

BOARD OF SELECTMEN MEETING

July 18, 2016

Chairman Judith L. O'Connell called the meeting to order at 7:03 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira and Michael L. Champoux. Also present was Town Manager Jeffrey M. Hull.

Chairman O'Connell asked those present to rise and Selectman Champoux led the pledge of allegiance.

TREASURY WARRANTS

Chairman O'Connell 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, 54, 54A, 54B, 55, 1, 1A, 2, 2A, 2B, 3 and 3A.

MICHAEL J. NEWHOUSE, ESQUIRE, AND LAWRENCE I. F. EVANS, DOODLESACK LLC DBA LAROSA'S, RE: REQUEST FOR A COMMON VICTUALER LICENSE FOR PROPERTY LOCATED AT 269 MAIN STREET, UNIT 211

Chairman O'Connell advised that based upon certain circumstances, she would recuse herself from the meeting. Chairman O'Connell left the meeting room and Selectman Champoux assumed the role of Chairman for this appointment.

Mr. Newhouse was present with Mr. Evans to request a Common Victualer License for property located at 269 Main Street, Unit 211. This location was formerly Pink Melon Frozen Yogurt and is situated behind Chili's and next to The Cleaner Spot. Mr. Newhouse advised that the application is for a sandwich shop. Mr. Newhouse stated that Mr. Evans and his family have been in the food business dating back to 1970. They are hoping to open at their location September 1.

Chairman Champoux asked if there were any questions or comments from the Board. Selectmen Bendel and Caira wished Mr. Evans and his family well in this endeavor. Chairman Champoux asked what different drawings were indicating on the plans. Mr. Evans advised that there would be a salad bar at the front, an area to place orders and access to restrooms at the rear of the restaurant.

Chairman Champoux asked Town Manager Hull to provide applicable department recommendations. Town Manager Hull reviewed recommendations from Health Director Shelly Newhouse who recommends approval and Building Inspector Al Spaulding who recommends approval. Chairman Champoux asked if there were any questions or comments from the audience and there were none. Chairman Champoux 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 grant a Common Victualer License to Doodlesack, LLC dba LaRosa's, 269 Main Street, Unit 211.

Chairman O'Connell returned to the meeting.

BOARD OF SELECTMEN RECOGNITION OF CHARLES BOYLE

Town Manager Hull stated that Charlie Boyle was the longstanding Chairman of the Board of Appeals having been appointed as an Associate Member in 1992, a full member in 1993 and was appointed chairman in 1994. He said from his observations, the members of the Board of Appeals deserve a lot of credit for the types of issues that they have to deal with. When discussing property rights, what one can or cannot do with their property, it can be challenging and there are many

instances where the proponent is not in agreement with the abutters of the property. Town Manager Hull stated that Charles Boyle has handled the role with diplomacy and professionalism. He has the ability to work through the process and get parties of differing opinions to navigate through the process and reach a conclusion with fairness and everyone having an opportunity to speak.

Chairman O'Connell asked if members of the Board wished to make a comment. Selectmen expressed their appreciation to Mr. Boyle for his work on behalf of the residents of the Town of Wilmington.

Town Manager Hull reviewed a letter from Selectman McCoy thanking Mr. Boyle for 24 years of devoted service to the Wilmington Board of Appeals.

Chairman O'Connell stated that she has been quite impressed with Mr. Boyle's demeanor and ability to chair the Board of Appeals meetings and engage with the public and handle with civility and professionalism to ensure that all sides of the issue are heard. She is particularly impressed with the respect he has garnered amongst peers and is highly regarded by fellow board members. She believes the Town of Wilmington has been very well served by Mr. Boyle. Chairman O'Connell presented Mr. Boyle with a Certificate of Appreciation.

Mr. Boyle thanked the Board of Selectmen for the recognition and thanked Toni LaRivee, Secretary to the Board of Appeals, and Edward Loud, Chairman of the Board of Appeals for their support and being present this evening.

VALERIE GINGRICH, DIRECTOR OF PLANNING & CONVERSATION, RE: HAZARD MITIGATION PLAN AND CONSERVATION RESTRICTION

Ms. Gingrich advised that the Board of Selectmen was in receipt of the 2015 Hazard Mitigation Plan Update. For the past few years the Town has been working with the Metropolitan Area Planning Council to update the Hazard Mitigation Plan (Plan). The Plan outlines potential impacts to the community from flooding, high winds, winter storms, brush fires, geological hazards, extreme temperatures and drought. The Plan outlines hazard mitigation goals and mitigation measures to meet these goals. The efforts outlined in the Plan respond to different types of hazard risks and include potential short term, medium term and long term actions.

