

CHELMSFORD FINANCE COMMITTEE
MINUTES

TOWN OF
CHELMSFORD
PATRICIA E. DZURIS
TOWN CLERK



September 16, 2021

MEETING: A virtual meeting was held on Thursday, September 16, 2021, at 6:30 PM using Zoom Video Communications software.

PRESENT: J. Clancy, D. Goselin, E. Chambers, K. Duffett, A. Tanini, and S. Chase

ABSENT: J. Thibault

ALSO PRESENT: P. Cohen, J. Sousa, D. Lussier, T. Dzuris, C. Papadopoulos, C. Barton, J. Lane, and V. Crocker-Timmins

HANDOUTS: Sent via Email: Fiscal Year 2021 Year End Budget Report Presentation, Community Preservation Fund Operating Budget FY2021, 2021 Fall Annual Town Meeting Presentation, FY2021 Expenses, FY2021 Revenues, FY21 Free Cash and Balance Sheets, Town Meeting Zoning Changes Articles, Town Meeting Article 30 Easements, Fall Town Meeting Warrant Book Schedule

The meeting was called to order at 6:30 PM.

Approval of Minutes:

April 8, 2021:

K. Duffett made a motion to accept the minutes of April 8, 2021, as written. D. Goselin seconded the motion. K. Duffett, D. Goselin, E. Chambers, and J. Clancy voted in favor of the motion. S. Chase abstained from voting. The motion passed. The minutes were approved as written.

May 27, 2021:

K. Duffett made a motion to accept the minutes of April 8, 2021, as written. D. Goselin seconded the motion. K. Duffett, D. Goselin, E. Chambers, and J. Clancy voted in favor of the motion. S. Chase abstained from voting. The motion passed. The minutes were approved as written.

Introduction of New Committee Members:

J. Clancy reported that there were two new members on the Finance Committee. He said that one, S. Chase, was present at the meeting and should be no stranger to anyone who has paid attention to the town over the last few decades. He welcomed S. Chase to the committee and said that the committee was thrilled to have him. D. Goselin seconded the comment. K. Duffett

said to make it a quorum. S. Chase thanked J. Clancy and said he was thrilled to be on the committee. J. Clancy announced that the other new member was J. Thibault who wasn't present, but that the committee was also thrilled to welcome him. He said it was always sad to see members go and he wished V. Parks and A. Langford well in their future endeavors but he was happy to see new members come on-board.

Appointment of Liaison to Capital Planning Committee:

J. Clancy reported that there was the need to appoint a new Finance Committee liaison to the Capital Planning Committee. He asked for confirmation that J. Sousa would be chairing the committee again this year. J. Sousa confirmed that he would be. He said that the committee would start meeting in November. J. Clancy asked if the committee would meet for three meetings. J. Sousa replied that three meetings were typical, but, if needed, a fourth could be scheduled. J. Clancy asked when the meetings were held. J. Sousa replied that the meetings would typically be held on Thursday evenings at 7:00 PM. He noted that in the past they had met on Friday mornings, but they had moved away from that. J. Clancy asked if there were any members of the Finance Committee interested in being the liaison to the Capital Planning Committee. D. Goselin said that he would volunteer adding that his background is in capital both in the service industry and producing capital projects. K. Duffett commented that she enjoyed the committee when she was on it adding that it was a great learning experience seeing how the various departments work together. She noted that J. Sousa did an excellent job of chairing the committee. J. Clancy thanked D. Goselin for volunteering.

Fiscal Year 2021 Budgetary Report and Certified Free Cash:

D. Lussier stated that the certified free cash number for FY2021 was a great number coming in at \$5,670,686. She said that it is the largest free cash number she has ever had certified as the town accountant and one of the largest she has seen since she has been with the town for the last 20 years. She noted that a lot of communities are seeing their free cash being certified at levels higher than seen in past years.

D. Lussier said that the big area where the free cash came from is local receipts. She said that total budgeted local receipts were \$8.9 million while \$12.8 million was received. She pointed out that this accounted for \$3.8 million of the \$5.6 million in free cash. She reported that motor vehicle excise collections were \$459,008 above the budgeted \$4.9 million. She pointed out that the budget for FY2021 both for revenues and expenditures was budgeted conservatively following the suggestion of the DOR to be cautious and conservative in budgeting during the pandemic year. D. Lussier reported that motor vehicle excise came in at \$5.3 million which was 10% over the budgeted amount. She noted that this was the same as the prior year. She said that people were still leasing cars and she suggested that people may have decided to spend Covid-19 relief funds on vehicles. She added that it has become difficult to get vehicles so we would have to wait and see what happened to this number next year.

