

Approved 5/4/2020

Town of Chelmsford Board of Selectmen Minutes
Chelmsford, MA 01824

Virtual meeting via Zoom

Emergency Joint Meeting MINUTES
March 27, 2020

Attending

Board of Selectmen:

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

Board of Health and Health Department:

Sue Rosa, Health Director
Dr. Eric Meikle
Anne Marie Roark

Board of Registrars:

Patricia Dzuris, Town Clerk
James Lane
Curtis Barton
Thomas Fall

Others Present:

Emergency Management Director Steven Maffetone
Fire Chief Gary Ryan
Police Chief James Spinney
DPW Director Gary Persichetti

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 12:00 PM, and read the following statement into the record:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Town of Chelmsford Board of Selectmen will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town's website, at www.chelmsfordma.gov For this meeting, members of the public who wish to watch the meeting may do so by accessing the Chelmsford Telemedia website www.chelmsfordtv.org No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable

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2020-05-05
3:00 PM
TOWN OF CHELMSFORD
PATRICIA E. DZURIS
TOWN CLERK

to do so, despite best efforts, we will post on the Town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Joint Meeting with the Board of Health: Declaration of State of Emergency

Mr. Cohen advised that formally declaring a State of Emergency will be prudent at this time. Steve Maffetone described what this entails and what it allows a community to do. It may help the Town obtain future financial assistance.

Motion: by Selectman Timmins to approve the Declaration of Emergency as presented.
Seconded by Selectman Wojtas.

Roll Call:

Selectman Dixon: Aye
Selectman Timmins: Aye
Selectman Wojtas: Aye
Chairman Lefebvre: Aye
Dr. Meikle: Aye

Atty. Roark requested a correction to her position title, and a change to the sixth paragraph wording from "major disaster" to a "situation". Mr. Cohen advised her correction has been incorporated.

Motion was amended by Selectman Timmins to state that the version of March 26, 2020 that changes Ms. Roark's position to Vice Chairman and changes the wording Paragraph 6 from "major disaster" to "situation" is what is being approved. Seconded by Selectman Antul.

Roll Call:

Selectman Dixon: Aye
Selectman Timmins: Aye
Selectman Wojtas: Aye
Selectman Antul: Aye
Chairman Lefebvre: Aye
Dr. Meikle: Aye
Attorney Roark: Aye

Motion carries, unanimous, 7-0.

Joint Meeting with the Board of Registrars: Rescheduling of the Annual Town Election

Mr. Cohen explained the changes to legislation under Chapter 45 of the Acts of 2020 that will allow the Town to change the date of the Municipal Election to a date prior to June 30, 2020. Mr. Cohen suggested Tuesday, June 2, 2020 as the new date to hold the election. Spring Town Meeting could then start later in June.

Town Clerk Patricia Dzuris felt this may be too soon, and there are no clear allowances for Absentee Voting, which she would like to promote as much as possible for this election. She described the current contingency plan to hold the election in the gym of the Town Offices, and space and safety allowances, as attendance is expected to be very low because there are no contested races. The Presidential and State Elections are also scheduled for the Fall, and completing three elections almost back to back will be very difficult with a reduced pool of election workers. Thomas Fall agreed protecting the workers is very important, as the election must be held. Dr. Meikle agreed the virus situation may not be completely resolved by June.

Approved 5/4/2020

Announcements will be made via a reverse 9-1-1 call, social media and the Town Website messages to make residents aware of the new date of June 2, 2020 for the Town Election. Town Meeting Representatives can be e-mailed directly.

Motion: by Selectman Timmins to reschedule the Annual Town Election to June 2, 2020.
Seconded by Selectman Antul.

Roll Call:

Selectman Dixon: Aye
Selectman Antul: Aye
Selectman Timmins: Aye
Selectman Wojtas: Aye
Chairman Lefebvre: Aye

Motion carries, unanimous, 5-0.

Town Moderator Jon Kurland: Rescheduling of the Annual Town Meeting

Mr. Kurland suggested a rescheduling the date of Spring Town Meeting to June 22, 2020. He and a Town Meeting Representative will go to the Senior Center on April 27, 2020, declare there is no quorum, and the meeting would be continued to June 22, 2020 at 7:30PM. Chairman Lefebvre will meet Mr. Kurland on April 27, 2020. Mr. Cohen confirmed that the Finance Committee supports the new date of June 22, 2020, so they can hold their meetings, public hearings, and publish their book for Town Meeting.

Announcements will be made via electronic signs, part of the reverse 9-1-1 call, the Town website and through social media. The Town Clerk will e-mail the Town Meeting representatives.

Confirmation of Town Manager's Bid Awards: -Bituminous Concrete

The Attorney General ruled on the bid protest that was previously filed by Sunshine Paving Corporation. The ruling from the Attorney General was received on March 21, 2020, and denied the protest.

Motion: by Selectman Wojtas to approve the Town Manager's Bid Award for Bituminous Concrete to P.J. Albert for Bituminous Concrete by Cold Plane at \$2.00 per 45,000 Square Yards, In-Place Recycling of Bituminous Concrete-\$1.00 per 12,000 Square Yards, Machine In-Place-\$70.00/7,500 tons, and Adjustment of Castings to Grade-\$140.00/390 each, as presented.
Seconded by Selectman Timmins.

Roll Call:

Selectman Dixon: Aye
Selectman Timmins: Aye
Selectman Wojtas: Aye
Selectman Antul: Aye
Chairman Lefebvre: Aye

Motion carries, unanimous, 5-0.

