

BOARD OF SELECTMEN MEETING

November 10, 2014

Chairman Judith L. O'Connell 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 V. McCoy and Michael J. Newhouse. Also present was Town Manager Jeffrey M. Hull.

TREASURY WARRANTS

Chairman O'Connell asked for a motion to accept the Treasury Warrants. A motion was made by Selectman McCoy, seconded by Selectman Cimaglia and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen accept Treasury Warrants 9B, 18, 18A, 19, 19A, 20 and 20A.

MINUTES

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 minutes of their meetings held November 25, 2013 and October 27, 2014 and all action taken is hereby ratified and confirmed.

BOARD OF SELECTMEN DISCUSSION, RE: REVIEW OF SILVER LAKE OPERATIONS

Assistant Town Manager Kendra Amaral stated that the Board of Selectmen was in receipt of a detailed memorandum outlining feedback on the operations of Silver Lake. She stated that there was a growing number of complaints and issues occurring at the lake of the past couple of years. Town Manager Hull formed a committee to review the complaints and concerns and to develop recommendations to change the rules and regulations in the operations of the beach to address those concerns. Ms. Amaral stated that a public comment meeting was conducted in the spring to get public feedback on the proposed rules and regulations. The regulations were adopted through various forums including the Board of Selectmen and Recreation Commission. Ms. Amaral advised that the results of the changes were overwhelmingly positive with fewer complaints on parking, noise disturbances, crowds and behavior at the beach. She stated that there was an increase in Wilmington residents utilizing the beach over the summer. Comments have been received that the beach was cleaner and more comfortable for families.

Ms. Amaral reviewed changes that were made to the rules and regulations including closing Baby Beach, reaffirmed parking restrictions on Grove Avenue, prevented parking on vacant/abandoned lots in the area, gated beach parking lot during off hours, established new rate for day pass for out-of-town users and eliminated the season pass. The Town also implemented a permit process for TriFury members. TriFury is an athletic group that uses Silver Lake for training for long distance swimming and other athletic events. In addition, a carry-in, carry-out policy was implemented for trash as well as new procedures for raking and cleaning the beach.

Ms. Amaral advised that the Police Department reported an overall 67% decrease in calls and lifeguards reported approximately the same amount of revenue as received during the prior season. She advised that the recommendations of the committee is to keep the changes that were implemented with a few exceptions; one being more spot checking by Animal Control as there is still an issue with dogs on the beach and an adjustment to the permit fee for TriFury members who are Wilmington residents.

Chairman O'Connell thanked Ms. Amaral for her presentation and expressed her appreciation to those who participated including Police Chief Michael Begonis, Deputy Police Chief Robert Richter, Director of Public Works Michael Woods, DPW Operations Manager Jamie Magaldi, Recreation Director Deborah Cipriani and Public Health Director Shelly Newhouse. Chairman O'Connell stated her observation that it is more aesthetically pleasing when she drives by to see the fencing that was changed. She advised that she received a few complaints from non-residents who used to purchase the seasonal pass and understands that when you want to bring order and structure to an environment, there are trade-offs but the enhancements have been overwhelmingly positive. Chairman O'Connell asked if there were any questions or comments from the Board.

Selectman Newhouse acknowledged that some of the neighbors were disappointed at the outset at the closure of Baby Beach and recognizes the trade-off and is in agreement with the program.

Selectman Cimaglia also stated he is in agreement with the program and asked if the permitting fee for Wilmington residents who are TriFury members will be reduced and whether that has been discussed. Ms. Amaral advised that a meeting was held with Dan Stewart who was representing TriFury and an agreement was reached that residents will be charged \$25 and non-residents \$50. That will provide access at all hours and allow them to swim past the ropes. Selectman Cimaglia noted that the changes that were implemented did not affect the revenue received.

Town Manager Hull stated that due to the increase in hours, there was a \$12,000 cost for lifeguards. At the end of the season, the beach program ran in the red about \$10,000. Given the nature of the program, the loss was offset from other areas.