Ms. Gingrich stated that the plan has been reviewed by the Federal Emergency Management Agency and will receive final approval following the adoption of the Plan by the Town. She said that an approved plan will allow the Town to apply for Hazard Mitigation Funding and other grant opportunities.

Chairman O'Connell asked if there were any comments or questions from the Board. Selectman Champoux asked whether the plan was brand new or whether it was an update to a previously adopted plan. Ms. Gingrich stated that it is an update but there is a lot of new content. Selectman Champoux stated that there is localized flooding but he perceives snow as a hazard and inquired how a community mitigates snow. Ms. Gingrich noted that mitigation measures for snow include the purchase of heavy-duty trucks with plows and sanders to manage the snow and to check public buildings for snow loads.

Selectman Cairra inquired how often the Hazard Mitigation Plan needed to be updated and was advised that it is every five years but it takes two to three years to update.

Chairman O'Connell stated that it is a comprehensive report and noted that the sub-station was included on the report and will be interested in how it evolves with the Facilities Master Plan.

Chairman O'Connell asked if there were any questions or comments from the audience. Ms. Gingrich was asked whether the report was available on-line. She advised that it is on the website. George Lingenfelter, 11 Concord Street, asked whether the plan strictly addressed natural disasters or whether it addressed facilities that may store potentially hazardous materials. Mr. Lingenfelter was advised that it is only related to natural hazards.

BOARD TO CONSIDER ADOPTING 2015 HAZARD MITIGATION PLAN UPDATE

Town Manager Hull read the Certificate of Adoption that the Board of Selectmen was being asked to adopt. Chairman O'Connell asked if there were any questions, comments or a motion. A motion was made by Chairman O'Connell, seconded by Selectman Champoux and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen adopt the 2015 Hazard Mitigation Plan Update.

Ms. Gingrich advised that before the Board of Selectmen is a Conservation Restriction and Easement Agreement for five single family lots. The lots are part of the 36 lot conservation subdivision known as Murray Hill Estates which extends Eleanor Drive. She advised that the Town of Wilmington by-laws require a vegetated buffer area of 30 feet be provided along conservation areas. To meet this requirement, a Conservation Restriction and Easement Agreement has been drafted to restrict activity on portions of Lots 1, 20, 31, 34 and 35. The restriction requires that the 30 foot buffer area be kept in a natural state with no structures, parking or disturbance of the area. The Conservation Restriction was accepted and signed by the Conservation Commission.

Chairman O'Connell asked how the buffer will be marked. Ms. Gingrich stated it could be boulders or fencing. She stated that signage is also required. Chairman O'Connell asked if there were any questions or comments. Selectman Champoux stated that he was pleased to see that the open space will include trails which will connect to the existing trails off Mill Road.

BOARD TO CONSIDER EXECUTING CONSERVATION RESTRICTION – MURRAY HILL ESTATES

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

VOTED: That the Board of Selectman execute the Conservation Easement and Restriction for Murray Hill Estates.

KENDRA AMARAL, ASSISTANT TOWN MANAGER, AND PAUL ALUNNI, TOWN ENGINEER, RE: STATUS UPDATE YENTILE FARM RECREATIONAL FACILITY

Ms. Amaral stated that she and Mr. Alunni were present to provide an update to the Board of Selectmen on the progress of the Yentile Farm Recreational Facility. Ms. Amaral stated that there will be a site walk on Wednesday, July 20 at 8:00 a.m. and invited the Board of Selectmen to attend.

Overall, the project is on schedule and is expected to open in spring 2017. Ms. Amaral stated that they brought examples of colors and materials. The committee's goal to have a more rustic, outdoorsy space.

Mr. Alunni stated that during the design phase, it was anticipated the schedule would be one full construction season. He stated that it is close to mid-season and the initial assessment is accurate. Substantial completion will be the end of this year. Mr. Alunni stated that the site is transitioning in to the installation of more prominent features and finished projects.

Mr. Alunni stated that the base stone for the turf field has been installed, the bleacher section, field lights and walkway around the perimeter of the field have been installed. It is expected that delivery of the carpet for the turf field will be this week and it will be installed next week.

Mr. Alunni met with Reading Municipal Light Department and they are on schedule to replace the two poles.

Ms. Amaral stated that Town Manager Hull was provided with a budget summary. She reminded the Board of Selectmen that Town Meeting approved \$4.8 million for the project. The base bid construction was approximately \$3.8 million and there were three add/alternates that were included in the bid. The base bid came in under budget and therefore the Town was able to exercise the add/alternate option. A 12% contingency was put aside and she and Mr. Alunni watch the contingency carefully. Ms. Amaral believes that the unknowns have been discovered and any changes in the design will be the choice of the committee. Ms. Amaral advised the Board of Selectmen that the project is very much on budget.

