

Approved 4/10/2023

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

Regular Meeting MINUTES  
March 27, 2023

*Attending:*

Virginia Crocker Timmins, Chair  
Ken Lefebvre, Vice Chair  
George Dixon, Clerk  
Mark Carota, Board Member  
Patricia Wojtas, Board Member

Paul Cohen, Town Manager  
Paul Haverty, Town Counsel

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.

Chair Timmins called the meeting to order at 6:00PM followed by the Pledge of Allegiance.

**PUBLIC SERVICE ANNOUNCEMENTS**

Vice Chair Lefebvre read the following announcements:

**Annual Town Election, Tuesday, April 4<sup>th</sup> – Polls Open 7:00AM – 8:00PM**

There is no -in-person early voting, but mail-in voting is offered, for which the deadline to apply is Tuesday, March 28<sup>th</sup> @ 5:00PM. Mail-in ballots must be received by the Town Clerk's office by 8:00PM on election night. Polling locations are as follows:

Precincts

1 and 2 – Senior Center, 75 Groton Rd.  
3, 4, 5, 6, 7 and 8, McCarthy Middle School, 250 North Rd.  
9, 10 and 11, Town offices Gym, 50 Billerica Rd.

**Narcan Training Sessions**

Free Narcan training is presented by the Health Department on April 11 @ 6:00PM and April 26<sup>th</sup> @ 2:00PM to be conducted at the Fire Department Lower Level Training Room. The training is open to all and registration is required at [www.chelmsfordma.gov](http://www.chelmsfordma.gov). Learn how to recognize an overdose. Free Narcan given to all attendees.

**Care Solace Mental Health Referral Service**

Care Solace is offering free mental health referral services to Chelmsford residents and employees. For assistance call the Health Department at 978-250-5241.

**Healthy Relationships Presentation**

The Health Department is offering a seminar on healthy relationships on Wednesday, April 19<sup>th</sup> for one session at 1:00PM and the other at 6:00PM, one attendance required only, at the Public Library in the McCarthy meeting room. Learn to understand abuse, setting boundaries and identifying warning signs. For further information contact [mcameron@chelmsfordma.gov](mailto:mcameron@chelmsfordma.gov) or call 978-250-5241.

**PUBLIC INPUT**

Laura Amundson of 2 Swain Rd. appeared before the Board. She stated that she is opposed to the proposed rotary as it would devalue her property. She added "It is not about the speed, it is about the trucks."

**COMMITTEE VACANCIES**

Vice Chair Lefebvre read the list of current vacancies. Interested applicants can apply online at <http://www.chelmsfordma.gov> or through the Town Manager's office.

**PUBLIC HEARINGS**

**Transfer of All Alcoholic Beverages Package Store License, Pledge of Collateral and Inventory, Change of Hours Six Brothers Lincoln, LLC DBA Lincoln Liquors, 10 Summer St. (from Mall Liquors, Inc. DBA Lincoln Liquors) (continuation of hearing)**

Attorney John Mooradian appeared via Zoom before the Board on behalf of his client, Six Brothers Lincoln, LLC DBA Lincoln Liquors for continuation of the hearing.

There was no public input.

**MOTION:** by Vice Chair Lefebvre to close the public hearing. Seconded by Board Member Dixon. **Motion carries 5-0, unanimous.**

**MOTION:** by Vice Chair Lefebvre to approve the application for a transfer of all alcoholic beverages package store license, pledge of collateral, pledge of inventory and change of hours to Six Brothers Lincoln, LLC DBA Lincoln Liquors to be executed on the premises at 10 Summer St. from Mall Liquors, Inc. DBA Lincoln Liquors. Seconded by Board Member Dixon. **Motion carries 5-0, unanimous.**

**LICENSES**

**Common Victualer License: GQ Chicken Chelmsford, LLC DBA Dave's Hot Chicken 40 Drum Hill Rd.**

Bob Quinlan appeared before the Board via Zoom. He stated he is taking over the space originally used by Einstein Bagels to offer a variety of chicken and side dishes. In response to Board Member Wojtas' question on patio seating, he stated his plan to the building department was approved to extend the outdoor patio to 10x20 ft. for seating of twenty seats separate from the total indoor seating of 30.