Selectman McCoy stated that the changes to the regulations were overdo and noted that Silver Lake is one of the Town's greatest natural resources. He stated that the changes were in the best interest of the community.

Selectman Champoux stated that he is in agreement with comments made by the other members of the Board and expressed his appreciation to those involved in implementing the changes. He stated that he drives by the beach on a regular basis and observed the improvements in the condition of the area. He commented about the closure of Baby Beach and asked if there may be a use for the beach in the future. He asked if the Baby Beach area may be a viable location for weekend boat rentals.

Chairman O'Connell commented that the enforcement of dog restrictions will continue to be a challenge. She noted that the issue has been raised during discussion of the lake and through the public process for the Yentile Farm and it appears to be a prevailing theme that there is a desire for people in Town to have a place for the dogs to go. She stated that she wanted to acknowledge that the Town hears their concerns but does not yet have a solution.

Chairman O'Connell asked if there were any questions or comments from the audience. Terry Williams commented relative to the Town charging TriFury members to use the lake during off hours when the beach is not staffed and asked whether the Town is also charging residents to use other areas that are not manned and referenced basketball courts.

Town Manager Hull stated that the Town does not charge residents to use the basketball courts and noted that the difference is that the program for access to the beach is within the constraints of the buoyed area. He noted that members of the TriFury group are swimming beyond that area and there was a compromise with the group that there is a cost associated with going beyond the beach area and accessing the beach during hours that other residents cannot.

Selectman Newhouse stated that there are resources in the Town that residents are not charged to use and non residents have access to those resources. There are town resources that have a direct cost associated with it including security, maintenance and public safety. He noted that during recreation basketball there has to be someone in the building to maintain and clean up after people who use the facility and residents pay to avail themselves of the program. He stated that there is a cost associated with providing safe access and maintenance to Silver Lake and it is a reasonable fee to pass to users.

Daniel Stewart, 90 Parker Street, stated that he was asked to represent the TriFury group by Paul Sedgewick, President, and thanked Town officials. He recognizes that the issues at Silver Lake needed to be addressed particularly for the residents of Grove Avenue. He stated that initially the implementation of the permit and fee rubbed the group the wrong way because they were used to using the lake at will.

Michael Carter, business owner of 84 Main Street, thanked the Board for their efforts this year. He stated that it made a difference in the number of people attempting to use his parking lot. He noted that it also cleaned up the neighborhood by blocking off the vacant lot at the corner of Main Street and Cottage Street. Since access has been blocked, there is less litter. Mr. Carter stated that there is an access area near the park on Main Street that the Town uses to maintain the area and noted he has seen vehicles, sometimes three or four, that will utilize that area for parking.

Chairman O'Connell asked if there were any additional questions or comments and there were none.

BOARD OF SELECTMEN DISCUSSION, RE: YENTILE FARM PROPERTY

Town Manager Hull provided a brief history of the Town's acquisition of the Yentile Farm property located at 9 Cross Street and the development of the Yentile Farm Committee. The Committee began to collect information from the Athletic Director for Wilmington Public Schools and various youth groups. Jamie Magaldi, Operations Manager for the Department of Public Works, compiled an inventory of field space available. Town Manager Hull stated that the Town reached out to Textron due to the proximity of their tennis courts and field space in relation to the Yentile property. Town Manager Hull noted that Textron's representative, Joe Keoles, now serves as an appointed member of the committee, is an employee of Textron and Wilmington resident.

Town Manager Hull stated that the Committee also looked at other recreational sites including the Ipswich River Park in North Reading. He said that the Committee wanted to identify how much physical area was available for development. The Town applied for, and received, an Order of Resource Area Delineation from the Conservation Commission and Department of Environmental Protection.