Chairman O'Connell asked if there were any questions or comments from the Board. Selectman Champoux stated that he makes a point to go by the site to see the progress.

Selectman Caira inquired about the shrubs and noticed that some have turned brown. He anticipates that they will be replaced and asked whether there will be budget implications. Ms. Amaral stated that the contractor is responsible for the shrubs for one year after turning the site over to the Town. She stated that it is her understanding replacement shrubs will be delivered starting this week.

Chairman O'Connell expressed her appreciation to Ms. Amaral and Mr. Alunni for the work that they have done on this project. She stated that she has received questions about the football goal posts and wanted to reiterate that because the bid numbers were low enough, the committee made a decision to prioritize the add/alternates. It makes sense to include the posts as trying to retrofit and cut into the carpet after installation is not advantageous.

Town Manager Hull asked Mr. Alunni to review the change orders. Mr. Alunni stated that the first change order was to increase the 4" underdrain around the perimeter of the turf field. He stated that when excavation began, permeability was lower than expected and the Town wanted to increase the size of the underdrain to make sure that the field would not take on any water. The second change order was for the spread footing for the field lights. The lights are 70 feet tall and extend 16 feet into the ground. While auguring, a boulder was hit at 12 feet and therefore one of the poles had to be changed to a spread footing as opposed to deep footing.

Town Manager Hull asked members of the Board to advise him if they intend to attend the site walk at the Yentile Farm Recreational Facility. He stated that for safety purposes, hard hats and vests will need to be provided. Chairman O'Connell also suggested that appropriate footwear should be worn.

Chairman O'Connell asked if there were any questions or comments from the audience. Edward Loud, Valyn Lane, stated that he is a member of the committee and expressed his appreciation to Ms. Amaral and Mr. Alunni. He stated that he is proud to be a part of the committee and acknowledged Chairman O'Connell's work as Co-Chairman of the Yentile Farm Redevelopment Committee. He encouraged residents to log onto www.yentilefarm.org.

COMMUNICATIONS

Town Manager Hull reviewed his memorandum regarding the Town of Wilmington's website. He advised that the Town has added online bill pay, the GIS map system, expanded use of the E-Alert feature and implemented online Recreation program registration and payment. The final effort

has been to improve the design of the site itself and the redesigned website went live Monday, July 18. Access to the website has not changed and the address is www.wilmingtonma.gov. Town Manager Hull stated that every effort has been made to review and update content prior to the launch, however additional content editing and updating will continue on a regular basis.

Town Manager Hull reviewed his memorandum regarding the Yentile Farm Recreational Facility Update. He advised that construction of the recreation area was awarded to Green Acres Landscaping and Construction Company for the amount of \$3,903,950. The favorable pricing at the time of the bid submissions allowed three items that were included as add/alternatives to be part of the project. Those items were the construction of paved trail to Textron, installation of footings for football posts/soccer nets and the installation of football posts and soccer nets.

Town Manager Hull reviewed correspondence from the Federal Emergency Management Agency regarding the new National Flood Insurance Program map panel. Included in the correspondence was a list of Wilmington properties and current flood insurance zones.

Town Manager Hull reviewed a letter from Paul J. Brozo who wrote expressing his interest in serving on the Board of Appeals. Mr. Brozo was advised that the Board of Selectmen would be meeting on July 25 for the purpose of meeting candidates. Mr. Brozo was provided with a time to meet with the Board.

Town Manager Hull reviewed a press release from Reading Municipal Light Department (RMLD) regarding an informational forum scheduled for Tuesday, July 26 at the North Reading Senior Center. RMLD personnel will review the benefits of peak shaving using mini distributed generation equipment to be installed at RMLD's substation in North Reading.

Town Manager Hull reviewed information from Paul Regan, Executive Director, MBTA Advisory Board, and Marc Draisen, Executive Director, Metropolitan Area Planning Council relative to municipal elections to the Boston Region Metropolitan Planning Organization. Nomination papers are due Friday, September 30 and elections will take place at the MAPC fall council meeting Wednesday, October 26, 2016.

BOARD TO CONSIDER REQUEST OF MICHAEL BEGONIS, POLICE CHIEF, TO PLACE BANNERS ON THE GAZEBO FOR THE PURPOSE OF ADVERTISING THE NATIONAL NIGHT OUT EVENT TO BE HELD AUGUST 2, 2016

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

VOTED: That the Board of Selectmen grant the request of Police Chief Michael Begonis to place banners on the gazebo for the purpose of advertising the National Night Out event to be held August 2, 2016.

