



**Board of Selectmen  
Minutes  
Tuesday, April 2, 2013 at 7:00PM  
Town Hall Meeting Room**

The meeting was called to order at 7:00PM by Chair, Lucy Wallace in the Town Hall Meeting Room. Selectmen Marie Sobalvarro, Ron Ricci, Bill Johnson and Tim Clark were all in attendance as well as the Town Administrator Tim Bragan and Executive Assistant Julie Doucet.

**ONE – DAY LIQUOR LICENSE REQUEST – FRUITLANDS MUSEUM**

Manager Wyona Lynch-McWhite was present to provide some details on the event and answer any questions the board members had. She explained the Summer Solstice Event is a special fundraising event which will be held on Friday, June 21<sup>st</sup> at the Alcott Farmhouse. She is requesting the one-day license because the area in which the event will be held is not within the licensed premise. On Ricci/Sobalvarro motion, the board voted unanimously to grant the one day license for the Summer Solstice event on June 21, 2013 from 5pm to 8:30pm.

**AGRICULTURAL ADVISORY COMMISSION**

Commission Chair Wendell Willard introduced Robert Traver for appointment to an alternate position on the commission. Traver took a moment to explain why he is interested in serving. On a Sobalvarro/Johnson motion, the board voted unanimously to appoint Robert Traver to alternate position on the Agricultural Advisory Commission with a term expiring June 30, 2014.

**CHELMSFORD HOUSING AUTHORITY – GREAT ELMS - 105 STOW ROAD**

Chelmsford Housing Authority Executive Director David Hedison was present along with Victor Normand president of the Harvard Trust Non-Profit Properties (HTNPP). Normand explained when the trust was created a number of years ago they were designated as temporary custodians of the Inn and Great Elms properties. He said unfortunately the inn has recently been lost to foreclosure but he is hopeful with the help of the Chelmsford Housing Authority they will be able to preserve the affordable housing units on the Great Elms property. Normand confirmed a transfer agreement has been signed and is strongly supported by the Department of Housing and Community Development (DHCD).

CHOICE Director David Hedison came forward to introduce his team: Connie Donahue Comtois, Eric Chamberlin, Katie Enright and Maura Camosse Tsongas. Hedison explained what CHOICE stands for (Chelmsford Housing Opportunities for Intergenerational and Community Endeavors) along with how and when it began. Hedison and his team are very passionate about finding a way to maintain the affordable units on the Great Elms property. He added a loss would reflect badly on everyone. Maura Camosse Tsongas highlighted the sections (5, 7 & 8) within in the deed that need to be changed. Katie Enright described her investigation of the site which included wetlands, septic location and well locations. Eric Chamberlin said they envision developing the property as a historic farmyard. He reviewed two potential site plans.

Hedison acknowledged they have a lot of work ahead of them. They still need to meet with the Planning Board, work on funding and consult with a relocation specialist to secure a plan. Hedison said they have met with the current residents who are aware of what is going on. If all goes as planned, they would anticipate relocating residents by the end of August; secure funding by the end of 2013 and complete construction by spring of 2014.

They would expect the property to be ready for occupancy by early 2015. He also confirmed all nine units will be subsidized by CHOICE through government funds. The board thanked the team for their efforts. Town Counsel will review the requested deed changes and have CHOICE back at a future meeting for endorsement.

### **MOU – SELECTMEN AND SCHOOL COMMITTEE – CABLE STUDIO**

Cable Committee members Mitch Norcross, John Burns, Stu Sklar and John Ball were all present. Tim Clark raised some questions on accessibility to the space and how the language reads in the security & access section of the policy. Clark also asked if the Cable Committee does CORI checks. Committee Chair Mitch Norcross said they have not done them in the past but will require them in the revised policies.

On Johnson/Sobalvarro motion, the board voted unanimously to approve the MOU absent the executive overview. On a Clark/Ricci motion, the board voted unanimously to authorize the Chair to endorse when all attachments are included.

