

BOARD OF SELECTMEN MEETING

APRIL 11, 2016

Chairman Michael L. Champoux called the meeting to order at 7:03 p.m. in Room 9 of the Town Hall. Present were Selectmen Louis Cimaglia, IV, Michael V. McCoy, Michael J. Newhouse and Judith L. O'Connell. Also present was Town Manager Jeffrey M. Hull.

Chairman Champoux asked those present to rise and asked Selectman Cimaglia to lead the pledge of allegiance.

Chairman Champoux noted that April is Autism Awareness Month and the Board of Selectmen, Town Manager and Recording Secretary were wearing an article of blue clothing or the puzzle piece pin to recognize this. He also noted that the Town Common is lit blue and will be for the month of April.

TREASURY WARRANTS

Chairman Champoux asked for a motion to accept the Treasury Warrants. A motion was made by Selectman O'Connell, seconded by Selectman Cimaglia and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen accept Treasury Warrants 40, 40A, 41 and 41A.

RECOGNITION OF BERNARD J. "BERNIE" McNALLY FOR HIS DEDICATION TO THE TOWN OF WILMINGTON RECREATION DEPARTMENT

Chairman Champoux expressed his regret that he was not able to attend a recent event held in Bernie's honor but wished him a happy birthday.

Town Manager Hull stated that Bernie McNally is a lifelong resident of Wilmington and has been involved with the Recreation Department for nearly twenty years. He began with the Special Needs Program and, for many years, served as the Director of the summer Playground Program. Town Manager Hull stated that in speaking with Recreation Director Deborah Cipriani, he learned that Bernie is an integral part of the summer program. Based upon his personal experience, Town Manager Hull stated that Bernie is a genuine guy who cares about everyone, but himself. If there were a "Mr. Wilmington", Bernie would "Mr. Wilmington". The Town would like to recognize Bernie for everything he has done for the Town. It was a testament to Bernie's dedication to see so many young people at the event that Ms. Cipriani and her staff organized. Town Manager Hull noted that it was the night of the Junior Prom and kids had stopped in on their way to the prom dressed in gowns and tuxes. Mr. McNally has helped so many young people over the years.

Chairman Champoux asked if there were any comments from members of the Board. Members of the Board of Selectmen expressed their appreciation to Mr. McNally for his volunteerism.

Chairman Champoux presented a Certificate of Recognition to Mr. McNally on behalf of the Board of Selectmen and Town Manager Hull.

COMMUNICATIONS

Town Manager Hull reviewed his memorandum regarding a Welcome to Wilmington sign. Town Manager Hull stated that he has had discussions with Michael Woods, DPW Director, and it is his recommendation that a sign be placed at the northerly end of the Town Common. The proposed sign would be 30" x 60" x 1.75" cedar sign board with lettering on both sides of the board between two granite posts 12" x 12" x 8'. Town Manager Hull advised that the estimated cost for the sign with Public Works personnel completing the installation is \$7,000. It is his expectation to fund the

sign largely through local donations. Chairman Champoux asked whether the Town Manager was seeking a vote from the Board on how to proceed.

Selectman Cimaglia stated that he was approached by resident Audrey Reed regarding the need for a “Welcome to Wilmington” sign and not simply an “Entering Wilmington” sign. Selectman Cimaglia stated his preference to have the blue with white lettering.

A motion was made by Selectman Cimaglia, seconded by Selectman O’Connell and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen authorize the placement of a Welcome to Wilmington sign on the Town Common at the intersection of Middlesex Avenue and Church Street.

A motion was made by Selectman O’Connell, seconded by Selectman Cimaglia and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen endorse “Proof A” which is a blue sign with white lettering.

Town Manager Hull reviewed his memorandum to Town Clerk Sharon George regarding his determinations whether parcels on the warrant for disposition at the 2016 Town Meeting are surplus to the needs of the Town. Town Manager Hull stated that he has advised each petitioner in writing of his determination.

