

BOARD OF SELECTMEN MEETING

July 12, 2021

Chairman Lilia Maselli called the meeting to order at 6:00 p.m. This meeting was held in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira and Gary B. DePalma. Also present was Assistant Town Manager Kerry Colburn-Dion.

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

VOTED: That the Board of Selectmen enter Executive Session for the purpose of discussing strategies with respect to litigation involving a claim before the Middlesex Superior Court by Police Officer Anthony Fiore in accordance with Massachusetts General Law Chapter 30A, Section 21(a)3, as an open meeting may have a detrimental effect on the Town's position as so determined by the Chairman and further to consider Executive Session Minutes from May 10, 2021 and May 24, 2021 in accordance with Massachusetts General Law Chapter 30A, Section 22 to return to open session.

Chairman Maselli reconvened the meeting at 7:00 p.m. Present were Selectmen Gregory B. Bendel, Kevin A. Caira and Gary B. DePalma. Also present was Assistant Town Manager Kerry Colburn-Dion.

Chairman Maselli asked meeting participants to rise and she led the pledge of allegiance.

TREASURY WARRANTS

Chairman Maselli asked for a motion to accept the Treasury Warrants. A motion was made by Selectman Caira, seconded by Selectman Bendel and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen accept Treasury Warrants 53, 53A, 53B, 53C, 54, 54A, 1 & 2.

MINUTES

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held June 14, 2021 and all action taken is hereby ratified and confirmed.

CARLOS E. PEREZ POLANCO, CASA BLANCA, RE: REQUEST TO CHANGE MANAGER FROM MIA MUNOZ TO CARLOS POLANCO

Mr. Polanco was present to introduce himself to the Board of Selectmen relative to his application to change the manager from Mia Munoz. He stated that he has served as the restaurant's general manager for the past year. Prior to that he worked at the Casa Blanca in Billerica.

Assistant Town Manager Kerry Colburn-Dion advised that a recommendation was received from Police Chief Joseph Desmond. Chief Desmond reviewed the application and recommends approval.

Selectman Caira asked if business has improved now that the restaurant may be open. Mr. Polanco advised that they have to close one night a week, Mondays, because they do not have sufficient staff.

Members of the Board complimented Mr. Polanco, indicating that they have eaten at Casa Blanca and have enjoyed their meals. Mr. Polanco commented that he occasionally works in the kitchen.

Selectman Bendel asked if residents should be made aware of any changes put into place under new management. Mr. Polanco advised that there would not be any changes.

Chairman Maselli asked if there were any additional questions or comments and there were none. A motion was made by Selectman DePalma, seconded by Selectman Bendel and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the application of Casa Blanca Mexican Restaurant to change the manager from Mia Munoz to Carlos E. Perez Polanco.

COMMUNICATIONS

Assistant Town Manager Colburn-Dion reviewed a memorandum from Town Clerk Christine Touma-Conway regarding 2021 dog registrations. Ms. Touma-Conway provided a timeline for changes that have been made in the past two years, along with plans to improve the process in the future. She advised that in past years, dog registration forms were sent with each census mailed out, approximately 12,000 annually and Wilmington has approximately 2,500 dog owners thus this process was expensive, inefficient and actually caused confusion amongst non-dog owners. To save money, reduce confusion and be more efficient, the Town Clerk's office stopped sending registration forms with each census form in 2020. Dog owners were sent reminder notices directly. In 2020 all late fees and fines were waived due to COVID, therefore the impact of this change was not immediately felt. Many dog owners did not even register their dogs in 2020. Because the Clerk's office has been back full time serving the public by meeting them at the front door, at the office window, by phone, through the mail and online since June of 2020, all fees were re-implemented for the 2021 Dog Registration season.