**MOTION:** by Vice Chair Lefebvre to approve the application for a common victualer license for GQ Chicken Chelmsford, LLC DBA Dave's Hot Chicken to be operated on the premises at 40 Drum Hill Rd. Seconded by Board Member Dixon. **Motion carries 5-0, unanimous.**

**REPORTS AND PRESENTATIONS**

**State Representative Rodney Elliott: Proposed Legislation Pertaining to Ledge Road Quarry Commercial Truck Traffic**

State Representative Rodney Elliott appeared before the Board to discuss potential litigation options pertaining to commercial vehicle truck traffic on Ledge Rd., Swain Rd., Main St. and other roads affected by hundreds of trucks entering the existing gravel pits on Ledge Rd. that have significantly affected the quality of life, health and safety of residents in those neighborhoods.

He referenced his letter to the Select Board in which he presented two options: 1) to file a Home Rule petition to restrict truck weight limits on specified Town roads, and 2) to file a placeholder for legislation amending the Massachusetts General Laws to allow all municipalities to regulate the truck weight limits of roads abutting quarries. Additionally, as gravel operations start up this summer, he has contacted the MassDEP to address the impact of air quality in the neighborhoods. Discussion ensued, and it was the consensus of the Board and Attorney Haverty that the filing of a Home Rule petition would be more likely to have a successful outcome. Representative Elliott agreed but suggested keeping the placeholder for state-wide legislation as an option.

Discussion then ensued on the typical three-axle truck, the restriction of weight to 26,000 pounds empty and the unintended consequence of the increase in smaller trucks to handle the same production. Attorney Haverly noted that there may not be enough of a return given the increased expense of additional trucks. Police would be responsible for enforcement.

Representative Elliott will work with Senator Barrett to collaborate on the filing of the bill. Town Manager Cohen will work with Attorney Haverly in drafting a warrant for approval of the Home Rule petition to be presented as a Special Town Meeting warrant in conjunction with the regular spring Town Meeting.

*Public Input*

Everett Olsen of 140 Groton Rd. appeared before the Board. Declaring to be at “ground zero,” he was appreciative of the work involved in bringing resolution. He expressed concern, however, for potential loopholes to the gross vehicle weight in the number of axles, and the continuation of the grandfathered provision for operations. He questioned whether the Town of Westford had authority to dictate that all trucks turn left at Route 40 when exiting the asphalt plant.

Laura Amundson of 2 Swain Rd. appeared before the Board. She asked that Swain Rd. be duly noted in the documentation to prevent any possible future loophole.

Melissa Laurin, owner of 44 and 75 Ledge Rd. appeared before the Board. She stated that the dumping of gravel outside the gate on Ledge Rd. presented a hazard to personnel responding to a fire or other emergency. In response to her request for clarification of the grandfathered provision, Attorney Haverly stated that present zoning law does not allow traffic to cross over residentially-zoned property to access commercially-zoned property over a private roadway. The use of the quarry over private roads commenced prior to the zoning bylaw and therefore its use was grandfathered. Present case law supports the argument that its use is not allowed to increase, but remains a complicated question which has not been resolved as yet.

Mark Workman of 10 Dunshire Dr. appeared before the Board. He noted the safety hazard of “mountains of stone” in the quarry to the west of Route 3 and asked if removal would be within the purview of the Home Rule petition. Vice Chair Lefebvre noted that the quarry sits on Westford land.

Neil Pendleton of 22 Swain Rd. appeared before the Board. Living in his fourth-generation family-owned home with a five-month old daughter, he is disturbed that she cannot play outdoors as his wife could growing up in that home. He recently witnessed a truck dumping its load of crushed rock all along Swain Rd. He cautioned the Board in setting the correct weight limit of trucks to avoid loopholes.

Michelle Dovale-Callahan of 194 Groton Rd. appeared before the Board. As the use of jake brakes is “thunderous” and causes items to fall off tables in her home, she requested their use be banned. Vice Chair Lefebvre noted that the Town does not have authority by federal law to ban their use, however, setting a truck weight limit of 26,000 pounds addresses the problem, as trucks of that weight do not have jake brakes.

