

## BOARD OF SELECTMEN MEETING

Wednesday, August 5, 2020

Chairman Jonathan R. Eaton called the meeting to order at 6:00 p.m. This meeting was held via ZOOM. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Gary B. DePalma and Jomarie F. O'Mahony. Also present was Town Manager Jeffrey M. Hull.

Chairman Eaton stated that pursuant to Governor Baker's March 12, 2020 order suspending certain provisions of the Open Meeting Law, G.L. Chapter 30A, Section 18, and the Governor's March 15, 2020 order imposing strict limitations on the number of people that may gather in one place, members of the public who wish to watch and listen to the meeting may do so in the following manner: WCTV (Channel 22 – Comcast xFinity; Channel 38 Verizon FiOS, and live stream wctv.org). This meeting of the Wilmington Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. Members of the public who would like to listen to this meeting while in progress may also do so via telephone by dialing 1-646-558-8656 and enter meeting ID 883 0380 8845 then press # and press # again at the next voice prompt. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the meeting designated for public comment, by following the steps previously noted then press \*9 on their telephone keypad. This will notify the meeting host that the caller wishes to speak. All callers using this feature will be placed in queue in the order they entered the prompt. In the event that, despite our best efforts, we are not able to provide for real-time access, we will post a record of this meeting on the Town's website as soon as we are able.

Chairman Eaton asked meeting participants to rise and he led the pledge of allegiance.

### **BOARD OF SELECTMEN DISCUSSION, RE: GEOFFREY BECKWITH, EXECUTIVE DIRECTOR, MASSACHUSETTS MUNICIPAL ASSOCIATION, COMMUNICATIONS RELATIVE TO POLICE CERTIFICATION AND ACCOUNTABILITY**

Chairman Eaton thanked members of the Board and the Town Manager for making themselves available this evening on short notice. He then introduced the reason for the meeting. Chairman Eaton stated that he is mindful and acknowledges that certain issues are outside the jurisdiction of the Board of Selectmen and Town government does not have authority over bills that are before the House and Senate. He stated that the Town does have jurisdiction over what associations it chooses to belong to and on occasion the Board has to answer for the actions of that association. He stated that the Town of Wilmington is a member of the Massachusetts Municipal Association (MMA). The MMA serves as a valuable resource for such things as legislative updates and policy concerns and noted that he has used the resources on a number of occasions. The MMA was also designed to be an advocate to the Governor and State Legislature on issues affecting municipalities. Chairman Eaton stated that one mechanism takes place during the Annual Meeting held in January each year where delegates vote on issues the MMA will advocate for during the upcoming year. Traditionally the Chairman of the Board of Selectmen serves as the Board's voting delegate and advised what issues Chairman Bendel voted on in January 2020.

Chairman Eaton advised that Geoffrey Beckwith, Executive Director of the MMA, issued letters to the House of Representatives, the Senate and an open editorial supporting recent efforts at police reform. Chairman Eaton advised that he did not receive communication seeking comment and suspects that the advocacy was done without input from the Board of Selectmen, Town Manager or Police Department. Members of the Board of Selectmen each confirmed that they have not had communication with the MMA relative to police reform. Chairman Eaton stated that it appears a decision was made without input from member communities and as an association member it implies that the Board of Selectmen supported the statement. Chairman Eaton stated that the

Board may feel differently about the bills passed by the House and Senate and opined that if an association chooses to speak on the Town's behalf it should have extended the courtesy of checking with municipalities for their opinion on the specific issues. Chairman Eaton stated that he does not appreciate the MMA leveraging the Town membership to advocate for a policy that it did not discuss with the Town beforehand.

The Wilmington Board of Selectmen has been very supportive of the Wilmington Police Department and Chairman Eaton feels strongly that Chief Desmond and Deputy Chief Pupa are the right individuals to lead the department. The Police Department has prioritized community engagement. It has hosted community-based programs such as National Night Out, the Citizen Police Academy, the Citizen CPR Class, the Wilmington Police Explorer Program, Mental Health First Aid for Seniors and the RAD Women's Self-Defense Program. The Wilmington Police Department was recently awarded a ten-year sustaining grant to continue and expand upon these programs, and to develop new community programs.

These programs, and the plans to expand the Police Department's community outreach, existed prior to the recent call for reform, and will continue regardless of the decisions that are made on Beacon Hill, because they are consistent with the core values of the Wilmington Police Department. They understand and prioritize the need for consistent dedication to the principle of fair administration of justice; they undergo regular training on de-escalation techniques, mental health, fair and impartial policing, and diversity; and they dedicate themselves towards constant self-improvement as officers, and as a department. The Police Department denounced the actions of the four Minneapolis police officers involved in the death of George Floyd, and have demonstrated their commitment to listening to community members wishing to engage in meaningful discussion on issues regarding responsible policing.

Approximately five weeks ago the Town passed a budget, prepared by the Town Manager and supported by the Board of Selectmen, which added two new police officers to the department and two officers will be sworn in tomorrow morning. Two years ago the Town approved the purchase of Tasers to add a non-lethal, de-escalation tool to the Wilmington Police Department.

Chairman Eaton stated that the Wilmington Police Department does an excellent job protecting the community and he is asking the Board of Selectmen to direct the Town Manager to prepare a memorandum to be distributed to members of the Police Department advising that the MMA has chosen to advocate for an issue without seeking input from member communities.