At the 2013 Annual Town Meeting, funding in the amount of \$50,000 was approved for the first phase of design. Through a Request for Proposal process, the design firm Waterfield Design was selected. Town Manager Hull stated that seven committee meetings were held and three public design workshops were conducted that attracted over 100 participants. In addition, a community input survey was conducted on the emerging design and over 900 surveys were completed. The Town received a Negative Determination of Applicability from the Army Corp of Engineers and at the 2014 Annual Town Meeting, funding was approved for additional phases of design. In addition, a fundraising subcommittee was established to seek private donations for some construction costs.

He said that with the full project cost estimated at \$6 million, an effort was made to scale back the project to a more manageable and attainable budget of approximately \$4 million. It is believed that the conceptual design has a balance of needs including an artificial turf multi purpose field. Town Manager Hull described the conceptual design of the recreation area.

Town Manager Hull stated that the next steps are to issue a Request for Proposal for engineering services, select an engineer to complete the design and to launch a fundraising effort. Town Manager Hull stated that the goal for fundraising is \$1 million. Tasks to be completed in 2015 include seeking approval at Town Meeting for funding of construction, complete design through to construction documentation, apply for state and federal grants, complete permitting and bid the project. It is anticipated that substantial construction of the park will be completed between November 2015 and November 2016.

Town Manager Hull thanked members of the Yentile Farm Committee.

Chairman O'Connell acknowledged members of the committee who were present and stated that the primary purpose was to update the Board and also to share the vision of the plan. She stated that it was a deliberate process to remove components of the project that were deemed either redundant and/or not compatible with other uses of the site and potentially cost prohibitive or maintenance prohibitive for the long term. She stated that other sites are being looked at for other activity, such as a dog park. She said that the intent is to raise \$1 million and advised that the concept was unanimously voted by the Yentile Farm Development Committee. Chairman O'Connell stated that the purpose was to share the concept plan with the Board of Selectmen and advise that the Yentile Farm Development Committee is looking for the Board's support to put the full funding, \$4.5 million, on the Warrant for the next Town Meeting.

Chairman O'Connell asked if there were any questions or comments from the Board. Selectman Champoux expressed his appreciation that members of the Yentile Farm Development Committee made the process transparent and accessible to members of the community. He also expressed his appreciation for their goal to raise \$1 million toward the project and inquired whether the committee is receptive to corporate donations. Mr. Ed Riekstins stated that the committee is definitely willing to consider corporate donations and advised that the first meeting of the subcommittee is anticipated to take place next week. Selectman Champoux commented about grants and stated that the Town of Burlington recently received a grant from Harvard Pilgrim Healthcare for the purpose of building a town garden because it was a health related activity and asked if there is a health/wellness component that a similar outfit may support.

Selectman Champoux asked about the existing foundations currently at the site and the timing and process for naming the site. Town Manager Hull stated that it is expected that the foundations will be removed from the site. He also advised that surveys conducted asked for suggestions for naming the recreational facility, and the committee will continue to review and provide a recommendation to the Board of Selectmen but ultimately it will be decided at Town Meeting.

Chairman O'Connell stated that the naming of the property may dovetail with the fundraising efforts. Town Manager Hull stated that because the Town of Wilmington has submitted a draft Open Space and Recreation Plan, the town is eligible to apply for and receive grants.

Selectman Newhouse stated that the concept that the committee has brought forward is consistent with what was envisioned when the Town purchased the property.

He stated that he noticed at the most recent public forum that folks who had a specific interest in the site recognized, after being presented with all the information, that perhaps their specific interest was not compatible at that site and that speaks volumes about the process and the product that is being brought forward before the Town. It is a plan that makes sense and the town will continue to make Wilmington a Town for all ages by trying to accommodate the other interest groups that may not have had their component included in the concept plan of the Yentile property.

Chairman O'Connell asked if there were any questions or comments from the audience. Dan Bamberg, Yentile Farm Development Committee member, commented relative to the work of the municipal employees and believes that the fact the public was understanding was because of the open process. The line of communication between the public and committee was open and the Town continues to make Wilmington a better place to live and raise a family and it is accomplished through volunteerism.

Chairman O'Connell acknowledged Kevin Caira who has served with her as co-chairman.