BOARD TO CONSIDER REQUEST OF SAL DAMBAUSKAS, LYNCH MATERIALS, TO APPOINT ROBERT IANTOSCA AS A PUBLIC WEIGHER FOR THE TOWN OF WILMINGTON

Chairman O'Connell asked if there were any questions, comments or a motion. Selectman Champoux asked whether Mr. Iantosca is an employee of Lynch Materials and was advised that he is an employee. A motion was made by Selectman Champoux, seconded by Selectman Bendel and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen appoint Robert Iantosca as a Public Weigher in the Town of Wilmington.

BOARD TO CONSIDER REQUEST OF WILMINGTON ROTARY CLUB TO USE ROTARY PARK FOR THE SECOND COMMUNITY ICE BUCKET CHALLENGE ON SATURDAY, AUGUST 27, 2016

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

VOTED: That the Board of Selectmen grant the request of the Wilmington Rotary Club to use Rotary Park for the second Community Ice Bucket Challenge on Saturday, August 27, 2016.

Town Manager Hull advised that a request was received from the Wilmington Band Parents/Sons of Italy to conduct a yard sale at the Swain School parking lot. The purpose of the event is to raise funds for the two organizations. The date requested is Saturday, September 10, 7 a.m. to 4 p.m. The groups have requested September 24 as a raindate but that is the date the Friends of the Library will have the shredding trucks at that location.

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

VOTED: That the Board of Selectmen approve the request of the Wilmington Band Parents/Sons of Italy to use the Swain School Parking Lot for the purpose of a fundraising yard sale on Saturday, September 10, 2016 from 7 a.m. to 4 p.m. A raindate may be scheduled by mutual agreement with the Town Manager's office.

PUBLIC COMMENTS

There were none.

NEW BUSINESS – COMMITTEE REPORTS

Selectman Champoux stated that the Board of Selectmen was in receipt of correspondence from Louis Forman regarding a memorial for Carmen Cunningham. Mr. Cunningham was the owner of the Cleaner Spot dry cleaner and tailor who recently passed away suddenly. Mr. Cunningham was a very good person who touched many people in Town. Selectman Champoux expressed his feelings that by creating a memorial for Mr. Cunningham would be a disservice to a number of individuals who are equally deserving of recognition. He stated that the Chamber of Commerce is actively engaged in determining a way to memorialize Mr. Cunningham. Selectman Champoux reviewed possible ways to memorialize Mr. Cunningham, perhaps by creating a scholarship. In addition, the annual meeting of the Chamber of Commerce will be offered in honor of Mr. Cunningham's passing and it has been discussed to create a Wilmington business Spirit Award. Selectman Champoux noted that the criteria for the award, as well as for a scholarship have not been determined. It is believed that it is the type of recognition that Mr. Cunningham would feel comfortable.

Members of the Board commented relative to the Fourth of July festivities and expressed their appreciation to all involved in making the celebration a success.

Selectman Cairra stated that his son plays softball at Aprile Field and advised that the gate to enter the park is often locked. He said the parking with the dog park and the players, there are vehicles parking across the street. He asked whether someone could open the gate and it be the responsibility of the teams to ensure the gate is locked following use. Selectman Cairra stated that occasionally it is open. Town Manager Hull stated that he does not recall there being a lot of parking available and was advised that when the gate is open, there is plenty of parking.

Chairman O'Connell stated that she believes there is a league representative that has a key and it depends upon when that person gets to the field. Town Manager Hull stated that he will speak with the Recreation Director to determine a solution, he does not want individuals to have to cross Route 38 to access the ball field.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

Sundays Through

- October 9 – Farmer's Market – Town Common Parking Lot – 10:00 a.m. to 1:00 p.m.
- July 20 – Concert on the Common – "Jimmy & the Jesters" – 6:30 p.m. to 8:00 p.m.
- July 22 – Middlesex Youth Public Safety Academy Graduation
Chelmsford High School – 11:00 a.m.
- July 25 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- July 27 – Concert on the Common – "60s Invasion" – 6:30 p.m. to 8:00 p.m.
- August 2 – Wilmington Police Department National Night Out
Rotary Park
- August 3 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- August 4 – Police Association Beach Day – Town Beach – 11 a.m. to 2 p.m.
- August 6 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- August 7 – Harnden Tavern Open House – 2:00 p.m. to 4:00 p.m.
- August 11 – End of Summer Library Bash – Swain Green
- August 15 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.
- August 27 – Ice Bucket Challenge – Rotary Park – 10:00 a.m.

Town Manager Hull noted the situations that have recently taken place in Dallas, TX; Minnesota and Baton Rouge. He acknowledged the work of the police department, that for routine stops, officers are more attentive and expressed his appreciation to Chief Begonis.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Recording Secretary