

Northern Middlesex Council of Governments
40 Church Street, Suite 200
Lowell, MA 01852

Minutes of Meeting: December 15, 2021

The December 15, 2021 meeting of the Northern Middlesex Council of Governments was held virtually on the Zoom platform due to the COVID-19 pandemic. The meeting was called to order at 7:02 p.m. with Chair Andrew Deslaurier presiding. The following were in attendance, as indicated in Attachment #1:

Councilors

- Andrew Deslaurier, Chair, Billerica Board of Selectmen
- Pat Wojtas, Chelmsford Select Board
- Phil Thibault, Dracut Alternate
- Daniel Rourke, Lowell City Council
- Gerard Frechette, Lowell Planning Board
- Mark Mathews, Pepperell Select Board
- Chuck Walkovich, Pepperell Planning Board
- Stephen Themelis, Pepperell Alternate
- Jayne Wellman, Tewksbury Select Board
- Anita Tonakarn-Nguyen, Westford Select Board
- Darrin Wizst, Westford Planning Board

Staff

- Beverly Woods, Executive Director
- Justin Howard, Transportation Program Manager
- David Righter, Environmental Planner
- Katrina Garavanian, Executive Assistant

I. Minutes of Meeting: November 17, 2021

The minutes of the November 17, 2021 meeting were distributed to all Councilors for review. Based on a motion made by Steve Themelis and seconded by Jerry Frechette, the Council voted to approve the minutes of the November 17, 2021 meeting as presented.

II. Executive Director's Report

The Executive Director's Report was previously distributed to the Councilors for review. The report is included as Attachment #2.

III. Financial Report and Warrant

Beverly Woods presented the Financial Report and the Warrant for review and approval. Based on a motion made by Jayne Wellman and seconded by Darrin Wizst, the Financial Report and Warrant were unanimously approved. The Financial Report is included as Attachment #3.

IV. Old Business

1. Update on the Executive Director Hiring Process

Andrew Deslaurier informed the Council that based on the vote at the November Council meeting, the Search Committee extended an offer to David Fields and that negotiations with Mr. Fields were complete. He has accepted the offer and is expected to begin with NMCOG on January 3rd. Beverly Woods will remain through January 28th in order to allow for a solid transition. Andrew Deslaurier provided details with regards to Committee negotiations with Mr. Fields.

Based on a motion by Daniel Rourke and seconded by Jayne Wellman, the Council voted to approve the Executive Director offer and hiring conditions as presented.

2. Update on the Sale of 40 Church Street

Beverly Woods reminded the Council that as discussed at the November meeting, the building that houses the NMCOG office has been sold, with the closing having taken place today. The new owner plans to keep NMCOG as a tenant and the terms of the current lease will not change. On November 30th, NMCOG received an estoppel certificate and subordination agreements for signature. Documentation was sent to legal counsel for review prior to signing to ensure that NMCOG would not be negatively impacted. In the Council meeting packet was a copy of an email from Attorney David Plunkett outlining the results of his review. The signed documents were also attached.

3. Approval of the Economic Recovery and Resiliency Plan for Submittal to EDA

Beverly Woods summarized the Greater Lowell Economic Recovery and Resiliency Plan (ERRP), which is designed to help the region address the economic injury caused by COVID-19. She stated that the project is funded by EDA under the CARES Act using Economic Adjustment funds. The Phase 1 report quantifies the economic injury resulting from the initial economic shock of the pandemic in the areas of employment, health care, food security and housing. A copy of the report was included in the Council meeting packet. The CEDS Committee met on December 9th and voted unanimously to recommend that the Council approve the ERRP for submittal to EDA. She informed the Council that a Phase 2 report will be developed over the upcoming months to update the data in the Phase 1 document and track the progress made in implementing the recommendations. She requested that the Council vote to approve the Phase 1 document for submittal to EDA.

Based on a motion by Jayne Wellman and seconded by Phil Thibault, the Council voted to approve the Greater Lowell Economic Recovery and Resiliency Plan as presented and submit Phase I to the EDA.

4. Other Old Business

Beverly Woods reminded the Council of a previous discussion regarding legislation that would require MBTA communities, including those that have commuter rail service, are contiguous to communities that have commuter rail service, or served by MBTA bus service, to have a zoning district where multi-family housing development is allowed by right. She stated that the state released draft guidelines and regulations related to the legislation today. While she has not yet had an opportunity to review deeply, seven communities in the NMCOG region will be impacted by the regulations. NMCOG will put together a summary explaining the regulations and impacts in greater detail, and will work with local communities to prepare comments on the regulations/guidelines in advance of the March 31st public comment deadline. An RPA Directors meeting will be held on December 16th, with Secretary Mike Kennealy to discuss this issue.

V. New Business

1. Community Reports

Steve Themelis informed the Council that Pepperell has begun working on a municipal electric aggregation program. The committee has interviewed two of three consultant firms, including Peregrin and Good Energy. They will interview Colonial Power this week and are making progress. He asked if any other NMCOG communities have had success with the aggregation programs. Most NMCOG communities do have such a program and have had positive experiences.

Mark Mathews informed the Council that Pepperell adopted the Community Preservation Act at the November Town Meeting and a ballot vote is planned for April. He considers this a very strong and positive step for the community.

Chuck Walkovich stated that Pepperell is working on the two DLTA grants that they received, one for Revisions to Existing Design Guidelines and Open Space Residential Development Overlay District (OSRD). They are on a tight timeline, have submitted all request for comments and each committee's comments are in the process of being returned.

2. Project Referrals

David Righter informed the Council that there is currently one project under MEPA review within the region. The Town of Billerica and MassDOT are proposing construction improvements along a 3,700-foot (0.7 mile) stretch of Boston Road (Route 3A), from Simmons

Lane to Danforth Village. The purpose of the project is to improve traffic and safety along Boston Road, including at the intersections of Heritage Road and Good Street. The project will add continuous pedestrian and bicycle accommodations and address current deficiencies in sidewalks, curbing, stormwater management, and traffic controls. Construction will likely take place between summer 2022 and spring 2024. The project triggers MEPA review due to the cutting of five or more public shade trees, which will be trimmed to allow for sidewalk widening and utility pole relocations. Comments were due at MEPA on Monday, December 12th. A copy of the comment letter was included in the Council meeting packet.

Based on a motion by Chuck Walkovich and seconded by Jayne Wellman, the Council voted to approve the comment letter as presented.

3. Resolution to Provide Matching Funds for the LRTA Transit Planning Contract

Beverly Woods explained to the Council that LRTA contracts with NMCOG each year to provide planning services for the agency's transit program. The total value of the contract is \$75,000 with \$60,000 provided through the LRTA's Section 5307 grant. NMCOG provides the required local matching share in the amount of \$15,000. Included in the Council meeting packet was a resolution to commit the matching funds for the contract which begins on January 1, 2022. Beverly Woods requested that the Council approve the allocation of the match as outlined in the resolution.

Based on a motion by Jerry Frechette and seconded by Darrin Wizst, the Council voted to approve the allocation of matching funds as outlined in the Resolution.

4. Other New Business

VI. Announcements

There were none.

VII. Adjournment

Following a motion made by Jayne Wellman and seconded by Dan Rourke, the Council voted unanimously to adjourn the meeting at 7:38 pm.

CLERK'S CERTIFICATE

I certify that this is a true copy of the Minutes of the meeting of December 15, 2021.

Attest:



Stephen Themelis, Clerk