

Approved 4/21/2020

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

Regular Meeting MINUTES
February 24, 2020

Attending:

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

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

**Early Voting for Presidential Primary, February 24th – 28th During Regular Town Offices Hours
Presidential Primary Election, March 3, 2020 7:00 AM – 8:00 PM**

Selectman Wojtas announced that Early Voting was begun today; times to vote and location were provided.

Nashoba Valley Technical High School Committee Applications due by March 4, 2020

Chairman Lefebvre read the legal notice into the record.

Values and Vision Committee Public Input Session, March 4, 2020 7:00 PM

Selectman Timmins announced that this session will be for comments regarding the draft statements the Committee has developed.

OPEN SESSION

Brian Latina, Precinct 4 Town Meeting Representative, 15 Jessie Rd., acknowledged the Boards efforts, and thanked them for their support of the Town.

Mr. Latina wished to bring to the Board's attention challenges with handicap access, and age friendly initiatives. He took photos of defects in the sidewalks in the Town Center, and noted several places where his son's wheelchair could not navigate. He noted that these are also hazards to blind people. More pictures are forthcoming. He notified the Town Manager that the back door button on the Town Offices building to open the door for wheelchairs isn't working. Mr. Latina gave a bag of stone that he collected from holes in the pavement in the Center to each Board member.

Ed Buckley, 27 Buckman Dr., stated that he agreed with the North Chelmsford Water District regarding their concerns at 54 Richardson Rd. He also has concerns with storing the buses in a water shed area in East Chelmsford. He noted that buses are being fueled on the site at the Chelmsford Forum. Mr. Cohen advised that there has been a multi-year lease for bus storage at this location, and there have been no reports of leaks or any type of contamination. Going forward, the buses will be stored at a new location on Katrina Rd, later this year.

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Sam Poulten, 16 Berkley Dr., shared information from Nashoba Technical High School Committee's recent budget meeting. He praised Mr. Cohen's cooperation with the school, and the support of the Board at Town Meeting.

Michael Cooney, 69 Stonegate Rd., stated he supports the Board's decisions, appreciates their hard work.

Frank Goode, 4 Longspur Rd, President of the Superior Officers Union, disagreed with a decision to allow non-residents to speak at the previous meeting. He thinks the Finance Director should apologize for his comments at the previous meeting. He believes the Town Manager failed to correct the record at the previous meeting regarding how the topic of his contract was put on the Board's agenda. The petition presented at the previous meeting was not successful, in his opinion.

Mr. Cohen read an e-mail into the record that he sent to the Board. He feels Mr. Goode's message was distorted. In this e-mail, he suggested what items to add to the agenda.

Mr. Goode stated he was not distorting the truth.

Jerry Hall, 34 Lovett Lane, thanked the Board and Mr. McCall for providing the data on the air quality reports as previously requested. He supported the Board's decision to hold an Executive Session on February 25, 2020. These have been long sessions.

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.

LICENSES

One Day Beer & Wine License: Chelmsford Public Library, 25 Boston Road, 2/25/2020

No one was required to be present as there have been no issues with prior events.

Motion: by Selectman Wojtas to approve a One Day Beer & Wine License for the Chelmsford Public Library for February 25, 2020, for a Wine, Cheese and Chocolate Tasting Fundraising Event. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

One Day Beer & Wine License: St. John the Evangelist Parish, 115 Middlesex St., 3/14/2020

No one was required to be present as there have been no issues with prior events.

Motion: by Selectman Wojtas to approve a One Day Beer & Wine License for St. John the Evangelist Church on March 14, 2020, for a St. Patrick's Day Dinner, from 5:00PM-11:00PM. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

NORTH CHELMSFORD WATER DISTRICT REQUESTS REGARDING ACTIVITIES AT THE TOWN HIGHWAY YARD AT 54 RICHARDSON ROAD

District Superintendent Bruce Harper provided the written language for their requested Motions as was previously requested. There are six Motions; to provide for water testing of the wells, to provide for soil testing, to require a permit for the Fire Department mechanics operations, prohibiting the use of the site as a private contractor yard, prohibition of roll-off dumpster containers, and to lock the gates at all times.

Selectman Dixon agreed that everyone wants to protect the water supply. It is very important, and a common goal. He felt these Motions should be helpful.

DPW Director Gary Persichetti believes the Town has worked hard to be a good neighbor. The site is currently clean, and in order. Roll-off dumpsters are not there anymore, and they will not be used in the future. A motor for the gate is on order, and it should be installed by the end of March. Mr. Persichetti advised that two of the requested items can be deleted.

