

## BOARD OF SELECTMEN MEETING

October 28, 2019

Chairman Gregory B. Bendel called the meeting to order at 6:15 p.m. in the Auditorium 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.

A motion was made and duly 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 strategy with respect to collective bargaining with the New England Police Benevolent Association, Local 101 (Dispatchers) in accordance with MGL Chapter 30A, Section 21(a)3 as an open meeting may have a detrimental effect on the negotiating position of the Town and the Chairman so declares and further to approve Executive Session minutes from April 8, 2019, July 8, 2019, September 9, 2019 (PRIOR), September 9, 2019 (POST) and October 15, 2019 in accordance with MGL Ch. 30A, Sec. 22

Chairman Gregory B. Bendel reconvened the meeting at 7:00 p.m. in the Auditorium 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 thanked members of the Board of Selectmen, the Town Manager and the Recording Secretary for wearing an article of pink clothing in support of Breast Cancer Awareness Month.

### TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 16, 16A, 17 and 17A.

### MINUTES

A motion was made by Selectman Caira and was seconded by Selectman McCoy for the purpose of discussion. Selectman McCoy asked about the length of time for the minutes to be completed and was reminded that at the end of October three employees of the Town Manager's office left the Town's employ and the recording secretary was tasked with additional responsibilities including payroll. There being no further questions and by the affirmative vote of three with Selectmen Eaton and O'Mahony abstaining, it was

VOTED: That the Board of Selectmen approve the minutes of their meeting held March 12, 2018 and all action taken is hereby ratified and confirmed.

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held June 24, 2019 and all action taken is hereby ratified and confirmed.

**TERESA HSU-SMITH, GIRL SCOUT TROOP 62457, RE: REQUEST TO OBTAIN OPEN SPACE FOR COMMUNITY GARDEN**

Members of Troop 62457 made a presentation to the Board of Selectmen with their proposal to use Town space for a community garden. In the proposal they advised that the garden would be used to grow vegetables that would be donated to the Food Pantry. In addition, rules would be established. They provided their plan to maintain the garden including watering and harvesting. The Troop expressed their willingness to work with other organizations.

The Board of Selectmen is in receipt of a memorandum from Public Works Director Michael Woods. Mr. Woods advised that his department spoke to Ms. Hsu-Smith regarding the proposal and suggested a location between the Dog Park and Route 38, as it is a sunny and flat spot.

Members of the Board congratulated members of Troop 62457 on their presentation. Town Manager Hull stated that this is the troop's second project and noted that the first project was the establishment of a book kiosk at Rotary Park.

Chairman Bendel asked if there were any additional questions, comments or a motion. A motion was made by Selectman Cairra, seconded by Selectman O'Mahony and by the affirmative vote of all, it was

**VOTED:** That the Board of Selectmen approve the request of Girl Scout Troop 62457 to locate a community garden on Town property identified by the Department of Public Works and located between the dog park and Route 38.

Chairman Bendel stated his understanding that the troop will need to raise funds to complete the project and was advised that \$471 needs to be raised. Selectman McCoy pledged to donate \$50.

**JOINT MEETING WITH THE SCHOOL COMMITTEE, FINANCE COMMITTEE AND FACILITIES MASTER PLAN COMMITTEE TO REVIEW FACILITIES MASTER PLAN TO DISCUSS RENOVATION, EXPANSION, REPLACEMENT OF TOWN/SCHOOL FACILITIES**

Chairman Bendel advised that there are technical difficulties with the microphones, noting that they are recording for television but are not projecting comments and asked speakers to keep this in mind when offering comments.

Chairman Bendel noted that in addition to members of the Facilities Master Plan Committee, School Committee and Finance Committee, Department Heads were present as well as Superintendent of Schools Dr. Glenn Brand and Representative David Robertson. He also thanked members of the community for being present. Chairman Bendel advised that the Board will not be taking formal votes this evening. Chairman Bendel advised that he expects to receive the presentation from the Facilities Master Plan Committee followed by comments from the School Committee and Finance Committee, Board of Selectmen questions and comments and will then receive comments from the community.

Chairman Bendel noted that Diane Allan, a member of the Facilities Master Plan Committee, was unable to attend as she is out of the country and he recognized another member, Joseph Parella, who passed away in May. He also recognized former Superintendent of Schools Joanne Benton who also served on the committee. Chairman Bendel asked for a moment of silence to remember Mr. Parella and Ms. Benton.

Town Manager Hull outlined the basis for the Facility Master Plan. He stated that, in 2015 when it was brought to Town Meeting, it was recognized that there are a number of aging Town buildings. He noted that the Town has done a masterful job at repurposing old buildings and stated that the Town Hall was an elementary school and was repurposed in 1984 to serve as the temporary Town Hall; the Senior Center was a former school; the Roman House was a house now being used as administrative offices and the Public Buildings Department housed the former fire station.

