

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

**Minutes of Meeting: November 16, 2022**

I. The November 16, 2022 meeting of the Northern Middlesex Council of Governments (NMCOG) was held in hybrid form via Zoom and in person at the NMCOG office at 40 Church Street, Lowell, Massachusetts. The meeting was called to order at 7:00 p.m. with Vice Chair, Anita Tonakarn-Nguyen presiding. The following were in attendance:

Councilors

- Chris Tribou, Asst. Clerk, Billerica Planning Board
- Mary McBride, Clerk, Billerica Alternate
- Pat Wojtas, MPO Rep., Chelmsford Select Board
- Paul McDougall, Chelmsford Planning Board
- Phil Thibault, Dracut Alternate
- Gerard Frechette, Treasurer, Lowell Planning Board
- Joyce Morrow, Pepperell Planning Board
- Stephen Themelis, Pepperell Alternate
- Jayne Wellman, Asst. Treasurer, Tewksbury Select Board
- Anita Tonakarn-Nguyen, Vice Chair, Westford Select Board
- Jim Silva, Westford Alternate

Staff

- Jennifer Raitt, Executive Director
- Justin Howard, Transportation Director
- Bert Almeida, Financial Officer
- David Tilton, Sealer of Weights & Measures
- Christopher Hayes, Housing and Economic Development Planner
- Jeff Owen, Regional Planner
- Shrvanthi Gopalan Narayanan, Transportation Planner
- Katrina Garavanian, Executive Assistant

**II. MINUTES OF MEETING: OCTOBER 19, 2022**

The minutes of the October 19, 2022 meeting were distributed to all Councilors for review. Based on a motion made by Steve Themelis and seconded by Mary McBride, on a roll call vote,

the Council unanimously approved the minutes of the October 19, 2022 as amended to correct Jim Silva's name in the list of attendees present at that meeting.

### **III. FINANCIAL REPORT AND WARRANT – INCOME AND EXPENSE STATEMENTS 10/19/2022 – 11/15/2022**

Bert Almeida presented the Financial Report and the Warrant for review and approval. Based on a motion made by Jerry Frechette and seconded by Jim Silva, following a roll call vote, the Council unanimously approved the Financial Report and Warrant. The Financial Report is included as Attachment #2.

### **IV. MID-YEAR BUDGET UPDATE AND AMENDMENT**

Jerry Frechette provided an update from the Finance Committee to the Council explaining the mid-year budget amendment. The amendment will account for contract extensions, additional funding, and to add staff to complete a work backlog and fulfill additional contracting in FY2023. Two budget scenarios were presented to the Council. Scenario 1 adds one additional staff member and Scenario 2 adds two. If the Council were to adopt the more conservative scenario, the immediate and critical position to be filled is the Senior Housing and Land Use Planner. Scenario 2 provides for the ability to meet anticipated revenue and expected contract requirements with an additional Transportation Planner. The Finance Committee recommended the adoption of Scenario 2.

Based on a motion by Steve Themelis and seconded by Jayne Wellman, on a roll-call vote the Council unanimously approved the NMCOC Mid-Year Budget Amendment FY2023, Scenario 2.

### **V. DRAFT FFY 2023-2027 TIP AMENDMENT 1**

Pat Wojtas, Northern Middlesex Metropolitan Planning Organization (NMMPO) Representative, provided a summary narrative of Amendment 1 to the FFY 2023-2027 Transportation Improvement Program (TIP) for the Northern Middlesex Region. Amendment 1 involves the removal of \$2,400,000 in Federal Funding for Rehabilitation and Americans with Disabilities Act (ADA) Improvements for the Gallagher Terminal Commuter Access Way in Lowell, originally programmed in FFY 2023 in anticipation of receiving a Federal Transportation Administration (FTA) 5339b discretionary grant award. The grant was not awarded and the TIP needs to be amended to reflect the change. The \$600,000 in state funding remains programmed in FFY 2023. Of note, the TIP also contains programming of \$3,987,912 in flex funding from Federal Highway Administration (FHWA) to FTA for this project, which is not part of this amendment. The amendment needs to be considered by the NMMPO to ensure that it is fully funded. The amendment was released for a 21-day public comment period on October 26, 2022, ending

November 18, 2022. No comments have been received to date. The NMMPO will meet again November 30, 2022 to consider endorsement of this amendment.

Based on a motion by Jim Silva and seconded by Jerry Frechette, on a vote the Council unanimously authorized the NMMPO Representative to vote in favor of endorsing Draft FFY 2023-2027 TIP Amendment 1 at the November 30, 2022 NMMPO meeting.

## **VI. EMPLOYEE HANDBOOK - UPDATE**

Ms. Raitt informed the Council that KP Law, providing counsel to NMCOG, will be assisting with human resources and other legal needs. They have drafted an Employee Handbook with up to date content. Jenny is in the process of reviewing the draft and is also seeking input from staff. She will be meeting with the Personnel Committee to review and will provide recommendations to the Council in December.

## **VII. REPORT OF THE EXECUTIVE DIRECTOR**

Ms. Raitt began her report thanking everyone for their part in the Annual Meeting, making the evening an enjoyable event. Next year is NMCOG's 60<sup>th</sup> anniversary and she would like NMCOG and Councilors to plan a special Annual Meeting in honor of this milestone.

