

Approved 4/8/2019

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

Regular Meeting MINUTES
February 11, 2019

Attending:

Glenn Diggs, Chairman
Kenneth Lefebvre, Vice Chairman
Emily Antul, Clerk
George Dixon, Selectman
Patricia Wojtas, Selectman

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

Please note that all documents referenced in these minutes are on file at the Town Manager's Office, 50 Billerica Rd., Chelmsford, Mass. The meeting was recorded by Chelmsford Telemedia and Chelmsford Independent. Chairman Diggs called the meeting to order at 7:01 PM.

OPEN SESSION

No one came forward at this time.

COMMITTEE VACANCIES

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

PUBLIC HEARINGS

Wine and Malt Beverages, Common Victualer, and Entertainment License: Marimena Inc. DBA Jimmy's Pizza, 2 Alpine Lane

Atty. Thomas Truax was present with the applicant, Ramez Ghobrial, President of the corporation and restaurant manager. The restaurant was purchased several months ago from the prior license holder. The former license lapsed; therefore this will be a new license, not a transfer of license. The restaurant has had this type of license for many years, with the prior owners. Mr. Ghobrial has 12 years of experience working with this type of license at other locations.

The applicant understands the Board's policy of the two week waiting period requirement for the alcohol license.

There were no comments from the audience.

Atty. Truax requested approval of the Common Victualer and Entertainment Licenses this evening.

Motion: by Selectman Lefebvre to approve the Common Victualer and Entertainment Licenses to Marimena, Inc. d/b/a Jimmy's Pizza to be exercised at 2 Alpine Lane. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Lefebvre to continue the public hearing for a Wine & Malt License for Marimena, Inc. d/b/a Jimmy's Pizza to February 25, 2019. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

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Common Victualer License – Late Renewal & Seasonal Notice: Godly Smoothies LLC, 83 Parkhurst Road, #15

The applicant was not present. Mr. Cohen explained the current license was not renewed on time as the business is seasonal. The Board had no issues with the renewal.

Motion: by Selectman Lefebvre to approve the renewal of the Common Victualer License for Godly Smoothies, LLC, to be exercised on the premises at 83 Parkhurst Rd., Unit 15. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Addition of Entertainment License for Current Common Victualer: Northeast Foods LLC DBA Burger King #3326, 77 Drum Hill Road

The request is for a television and radio. The applicant was not present.

Motion: by Selectman Lefebvre to approve the Entertainment License for Northeast Foods LLC d/b/a Burger King #3326, 77 Drum Hill Rd. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

REPORTS AND PRESENTATIONS

Superintendent of Schools Dr. Jay Lang, Vote to Authorize Submission to the Massachusetts School Building Authority of a Statement of Interest for the Accelerated Repair Program for a Portion of the Roof at South Row Elementary School

Dr. Lang explained this request is similar to votes taken by the Board in the past. The Accelerated Repair Program allows municipalities to file applications for funding of roof, window and furnace repairs to a school building. This application will help fund the replacement of the rest of the roof that wasn't done when the solar panels were installed. Awards are granted at up to 50% reimbursement. The application is due by February 15, 2019. The Town will be notified of any awards in early summer, and the work should be completed within a year. The estimated cost of this project is between \$250-300,000.00 for the total project.

The boilers at the High School may be applied for in a future request under this program.

Motion: by Selectman Lefebvre to support the School Committee's application for roof replacement for the South Row School under the MSBA Accelerated Repair Program, and to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated February 5, 2019 for the South Row Elementary School located at 250 Boston Rd. which describes and explains the following deficiencies and the priority category for which an application may be submitted to the Massachusetts School Building Authority in the future for the replacement of the school facility systems, such as roofs, as certain sections of the roof at the South Row Elementary School have exceeded their useful life and require replacement at this time; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Chelmsford to filing an application for funding with the Massachusetts School Building Authority. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

TOWN MANAGER REPORTS

Draft Spring Annual Town Meeting Warrant

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The draft warrant has 24 articles at this time, with the latest changes requested by the Board. There may be additional Planning Board bylaw change articles and possible additional Community Preservation Committee articles as well.

The Board was asked to review the proposed Town operating budget, which the Finance Committee is reviewing at this time.

The article to approve collective bargaining agreements has not been finalized, as there may be multiple agreements to approve.