Town Manager Hull opined that the Town needs to give meaningful thought to significant renovations or replacement of buildings. Rather than accomplish this by piecemeal, he believed it would be beneficial to approach the issue with a comprehensive assessment of all buildings. The consultant provided a series of options for addressing space needs and noted that the Town needs to be cognizant of costs of each scenario. He stated collectively the plan is for \$143 million in costs.

Town Manager Hull stated that he hopes that the result of this meeting, and future meetings, is to develop a consensus whether the Facilities Master Plan is relevant and to develop a consensus of the buildings that need to be modified or replaced and the sequencing of the work and the financing.

The facilities plan clearly established that the Senior Center was identified as a building that needs to be addressed. The Buzzell School was repurposed in 1986 by community members to serve as the senior center, prior to that, seniors were meeting at a location in the Wilmington Plaza on a limited basis. He stated that, to his knowledge, there has been no one disputing the need for a senior center. The challenge will be where it will be sequenced among other projects.

Chairman Bendel invited George Hooper, Superintendent of Public Buildings, to speak. Chairman Bendel asked Mr. Hooper to introduce members of his committee. Mr. Hooper reviewed the process that took place in the development of the Facilities Master Plan. He advised that the Town has 28 buildings, 8 of which are school buildings, with just over 750,000 square feet. Mr. Hooper noted that the ages of the buildings vary from the 1800s to the new high school which opened in February 2015.

Mr. Hooper stated that the operation and maintenance of the buildings cost money and noted that the town has supported capital improvements over the years that have assisted the efficiency of the operating systems of the buildings. He stated that the goal of the Facilities Master Plan Committee was to look ahead to the next 20 to 30 years and determine where the Town will be and what action should be taken with the buildings, what the committee wants the town to look like and how the buildings will serve the community. The Facility Master Plan is designed to help prioritize what direction the Town should move in and is meant to be a guide. Mr. Hooper emphasized that any action taken, whether it is to appropriate or borrow funds, to renovate or build new, will require the vote of the community.

Valerie Gingrich, Planning & Conservation Director, stated that a survey was conducted in 2016 which asked how often respondents used certain buildings, the convenience of certain buildings and what they thought were the best and worst buildings. She stated that a public forum was conducted to provide an overview of the project and following that a series of alternatives were developed. Ms. Gingrich reviewed different options including locating a Town Hall/School Administration building at the site of the Senior Center and to locate a Senior Center at the Town Hall. She also advised that the Facilities Master Plan considered locations for senior housing.

Ms. Gingrich reviewed alternative options for the school buildings which included consolidating schools to minimize the number of transitions.

Ms. Gingrich stated that the alternatives were placed on poster board and were placed in various locations to obtain public comments. In addition, she and Mr. Hooper developed a program which aired on Wilmington Community Access Television. She hosted forums to receive input and public comments were received through the committee's meetings.

Mr. Hooper stated that the committee took into consideration what utilities were available at the different sites, what traffic would be created, and the availability of town owned land. He advised that the preferred scenario was for a new consolidated Town Hall/School Administration building located at the former Swain School site which would create a civic center in the community and a new Senior Center located at the current Town Hall site. The Town Hall site can accommodate a state-of-the-art, ADA compliant facility adjacent to recreational facilities and open spaces. Mr. Hooper advised that the preferred scenario would also consolidate the Public Works site and expand the library. He stated that some of the projects are over 20 to 30 years in the future but other projects are more immediate. Mr. Hooper stated that it is recommended to consolidate the lower grade schools. As a result, the Wildwood and Boutwell Schools would be closed and possibly repurposed.

Mr. Hooper advised that he was provided a letter from Diane Allan which he read into the record. Ms. Allan's letter reviewed the process that took place to come up with the preferred alternatives.

Mr. Hooper advised that the Facilities Master Plan is on the Town's website and can be downloaded for review. Mr. Hooper asked if members of the Facilities Master Plan Committee wished to offer additional comments. Ms. Manganelli stated that the Town has taken advantage of opportunities when buildings are no longer used for its original purpose. She stated that the Town has the opportunity to replan the community by bringing the Town Hall to the Swain School site and creating a civic center, build a first class senior center at the Town Hall site and resolve the issue of the Roman House.

Chairman Bendel thanked Mr. Hooper and the members of the Facilities Master Plan Committee. He noted that the committee has worked diligently for nearly two years to develop the report and stated that it would be a great resource to refer to.

