

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

Regular Meeting MINUTES
August 19, 2019

Attending:

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

Paul Cohen, Town Manager
Michael McCall, Asst. Town Manager

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. The meeting was recorded by Chelmsford Telemedia. Chairman Lefebvre called the meeting to order at 7:02 PM.

JOINT MEETING W/ SCHOOL COMMITTEE AND TOWN MODERATOR

Appoint member to Nashoba Valley Technical High School Committee for an unexpired 3-year term ending 3/31/2021

Potentially appoint alternate member to Nashoba Valley Technical High School Committee for an unexpired 3-year term ending 3/31/2022

School Committee Members Present:

Dennis King
John Moses
Donna Newcomb
Maria Santos

The joint meeting was called to order by Town Moderator Jon Kurland.

Motion: by Selectman Wojtas to nominate Sam Poulten as a member of the Nashoba Valley Technical High School Committee. Seconded by Selectman Dixon. Nomination was accepted by Mr. Poulten.

There were no other nominations.

Mr. Poulten came forward for comments and praise for Richard Defreitas. He thanked the attendees for their support.

Roll Call Vote:

Selectman Timmins: Sam Poulten
Selectman Wojtas: Sam Poulten
Chairman Lefebvre: Sam Poulten
Selectman Antul: Sam Poulten
Selectman Dixon: Sam Poulten
Mr. Moses: Sam Poulten
Mr. King: Sam Poulten

Ms. Newcomb: Sam Poulten
Mrs. Santos: Sam Poulten

As there as has been no interest in the vacancy for the alternate position, there will be a separate meeting for this appointment. There was no one present who was interested in this position.

Town Moderator Kurland left the meeting at 7:08PM. Chairman Lefebvre assumed control of the remainder of the joint meeting.

JOINT MEETING W/ SCHOOL COMMITTEE

Appoint member to the Chelmsford School Committee for an unexpired 3-year term ending 4/7/2020

Jeff Doherty, 56 Thomas Dr., explained that he was interested in filling Al Thomas's remaining term. He provided his work history.

Badhri Uppiliappan, was not present but submitted an application. His letter was summarized for the record. He listed his professional and volunteer work in Chelmsford as his history.

Motion: by Selectman Wojtas to nominate Badhri Uppiliappan to the Chelmsford School Committee.

Motion: by Mr. King to nominate Jeff Doherty to the Chelmsford School Committee.

Roll Call:

Mr. Moses: Jeff Doherty
Mr. King: Jeff Doherty
Ms. Newcomb: Jeff Doherty
Mrs. Santos: Jeff Doherty
Selectman Timmins: Jell Doherty
Selectman Wojtas: Badhri Uppiliappan
Chairman Lefebvre: Jeff Doherty
Selectman Antul: Badhri Uppiliappan
Selectman Dixon: Jeff Doherty

Mr. Doherty will now be a member of the Chelmsford School Committee.

Motion: by Selectman Wojtas to adjourn the Joint Meeting at 7:14PM. Seconded by Selectman Antul. **Motion carries, unanimous, 9-0.**

PUBLIC SERVICE ANNOUNCEMENTS

Proclamation: Al Thomas, Chelmsford School Committee

The Proclamation was read by Selectman Wojtas.

State Representatives James Arciero and Tom Golden were present to read a State Resolution into the record, honoring Mr. Thomas for his service to the community.

Both proclamations were accepted by Mr. Thomas.

Mr. Thomas thanked everyone for this recognition. He enjoyed his work with the school department and as a teacher.