Chair Timmins began the discussion on what steps the Board could take in pre-emptively addressing any unintended consequences that may result from the re-routing of truck traffic. Following discussion, Representative Elliott agreed to convene a meeting with him, the Town Manager and the MassDOT to “hear from the horse’s mouth” exactly what is permissible and what is not permissible on public ways and report back to the Board.

Sue Olsen of 140 Groton Rd. stated that Route 40 is not under control of the state from the Westford line down to Route 3. Town Manager Cohen reiterated his statement that Route 40 is a state-numbered route. Ms. Olsen took issue with his statement that “commerce cannot be stopped,” and stated that the residents need “relief,” and she was in support of Representative Elliott’s proposals to be looked into “to the fullest extent.”

Lori Woods of 4 Esther Dr. appeared before the Board. She pointed out the safety issue on Ledge Rd. which dead ends at the quarries with one way in and out, posing a hazard to emergency vehicles. She suggested trucks use access to the quarries through Westford. Additionally the heavy truck traffic has caused the hazard of pot holes, “wrecked” lawns and water draining into driveways. She added that the dangerous conditions are unsafe and unfair and should be addressed by the Town of Westford.

John Kelly of 38 Dunshire Dr. appeared before the Board. He noted the extensive damage to Swain Rd. and Ledge Rd. and the extensive piles of gravel “growing immensely.” He too noted the safety issues caused by one entrance and one egress to be addressed by the Town of Westford. He noted that weigh stations have a record of gross vehicle weight.

Joe Tierney of 3 Grant St. and Chair of the Vinal Square Strategic Action Plan Committee appeared before the Board. He stated that the Committee regularly follows truck traffic issues, and invites residents to join the Committee to “put our heads together.... on what could be done to have solutions” to the problem.

Chair Timmins thanked Representative Elliott for his creativity and work with House Counsel. Representative Elliott vowed “to fight tooth and nail” to pass appropriate legislation to restrict truck access through the filing of the Home Rule Petition and working with the Town to pre-empt problems that could surface.

Alana Pope of 36 Ledge Rd. appeared via Zoom before the Board. As a mother of two small children, she is “terrified” that in the event of a truck stalled in the road, she and emergency personnel will be blocked from getting her children to the hospital in a medical emergency. She also expressed concern for the air quality. She noted the filter on her vehicle is “black soot” and needs to be changed often. She and the residents are “breathing this in” every day. She commends Representative Elliott and the Board for “going to bat” for the residents.

Chair Timmins summarized the actionable items from the meeting. Town Counsel Haverty and Town Manager Cohen will work with Representative Elliott in drafting the Home Rule petition and Special Town Meeting warrant. Representative Elliott will work pre-emptively with the MassDOT to express concerns on the Groton Rd. contingency and potential for worsening the problem. Town Manager Cohen will meet with Town personnel to discuss the present safety hazard of one entrance and one egress on Ledge Rd. for emergency response.

**Town Counsel Paul Haverty: Recent Massachusetts Supreme Judicial Court Decision Regarding Free Speech Rights of Citizens at Public Meetings**

Town Counsel Haverty summarized a recent decision by the Supreme Judicial Court regarding the free speech rights of citizens at public meetings. The plaintiff in the case *Louis Barron and others vs. Daniel L. Kolenda* appeared before the Southborough Select Board during the regularly scheduled public comment session after waiting two and one-half hours and berated the Select Board for prior open meeting law violations, which was legitimate criticism as there had been dozens of known violations. The Chair of the Board advised the resident that she was slandering the Select Board and she was in violation of public comment policy, and would be taken out of the meeting by force if necessary if she did not desist. The resident continued to criticize calling the Board Chair a “Hitler.” The Chair called a recess and

began yelling at the resident that she was disgusting and he would have her removed. Fearing being arrested, the resident left the meeting, contacted an attorney and filed a lawsuit against the Select Board challenging the public comment policy.

