

## BOARD OF SELECTMEN MEETING

November 24, 2014

Chairman Judith L. O'Connell called the meeting to order at 7:05 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 21, 21A, 22 and 22A.

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 and Epilepsy Awareness.

### **KAREN RASSIAS, PRINCIPAL ASSESSOR, RE: PUBLIC HEARING FOR THE DISCUSSION OF LOCAL PROPERTY TAX POLICY WITH REFERENCE TO CLASSIFICATION**

Ms. Rassias stated that in accordance with Massachusetts General Law Chapter 40, Section 56 she was present to provide information to the Board of Selectmen. After careful analysis and review, the Board of Assessors recommends to the Board of Selectmen a classification shift of 1.75%, resulting in a minimum residential factor of .768121 for Fiscal Year 2015. She advised that the shift conforms to Proposition 2 ½ guidelines and is consistent with prior years' tax policies. Adoption of this recommendation allows the Town to assess and collect an equitable amount of taxes from the residential, commercial, industrial and personal property sectors. Ms. Rassias advised that assessed values were established by analyzing calendar year 2013 sales. Ms. Rassias explained that the change in Industrial Classification is deceptive and relates to a recent decision of the Appellate Tax Board. It is the Board of Assessors recommendation that the Board of Selectmen vote to shift the maximum allowed to the Commercial, Industrial and Personal Property class.

Ms. Rassias reviewed information that outlined different scenarios and the impact to the different tax classifications.

Chairman O'Connell asked if there were any questions or comments from the Board. Selectman Newhouse asked Ms. Rassias to clarify the decrease in industrial. Ms. Rassias stated that the industrial classification did not increase/decrease globally but that the decision of the Appellate Tax Board accounts for the difference almost entirely.

Ms. Rassias noted that a building at Avalon Oaks had been removed from the tax rolls as a result of a fire and this year it has been added back in.

Selectman Newhouse stated that each year the Board of Selectmen accepts the recommendation of the Board of Assessors and votes the maximum shift with the purpose being to minimize the burden to the residential tax payer.

Members of the Board commented relative to services provided including free all day Kindergarten and the absence of user fees.

Chairman O'Connell asked if there were any questions or comments from the audience. Kevin MacDonald, Andover Street, asked questions of Ms. Rassias including whether the Selectmen have the liberty/right not to increase taxes. Ms. Rassias advised that the Board of Selectmen's duty is to vote the shift. Ms. Rassias explained that the budget is set by vote at Town Meeting. Mr. MacDonald asked if the shift was against the residents and questioned raising the tax levy 2 ½%. Ms. Rassias reiterated the process for setting the budget and tax rate. Mr. MacDonald began to speak of issues not related to the public hearing at which time he was advised by Chairman O'Connell that she would not allow it. Mr. MacDonald asked Ms. Rassias which properties won against the Town. Ms. Rassias advised that the Appellate Tax Board cases were related to 200 Ballardvale Street and 80 Industrial Avenue.

Chairman O'Connell asked if there were any further comments, hearing none she asked if there was a motion. A motion was made by Selectman Champoux, seconded by Selectman Cimaglia and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen adopt a classification shift of 1.75 as recommended by the Board of Assessors which results in the minimum residential factor of .768121 for Fiscal Year 2015.

#### **FRANK WEST, RE: TOYS FOR TOTS PROGRAM**

Mr. West was present with United States Marine Corp Staff Sergeant John Tipton.

SSgt Tipton presented the Board of Selectmen with a certificate of recognition for its support of the Toys for Tots program.

SSgt Tipton stated that he is the coordinator for Middlesex and Essex Counties having recently served in Okinawa, Japan. He advised that the distribution of toys will begin on December 1 and last year the Marine Corp Toys for Tots Program assisted 69,000 children from both counties.

Mr. West noted locations of collection boxes and provided information on scheduled events including photos with wrestlers which are free with the donation of a new, unwrapped toy.

SSgt Tipton stated that families who would like to request assistance may do so on the website [toysfortots.org](http://toysfortots.org) and he provided a detailed explanation on the application process.

Mr. West advised that if residents have questions they may call him at 978-658-1754.

Chairman O'Connell thanked Mr. West for continuing his work for Toys for Tots.

Chairman O'Connell asked if there were any questions or comments from the Board. Selectman Champoux asked if his understanding is correct, that toys are available throughout the year for birthdays and to replace toys in the event of a catastrophic event. SSgt Tipton confirmed his understanding. Chairman O'Connell and members of the Board also offered their thanks and extended their appreciation to SSgt Tipton for his service.

#### **LOUIS CIMAGLIA, DIRECTOR OF VETERANS' SERVICES, RE: RECOGNITION OF CHIEF MICHAEL R. BEGONIS AND THE WILMINGTON POLICE DEPARTMENT**

Mr. Cimaglia thanked Chairman O'Connell for allowing him the opportunity to recognize a group of individuals who are committed to helping the residents of Wilmington and, like many others, do not do it for plaques or trophies. He stated that Chief Begonis and members of the Wilmington Police Department go above-and-beyond their duty to help and it is his belief they should be

recognized. He noted that many veterans have a difficult time adjusting upon return from deployment and they often turn to drugs. On many occasions the members of the police department have aided in getting the veteran the help they need. Mr. Cimaglia stated that in addition, the police department offers their support at the Veterans' Day and Memorial Day ceremonies and are often called upon at the last minute to provide a rifle team. Mr. Cimaglia presented Police Chief Begonis with a statue in recognition of the support of the Wilmington Police Department to its veterans.

