

BOARD OF SELECTMEN MEETING

November 27, 2017

Chairman Michael L. Champoux called the meeting to order at 6:00 p.m. in Room 9 of the Town Hall. Present were Selectmen Kevin A. Caira and Edward P. Loud, Sr. Also present was Town Manager Jeffrey M. Hull.

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

VOTED: That the Board of Selectmen enter Executive Session for the purpose of discussing collective bargaining with respect to the American Federation of State, County and Municipal Employees Local 1703, Unit 1 and the International Association of Fire Fighters Local 1370 in accordance with Massachusetts General Law 30A §21(a)3, as an open meeting may have a detrimental effect on the negotiating position of the Town and the Chair so declares; and review and approve Executive Session Minutes of June 23, 2014, August 18, 2014 and September 8, 2014 with the intention to return to open session.

Chairman Michael L. Champoux called the meeting to order at 7:13 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Michael V. McCoy and Edward P. Loud, Sr. Also present was Town Manager Jeffrey M. Hull.

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

Chairman Champoux asked those present to observe a moment of silence in recognition of the loss of Atley Miller, a resident of Wilmington and student of Shawsheen Tech, who passed away as the result of injuries sustained in an ATV accident and the loss of Ryan Giroux who passed away as the result of injuries sustained in an automobile accident.

Chairman Champoux recognized the return of the recording secretary following medical leave.

TREASURY WARRANTS

Chairman Champoux asked for a motion to accept the Treasury Warrants. 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 accept Treasury Warrants 20, 20A, 21 and 21A.

MINUTES

Selectman Caira called attention to page 2, last paragraph, where it states "Selectman Caira stated that it should be run similar to the discussion on Butters Row Bridge and suggested that it held at the Middle School Auditorium." He asked that "and suggested that it" be replaced with "that was". There were no objections from members of the Board. 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 approve the minutes of their meeting held October 23, 2017 with noted revision and all action taken is hereby ratified and confirmed.

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 .776864 for Fiscal Year 2018. 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 2016 sales and income data. The Board's analysis resulted in the average single family residential property value increasing approximately 1.037 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 Champoux asked if there were any questions or comments from the Board.

Selectman McCoy related his experience on the Board with voting the maximum shift so that property owners would experience as minimum an increase as possible. He noted that the residents of Wilmington receive great services with no fees.

Selectman Bendel thanked Ms. Rassias for the presentation she made to the Board of Selectmen at a recent meeting. He stated that it provided a greater understanding of taxes and encouraged members of the community to watch the presentation. Selectman Bendel stated that he would be in favor of shifting the tax burden from residential property tax payers to the greatest extent possible.

Selectman Loud concurred that he learned a lot from Ms. Rassias' presentation.

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

Kevin MacDonald, Andover Street, expressed his opinion that there were properties that were not properly assessed. He noted that in 2003, property on Ainsworth Road sold for \$1.5 million and the Town's tax records show that it is assessed at \$316,700. In addition, he stated that the former Walgreen's property located at 277 Main Street sold for \$7,125,000 in 2007 and in July 2017 sold for \$5,170,000. He expressed concern that the Town's records show that the property is assessed for \$3,041,100.

Selectman Loud noted that Walgreen's sale includes a ten year lease that Walgreen's was still paying. Ms. Rassias stated that with the sale of commercial property, the deed does not always explain the sale and Selectman Loud is correct. She advised that she is not familiar with the Ainsworth Road property. There being no further questions or comments from the audience, Chairman Champoux closed the public hearing.

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 .776864 for Fiscal Year 2018.

MICHAEL R. BEGONIS, POLICE CHIEF, RE: PROCESS FOR RE-ACCREDITATION & SANTA RUN

Chief Begonis stated that in May 2017 independent assessors from the Massachusetts Police Accreditation Commission were at the Wilmington Police Department for a three day review of required criteria for reaccreditation. Chief Begonis reviewed the criteria and stated that the Wilmington Police Department was compliant with all 257 mandatory standards and 78 of the optional standards. On October 12, the Commission voted unanimously to award accreditation and this was the third reaccreditation.

Chief Begonis expressed his appreciation to members of his staff responsible for the accreditation process. He stated that the process is voluntary and when Wilmington was accredited for the first time, they were the 39th department in Massachusetts to be accredited. He stated that a benefit of being accredited is that it minimizes exposure to liability and reduces frivolous lawsuits.

Chairman Champoux asked whether the accreditation will be more advantageous when seeking grants. Chief Begonis advised that there are federal grants available which require certain policies and procedures to be in place.