ROBERT E. WEBB, RE: REQUEST OF RTWEBB RESTAURANT GROUP, LLC DBA SONIC® DRIVE-IN TO OBTAIN A COMMON VICTUALER LICENSE FOR PROPERTY LOCATED AT 220 MAIN STREET

Mr. Webb stated that he and his wife took over as owners of Sonic ® in February. He had worked with Monastiero Restaurant Group from the time it opened in Wilmington.

Chairman Champoux asked if there were recommendations from applicable department heads. Town Manager Hull advised that Shelly Newhouse, Health Director, recommends approval and Al Spaulding, Inspector of Buildings, advises that there are no outstanding zoning issues with this establishment.

Chairman Champoux asked if there were any questions or comments from members of the Board. Chairman Champoux asked if there were any changes and was advised that the only change is that Mrs. Webb will serve as Operator/Owner. The expected benefit to having an owner involved is improvement to service, timing and staff. She noted that they recently purchased another business in Lawrence.

Chairman Champoux asked if there were any additional questions, comments or a motion. A motion was made by Selectman O’Connell, seconded by Selectman Cimaglia and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen grant a Common Victualer License to RTWEBB Restaurant Group, LLC dba Sonic ® Drive-In for property located at 220 Main Street.

COMMUNICATIONS *(CONTINUED)*

Town Manager Hull reviewed his memorandum advising the Board of Selectmen that he was notified by Sharon George that four petitioned articles have been withdrawn. Those articles were Article 49, a request to rezone 677 Main Street from Residential 20 to Neighborhood Business; Article 51, purchase Town owned land located at 16 St. Paul Street; Article 53, rezone 635 Main Street from General Industrial to Neighborhood Mixed Use and Article 54, to rezone 635 Main Street from General Industrial to Central Business Zoning District.

MICHAEL L. CHAMPOUX, CHAIRMAN, RE: PRESENTATION OF BOARD OF SELECTMEN ANNUAL REPORT FOR CALENDAR YEAR 2015

Chairman Champoux read the Board of Selectmen's report as contained in the 2015 Annual Report for the Town of Wilmington. The Selectmen's report highlighted projects and programs that either commenced or were completed during the year 2015. The Board of Selectmen's report is made part of the minutes by attachment.

COMMUNICATIONS *(CONTINUED)*

Town Manager Hull reviewed his memorandum regarding a proposed firing range. Town Manager Hull provided the Board with a revised "Special Order" from Police Chief Michael Begonis which reflects the rules that would be operational if the Board endorses the proposal to construct a firearms range at Abigail Island. The revised special order clarifies that the range will be used for training of Wilmington police officers only and that weapons, weapon systems and ammunition will not be stored at the firearms range. Town Manager Hull noted that, in limited circumstances, there may be occasions in which the Police Chief could receive authorization from the Town Manager to permit a neighboring local law enforcement jurisdiction to conduct firearms training if that jurisdiction cannot access their usual training venue due to circumstances beyond their control, if the need for the training is time sensitive and that jurisdiction has permitted the Wilmington Police Department to conduct firearms training at their training location in the past on a limited basis.

Chairman Champoux noted that at the Board's meeting of March 28 a couple of members indicated their desire to have more formal documentation. The Board requested that department heads codify their recommendation. Selectman Cimaglia believes everything to be in order pending receipt of department head recommendations and revised order from Chief Begonis. Selectman Newhouse stated that he had questions at the last meeting and continues to believe that, to make a difference to ensure the residents are properly served and protected, the Town needs to get more from the Federal and State legislation to properly fund a facility that will provide a greater level of training for Wilmington and other officers. He acknowledges the Chief's position that Wilmington needs to do what it can in a responsible way to provide the training our officers need. He believes there is a regional demand that needs to be met and Wilmington needs to insist on that. Members were in agreement that the Town needs to pursue funding from the federal and state legislation.

Chairman Champoux asked if there were any questions or comments from the audience and there were none.

A motion was made by Selectman Newhouse, seconded by Selectman Cimaglia and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen endorse the proposal subject to the memorandum as described by the Town Manager in his memo dated April 8, 2016.