### **ATM WARRANT ARTICLES**

#### **Article 10: Town Planner**

Marie Sobalvarro began the discussion by making a motion to not support article 10 as configured by the Planning Board. The motion was seconded by Tim Clark for discussion. Sobalvarro said the article has been discussed in detail several times. The discussions have included full time employee versus rent to own option. She does not believe more discussion will further the Selectmen's role in this article. Clark moved the question seconded by Sobalvarro. The board voted unanimously to vote on the question. They then voted on the original motion, to not support article 10 as configured by the Planning Board. (Sobalvarro – Aye, Wallace – Aye, Clark – aye, Johnson – Nay, Ricci – Nay) Johnson explained after the last discussion he was able to collect data on the feasibility of contracting for services as opposed to creation of a new position. He consulted with EDC Chair Elaine Lazarus and Planning Board members Peter Brooks and Tim Schmoyer. He indicated they were all personally open to consider use of a consultant. He also contacted Finance Committee Chair Alice Von Loesecke to see if a consultant was consistent with the spirit of the Finance Committee's decision to support this article and she concurred. He also confirmed with Town Administrator Tim Bragan a revision of this nature is within the scope of the original article so it can be amended on Town Meeting floor. Johnson believes there is a willingness to consider this option. Sobalvarro understands there may be revisions but at this time the Selectmen need to vote on the warrant as drafted. Johnson asked if the Selectmen would consider a change in the language the morning of the Town Meeting. On Johnson/Ricci motion, the board voted unanimously to entertain another proposal the morning of the ATM.

#### **Article: 38 Home Rule Petition – Liquor Licenses**

Bragan distributed an information sheet answering some questions the board had during their previous discussion about this article. He also confirmed any changes made through this home rule petition would supersede the previous vote. The board members discussed reducing the number of seats for the on-premise pouring license and allowing all alcohol to be sold by off-premise establishments. On Johnson/Sobalvarro motion, the board voted unanimously to support article 38 as printed in the warrant. Bragan will relay the boards concerns and ask Town Counsel to prepare motions with friendly amendments from the public in mind. Clark suggested the motion be restricted to the sections within Chapter 138 that apply. On a Sobalvarro/Clark motion, the board voted unanimously to support article 38 as inserted related to Chapter 138 limited to section 12 & 15.

#### Article 42: Citizens Petition – Zoning Amendment

Bragan presented the board with two motions based on his interpretation from previous discussions. Ricci and Johnson were concerned a broad article may be more difficult to pass. Wallace noted there are many facilities in town that do not meet requirements and will need to be addressed in the future. She said we need to also be mindful of spot zoning. The board decided to vote on the article as proposed and then entertain the options presented by Bragan. On a Ricci/Johnson motion, the board voted to not support the article as written. (Clark – Nay). The alternate options presented were:  
OPTION A – Exempt all changes to grandfathered municipal buildings in town center area from all provisions of protective bylaw except site standards.  
OPTION B – Exempt all changes to grandfathered municipal buildings in town center area from height and setback provisions of protective bylaw.  
The board members favored Option A but had some concerns and feedback. They decided to revisit this article the morning of the ATM.

#### **TOWN ADMINISTRATOR REPORT**

Bragan reported he has been contacted by the Higgins family regarding their proposed gift of land on St. John Lane. He said they have agreed to gift the land for unrestricted municipal use. The board scheduled a site walk on Friday, April 5<sup>th</sup>.

Ginny Thurston scholarship – Bragan explained the fund was opened with \$17,000 and accrues a modest amount of interest. Sobalvarro had not yet spoken to the Thurston family. The board did not make a decision.

Bragan distributed copies of the audit report for fiscal 2012, management report letter and the actuarial evaluation on OPEB. He will invite our auditor and actuarial to an upcoming meeting.

Bragan announced the Ayer Rotary Club has requested an Entertainment License for the Apple Blossom Festival to be held on May 18<sup>th</sup>. This will be acted on at the next meeting.

#### **SPECIAL STATE PRIMARY**

On a Ricci/Johnson motion, the board voted unanimously to endorse the State Primary Warrant.

The meeting was adjourned at 9:56PM.

Documents referenced:

**ONE – DAY LIQUOR LICENSE REQUEST – FRUITLANDS MUSEUM** – application dated 3.21.2013

**AGRICULTURAL ADVISORY COMMISSION** – Robert Traver volunteer form dated 1.5.2013

**CHELMSFORD HOUSING AUTHORITY – 105 STOW ROAD**

Agreement to release and modify restrictions dated 4.8.2013

**MOU – SELECTMEN AND SCHOOL COMMITTEE – CABLE STUDIO** – dated 3.1.2013 sent 3.29.2013