D. Lussier reported that a big source of free cash was from permit fees which exceeded the \$975,000 budget by \$2,069,241 which was an 87% increase over the prior year. She noted that \$1 million of this was a permit fee from Thermo Fisher Scientific. She said that this was an anomaly that helped the bottom line of local receipts. She added that people were still investing in their homes as a lot of the building permits being pulled were for construction on people's homes.

D. Lussier reported that the meals tax collection came in \$275,000 over budget and the rooms tax came in \$226,400 over budget. She pointed out that even though these came in over budget the meals tax receipts were 10% less than the prior year and the room tax receipts were 15% less than the prior year collection. D. Lussier reported that miscellaneous recurring revenues exceeded budget by \$594,000 which was mainly from SREC (solar) receivables. She said that the town sold back solar credits to the grid. She stated that property tax collections came in strong with a 99% collection rate. She added that fees also did well including fees coming from the board of health, the town clerk's office, and police details. She said that overall fees came in over budget by about 40%.

K. Duffett asked what was happening with the Radisson Hotel. P. Cohen replied that the Radisson remained closed and had not pulled any permits for any renovations. He said that he was not aware of any plans to rehabilitate and reopen that facility. He said that part of the reason that the room tax came in above budget was that the Commonwealth was housing some homeless people in the Best Western and the Holiday Inn Express and part of the arrangement was that they paid the room taxes to the local community.

E. Chambers commented that Thermo Fisher accounted for \$1 million of the overage in permit fees. He asked if the other \$1 million was spread among a bunch of projects or if there were other large projects. D. Lussier replied that there were no other big projects and the other million was spread out among home buildings. E. Chambers asked if there was a noticeable increase in meals and room tax in the second half of the year with more people becoming vaccinated. D. Lussier replied that they received the figures each quarter from J. Sousa and collections were pretty much steady across the board.

D. Lussier reported that on the expenditure side there were some turn-backs to the town from departments totaling almost \$1 million (\$919,826). Encumbered funds purchased prior to June 30th that hadn't been invoiced totaled about \$1.7 million. She said that \$1.4 million of this was from the School Department noting that schools were allowed to encumber all of their funds unlike the town which cannot encumber any salaries.

D. Lussier reported that the undesignated fund balance at the end of FY2021 was \$6.8 million which was almost \$3 million above the prior year. She said that it was good to see the reserves so high and Standard & Poor's was happy to see that number. She summarized the sources for the free cash amount as expenditure returns of \$919,826 from department turn-backs, \$101,725 from the prior year encumbrance, revenue surplus of \$3,872,692 from local receipts, \$146,744 from tax collection, and a net stabilization transfer to the general fund of \$629,700.

D. Lussier reported that the town enterprises had their own budgets and own certified free cash. She reported that the Sewer Enterprise had a certified free cash amount of \$576,662.56, the Stormwater Enterprise had a certified free cash amount of \$211,257.19, the Golf Enterprise had a certified free cash amount of \$186,095.77, and PEG Access Cable Enterprise had a certified free cash amount of \$379,934.55. D. Lussier reported that the Community Preservation Fund had undesignated funds of \$3.1 million. She pointed out that the CPC free cash did not need to be certified. She added that it was important because when their undesignated funds were small there was no borrowing capacity which the CPC had run into about 5-8 years ago. She said that

with funds available the CPC would be able to take on a project if something came up. She noted that there may be an upcoming project on Princeton.

K. Duffett asked about the projects which were giving funds back under the recapture amounts for the CPC. D. Lussier replied that the balance in certain funds should not be above \$50,000 at the end of the fiscal year. She pointed out that the open space capital improvement fund was at about \$96,630 so she was asking that the fund be reduced by \$46,630. She added that the recreation capital improvement fund was also over \$50,000 so \$89,656 would be recaptured to bring it down to \$50,000. She reported that there would also be the recapture of \$3,500 from the Fairview wall restoration, \$200 from the CCA stage restoration, and \$6,000 from the tennis and pickleball project at Varney Park.