Chairman Eaton asked if there were any comments from members of the Board. Selectman Bendel stated that he applauds the members of the Wilmington Police Department and the Board of Selectmen has spent a lot of time over the past couple of months praising the first responders. He stated that he believes Wilmington has the finest police department in the Commonwealth of Massachusetts. Selectman Bendel commented that the men and women of the Wilmington Police Department act professionally and with compassion, he applauds the mutual respect between the department and the residents and is grateful to live in a community with such a great police department. He stated that he is proud to support the Police Department, as a member of the Board of Selectmen and as a member of the community, at Town Meeting to appropriate funds to continue training, purchase equipment or the establishment of the Substance Abuse Coordinator position. Selectman Bendel stated that he grew up with many members of the police department and noted that many are Wilmington residents, are veterans or active military. He thanked them for their service to the community and to the country.

Members of the Board agreed with Selectman Bendel's comments and expressed their support for the Wilmington Police Department noting the countless stories of kind gestures by the police and fire departments and the willingness of all Town employees to go above and beyond for Wilmington's citizens.

Selectman Caira expressed his willingness to have a letter directed to Mr. Beckwith. He stated that he would like to hear from the legislative delegation regarding the contents of the bills and to hear from the Police Chief, what he is in favor of and what he is opposed to.

Selectman O'Mahony commented that to make one policy apply across the board is not working. The Wilmington Board of Selectmen needs to focus on what is going on in Wilmington. She stated that her reading is that the MMA is demanding municipalities modernize law enforcement, clarify discipline, termination and use of force policies. Selectman O'Mahony stated that she cannot find an example of where the Wilmington Police Department is lacking and the only incident involving use of force, which, in her opinion, would have been justified, was during a 2015 incident at the Wilmington Depot platform. Selectman O'Mahony questioned why the MMA would believe it is appropriate to send communication directly to the department and not to the Town Manager. Chairman Eaton clarified that the MMA did not reach out to the Town at all.

Town Manager Hull stated that he was not contacted via email or by any form of communication seeking the Town's opinion or perspective relative to the two bills pertaining to police reform. He stated that in some instances the MMA will send out a survey on particular matters and ask Town Administrators to respond. Town Manager Hull stated that he also did not initiate a conversation with a representative of the MMA to advocate for these bills. He stated that he is following the bills to a certain degree and has had conversation with the Police Chief and Deputy Police Chief and expressed concern relative to the implications in removing qualified immunity.

A motion was made by Selectman Caira, seconded by Selectman O'Mahony and by the affirmative roll call vote of all, it was

**VOTED:** That the Board of Selectmen direct Town Manager Hull to prepare a memorandum to members of the Wilmington Police Department making it clear that they have the support of the Wilmington Board of Selectmen, that the MMA did not seek input from the Town of Wilmington before advocating to the House and Senate and further that a letter be prepared to Geoffrey Beckwith, Executive Director, Massachusetts Municipal Association, advising that the Board of Selectmen would appreciate his soliciting the Town of Wilmington's opinion before advocating on their behalf.

Chairman Eaton asked that the letter to Mr. Beckwith be provided to members of the legislative delegation.

### COMMUNICATIONS

There were none.

### PUBLIC COMMENTS

Chairman Eaton reminded viewers of the process to make public comment.

Lou Cimaglia, Director of Veterans' Services, expressed his appreciation to the Board of Selectmen for bringing this matter forward. He related incidences over the past week where members of the Police Department have assisted veterans in crisis, calming them down, transporting to the hospital and assisting family members. Mr. Cimaglia stated that veterans commit suicide at an alarming rate and having well-trained officers responding to these calls have saved lives. He also expressed his appreciation for the work of Samantha Reif.

Chairman Eaton thanked Mr. Cimaglia for the new perspective. Mr. Cimaglia also related the recent incident where a complaint was made to the Police Department regarding overgrown bushes. Officer Furbush and Officer DiLorenzo responded and made contact with the homeowner who was a 93 year old World War II veteran who was unable to maintain the hedges. Following their shift, Officers Furbush and DiLorenzo returned and trimmed the hedges.

Chairman Eaton asked if there were any additional callers seeking to comment and there were none.

#### ANNOUNCEMENTS

Selectman Bendel reminded residents that through the state of emergency, the Town of Wilmington is here to assist them.

Selectman Caira expressed his appreciation to those who participated in the rolling birthday party to celebrate his Mom's 95<sup>th</sup> Birthday. He advised that his Mom had a great day.

Selectman O'Mahony asked residents to be kind. She stated that in the midst of these difficult times, there are a lot of decisions that need to be made. Selectman O'Mahony noted the negative manner she has seen on social media and asked that people be supportive.

#### NEW BUSINESS

There was none.

#### IMPORTANT DATES

Chairman Eaton reviewed important dates including:

- Through  
October 11 – Drive-Thru Farmers Market – Town Common Parking Lot  
10:00 a.m. to 11:30 a.m.  
Pre-Order Required – [wilmingtonfarmersmarket.com](http://wilmingtonfarmersmarket.com)
- August 17 – Board of Selectmen – Town Hall – Virtual – 7:00 p.m.
- August 25 – Environmental Protection Agency (EPA) Public Information Meeting,  
re: Record of Decision for Olin Superfund Site – Virtual – 7:00 p.m.
- September 1 – State Primary Election – Polls Open 7:00 a.m. to 8:00 p.m.
- September 7 – Labor Day – *Town Offices Closed*

A motion was made by Selectman DePalma, seconded by Selectman Caira and by the affirmative roll call vote of all, it was

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 6:45 p.m.

Respectfully submitted,