Chief Begonis thanked Mr. Cimaglia and reiterated that it is the desire of the police department to provide assistance to the returning men and women.

#### **DISCUSSION AND ASSIGNMENT OF MOTIONS FOR THE SPECIAL TOWN MEETING**

Town Manager Hull advised that there are five specific motions for the Special Town Meeting. The first is to dispense with the reading of the warrant and the remaining four are for the articles. Town Manager Hull noted that Article 4 will be presented by Michael Sorrentino, Chairman of the Planning Board. Chairman O'Connell stated that it is customary that the chairman lead off with the motions but she believes that where Selectman Newhouse took the initiative and conducted extensive research into the history of the Ristuccia Arena and the Wilmington Arena Authority, she has asked that he offer the motion and provided that there are no objections from members of the Board, she would like the Town Manager to assign the remaining motions. It was the consensus of the Board of Selectmen that Selectman Newhouse offer the motion for Article 1 and the remaining motions be assigned by the Town Manager.

#### **COMMUNICATIONS**

Town Manager Hull reviewed correspondence from Jane Lyman, xfinity, regarding information on price adjustments.

Town Manager Hull reviewed correspondence from the Massachusetts Municipal Association regarding legislation filed for mid-year budget cuts imposed by Governor Patrick. The budget cuts target local aid and school accounts.

Town Manager Hull reviewed correspondence from the Massachusetts Municipal Association regarding Speaker DeLeo's statement in opposition to legislation filed by Governor Patrick to impose a \$25.5 million mid-year cut in Unrestricted General Government Aid.

Town Manager Hull reviewed correspondence from Paul D. Stedman, Acting District Highway Director, Massachusetts Department of Transportation (MassDOT) who advised the Town that the Project Review Committee has evaluated the proposal to reconstruct Route 38 from Route 62 to the Woburn City Line and determined that it is eligible for Federal Aid NHS/STP/CMAQ funding. The total project cost will consist of the estimated construction cost plus additional costs for project design, construction engineering, construction contingencies, police details, participating utility relocation costs and any costs associated with right-of-way procurement and environmental permitting and mitigation.

Town Manager Hull reviewed a memorandum from Ko Ishikura, Green International Affiliates, Inc., to Michael Woods, Director of Public Works, regarding the eligibility for state and federal funding for the proposed reconstruction of Route 38 in response to Mr. Stedman's notification of eligibility. Town Manager Hull stated that it is likely the 25% design will take place in FY 2017.

He advised that there is a public process where the Board of Selectmen and members of the public will be given an opportunity to provide comment.

**BOARD TO CONSIDER REQUEST OF DEBORA POTTER, BOSTON AUCTIONS AND ANTIQUES, LLC, FOR AN ANNUAL AUCTIONEER'S LICENSE FOR PROPERTY LOCATED AT 355 MIDDLESEX AVENUE, SUITE 11**

Town Manager Hull advised that the application was reviewed by the police department and Police Chief Begonis recommends approval.

Chairman O'Connell asked if there were any questions or comments from 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 grant an Annual Auctioneer's License to Debora Potter, Boston Auctions and Antiques, LLC for property located at 355 Middlesex Avenue, Suite 11.

**BOARD TO SIGN ALCOHOLIC BEVERAGES CONTROL COMMISSION FORM 43 RELATIVE TO THE CHANGE OF HOURS FOR AVIARCH LLC D/B/A COLONIAL PARK LIQUORS FOR PROPERTY LOCATED AT 35 LOWELL 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.

**PUBLIC COMMENTS**

There were none.

**NEW BUSINESS**

Selectman Cimaglia thanked those who attended the Veterans' Day Ceremony on the Town Common.

Selectman Newhouse asked about the status of leaf collection due to anticipated inclement weather. Town Manager Hull advised that leaf collection has been behind schedule due, in part, to the volume of leaves to be collected. He advised that the contractor, Northside Carting, has had equipment breakdowns and are unable to provide additional trucks for collection because they also service other Towns. Town Manager Hull advised residents that leaves at curbside on November 29 will be collected.

Members of the Board of Selectmen wished residents a Happy Thanksgiving and wished the Wilmington Wildcats luck in their Thanksgiving Day game against Tewksbury.

Town Manager Hull advised that it has been brought to the Town's attention that there is an error contained in the 2014-2015 municipal calendar. For the first time, the Town added the recycling symbol to the calendar. However, the week of November 30 through December 5 was missed and therefore from November 30, 2014 through April 30, 2015 the recycling information is not correct. Residents are asked to refer to the recycling calendar mailed to each household for scheduling information. Should residents have any questions, they are asked to contact the DPW at 978-658-4481.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

Through-

- November 29 – Curbside Collection of Yardwaste
- 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 3 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- December 4 – Santa’s Workshop – Town Hall – 6:00 p.m. to 7:30 p.m.
- December 4 – Special Town Meeting – Wilmington Middle School – Auditorium – 7:00 p.m.
- December 6 – Breakfast with Santa
- December 6 – Christmas Tree Lighting – Town Common
- December 6 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- December 6 & – Festival of Trees – Villanova Hall
- December 7 – Holiday Social – Harnden Tavern – 1:00 p.m. to 4:00 p.m.
- December 15 – Board of Selectmen Meeting – Town Hall – Room 9 – 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 8:20 p.m.

Respectfully submitted,

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Recording Secretary