Town Manager's Bid Award-Electricity Aggregation

This contract will renew in November; four bids were received. This program was approved by Town Meeting in 2014. Mr. Cohen described the program, and explained that residents save some money under this concept. There has been discussion about offering a "green" product in addition to the standard product, however, this has not been shown to be cost effective. The current bid from Constellation is 9.03 cents/KW hour for the standard product; the new bid is 9.89 cents per KW hour, for an overall average cost increase of \$36.00 per year. This is anticipated to still be less than National Grid's average 6-month

pricing. Selectman Antul advocated for a “green” product offering, anticipating that future prices for this would be lower. Mr. Cohen noted that 50 accounts out of 10,000 accounts in Town opt to use the “green” product currently offered. A change to offer only a “green” option would require a new vote at Town Meeting, as it would change what the program is supposed to accomplish, which is cost savings to residents.

Motion: by Selectman Wojtas to confirm the Town Manager’s Bid Award for Electricity Aggregation to Constellation New Energy, Inc. for a 36 month period at 9.89 cents per KW hour, commencing on November 1, 2020. Seconded by Selectman Dixon.

Roll Call:

Selectman Dixon: Aye
Selectman Antul: Nay
Selectman Timmins: Aye
Selectman Wojtas: Aye
Chairman Lefebvre: Nay

Motion carries, 3-2.

Confirmation of Town Manager’s Appointment: Inspector of Animals

Motion: by Selectman Wojtas to res-appoint Mark Cianci as Inspector of Animals for term of May, 2020 to April 30, 2021. Seconded by Selectman Antul.

Roll Call:

Selectman Dixon: Aye
Selectman Wojtas: Aye
Selectman Timmins: Aye
Selectman Antul: Aye
Chairman Lefebvre: Aye

Motion carries, unanimous, 5-0.

Town Manager’s Report: - Status of Municipal Operations During the COVID-19 Public Health Crisis

Health Department Director Sue Rosa explained they have been overwhelmed with monitoring possible and confirmed cases of COVID-19, and DPH follow-up of close contact people. A new Public Nurse has been hired to assist in these efforts. As of the most recent DPH conference call, there are 2417 cases of Corona Virus in Massachusetts, 538 of them are in Middlesex County, and there have been 25 deaths. The number of cases per town will no longer be published, per DPH standards.

Police Chief James Spinney stated the department’s priority is for the health and welfare of its personnel. The lobby is still open to the public, however, non-emergency reports can be completed by telephone, or via an online form. The Dispatch Department is fully staffed, and officers are returning telephone calls. Social Distancing protocols will be followed where practicable, however, officers are aware that certain disturbance calls will still require physical contact. Life threatening emergencies, vehicle crashes, domestic disturbance calls will still be responded to by an officer. Officers are self-quarantining, there is no roll call, and messages and announcements are done through e-mail. The department is ready to respond in the event of a major quarantine; contingency plans are in place.

Approved 5/4/2020

Fire Chief Gary Ryan announced all staff members are safe, and they are ready to respond to any calls, including any for mutual aid. Staffing has been increased, and other measures of preparedness were described. Residents can still apply for permits online, however, inspections have been postponed. Facilities and equipment are being cleaned, there are daily briefings and updates. Residents were thanked for their support.

Board of Health Chairman Dr. Meikle advised that Sue Rosa has been handling most local concerns. A tent for testing has been set up at the Lowell General Hospital Saints Campus, and hospitals are adjusting their beds and equipment as needed. Once the local hospitals are full, certain UMass Lowell buildings will be used as hospital space. Equipment shortages continue, and testing protocols were described. Sue Rosa urged everyone to stay at home as much as possible, as anyone can be a carrier of the virus.

DPW Director Gary Persichetti stated that all DPW Divisions are working. Everyone was thanked for providing great communication. Two sidewalks and ADA pads are being installed in the Town Center.

Sewer Main Break at Southwell Sewer Pump Station

Mr. Persichetti reported that a leak was found, and a contractor was also found that can do the work to repair and replace the needed equipment. Notification has been sent to the EPA, as well as an Emergency Notice of Intent to the Conservation Commission. Dewatering processes were described, as water accumulation in the work area is a concern. The estimated cost of this project will range from \$600,000.00 to \$1,000,000.00. The station is 35 years old, and the age of the equipment could be the cause of the leak.

Mr. Cohen is researching whether there are federal programs that could offer reimbursement of costs. At this time, funding for the repair will come from the Sewer Enterprise Fund.

Closing Comments

Mr. Cohen reported that Property Tax Bills are being processed. There is legislation pending on whether the due date will be extended. The Meals on Wheels Program through the Senior Center is continuing, and the Public School Department is also continuing with their food programs. The Library is offering online programs. Trash collection is up by 30% because more people are staying home; this is causing delays in pickups, residents were asked to be patient. Bulk Item and textile recycling pick-up is suspended until further notice. The Dog Park will remain closed due to attendees' failure to practice adequate social distancing, however, the tracks at McCarthy Middle School and the High School are still open. Many employees are working remotely.

Chairman Lefebvre commended everyone for being flexible and working together.

Adjourn

Motion: by Selectman Dixon to adjourn the meeting at 1:41PM. Seconded by Selectman Antul.

Roll Call:

Selectman Timmins: Aye

Selectman Antul: Aye

Selectman Dixon: Aye

Selectman Wojtas: Dropped from the meeting.

Chairman Lefebvre: Aye

Approved 5/4/2020

Motion carries, 4-0.

Respectfully Submitted,

Vivian W. Merrill,
Recording Secretary

Supporting documents:

- Declaration of Emergency
- MGL Chapter 45 of the Acts of 2020
- Memo from KP Law regarding continuation of Town Meeting
- Decision from Attorney General regarding bid protest
- Energy Aggregation document
- Documents for appointment of Animal Inspector