Chairman Bendel welcomed members of the School Committee, the Superintendent of Public Schools Dr. Glenn Brand and the Assistant Superintendent of Schools Paul Ruggiero. School Committee Chairman Jen Bryson thanked the Board of Selectmen for the opportunity to engage in discussion relative to the future of school facilities. She stated that there are significant areas of need and investment to preserve and maintain the operation of the six school facilities as is documented in the Facilities Master Plan. She emphasized that the conditions at the Wildwood School are most pressing in terms of its ability to reasonably accommodate students and staff. Ms. Bryson provided examples of the buildings shortfalls including asbestos, heating system, windows, insulation and the lack of confidentiality in Student Support Services. She acknowledged that the Public Buildings Department has worked hard to maintain the overall condition of the schools. Ms. Bryson stated that there are growing concerns about the challenges as they relate to education and programming, operating the number of schools at an elementary level including the number of transitions, transportation challenges, and adequate space to support teaching and learning. She provided examples at each of the schools.

Ms. Bryson stated that the condition of the Wildwood School does not provide the community with an opportunity to wait for the Facilities Master Plan to come to fruition. There is a need to pursue an interim solution for the students and staff at that facility. She stated that the School Committee and Superintendent of Schools intend to convene an ad hoc committee to develop an immediate plan to look at options to relocate Wildwood School programs and services and

administrative office space. Ms. Bryson noted that the School Committee believes it needs outside expertise to help evaluate the options.

Stephen Bjork, Vice Chairman of the School Committee, commented that prior to the beginning of the meeting a member of the audience spoke to Ms. Bryson and asked whether she was ready to argue her side. Mr. Bjork stated that no one is taking sides, no one is opposed to a new Senior Center and advised that he believes the Town has needed a new Senior Center for several years. He recognized that residents who visit the Senior Center are people whose tax dollars have supported the School Department for many years. He asked that attendees not look at the School Committee's position as adversarial. Mr. Bjork then commented that at the least, the Wildwood School is in crisis and the School Committee will do everything they can to remedy the situation. He promised that when the Senior Center comes up for vote, they will have his support and vote.

MaryJane Byrnes stated that a Capital Improvement Plan needs to be created. She believes the taxpayers deserve a plan going forward as it pertains to the Facilities Master Plan what is targeted, how it is targeted and when it is targeted. Ms. Byrnes opined that a plan ought to be in place rather than wait for the Wildwood School to get to a point of grave concern. Ms. Byrnes offered suggestions on interim arrangements for the Senior Center. She noted conditions that the Special Education is working under including small cubicles and records being stored in a unit in the parking lot.

David Ragsdale stated that, as members of the School Committee, it is their responsibility to advocate for the schools. He stated that, as members of the community, they are also concerned that all facilities are appropriately addressed. Mr. Ragsdale noted that there is an urgency with the schools because the Town could potentially receive money from the Massachusetts School Building Authority. He acknowledged that is a long process.

Ms. Jo Newhouse, Mr. Jesse Fennelly and Mr. Jason Samaha expressed their agreement with comments made by other members of the School Committee.

Chairman Bendel invited Superintendent Brand to offer comments. Dr. Brand stated that he has been the superintendent for just over a year and stated that it is not uncommon for there to be capital investment needs. He stated that his role is as steward of the schools and he recognizes that there are needs throughout the community including a new senior center. Dr. Brand stated that work related to the construction or renovation of schools is a long term effort. He stated that if you are a community that is fortunate to be invited to participate in the Massachusetts School Building Authority program, you can anticipate it taking five to seven years. Dr. Brand stated that it is his, and the School Committee's, interest to get on a path toward a plan to remedy the situation related to buildings.

Chairman Bendel thanked members of the School Committee for being present and providing their perspective and comments.

Chairman Bendel welcomed members of the Finance Committee. Finance Committee Chairman John Doherty and members of the committee introduced themselves. Mr. Doherty advised that the Finance Committee has not looked directly at the Facilities Master Plan. However, each year the Finance Committee inspects the capital expenditures and the five year Capital Improvement Plan as part of their budget review. Mr. Doherty stated that the Finance Committee has not had specific discussions relative to this and therefore he could not speak on behalf of the committee. He advised that it is his opinion that the Town should prioritize a substation in North Wilmington, a Town Hall/School Administration building and then a Senior Citizen. He would like this accomplished in such a way so not to be a tax burden on the residents.

Theresa Manganello expressed her support of the Facilities Master Plan.

Michelle Kincaid stated that she is in agreement with the recommendations of the Facilities Master Plan and commented that the implementation will take time. She acknowledged recent news articles that referenced the Town's free cash and cautioned that there are many needs competing for those funds. Ms. Kincaid opined that the MSBA program is worthwhile but there are studies that need to be conducted prior to participation.