Members of the Board thanked Chief Begonis and his department for their efforts.

Chief Begonis advised the Board that the 3rd Santa Run will take place on Saturday, December 9. He stated that Santa will begin at the Shawsheen Elementary School and will be escorted through local neighborhoods, making stops at the Woburn Street School, the North Intermediate School and the Town Hall. He stated that visitors are welcome to bring a non-perishable food item for the Wilmington Food Pantry or a toy for Toys for Wilmington Children. Letters to servicemen and women will also be collected. He stated that Patrolman Rafael Cruz will be deployed in January. Chief Begonis advised that it may be necessary to make changes to Santa's schedule depending upon the weather.

DISCUSSION RE: ELECTRONIC COMMUNICATIONS WITH RESIDENTS

Chairman Champoux stated that this is on the agenda as a result of communication Selectman Bendel has had with him and the Town Manager. He stated that Selectman Bendel would like to make residents aware of what types of communications exist from the Town.

Selectman Bendel stated that he wanted the Board to look at how the Town is communicating with residents and highlighting what the Town already does that they may not be aware of. He stated that the Town's website was updated a couple of years ago and is easy to use. In addition, it will adapt when opened on a mobile phone and other devices. Selectman Bendel stated that residents have the ability to pay their bills on line and the Town currently uses Twitter to send out messages. Residents do not need to have a Twitter account to view the messages, they are located on the Town's home webpage.

Selectman Bendel wants to be aware that residents can sign up to receive e-mails from the Town including meeting agendas. He reviewed how neighboring towns provide information to their residents. He commented relative to the Wilmington Police Department's website

and their use of social media and their campaign to remind residents to ensure their car doors are locked at 9:00 p.m. to prevent property loss. Residents may sign up for emergency alerts through the Police Department website so that they are notified on a device that is convenient for them. Selectman Bendel stated that he has ideas on how these methods may be improved upon.

Town Manager Hull stated that Selectman Bendel has reviewed the Town's primary means of communication. He stated that the Everbridge notification system is often used by the Department of Public Works and cited notification of road construction or to notify neighborhoods of changes relative to the collection of trash and recycling as examples. Chairman Champoux asked the Town Manager to further explain the Everbridge notification system. Chief Begonis explained how residents may access the information to sign up for notifications. He explained that Everbridge is the vendor that the Town uses. Chairman Champoux asked whether Everbridge is the same system used by the School Department and was advised that it is not.

Selectman Bendel stated that when contacting the Board of Selectmen by e-mail, there is a link on the Town's website. He would like there to be an automatic response that the e-mail will be reviewed, provided to all Selectmen and the Town Manager and someone will respond in a reasonable amount of time. He advised that when residents e-mail the Board of Selectmen, the email is provided to all the Selectmen. Selectman Bendel suggested using on-line surveys to communicate with residents and obtain their feedback. He urged residents to reach out to members of the Board with questions or concerns.

Chairman Champoux thanked Selectman Bendel for bringing to the forefront. He stated that he worked under the assumption that residents knew what was available and it would be a good idea to review on a periodic basis.

DISCUSSION RE: TOWN BEACH FEES

Chairman Champoux stated that Recreation Director Karen Campbell provided a presentation to the Board of Selectmen at a recent meeting. It is his understanding that Ms. Campbell is looking for further guidance on what the Board's opinion is on this. Town Manager Hull stated that the Board was provided with another copy of the presentation and follow-up correspondence from October 30 to get feedback on the Board's position and concerns. Ms. Campbell stated that it has been a longstanding priority to serve Wilmington residents. Town Manager Hull stated that approximately five years ago the beach faced a number of challenges. He stated that the Department of Public Works has done a phenomenal job keeping the beach raked and clean and the Public Buildings Department has maintained the beach house. He noted that although Wilmington residents are not charged a fee to use the beach, expenses related to the upkeep of the beach and the bathhouse are funded by property taxes. He stated that having certain classifications of non-residents being able to enter without a fee will result in them receiving services for free.

Town Manager Hull expressed his opinion that the existing system ought to remain in place. The determination of who is a friend of a Wilmington resident should not be the responsibility of a 16 or 17 year old.

Chairman Champoux recognized that Ms. Campbell is present and invited her to make comment.

Chairman Champoux asked if there were any questions or comments from the Board. Selectman Loud complimented the Recreation Director and her staff. He stated that he is in agreement with Ms. Campbell and the Town Manager and that the policy in place should remain.