Referencing the written decision, Town Counsel Haverty quoted a portion of the public comment policy that states that:

“All remarks and dialogue in public meetings must be respectful and courteous, free of rude, personal or slanderous remarks. Inappropriate language and/or slander will no be tolerated. Furthermore, no person may offer comment without permission of the [c]hair, and all persons shall, at the request of the [c]hair be silent. No person shall disrupt the proceedings of a meeting.”

Town Counsel Haverty reviewed the specific contents of the decision that maintained that free speech rights guaranteed the viewpoint neutral standard. The Select Board could not bar strong negative comment expressed in criticism of the Board. The elected official is held to a higher standard than the average citizen to be able to handle strong criticism and harsh language without resorting to fighting language.

Discussion ensued including whether this ruling would be applicable to the Moderator conducting town meetings. It was agreed, however, that this ruling did apply to all boards and committees and any public hearing. Chair Timmins asked Town Counsel to work with the Town Manager and the Select Board in revising the Select Board’s policy, and also communicating with all elected and appointed Chairs of committees on the relevance of this case in their roles to conduct all public meetings.

*Town Counsel Paul Haverty left the meeting.*

**Superintendent of Schools Dr. Jay Lang: Vote to Authorize the Superintendent to submit a Statement of Interest to the Massachusetts School Building Authority for the Parker Middle School**

Superintendent of Schools Dr. Jay Lang appeared via Zoom before the Board. He is seeking approval to submit a Statement of Interest to the Massachusetts School Building Authority for the Parker Middle School. This statement of interest, although rejected last year, received positive feedback from the MSBA, and is being resubmitted for consideration this year in April with an expected positive outcome by the end of the year.

**MOTION:** by Vice Chair Lefebvre to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 21, 2023 for the Parker Middle School located at 75 Graniteville Road which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority 2 – Elimination of existing severe overcrowding, Priority 4 – Prevention of severe overcrowding expected to result from increased enrollments, Priority 5 – Replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility, and Priority 7 – Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements; 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 Board Member Dixon. **Motion carries 5-0, unanimous.**

**Clean Energy and Sustainability Committee Members Sean McGuigan and Badhri Uppiliappan: Amount of Renewable Energy to be included in the Default Electricity Supply for the Procurement of the Town’s Chelmsford Choice Electricity Energy Supply Program for the Period Beginning November 1, 2023**

Town Manager Cohen stated that the Chelmsford Choice contract expires in November and the Town needs to initiate the procurement process for the amount of renewable energy in the default electricity supply for the procurement of the Town’s Chelmsford Choice Electricity Energy Supply Program for the period beginning November 1, 2023.

Sean McGuigan, member of the Clean Energy and Sustainability Committee and Badhri Uppiliappan, Chair, appeared before the Board. Mr. McGuigan reviewed the PowerPoint presentation on reimagining the Chelmsford Choice Program in 2023 including the following highlights:

- Importance of Chelmsford Choice in meeting the goal of net zero carbon emissions
- What are Chelmsford Choice options
- Chelmsford Choice next generation – indicative pricing
- Green energy program comparisons
- Chelmsford Choice next generation
  - Option 1
  - Option 2
  - Option 3
- Electrical cost comparison
- Chelmsford Choice and basic supply rates
- Environmental benefits of Chelmsford Choice

Extensive discussion ensued on advancing the goal of the Town to reach net zero carbon emissions by 2050 and the cost of choosing a program that requires either opt-in or opt-out by the resident. Members of the Board expressed real concern for the cost to the consumer making a choice for the resident without outreach and educational efforts to advise them of the options. Frustration was also expressed that the general consumer does not readily take the time to read information supplied. Mr. Uppiliappan and Mr. McGuigan advocated for the Town’s commitment to its goal as commensurate with the State goal of net zero by 2050 and the importance of instituting clean energy initiatives at the present time.

Town Manager Cohen noted the need to know the will of the Board at the time he goes out to bid for the contract as the market commodity requires a commitment to a level at the time of acceptance, i.e. green, greener or greenest. Following lengthy discussion, the Board was in favor of a commitment to the default middle “greener” level with the option for the consumer to opt into a different level.

**DPW Director Christine Clancy Presentations**

DPW Director Christine Clancy appeared before the Board with the following presentations.