Marianne Gallezzo asked Mr. Hooper what he believed were buildings that needed to be prioritized. Mr. Hooper stated that he lives in the community and, as a taxpayer, he does not want to "throw good money after bad" and advised that the Public Buildings Department has been maintaining the Wildwood School but there are significant expenditures in the future and he opined that it is unfair to have some of the teachers and the young students in the aging facility. Mr. Hooper stated that when a statement of interest (SOI) is submitted to the MSBA, the community is not always invited to participate. He stated that if a community is not invited to participate, it has to reapply. Mr. Hooper advised that one of the MSBA's requirements is that the community appropriate 100 percent of the funds. He advised that the Wildwood School and the Senior Center are priorities and that both buildings are bursting at the seams. He stated that the Town is trying to have a plan in place and prioritize which projects need to come first.

Mr. Hooper stated that he has been fortunate to have the support of the community relative to capital expenditures. He stated that funding has been appropriated for window replacement, lighting upgrades and heating system upgrades.

Mr. Hooper opined that he does not believe the Wildwood School can wait 7 to 14 years.

Bernard Nally stated that each member of the Finance Committee is a member of the community and pays taxes. It is the job of the Finance Committee to watch what is spent. He stated that the Town is discussing a long term schedule of addressing the facility needs and some projects will have to wait.

Jonathan Dugas stated that he is a new member of the Finance Committee and a fairly new resident to Wilmington. He stated that he has confidence in the Facilities Master Plan Committee and School Committee. Mr. Dugas stated that the Finance Committee is tasked with determining what the town wants look like in the future and to determine the most fiscally responsible way to get there.

Chairman Bendel thanked members of the Finance Committee for their perspective. He noted that with every decision the Board of Selectmen makes, they are cognizant of the expense. Chairman Bendel also thanked members of the Finance Committee for their work in service to the community.

Chairman Bendel advised that he would entertain comments from members of the Board of Selectmen and, if there are no objections, he will take Public Comments out of order and take it up as the next item on the agenda.

Selectman McCoy stated that the Permanent Building Committee works hard and opined that there will be many different viewpoints from attendees on what is more of a priority. He commented that over the years as a member of the Board of Selectmen he has supported the construction of the new middle school, public safety building and new high school. He did not support the construction of a new library. He commented regarding the growth of the free cash accounts and believes there are three priorities that need to be addressed: the construction of a substation in North Wilmington, the construction of a new senior center and the schools. He opined that the Town should use free cash and use \$8 million for each project and the \$24 million will be replenished in a short period of time.

Selectman Cairra thanked members who served on the Facilities Master Plan Committee and recognized George Hooper, Superintendent of Public Buildings, and Town Manager Jeffrey Hull for having the foresight to maintain the Town's facilities and noted that it is important to maintain the buildings we have. Selectman Cairra stated that he looked at the Town's buildings as what will last five years. He is of the opinion that the Roman House and Wildwood School will not last five years. Selectman Cairra agreed with previous comments that everyone should be working together. It would be ideal to have a new Senior Center but a Senior Center in a repurposed building would be a good substitution. He stated that he also believes a substation in North Wilmington is a priority. The Town would need to determine which project is first. Selectman Cairra expects that the School Department and School Committee would be preparing applications for the MSBA program. He believes that the first project should be to construct a new Town Hall/School Administration Building and further that it should be located on the property purchased from St. Dorothy's on Main Street. He opined that the current Town Hall would be made available to house students from the Wildwood School for the period needed to address the schools. The building would then be available for a Senior Center. Selectman Cairra recognized that is not a popular opinion and stated that a new Senior Center will not be built tomorrow, that it will happen once an appropriate approach is determined.

Selectman Eaton thanked the members of the Facilities Master Plan Committee. He stated that the work that was completed was designed to help educate everyone in Town with an interest as to the varying needs of the Town's facilities. He stated that tonight is step one to educate townspeople as to the needs and to begin discussion about the Facilities Master Plan and the needs and limitations of the buildings. He agrees that a fire substation should be a top priority.

Selectman Eaton stated that he looks forward to hearing from residents and also noted that it would be a topic at an upcoming Elderly Services Commission meeting and provided examples of information he would like to learn from the commission about the Senior Center.

Selectman Eaton asked Mr. Hooper relative to the Facilities Master Plan suggesting expanding the Woburn Street, Shawsheen Street, West Intermediate and North Intermediate Schools with the goal of phasing out the Wildwood Street and Boutwell Schools, whether additions could be done at two schools as opposed to four.