D. Lussier reported that in taking a look at the first month of FY2022, the one month collection for motor vehicle excise was \$358,641 which was about a 72% increase from the same time last year. She reported that permit fees were \$195,649 which was an 11% increase over the prior year. She said that overall revenue collections were within the benchmark of 16%. She said that one month into the fiscal year the town was right where it should be.

D. Lussier reported that the auditors completed their last day in Chelmsford earlier in the day and she thought it went well. She noted that they had spent a lot of time going through the COVID-19 grants reviewing invoices and doing testing of journal entries. She added that they would probably spend the next few years reviewing the COVID-19 grants. She added that they also spent a lot of time with J. Sousa reviewing the refunding of debts.

D. Lussier reported the fund balances at the end of the fiscal year were as follows: stabilization fund - \$10,887,860, affordable housing stabilization fund - \$620,000, OPEB - \$17,256,018. She said that the stabilization fund had investment earnings of \$433,000 and the OPEB account had investment earnings of \$3.6 mill for the year and was 25% funded. E. Chambers asked what was driving the hefty return on the OPEB account. J. Sousa replied that the OPEB assets were invested with the Commonwealths' Pension Reserves Investment Management (PRIM). He said they had a diversified and broad variety of investments including being heavily invested in global and domestic stocks which benefited from the strong performance of the stock market this year. E. Chambers said that he assumed that the stabilization fund investments were in cash, T-bills, and money markets with the return seen. J. Sousa replied that E. Chambers was correct. He explained that the general stabilization fund investments were a much more conservative profile because stabilization is considered a trust fund under Massachusetts general law and 85% must be in fixed income investments with roughly 5% in cash and a small amount in stocks.

Review and Presentation of Warrant, 2021 Fall Annual Town Meeting, Financial Plan:

P. Cohen reported that the Fall 2021 warrant had 30 articles of which he believed 17 could be handled via a consent agenda. He stated that T. Dzuris, the town clerk, and J. Lane from the Board of Registrars were at the meeting and suggested that they could review the charter articles first. T. Dzuris thanked the committee for having them in. She said that she, J. Lane, and C. Barton were there to clarify anything from any of the charter amendments on the warrant.

Article 18 – Charter Amendment – Town Meeting Member Candidates for Re-election:

T. Dzuris reported that Article 18 would add the word “elected” after the sub-heading of “Candidates for Re-election”. She explained that there was a little confusion over the word incumbent as it stands on its own. She said that this change just reinforces that it is elected candidates, and not appointed or temporarily appointed. She said that this amendment was just to add clarifying language.

Article 19 – Charter Amendment – Town Meeting Member Election Process for Tie Votes:

T. Dzuris stated that Article 19 would cross out language that limits filling of vacancies to in-person voting. She said that they would add language to allow for mail-in ballots. She explained that mailed in ballots worked well during COVID-19 and they wished to keep this option rather than having sections which are limited to in-person voting. E. Chambers commented that prior to this change it looked like there was a time period of 7 days to have the election. He asked what the time frame would be for people to respond via a mail ballot. T. Dzuris replied that the notification happened within the 7 days, but they would actually fill the position in a meeting right before Town Meeting. J. Clancy noted that in practice this was not done 7 days after an election but was done at meetings prior to Town Meeting. T. Dzuris added that a quorum was not required so if only one person showed up that person would get to decide. She suggested that with mail-in ballots there would be a far better response.

Article 20 – Charter Amendment – Town Meeting Member Vacancy Requirement of 10 Votes:

T. Dzuris stated that being a Town Meeting Representative was an important role and anyone who wants to run for Town Meeting Representative must get a minimum of 25 signatures and they usually ask for 25 – 30% more than that. She explained that sometimes there weren't enough candidates resulting in vacancies and write-ins could then become elected. She said that at the time of the last charter review there had been the minimum requirement of 5 write-in votes and her predecessor had asked that this number be increased to 10. She said that during the review process there had been a question as to why there was a minimum at all and rather than calling the clerk for information, they removed the minimum requirement. T. Dzuris explained that the challenges that this presents in her office is that they need to research every vote, votes needed to be kept in reserve, and it was challenging to figure out who moved up in line. She said that she had looked at past history and from 2010 to 2011 59 full-term positions were filled through write-ins. She said that the average number of votes for these positions was 18. She added that it seemed fair that if a Town Meeting Representative who was running needed to get a minimum of 25 votes, that a representative running a write-in campaign should need to get a minimum of 10 votes.