Assistant Director of Public Works Steven Jahnle requested clarity regarding some of the sections cited in the letter from the District. He will work with Mr. Harper off line to discuss how this new testing is different from what is already being done. Testing is done periodically since the 1990's, and results have always come back clean. Annual water reports have not indicated there is a problem, and their operations have diminished over the years.

Mr. Harper maintained that the District is required to do the same testing in their zones. They are asking for protection of the drinking wells from PFAS. This problem is getting worse, and will be costly to remediate for the Town and the District. Mr. Harper was concerned as the District never received the test results from the 55 gallon drums that were removed from this site in 2008. Mr. Jahnle advised that the DEP oversaw the removal; he will provide the test results to the District.

Fire Department Chief Gary Ryan cited past cooperative efforts done with the North Chelmsford Water District. Chief Ryan advised that if his department has to leave the site, it will be expensive and time consuming as they would need to send their vehicles off-site for maintenance and repairs. They aim to be good stewards of the property. Chief Ryan noted that the tanks in question were pulled up in 2003. Mr. Harper clarified that they aren't asking for the department to leave, they are requesting them to obtain a special permit, like everyone else has to.

Selectman Timmins questioned what authority the Board even has to change anything based on the previous Superior Court decision. Mr. Cohen advised that permits can be appealed, which is time consuming and expensive.

Mr. Cohen cited multiple places where contamination could have happened, and may not be the fault of the Town, such as runoff from Rt. 3, the State sand storage area, and a neighboring junk collection property. Mr. Jahnle stated there would be financial impacts if the DPW can't use the site as a staging area for material, as the material still needs to be processed. The processing plants also have daily limits, and sometimes asphalt needs to be stored. The piles can get cumbersome. Mr. Persichetti summarized the work that will be done to clean up the site, now that sand is not needed anymore, and Asplundh is leaving in two weeks. Selectman Wojtas stated she would not be comfortable accepting responsibility for any contamination due to multiple sources of potential contaminants. Mr. Cohen supported completing the requested testing.

Mr. Persichetti will develop written policies and procedures for further discussion with the North Chelmsford Water District.

REPORTS AND PRESENTATIONS

Business Development Director, Lisa Marrone: Business Amenity Grant Awards

Ms. Marrone summarized the grant program. Currently, there is funding support for two restaurant projects, at \$75,000.00 for each project.

Joe Ready, representing 197 Billerica Rd. explained that he is working with Nicole Gibson, who has agreed to purchase the property and build a 7500SF restaurant that will serve lunch, including take out.

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The restaurant will have a liquor license, and will serve Vietnamese and Japanese hotpot style food. A second building will be a breakfast restaurant. The current cost of the project is estimated at \$8 million. They could close on the purchase in March. The architect's work is almost final; and the liquor license will be applied for once the purchase is completed. They hope to open in Fall of 2020.

Charity Edwards, a local real estate broker, has a client interested in a small wine and cheese bar for 330 Billerica Rd. that will include live entertainment. The menu would include flatbreads and salads. Her client is still negotiating with the property owner.

Ms. Marrone further announced that a \$50,000. award is set aside for a single brewery proposal, for kitchen construction and equipment. The deadline has been extended to April 1, 2020. She is awaiting letters of intent or lease agreements.

SIGN SPRING ANNUAL TOWN MEETING WARRANT

The final warrant was presented to the Board, changes were summarized.

Noise from an ice chiller at the Forum has been assessed, and the sound system may need some further upgrades.

Motion: by Selectman Wojtas to sign and post the Spring Annual Town Meeting Warrant, to begin on April 27, 2020. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

TOWN MANAGER REPORTS

South Row School Roof Project Update

Mr. Cohen announced that the MSBA awarded a grant of \$250,000.00 for this project. Eight bids were received. The low bid by MDM, base bid at \$348,000.00, was approved by MSBA. Town Meeting will vote on this expenditure. Other expenses will still need to be calculated, and could be in the range of \$120,000.00.

Demolition Order at 255 Princeton Street/Former UMass Lowell West Campus

The Demolition Order was provided to the Board. People are living in the building illegally. The Building Commissioner and Fire Department have seen people there, and the buildings are in poor condition. There are four buildings on the property. The building is deemed structurally unsound. Police have patrolled the property regularly.

Goals Status Report

Mr. Cohen reported that the Vision and Values Mission statement work is ongoing.