RECOGNITION OF SELECTMEN LOUIS CIMAGLIA, IV AND MICHAEL J. NEWHOUSE

Chairman Champoux stated that the Board is in a unique circumstance where two members have chosen to not seek reelection. Chairman Champoux stated that when he first became interested in local civics and public service, he was inspired by the example set by Selectmen Cimaglia and Newhouse.

Members of the Board and Town Manager Hull expressed their appreciation to Selectman Cimaglia and Selectman Newhouse.

Selectman Cimaglia and Selectman Newhouse thanked the Board for their kind comments. Every decision made by the Board has been to do what is right for the Town. They thanked their families and those who supported them during their time on the Board.

Chairman Champoux presented plaques to Selectman Cimaglia and Selectman Newhouse for their dedicated service to the Town.

COMMUNICATIONS *(CONTINUED)*

Town Manager Hull reviewed a memorandum from Assistant Town Manager Kendra Amaral who provided a summary regarding the North Intermediate School Window Project. Ms. Amaral advised that the project was part of the Massachusetts School Building Authority's (MSBA) Accelerated Repair program and the Town was approved for a 49.94% reimbursement. Construction began in July of 2014 and the project schedule slipped quickly due to delayed orders and lead times for materials. Additional delays occurred during the summer and early fall due to general issues with the contractor and failed commissioning tests. The Town assessed the contractor \$44,700 in liquidated damages for the resulting delays. The project had a total of six change orders that resulted in a net decrease in construction cost of \$659.12. Change orders included repair to an existing knee wall, substituting insulated glass to laminated glass on one of the windows, substituting a door for a window at the building roof access and replacement of newly installed windows at the cafeteria and kitchen for safety reasons. Due to project delays, the soft costs on the project exceeded the budget. The Owner's Contingency was applied to a portion of the overage. The Town applied to MSBA for approval to use Construction Contingency against excess soft costs, which was approved. In total, the project was completed five months after the scheduled completion date and \$37,031 under budget. However, due to the lower construction costs and ineligible overages in soft costs, the Town's final reimbursement from MSBA was \$34,725 less than the \$710,843 originally estimated. The net result is approximately \$2,306 under budget inclusive of MSBA reimbursements.

Town Manager Hull reviewed a letter from Louis Cimaglia, Director of Veterans' Services, who wrote to invite members of the Board of Selectmen to participate in the Memorial Day Parade on Monday, May 30, 2016.

Town Manager Hull reviewed a letter from Deborah Boyce, First Vice President, Massachusetts Development Finance Agency, who wrote advising that MassDevelopment will be considering approval of a revenue bond financing for a project being undertaken by Hallmark Health Properties, Inc.

Town Manager Hull reviewed a letter from Daniel Veerman who wrote advising that it has recently been brought to his attention that the Town of Wilmington will be applying for a special permit to locate the 4th of July Carnival on the property known as the former Swain School site for this year's Independence Day celebration. Although he is not sure he is technically a direct abutter, he clearly lives within 300 feet of the area. Mr. Veerman has previously contacted Town

Counsel's office regarding this issue and he had been informed that due to the proximity of his residence, it would be best to recuse himself from the hearing. He was advised to notify the appointing authority, the Board of Selectmen, of his conflict and the Board, after deliberating may vote to waive the conflict.

Chairman Champoux noted that a similar letter was received in November when the Fourth of July Committee was the applicant. Chairman Champoux stated that it was brought to his attention that with the Town being the applicant, the Board may be in conflict should it deliberate and vote on this issue. Town Manager Hull and Chairman Champoux have been in contact with Town Counsel and the recommendation is that the Board of Selectmen not take action at this time and Mr. Veerman should contact Town Counsel before the Board of Appeals hearing on Wednesday.

Chairman Champoux asked if there were any questions or comments from the Board. Selectman McCoy stated that in the past he voted to waive the conflict believing that he would be unbiased when he heard the case. Selectman McCoy stated that he viewed the meetings that Mr. Veerman addressed the Fourth of July Committee's application and he believes Mr. Veerman was biased. Selectman McCoy stated that if there was a vote tonight, he would not vote to allow Mr. Veerman to participate. Selectman Newhouse stated that a couple of years back, Mr. Veerman was inclined not to hear the case and he advised the Board of Appeals staff and was advised that he was needed to hear the case or there would not be enough members to hear the case.

