

BOARD OF SELECTMEN MEETING

November 26, 2018

Chairman Kevin A. Caira called the meeting to order at 6:30 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Jonathan R. Eaton, Edward P. Loud, Sr. and Michael V. McCoy. Also present was Town Manager Jeffrey M. Hull.

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

Chairman Caira recognized members of Boy Scout Troop 56 and their troop leader James Sheehan who were present to fulfill a requirement to earn the Citizenship Badge.

TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 20, 20A, 21 and 21A.

LOU CIMAGLIA, DIRECTOR OF VETERANS' SERVICES, RE: DEDICATION OF POW/MIA CHAIR

Mr. Cimaglia thanked the Board of Selectmen for the opportunity to be before them. Mr. Cimaglia noted that he had served as a member of the Board of Selectmen for nine years and thanked the current Board members for their service to the community.

Mr. Cimaglia stated that tonight the Town has the opportunity to show that it will always remember fallen war fighters and those that never made it home. Wilmington has a long-standing tradition of having Veterans' Day ceremony on the 11th day of the 11th month at the 11th hour to honor the signing of the armistice ending World War I and the Memorial Day parade and ceremony at the veterans' lot. Each of which draw a great number of residents.

Mr. Cimaglia stated that the podium used at these events, and monument dedications, was built and donated by students of Shawsheen Tech High School. In addition, students built the base for the ceremonial bell.

Mr. Cimaglia thanked Shawsheen Tech Superintendent/Director Timothy Broadrick, Regional School Committee members Robert Peterson and James Gillis, Army veteran and instructor Rich Woodlock and instructor Dennis Repucci.

Mr. Cimaglia described the chair as simple but powerful. A single black chair with the POW/MIA logo, flanked by the American flag and POW/MIA flag. Since World War I, over 81,000 service men remain unaccounted for. Wilmington is waiting with the family of Ronald Dow Eaton for him to come home. Ensign Eaton was shot down in Korea and recognized his sister Joyce Dalton was present as well as his niece, the Board's recording secretary, Beverly Dalton. He thanked them for their family's sacrifice and expressed his appreciation that they were present. Mr. Cimaglia stated that the chair is in their honor until they all come home. He noted that Chairs of Honor are currently in Fenway Park, TD Garden and Gillette Stadium. The community also dedicated a POW/MIA chair in the Wilmington High School Auditorium. There is loyalty in the simple act of remembrance and this Chair of Honor that sits empty in Room 9 as a tribute to the brave men and women

who, through the course of courageous military service, have been rendered missing in action or prisoners of war. The Chair of Honor serves as a solemn reminder of the sacrifice of the more than 80,000 United States servicemen who remain classified as POW/MIA.

Mr. Cimaglia stated that families of American service members who are POW/MIA often suffered alone and groups like the American Legion Riders have fiercely advocated for these families to ensure they remain on the forefront of our minds. He thanked the men and women of the American Legion Riders.

Superintendent Broadrick stated that Shawsheen Tech was approached by a Wilmington resident, Bob DiPasquale, on behalf of powmiachairofhonor.org. Mr. DiPasquale requested a chair be built and placed at Shawsheen Tech so that students would see the chair and learn to understand what it symbolized and its purpose. Mr. Broadrick stated that administration did not understand what a passion project it would become for Mr. Woodlock, Mr. Repucci and their students. Several chairs were designed and prototypes built before they settled on the design. When Mr. Repucci had the chair in Autobody and they were working with paints and finishes, he called the paint supplier and explained the project and the company donated the expensive, special paint and clear coat. Mr. Broadrick stated that the night the first chair was dedicated, which is located in the front of the school, was the night of the School Committee meeting. He stated that Mr. Peterson and Mr. Gillis made the motion and seconded that an additional five chairs be built and donated to the five member communities.

Chairman Caira asked if Mr. Peterson or Mr. Gillis wished to offer comments. Mr. Peterson expressed his appreciation to Mr. DiPasquale and thanked veterans that were present for their service.

Chairman Caira asked if there were any questions or comments from members of the Board. Selectman Bendel stated that it is a proud moment as an alumni of Shawsheen Tech and as a member of the community. He noted the large number in attendance for the dedication.

Selectman McCoy thanked Superintendent Broadrick and the veterans.

Selectman Loud stated that, since his election to the Board, he takes the opportunity at each meeting to recognize the service of a veteran. He keeps a green light on each night, not just during the month of November. He thanked Shawsheen Tech noting that his son graduated from the high school.

Chairman Caira recognized a marine that is present for a different agenda item, he recognized the police and fire honor guard and thanked veterans that were present this evening.

Mr. Cimaglia invited Joyce Dalton, Mr. Woodlock and Mr. Repucci to unveil the chair, attendees were asked to rise and Ken Michaud played taps.

COMMUNICATIONS

Town Manager Hull reviewed a letter from Karyn Polito, Lieutenant Governor, congratulating the Town of Wilmington on having completed the best practices chosen as part of the Community Compact which was signed on September 29, 2017.

