



Town of Wilmington

Finance Committee

121 Glen Road Wilmington, 01887

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Meeting Minutes

Wednesday, April 21, 2021

TOWN OF WILMINGTON, MA

Finance Committee Chairman, John F. Doherty III called the meeting to order at 7:00 pm. Members present via video conferencing on ZOOM were, Jonathan Dugas, Marianne Gallezzo, Andrew Lavigne and Bernard P. Nally. Michele Kincaid, Theresa M. Manganelli, Leigh Martinson and Kevin Stokes were absent.

To begin the meeting Mr. Doherty read a statement regarding Open Meeting Law and public access to the meeting via technological means.

PUBLIC HEARING TO CONSIDER THREE (3) SPECIAL TOWN MEETING WARRANT ARTICLES

PRESENT IN INTEREST: Jeffrey Hull, Town Manager; Kerry Colburn-Dion, Assistant Town Manager/Director of Human Resources

ARTICLE 1

Mr. Doherty read the article which requests to see if the Town of Wilmington will nullify its acceptance of MGL Part I, Title IV, Chapter 31, Section 58A which provides a maximum age of 32 (thirty-two) years old for original appointment to the position of Firefighter or Police Officer. Mr. Doherty suggested that the petitioner withdraw his article.

ARTICLE 2

Mr. Doherty read the article which requests if Article 1 is not adopted, if the Town of Wilmington will adopt Part I, Title IV, Chapter 31, Section 58A which allows any veteran to be allowed to exceed the maximum age provision of this section by the number of years served in active military duty but by no more than four years. Mr. Doherty asked the petitioner, Walter Varey, if he would like to comment. Mr. Varey gave an example of how someone may have entered the military after a major event, like the attacks of 9/11, and how they may be interested in joining the Police or Fire Departments upon leaving the service but could be too old to be considered.

At this point, Mr. Doherty took a verbal roll call of the attendees.

Mr. Nally suggested that Article 3 would be better to move forward with and he would suggest withdrawing Article 2. Mr. Dugas suggested that the committee consider both articles as they have separate issues, although connected. Mr. Varey offered some statistics to the committee before moving on to Article 3.

ARTICLE 3

Mr. Doherty read the article which requests that if neither article 1 or 2 is adopted, to see if the Town will vote to set aside the provisions of Part I, Title IV, Chapter 31, Section 58A and request the State Legislature authorize Walter A. Varey and have his results for the 2020 (and all future) Civil Service Exam be allowed for employment without regard to the applicant's age.

Mr. Doherty stated that he had a problem with the language of the article, specifically "and all future" as the Finance Committee previously voted against another article with the same language. He asked the petitioner if

he would be willing to remove this from his article. Mr. Varey asked why Mr. Doherty was making that request. Mr. Doherty answered that the language is too vague and gave the example that it could be ten years later.

Mr. Nally asked why Police was not mentioned in the Article, and only Firefighter. Mr. Varey stated that the article had to be specific to the desired position. Mr. Hull noted to the petitioner that he is currently a police officer in Lowell and that a possible option would be to come to Wilmington Police Department as a lateral move. Mr. Varey agreed that that was correct.

Ms. Gallezzo asked about the Fire Chief's position. Mr. Varey said that this has come up many times over the years and he is trying to make the process easier for everyone. Mr. Nally stated that no Chief has been against this over the years as the article would only allow the petitioner to go through the Civil Service process, it does not guarantee them a position. He also noted that it is specific to the petitioner only and would not apply to others. He also questioned, though, that would it not be the case that the military extension would apply to the petitioner anyway.

Mr. Varey noted that Wilmington is one of 22 towns in Massachusetts that has not adopted that extension and that the majority of towns have either eliminated age limits or adopted that extension.

Ms. Gallezzo stated she would prefer Town Counsel write the articles if it would make a change to the Town's By-Laws. Mr. Hull noted that Mr. Varey is seeking provision of the law on the books but it is subject to local adoption. He also stated that he is not sure how many towns are Civil Service but that in any case this would have to be within the rubric of Civil Service. Mr. Doherty asked Mr. Hull if Town Counsel would have comments about this at Annual Town Meeting and Mr. Hull said they would.