Date for UMass Lowell West Campus Auction

The auction is set for April 5, 2019, at noon, in Room 205 of the Town Offices. A legal notice has not been published yet. The Community Development Office has received inquiries regarding zoning guidelines. About 20 acres of the parcel is developable; the entire parcel spans about 30 acres.

Mr. Cohen described Safe Harbor and Affordable Housing guidelines that the Town must follow under Chapter 40B.

TOWN MANAGER APPOINTMENTS

Community Action Program Committee: Elissa Magnant, 1 year term ending 6/30/2019

Cultural Council: Kelly Guy, 3 year term ending 6/30/2021

Parade Committee: Stephen Maher, 1 year term ending 7/31/2019

Recycling Committee: Stephen Maher, 1 year term ending 6/30/2019

Motion: by Selectman Lefebvre to approve the Town Managers appointments of Elissa Magnant to the Community Action Program for a term ending June 30, 2019, Kelly Guy to the Cultural Council for a term ending June 30, 2021, and Stephen Mayer to the Parade Committee for a term ending July 31, 2019 and the Recycling Committee for a term ending June 30, 2019. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

MEETING MINUTES

BOS Regular Session Minutes 11-19-18

BOS Regular Session Minutes 12-03-18

BOS Executive Session Minutes 01-28-19

Motion: by Selectman Lefebvre to approve the Regular Meeting Minutes of November 19, 2018, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Lefebvre to approve the Regular Meeting Minutes of December 3, 2018 as amended. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

Motion: by Selectman Lefebvre to approve and release the Executive Session Meeting Minutes of January 28, 2019, as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Wojtas:

-A 4-hour Municipal Vulnerability Program session was held last week. The Town appears to be well prepared for most emergencies.

Selectman Dixon:

-A resident reported that a truck tailgate was left open in the Ledge Rd./Dunstable Rd. area, and left a mess on the roads. Mr. Mc Call has contacted several companies in the area. DPW cleaned up the mess. The stones started near the quarry on Ledge Rd. Mr. McCall spoke with two of the companies, and has followed up with letters to all three companies that work with stone materials to request discussion on multiple issues in this neighborhood. The actual perpetrator in this situation is unknown. There is a possibility of installing a camera to watch traffic, he will discuss this with the Police Chief. Most of the gravel is off the roadway; there are still some scattered pieces along Rt. 40.

Selectman Antul:

-Board of Health permit requirements are being updated, pending applicants were asked to check in with that Board.
-The Rt. 40 Study Committee is hosting a Public Hearing on February 13, 2019, in Room 204 at the town Offices. The presentation will include an update on deliberations. Selectman Antul feels the committee is doing a thorough job.

Chairman Diggs:

-The Town Manager was asked for clarification on Open Meeting Law and agenda changes. Mr. Cohen explained that periodic continuations and cancellations are allowed.

Selectman Lefebvre:

-The Town Manager was asked what can be done about the “We buy houses” signs, as they are getting harder to remove; they are being vandalized and they are in violation of the bylaw. He’s tried calling the numbers on the signs, these numbers go to an answering service.
-An update was requested on an action plan for the Mill Rd./Turnpike Rd. improvement project.
-Mr. Cohen was asked to provide the Board with an updated Town vehicle inventory.

Selectman Dixon:

-Building Commissioner Shawn Shanahan was thanked for being very responsive to a situation, his actions were appreciated.

Chairman Diggs:

-The Town Manager was asked to request the Board of Health to come to a meeting to explain the small animal rules and regulations under the new bylaw.
-Mr. Cohen is working on putting together a list of town-wide permit fees. The Board can assess whether the fees need to be updated. The Town is looking at new software to help with this process.
-There is a group working to make Chelmsford an “age friendly” town. He will draft a letter and requests the Board review before being sent out.

PRESS QUESTIONS

No one came forward at this time.

NEXT REGULAR MEETING DATE: February 25, 2019

ADJOURN

Motion: by Selectman Lefebvre to adjourn at 7:55PM. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

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Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Supporting Documents:

- List of Committee Vacancies
- Supporting documents for Marimena, Inc. License Request
- Supporting documents for Godly Smoothies
- Application for Entertainment License for Burger King
- Memo of February 3, 2019 from Dr. Jay Lang
- Draft Spring Town Meeting Warrant
- Committee Applications
- Draft Minutes