**Paving and Sidewalk Master Plan Update**

Ms. Clancy reviewed her PowerPoint presentation on the paving and sidewalk master plan including the following highlights:

- Agenda overview
- Pavement management system overview
  - PCI index
  - Treatment band
  - Town mileage and PCI update
  - Summary of 2022 completed paving
  - Summary of 2022 completed sidewalks
- 2023 paving plan

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- 2024 and 2025 paving plan
- 2023 sidewalk plan

Town Engineer Tony Reppucci continued the presentation.

- Sidewalk master plan development overview
- Sidewalk master plan
  - Tiers 1 through 4
  - Pedestrian usage map
  - Existing network
  - Vocational Rehabilitation Act Section 504 transition plan
    - Existing network
  - Curb ramp assessment
  - New sidewalks
- Next steps

Discussion ensued on the plan for snow removal on the additional sidewalks. Ms. Clancy stated that resources for maintenance, equipment and staff is factored into the overall plan. Additionally, a minimum width of 5.5 feet is factored in to accommodate the size of snow removal equipment. Ms. Clancy will update the School Superintendent on the plan for addressing sidewalks in close proximity to the schools.

Discussion also ensued on the extraordinary \$75M estimate to handle paving and sidewalk backlog through capital funding and free cash appropriation. While the House has approved Chapter 90 funds in the amount of \$200M, the Senate has not yet confirmed, which may cause delay in distribution of funds. Last year's total funding only amounted to \$1.2M to the Town.

DPW Director Christine Clancy and Town Engineer Anthony Reppucci acknowledged the input from a resident regarding missing sidewalks on Main Street and Burton Lane on the master sidewalk map. Mr. Reppucci will look into this with the company that is providing the sidewalk survey and plan recommendations.

The Board agreed that the overall plan is an important tool to be used as a fact-based tool to make important decisions. It can also be used effectively in collaboration with the Planning Board, and may be used to work with project developers in contributing to the construction of adjacent public sidewalks.

### **Monthly Traffic Safety Committee Report**

DPW Director Christine Clancy appeared before the Board and reviewed the PowerPoint presentation on the monthly Traffic Committee safety report including current, pending and completed actions.

### **Monthly American Rescue Plan Act Project Update**

DPW Director Christine Clancy appeared before the Board and reviewed the PowerPoint presentation on the monthly ARPA report project on funding commitment, the status of the procurement or an anticipated procurement timeline, estimated project overruns or underruns, the total forecasted project cost, and the amount and percent spent to date. Of the \$7.9 million in allocated funds, approximately \$5.25 million, or 67% of the total allocated amount has been procured to date. The current anticipated overall ARPA program overrun is \$916,501. The remaining unallocated \$2.58 million will be allocated by the end of the fiscal year. Ms. Clancy highlighted several ongoing projects and the cost overruns due to changing market conditions.

Discussion ensued on the time schedule for procurement of the remaining funds by the end of the fiscal year and additional anticipated overruns.

### **REQUEST FOR LEGISLATIVE EARMARKS IN FY24 STATE OPERATING BUDGET**

Approved 4/10/2023

Town Manager Cohen reviewed his written request to the three State Representatives to the House of Representatives for earmark consideration in the proposed FY24 state operating budget: lightning protection system at South Row Elementary for \$70,000; food insecurity and nutrition program at the Senior Center for \$25,000 and replacement of the Police Department's incident command vehicle for \$75,000. Additional earmarks for consideration by the Senate will be submitted at the end of May.

#### **DISCUSSION REGARDING SURVEY RESULTS OF TOWN COMMITTEES**

Chair Timmins began the discussion on the survey results of Town committees and presented her summary of the feedback received for deliberation by the Board on actions to be taken specifically or in general. It was agreed that Board Members will review the summary report for discussion at a subsequent meeting.

#### **DISCUSSION REGARDING YOUTH/YOUNG ADULT CIVIC ENGAGEMENT**

Chair Timmins began the discussion on youth and young adult civic engagement. Board Member Carota stated he had sent both reports on the high school civic engagement to the principal and is awaiting the scheduling of a date for further discussion. Board Member Wojtas will draft a proposed event to engage young adults and suggested dates in May for consideration by the Board at its next meeting.