Article 21 – General Bylaw Amendment – Prohibition of Meetings During Elections:

T. Dzuris stated that Article 21 would amend the town code to add a chapter to prohibit meetings taking place on election day. She stated that this would become even more important because with the 2020 census data it looks like Chelmsford would be going from 9 precincts to 11 precincts. She added that they would probably have to add another polling location most likely

at the town offices. She said that in order to protect the integrity of the election and increase security around the elections they would prefer to not allow meetings within the same space when the elections are taking place. E. Chambers pointed out that with early voting election hours were two weeks long. He said that the article did not specify a day, but election hours. T. Dzuris replied that this was a good point, and she wouldn't mind an amendment to the language of the article if it meets with Town Counsel's approval. She added that she wouldn't go so far as to restrict meetings during the two weeks of early voting. P. Cohen said that they could check with counsel. J. Clancy asked if this has been a problem in the past in that there were boards meeting on election days. T. Dzuris replied that she thought it had just been a practice that meetings didn't happen on election day, but it had never been in writing. She explained that lately a few committees had started to meet when elections were going on. J. Clancy asked if this article would present an issue with any particular committees. T. Dzuris said that she didn't think so. J. Clancy asked if this amendment was only for meetings that would be occurring in Town Hall. T. Dzuris replied that it would apply to any polling location. J. Clancy noted that the article did not specify that it was referring to polling locations and asked if it would impact all meetings regardless of where they were held. P. Cohen said that it would apply to all meetings. He said, for example, that the School Committee would not be able to meet in the School Administration Building on election day.

P. Cohen stated that the stormwater design guidelines were in separate articles, but they would approach them in a group with a consent agenda. He turned the meeting over to town engineer, C. Papadopoulos, to review the stormwater design guidelines which would be zoning bylaw amendments seen in Article 23 through 29.

Articles 23 – 29 - Zoning Bylaw Amendments – Stormwater Design Guidelines:

C. Papadopoulos stated that the bylaw amendments were being proposed in order to be consistent with the new stormwater bylaw and be compliant with the EPA MS4 permit. She said that the EPA required towns to have Municipal Separate Storm Sewer System (MS4) Permit which allows the Town to discharge stormwater to the waters of the U.S.A. She said that regulations needed to be modified to encourage low impact development (LID). She added that the bylaw that was passed in Spring 2021 was the first step toward complying with this requirement and these new amendments to the town code will help keep consistency throughout town regulations. She said that if these changes were not made the stormwater regulations would remain antiquated and the town could be fined by the EPA.

C. Papadopoulos reported that benefits of the proposed amendments included: encouraging better landscaping and green infrastructure, improving water quality, encouraging groundwater recharge, improving erosion control, improving aquatic and wildlife habitat, providing cohesion with other stormwater regulations, and compliance with EPA permit.

C. Papadopoulos stated that these modifications came about from workshops held with the Planning Board. She said that they wanted to encourage a lot more green infrastructure and better landscaping. She said that she reviewed the zoning bylaws looking for places where encouragement of this could be interjected.

C. Papadopoulos stated that Article 23 would add a statement to encourage use of Low Impact Development (LID) or green infrastructure in off-street parking and loading areas. She said that Article 24 would add a statement to parking and loading area design which would not limit pervious parking materials to supplemental parking areas where excess parking is necessary. She said that it would allow curb only, saw tooth curb, and curb cut edge treatment unless a portion of the project had been designed specifically for LID. C. Papadopoulos stated that Article 25 would make a change to erosion control to limit disturbance down to one acre from two acres. She explained that the MS4 requires projects of 1 acre or more to be regulated. She stated that Article 26 would add a new section to landscaping to add the objective of minimizing runoff through green infrastructure and low impact design. She said that Article 27 renames the Mass DEP Handbook as the zoning bylaw had an old name and this article simply renames it to the current name. She stated that Article 28 adds the requirement that low impact design strategies be used to the maximum extent feasible in site plan review. She reiterated that the language doesn't really change anything, but just encourages LID. She added that the Planning Board was going to discuss this language at the next meeting as it is unclear what feasible refers to. She questioned if it referred to the land or site constraints and said that she hoped it would not refer to what was feasible financially. She stated that Article 29 added green infrastructure and low impact design to the definition of landscaping in the terminology section.

