

## BOARD OF SELECTMEN MEETING

February 24, 2014

Chairman Michael V. McCoy called the meeting to order at 7:07 p.m. in Room 9 of the Town Hall. Present were Selectmen Michael L. Champoux, Louis Cimaglia, IV, Michael J. Newhouse and Judith L. O'Connell. Also present was Town Manager Jeffrey M. Hull.

### TREASURY WARRANTS

Chairman McCoy asked for a motion to accept the Treasury Warrants. 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 accept Treasury Warrants 33, 33A, 34 and 34A.

### **BRIAN KANE, WILMINGTON LITTLE LEAGUE, RE: REQUEST TO CONDUCT A PARADE ON SATURDAY, APRIL 19, 2014 FROM TOWN COMMON TO ROTARY PARK IN CONJUNCTION WITH OPENING DAY CEREMONIES**

Mr. Kane was present on behalf of the Wilmington Little League to request permission to conduct its 6<sup>th</sup> annual parade on Saturday, April 19, 2014. He noted that typically the Little League requests a raindate on the following Sunday. This year the Sunday is Easter Sunday. Mr. Kane advised that in the event of rain the Little League would be in contact with the Town. Mr. Kane stated that participants in the parade will assemble at the municipal parking lot at 9:30 a.m. proceed up Church Street to Rotary Park. He stated that local veterans will throw out the first pitch and members of Kiwanis and the Wilmington Company of Minutemen will also be participating. He advised that this year's teams will be the Twins and the Indians. Mr. Kane expressed the appreciation of Wilmington Little League to the Town for its support of the Little League program.

Town Manager Hull advised that there are no conflicts and he has spoken with the Police Chief who recommends approval.

Chairman McCoy asked if there were any questions, comments or a motion from the Board. Members of the Board recognized Hayden Kane who was also present.

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 grant permission to Wilmington Little League to conduct its 6<sup>th</sup> annual Opening Day Parade on Saturday, April 19, 2014.

### **DISCUSSION RELATIVE TO THE BOARD'S INTENTION TO LAYOUT THE WAYS DESCRIBED IN THE PROPOSED WARRANT ARTICLE, I.E. ELEANOR DRIVE**

Town Manager Hull stated that the Board of Selectmen has been provided with a description of Eleanor Drive as provided by the Engineering Division. He noted that there is a conflict where the written number does not match the numbers and advised that the numbers are correct and will be reflected in the Warrant.

Chairman McCoy asked if there were any questions or comments from the audience and there were none. Chairman McCoy asked if there were any questions, comments or a motion from the Board. Town Manager Hull recommends that the Board of Selectmen proceed with the acceptance of Eleanor Drive as a public way at the 2014 Annual Town Meeting. Town Manager Hull stated that process will continue at the Board of Selectmen's next meeting, March 10, 2014, at which time a public hearing will be held.

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 accept the recommendation of Town Manager Hull to move forward with the intention to layout the ways as described.

**REVIEW OF ANNUAL TOWN MEETING WARRANT ARTICLES SUBMITTED BY PETITION**

Town Manager Hull reviewed warrant articles that were submitted by petition including requests to purchase Town-owned land:

- 1) Map 6, Parcel 18 (Portion – Lots 179, 180, 181 & 182) – Page Street – Petitioned by Mark Nelson
- 2) Map 6 Parcel 21 (Portion – Lots 212, 213, 214, 215 & 216) – Poplar Street – Petitioned by Mark Nelson
- 3) Map 6 Parcel 21\* (Portion - Lots 205, 206, 207, 208, 209, 210 & 211) – Poplar Street – Petitioned by Mark Nelson. Town Manager Hull advised that the petitioner did not identify the Parcel in the article.
- 4) Map 50 Parcel 16 – Sheldon Avenue – Petitioned by Raymond Lepore
- 5) Map 50 Parcel 18 – Sheldon Avenue – Petitioned by Christopher Lepore
- 6) Map 4 Parcel 10 – Marion Street – Petitioned by Leigh and Kelly Marinson

And requests to rezone property:

- 1) From Residential 60 (R60) to Residential 20 (R20) – Map 9, Parcel 54 – 205 Aldrich Road – Petitioned by Robert G. Peterson
- 2) From Residential 20 (R20) to General Business (GB) – Map 72, Lot 1 – 276 Lowell Street – Petitioned by Kevin Brennan
- 3) From Residential 60 (R60) to Residential 20 (R20) – Map 23, Parcel 106 – 8 Harold Avenue – Petitioned by Ronald Laliberte
- 4) A change in zoning for 101 Main Street – Petitioned by Abli Karaj

Town Manager Hull advised that the article relative to 101 Main Street is concerning to the Town Clerk. He advised that when submitted it did not conform to requirements. The signatories were on a page separate from the body of the article. Town Manager Hull noted that one petitioner advised the Town Clerk that he had not read nor signed the petition. He advised that it is the recommendation of Town Counsel and the Town Clerk that the petitioned article be rejected.

Town Manager Hull advised that the final warrant will be presented to the Board at their meeting of March 10.

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

VOTED: That the Board of Selectmen accept the recommendation of Town Counsel and Town Clerk that the article as presented does not meet the requirements of a petitioned article.

Selectman Champoux asked to confirm that petitioners will have an opportunity to present their articles and provide explanation at the March 18, 2014 public hearing. Town Manager Hull confirmed and noted that with respect to the requests to purchase Town owned property, the Property Review Board will meet following the public hearing and provide recommendation to the Town Manager as to the determination of surplus.

### **PRELIMINARY DISCUSSION OF ANNUAL TOWN MEETING NON-PETITIONED WARRANT ARTICLES**

Town Manager Hull reviewed the non-petitioned articles that are recommended for inclusion on the Warrant. Town Manager Hull reviewed articles 2 through 35 which include funding for capital items; funds to complete design and cost estimates for the development of the former Yentile Farm; roof replacement at the North Intermediate School; improvements to the parking lot at the Buzzell Senior Center; Self Contained Breathing Apparatus units for the Fire Department; technology improvements for Municipal Government and the School Department; the development of a municipal facilities master plan; amendment to the Inhabitant By-Laws relative to the enforcement of Recreation Commission rules and regulations and amendment to the Zoning By-Laws relative to Registered Marijuana Dispensaries.

Town Manager Hull advised that Article 23 will need to be revised. He said that the intent of the article is to add money to the stabilization fund established at a prior Town Meeting. The article as contained in the draft Warrant seeks to establish a new stabilization fund.

Selectman Newhouse commented that it is his understanding that the Town is not using the Whitefield School for office space and he would be interested in knowing what the use is currently, how long it is projected to be used for that purpose and whether the Town Manager can obtain costs for the demolition of the building. He stated that he is interested in an article being placed on the Warrant for consideration to demolish the Whitefield School and would like the Board to have a discussion at its next meeting.

Town Manager Hull stated that the Whitefield School has been used for storage of documents. He noted that the Town has gone through a purging process and though there are some documents still located there, it has been greatly reduced. He advised that the Town does not have an immediate use for the building with the exception of storage and the Town will continue to remove documents from the building. Town Manager Hull advised that the roof is in need of repair and a quote obtained approximately two years ago by Superintendent George Hooper estimates the cost to repair at \$35,000 to \$40,000. He advised the Board that the quote does not include replacement of planking and he is not sure of the condition of the existing planking. At approximately the same time an estimate was obtained for the demolition of the Whitefield School and that was for \$120,000.

Selectman Newhouse stated that he believes the Whitefield School is an imminent safety issue. Selectman Champoux agreed with Selectman Newhouse and asked what the ongoing care and maintenance of the building. Town Manager Hull advised that it is limited, there is electricity provided to the building. Selectman Cimaglia stated that he does not want the Whitefield School to deteriorate to the point that a fence must be erected to protect residents.