OPEN SESSION

Christine Bowman, 3 Julio St., Precinct 4 Town Meeting Representative, wished to make the Board aware of a traffic issue in the area of the 278-282 Mill Rd. restaurant/ retail development project, where this new project will add a third ingress/egress onto Mill Rd. in very close proximity to the Billerica Rd and Mill road intersection. The intersection with Elizabeth Drive and Mill Rd. has problems because people are impatient coming out Elizabeth Drive and Princeton Properties and shoot out onto Mill Road regardless of the on-coming traffic. As an example, last year, this situation resulted in an accident from someone bolting out onto Mill Road from Elizabeth Drive right into a Handicapped School Bus. She suggested redirecting traffic on Elizabeth Drive over to Omni Way. The connecting road is required to be built under power lines. There already exist several roads in Town that go under these same power lines - Billerica Road, Mill Road, Turnpike Road, Boston Road, Concord Road, Acton Road, Hunt Road, Garrison Road, and Littleton Road - so this is not a problem. But National Grid will have to be contacted as the connection road is across their right-of-way. And then the Elizabeth Drive ingress/egress to Mill Road will have to be eliminated, and the right lane from Billerica Road to Mill Road, going to Elizabeth Drive, will also have to be eliminated. She also suggested moving the main entrance to the housing project at 276 Mill Rd. to Elizabeth Drive to minimize people shooting out onto Mill Rd. The second lane entrance from Billerica Rd. onto Mill Rd. is dangerous, because cars using the outer lane do not always go onto Elizabeth Drive, they attempt to merge onto Mill Rd. A copy of a letter written by Ms. Bowman and Brian Latina to the Planning Board dated August 14, 2019 addressing these concerns was provided to Chairman Lefebvre.

Mary Donovan requested the Gold Star Veterans World War Two memorial be brought back to the Chelmsford Center for the Arts building. Also, she was aware that money was donated to have American flags with plaques be erected in memory of her brother-in-law, and others. She asked where the flags were moved, and she would like the plaque returned to her husband. Selectman Wojtas agreed to look into this. Mrs. Donovan advised that she is interested in anything to do with a flag committee.

Brian Latina, 15 Jessie Rd., Precinct Four Town Meeting Representative, wished to discuss the area of Turnpike Rd at Mill Rd. where trees were clear cut. He feels this does not help with site lines. A defoliant was sprayed in the area, and he is concerned about what it was in light of the storm water regulations. He was seen it used in several other areas. He asked for the name of the defoliant. Mr. Latina's second concern was regarding proposed housing on Turnpike Rd. He has pollution concerns over putting housing on potentially contaminated sites, as contaminants could go air-borne if dug up, or a basement is installed, and this could cause cancer for tenants. Mr. Latina noted that Mill Rd. at Rt. 129 was blocked the other night for painting. This intersection was under construction, and still needs to be fixed. There used to be a turn only from Rt.129 to Elizabeth Drive, the solid white line has been worn away for years. Repairing this will protect people from accidents. Signage needs to be replaced as well. Signage at 104 Turnpike Rd. is still up, is larger than permitted, and has been up longer than permitted. These are violations and should not be allowed.

COMMITTEE VACANCIES

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

Chairman Lefebvre asked the Town Manager about the vacancies on the CIVIC Committee, as there is one active member, and one application pending.

Motion: by Selectman Antul to change the CIVIC Committee to a three person committee.
Seconded by Selectman Timmins.

Mary Donovan advised there are many seniors who do not have internet and aren't aware of these vacancies. She was advised interested seniors can call the Town Manager's office.

Chairman Lefebvre advised that he is the Board member on the CIVIC Committee, one person needs to be sworn in, and there is a pending applicant.

The purpose of the CIVIC Committee was to recognize people who have done a lot for the Town, and encourage other residents to get more involved in Town events.

Selectman Wojtas and Chairman Lefebvre supported keeping membership at five.

Selectman Antul withdrew her motion.

PUBLIC HEARINGS

Class II Auto Dealer License: A1 Auto Collision LLC, DBA A1 Luxury Cars, 297 Littleton Rd., Unit 12

Yaw Sampane is the new owner of this business. The business has existed for 47 years, and he is the 3rd owner. He has worked there for 6 years. Having this license will allow him to offer more services. There would be three cars maximum under this license. There was a similar license here over ten years ago.

