

BOARD OF SELECTMEN MEETING

Wednesday, May 15, 2019

Chairman Gregory B. Bendel called the meeting to order at 6:15 p.m. in Room 9 of the Town Hall. Present were Selectmen Kevin A. Caira, Jonathan R. Eaton, Michael V. McCoy and Jomarie F. O'Mahony. Also present was Town Manager Jeffrey M. Hull.

Chairman Bendel asked those present to rise and he led the pledge of allegiance.

Chairman Bendel advised that the purpose of the meeting was to conduct interviews for Finance Director/Town Accountant. He advised that the Board will follow the same process it did when conducting the interviews of the law firms. The candidates will be allowed to make opening remarks, members of the Board will have the opportunity to ask questions and the candidate may make closing statements.

Town Manager Hull reviewed the process of the Screening Committee.

BRYAN PERRY

Chairman Bendel welcomed Mr. Perry to Wilmington and explained the process for the evening. He also advised Mr. Perry that the interviews were being televised.

Mr. Perry thanked the Board of Selectmen for the opportunity to be before them. He advised that he is a lifelong resident of North Andover, his wife is a Special Education teacher at North Andover High School and he has three daughters who are going through the education system.

Mr. Perry advised that after graduating from North Andover High School, he attended Merrimack College where he studied Business Administration. He then worked in the insurance industry for a few years addressing claims. He advised that he attended Suffolk University at night and received his Masters Degree with a concentration in Accounting. Mr. Perry stated that this opened the door to the financial side of insurance. He advised that he worked for Lawrence General Hospital. He advised that he took and passed the four exams and became a Certified Public Accountant for the state of Massachusetts. He was appointed a member of the Board of Assessors for the Town of North Andover and noted that is how he transitioned into municipal finance. Mr. Perry stated that he has been a member of the Board of Assessors for seven years and has served as Chairman for three years.

Mr. Perry stated that in April 2016 he was appointed as City Auditor for the city of Lowell. He advised that Lowell is the fourth largest city in the commonwealth and he reports to all nine city councilors. Mr. Perry reviewed his responsibilities as City Auditor.

Mr. Perry stated that a management style is critical to hit the ground running and succeed in the position. He stated that he is easy going, has an open door policy, he holds himself accountable if he makes a mistake, he believes in working collaboratively and having open communication and he expanded on his explanation.

Mr. Perry stated that he also serves on the North Andover OPEB (Other Post Employment Benefit) Committee and serves ex-officio on the Lowell Retirement Board.

Chairman Bendel offered members of the Board of Selectmen the opportunity to ask questions. Selectmen asked questions relative to how Mr. Perry would get to know his employees, where he sees himself in five years, how he has dealt with career challenges, experience with MUNIS, the Town's audit report and the Town's financial status. Town Manager Hull asked Mr. Perry to illustrate an accomplishment and to provide an example of something he would do different if

given a “do over”. Mr. Perry stated that there is an adversarial relationship between the city and the school department. He noted an issue with the schools and stated that he would be more assertive in addressing that issue.

Chairman Bendel asked Mr. Perry questions relative to working with members of the City Council and residents.

Chairman Bendel offered an opportunity for closing remarks. Mr. Perry thanked the Board and Town Manager for the opportunity to meet with them. He believes it is an attractive position and is one that does not become available often. He believes his background will help him succeed.

Chairman Bendel thanked Mr. Perry for attending and his eagerness to join the community. He advised Mr. Perry that the Board has another interview and the Board will be in touch. Mr. Perry wished the Board success in the process.

A motion was made by Selectman Eaton, seconded by Selectman Cairra and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen recess until 7:30 p.m., the scheduled time of the next interview.

Chairman Bendel reconvened the meeting at 7:30 p.m.

JENNIFER FINNIGAN

Chairman Bendel thanked Ms. Finnigan for her interest in Wilmington and explained the process for the evening. He also advised Ms. Finnigan that the interview was being televised.

Ms. Finnigan thanked the Board for the opportunity to be before them. She stated that she is currently the Treasurer/Collector for the Town of Tyngsborough. She stated that her municipal career began when she started working for a CPA firm whose work is primarily municipal audits.

In addition, her experience includes serving nine years as the Treasurer/Collector for the Town of North Andover, one year as Town Accountant for the Town of Rockport and she has been serving in her current capacity for two years. She stated that she also worked small jobs in accounting while her children were young.

Selectman Cairra advised that, in the interest of full disclosure, he knows Ms. Finnigan from an organization that they have been a part of. He offered his assurance that it will not influence his decision.

Chairman Bendel offered members of the Board of Selectmen the opportunity to ask questions. Selectmen asked questions relative to how Ms. Finnigan would get to know her employees, where she sees herself in five years, how she has dealt with career challenges, experience with MUNIS, the Town’s audit report and the Town’s financial status. Selectman Eaton asked Ms. Finnigan to provide additional information regarding the issue of embezzlement in the Town of Tyngsborough. Town Manager Hull asked Ms. Finnigan to illustrate another accomplishment and to provide an example of something she would do different if given a “do over”. Ms. Finnigan stated that she could not think of an instance she would like to do over.

Chairman Bendel asked Ms. Finnigan about her interactions with members of the Board who represent the community’s residents and interactions with residents who have questions.

Chairman Bendel offered an opportunity for closing remarks. Ms. Finnigan stated that her strengths include her ability to get along with other people and to take a difficult task and simplify it. She believes her past experience as auditor, treasurer and collector make her a strong candidate for the position.

Chairman Bendel thanked Ms. Finnigan for her interest in the community.

DISCUSSION/NEXT STEPS

Chairman Bendel stated that a meeting has been tentatively scheduled for next week however he would not rule out a vote taking place this evening if members were comfortable voting.