She highlighted specific items in the November Executive Director's Report, beginning with the Long Range Regional Transportation Plan's "Envision 2050" Kickoff. She requested councilors forward the Envision 2050 survey to appropriate contacts, and also Councilor participation when NMCOG staff reach out to their respective communities to schedule Envision 2050 meetings.

Moe Lefebvre has retired and a new Deputy Sealer is needed at NMCOG. The position has been posted. David Tilton, Sealer of Weights and Measures, has taken on the work full time. Ms. Raitt requested Councilors share the open position with any candidates they may know and direct them to the NMCOG website to apply.

Ms. Raitt thanked Chris Hayes for his work helping to secure an extension on the DLTA contract and the EDA Grant. The extensions were needed due to being late in executing on a number of contracts leaving a backlog of work and much remaining to accomplish.

Staff are working with member communities that must comply with the MBTA Communities law by providing education about the guidelines and also providing assistance in meeting the requirements. Additionally, staff are conducting meetings with planners across those communities to share best practices and tips with one another in order to achieve compliance.

There is much housing planning in general going on. Staff have presented to the Lowell Housing Choice Coalition, a joint Chelmsford Select Board/Planning Board/Finance Board meeting, and a joint Dracut Select Board/Planning Board meeting. Similar meetings are planned with the Towns of Billerica, Tewksbury, and Tyngsborough. It was just learned today that the Westford Housing Plan was approved by DHCD.

NMCOG will receive a boost of additional \$127,000 in DLTA funding over an 18 month period to help communities in the region access funding through the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA). These funding programs can be applied to Water and Sewer Infrastructure, Safe & Supportive Schools, School-Based Mental Health Services, a whole range of activities, including transportation. Staff are gearing up to provide that level of service to the communities.

Ms. Raitt informed the group that in October, NMCOG partnered with Metropolitan Area Planning Council (MAPC) on a submission to the Mass Broadband Institute (MBI) Municipal Digital Equity Planning Program. Chris Hayes provided a brief overview of the opportunity related to ARPA and IIJA funding. If selected, the NMCOG/MAPC partnership will be prequalified to create Digital Equity Plans for communities in our region. The digital equity planning program is a free technical assistance program and will better position communities to compete for state and federal grants by identifying and creating strategies for needs such as broadband infrastructure, Wi-Fi installation in public areas, training and devices for underserved populations, programs to make internet access more affordable for those with lower incomes, or other digital equity initiatives. NMCOG will reach out to member communities to encourage them to apply once the application period opens. The application period will open in November.

Ms. Raitt advised the Council of upcoming opportunities: Municipal Climate Leadership Summit hosted by Sierra Club Saturday November 19<sup>th</sup>, Citizen Planner Training Collaborative (CTPC) webinar on Site Plan Review, hosted by NMCOG on December 5<sup>th</sup>, and Fair Housing on November 29<sup>th</sup> in which Ms. Raitt is the trainer. Also, on December 6<sup>th</sup>, NMCOG in partnership with Health Resources in Action (HRiA) will be hosting a regional panel to discuss the American Rescue Plan Act (ARPA) imperative. This webinar is to engage the public around various types of federal and state funding coming into local communities. Sen. Markey will provide opening remarks for that webinar. Ms. Raitt asked the Council to please help spread the word. Details are available in the Executive Director's Report included in the Council packet.

## **VIII. COMMUNITY EXCHANGE**

Steve Themelis informed the group that at its November 14<sup>th</sup> Special Town Meeting, Pepperell Planning Board brought forward a warrant article for 40R Smart Growth Overlay District to

designate \$725,000 for a 180-unit project in Zone 3. The article was defeated 4-1 due to PFAS concerns and the planned location for the affordable housing project.

Anita Tonakarn-Nguyen stated that Westford had its Special Town Meeting in October and the Fletcher Library expansion project was approved. She commented that funding was made available in part through state grant match. The project will help the library enhance accessibility and modernize.

Chris Tribou gave an update that the Billerica Mall rehabilitation is still ongoing. The Billerica Planning Board is looking at a mixed use project. They are hoping to work with LRTA to see if they can relocate a bus stop to this location for ADA accessibility, and add a bike storage area and bike amenities into the project. The building will be 20 units with 2 accessible/affordable units and retail/restaurant on the ground floor. If the project is approved it will be a nice addition to the town. Improvements to Boston Road at the Town Center continue.

Mary McBride let the group know that the Billerica Library wine tasting event was held on October 21<sup>st</sup>, the first one post-pandemic. The event was well attended with a number of newer attendees in the mix. The Library's annual holiday festival will hold a kick-off this Friday night.

#### **IX. REMINDERS AND ANNOUNCEMENTS**

Ms. Raitt polled the Council to determine attendee availability for a regularly scheduled third-Wednesday-of-the-month meeting in December. A show of hands confirmed the December Council meeting will be held on December 21<sup>st</sup>, 7PM, in hybrid form.

#### **X. OTHER BUSINESS NOT KNOWN AT THE TIME OF THE POSTING OF THIS AGENDA**

There was none.

#### **XI. ADJOURN**

Following a motion made by Mary McBride and seconded by Chris Tribou, on a voice vote the Council unanimously adjourned the meeting at 7:55 pm.

#### **CLERK'S CERTIFICATE**

I certify that this is a true copy of the Minutes of the meeting of November 16, 2022.

Attest:   
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Mary K. McBride, Clerk