There were no comments from the audience.

Motion: by Selectman Wojtas to close the Public Hearing for A1 Auto Collision LLC, DBA A1 Luxury Cars. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Wojtas to approve the Class II Auto Dealer License for A1 Auto Collision LLC, DBA A1 Luxury Cars, to be exercised at 297 Littleton Rd., Unit 12. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

LICENSES

Change of Hours, All Alcoholic Beverages Package Store: C & J Arteaga LLC DBA The Wine Rack, 210 Boston Rd., Unit 2

Cassandra Arteaga is the new owner of this business. The previous owner's hours were on the original application. Ms. Arteaga is requesting hours of 8:00AM-11:00PM, instead of 10:00PM on weekdays, and 10:00AM to 11:00PM on Sundays.

Motion: by Selectman Wojtas to approve the Change of Hours of 8:00AM-11:00PM on weekdays and 10:00AM to 11:00PM on Sundays, to C& J Arteaga LLC DBA The Wine Rack, 210 Boston Rd., Unit 2. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

REPORTS AND PRESENTATIONS

Assistant Town Manager, Michael McCall: Update on Traffic Concerns

Mr. McCall reported that many calls and emails were received about truck traffic on Swain Rd., Dunstable Rd. and Main Street. Traffic data was provided, including 4421 motor vehicle stops throughout the town, 1710 citations issued, and 458 accidents. Since the Public Input session, 40 additional officer deployments were done in North Chelmsford, which provided 270 stops, and two truck citations for uncovered loads were issued. Other violations were given for cars. Overtime expenses came to \$6,195.00. The Police Department is working with the State police to research where a weigh station could be installed. The Police department is not seeing the violations that people are alleging.

National Grid is waiting for an engineering plan from the Town to move the telephone pole at the end of Dunstable Rd. This would require a pole petition, and several other poles will also need to be moved or modified. Multiple properties would be impacted. Some work can be done in-house. DPW can be asked to get an estimate for the engineering work.

A commercial vehicle exemption would require input from other towns, but cooperation is not likely.

Selectman Dixon stated the biggest complaints he has heard are the use of jake brakes and the large number of trucks. Selectman Dixon is willing to meet with the impacted company owners to discuss options.

Mr. McCall was directed to get an estimate for the engineering work to be discussed at the next meeting.

The Traffic Safety Committee is researching other data and Mr. McCall will present that at the next meeting.

Chairman Lefebvre stated he received an email about trucks on Riverneck Rd., too.

TOWN MANAGER REPORTS

Revised Draft Fall Annual Town Meeting Warrant

The second draft of the Town Meeting warrant was presented. The warrant will be signed by the Board on September 9, 2019. There are placeholders for 6 zoning articles, which are being reviewed by Town Counsel. There were no citizen petition warrant articles submitted. Articles have been re-ordered, per the Board's request, and Articles 2, 3, 4, and 5 would be consent agenda articles.

The proposed charter change for renaming the Board of Selectmen to Select Board is being handled as a home rule petition, and will require a 2/3 vote at Town Meeting and legislative approval. It was noted that many communities are making this change of name to their board.

Fiscal Year 2020 Local Aid

Final local aid estimates and assessments have been issued. Education aid was increased at the state level, but much of the money went to "gateway cities". A new Chapter 70 funding formula is scheduled to be released for next year.

The Town has received about 2% per year non-compounded increase in aid on an annual basis. This relates to receiving \$42 million in aid ten years ago, and \$61 million today. There has been a 21% increase in Chapter 70 funding over the same period. Mr. Cohen stated this shows shrinking state support for public education.

Residents were encouraged to reach out to state representatives and other legislators to lobby for more funding for public education.

