

# TOWN OF WESTFORD

## SELECT BOARD

### MINUTES

**DATE:** December 8, 2020

**TIME:** 7:00 PM

**PLACE:** Virtual Meeting

**PRESENT:** Andrea Peraner-Sweet, G. Thomas Clay, Mark Kost, J. Scott Hazelton,  
Anita Tonakarn-Nguyen

#### **OTHERS**

**PRESENT:** Town Manager Jodi Ross, Assistant Town Manager Eric Heideman,  
Audience Members

#### **CALL TO ORDER**

Select Board Chair Andrea Peraner-Sweet called the meeting to order at 7:00 PM.

#### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Town Manager Jodi Ross.

#### **OPEN FORUM/FAQ/ANNOUNCEMENTS**

1. *Announce House Bill No. 4235, An Act Relative to Westford Home Rule Charter, reflecting changing the title of Board of Selectmen to Select Board and other inclusive language was approved by the Massachusetts Legislature on November 13, 2020.*

Select Board Chair (SBC) Andrea Peraner-Sweet said it gave her great pleasure to announce the charter change from Board of Selectmen to Select Board. She stated that changes are already being made administratively and acknowledged the League of Women Voters of Westford for their hard work on this project. SBC Peraner-Sweet said that proposed inclusive language changes to our town bylaws will be submitted as a warrant article at the upcoming Annual Town Meeting.

2. *Presentation of Girl Scout Silver Award Project, "Prevention of Lost Pets"*

Zoe Seiger and Megan Piendack of Girl Scout Troop 88052 presented their power point project that was done to raise awareness about lost pet prevention. The board thanked them for their thorough and well-done presentation of this important issue.

Select Board Member (SBM) Tom Clay announced WestfordCAT is hosting an online holiday auction this week to benefit WestfordCAT and thanked everyone who donated gifts.

SBM Scott Hazelton announced Arnie Price of the Health Department was recognized in the Lowell Sun for receiving the 2020 Michael D. Saraco award and congratulated him on this accomplishment.

Resident Emily Teller thanked everyone who worked so hard to change the charter from the Board of Selectmen to the Select Board.

### **PUBLIC HEARING**

*Request for a change of manager on a M.G.L. c. 138 §12 All Alcohol Restaurant License for Burtons Grill of Westford, LLC. d/b/a Burtons Grill, 1 Cornerstone Square*

**It was moved by SBM Clay, seconded by SBM Hazelton and VOTED 5 IN FAVOR TO OPEN the Public Hearing.**

The proposed manager Frank Parzyck introduced himself, thanked the board for the opportunity, and presented the application from Burton's Grill for consideration.

**It was moved by SBM Hazelton, seconded by SBM Clay and VOTED 5 IN FAVOR TO APPROVE the request for a change of manager on a M.G.L. c. 138 § 12 All Alcohol Restaurant license to Frank Parzyck.**

**It was moved by SBM Clay, seconded by SBM Hazelton and VOTED 5 IN FAVOR TO CLOSE the Public Hearing.**

### **JOINT MEETING WITH THE ENERGY COMMITTEE TO DISCUSS THE SPECIAL TOWN MEETING RESOLUTION OF ARTICLE 14, TO PROMOTE CLEAN ENERGY AND REDUCE FOSSIL FUEL USE TO ACHIEVE THE COMMONWEALTH OF MASSACHUSETTS' LIMIT OF NET-ZERO GREENHOUSE GAS EMISSIONS BY 2050, AND DETERMINE THEIR CAPABILITY TO TAKE ON THIS INITIATIVE**

Members of the Energy Committee and the Climate Action Committee were present. Chairman Mike Berlinski of the Energy Committee reported that both groups had met to discuss the resolution. The Energy Committee voted in favor, although it was not unanimous, in their recommendation that a subcommittee of the Energy Committee could be formed to address the resolution of the Climate Action Committee. An alternate recommendation is that an entirely new committee be formed with a membership of those with expertise in areas incorporating all the areas of interest from both groups. After discussion and input from all sides, the board has agreed to keep this under the Energy Committee, not form a new committee, to look at the current charge of the Energy Committee and how to expand it, restructure it, and possibly rename it.

**It was moved by SBM Kost, seconded by SBM Hazelton and VOTED 5 IN FAVOR TO continue discussion to the Select Board meeting on January 26, to consider renaming the Energy Committee, expanding the membership, and updating changes to their charge.**

## **COMMUNITY UPDATE ON THE COVID-19 SITUATION AND IMPACTS ON TOWN OPERATIONS DURING THIS PERIOD**

### **1. Request for a waiver of 2021 M.G.L. c. 138 §12 all Alcohol Restaurant License renewal fees**

Scott Pelletier, owner of Fuse Bistro requested a waiver in paying for the annual liquor license fee. He said his business was down about 50% due to social distancing seating, shorter hours and a hesitancy of the public to dine out because of the pandemic. SBM Kost asked if the request was a waiver for him or for everyone with a Section 12 license. Mr. Pelletier said he came forward initially for himself, but he noted all restaurant owners were suffering lost revenue. SBM Clay suggested some type of pro-rating might be helpful. Town Manager Ross said that a survey of area towns showed some waived half the fee, some pro-rated, some had not yet decided. She indicated that the town finances are feeling the effects of the pandemic also. SBM Hazelton said he was sympathetic but said he was weighing helping a business vs letting a staff person go because of monetary shortfalls. SBM Kost said he was in favor of a 50% reduction. SMC Peraner-Sweet said she hoped warmer weather would bring diners out and thought a 50% reduction would help the owners. SBM Tonakarn-Nguyen suggested pro-rating three months and then reevaluating whether to give a longer time period. SBM Kost and SBM Hazelton thought six months might be more helpful.