Chairman O'Connell stated that a dog park has been mentioned a couple of times and advised that the Department of Public Works has derived alternate plans to look at the Town Park to determine whether a dog park could be developed at that site and to determine the costs and whether the costs are manageable.

Selectman McCoy asked whether Town Manager Hull intended to take funds from free cash. Town Manager Hull stated that he cannot offer specifics at this time but believes it will either be a borrowing or a combination of borrowing and free cash. He opined that it is not advisable to fund the full amount through free cash.

COMMUNICATIONS

Town Manager Hull advised that the first item under correspondence was reviewed during discussion on Silver Lake.

Town Manager Hull reviewed his memorandum regarding Article 4 on the Special Town Meeting Warrant. Town Manager Hull advised that, at the Board's request, Ms. Hamilton consulted with neighboring communities and advised him that shared parking by special permit between parcels that are not under common ownership is allowed in Burlington, Tewksbury, Andover and Reading.

Town Manager Hull reviewed information providing notice that the Board of Selectmen will conduct a public hearing for the discussion of local property tax policy with reference to classification for FY 2015 taxation purposes on Monday, November 24, 2014 at the Wilmington Town Hall.

Town Manager Hull reviewed correspondence from Myron Jenkins, Manager, Eastern Service Center, United States Department of Transportation, Federal Aviation Administration, who wrote to update the town on Phase 3 of the Boston Logan Airport Noise Study. He advised that the purpose of Phase 3 is to evaluate the potential to further reduce aircraft noise to communities surrounding Boston-Logan Airport by changes in runway use.

Town Manager Hull reviewed correspondence from J. Curtis Moffatt, Deputy General Counsel and Vice President Gas Group Legal, Tennessee Gas Pipeline Company, LLC, who wrote that as part of the pre-filing process, Tennessee Gas scheduled dates and locations for twelve open houses to be

conducted in November and December 2014. He advised that in order to provide affected stakeholders with adequate time to review the draft resource reports that Tennessee filed on November 5, 2014, they are postponing the open houses that had been scheduled for November and December 2014.

BOARD TO CONSIDER REQUEST OF JASON F. COSTA TO BE APPOINTED CONSTABLE

Town Manager Hull advised that the application was reviewed by the police department and Chief Begonis advised that there was no evidence to prevent Mr. Costa from serving as Constable and favorable approval is recommended.

Chairman O'Connell asked if there were any questions or comments from the Board. 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 appoint Jason F. Costa, 90 Chestnut Street, to serve as Constable for a term to expire April 30, 2015.

BOARD TO SIGN ALCOHOLIC BEVERAGES CONTROL COMMISSION FORM 43 RELATIVE TO THE CHANGE OF HOURS FOR MYSTIC LIQUORS, INC. DBA WILMINGTON PLAZA WINE & SPIRITS FOR PROPERTY LOCATED AT 258 MAIN STREET

Town Manager Hull reminded members that this is the notification and does not require a vote. Town Manager Hull advised that there is no ability for the Board to prohibit the licensee from opening at 10:00 a.m. on Sundays, provided notification is made to the Board. Members of the Board signed the Form 43.

BOARD TO CONSIDER SIGNING A PROCLAMATION TO DECLARE NOVEMBER 2014 PANCREATIC CANCER AWARENESS MONTH IN THE TOWN OF WILMINGTON

Chairman O'Connell noted that Board members and the Town Manager were wearing an article of purple clothing in recognition of November being Pancreatic Cancer Awareness Month, Epilepsy Awareness and in support of Military Families. Town Manager Hull read the proclamation.

Chairman O'Connell asked if there were any questions, comments or a motion. 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 issue a proclamation designating the month of November 2014 as Pancreatic Cancer Awareness Month in the Town of Wilmington, Massachusetts.

BOARD TO CONSIDER DECEMBER 2014 AND JANUARY 2015 MEETING SCHEDULE

Town Manager Hull advised that he proposes that the Board of Selectmen consider meeting on Monday, December 15, 2014. Chairman O'Connell asked if there were any conflicts or concerns with meeting on December 15, 2014 and there were none.