In 2021, multiple means of reminding owners about dog registration were used. In addition to the citation notices sent out by regular mail in June 2021, reminders were sent out by email/mail in December 2020 and May 2021. Notices about dog registration, due dates, late fees and the potential for institution of noncriminal fines were placed in the January and April Town Topics newsletters, registration reminders were noted on the January 2021 Town Calendar page and on the Rotary Park sign board from January 28 through February 11, 2021. Ms. Touma-Conway noted that in prior years, no individual reminders were sent prior to the addition of the late fee after March 31, nor prior to the mailing of the citations on June 1. Both the late fee and fines are part of the Inhabitant By-laws of the Town of Wilmington. She advised that her office has reviewed the process and resolves to improve it in several ways: include a reminder on the opposite side of the Annual Town Census Form, Re-design the registration form to make it clear that if a dog owner provides an email address, that address will be used to communicate with them; increase the number of times reminders are sent out; utilize Wilmington Apple, WCTV and Town social media platforms to remind of registration requirements; ensure the information is provided to the Board of Selectmen for inclusion on its agenda under "Important Dates" starting in December and include information on the Town Clerk's website page more prominently. She stated that, ultimately, the burden of registering one's dog is a matter of Massachusetts state law and the Inhabitant By-laws of the Town of Wilmington.

Assistant Town Manager Colburn-Dion reviewed a memorandum from Town Manager Hull regarding the Massachusetts School Building Authority (MSBA) Initial Compliance Certificate. Town Manager Hull wrote that the Town is responsible for completing several tasks during the MSBA Eligibility Period. The Eligibility Period formally began on July 1, 2021 and continues through March 28, 2022 and the culmination of the Town's efforts will be successful approval of an appropriation for feasibility and schematic design services for a school. The first major deadline

during the Eligibility Period is submission of the Initial Compliance Certification form. The document establishes the terms and conditions to which the Town must agree in order to participate in this MSBA funding program. Mark Reich, Town Counsel, has reviewed the document and notes that it is standard language that the MSBA requires of participating communities. He stated that he does not see any specific issues with the language in the document and recommends that the Town carefully read the certificate to confirm that it can comply with the requirements. Assistant Town Manager Colburn-Dion advised that the Board will be asked to authorize Chairman Maselli to execute the document under Board to Consider.

Assistant Town Manager Colburn-Dion reviewed a memorandum from Town Manager Hull regarding water bans as they relate to fundraiser car wash events. Town Manager Hull wrote that during the October 13, 2020 Board of Selectmen's meeting, the Board considered a request from the Friends of Field Hockey to conduct a car wash fundraiser for Sunday, September 12, 2021. Concern was expressed that, while the Board might approve the request well in advance of the date, during the months leading up to the event drought conditions may exist leading to a water ban prohibiting, or severely restricting, property owners from outdoor water usage. It was suggested that it may not be appropriate to authorize such water usage for a car wash if a water ban is in effect at that time. Members approved a motion by then Selectman O'Mahony that the request be approved with the caveat that in the event water restrictions are in place, the car wash will be prohibited and the organizers notified not later than August 1, 2021. Town Manager Hull continued that, with the frequency of recent rain events a ban on outdoor water usage seems unlikely, it remains a possibility. He advised that Public Works Director Michael Woods was scheduled to participate in a Zoom session with representatives from Department of Environmental Protection to learn about what the agency may be planning in terms of restrictions. Town Manager Hull recommended that the Board remove the August 1st deadline for notice to the Friends of Field Hockey and require that the Town notify the organization as soon as practicable in the event a ban on outdoor water usage is imposed. Members of the Board did not express any concerns or offer any comments.

BOARD TO CONSIDER SELECTING A DESIGNEE TO SERVE ON THE MSBA SCHOOL BUILDING COMMITTEE FOR WILDWOOD SCHOOL PROJECT

Assistant Town Manager Colburn-Dion recommended that the Board also select an alternate designee. Chairman Maselli asked if there were any questions, comments or a motion. A motion was made by Selectman Caira, seconded by Chairman Maselli and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen select Selectman Gregory Bendel to serve as their designee on the MSBA School Building Committee for the Wildwood School Project.

A motion was made by Selectman Bendel, seconded by Chairman Maselli and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen select Selectman Kevin Caira to serve as their alternate designee on the MSBA School Building Committee for the Wildwood School Project.

BOARD TO CONSIDER EXECUTING MASSACHUSETTS SCHOOL BUILDING AUTHORITY INITIAL COMPLIANCE CERTIFICATE TOWN OF WILMINGTON WILDWOOD ELEMENTARY SCHOOL

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

VOTED: That the Board of Selectmen authorize Chairman Maselli to execute the Massachusetts School Building Authority Initial Compliance Certificate Town of Wilmington Wildwood Elementary School.

