

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

Regular Meeting MINUTES
November 18, 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 7:00 PM.

PUBLIC SERVICE ANNOUNCEMENTS

Chelmsford Open Space Stewards: Annual Day Before Thanksgiving Walk, November 27th, 2:00 – 4:30 PM

Selectman Wojtas read the announcement for this annual event, which will start at the Janet Rd. entrance to the Thanksgiving Forest Reservation. Event activities were summarized.

Holiday Decorating Committee: Holiday Prelude and Tree Lighting Event, December 1st, 4:00 – 6:00 PM

Vivian Merrill, Holiday Decorating Committee, announced this annual event is free to everyone. A list of activities was summarized. Photos with Santa will be available for download at www.chelmsforddogassociation.org.

Chelmsford Women of Today: Muffins with Santa, December 14th, 9:00 AM – 12:00 Noon

Sandie Rainey, Chelmsford Women of Today announced this annual event is held at Unitarian Church; event activities were listed.

OPEN SESSION

Mary Donovan, Tanglewood Dr., explained there are 81 missing American flags from the Chelmsford Center. She has a list of who sponsored the flags, and she would like to see them replaced and returned. She would also like to see the Gold Star World War II monument be replaced and returned to its spot in front of what is now the Chelmsford Center for the Arts. Mr. McCall recalled seeing the photo provided by Ms. Donovan, and the Town Meeting vote to remove the monument was done in 1955. The new monument does not have the names etched in, as there wasn't enough funding for all the names, back in 1955. The new monument was dedicated to Veterans of All Wars. He suggested that the list of names be added to the Historic Society website. There is a new monument dedicated to POW/MIA soldiers at the Veterans Memorial Park. The flags in question stopped being displayed over 20 years ago. Flags are now hung from poles, not on the sidewalk for ADA compliance and other reasons.

Mrs. Donovan left the list of names of the flag sponsors with Selectman Wojtas.

Michael Breneman, 71 Stonegate Rd., provided photos of conditions at the 152 Turnpike Rd. development. He stated that conditions outlined in the Special Permits and Conditions are not being

complied with, specifically, in regard to existing tree lines not being preserved, issues with fencing along Stonegate Rd., parking on Turnpike Rd. by Orchard Woods is being blocked, and work that is occurring outside permitted hours of operation 7:00AM-6:00PM with no weekends. The Building Commissioner and the Chairman of the Planning Board have not provided answers to his questions. Police were called, nothing changed. He is looking for direction, and answers for the Board of Trustees at Stonegate Condominiums. Mr. Cohen confirmed that proper recourse is to contact the building inspector & zoning enforcement officer Shaun Shanahan, then file an appeal through the Board of Appeals, and finally, file a suit through Land Court. Community Development Director Evan Belansky has indicated he feels no violations have occurred. Police can issue a fine or tell the developers to stop work. There was a police detail at the site for one of the violations. Mr. Breneman was advised to e-mail Police Chief James Spinney, and pursue the other options previously listed.

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.

PUBLIC HEARINGS

National Grid Underground Conduit Petition, Quigley Ave.

National Grid Pole Petition, Quigley Ave.

Sam Eng, No. Andover, was present for National Grid. The requests are for service and conduit improvements, and to replace old wires to Pole 2-75. The street will be cut open and repaved.

There were no further questions from the Board.

Audience comments:

Maria Karafelis, 26 Quigley Ave., requested clarification of this work, as the street is a mess from cutting already. Mr. Eng explained that the work won't be done until Spring. Mrs. Karafelis asked whether proposed work at the nearby temple would impact the proposed pole location. Mr. McCall agreed to get back to her with a schedule for re-paving Quigley Ave.

Motion: by Selectman Wojtas to close the Public Hearings for National Grid Underground Conduit Petition, Quigley Ave. and National Grid Pole Petition, Quigley Ave. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Wojtas to approve the National Grid Underground Conduit Petition, Quigley Ave. and National Grid Pole Petition, Quigley Ave., Plan Number 28797277, with the Condition that work will not be started until Spring, 2020, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

LICENSES

Change of Manager, All Alcoholic Beverages Restaurant: Bertucci's Restaurants, LLC, DBA Bertucci's Brick Oven Ristaurante, 14E Littleton Road

Mary McGraw spoke for Bertucci's; she is the new manager. She has been with the company for 12 years, and has been a manager in two other locations.