**It was moved by SBM Kost, seconded by SBM Hazelton and VOTED 5 IN FAVOR TO WAIVE 50% of the 2021 annual cost for All Alcohol Restaurant, All Alcohol Club, All Alcohol Inn Holder, and Wine and Malt Restaurant licenses with reduced payment due June 15, 2021.**

### **2. In preparation of certification of our FY21 Tax Rate, the Massachusetts Department of Revenue has requested Westford apply \$475,000 in stabilization funds, either by scheduling a town meeting or as allowed by Chapter 92 of the Acts of 2020 Section 10(b), to balance the FY21 operating budget. This is due to the FY20 Actual Recreation Enterprise Revenue shortfall, which impacts our revenue projection for FY21**

Finance Director Dan O'Donnell provided an update on the State's certification of the Towns' FY21 Tax Rate. They are not comfortable approving with the significant loss of revenue not being funded prior to certification. Dan provided an update on the FY21 General Fund revenue projection. He said the largest impact has been the reduction in hotel/motel and meals excise tax. Also, since the Recreation Department was unable to run their after-school program due to lack of enrollment this year, this has had a major effect on the deficit. The state is requiring the town to fund the shortfall of \$475,000, either through a vote of the Select Board, or by calling a town meeting. Due to time constraints, it is the Town Manager and Dan's recommendation that the board vote to fund the deficit now.

**It was moved by SBM Clay, seconded by SBM Hazelton and VOTED 5 IN FAVOR TO APPLY \$475,000 in stabilization funds to balance the FY21 operating budget.**

## **OLD/NEW BUSINESS**

### **1. Request to approve draft language of Home Rule Petition regarding Rome Drive Extension to petition the Massachusetts General Court as authorized by Special Town Meeting**

Land Use Director Jeffrey Morrisette made the request. This is the next step to reimbursing of construction costs for the lot owners of Rome Drive Extension.

**It was moved by SBM Hazelton, seconded by SBM Clay and VOTED 5 IN FAVOR TO APPROVE the draft language provided by Town Counsel and authorize town staff to submit the petition for special legislation.**

2. Request to renew annual Junk Dealers Licenses (Unattended Donation Receptables):

- a. New England Clothes Recycling, 179 Littleton Road and 341 Littleton Road
- b. Planet Aid, Inc., 1 Carlisle Road and 32 East Prescott Street
- c. Windward Trading Group, LTD, 67 West Prescott Street

**It was moved by SBM Hazelton, seconded by SBM Clay and VOTED 5 IN FAVOR TO APPROVE the request to renew the annual Junk Dealer licenses as presented.**

3. Request from Diversity, Equity and Inclusion Committee for an extension of time to provide an update on the progress of its work until January 26, 2021

SBM Tonakarn-Nguyen reported the committee has met two times and will be having their third meeting tomorrow. She said more time was needed before a progress update could be reported.

**It was moved by SBM Hazelton, seconded by SBM Kost and VOTED 5 IN FAVOR TO APPROVE the request to extend the time to provide a progress report.**

4. Request to cancel the Select Board meeting on December 22, 2020

SBC Peraner-Sweet said she requested this cancellation as long as other board members didn't have any objections. She took the opportunity to wish everyone a happy holiday season, thanked town staff and volunteers for their work during this incredibly challenging year.

5. Request to establish 2021 Select Board meeting schedule

The presented schedule has the Select Board meetings every second and fourth Tuesday of the month.

**It was moved by SBM Kost, seconded by SBM Hazelton and VOTED 5 IN FAVOR TO APPROVE the 2021 Select Board schedule as presented.**

6. Request to reappoint Thomas Barry and Jane Calvin to the 12 North Main Street Task Force for terms expiring on June 30, 2023

**It was moved by SBM Kost, seconded by SBM Hazelton and VOTED 5 IN FAVOR TO APPOINT Thomas Barry and Jane Calvin to the 12 North Main Street Task Force for terms expiring on June 30, 2023.**

## **CONSENT AGENDA**

### **Banner Request:**

Karen Bauer, on behalf of Westford Youth Lacrosse, requested a banner be hung in front of the J.V. Fletcher Library from Wednesday, December 9, 2020- Saturday, December 19, 2020 to announce the Westford Your Lacrosse Spring 2021 Registration event.