E. Chambers asked if Low Impact Design (LID) was defined anywhere. C. Papadopoulos replied that it was defined in the stormwater bylaw. E. Chambers stated that most of the articles were worded as encouraging, but Article 28 requires that low impact design strategies be used to the maximum extent feasible. He commented that she had said that she hoped that feasible did not refer to financial feasibility. He asked who would determine what that means, questioning if it would be the Planning Board. She replied that sometimes it would be determined by constraints of the land, but if not, yes, the Planning Board would make the decision. J. Clancy commented that in other words it would be subject to Planning Board review and approval. C. Papadopoulos replied in the affirmative. E. Chambers asked why Article 28 uses the language of requires whereas the others do not. J. Clancy noted that the actual article used the words "must be utilized". E. Chambers suggested that this article be reworded in line with the other articles to encourage rather than require. C. Papadopoulos asked if he thought the word "must" should be changed to "should". E. Chambers replied that in his opinion that change should be made. J. Clancy commented that he agreed with E. Chambers and the change would go along with the flexibility which is in the regulation. C. Papadopoulos said that she would take this suggested change up with the Planning Board.

Article 30 – Easements for Dunshire Drive Culverts:

C. Papadopoulos reported that the DPW was working on replacing the two culverts over on Dunshire Drive. She said that the design of the culverts is larger than they were before and the wingwalls were extending further so that there was the need to acquire easements from 8 properties. She said that most of the easements were really small, and some would be permanent while others would be temporary for about three years. She explained that some would be temporary to allow the DPW to get in and out of the property along the stream bank. C. Papadopoulos stated that an appraiser would visit each of the 8 properties and assess the value of the land and offer them a sum of money to acquire the easements. E. Chambers asked how the cost of the temporary easement was determined. C. Papadopoulos replied that this would be left up to a professional appraiser. D. Goselin asked if there was any known resistance to doing this. C. Papadopoulos replied that they had been in contact with this neighborhood for a couple of years now. She said that they were very excited to get new culverts and she was unaware of any resistance to this article from this neighborhood. P. Cohen added that after the summer rainfall they were probably even more eager for the culverts to be addressed.

P. Cohen ran through the remainder of the warrant articles as follows:

Article 1 - Reports of Town Officers/Committees:

P. Cohen stated that the reports would be kept short due to COVID-19. He said that there would be a financial overview, a five-year financial forecast, and an update on the North Fire Station construction.

P. Cohen stated that he would put forward a consent agenda of the customary Fall Town Meeting warrant articles:

- Article 2 - Cemetery Improvement and Development Fund;
- Article 3 - Commonwealth Transportation Infrastructure Fund;
- Article 4 - Sewer Construction Stabilization Fund;
- Article 5 - Affordable Housing Stabilization Fund;
- Article 6 - Funding for Collective Bargaining Agreements;
- Article 7 - Unpaid Bills from Prior Fiscal Year
- Article 8 - Amend Fiscal Year 2022 Operating Budget
- Article 10 - Sewer Capital Improvements
- Article 15 - Rescind Unexpended CPC Appropriations
- Article 16 - Rescind Unissued CPC Borrowing Authority

Article 2 - Cemetery Improvement and Development Fund:

P. Cohen reported that the amount requested for Article 2 was \$50,000. J. Sousa stated that the work being done was the continuation of the Pine Ridge Cemetery expansion. He said that the new section had a gravel-based road which needed to be paved. He said that two new sections

needed to have mapping done and placement of lot markers. He added that this work was targeted to be completed to have lots available for July of 2022. J. Sousa reported that the other part of the work under this article was the construction of a 4th columbarium or niche wall. He reported that the niche wall which was installed in March was 50% sold. He explained that the niche wall offered the purchase of a cube or cubical in a nice granite structure called a columbarium. He added that it was a way to use space more efficiently than ground burial.

Article 3 - Appropriate Commonwealth Transportation Infrastructure Fund Monies:

P. Cohen reported that the amount for Article 3 was \$5,758 which was down from the previous year. He explained that due to the pandemic fewer people were using rideshare services. He added that there was a 20 cent per ride assessment with half going to the state and half to the local community. He stated that there were 57,580 rides originating in Chelmsford in 2020 while in 2019 there had been 106,969 and in 2018 there had been 78,025. P. Cohen stated that these funds must be used for transportation infrastructure reminding the committee that the funds from last year had been used for LED flashing stop signs at Graniteville Road and School Street. He added that he would have a use for this year's funds identified by Town Meeting.