Selectman Caira stated that if the residents are paying taxes to maintain the beach, they should be allowed to bring their grandchild to the beach. He asked how the Town could best serve the residents and their families. He noted that the Recreation Department has a revolving account used to supplement the beach for its deficit and asked what the balance is in that account. Discussion took place regarding the revolving fund and how the funds are generated. He acknowledged that he does not know what the simple answer is and suggested that perhaps the resident be allowed to bring in one guest and additional guests be charged a nominal fee. He believes that the issue does need to be revisited. Selectman Caira stated that non-residents are allowed to visit the Yentile Farm Recreational Facility, the dog park and other facilities without paying a fee.

Selectman Bendel stated that use of the beach needs to be kept free for residents and suggested offering a package that could be purchased at the beginning of the season. He asked whether the goal is to make money at the beach. Ms. Campbell stated that it is has never been the goal to make money but the department is trying to operate a fiscally responsible program. She stated that she does not believe that participants of classes and trips ought to offset the beach deficit. She does not want to lose the ability to fund other projects in town and noted the dog park, pavilion at Shawsheen School and resurfacing of tennis courts were completed using the revolving fund. Ms. Campbell stated that most communities with beaches charge a fee for residents.

Chairman Champoux commented that the more people using the beach results in the necessity to have more lifeguards on duty. He recognizes the dilemma because the Board wants the beach to be a benefit to the people of Wilmington. He encourages continued consideration.

Selectman Loud asked at what age the Recreation Department begins charging the fee and was advised the fee is charged for children aged three and over. Selectman Loud asked whether there has been consideration given to raising the age. Ms. Campbell stated that they have given it consideration but noted that the children are the ones who run directly into the water and increase the capacity.

Town Manager Hull asked whether the board wants to make a change before the next season and what would the change be. Chairman Champoux stated that it is not necessarily to make a change, but not to give up as other ideas may surface. Town Manager Hull stated that it would be helpful to understand what audience of people are currently being charged that the board is looking for the fee to be waived. He stated that Selectman Caira mentioned grandchildren. Town Manager Hull stated that there is no ID that would identify the child as a grandchild or a friend and stated that there are people who will use the opportunity to get a free pass.

Selectman McCoy asked whether a participant of the Senior Work-Off Program could work at the beach checking IDs. He stated that he does not have an issue increasing fees to non-residents.

Selectman Bendel asked about the process of verifying a child's age. Ms. Campbell stated that it is the honor system but sometimes the lifeguards will ask questions. Selectman Bendel stated that the priority at the beach is safety. Ms. Campbell stated that the 2017 season a position of gate attendant was implemented. The position does not require lifeguard certification allowing the lifeguards to watch the beach.

Chairman Champoux stated that if there was an accommodation that could be made that would not cause detriment to the budget, he would ask that preapproval be obtained from the Recreation Department and not a teenaged gate attendant.

Selectman Caira stated that he mentioned grandchild as an example but believes a resident should be allowed to bring in one guest and additional guests be charged at a discount. Selectman Bendel stated that he likes using the word guest as opposed to "grandchild". Selectman Caira suggested having a maximum fee.

Selectman Bendel asked whether the data is documented on the number of caregivers with children. He stated that members of the Board are receiving comments. Ms. Campbell stated that the Recreation Department receives the last name of non-residents who purchase day passes at the beach.

Chairman Champoux recognized Kevin MacDonald, 140 Andover Street, advising him that he welcomes a positive contribution but if it is challenging or confrontational he will not be allowed to speak. Mr. MacDonald stated that he agrees with Selectman Caira that grandchildren ought to be allowed as many grandparents are raising their grandchildren and are very stressed. Mr. MacDonald opined that 17 year olds should not be burdened with rescuing a child and suggested that the Town privatize the beach program. He suggested demolishing the beach house and build a new building with a second floor and rent out that floor for CPR classes. He also suggested running a hockey tournament. Mr. MacDonald expressed his opinion that children should not be charged for going to the beach. Mr. MacDonald suggested that fire fighters be responsible for guarding the lake when not fighting fires.

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

VOTED: That under no circumstances shall Wilmington residents be assessed a fee to use Town Beach.

Town Manager Hull stated that it will be problematic to establish categories, the premise should be that some number of passes be provided. Selectman Bendel stated that is why he commented that the term guest is more appropriate. Town Manager Hull asked how much of a problem this is, whether there is a groundswell of people saying they are disadvantaged. He stated that he has not received comments. Ms. Campbell stated that every summer, non-residents or their family, have complained about the fee. Selectman Caira stated that he has received complaints. He stated that when one person makes a complaint, the Board has a discussion to address the concerns of the resident whether or not changes are made.