Town Manager Hull reviewed a letter from Joanne Campo, Deputy General Counsel, Office of Consumer Affairs and Business Regulation, who wrote regarding an audit of dealerships throughout the state to assess compliance with Massachusetts law pertaining to Lemon Law stickers. She advised that Cornerstone Mitsubishi was audited and was found to be 100% compliant.

Town Manager Hull reviewed correspondence from John Heffner, Senior Counsel, Clark Hill, regarding New England Transrail, LLC. Mr. Heffner filed a new petition for substitution of parties.

Town Manager Hull reviewed a memorandum from Michael Morris, Town Accountant, advising that the Department of Revenue has notified the Town that Free Cash has been certified in the amount of \$23,608,625. He noted that Free Cash allows communities to address financial problems, supplemental budgets and to take advantage of opportunities as they arise.

Town Manager Hull reviewed a memorandum from Police Chief Michael Begonis who wrote regarding the Santa parade to be held on Sunday, December 9, 2018 between the hours of 8:00 a.m. and 4:00 p.m. The event allows Santa and Mrs. Claus to visit youngsters in various neighborhoods throughout Town. In addition, gifts may be donated to the Fire Department's Toys for Wilmington Children, food item to the local food pantry and write a letter to our service members. This year cards and letters will be directed to the VA Hospital in Bedford.

KAREN L. 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 .777881 for Fiscal Year 2019. 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 2017 sales and income data. The Board's analysis resulted in the average single family residential property value increasing approximately 1.098 percent. 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 classes.

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

Chairman Caira asked if there were any questions or comments from the Board.

Selectman McCoy stated that he supports the Board of Assessors' recommendation. He stated that he is sympathetic to the plight of senior citizens and opined the only way to provide relief is to cut payroll. Ms. Rassias provided information regarding exemptions for the elderly that are provided by statute.

Selectman Eaton stated that he is interested in seeing an adjustment to the threshold limits for some of the exemptions. He stated that he provided a letter to the Town Manager requesting that the Senior Work-Off Program be expanded.

Selectman Loud noted that residential increases are outpacing commercial increases and asked whether Ms. Rassias has heard if there is a proposal to change the maximum shift similar to what was done in 2004.

Selectman Bendel thanked Ms. Rassias for the presentation and opined it is one of the most important votes the Board takes each year. He asked to clarify that the tax rate is going down but the value of the home has increased. Ms. Rassias stated that is correct but it gets complicated with a split tax rate. Selectman Bendel asked the Town Manager to continue to take a conservative approach when developing the budget.

Chairman Caira asked whether the state sets the exemptions and was advised that there are local options that the Town adopted to raise the income level and asset limit to qualify for the exemptions.

Chairman Caira asked if there were any questions or comments from the audience.

Bob Leverone, Brand Avenue, stated that he is having a problem with the taxes on his house. He believes that when the Assessor appraises the house, the taxes are raised. He stated that he was forced to retire five years ago and only has Social Security as income. He advised that he pays approximately \$7,000 per year in real estate taxes. He stated that he took out a reverse mortgage when he retired. He asked if retired residents could be put in a bracket where the taxes would be drastically reduced. Ms. Rassias stated that there aren't any provisions in the law that would allow that. She suggested that a tax deferral may be an option. Mr. Leverone stated his understanding that the holder of the reverse mortgage will not allow taxes to be deferred.

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

VOTED: That the Board of Selectmen close the public hearing as it relates to tax classification policy.

A motion was made by Selectman McCoy, seconded by Selectman Loud 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 .777881 for Fiscal Year 2019.

YULISSA D. CHAVEZ, PANCHO'S INC. DBA PANCHO'S CANTINA, RE: REQUEST TO OBTAIN ENTERTAINMENT LICENSE FOR PROPERTY LOCATED AT 206 BALLARDVALE STREET

Mr. Elisandro Chavez was present before the Board seeking an Entertainment License. He advised that it is his intention to hire a mariachi band for special holidays and on slow business days such as Tuesdays or Wednesdays.

Selectman Loud asked if the restaurant had a stage and was advised that it does not, that the band would walk among the tables. Town Manager Hull reviewed recommendations received from the Police Department and Fire Department, both recommend approval. Inspector of Buildings advised that he had not seen the application and noted the requirement that if the capacity exceeds 125, including restaurant staff, they need a licensed crowd control manager. Mr. Chavez advised that he and his wife had taken the course and agreed to retake if necessary.

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

VOTED: That the Board of Selectmen grant an Entertainment License to Pancho's Cantina contingent upon the application being reviewed and a favorable recommendation received from the Inspector of Buildings.

FRANK WEST, RE: TOYS FOR TOTS PROGRAM

Mr. West was present with SSgt. Dowell and Sgt. Cunningham to provide information on the Toys for Tots program. Mr. West reviewed upcoming events to raise funds/toys for Toys for Tots. Mr. West noted that there are multiple locations in Wilmington and Tewksbury, including at Wilmington High School, Town Hall, and many local businesses. Residents are welcome to drop new, unwrapped toys at any drop-off location through December 14. Residents in need can go to toysfortots.org and complete a request for donated toys.