Article 4 - Sewer Construction Stabilization Fund:

P. Cohen reported that Article 4 would transfer \$83,045 from free cash to the Sewer Construction Stabilization Fund. J. Sousa reported that the debt service for all sewer construction after 2005 is paid for by Sewer Betterments and the Sewer Capital Improvement Fund which is a surcharge on the sewer rate. He explained that the long-term plan to pay for all of the sewer phases includes the interest on the earnings on these funds. He said that under Massachusetts general law the interest flows into the general fund so Town Meeting must vote these interest earnings into the Sewer Construction Stabilization Fund. He added that the current balance on this fund was \$2,768,691.

Article 5 - Affordable Housing Stabilization Fund:

P. Cohen reported that Article 5 would transfer \$16,250 that was received by the town under the inclusionary housing zoning bylaw to the Affordable Housing Stabilization Fund. He explained that these were monies received as payment in lieu of taxes negotiated with the Planning Board when affordable housing units are constructed. He stated that the current fund balance was \$620,560. He said that this article puts the money into the fund and at a future Town Meeting a vote of 2/3rds majority would be required to appropriate the funds.

Article 6 - Funding for Collective Bargaining Agreements:

P.. Cohen stated that Article 6 was a place holder, and no action would be requested for the article.

Article 7 - Unpaid Bills Prior Fiscal Year:

P. Cohen reported that there was an unpaid bill for \$200.60 from 2016. He explained that the Town of Dracut discovered an unpaid invoice for police detail for work performed on June 8, 2016 and invoiced on October 31, 2016. D. Lussier stated that the treasurer in Dracut emailed her regarding an unpaid invoice for a detail bill. She explained that he was doing some reconciliation of some outstanding bills and discovered this invoice. D. Lussier stated that she did some research on the bill and it had been addressed to the Chelmsford DPW, but she could find no indication that the invoice was ever paid. She said that the bill was owed and in good faith needed to be paid. She stated that she notified Dracut that this would require approval at Town Meeting and the funds would be sent as soon as it was approved.

Article 8 - Amend Fiscal Year 2022 Operating Budget:

P. Cohen stated that no action would be requested on Article 8.

Article 9 - Roadway and Sidewalk Construction:

P. Cohen stated that Article 9 would transfer \$1,987,640 from free cash to fund roadway and sidewalk construction. He stated that Chapter 90 was funded by the state at about one-third of the amount needed. He said that Chapter 90 had been level-funded at \$200 million for the last nine years and Chelmsford receives \$1.15 million annually. P. Cohen stated that the two predominant issues in the Chelmsford community are taxes and roadway conditions. He said that when he met with the DPW they indicated that they could perform an additional \$1 million in roadway construction in the current fiscal year. He explained that he was proposing nearly \$2 million with one-half being for the remainder of the current fiscal year and the other half for next fiscal year. He stated that this would cover next spring, summer, and fall and the following spring, summer, and fall. P. Cohen added that the DPW does have a roadway construction plan based on a roadway conditions inventory which they would use to select the work areas. J. Clancy commented that there had been some discussion at the prior Town Meeting regarding sidewalks near schools. He asked if that had been looked at and considered by the DPW. He said that with the addition of these funds he would strongly recommend that they look at this. P. Cohen agreed that this would be part of the public discussions that they would have. D. Goselin asked if the Finance Committee could receive the assessment of the roads that the Select Board would be receiving. P. Cohen replied in the affirmative. He said that reassessment was currently being done of the plan and when it was completed it would be presented to the Select Board and could also be presented to the Finance Committee. D. Goselin commented that G, Persichetti feels he can handle an additional \$1 million in road work. He asked if that included using additional resources outside of the Chelmsford DPW. P. Cohen replied that the work would be performed by private vendors. He explained that \$1 million additional work could not be performed with the existing town labor force. He added that there was some concern regarding it being an inflationary environment and they were mindful of this.

Article 10 - Sewer Capital Improvements:

P. Cohen stated that no action would be requested for Article 10. He explained that the work was still required but the funding may come from the American Rescue Plan Act funds.