Mr. Hooper stated that the drawings are conceptual. He stated that additions would be determined by utilities in the area. As an example, he noted that the North Intermediate School is on sewerage and the Woburn Street School has a septic tank; the North Intermediate School is serviced by natural gas while the Woburn Street School has oil. Mr. Hooper advised that the Town would have to hire a firm to develop a feasibility study and an architectural design with engineers to determine what could be built on the site.

Selectman Eaton commented that he is wary of spending down the free cash and capital stabilization fund. He stated that Standard & Poor recommends that communities maintain approximately 15% of its operating expenses in free cash and he does not want to deplete funds to construct the first couple of projects. Selectman Eaton asked Finance Committee Chairman John Doherty what his opinion may be to approach spending and borrowing. Mr. Doherty stated that relative to the substation, he would recommend a combination of free cash, bonding and to pursue a donation of funds from Princeton Properties. He advised that relative to the bonding, he would suggest paying the bonding through the budget process so that there is no override. Mr. Doherty stated that as the High School project is paid down, the Town should then proceed with a Town Hall/School Administration building.

Selectman Eaton noted that one of the benefits of following recommendations of Standard & Poor and receiving a higher bond rating is that it results in a lower borrowing rate.

Selectman O'Mahony thanked the Facility Master Plan Committee and noted the document is available on the Town's website and suggested residents review it. She stated that it is a comprehensive review of each of the Town's buildings. She would like to collaboratively address the Town's needs in a thoughtful, respectful way.

Selectman O'Mahony stated that there is agreement that the Wildwood School cannot wait to be addressed. She also expressed concern that a new Senior Center is "being pitched" with a \$19 million new Town Hall and stated that she is not comfortable with that plan. She would prefer to address the needs of the school buildings and then utilize schools for interim Senior Center and Town Hall. Selectman O'Mahony provided an example of how the schools could be combined. Selectman O'Mahony stated that Wilmington should not be a tear down community and it needs to do something to address the facility needs. She stated she is in agreement with the need for a substation in North Wilmington. She stated that the Town needs to explore all its options. Selectman O'Mahony recognized that Representative David Robertson and Selectman Bruce Tarr were in attendance. She opined that the Town should not be applying simply for MSBA funding but should explore all available state and federal funding sources. She asked what options are available to Wilmington and how soon could they be implemented. She opined that the Town Hall can wait until 2025/2030. She stated that the conversation that has started tonight needs to continue so that at the next Town Meeting the process is continuing.

Town Manager Hull stated that, with respect to free cash, these projects are like maintaining one's house on a much larger scale. He stated that homeowners have choices on how to address costs and stated that his concern about using all of the Town's savings is that the economic prosperity has been good for several years. The economy ebbs and flows and there will be a downturn and that is when the Town will use the free cash to keep core services operating so there does not need to be major layoffs.

Town Manager Hull stated that this conversation is a good start and needs to be continued. He stated that one thing he and Mr. Hooper face, when looking at the five year capital plan, is the challenge of what major expenses to incur. He advised that last year Mr. Hooper recommended the replacement of windows on the Woburn Street School and West Intermediate School amounting to a cost of \$1.5 million for each project. Town Manager Hull stated that he made the decision to defer the project because he does not want to spend significant dollars on buildings that may have a shorter life span.

Town Manager Hull stated that representatives of municipal government have been working with the Superintendent of Schools and the School Business Manager. It is important to understand the School Department and School Committee's vision for the schools. Does the School Department wish to consolidate schools or not and what are the best types of facilities for the programs.

Chairman Bendel stated that he is in agreement with many of the comments already made. There are a few major projects at the top and agrees they are projects that need to be explored so that residents can be provided the information they need to make an informed decision.

Chairman Bendel entertained Public Comments at this time.

Residents spoke expressing their preference that the priority be a new Senior Center and where it ought to be located. In addition questions were asked regarding Senior Housing. Residents who spoke to offer comments were:

Audrey Reed  
3 Deming Way

Mary D'Eon  
12 Manning Street



Robin Theodos  
73 Clark Street  
Debra Russo  
902 Lords Court  
Kevin MacDonald  
140 Andover Street

Frank West  
2 Birchwood Road  
Jack Kavanaugh  
48 Adams Street

## COMMUNICATIONS

Town Manager Hull reviewed his memorandum regarding the Open Space and Recreation Committee. He advised that the Committee is reviewing and updating the Open Space and Recreation Plan which was last reviewed in 2015. As part of the effort to update the plan, residents are encouraged to complete the Open Space and Recreation Survey to offer their perspectives. He advised that responses to the survey are due by November 8, 2019. Once the committee has prepared the revised plan, it will be submitted to the state's Executive Office of Energy and Environmental Affairs Division of Conservation Services for review and comment. Approval of the plan by the Division of Conservation Services will ensure that the Town will remain eligible for state grants.