COMMUNICATIONS

Town Manager Hull reviewed correspondence from Gerald O'Reilly, 65 Wildwood Street, who wrote advising the Board of his intention to place his property for sale and to inquire if the taking of his property by eminent domain was still a possibility. He asked if it would be on the Warrant for the 2014 Annual Town Meeting. He stated in his correspondence that Town Manager Hull responded that it is still being considered. Town Manager Hull said he believes the letter Mr. O'Reilly is referring to was written in response to Mr. O'Reilly's inquiry for public records, it addressed the cost to connect to the Town's water system and his inquiry whether the Town continued to be interested in the property. Town Manager Hull advised the Board that his response was that the Town has not ruled out the possibility of seeking to acquire the property. Town Manager Hull stated that the Town is not actively engaged in the process.

Selectman Newhouse stated that he recalls that the letter issued in response provided information that would be provided to any resident and that is the Town is always interested in looking at properties that are adjacent to Town properties. He stated that the Board does not typically speak about the Town's potential interest in real estate in a public forum, but at \$570,000 he is not interested in the property. Selectman Newhouse noted the irony that the publication for the sale of the property touts location and education.

Town Manager Hull reviewed correspondence from David L. Cohen advising that Comcast and Time Warner Cable announced a transaction that will combine the cable assets of Time Warner Cable with that of Comcast. Details of the transaction were provided to the Board.

Town Manager Hull reviewed correspondence from the Massachusetts Water Resources Authority (MWRA) relative to preliminary Fiscal Year 2015 water and sewer assessments. The preliminary water assessment for Wilmington is \$363,883 and the preliminary sewer assessment is \$2,354,227.

**BOARD TO CONSIDER REQUEST FROM THE RECREATION COMMISSION TO USE THE TOWN COMMON TO CONDUCT THE ANNUAL EASTER EGG HUNT ON SATURDAY, APRIL 19, 2014 AT 2:00 P.M.**

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

VOTED: That the Board of Selectmen approve the request of the Recreation Commission to use the Town Common to conduct the annual Easter Egg Hunt on Saturday, April 19, 2014 at 2:00 p.m.

**BOARD TO CONSIDER ACCEPTING A GIFT OF LAND OF APPROXIMATELY 35,500 SQUARE FEET FOR THE CARE, CUSTODY AND CONTROL OF THE CONSERVATION COMMISSION FROM KATHLEEN G. TENNERMANN, WILDA G. SQUIRES AND SHEYRON J. BANKS, SAID LAND LOCATED ON TAPLIN AVENUE, MAP 44, PARCEL 4**

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

VOTED: That the Board of Selectmen accept a gift of land of approximately 35,500 square feet for the care, custody and control of the Conservation Commission from Kathleen G. Tennermann, Wilda G. Squires and Sheyron J. Banks, said land located on Taplin Avenue, Map 44, Parcel 4.

**BOARD TO CONSIDER EXECUTING NOTICE OF CLAIM FOR ANNUITY PROCEEDS TO BE DESIGNATED TO THE LODDY WEISBERG AND LENA LEITER STUDENT SCHOLARSHIP FUNDS**

Chairman McCoy 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 execute the notice of claim for annuity proceeds to be designated to the Loddy Weisberg and Lena Leiter Student Scholarship Funds.

PUBLIC COMMENTS

There were none.

NEW BUSINESS

There was none.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

February 25 – Finance Committee Meeting – Town Hall – Room 9 – 6:30 p.m.  
*RECREATION, POLICE, PUBLIC SAFETY CENTRAL DISPATCH, FIRE*

Town Manager Hull advised that he has scheduled a meeting for Wednesday, February 26 with members of the Fourth of July Committee and representatives of the non-profit groups to provide his rationale for not allowing fireworks to be set off from the high school property.

February 27 – Yentile Farm Development Committee – Wilmington High School – Cafeteria – 7:00 p.m.

March 10 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.  
Public Hearing Relative to the Acceptance of Streets

March 18 – Finance Committee/Planning Board Joint Public Hearing Relative to the Warrant for the Annual Town Meeting – Town Hall Auditorium – 7:00 p.m.

April 4 – Last Day to Register to Vote at the Annual Town Election and Town Meeting – Town Clerk’s Office Open 8:30 a.m. – 8:00 p.m.

There being no further business to come before the Board, 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 adjourn.

Meeting adjourned at 8:03 p.m.

Respectfully submitted,

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Recording Secretary