Article 11 - PFAS Remediation at 54 Richardson Road:

P. Cohen reported that Article 11 would transfer \$600,000 from Free Cash to remediate PFAS in the soil and groundwater at the town's highway yard located at 54 Richardson Road. He reported that a presentation on the initial plan had been made this past Monday at the Select Board meeting. He said that Weston & Sampson would be returning in two weeks with a final plan. He stated that Chelmsford had to submit the plan to the Massachusetts Department of Environmental Protection by October 11, 2021. He said the remediation plan included the installation of wells to pump, treat, and re-inject the groundwater for a period of years to remove the PFAS. He said that it was a "tried and true" process for treating groundwater contamination. He stated that the estimate that they had from the engineers at this time was \$600,000. He added that this would carry them through until at least the Spring Town Meeting.

Article 12 - Freeman Lake Weed Control:

P. Cohen reported that Article 12 would appropriate \$65,000 to treat non-native, invasive aquatic plant species that are threatening the overall health of Freeman Lake. He explained that the issue was a result of the unusually warm weather experienced in June and the large amount of rainfall over the summer. He stated that this was a major waterbody concern that was not specific to Chelmsford. He stated that Freeman Lake was 82 acres with a high density and abundance of non-native plant species. He said that according to the experts the best way to handle this was the treatment of the lake with an EPA and Massachusetts registered aquatic herbicide followed by spot treatment in subsequent years. He said that they reached out to the vendor that did weed control at Heart Pond as this work had been successful. He added that the North Chelmsford Water District, Board of Health, and the Conservation Commission had expressed no objections to the plan.

Article 13 - Transfer Free Cash to Reduce Fiscal Year 2022 Property Tax Levy:

P. Cohen stated that Article 13 would transfer \$2,000,000 from free cash to reduce the fiscal year 2022 property tax levy. He explained that this would replicate what had been done in fiscal year 2021. He stated that the average single-family tax bill was \$7,411 for a property assessed at \$470,835. He added that each \$1 million is approximately \$70 on the average tax bill. He said that there would be a shift to residential this year with residential valuations rising more quickly than commercial resulting in an increase in residential property taxes. P. Cohen stated that the next article would request an additional \$1,000,000 be transferred to the stabilization fund to be available to appropriate next year to reduce the fiscal year 2023 property tax levy. He explained that this year was an anomaly, and he did not expect the same large amount of free cash next year. He said that by putting the funding aside there would at least be \$1 million available to moderate out the taxes next year and avoid spikes. E. Chambers asked if the \$140 reduction in

the average tax bill from the \$2 million is expected to result in a wash with the increased assessments. P. Cohen replied that \$140 had been applied last year so there would be no impact to the base, but the shift in valuation with residential increasing by about 7% and commercial increasing by about 2% would result in an increase in residential property tax on top of the 2.5% increase in the levy capacity so the end result will be that the tax bills will still go up. K. Duffett asked if other towns used free cash to offset the tax levy. P. Cohen replied that some towns did. He explained that there were legitimate uses for funding in this town such as capital, OPEB, and staffing, but this was the priority from the Select Board as the chief representatives of the community. He added that there were also people suffering due to the pandemic and we didn't want to lose sight of that. He said that other communities did use free cash for tax relief. He added that free cash could also go into the stabilization fund which likely could result in a AAA bond rating, however the % change in interest rates of going from an AA+ rating to a AAA rating was not material. K. Duffett pointed out that every year there are so many requests presented to the Capital Planning Committee which have to be declined. She said that these things were long-term investments in the town versus remediation of taxes. She said that she would rather see the money spent on the capital plan or any number of other things. P. Cohen replied that ultimately this is what Town Meeting decides. D. Goselin asked if there was any concern of setting a precedent of going into the stabilization fund to lower taxes. P. Cohen replied that almost 15 years ago when he arrived the town withdrew more from the stabilization fund than they put in leaving the reserves so depleted that the town's bond rating was diminished, and the Department of Revenue requested corrective action be taken. He said that he was mindful of this, but this was such an extraordinary time with a lot of uncertainty. He added that there was the additional concern of inflation not only for goods and services, but also on salaries and impact on collective bargaining. J. Clancy commented that we were fortunate to have the ability to temper the increase next year by putting aside free cash this year. He said that this would allow for a smooth transition and the ability to avoid a large jump between fiscal year tax bills. E. Chambers commented that when he spoke to G. Ryan last year he noted that the need for a new engine was coming which would cost \$1 million. He said that with \$1 million being approximately \$70 off the average tax bill if every property owner was willing to pay \$6 per month the town could buy a fire engine.