Town Manager Hull reviewed a letter from Eric M. Hocky, Clark Hill PLC, to Cynthia Brown, Surface Transportation Board, regarding New England Transrail. Mr. Hocky advised that he filed a substitution of appearance on behalf of Wilmington Woburn Intermodal, LLC, he should have also filed a substitution of appearance as counsel for New England Transrail and requested that the Surface Transportation Board's list of parties be updated accordingly.

Town Manager Hull reviewed a memorandum from Alicia Fraser, Director, Environmental Epidemiology Program, to the Wilmington Childhood Cancer Study Advisory Committee, which provided an update regarding the Department of Public Health Wilmington Childhood Cancer Study. She advised that the revised draft report was completed in August and provided to the three expert peer reviewers for a second round of review. Those comments are being awaited. Once comments are received, the next step will be to finalize the report by addressing any substantive recommendations. Once the report is finalized, Ms. Fraser advised that she will be in contact with the committee to schedule a private meeting to share the study results and to answer questions.

Town Manager Hull reviewed a letter from the Massachusetts State Lottery Commission notifying the Board that an application for a KENO license was received from Michael's Place. If the town objects to the issuance of such license, it must claim its right to a hearing within twenty-one days of receipt. Police Chief Desmond advised that the Police Department has no objection.

Town Manager Hull reviewed a letter from Kelly Magee Wright, Executive Director, Minuteman Senior Services, advising that during FY 2019 Minuteman Senior Services provided services to over 1,591 residents at a total value of \$1,577,548.

Town Manager Hull reviewed his memorandum and correspondence from Paul Regan, Executive Director, MBTA Advisory Board, and Marc Draisen, Executive Director, Metropolitan Area Planning Council regarding municipal elections to the Boston Region Metropolitan Planning Organization.

Town Manager Hull reviewed correspondence from Dr. Yvonne M. Spicer, Mayor, City of Framingham, requesting that Framingham be retained as the MetroWest Region representative on the Boston Region Metropolitan Planning Organization.

Town Manager Hull reviewed a letter from John A. Bulian, Chairman, Needham Board of Selectmen, regarding House Bill 3507 – Housing Choices Initiative. Mr. Bulian wrote that while increased availability and affordability of housing in Massachusetts are important goals, the bill, as drafted, eliminates the longstanding requirement of a two-thirds local legislative majority to amend city or town zoning. Many communities, including Needham and Wilmington, have successfully worked within the existing structure to achieve the ten percent housing goal established under MGL Chapter 40B. Mr. Bulian provided a letter that was sent to their legislative delegation and encouraged Wilmington to consider sending a similar letter.

Town Manager Hull reviewed an invitation from Congressman Seth Moulton to attend Veterans Town Hall on Monday, November 11 from 6 p.m. to 8 p.m. at Peabody City Hall in Peabody.

Town Manager Hull reviewed a letter from Catherine Maloney, Sr. Manager Government Affairs, xfinity, regarding changes to Starz/Encore and Epix programming.

**BOARD TO CONSIDER REQUEST OF LOUIS CIMAGLIA, DIRECTOR OF VETERANS' SERVICES, THAT WILMINGTON TOWN COMMON BE ILLUMINATED IN GREEN DURING THE MONTH OF NOVEMBER IN SUPPORT OF VETERANS**

Chairman Bendel asked if there were any questions, comments or a motion. A motion was made by Selectman Caira, seconded by Selectman Eaton and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the request of Louis Cimaglia, Director of Veterans' Services, that Wilmington Town Common be illuminated in green during the month of November in support of veterans.

**BOARD TO CONSIDER DESIGNATING SPECIAL LEGAL COUNSEL TO REPRESENT FIRE LIEUTENANT CHRISTOPHER POZZI IN A THIRD PARTY DEPOSITION**

Town Manager Hull advised the Board that, as a result of an incident that took place in June of 2017, Fire Lieutenant Christopher Pozzi will be deposed by an attorney representing the insurance company used by Reading Municipal Light Company (RMLD). Lt. Pozzi, amongst other personnel, responded to the incident involving limbs that came down on a power line. In response to a suit filed against RMLD by an individual who was reportedly injured as a consequence of this incident, Lt. Pozzi is being deposed as a fact witness.