Selectman Caira stated that he is not prepared to vote tonight, he would like to review the applications/resumes again in hopes of making the right decision for the Town. He also believed that it could take place at their regular meeting of May 28.

Selectman Eaton stated that each applicant listed three references. He agreed that this is a significant decision for the Town of Wilmington and would like the opportunity to reach out to the references.

Selectman Eaton stated that he would like to have a meeting next week as Mr. Morris' last day is July 12. He would like to maximize the overlap and need to give consideration that both candidates are currently employed as municipal employees and believes they would have to give a minimum of three weeks notice.

It was the consensus of the Board of Selectmen to meet on Tuesday, May 21 at 7:00 p.m., as tentatively scheduled. Chairman Bendel agreed it would provide the Board with an opportunity to review the information they received, review the meeting once on WCTV and to contact references. He opined that both candidates are very good and thanked members of the screening committee.

COMMUNICATIONS

There were none.

PUBLIC COMMENTS

There were none.

ANNOUNCEMENTS

There were none.

NEW BUSINESS

Selectman McCoy offered an apology relative to the vote for the appointment of members to the hockey rink committee especially to Selectman Eaton and Selectman O'Mahony. He stated that he would appreciate a second chance and offered a motion to submit his name as a second member of the Board of Selectmen to serve on the Hockey Committee with Selectman Caira. Chairman Bendel stated that he wanted to be cautious and not take up formal votes under New Business. He expressed concern that the Board would be in a position of violating the Open Meeting Law. Chairman Bendel did offer to put the matter on a future agenda for consideration. Selectman McCoy stated that he did not believe the Board would violate the Open Meeting Law. He stated that he would appreciate consideration this evening and noted he has made a motion. He stated

that it is something he wants to do and reiterated that he does not believe it to be a violation. The motion was seconded by Selectman Eaton for the purpose of discussion. He stated that he would need to look at the Open Meeting Law implications and stated that the Board just agreed to meet on Tuesday evening and suggested that the item be added to that agenda.

Chairman Bendel stated that he is not opposed to putting it on a future agenda. He expressed concern that it was not on tonight's agenda and therefore residents were not given advanced notice.

Town Manager Hull agreed with Chairman Bendel and noted that New Business has been considered in a more broad perspective than it should be but noted the recent Open Meeting Law discussion with Attorney Mark Reich. Although it may have happened in the past, it was not best practice. He stated that the Attorney General's Office looks at the Open Meeting Law and regularly reviews the circumstances of how open meetings are conducted. He stated that the intent is that, if there is a reasonable expectation that a topic will be discussed, it should be on the agenda so residents have the opportunity to attend the meeting or view it on television.

Selectman McCoy stated that he will withdraw the motion if the Chairman will place it on the agenda. Chairman Bendel advised members of the Board of Selectmen that if they have something they wish to have on the agenda to reach out to him or the Town Manager.

Selectman O'Mahony asked if there is a committee meeting scheduled or if it is in process. Town Manager Hull advised that a notice with potential dates is going to go out.

Selectman Caira stated that the committee has been formulated and finalized and does not believe the Board needs to go any further. He stated that Selectman O'Mahony mentioned Selectman McCoy spoke to her about the issue and asked whether he had spoken to any other members. Selectman Eaton stated that Selectman McCoy spoke to him. Selectman Caira expressed concern that it was in violation of the Open Meeting Law. Selectman Eaton stated that three people were not present and Selectman Caira stated that the issue was relevant to a vote and therefore a violation.

Selectman O'Mahony stated that Selectman McCoy reached out to apologize and characterized her conversation with him.

Selectman McCoy stated that he is trying to work in the best interest of the community.

Selectman Eaton characterized his conversation with Selectman McCoy similar to that held with Selectman O'Mahony.

Town Manager Hull asked whether the Board wished for him to consult with Town Counsel to determine whether the open meeting law was violated. Members of the Board agreed.

Selectman McCoy stated that there is an interim draft plan from EPA relative to Olin where part of the remediation is to turn on the wells shut down by the contamination. He asked whether Dan Deutsch, Special Counsel, or GeoInsight has been informed of this. He stated that it is his understanding that the deadline for comments is May 22. Selectman O'Mahony asked whether information was provided to the Board and what the source of the information Selectman McCoy received was. Selectman McCoy stated that a constituent spoke to him about it.

Town Manager Hull stated that he was unaware there was a proposal by Olin to activate contaminated wells and run the water in the public drinking water system. He stated that he has tried to suggest to members of the Board, when information comes to their attention, please bring to his attention to avoid surprises. He advised that he will look in to Selectman McCoy's concern.

Selectman O'Mahony again asked if there was a written report and noted that she was not comfortable to offer comment on speculation.

Selectman Cairra noted that if this were going to take place the Town Manager would have been informed by the Director of Public Works, Michael Woods.

Town Manager Hull stated that periodically there are comment documents submitted by Olin and stated that he does not recall if there is a document that requires comment by May 22. He stated that typically the document is copied to Mr. Woods and Shelly Newhouse, Health Director. He stated that a copy is also provided to GeoInsight.

Chairman Bendel asked Town Manager Hull to follow-up with Attorney Deutsch and Department Heads and provide information to the Board. Selectman O'Mahony asked that the Board also be provided with documentation.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- May 19 – PanMass Challenge Kids Bike Ride – Carter Lane – 8:00 a.m. to 12:00 p.m.
- May 27 – Memorial Day Parade – 10:00 a.m.
Ceremony at Wildwood Cemetery – 11:00 a.m.
Town Offices Closed
- May 28 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.

A motion was made by Selectman Cairra, seconded by Selectman McCoy and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Recording Secretary