TOWN MANAGER APPOINTMENTS

Parade Committee Reappointments

Council on Aging: Diana Boisvert, unexpired 3-year term ending 6/30/21

Council on Aging: Jan Mounsey, Associate Member, 3-year term ending 6/30/22

Motion: by Selectman Wojtas to approve the Town Manager's appointments of Diana Boisvert and Jan Mounsey to the Council on Aging, and Parade Committee appointments, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

BOARD OF SELECTMEN POLICIES

Flags at Half-Staff

A draft policy document was provided to the Board. Chairman Lefebvre noted that the only comment received was one that said this policy violates Federal Rules.

Motion: by Selectman Wojtas to approve the Board Policy for lowering the flags, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Non-Government Flags

Town Counsel Attorney Paul Haverty is still reviewing the draft document, and has requested postponing approval on this policy. There is ongoing federal litigation regarding this matter involving City of Boston.

MEETING MINUTES

BOS Regular Session Minutes 6-3-19

Motion: by Selectman Wojtas to approve the Regular Session Meeting Minutes of June 3, 2019, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

BOS Public Input Session Minutes 6-12-19

Motion: by Selectman Wojtas to approve the Public Input Session Minutes of June 12, 2019, as amended. Seconded by Selectman Antul. Selectman Dixon abstained, all others in favor. **Motion carries, 4-0.**

BOS Executive Session Minutes 7-29-19

Motion: by Selectman Wojtas to approve but not release the Executive Session Minutes of July 29, 2019. Seconded by Selectman Antul. Chairman Lefebvre abstained, all others in favor. **Motion carries, unanimous, 4-0.**

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Timmins:

- Community Business Director Lisa Marrone did a great job representing Chelmsford at a Middlesex 3 function last week.
- The Conservation Commission will be discussing the Cranberry Bog dam assessment at tomorrow's meeting.
- The Planning Board Public Hearing will be held on August 28, 2019, to discuss all of their proposed Zoning articles for Fall Town Meeting.
- The Vinal Square Strategic Action Plan Committee acknowledged the great turnout regarding a meeting for Varney Playground management.
- The Chelmsford Center for the Arts is holding an Ice Cream Social benefit at Trailside Ice Cream on August 31, 2019.

Selectman Dixon:

-CPAL is hosting their annual Movie Night on Wednesday, August 21, 2019, at 7:30PM, at the Chelmsford High School Plateau Field. This year's feature is "The Incredibles II". Admission is free, and there will be food and activities. Everyone is welcome.

Selectman Antul:

-The Permanent Building Committee reviewed new DPW building plans at their last meeting. Selectman Antul agrees that the plan is well laid out and will maximize efficiency.

-The Stormwater Committee held its first meeting. Weston and Sampson is the consultant looking over drainage structures and roadways to see what work needs to be done. The next step will be to develop a management and maintenance plan.

-The Annual 4H Fair will be held from August 23-25, 2019, on South Chelmsford Rd. in Westford.

Selectman Wojtas:

-Ben Green, Henry O'Donnell, and Ryan Krueger were congratulated on achieving their Eagle Scout status.

-The final book drop-off event for the Annual Library Book Sale will be held this Saturday, August 24, 2019 at the Carriage House next to the Library. The Annual Book sale will be held from September 20-22, 2019.

Chairman Lefebvre:

No reports this evening.

PRESS QUESTIONS

No one came forward at this time.

Adjourn

Motion: by Selectman Wojtas to adjourn at 8:45 PM. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

NEXT REGULAR MEETING DATE: September 9, 2019

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Supporting Documents:

-Announcement and supporting documents for the Joint Meeting between the Board and the School Committee

-Proclamation in Recognition of Al Thomas

-Letter from Christine Bowman addressed to the Board

-List of Committee Vacancies

-Supporting Documents for A1 Auto Collision, LLC

-Supporting Documents for The Wine Rack

-Presentation of the Traffic Action Plan

-Draft Fall Town Meeting Warrant

- Memo of August 14, 2019 regarding Local Aid, and additional Supporting Documents
- List of Re-Appointments and Committee Applications
- Draft BOS Policies Regarding Flags, and Town Counsel memo
- Draft Minutes