Motion: by Selectman Wojtas to approve the Change of Manager for Bertucci's Restaurants, LLC, DBA Bertucci's Brick Oven Ristaurante, 14E Littleton Road, to Mary McGraw, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Roadside Vendor: Ken Mathews, 211 Chelmsford St., 11/29/19 to 12/26/19

Mr. Mathews was present. His request is to sell Christmas trees, as he does every year.

Motion: by Selectman Wojtas to approve a Roadside Vendor License to Ken Mathews, for the sale of Christmas trees, to be exercised at 211 Chelmsford St., from November 29, 2019 to December 26, 2019, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Status Hearing Regarding Temporary Structure, Class II Auto Dealer: Capital Motor Group LLC, 154 Middlesex St., Bldg. 2

Rodrigo Silva explained that he has a one year license for a temporary trailer at this location, and he is requesting a 6 month extension as the property owner is working on making changes to the lot, but can't do anything until next year. The current license will expire on December 27, 2019. At this time, the license cannot be renewed without Zoning Board approval.

Mr. Silva was advised to call the Building Department Commissioner, Shaun Shanahan, and to request to be placed on the agenda for the next Board of Appeals meeting. The next Board of Selectmen meeting is December 2, 2019. Mr. Silva agreed to do as requested, and will come back to this Board.

REPORTS AND PRESENTATIONS

Richard Sullivan: Powers & Sullivan, FY2019 Financial Audit

Mr. Sullivan explained the audit went very well. He described the tests they do on the Town's financial records. All work from the Town Accountant's office is done timely.

Account balances were summarized. Pension liability will continue to be managed by the Middlesex Retirement system. Debt will continue to decline. The 11% debt service to total budget ratio is reasonable. Bond Refunding is done responsibly. GASB accounts are all well taken care of. Reserves are adequate. Enterprise funds are working well; there are no concerns.

Overall audit results show a clean opinion. No recommended adjustments were needed. No journal entry corrections were found or needed.

Expenditures of federal award programs were higher due to the Williamsburg grant award for bank remediation. There were no further findings or questions.

Laura Stone summarized the management letter. There was one new comment about cyber security; the Town was advised to watch out of ransomware and payroll scams. Reviews can be done, and cyber liability insurance should be researched and considered.

Three comments from last year's audit continue: Continue to reconcile insurance bills, personnel files need enhanced supporting documentation, and maintenance of the health insurance database should be developed by the Town, not MIIA.

Town Accountant Darlene Lussier advised that Jeanne Parziale is collecting much of the personnel information. It is difficult to get this for retirees, but she is working on it.

Ms. Lussier thanked Powers & Sullivan for their understanding and patience, as most of her staff is brand new.

TAX CLASSIFICATION HEARING

Sam Chase, Board of Assessors and Frank Reen, Chief Assessor were present.

Mr. Chase described the duties of the Board of Assessors, and explained this hearing is held by the Board every year, as required by State law to set the annual property tax rate for the Town. Three methods are used to determine assessed value, and they were described; valuation processes were also described. The Mass. Department of Revenue (DOR) certifies this work. Residents can contact the Assessors Office with questions any time.

Mr. Reen summarized areas of review. Exemption categories were listed and described. Abatement data was listed. Commercial Income/Expense submission returns are at 60%, which are the highest ever.

Minimum residential factors within a split tax rate were described. Data on tax bills and rates were shown and presented.

The Board was advised that compiling future impact analysis would be a challenge, due to unforeseeable recession events, and other impacts to real estate valuations and many unknown variables.

Different styles of homes impact the values. There are many condominium units in Town.

Audience comments:

John Demers, 6 Starlight Ave, spoke as a resident and business owner in town. He described his 2018 tax burdens and the increases in costs to his company. These costs will increase, and he asked the Board to consider returning the tax to a single rate. Mr. Demers could not say whether any of the increased expense was offset by federal tax breaks.

Kirk Marshall, 39 Moore St., spoke as a business owner for Chelmsford Swim and Tennis Club. This organization experienced a \$6,000.00 increase in taxes, in addition to the other increases already listed by Mr. Demers. The Club has increased their membership dues to cover these expenses. Mr. Marshall asked the Board to consider giving them a break, as costs are passed on to their clients.