#### **DISCUSSION REGARDING DEVELOPMENT OF A STRATEGIC PLAN**

Chair Timmins reported that she had met with Town Manager Cohen on developing a plan for what the Board would like to see as requirements for an expression of interest from vendors to assist in the development of the Town's strategic plan. She reviewed the results of that discussion in the attached document. Discussion ensued on the existing Town planning documents and the involvement of relevant boards and committees in the strategic planning process.

Town Manager Cohen then reviewed the letter from NMCOG outlining its proposal to provide its services for the development of a strategic plan, in the amount of \$85,000. Chair Timmins suggested finalizing a solicitation for an expression of interest to post and distribute to vendors including NMCOG, and the Board was in consensus. Town Manager Cohen will finalize the document for the Board's approval at its next meeting.

#### **SELECT BOARD MEETING SCHEDULE FOR APRIL**

Town Manager Cohen reviewed the attached meeting schedule for April with the Board. The Board will meet at its regularly scheduled meeting on April 10<sup>th</sup> at an earlier time of 5:00PM.

#### **TOWN MANAGER BID AWARDS**

Town Manager Cohen requested the Board's approval of bid awards for the Byam and Harrington School improvements projects.

**MOTION:** by Vice Chair Lefebvre to approve the general contractor bid award for the Byam and Harrington Schools HVAC improvement projects to T.E. Snowden in the amount of \$698,000. Seconded by Board Member Dixon. **Motion carries 5-0, unanimous.**

#### **TOWN MANAGER REPORTS**

##### **Southwell Boat Launch Closure**

Town Manager Cohen reported that the Southwell boat launch is now closed at the direction of the State, with the exception of kayaks and canoes, and signage has been posted. DPW will do the necessary work to allow emergency access to Police and Fire Departments. Representative Elliott will assist in the timely facilitation of the procurement, design, permitting and construction process.

##### **Congressional Earmark Request for Parkerville Road Sidewalk**



Approved 4/10/2023

Town Manager Cohen reported that the \$350,000 request for the Parkerville Road sidewalk had been approved for submission by Congresswoman Trahan's office, and the letters of support had been received from the School Superintendent, Byam School Principal and Representative Simon Cataldo.

**Request to Shine A Light on Sudden Unexplained Death in Childhood**

Town Manager Cohen reported that he had heard from a resident who had tragically lost her two and one-half year old daughter to Sudden Unexplained Death in Childhood (SUDC) and requested the Town to "Shine a Light" to commemorate the month of March dedicated as SUDC Awareness month. Upon consultation with department heads, it was decided to illuminate the monument on the Town Common with a blue/yellow light.

Town Manager Cohen began the discussion on illumination of the monument at all times. Following discussion, it was agreed that the Town Manager will seek advice from Town Counsel on establishing the parameters for such a use.

**TOWN MANAGER APPOINTMENTS**

**Arts and Technology Education Fund Committee: Elizabeth Hastie, unexpired three-year term exp 6/30/2024**

**Bicycle and Pedestrian Advisory Committee: Joshua Warhurst, unexpired three-year term exp 6/30/2025**

**Roberts Field Advisory Committee: Nancy Polley, unexpired one-year term exp 6/30/2023**

**MOTION:** by Vice Chair Lefebvre to approve the Town Manager's appointments as presented. Seconded by Board Member Dixon. **Motion carries 5-0, unanimous.**

**SELECT BOARD APPOINTMENTS**

**Reappointment of Tenant Board Member of the Chelmsford Housing Authority, Judith O'Connor for a five-year-term to expire April, 2028.**

**MOTION:** by Vice Chair Lefebvre to approve Judith O'Connor as the tenant board member of the Chelmsford Housing Authority for a five-year term to expire April, 2028. Seconded by Board Member Dixon. **Motion carries 5-0, unanimous**

**MEETING MINUTES**

**Select Board Regular Meeting Minutes 03/13/2023**

**MOTION:** by Vice Chair Lefebvre to approve the Select Board regular meeting minutes of March 13, 2023. Seconded by Board Member Dixon. **Motion carries 5-0, unanimous.**

**Announcement on Determination of Releasability of Executive Session Minutes Minutes for Release: February 27, 2023 Segment 5**

**SELECT BOARD MEMBER LIAISON REPORTS AND REFERRALS**

Board Member Dixon -no report

Vice Chair Lefebvre – no report.