BOARD TO CONSIDER REQUEST OF WILMINGTON ROTARY CLUB TO USE ROTARY PARK FOR THE SIXTH COMMUNITY ICE BUCKET CHALLENGE ON SATURDAY, AUGUST 28, 2021 AT 10:00 A.M. TO 2:00 P.M.

Assistant Town Manager Colburn-Dion reviewed the request from Wilmington Rotary and noted that the organization has raised over \$20,000 which has been donated to ALS research through the Angel Fund of Wakefield. Wilmington Rotary challenged members of the Board of Selectmen to participate. Chairman Maselli asked if there were any questions or comments. A motion was made by Chairman Maselli, seconded by Selectman DePalma and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the request of Wilmington Rotary Club to use Rotary Park for the sixth community Ice Bucket Challenge on Saturday, August 28, 2021, 10:00 a.m. to 2:00 p.m.

BOARD TO CONSIDER SIGNING THE WARRANT FOR THE SPECIAL TOWN ELECTION TO BE HELD THURSDAY, SEPTEMBER 2, 2021

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

VOTED: That the Board of Selectmen sign the Warrant for the Special Town Election to be held on Thursday, September 2, 2021.

BOARD TO CONSIDER REQUEST OF SHERI PALMISANO FOR RESIDENTS OF LUCAYA CIRCLE TO HAVE A NEIGHBORHOOD BLOCK PARTY ON SATURDAY, SEPTEMBER 11, 2021 FROM 12:00 P.M. TO 10:00 P.M. RAINDATE: SUNDAY, SEPTEMBER 12, 2021 FROM 12:00 P.M. TO 10:00 P.M.

Assistant Town Manager Colburn-Dion reviewed the request and noted that the request is consistent with previous years. Neighbors would like to block Lucaya Circle between numbers 15 and 18. This effects four families who have consented to the request. As this street is a circle, the other residents may access their property from either end of Lucaya Circle. Chairman Maselli asked if there were any questions, comments or a motion. A motion was made by Selectman DePalma, seconded by Selectman Bendel and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the request of Sheri Palmisano for residents of Lucaya Circle to have a neighborhood block party on Saturday, September 11, 2021 from 12:00 p.m. to 10:00 p.m. with a raindate of Sunday, September 12, 2021.

BOARD TO CONSIDER REQUEST OF SAMANTHA P. REIF, LICSW, HEALTH & RECOVERY COORDINATOR, TO USE THE TOWN COMMON AND GAZEBO ON SEPTEMBER 20, 2021, FROM 5 P.M. TO 10 P.M. FOR THE PURPOSE OF HOLDING THE 6TH ANNUAL WILMINGTON VIGIL

Ms. Reif was present at this evenings meeting. Members of the Board expressed their appreciation to Ms. Reif who indicated that she was excited to conduct the vigil in person this year.

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

VOTED: That the Board of Selectmen approve the request of Samantha Reif, LICSW, Health & Recovery Coordinator to use the Town Common and Gazebo on Monday, September 20, 2021 from 5 p.m. to 10 p.m. for the purpose of holding the 6th Annual Wilmington Vigil.

BOARD TO CONSIDER REQUEST OF JAYNE TAYLOR, PRESIDENT, KIWANIS CLUB OF WILMINGTON, TO USE THE MUNICIPAL PARKING LOT ON MIDDLESEX AVENUE, SATURDAY, OCTOBER 16 AND SUNDAY, OCTOBER 17, 2021 FOR A BIKE SWAP

Assistant Town Manager Colburn-Dion reviewed the request of the Kiwanis Club. Ms. Taylor wrote that their proposal is to initiate a Bike Swap. The event would be free and open to anyone who would care to donate an unused bike in return for first pick of said bikes for another bike. Following the exchange round, bikes would be open to all comers, free of charge. In addition, the Kiwanis Club has obtained the services of a Hampton, NH bike shop, who will perform minor adjustments to bikes. The Wilmington Fire and Police Departments will be invited to participate.

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

VOTED: That the Board of Selectmen approve the request of Kiwanis Club of Wilmington to use the Municipal Parking Lot on Middlesex Avenue, Saturday, October 16 and Sunday, October 17, 2021 for a bike swap.

BOARD TO CONSIDER REQUEST OF JENNIFER VARGAS AND THOMAS QUINLAN TO USE TOWN PROPERTY ON GROVE AVENUE AT SILVER LAKE FOR A WEDDING ON SATURDAY, NOVEMBER 6, 2021 AT 2:30 P.M.