### **Town Common Request:**

Rabbi Zalman of the Chabad of Nashoba Valley requested permission to place a Chanukah menorah display on the common from Thursday, December 10, 2020 to Friday, December 18, 2020.

Rabbi Zalman of the Chabad of Nashoba Valley requested permission to use the common on Sunday, December 13, 2020 from 4:00 pm – 5:00 pm for a Chanukah Celebration.

John Ralls, on behalf of the Cornerstone Congregational Church, requested permission to use the common on Thursday, December 24, 2020 from 5:00 pm – 9:00 pm for a Christmas Eve church service.

**It was moved by SBM Hazelton, seconded by SBM Kost and VOTED 5 IN FAVOR TO APPROVE the Consent Agenda, subject to all public safety recommendations.**

## **BOARD REPORTS/UPDATES**

There was nothing reported.

## **MINUTES FOR APPROVAL**

Minutes from the Regular Sessions of August 25, 2020, September 8, 2020, September 15, 2020, September 22, 2020, September 29, 2020, October 13, 2020 and October 18, 2020 were presented for approval.

**It was moved by SBM Clay, seconded by SBM Hazelton and VOTED 5 IN FAVOR TO APPROVE the August 25, 2020, September 8, 2020, September 15, 2020, September 22, 2020, September 29, 2020, October 13, 2020 and October 18, 2020 minutes.**

Minutes from the November 24, 2020 Executive Session were presented for approval.

**It was moved by SBM Hazelton, seconded by SBM Clay and VOTED 4 IN FAVOR, 1 ABSTAIN (Kost) TO APPROVE the Executive Session minutes of November 24, 2020 and to not release them at this time.**

Selectman Kost abstained as he had not attended the meeting.

## **TOWN MANAGER'S REPORT**

1. *Request to authorize KP Law to represent Westford and Ayer in an Intermunicipal Agreement for fire engine use and storage*

**It was moved by SBM Hazelton, seconded by SBM Clay and VOTED 5 IN FAVOR TO AUTHORIZE KP-Law to represent Westford and Ayer in an Intermunicipal Agreement for fire engine use and storage.**

2. Announce grant awarded from the Executive Office of Public Safety and Security for FY21 State 9211 Department Training Grant Program for expense related to training and certification of enhanced 911 telecommunicators in the amount of \$24,868.44

Town Manager Ross announced the grant award.

3. Announce grant awarded from the Executive Office of Public Safety and Security's Office of Grants and Research (OGR) to support the Municipal Road Safety program in the amount of \$19,250

Town Manager Ross announced the grant award.

4. Announce grants awarded from Massachusetts Interlocal Association (MIIA) for cyber risk prevention, slip resistant/anti-fatigue mats, and safety equipment in the total amount of \$9,780

Town Manager Ross announced the grant award.

5. Review draft request for proposal for independent insurance brokerage services for employee and retiree health and welfare benefits management

Town Manager Ross asked the board to review the draft request for proposal for independent insurance brokerage services and to advise her of any changes or concerns.

6. Request to approve the following:

a. Contracts:

1. One-year contract renewal with Natural Systems Utilities for professional wastewater contract operation services in the amount of \$180,569.07, as requested by the Water Department
2. Town of Ayer for an Intermunicipal Agreement for fire engine use and storage at the Fletcher Fire Station 1, as requested by the Fire Department
3. Pro EMS Solutions, Inc., for COVID-19 testing and other management services, as requested by the Fire Department

**It was moved by SBM Clay, seconded by SBM Kost and VOTED 5 IN FAVOR TO APPROVE the contracts as presented.**

b. Purchase Orders:

1. CDW-G for Microsoft licenses in the amount of \$41,649.85, as requested by the Technology Department
2. Makepeace for HP DesignJet Printer and Plotter in the amount of \$11,875, as requested by the Technology Department
3. Site One Landscape Supply for grounds maintenance materials and supplies in the

- amount of \$11,900, as requested by Parks, Grounds and Cemetery Departments
4. From the Roudenbush Lease Expense Account:
    - a) Cooling and Heating Specialists for boiler system repairs at the Roudenbush Community Center in the amount of \$8,000, as requested by the Facilities Department
    - b) Cooling and Heating Specialists for boiler system repairs at the Frost School in the amount of \$4,500, as requested by the Facilities Department

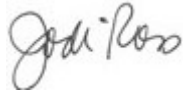
There was brief discussion as to the boiler systems warranty, as these were relatively new systems. Facilities Director Fox said the warranties were for one year and there are issues with the boilers that he is working to ascertain.

### **CORRESPONDENCE**

**It was moved by SBM Kost, seconded by SBM Clay and VOTED 5 IN FAVOR TO WAIVE the reading of the list of correspondence.**

### **ADJOURNMENT**

**It was moved by SBM Hazelton, seconded by SBM Clay and VOTED 5 IN FAVOR TO ADJOURN at 8:47 pm.**



01/12/2021

Jodi Ross, Town Manager      date



01/12/2021

Andrea Peraner-Sweet, Chair      date

Submitted by Patricia Dubey, Recording Secretary