

Approved 4/22/2019

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

Regular Meeting MINUTES
March 11, 2019

Attending:

Glenn Diggs, Chairman
Kenneth Lefebvre, Vice Chairman
Emily Antul, Clerk
Patricia Wojtas, Selectman
George Dixon, 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 the Chelmsford Independent. Chairman Diggs called the meeting to order at 7:01 PM.

PUBLIC SERVICE ANNOUNCEMENTS

Nashoba Valley Technical High School Committee Applications due by March 20, 2019

Legal Notice was read by Selectman Lefebvre; a joint meeting with the Board of Selectmen and the School Committee will be held on March 25, 2019.

OPEN SESSION

Paul Rigazio, 25 Clover Hill Dr., explained that 50 years ago he married, and they moved into their home on Clover Hill Rd. Now that his children are grown and moved out, and his taxes are too high, they will be selling the home and leaving. Mr. Rigazio thanked everyone he's come in contact with over the years.

Mr. Rigazio's second request was that the Board consider creating another ad hoc committee to look into Chelmsford's legislative districting. Twenty years ago, the Town was split into four legislative districts. He feels this means Chelmsford has no real power or voice in Boston, which is unfair to Chelmsford. He feels Chelmsford should have a single representative, or no more than two representatives. Mr. Rigazio made several suggestions on how representation for Chelmsford could be changed.

Chairman Diggs thanked Mr. Rigazio for his service at Town Meeting and for his committee work.

Debbie Dery, Precinct 6 Town Meeting Representative, explained that she has lived in her home on Stedman St. for 43 years, and has noticed an increase in trucks and traffic on Stedman St. She realizes other roads cannot be used as alternate routes, however, these trucks shake their homes, and they speed. She has seen several serious accidents near her home over the years; there have been many other accidents near her home. She suggested installing flashing lights and reducing the speed limit to 25 instead of 30 mph, just on Stedman St. Stedman St. is used as a cut through for commuters. She would like to see increased signage saying there is a single lane at the end of Stedman Street, where it intersects with Chelmsford St., as many drivers try to create two lanes at that location. Cars do not stop for school buses. Buses block traffic in the entire intersection on Chelmsford St. Mr. Cohen described the state process to change a speed limit; the process does start with the Police Department. Chairman Diggs advised that Police Chief Spinney was in the audience and will be able to look into her suggestions.

Stanley Mazurczyk, 5 Aberdeen Rd., asked the Town to stop funding the Police Department's Police Accreditation Certification Program. He feels the department does not meet the standards to qualify for the program, and he provided the Board with written documents. Selectman Antul asked Mr. Mazurczyk to clarify the events that led to his demands, and what are the Department's actions that demonstrate incompetence. Selectman Antul advised that the Mass. Police Accreditation Committee reviews the department every 3 years; there is a lot recordkeeping, and it is a rigorous and voluntary process. Mr. Cohen added that the department has been re-accredited 3 times under two different chiefs. Mr. Mazurczyk reiterated his request that the Board should act on his request to hold the Police Chief and the Police Department accountable for not following the policies and procedures required under the Accreditation Program.

Police Chief James Spinney stated he disagrees with what was said by the prior speaker. He has been working for the Police Department for 29 years, and has high regard for his coworkers. He invited anyone to come to the police station to review any documents, which are public record. For seven years he has asked Mr. Mazurczyk to come to the station; his issue started with a neighbor complaint. After the initial investigation, Chief Spinney stated that he has refused to continue to investigate these complaints as they are frivolous and baseless. A civilian complaint was filed against him for going to Mr. Mazurczyk's home to discuss his concerns. Police Department Accreditation costs the town \$1900.00 annually, which goes to training for the staff. Concerned residents were encouraged to call him any 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.

The Cultural Council needs one more member in order to qualify for the Mass. Cultural Council's grant programs. Residents were encouraged to fill this vacancy as soon as possible.

LICENSES

Change of Manager, All Alcoholic Beverages Package Store: Harrington Wine & Liquors, Inc. (pending change to Mall Liquors, Inc.) DBA Lincoln Liquors, 10 Summer Street

Tracy Denardo, Lincoln Liquors, explained she will be the new manager. A company name change was approved two weeks ago; this request is to approve the new manager.

Motion: by Selectman Lefebvre to approve the Change of Manager for the All Alcoholic Beverages Package Store License for Harrington Wine & Liquors, Inc. DBA Lincoln Liquors. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

One Day Wine & Malt Beverages License: St. John the Evangelist Parish, 115 Middlesex Street, 03/16/19

The applicant was not required to appear; there have been no issues with previous licenses.

Motion: by Selectman Lefebvre to approve the One Day Wine & Malt Beverages License for St. John the Evangelist Church for March 16, 2019, to be exercised on the premises at 115 Middlesex St. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

REPORTS AND PRESENTATIONS

MassDOT Traffic Operations Engineer, John Gregg and Regulations Engineer, Rick Wilson: Traffic Issues and Truck Exclusions

Mr. McCall was asked at the last meeting to get more information regarding truck traffic in Chelmsford. Mr. Gregg & Mr. Wilson agreed to discuss this issue with the Board.

Prior presentations were reviewed. Residents have voiced concerns with truck traffic on Ledge Rd., and looking into alternate routes. Mr. McCall described the traffic patterns from Ledge Rd. and understands that residents are also looking to institute a truck exclusion for Swain Rd. and Main St.

