Member Timmins that the onus of this responsibility long-term should not be put on the Town.

Town Manager Cohen added that, insofar as utilities are regulated by the state and not the towns, this issue should be discussed with the legislative delegation.

In response to Vice Chair Wojtas’ question on measures to be taken after this survey to ensure that the list is kept updated, Ms. Griffin acknowledged that in no way is the Town responsible for an audit, and expressed appreciation for the “partnership we have.” While theorizing why poles are not listed, she stated that the bigger issue lies with NG to move the list along, noting that “poles sit there for transfer for years.” She reiterated that “Verizon has been very responsive in all work statewide,” and a dedicated crew is assigned to transfer and remove double poles.

Town Manager Cohen noted that because of an inaccurate list of information, crews may just move on upon arrival at the site. In answer to his question on the category marked “dispute” on the list, Ms. Griffin stated that when a dispute on the “next-to-go” happens after a crew has been sent, an NG crew is dispatched to do a bucket inspection and update the information in the NJUNS database.

Mr. Cohen asked if NG could just detach third-party illegal participants. Ms. Griffin stated that it is high priority for the NG President to address this problem and the company cannot afford the damage to its reputation as well as damage to the community enjoyment. Additionally, the problem is expected to become more prevalent if not addressed as NG expands the number of poles on the grid to reach its 2050 clean energy goals. Safety and insurance requirements prohibit transfer work in high voltage areas without the person being duly certified.

Mr. Cohen noted that, while public utilities serve the public good, other parties that attach to utilities profit from the business, while the municipality gains no benefit or revenue. Ms. Griffin stated that the Town benefits from real estate taxes on utility poles paid by NG for the use of the easement. Attachees using the utility for this purpose are not known.

Board Member Timmins expressed appreciation of Ms. Griffin’s accountability on behalf of NG. She suggested a checks and balances system ensure that following a storm, a visual inspection be made in the area within a two-week period to identify double poles and enter them into the system.

Ms. Griffin stated that checks and balances are necessary on the inventory of assets and accountability for their cost. There is an obligation to the Town as well if updating assets are subject to an improved level of depreciation benefit the Town in tax revenue. In the Merrimack Valley storms pose a direct likelihood of double poles, resulting in high numbers that require a better system of checks and balances from the operations team.

Following discussion, it was agreed that the hearing would be continued to the Board’s meeting on August 21st and an updated report provided by either Mr. Davis or Ms. Griffin. Vice Chair Wojtas asked that the report be supplied to the Board at least by the Wednesday before the scheduled meeting, as required by Board policy, to ensure adequate time for its review prior to the meeting.

In the meantime, Ms. Griffin pledged that the company would make the resolution of the 55 double poles a priority.

MOTION: by Board Member Timmins to continue the National Grid double pole hearing to August 21, 2023. Seconded by Board Member Dixon. **Motion carries 4-0, unanimous.**

REPORTS AND PRESENTATIONS

DPW Director Christine Clancy: Monthly ARPA Report

DPW Director Christine Clancy appeared before the Board and reviewed the PowerPoint presentation on the monthly ARPA report projects or funding commitment, the status of the procurement or an anticipated procurement timeline, estimated project overruns or underruns, the

total forecasted project cost, and the amount and percent spent to date. Of the \$7.9 million in allocated funds, approximately \$6.45 million, or 82% of the total allocated amount has been procured to date. The current anticipated overall ARPA program overrun is \$750,423. The remaining unallocated \$1.9 million will be discussed in future meetings.

Town Manager Cohen stated that, insofar as the Town is required to commit unallocated funds prior to December, 2024, the Board at its next meeting will begin discussions on how it will do so. Ms. Clancy will provide suggestions for capital and project funding.

DPW Director Christine Clancy: Pilot Inflow Removal Program – Sump Pump Inspection

DPW Director Christine Clancy reviewed the one-page flyer which will be sent to target residences and posted on the Town website with regard to voluntary participation in the Town's pilot inflow removal program. Any resident that has a sump pump targeted to sewer is eligible to participate in the program, but the program is on a first-come, first-served basis. Depending on the results and success of the program, DEP may require the Town to conduct more in-depth work next summer.

ANNUAL PERFORMANCE APPRAISAL: TOWN ACCOUNTANT DARLENE LUSSIER ANNUAL PERFORMANCE APPRAISAL: TOWN MANAGER PAUL COHEN

Vice Chair Wojtas stated that both appraisals above have been deferred to an August meeting.

EXPRESSION OF INTEREST – STRATEGIC PLAN

Town Manager Cohen reported that at the Board's direction he had asked the seven providers of proposals for cost estimates of their services. He reviewed their responses which ranged in the area of \$40-145K, with a median of \$100K. He also included a proposal from an eighth responder's submission after the deadline.

Board Member Timmins suggested that the town meeting warrant request for funding be in the \$100-125K range to allow flexibility and that it include the scope of work. This information will be required from the Finance Committee as well.

Following discussion, it was agreed that discussion of what the Board is looking for will transpire at the next regular meeting when all Board members are present.

TOWN MANAGER BID AWARDS

Center School Boiler

Town Manager Cohen reported that two bids were received, and his recommendation is for the lowest responsible bidder, Aalanco Service Corp. in the amount of \$87,650.