COMMUNICATIONS

Town Manager Hull reviewed a memorandum from Karen Campbell, Recreation Director, regarding the Town Beach Non-Resident Fee Policy. The memorandum served as a follow-up to Ms. Campbell's presentation to the Board of Selectmen on October 23, 2017.

Town Manager Hull reviewed his memorandum regarding the fiscal year 2019 budget process. He invited Board members to offer comments about areas of focus, priorities and direction they would like to see in the upcoming year. The opportunity to provide comment will be at the Board's December 11, 2017 meeting.

Town Manager Hull reviewed his memorandum seeking to clarify their vote on prohibiting the sale of Town-owned land. Members of the Board agreed that the intent was not to prohibit residents from submitting petitioned articles to Town Meeting but was to ensure that larger parcels were not sold for the purpose of an affordable housing development.

Town Manager Hull reviewed communication from Mary Jane Handy, Director of Accounts, Massachusetts Department of Revenue, advising the Town that, based upon the un-audited balance sheet submitted, the amount of available funds as of July 1, 2017 for the Town of Wilmington is \$21,618,024.

Town Manager Hull reviewed his memorandum announcing the executive session minutes that are being released and available for public review. Those Executive Session minutes are April 27, 2015, September 28, 2015, October 13, 2015, April 24, 2017 Parts 1 and 2 and May 8, 2017.

Town Manager Hull reviewed communication from the Middlesex Canal Commission relative to their annual meeting scheduled for Thursday, December 7, 2017 at 3:15 p.m. The meeting will be held at the Middlesex Canal Museum, 71 Faulkner Street, North Billerica.

Town Manager Hull reviewed correspondence from Bonnie Rogalski, Manager-Contract Management, Verizon Fios TV, regarding programming changes.

PUBLIC COMMENTS

Kevin MacDonald, Andover Street, offered his comments regarding property taxes, free cash and the police department's accreditation. He stated that he is aware of the Police Department issuing a ticket to a Wilmington resident for an unsecured load. The resident had a lawnmower in the back of a vehicle. He said he is also concerned that the Police Department pulled over an unregistered vehicle. The operator was released and then proceeded to drive to Malden and strike an off-duty State Police Officer. Town Manager Hull stated that Mr. MacDonald could have had a conversation with the Police Chief or Deputy Police Chief to express his concerns. Chief Begonis stated that if Mr. MacDonald has a concern he is welcome to contact him at his office and noted that the Police Department responds to 24,000 to 26,000 calls each year. Mr. MacDonald was vocal in asking whether the incident occurred.

NEW BUSINESS

Selectman Bendel stated that the School Department is looking for input from residents on the search for a new superintendent tomorrow evening.

Selectman Bendel stated that he looks forward to seeing residents at the Tree Lighting and the Festival of Trees.

Selectman Caira asked whether there is an update on the Butters Row Bridge. Town Manager stated that the most recent communication is that work will continue through December 8. He asked that the Board be notified of any changes.

Selectman Caira welcomed back Recording Secretary Beverly Dalton.

Chairman Champoux offered congratulations to the Wilmington Football Team and other fall sports teams for a successful season.

Selectman Loud stated that he is unable to attend the School Committee meeting tomorrow evening but did submit comments to them.

Selectman Loud recognized Donald Purrington, a veteran of the United States Marine Corp and Wilmington resident who was recently recognized by the Department of Veterans' Services.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- November 29 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- November 30 – Finance Committee/Planning Board Joint Public Hearing – Town Hall Auditorium – 7:00 p.m.
- December 2 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- December 2 – Christmas Tree Lighting – Town Common
- December 2 & December 3 – Festival of Trees – Villanova Hall
- December 3 – Holiday Social – Harnden Tavern – 1:00 p.m. to 4:00 p.m.
- December 7 – Santa's Workshop – Town Hall – 6:00 p.m. to 7:30 p.m.
- December 9 – Santa Run – 8:30 a.m. to 2:00 p.m.
- December 11 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.
- December 16 – Special Town Meeting – Wilmington High School – Auditorium – 10:30 a.m.
- December 25 – Christmas Day - *Town Offices Closed*
- January 1 – New Year's Day - *Town Offices Closed*
- January 8 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 9:26 p.m.

Respectfully submitted,

Recording Secretary