A certificate of appreciation was presented to the Board of Selectmen to thank the Town for supporting the Toys for Tots program.

Chairman Caira asked the Board if there were any questions or comments. Chairman Caira and each member of the Board expressed sincere thanks to Mr. West for coordinating the program and SSgt. Dowell and Sgt. Cunningham for their service.

COMMUNICATIONS (CONTINUED)

Town Manager Hull reviewed a letter from Kelly Magee Wright, Executive Director, Minuteman Senior Services, advising that during FY 2018 Minuteman Senior Services provided services to over 1,346 residents at a total value of \$1,474,837.

Town Manager Hull reviewed an invitation from the Metropolitan Area Planning Council (MAPC) to attend a breakfast meeting on Thursday, December 13, 2018 at the Stones Common House and Kitchen in Stoneham.

Town Manager Hull reviewed correspondence from Catherine Mahoney, Comcast xfinity, regarding price changes and channel updates.

BOARD TO CONSIDER REQUEST OF KAILEIGH BERNARDO TO USE THE SWAIN GREEN ON SATURDAY, AUGUST 10, 2019 AT 4:00 P.M. FOR THE PURPOSE OF A WEDDING CEREMONY

Town Manager Hull advised that the Town is not aware of any conflicts. Chairman Caira asked if there were any questions or comments from the Board.

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

VOTED: That the Board of Selectmen approve the request of Kaileigh Bernardo to use the Swain Green on Saturday, August 10, 2019 at 4:00 p.m. for the purpose of a wedding ceremony.

BOARD TO CONSIDER REQUEST OF MICHAEL BEGONIS, POLICE CHIEF, FOR MEMBERS OF THE POLICE AND FIRE DEPARTMENTS TO CONDUCT THE SANTA PARADE ON SUNDAY, DECEMBER 9, 2018 FROM 8:00 A.M. TO 4:00 P.M. AND TO USE VARIOUS TOWN PROPERTIES AS STAGING LOCATIONS

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

VOTED: That the Board of Selectmen approve the request of Police Chief Michael Begonis for the members of the Police and Fire Departments to conduct the Santa Parade on Sunday, December 9, 2018 from 8:00 a.m. to 4:00 p.m. and to use various Town properties as staging locations.

BOARD TO CONSIDER DESIGNATING TWO REPRESENTATIVES TO ATTEND THE MAPC SUBREGIONAL PLANNING MEETING

Chairman Caira asked if there was interest from members to attend the MAPC Subregion Planning Meeting. He advised that it was his intention to attend.

BOARD TO CONSIDER CHANGING THE TOWN ACCOUNTANT POSITION TO FINANCE DIRECTOR/TOWN ACCOUNTANT

Town Manager Hull advised that for a permanent change to be made, a Town Meeting Article will need to be drafted to change the Town Manager Act. Chairman Caira confirmed that the Board of Selectmen will remain the appointing authority. A motion was made by Selectman Eaton, seconded by Selectman Loud and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen change the Town Accountant position to Finance Director/Town Accountant.

PUBLIC COMMENTS

There were none.

NEW BUSINESS

Selectman Loud recognized Rafael Cruz, a member of the Wilmington Police Department and Army veteran serving in the National Guard who just returned home; Nicholas Nofle, a member of the Wilmington Police Department who is active duty and 98 year old Gordon Siteman, a veteran of World War II and the Korean War. Mr. Siteman served aboard the U.S.S. Indiana, U.S.S. Lexington and the U.S.S. Worcester. His tours of duty took him throughout the Asiatic Pacific Theatre as well as along the American shores.

Selectman McCoy expressed his appreciation to the Attorney General's office for their assistance relative to Muse Avenue and the failure to conduct asbestos abatement.

Members of the Board wished residents a Happy Thanksgiving and encouraged them to take advantage of the many events including the Festival of Trees, Tree Lighting, Toys for Tots and the Winter Farmers Market.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- Through
December 7 – Curbside Collection of Yardwaste
- November 28 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- December 1 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- December 1 – Christmas Tree Lighting – Town Common – 4:00 p.m.
- December 1 &
December 2 – Festival of Trees – Villanova Hall
- December 2 – Holiday Social – Harnden Tavern – 1:00 p.m. to 4:00 p.m.
- December 5 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- December 6 – Santa's Workshop – Town Hall – Room 9 – 6:00 p.m. to 7:30 p.m.
- December 8 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- December 9 – Santa Run – 8:00 a.m. to 4:00 p.m.
- December 10 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.
- December 24 – *Town Offices Close at Noon*
- December 25 – *Christmas Day - Town Offices Closed*
- January 1 – *New Year's Day - Town Offices Closed*
- January 14 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.

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

VOTED: That the Board of Selectmen adjourn to Executive Session for the purpose of discussing strategies with respect to collective bargaining with International Association of Fire Fighters Local 1730 in accordance with MGL Chapter 30A, Section 21(a)3 as the Chairman declares that an open meeting may have a detrimental effect on the negotiating position of the Town, not to return to open session.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Recording Secretary