Article 14 - Transfer Free Cash to the General Stabilization Fund:

P. Cohen stated that Article 14 would transfer \$1,000,000 from free cash to the stabilization fund. He reported that the balance of the fund as of July 1, 2021, was \$10,887,859.97 which was at 7.5% of the town's operating budget right at the mid-point of the town's financial policy of 5% to 10%.

Article 15 - Community Preservation Fund – Rescind Unexpended Appropriations:

P. Cohen reported that Article 15 would rescind the unexpended appropriations from the CPC which D. Lussier reviewed earlier

Article 16 - Community Preservation Fund – Rescind Unexpended Warren-Pohl Borrowing:

P. Cohen stated that Article 16 was a rescission of the unused borrowing authority for the Warren-Pohl property. J. Sousa stated that at Special Town Meeting \$1.2 million borrowing was authorized, but whenever possible they tried to minimize borrowing. He explained that in this instance the appraisal and survey costs were less than budgeted resulting in a \$50,000 savings and there was an additional \$25,000 savings because the initial down payment was paid out of another CPC account. He said that this article would then rescind the \$75,000 which was authorized, but unissued and would clear this amount off the books.

Article 17 - Charter Amendment – Housing Authority Tenant Board Member:

P. Cohen stated that he submitted Article 17 and not the Board of Registrars. He said that it speaks to the part of the Town Charter dealing with the housing authority. He reported that the state modified a law last fall changing the composition of five member housing authority boards. He explained that it used to be four elected members and one state appointed member whereas now it was three elected members, one state appointed member, and one town-appointed tenant board member. He explained this was “housekeeping” in order to have the charter conform with the requirements and obligations of state law.

Article 22 - General Bylaw Amendment – Demolition Delay Bylaw Property Inventory:

P. Cohen stated that Article 22 was a result of an issue which came up within the last year. He said that the article would determine what to do if a property owner couldn't identify the age of a property. He explained that the property owner would need to provide an inventory of the property to be demolished which would be prepared by a historic preservation consultant. E. Chambers asked if the cost of the consultant would be borne by the property owner. P. Cohen replied in the affirmative.

P. Cohen stated that the plan was to have Town Meeting held on October 18th at the Senior Center with the recommendation of masks per the Board of Health guidelines. He stated that he and the moderator would be wearing masks. He said that he hoped that the meeting could conclude in one evening. J. Clancy asked if P. Cohen expected any changes on the articles requesting no action. P. Cohen replied that he did not expect any changes.

J. Clancy commented that he saw discussion on Monday evening at the Select Board meeting regarding the property on Princeton. He asked if there was a potential for a Special Town Meeting since it didn't seem like this would make the Fall Town Meeting. P. Cohen replied that he spoke with M. Robbins, representative for the project applicant, on Tuesday. He said that their intent was to come to the town this fall. He added that the logistics probably put this into the November time frame. He said that there was a joint meeting with the Select Board and the Planning Board with the proposed developer in the next two weeks. He said that if there is a Special Town Meeting in November, in addition to this zoning bylaw, there would be a CPC article from D. Hedison to go along with it.

Discussion of Future Meetings, Invitations to Article Proponents, Timeline for Warrant Book Production:

J. Clancy stated that the committee reviewed all of the articles at tonight's meeting. He said that he would see if D. Taverna wanted to come in to elaborate further on the demolition delay article. He said that he thought that the discussion and voting could take place next meeting. He asked if this would work for the Finance Committee members. They indicated that it would. J. Clancy stated that the target had been to vote no later than September 30th in order to produce the book by October 5th, with the PDF of the book available by October 6th and the printed version to be available a week prior to Town Meeting. J. Clancy reiterated that the target would be to review, discuss, and vote on the articles next week which would put the schedule for the production of the book in a good place.

Public Comment:

None

K. Duffett made a motion to adjourn. D. Goselin seconded the motion. All voted in favor.

The meeting adjourned at 8:48 PM.

Respectfully submitted,

Pamela A. Morrison