Board Member Carota – no report.

Board Member Wojtas

- Attended Firefighter Academy graduation and congratulations to Firefighter Christopher Hillman.

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- Library announced this year's One Book is *Migrations* by Charlotte McConaghy, who will be making a presentation remotely at the Library on May 25<sup>th</sup>.
- New Library Director, Lesley Kimball, was voted by the Board of Trustees to replace Becky Herrmann.
- Wednesday, March 29<sup>th</sup> is National Vietnam War Veterans Day, and there will be a brief ceremony at the Veterans Park at 1:00PM.

Chair Timmins

- Finance Committee will meet on Thursday, March 30<sup>th</sup> to vote on Town Meeting warrant articles.
- Planning Board's next regularly scheduled meeting is April 12<sup>th</sup> at 6:30PM with work session with Town Counsel on Open Meeting Law; new public hearings on 25 Wellman Ave. for Lighthouse School addition; 18-20 Chelmsford St. to demo existing accessory building and construct new two-unit residential building; and continuation of hearing on 264 Groton Rd.
- Age Friendly Implementation Plan presented by Ed Brusseau was shared with Mass. Age Friendly Director who praised our committee for collaboration and classified it as "simply amazing," and he plans to share Chelmsford's successes with national team.

### ADJOURNMENT

**MOTION:** by Vice Chair Lefebvre to adjourn to Executive Session at 9:44PM, not to return to Open Session, to review Executive Session Meeting Minutes of February 27, 2023 Segments 1, 2, 3 and 4. Seconded by Board Member Dixon.

**Roll call vote:**

**Chair Timmins – aye.**

**Vice Chair Lefebvre – aye.**

**Board Member Carota-aye.**

**Board Member Dixon – aye.**

**Board Member Wojtas – aye.**

**Motion passes 5-0, unanimous**

**NEXT REGULAR MEETING DATE: April 10, 2023**

Respectfully submitted,

Christine Martin Barraford  
Recording Secretary

*Supporting documents:*

- April 4<sup>th</sup> local election
- 2 dates 4.2023 Narcan training flyer
- Updated Care Solace flyer 1/18/23
- Healthy relationships
- Committee vacancies as of 03/27/2023
- Six Brothers Lincoln LLC transfer pledges-change of hours
- GC Chicken Chelmsford LLC common vic
- Rep Rodney Elliott letter regarding potential quarry truck legislation 03/22/2023
- SJC 13284 slip opinion
- Memo MSBA vote Parker Middle School SOI (2023) BOS
- CEAS Chelmsford choice presentation 032123
- 3/23 paving sidewalk master plan update

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- Resident Tammy Arena email dated March 26, 2023 sent to Select Board, subject “omission of sidewalks on Main St from sidewalk master plan map”
- Traffic Committee update 3/27/2023 (003)
- 3/23/23 ARPA update memo
- 3/23/23 ARPA update
- House earmark requests FY24
- FY24 earmark narrative Chelmsford
- Request for command van
- Board and committee survey actionable inputs summary VO
- Strategic plan development requirements draft V1
- NMCOG proposal to Chelmsford for facilitation services strategic planning/goal setting 3/23/23
- Select Board April meeting schedule
- Bid award recommendation – Byam and Harrington HVAC
- RE Southwell Field boat ramp Merrimack River Chelmsford
- EDI projects FY24 questions
- Chelmsford letter of support-Shine a Light on SUDC for Junie and others
- Lights at monument
- ATEF application Hastie
- BPAC application – Warhurst
- Roberts Field advisory committee application – Polley
- HA tenant member application – O’Connor
- 3/13/2023 SB minutes draft

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

**Executive Session Minutes (Review Minutes)**

March 27, 2023

**Attending:**

Virginia Crocker Timmins, Chair  
Kenneth Lefebvre, Vice Chair  
George Dixon, Clerk  
Patricia Wojtas, Board Member  
Mark Carota, Board Member

Paul Cohen, Town Manager

Chair Timmins called the Executive Session to order at 9:45 pm. The purpose of the Executive Session was to Review the Executive Session Meeting Minutes of February 27, 2023 Segments 1, 2, 3, & 4.