More time will be needed to monitor impacts to property values because of the Split Tax Rate. To date, there were more abatements filed in FY2019, than in FY2020.

A presentation was given in November regarding the Fire Station combinations study. Renovation and expansion work to the North Fire Station is being compiled by the Permanent Building Committee, and may require a Special Town Meeting Warrant. Additional work on what will happen to the other stations will be determined.

The Vinal Square Strategic Action Plan Committee continues to explore a solution to the issue of egress from Vinal Square to Wotton St. The owner of 20-22 Wotton St. is not interested in selling a portion of their property, or granting an easement, as they are living there as a 2 family residential condominium.

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Developments in the Rt. 129 area were reported on earlier this evening.

A Facade program is still being developed for Vinal Square.

The Fiske House/Oddfellows Building proposal has been accepted by the Planning Board and the Historic District Commission. The proposal includes mixed use residential condominium and retail restaurants.

A new Town website is online, and is being finalized. The Town Offices telephone system is being upgraded. Rebranding of the Town's website address is pending.

Many items have been addressed regarding traffic concerns; Ledge Rd. concerns are still being discussed.

The 2020 Census Committee is getting ready to promote awareness and participation in the 2020 Census, which will begin in the Spring.

Regarding seeking additional Revenue sources, License fees have been updated, proposed legislative changes regarding education funding is pending, and a \$200,000.00 State earmark to fund Business Development Grants is also pending.

TOWN MANAGER APPOINTMENTS

CCA Advisory Committee: Sean Carnathan, 1-year term ending 6/30/2020

Council on Aging: Jan Mounsey, 3-year term ending 6/30/2022 (currently serving as an Associate Member)

Commission on Disabilities: Joanne Stanway, unexpired 3-year term ending 6/30/2021

Motion: by Selectman Wojtas to approve the Town Manager's appointments as presented. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

MEETING MINUTES

BOS Tri-Board Minutes 12-09-2019

Motion: by Selectman Wojtas to approve the Tri-Board Session meeting minutes of December 9, 2019, as presented. Seconded by Selectman Antul. Chairman Lefebvre & Selectman Timmins abstained, all others in favor. **Motion carries, 3-0.**

BOS Regular Session Minutes 12-16-2019

Motion: by Selectman Wojtas to approve the Regular Session Meeting Minutes of December 16, 2019. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Dixon:

No reports this evening.

Selectman Timmins:

-Condolences were given on the passing of Jack Souza, he was thanked for his service to the Conservation Commission.

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-The School Committee budget hearing is scheduled for February 25, 2020, at the School Administration building.

-There will be two public sessions to discuss a Historic Preservation and Signage Grant Program. The first will be held on March 2, 2020, at the Chelmsford Community Center in North Chelmsford, and the second will be held at the Town Offices on March 10, 2020, both will begin at 7:00PM.

Selectman Wojtas:

-Jack Souza will be remembered for his work on the Sewer Commission, as well as the Conservation Commission.

-The Library will be holding their 20th Birthday event on Saturday, ~~February~~March 29, 2020.

Selectman Antul:

-Mr. McCall was thanked for his efforts in coordinating a meeting with Mass DOT to discuss adding sidewalks along Rt. 110, between the Town Center and the Chelmsford Woods Housing Development.

Chairman Lefebvre:

-The Town Manager was asked about adding a wildlife feeding regulation to the Town bylaws, in part to address the wild turkey population on Locke Rd.

-Pilot programs are being researched by the Safety Committee to address traffic calming measures in areas where accidents are occurring.

-A meeting was held among the property owners in the Ledge Rd. area, asphalt and gravel plant employees, and town officials to discuss potential solutions for Ledge Rd. traffic concerns.

PRESS QUESTIONS

No one came forward at this time.

NEXT REGULAR MEETING DATE: March 9, 2020

Adjourn

Motion: by Selectman Wojtas to adjourn the meeting at 9:07PM. Seconded by Selectman Antul.

Motion carries, unanimous, 5-0.

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Supporting Documents:

-Early Voting Calendar

-Legal Notice for NVTHS Committee Vacancy

-List of Committee Vacancies

-One Day License Applications

-North Chelmsford Water Department Proposed Motions

-Presentation for the Business Amenity Grant Award

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- 2020 Spring Annual Town Meeting List of Warrant Articles
- 2020 Spring Annual Town Meeting Warrant
- Supporting Documents regarding South Row School Roof Project
- Letter regarding the Demolition Order for 255 Princeton St.
- Town Manager's FY20 Goals Presentation
- Committee Applications
- Draft Minutes