Assistant Town Manager Colburn-Dion reviewed the request and described the location as being the grassy area to the left of the fishing pier.

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

VOTED: That the Board of Selectmen approve the request of Jennifer Vargas and Thomas Quinlan to use Town property on Grove Avenue at Silver Lake for a wedding on Saturday, November 6, 2021 at 2:30 p.m.

Members of the Board offered their well wishes to the couple.

BOARD TO CONSIDER REQUEST OF JULIE BREEN FOR WILMINGTON HIGH SCHOOL GIRLS LACROSSE TEAMS TO CONDUCT A FUNDRAISING CAR WASH AT THE MUNICIPAL PARKING LOT ON SUNDAY, APRIL 24, 2022, 9:00 A.M. TO 1:00 P.M. WITH A RAINDATE OF SUNDAY, MAY 1, 2022

Assistant Town Manager Colburn-Dion advised the Board that an email was received asking the Board to consider allowing a change in dates. Ms. Breen was requesting to change to Sunday, May 1 and Sunday, May 8, respectively. Chairman Maselli asked if there were any questions, comments or a motion. A motion was made by Selectman Bendel, seconded by Selectman Caira and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the request of Julie Breen for Wilmington High School Girls Lacrosse Teams to conduct a fundraising car wash at the Municipal Parking Lot on Sunday, May 1, 2022 from 9:00 a.m. to 1:00 p.m. with a raindate of Sunday, May 8, 2022.

PUBLIC COMMENTS

There were none.

ANNOUNCEMENTS

Selectman Bendel welcomed home PFC Mark Ragucci of the US Army. Chairman Maselli welcomed PFC Ragucci home and thanked him for his service.

Selectman Cairra congratulated Selectman Bendel and his wife Andrea on their sixth wedding anniversary.

NEW BUSINESS

There was none.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- Through
- October 3 – Farmers Market – Swain Green – Sundays – 10:00 a.m. to 1:00 p.m.
- July 14 – Economic Development Committee – Town Hall – Auditorium – 6:00 p.m.
- July 14 – Concert on the Common – 6:30 p.m.
Jimmy & the Jesters
- July 21 – Concert on the Common – 6:30 p.m.
Back Track
- July 28 – Concert on the Common – 6:30 p.m.
Perfect Crime
- August 3 – National Night Out – Rotary Park
- August 4 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- August 7 – Purple Heart Day
- August 7 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- August 13 – Library Summer Bash – Swain Green – 5:30 p.m.
- August 16 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- September 2 – Special Town Election – Polls Open 8:00 a.m. to 8:00 p.m.
- September 11 – September 11, 2001 20th Anniversary Remembrance
Wilmington High School – Cafeteria – 8:30 a.m.

SALUTE TO SERVICE



Selectman Bendel stated that it is his pleasure, on behalf of the Board of Selectmen, to recognize Mr. Richard Bertrand. “Dickie” is a long-time Wilmington resident who served in the United States Navy during Vietnam on board the USS Vulcan. The Vuncan was a Navy repair ship. Since his return, Mr. Bertrand has volunteered his services for the Veterans’ Day and Memorial Day ceremonies. In addition, he is often at the Veterans’ Services Office, ready to lend a helping hand.

Mr. Bertrand, we salute you and thank you for your service.

Selectman DePalma held up a packet containing a memorandum from Chairman Rob Peterson of the By-Law Review Committee and information from General Code. He asked whether all the members received it. Members confirmed they received the information. Selectman DePalma stated that the information is what the By-Law Review Committee has been working on and noted that, at their first meeting, they were able to go through 50 questions. He stated that the By-Law Review Committee will be scheduling a meeting with the Board to allow an opportunity for them to ask questions. He stated that the By-Law Review Committee typically begins their meeting at 4:30 p.m. and by the time they get through their agenda it is 7:00 p.m. Selectman DePalma commented that 7:00 p.m. would be more convenient for Board members who would like to attend to see what the committee is working on and to offer their comments.

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

VOTED: That the Board of Selectmen adjourn to Executive Session pursuant to General Laws Chapter 30A, Section 21(A)(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel and to conduct contract negotiations with nonunion personnel - Town Manager not to return to Open Session.

Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Recording Secretary