MOTION: by Board Member Timmins to approve the Town Manager's bid award for the boiler replacement at Center Elementary School to Aalanco Service Corp. as presented. Seconded by Board Member Dixon. **Motion carries 4-0, unanimous.**

TOWN MANAGER REPORTS

Town Manger Cohen reported that Board Member Timmins had been notified by the MBTA that a member to the Advisory Board had not yet been appointed. A year has passed since the first notice to seek a candidate. The member must be either the Chair of the Select Board or their appointed designee, who needs to be a rider of the MBTA system. A notice will be posted.

APPOINTMENTS

Select Board Appointments

Vice Chair Wojtas presented the Select Board appointments below.

Annual Election Worker Appointments

MOTION: by Board Member Timmins to approve the annual election worker appointments as presented. Seconded by Board Member Dixon. **Motion carries 4-0, unanimous.**

Diversity, Equity and Inclusion Committee: Jen Melanson, 3-year term exp 6/30/26

MOTION: by Board Member Timmins to appoint Jen Melanson to the Diversity, Equity and Inclusion Committee for a three-year term to expire June 30, 2026. Seconded by Board Member Dixon. **Motion carries 4-0, unanimous.**

Town Manager Appointments

Town Manager Cohen noted that the terms of the Parade Committee expire at the end of July, and he presented all the members for the 2023 Committee who expressed an interest in being reappointed for 2024.

Parade Committee Annual Reappointments

MOTION: by Board Member Timmins to confirm the Town Manager's reappointments to the Parade Committee for a term ending July 31, 2024. Seconded by Board Member Dixon. **Motion carries 4-0, unanimous.**

MEETING MINUTES

Select Board Regular Meeting Minutes – July 10, 2023

MOTION: by Board Member Timmins to approve the regular meeting minutes of July 10, 2023 as presented. Seconded by Board Member Dixon. **Motion carries 4-0, unanimous.**

Announcement of Determination of Releasability of Executive Session Minutes

Minutes for Release: June 26, 2023 Segment 1; July 10, 2023 Segment 2

Minutes not for Release: June 26, 2023 Segments 2 and 3

SELECT BOARD MEMBER LIAISON REPORTS AND REFERRALS

Board Member Dixon – no report.

Board Member Drew

- Commission on Disabilities is meeting in-person every third Tuesday at the Library; and the committee is working on a project with Telemedia to create interractional map of accessible parking with companion videos to explain signage and parking spot markings. These will be posted on the Town website.
- State Representative Simon Cataldo reported that on July 13, the House passed a \$693M supplemental budget; and he hosted evening hours at the library on July 20th which was well attended. Office hours will resume in September.

Board Member Timmins

- The Vinal Square Strategic Action Planning Committee is having a virtual meeting on August 10th.

Vice Chair Wojtas

- Condolences to the family of former Select Board Member Bob Joyce. He had been a member of the Planning Board, the Sewer Commission and the Nashoba Valley Technical High School Committee. Also, condolences to the family of Sandie Rainey, who has lately been active in the Lions Club and the country fair, and as moderator on Facebook.
- Congratulations to new Sergeant Matt Fernald promoted last week from Patrol Officer.
- Ribbon cutting at Dave's Hot Chicken.
- Comcast Chanel 99 will switch to Channel 6 to watch Board meetings.

Other:

Board Member Timmins began the discussion on the schedule of meetings in August. She suggested, because of the length of time devoted to reviewing Board goals, a work session be scheduled for that topic alone. Following discussion, it was agreed that the meeting on August 14th will be primarily devoted to discussion of goals, and the next regular meeting will be scheduled for August 21st.

ADJOURNMENT TO EXECUTIVE SESSION NOT TO RETURN TO OPEN SESSION

MOTION: by Board Member Timmins to adjourn to Executive Session at 7:23PM, not to return to Open Session to for the purpose of reviewing the Executive Session meeting minutes of July 10, 2023 Segment 1. Seconded by Board Member Dixon.

Roll call vote:

Vice Chair Wojtas – aye.

Board Member Timmins – aye.

Board Member Dixon – aye.

Board Member Drew – aye.

Motion passed 4-0, unanimous.

SCHEDULE

Meeting Work Session – August 14th

Regular Meeting - August 21, 2023

Respectfully submitted,

Christine Martin Barraford
Recording Secretary

Supporting documents:

- Public notice SB deadline citizen petitions – fall 2023
- Chelmsford schools poster
- Military appreciation flyer 2023
- Committee vacancies as of 2023/07/24
- Matthew Maries LLC alt of premises 2023
- Utility poles bylaw
- Double pole hearing notice – July 2023
- Chelmsford double pole report 7/21/23
- 7/19/23 ARPA update for SB cover letter
- 7/19/23 ARPA update
- Chelmsford inflow flyer
- Town Accountant FY2023 review – comprehensive
- Town Manager review FY23 SB scorecard avg
- Strategic plan expression of interest cost estimates
- Ann Donner Town of Chelmsford expression of interest
- Chelmsford JMG SP proposal budget 071723
- Chelmsford cost proposal 7/6/23
- Chelmsford strategic plan cost memo 7/6/23
- Bid award recommendation
- MBTA advisory board designee
- General law part I title XXII chapter 161A, section 7A
- General law part I title XXII chapter 161A, section 1 excerpt
- Election worker appointments 2023/07/20
- DEIC application – Melanson
- Parade Committee 2024
- 07/10/23 SB minutes draft