Helen Blasioli, 19 Augusta Way, stated she was speaking for senior citizens on a fixed income who cannot afford any increased expenses. There are more seniors than businesses.

Donald Van Dyne, Economic Development Committee, asked the Board to allow the Economic Development Committee to speak at the December 2, 2019 meeting, as they have not met yet.

Motion: by Selectman Wojtas to continue the Annual Tax Classification Hearing to December 2, 2019. Seconded by Selectman Timmins. **Motion carries, unanimous, 5-0.**

VACATE FORECLOSURE AT 71 PRINCETON STREET, UNIT 115

Town Treasurer John Sousa explained full payment of taxes and fees were received for this condominium unit on November 4, 2019.

Motion: by Selectman Wojtas to vacate the final judgment covering the tax taking made against Carl F. Krystyniak for unpaid taxes covering the property at 71 Princeton St., Unit 115, North Chelmsford, upon payment of all taxes, interest, and charges due as provided under MGL 60:69, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

The Board thanked Mr. Sousa and his staff for efficiency with the Town's Annual Audit.

TOWN MANAGER REPORTS

Fire Station Configuration Advisory Committee Composition and Charge

The initial document to create this committee will be formed. Work will not begin until after the new year. The Board was asked to review this document for discussion at the next meeting.

Roberts Field Ballfields Accessibility

Assistant Town Engineer Steve Jahnle confirmed that the walking circuit will be ADA compliant, and will provide access to the field amenities. Construction will begin in the Spring.

MEETING MINUTES

BOS Minutes 08-19-19

Motion: by Selectman Wojtas to approve the Regular Session Meeting Minutes of August 19, 2019, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

BOS Minutes 09-09-19

The updated document was not sent to the Board, vote was tabled.

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Timmins:

- The Capital Planning Committee will meet on November 21, 2019 and December 5, 2019, with a backup date of December 12, 2019 in case of inclement weather.
- The School Committee will host a public forum on December 10, 2019, at a location to be determined.
- The Vinal Square Strategic Action Plan Committee announced a Tree Lighting event in North Chelmsford will be held on December 7, 2019, from 4:00PM-5:30PM.

Selectman Dixon:

No reports this evening.

Selectman Antul:

-Cleaning continues on the Town's stormwater drainage catch basins. The Stormwater Committee's website has much information and tips helpful to residents.

Selectman Wojtas:

- This year's Greater Lowell Chamber of Commerce Community of Champions Award recipient was Chelmsford's Kathy Brough, co-founder of Budget Buddies.
- Former Senator Susan Fargo passed away last week, she was well known for championing the Senior Citizen Circuit Breaker tax credit.

Chairman Lefebvre:

- The Day Before Thanksgiving walk at Thanksgiving Forest Reservation was fantastic last year, residents were encouraged to enjoy this year's event.
- Residents were wished a Happy Thanksgiving Holiday.

PRESS QUESTIONS

No one came forward at this time.

EXECUTIVE SESSION

Strategy with Respect to Collective Bargaining with the Firefighters Union

Motion: by Selectman Wojtas to enter into Executive Session at 8:50PM, not to return to Regular Session, for the purpose of discussing Strategy with Respect to Collective Bargaining with the Firefighters Union. Seconded by Selectman Antul.

Roll Call Vote:

Selectman Crocker Timmins: Aye

Selectman Wojtas: Aye

Selectman Dixon: Aye

Selectman Antul: Aye

Chairman Lefebvre: Aye

Motion Carries, 5-0.

NEXT REGULAR MEETING DATE: December 2, 2019

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Supporting documents:

- List of Veterans' Names supplied by Mary Donovan
- Flyers for Public Service Announcements
- List of Committee Vacancies
- Supporting documents for National Grid's Pole Petitions
- Supporting documents for Bertucci's Change Of Manager Request
- Roadside Vendor Application
- Supporting documents for Capital Motor Group
- Supporting documents for FY2019 Annual Town Audit Report
- Tax Classification Presentation
- Memo regarding 71 Princeton St.
- Supporting documents for proposed Fire Station Advisory Committee
- Draft Minutes