BOARD TO CONSIDER REQUEST OF BOARD OF APPEALS, RE: DISCLOSURE IN ACCORDANCE WITH CHAPTER 268A, SECTION 20(B) RELATIVE TO AN APPLICATION FOR A SPECIAL PERMIT BY TOWN OF WILMINGTON

Based upon advice of Town Counsel, the Board took no action.

BOARD TO CONSIDER REQUEST OF SHARON GEORGE, TOWN CLERK, TO APPOINT ADDITIONAL ELECTION WORKERS

Chairman Champoux asked if there were any questions, comments or a motion. A motion was made by Selectman Cimaglia, seconded by Selectman O'Connell and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen appoint Cheryl Licciardi, Janet Lyons, Judith Revelas, Gwen Anderson, Susan O'Neil and Isabel Raschella as Election Workers for the year 2016.

BOARD TO CONSIDER REQUEST OF KHALID HAZIMEH TO OBTAIN A HAWK & PEDLE LICENSE TO SELL ICE CREAM

Town Manager Hull advised that Mr. Hazimeh has held a Hawk and Pedle License for some time. He advised that Police Chief Michael Begonis and Health Director Shelly Newhouse recommend approval. Chairman Champoux asked if there were any questions, comments or a motion. A motion was made by Selectman Cimaglia, seconded by Selectman Newhouse and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen grant a Hawk & Pedle license to sell ice cream to Khalid Hazimeh.

BOARD TO CONSIDER FIREARMS RANGE AT ABIGAIL ISLAND

The Board of Selectmen took this item up under Communications.

BOARD TO CONSIDER WELCOME TO WILMINGTON SIGN ON TOWN COMMON

The Board of Selectmen took this item up under Communications.

BOARD TO CONSIDER APPROVING THE RENEWAL OF THE SECOND HAND DEALER LICENSE FOR ROBERT P. FLAHERTY JEWELER, INC.

Town Manager Hull advised that favorable recommendations were received from Police Chief Michael Begonis, Fire Chief Richard McClellan and Treasurer/Collector Pamela MacKenzie. Building Inspector Al Spaulding advised that there were no outstanding zoning issues. Chairman Champoux asked if there were any questions, comments or a motion. A motion was made by Selectman Cimaglia, seconded by Selectman McCoy and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the renewal of the Second Hand Dealer License for Robert P. Flaherty Jeweler, Inc.

PUBLIC COMMENTS

Edward Loud, Valyn Lane, offered his thanks to Selectmen Cimaglia and Newhouse. He noted that Charles Boyle will be stepping down from the Board of Appeals on Wednesday and asked that he be recognized the Board of Selectmen at a future meeting. Mr. Loud noted that in the event certain cases are continued, he will stay on as chairman of the Board of Appeals until the case is resolved.

NEW BUSINESS – COMMITTEE REPORTS

Selectman O'Connell thanked the Board for having blue on and for lighting the common in blue for Autism Awareness Month. She is pleased to see how much awareness is brought to the topic. She noted that she works with children with autism and related how a child said her name for the first time after trying for three years.

Selectman O'Connell noted that on March 29 there was a groundbreaking ceremony for the Yentile Farm Recreational Facility. She thanked members of the Yentile Committee, Town Manager, Assistant Town Manager and Town Administration for their attendance. She stated that she is looking forward to the ribbon cutting ceremony.

Selectman O'Connell wished Selectman Cimaglia and Selectman Newhouse well in their future endeavors.

Selectman McCoy thanked Selectman O'Connell for her comments relative to autism. Selectman McCoy thanked Selectman Cimaglia and Selectman Newhouse for their service and opined that he believed the current Board of Selectmen to be the best Board that has served the community.

Chairman Champoux noted that April 16 will be the Little League opening day parade. The Annual Town Election will be April 23 and he encouraged registered voters to take ten minutes out of their busy schedules and vote for Board of Selectmen and School Committee.