Mr. Gregg confirmed that in order to exclude a route from truck use, an alternate route is needed. He summarized different routes considered. Upon seeing these alternate routes in person, he noted there are sharp turns that would be very hard to impossible for large trucks. Some routes involve roads in Westford and Tyngsboro, and those towns would need to be included in the conversations. Multi-town routes have been discussed with other towns, and sometimes they are made to work as regional truck routes. Public hearings are held. Once a route is agreed on, the town submits an application with traffic count data, crash history and any other design parameters that impact the application. Selectman Dixon explained that if the big pole on Ledge Rd. could be moved, that would make Ledge Rd. a suitable option over Swain Rd.

Mr. Gregg and Mr. Wilson were informed that the asphalt plant on Rt. 40 has 3 businesses in Westford, and has essentially established a truck route through Chelmsford, with approval from the Westford Planning Board. The front entrance has a limited amount of trucks allowed, all others must exit out the back, which is Ledge Rd. Mr. McCall described the truck traffic on a map. Mr. Gregg and Mr. Wilson were not aware of this situation, and they agreed to look into it. Generally, a community cannot restrict truck traffic on a numbered road. When considering a regional study, it should be started in the spring, and should be done during construction season. This study could be helpful in future discussions. Mr. Wilson suggested asking the Town of Westford to change the permitted limit for the front entrance.

Mr. Cohen was asked to reach out to the Westford Town Manager for discussion.

Mr. McCall will forward a copy of the settlement agreement that went with the permit for the asphalt plant to Mr. Gregg and Mr. Wilson.

TOWN MANAGER REPORTS

Updated Vehicle Inventory

The vehicle inventory was supplied to the Board as requested at a previous meeting. Selectman Lefebvre indicated he has spoken with several departments about their vehicles.

Mr. Cohen explained that the average cost of gas in 2018 was \$2.30/gallon. No federal tax is paid, however, the state does not waive their tax. All fueling is done at the Police Department. Selectman Wojtas requested listing which vehicles are hybrid vehicles.

Sewer Rate Relief Fund Distribution

Mr. Cohen announced that the Town received \$5361.00 from this state fund.

BOS Meeting Schedule

The Town Election will be held on April 2, 2019. A re-organization meeting for the Board will be held on April 4, 2019. The next regular Board meetings will be held on April 8, 2019, and April 22, 2019. There may be a short meeting before Town Meeting on April 29, 2019.

TOWN MANAGER APPOINTMENTS

Recycling Committee: Virginia Lee Williams, 1 year term exp. 6/30/2019

Approved 4/22/2019

Motion: by Selectman Lefebvre to approve the Town Manager's appointment of Virginia Lee Williams to the Recycling Committee for a term to expire on June 30, 2019. Seconded by Selectman Antul. **Motion carries, unanimous, 5-0.**

MEETING MINUTES

Tri-Board Minutes 12-10-18

Motion: by Selectman Lefebvre to approve the Tri-Board Meeting minutes of December 10, 2018, as presented. Seconded by Selectman Antul. Selectman Dixon abstained, all others in favor **Motion carries, 4-0.**

SELECTMEN LIAISON REPORTS & REFERRALS

Selectman Wojtas:

-Former Town Clerk Mary St. Hilaire passed away about a week ago. She was first elected in 1972, and served until the early 2000's. Her position became an appointed position after 1989. She will be missed.

Selectman Lefebvre:

-The Vinal Square Master Plan Implementation Committee is finishing the design work for their signage program.

-The Center Village Master Plan Implementation Committee is overseeing the installation of benches, trees, and tree guards. The work is expected to be done this Spring.

-The Chelmsford Minuteman drills were recently held. The Minutemen are always looking for volunteers.

Selectman Dixon:

-He is glad to be back, and he thanked everyone for the cards and calls.

Selectman Antul:

No reports this evening.

Chairman Diggs:

-The Rt. 40 Study Committee is finalizing their plan, and they should be presenting it at the 2019 Fall Town Meeting. The Committee is meeting tomorrow at 6:00PM in Room 205 of the Town Offices.

-The proposed School Department budget was presented, voted and approved at the last School Committee meeting. The Finance Committee will see a presentation at their meeting this Thursday. Chairman Diggs suggested that the Finance Committee announce their meetings sooner so more people can attend. At the School Committee meeting, Superintendent Dr. Lang indicated that a social worker position can be looked at in the future, in addition to the new Resource Officer being hired this year.

PRESS QUESTIONS

No one came forward at this time.

ADJOURN

EXECUTIVE SESSION

Strategy with Respect to Collective Bargaining with the Police Superior Officers (Sergeants) Union

Motion: by Selectman Lefebvre to adjourn for Executive Session, not to return to Regular Session at 8:35PM. Seconded by Selectman Antul.

Roll Call Vote:

Selectman Wojtas: Aye

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Selectman Lefebvre: Abstained
Selectman Dixon: Ayer
Selectman Antul: Aye
Chairman Diggs: Aye
Motion carries, unanimous, 4-0.

NEXT REGULAR MEETING DATE: March 25, 2019

Respectfully Submitted,

Vivian W. Merrill
Recording Secretary

Supporting Documents:

- Legal Notice for Joint Meeting with the School Committee
- Documents supplied by Stanley Mazurczyk to the Board
- Committee Vacancies List
- Supporting documents for Lincoln Liquors
- Supporting documents for One Day Licenses
- Town Vehicle Inventory List
- List of FY 2019 Distributions of the Commonwealth Sewer Rate Relief Fund
- Board of Selectmen Meeting Schedule
- Committee Applications
- Draft Minutes