**Review of Executive Session Minutes of February 27, 2023 Segments 1, 2, 3, & 4**

The Board reviewed the draft Executive Session Minutes of February 27, 2023 Segment 1: Discuss Strategy with Respect to Litigation: North Chelmsford Water District PFAS Claim.

**Motion:** Vice Chair Lefebvre motioned to approve the February 27, 2023 Executive Session Segment 1 Minutes, not to be released. Board Member Wojtas seconded the motion.

**Roll Call Vote:**

|                     |                |
|---------------------|----------------|
| Board Member Carota | <b>Abstain</b> |
| Board Member Wojtas | <b>Aye</b>     |
| Clerk Dixon         | <b>Abstain</b> |
| Vice Chair Lefebvre | <b>Aye</b>     |
| Chair Timmins       | <b>Aye</b>     |

**Motion carried, 3-0-2.**

The Board reviewed the draft Executive Session Minutes of February 27, 2023 Segment 2: Discuss Strategy with Respect to Litigation: Ledge Road Commercial Trucking.

**Motion:** Vice Chair Lefebvre motioned to approve the February 27, 2023 Executive Session Segment 2 Minutes, not to be released. Clerk Dixon seconded the motion.

**Roll Call Vote:**

|                     |                |
|---------------------|----------------|
| Board Member Carota | <b>Abstain</b> |
| Board Member Wojtas | <b>Aye</b>     |
| Clerk Dixon         | <b>Aye</b>     |
| Vice Chair Lefebvre | <b>Aye</b>     |
| Chair Timmins       | <b>Aye</b>     |

**Motion carried, 4-0-1.**

The Board reviewed the draft Executive Session Minutes of February 27, 2023 Segment 3: Discuss Strategy with Respect to Litigation: National Class Action Opioid Settlements with Teva, Allergan, CVS, Walgreens, Walmart.

**Motion:** Vice Chair Lefebvre motioned to approve the February 27, 2023 Executive Session Segment 3 Minutes, not to be released. Clerk Dixon seconded the motion.

**Roll Call Vote:**

|                     |                |
|---------------------|----------------|
| Board Member Carota | <b>Abstain</b> |
| Board Member Wojtas | <b>Aye</b>     |
| Clerk Dixon         | <b>Aye</b>     |
| Vice Chair Lefebvre | <b>Aye</b>     |
| Chair Timmins       | <b>Aye</b>     |

**Motion carried, 4-0-1.**

The Board reviewed the draft Executive Session Minutes of February 27, 2023 Segment 4: Consider the Acquisition of Real Property: 185 Pine Hill Road

**Motion:** Vice Chair Lefebvre motioned to approve the February 27, 2023 Executive Session Segment 4 Minutes, not to be released. Clerk Dixon seconded the motion.

**Roll Call Vote:**

|                     |                |
|---------------------|----------------|
| Board Member Carota | <b>Abstain</b> |
| Board Member Wojtas | <b>Aye</b>     |
| Clerk Dixon         | <b>Aye</b>     |
| Vice Chair Lefebvre | <b>Aye</b>     |
| Chair Timmins       | <b>Aye</b>     |

**Motion carried, 4-0-1.**

**Adjournment**

**Motion:** Vice Chair Lefebvre motioned to adjourn at 9:47 pm. Clerk Dixon seconded the motion.

**Roll Call Vote:**

|                     |            |
|---------------------|------------|
| Board Member Carota | <b>Aye</b> |
| Board Member Wojtas | <b>Aye</b> |
| Clerk Dixon         | <b>Aye</b> |
| Vice Chair Lefebvre | <b>Aye</b> |
| Chair Timmins       | <b>Aye</b> |

**Motion carried 5-0, unanimous.**

Respectfully submitted,

Virginia Crocker Timmins  
Select Board Chair

Select Board Executive Session  
March 27, 2023