Chairman Champoux thanked Selectman O'Connell for her efforts on the Yentile Farm Development Committee.

Chairman Champoux noted that the lights at the intersection of Glen Road/Middlesex Avenue/Wildwood Street have been turned on and are blinking. He noted that the lights are scheduled to be on blinking mode for thirty days.

Selectman Cimaglia thanked Chairman Champoux for recognizing Bernie McNally.

Selectman Cimaglia stated that each year he is asked by Wilmington Little League to invite a couple of veterans to throw out the first pitch at the ceremony. This year there will be a Vietnam Veteran and an Iraqi veteran and he invited residents to attend the game and support them.

Selectman Cimaglia thanked Town employees for their work and acknowledged that Wilmington has many good men and women as employees.

Selectman Cimaglia thanked everyone for their kind words and their support over the years.

Selectman Newhouse thanked members of the Board for their comments and stated they are very much appreciated. He acknowledged the Recording Secretary for her diligence and being a considerate, helpful person through the last twenty years.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- April 13 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- April 13 – Tiny Tots/Kids Club Registration – Town Hall Auditorium – 5:00 p.m. to 6:30 p.m.
- April 16 – Wilmington Little League Opening Day
- April 16 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- April 18 – Town Offices Closed – *Patriot's Day*
- April 19 -
- April 23 – Curbside Collection of Yardwaste
- April 20 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- April 21 – Facilities Master Plan Committee – Town Hall – Room 9 – 7:00 p.m.
- April 23 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- April 23 – Annual Town Election – Polls Open 8:00 a.m. to 8:00 p.m.
- April 24 – We're One Wilmington 5K Run for Wilmington/Kim Forte Walk
- April 25 – Board of Selectmen Meeting – Town Hall – Auditorium – 7:00 p.m.
- April 30 – Annual Town Meeting – High School Auditorium – 10:30 a.m.

There being no further business to come before the Board, a motion was made by Selectman McCoy, seconded by Selectman Cimaglia and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 8:39 p.m.

Respectfully submitted,



Town of Wilmington

*Office of the
Board of Selectmen
(978) 658-3311*

***121 Glen Road
Wilmington, MA 01887-3597***

*FAX (978) 658-3334
TTY (978) 694-1417*

Dear Fellow Resident:

It is my privilege and honor to submit, on behalf of the Wilmington Board of Selectmen, this annual report summarizing the activities of the Board throughout 2015.

Our nation, the Commonwealth, and our town continue to inch out of the recession of a few years ago. Evidence of this can be seen in the continued growth of single-family housing developments throughout town. Those, balanced with the presence of multi-family residential developments and the early phases of new, mixed-use, retail and residential projects, are giving existing and new residents greater choice from a varied, diverse housing stock. Other positive economic indicators can be seen in the improving strength of Wilmington's commercial and industrial base. Some key examples of this being the establishment of the US headquarters of Osram Sylvania to Wilmington formally opened in early 2016. Additionally, we saw new ventures including K1 Speed, Savers and a number of small businesses in the Ballardvale, Target store area, with more new businesses on track to come in 2016 and beyond.

Town finances, as indicated throughout this document, remain strong. The Board maintains its support of the Town Manager and the Administration's conservative budgeting and operations methods, spending within our means, saving for the future and investing in infrastructure where prudent and possible. Once again, all operations have been fully funded with no Proposition 2 ½ overrides or additional fees. A key change made in 2015 was the transition to the all-automated trash and recycling pick-up program. While there was some initial resistance to the change early-on, the system has proven successful. In just the first six months of the new program, trash tonnage that the Town pays to have picked up, has been reduced by 8% and recycling, for which there is no charge, has increased by 19%. This represents a savings to the Town of nearly \$68,000 for just this short period of time. One cannot think of 2015 without also thinking of SNOW! The Town, like everyone in the region, was challenged with massive, multiple, back-to-back storms that stretched our resources. But the DPW and town contractors dutifully kept our roads safe, minimized the need for school closings, and kept Wilmington open for business. The Board compliments the efforts of all who helped navigate those challenging weeks.