Town Manager Hull requested that the Board of Selectmen consider meeting on their regular meeting dates for January, those dates being January 12 and January 26. He stated that in past years the Town Manager presents his budget at the second meeting in January and noted that this

year the Massachusetts Municipal Association will have their Annual Meeting and Trade Show January 23 and 24. He said that this is a good opportunity to receive updated information on state aid and noted that there will be new administration at the State House. Town Manager Hull requests that the Board consider meeting on Monday, February 2, 2015 for the purpose of the Town Manager's budget presentation.

Chairman O'Connell asked if the Board had any concerns or conflicts with those dates and there were none. It was the consensus of the Board to meet Mondays, December 15, 2014, January 12, 2015, January 26, 2015 and February 2, 2015.

PUBLIC COMMENTS

There were none.

NEW BUSINESS

Selectman Cimaglia stated that tomorrow is Veterans' Day. Ceremonies will begin at 11:00 a.m. at the Town Common. He expressed his appreciation to Cub Scout Troop 136 who cleaned up Wildwood Cemetery and decorated the graves by placing flags at the Veterans' lot.

Selectman Newhouse stated that he had a conversation with a "football parent" who asked when the field at the Wilmington High School would come on line as a community field. He stated that his initial reaction was that it was just a matter of time, that the Town has every intention of making that field available to the various groups in town and asked the Town Manager to comment. Town Manager Hull advised that the expectation is still that the high school will open on February 23 but the area will remain an active construction site through the fall of 2015. The existing high school will have to be demolished; the parking area will need to be constructed as well as the tennis courts and the field off Wildwood Street. Town Manager Hull stated that he has spoken with the school administration and the school department will continue to use the field and track but they will remain off limits to the general public and other groups until the construction is fully completed. The School Department is conducting an evaluation and speaking with other communities to develop a protocol on how the field will be managed.

Chairman O'Connell advised that she was contacted towards the end of last week by Jeff Cranford, representing St. Elizabeth's Church, to let her know that Town Manager Jeff Hull was a recipient of the Community Service Award. He was presented with the award on Sunday at 10 a.m. She stated that due to her work schedule and when she was notified, she was not able to attend but provided comments and extended well wishes on behalf of the Board of Selectmen.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

Through-

November 29 – Curbside Collection of Yardwaste

Town Manager Hull advised that it is the Town's intention that leaf pick-up coincide with the regular collection of trash. However, in certain areas there is a significant amount of yardwaste to collect, a second crew has been added in an attempt to remain on schedule.

November 11 – Veterans' Day Ceremony – Town Common – 11:00 a.m. – *Town Offices Closed*

November 12 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.

- November 13 – Registration Deadline – Recreation Junior Basketball – Grades 1 - 2
- November 13 – Finance Committee Meeting – Town Hall – Room 9 – 7:00 p.m.
- November 15 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- November 15 – Shawsheen Elementary School Craft Fair – 9:00 a.m. to 3:00 p.m.
- November 18 – Finance Committee/Planning Board Public Hearing – Town Hall – Auditorium – 7:00 p.m.
- November 19 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- November 19 – High School Building Committee – Town Hall – Room 9 – 6:30 p.m.
- November 22 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- November 22 – Senior Citizen Holiday Craft Fair – Buzzell Senior Center – 9:00 a.m. to 2:00 p.m.
- November 22 – Shawsheen Tech Craft Fair – 100 Cook Street, Billerica – 9:00 a.m. to 3:00 p.m.
- November 24 – Discussion of Local Property Tax Policy with Reference to Classification for FY-2015 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.
- November 26 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- November 27 – Thanksgiving Day - *Town Offices Closed*
- November 29 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- December 4 – Special Town Meeting – Wilmington Middle School – Auditorium – 7:00 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 8:35 p.m.

Respectfully submitted,

Recording Secretary