Town Manager Hull advised that RMLD is also a client of KP Law, and therefore Town Counsel is unable to represent the Town or its employee in this matter. Fire Lieutenant Christopher Pozzi is being called upon to provide information related to an incident in which he was involved as part of his regular duties as an employee of the Town. As such, the Town has a responsibility to provide representation to him for purposes related to this particular incident.

He advised that the law firm of Lampke & Lampke has served as special counsel for other municipalities and James Lampke, a principal in the firm, has stated that he will represent the Town at the same hourly rate that the Town has agreed to with KP Law. Town Manager Hull provided information on what legal services will be provided. He advised that the Board of Selectmen are vested with the authority to appoint legal counsel and therefore recommends that the Board appoint Lampke & Lampke as special counsel for this case. Costs associated with this matter will be covered within the budget for Town Counsel.

Chairman Bendel asked if there were any questions, comments or a motion. A motion was made by Selectman Eaton, seconded by Selectman McCoy and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen appoint the law firm of Lampke & Lampke to serve as Special Counsel to represent Fire Lieutenant Christopher Pozzi.

## **BOARD TO CONSIDER LICENSE FOR USE OF TEXTRON BALLFIELDS AND TENNIS COURTS**

Town Manager Hull stated that there has been discussion relative to the condition of the fields and courts at Textron and the desire to pursue having access to those facilities. He advised the Board that he has had conversations with a representative of Textron to discuss the prospect of purchasing the property. Town Manager Hull stated that Textron wants to retain the property with the larger parcel as they still operate there, although it is on a smaller scale. Town Manager Hull stated that a lease was also discussed and advised Textron is not interested in leasing the property. He advised that one option Textron is amenable to is the prospect of a license. He noted that a license is not a right of ownership but is authorization to use the property.

Town Manager Hull stated that he had conversations with the Recreation Director to ascertain groups that may be interested in using the property. He stated that the tennis courts were utilized to play pickleball prior to the pickleball courts at Town Hall being constructed. One of the inconveniences was that in order to access the courts you had to go to the security office to obtain the keys and then to return them when done.

Town Manager Hull advised that the Recreation Director spoke to the head of Little League who advised that they have adequate fields and expressed concern relative to the condition of the fields at Textron. The Athletic Director for the Public Schools, Ed Harrison, also advised that he is not interested in using the fields. Town Manager Hull stated that the Board could enter into a license but he is concerned with spending Town funds in terms of mowing the property and to the extent an investment of funds is necessary to make fields playable, seal cracks on the courts and because the Town does not own the property it would be done gratis. He stated that where the Town does not have organizations interested in using the property he questions whether there is benefit in signing a license. Town Manager Hull stated he would like to receive comments from the Board before pursuing this further.

Chairman Bendel asked what the cost may be for a license. Town Manager Hull stated that there would be no cost for the license. Chairman Bendel confirmed that there weren't any groups that would utilize the fields and suggested that if the fields and courts were cleaned up it may be more desirable to groups. Town Manager Hull stated that one of the caveats of entering into a license with Textron is that it must be a Town sanctioned, or Town sponsored, group.

Chairman Bendel asked if there were questions or comments from the Board. Selectman Eaton thanked Town Manager Hull for clarifying that organizations must be affiliated with the Town and asked if there is a cost estimate as to the level of effort that would be required to bring the property to a useable level. Town Manager Hull stated that he did not have an estimate and noted that would entail the Public Works Department going on to the property. He noted that it is overgrown but the bigger concern would be whether the property is prone to flooding.

Selectman Caira asked what the length of the license would be and Town Manager Hull advised that he would like to confirm whether the term is indefinite or whether it gets renewed annually. Selectman Caira suggested that this be tabled until the Board's next meeting to obtain information on the possible costs to ensure the fields and courts are improved to be played on and to confirm the length of the license. Selectman Caira stated that he believes the fields and courts are needed and he is disappointed that use of the property would not be made available to the public. Selectman O'Mahony stated that she is in agreement and believes there may be another

organization that can use it as a practice facility. She invited Town organizations that believe the property may be of use to them to reach out to the Town Manager's office. A motion was made by Selectman Cairra and seconded by Selectman O'Mahony for the purpose of discussion.

Selectman Eaton stated that he was in agreement to table at this point and anticipates hearing from some groups. He noted that licenses are revocable and expressed his concern that once the Town invests funds improving the field and courts in anticipation of use by Town groups, Textron could decide they need the property for their use.

Selectman McCoy stated that he was in agreement and opined that the Town would not be prepared to make improvements before the spring and the winter will kill the overgrowth.

Chairman Bendel reiterated that if there are any organizations interested in using the Textron property to contact the Town Manager's office prior to the Board's next meeting.