In February of 2015, the Board of Selectmen, in conjunction with School Committee and other local and state officials celebrated the grand opening of the new Wilmington High School. The new facility is the culmination of years of planning and construction, the result of which is an environment conducive to the 21st century methods of collaborative learning and education. It is a true investment in the future of those who will learn there as well as for the Town as a whole. The open and public process, adhered to from the project's conception, are a testament to the heights and accomplishments that can be achieved through a constructive, collaborative partnership of public and private enterprise, as well as between staff and elected and appointed volunteer representatives. The Board offers heartfelt thanks to our designee to the High School Building Committee, Michael Newhouse, for his consistent advocacy of this project on the Board's behalf.

2015 also saw the Board take a formal and unanimous position of opposition to the Tennessee Gas Pipeline / Kinder Morgan plans for a natural gas lateral pipeline through North Wilmington. While the question of how the region's existing and future demand for electric power can be met by the utilities to supply it continues to be researched and debated, the Board could not endorse the pipeline as it has been proposed. The Lynnfield Lateral will travel through North Wilmington, much of it along existing power line easements. However, the pipeline plans include it traveling in close proximity to two of Wilmington's water

supply wellfield areas and then traveling below the Benevento quarry where active heavy vehicles and blasting occurs. The Board, in reviewing the plan put forth by Kinder Morgan takes the position that there is too much actual and potential negative and no foreseeable positive to the people of Wilmington if the pipeline were to be permitted by the Federal agency (FERC) in charge. Additionally, the Board took further action to pursue becoming an “intervenor” in the permitting process. As an Intervenor, the Town will have a louder voice at the table and be able to participate more actively in the process. Wilmington’s state and federal legislators are engaged in this process with the Town and we will continue to work with them and others for the best outcome for the Town.

In September 2015, the Board of Selectmen, together with members of Wilmington and State Government, residents and distinguished guests, joined in the solemn celebration and ribbon-cutting grand opening of a playground at Silver Lake constructed and named in the memory of our own Sean Collier. Sean, who grew up here in Wilmington, was an MIT police officer who became one of the victims of the terror attacks around the Boston Marathon in 2013. Being able to pay tribute to Sean and his heroic, selflessness in this manner was an honor for the Town. We are forever grateful to Sean’s family and to *Where Angels Play*, the organization who spearheaded this effort to build the playground in Sean’s hometown.

Speaking of playgrounds, at the Town Meeting in May of 2015, residents voted to permanently connect the name “Yentile” with the property at 9 Cross Street. The Town purchased the property in 2013 with the intention of it becoming a flagship recreational facility for all ages. The Yentile Farm Development Committee, guided by Board of Selectmen member Judith O’Connell, completed the project design in 2015 and, as I write this letter, plans for breaking ground and its construction are actively under way.

Other activities that members of the Board participated in during 2015 included the Little League Opening Day Parade and ceremony, Memorial Day Parade and ceremonies, Veterans’ Day reflections, Relay for Life, Good Guy Award and many more, maintaining the Board’s commitment to staying visible and accessible within the community as your leaders in Town Government.

The spirit of our town is founded in its people. We, as elected members of your Board of Selectmen, are privileged to be able to serve you and work with the Town’s Administration for the continued advancement of our common goals. We extend great appreciation to our Town Manager and all department heads, managers and staff for their efforts to consistently provide residents with the services that you deserve to expect. Additionally, we want to acknowledge and compliment the great many organizations and individuals throughout town that volunteer thousands of hours all year, every year, for the benefit of our friends and neighbors. Giving back, and donating of one’s time and talents to help others, is a hallmark of Wilmington and part of our heritage. You make Wilmington a great place to live.

Once again allow me to express, on behalf of the entire Board of Selectmen, our sincere gratitude to you for placing your trust in us. We understand and do not take lightly our charge to work hard to continue to make Wilmington a desirable place to live, work and play.

Respectfully submitted,



Michael L. Champoux, Chairman
Board of Selectmen



Board of Selectmen from left, Louis Cimaglia, IV, Michael J. Newhouse,
Michael L. Champoux, Chairman, Judith L. O’Connell and Michael V. McCoy.