Chairman Bendel asked if there were any questions, comments or a motion. A motion having been made by Selectman Cairra and seconded by Selectman O'Mahony, Chairman Bendel called for the vote. By the affirmative vote of all, it was

VOTED: That the Board of Selectmen table action until their meeting of Tuesday, November 12, 2019.

#### PUBLIC COMMENTS

Frank West, Birchwood Road, stated that, relative to Textron fields, there is a distance from the parking area to the ballfields and suggested asking Textron to reserve parking spaces.

Frank West, Birchwood Road, stated that Boy Scout Troop 136 and Cub Scout Pack 136 are sponsored by the American Legion Post 136. In service to the veteran community, the group will host its third year for scouts and the public to write Christmas and holiday cards for hospitalized veterans. He stated that this will be held with the iPods for Wounded Veterans and a collection will be taken up for gloves, scarves, socks, etc. He stated that they are also looking to have speakers as well as refreshments. The event will take place on Saturday, November 9 from 11:30 a.m. to 3:00 p.m. at the Masonic Hall on Church Street. He invited members of the Board to participate.

David Ragsdale, Marion Street, noted that the Textron property is a tremendous eyesore and whether the Town uses the fields or not, he opined that a license that would give the Town authorization to mow the fields would be a great improvement.

#### ANNOUNCEMENTS

Selectman McCoy stated that he attended a ribbon cutting ceremony at Wilmington Kitchen and at Britt Joyce, MT, located on Main Street in the center. He stated that there were parking spots designated at the MBTA parking lot for patrons conducting business nearby. He advised that all the parking spaces were taken. He stated that the signs indicating the spaces are reserved are in terrible shape. Selectman McCoy noted that there are 16 spaces and two spaces reserved for taxis. He opined that the taxi signs are homemade. He asked Town Manager Hull to contact the MBTA to obtain new signs to eliminate confusion to commuters. He opined that the Police Department should tow the vehicles.

Town Manager Hull expressed his understanding that the agreement was for ten spaces to be designated for the merchants across the street.

Selectman Caira asked if the signs indicated how long the parking would be allowed. Selectman McCoy stated that he did not recall.

Selectman Caira wished his wife Cheryl a happy anniversary.

Selectman O'Mahony thanked the Chairman for having the members wear pink during the month of October. She stated that the Board does not meet again until after Veterans' Day and noted that she is appreciative to veterans and their families for their sacrifices to serve our country. Selectman O'Mahony stated that during the month of October the Board recognizes a different warrior those who have, survived and succumbed to breast cancer. Wearing pink lets them know the Board is thinking of them and the Board appreciates the fight they are going through each day.

Chairman Bendel stated that Wilmington takes pride in its veterans and advised that the Veterans' Day ceremony will be held on the 11<sup>th</sup> hour of the 11<sup>th</sup> day of the 11<sup>th</sup> month at Town Common. He stated that he is appreciative that no matter the weather there is a large attendance to honor Wilmington's veterans.

Chairman Bendel stated that he is often asked about Trick-or-Treating and advised that Wilmington does not set specific hours and urged residents to be safe and responsible.

Members of the Board wished Selectman Caira and his wife congratulations on their 30<sup>th</sup> wedding anniversary.

#### NEW BUSINESS

There was none.

#### IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- October 30 – Brush Drop Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 30 – Economic Development Committee – Town Hall – Room 9 – 7:00 p.m.
- October 30 – Ice Rink and Recreation Facility Committee – Town Hall – Auditorium – 7:00 p.m.
- October 31 – Halloween – Beware of Ghosts and Goblins!
- November 2 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- November 3 – Turn Clocks Back – Change Detector Batteries
- November 3 – Harnden Tavern Open House – 2:00 p.m. to 4:00 p.m.
- November 3 – Shawsheen Tech Community Open House – 2:00 p.m. to 4:00 p.m.
- November 4-
- December 6 – Curbside Collection of Yardwaste
- November 6 – Brush Drop Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- November 9 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- November 11 – Veterans' Day Ceremony – Town Common – 11:00 a.m.  
*Town Offices Closed*
- November 12 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- November 13 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- November 16 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.

- November 20 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- November 21 – Elderly Services Commission – Buzzell Senior Center – 1:30 p.m.
- November 23 – Shawsheen Tech Craft Fair – 100 Cook Street, Billerica – 9:00 a.m. to 3:00 p.m.
- November 23 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- November 25 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.
- November 25 – Discussion of Local Property Tax Policy with Reference to Classification for FY-2020 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.
- November 27 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- November 28 – Thanksgiving Day - *Town Offices Closed*
- November 29 – *Town Offices Closed*
- November 30 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 9:50 p.m.

Respectfully submitted,

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Recording Secretary