There was then a brief discussion of the Civil Service process. Ms. Colburn-Dion explained the steps of the process from beginning to end. Mr. Nally asked about benefits to veterans. Ms. Colburn-Dion agreed that they are awarded extra points. She also explained the bypass process.

As there were no further discussion, Mr. Doherty entertained a motion to adjourn the public hearing, a motion was made by Mr. Dugas and seconded by Ms. Gallezzo, it was unanimously and by roll call:

VOTED: That the Finance Committee adjourn the public hearing and begin a regular Finance Committee meeting.

VOTING FINANCE COMMITTEE RECOMMENDATIONS TO SPECIAL TOWN MEETING ON THREE (3) WARRANT ARTICLES

Mr. Doherty read the preamble to the meeting, called the meeting to order and took a verbal roll call of the attendees.

ARTICLE 1

Mr. Doherty entertained a motion to pass over the article. A motion was made by Mr. Dugas and seconded by Ms. Gallezzo, it was unanimously and by roll call:

VOTED: To pass over Article 1

ARTICLE 2

A motion to pass over the article was made by Mr. Nally. There was no second.

A motion for disapproval was made by Ms. Gallezzo and seconded by Mr. Nally. There was a brief discussion before moving to the vote.

DISCUSSION: Mr. Dugas noted that as he was reviewing the Civil Service website, he wished for input from the Police and Fire Chiefs. He noted that he did not see anything problematic with moving forward and felt this could benefit veterans. Ms. Gallezzo agreed that she did not have a problem with the article but wanted Town Counsel to write it if By-Laws were going to be changed. Mr. Dugas noted that the language of the article seemed to be taken directly from the Civil Service website and lacked ambiguity. Ms. Gallezzo again stated her stance on Town Counsel's involvement. Mr. Dugas agreed that this could protect the Town in the future.

It was unanimously and by roll call:

VOTED: To disapprove Article 2

ARTICLE 3

Mr. Doherty asked Mr. Hull if the committee could amend the article at that time. Mr. Hull stated that the article must go to Annual Town Meeting as written but the committee can make a recommendation to the petitioner and at Town Meeting it can be amended on the floor.

Jonathan Eaton added that if someone wanted to make a motion to something different than what is in the warrant, they would make a motion to adopt as written but striking certain language.

A motion to disapprove was made by Ms. Gallezzo and seconded by Mr. Lavigne, and by a roll-call vote of 4-1 with Mr. Nally voting against and all others in favor for disapproval:

VOTED: To disapprove Article 3

DISCUSSION: Mr. Nally stated that he will vote against the disapproval and make the recommendation to the petitioner to amend the length of time, as he felt it was too open-ended. Mr. Lavigne stated he agreed with Mr. Nally. Mr. Dugas also agreed and noted it seemed unfair to vote for disapproval when it seemed the committee supported the general idea of the article and just not that particular language. Mr. Doherty noted that the committee can make the recommendation at Annual Town Meeting.

COMMITTEE TO CONSIDER EXISTING RECOMMENDATION RELATIVE TO ANNUAL TOWN MEETING WARRANT ARTICLE 3 – PAYMENT OF UNPAID BILLS FROM PREVIOUS YEARS

Mr. Hull stated that since the Joint Public Hearing there were two invoices previously not received for legal services, totaling \$12,180.01.

A motion was made by Ms. Gallezzo seconded by Mr. Dugas, it was unanimously and by roll call:

VOTED: To approve payment of \$12,180.01 for unpaid bills.

COMMITTEE TO CONSIDER EXISTING RECOMMENDATION RELATIVE TO ANNUAL TOWN MEETING WARRANT ARTICLE 31 – 201 LOWELL STREET

Mr. Doherty stated he would entertain a motion to delete the words "all funds" from the article.

A motion was made by Ms. Gallezzo seconded by Mr. Nally, it was unanimously and by roll call:

VOTED: To approve the deletion of the words "all funds"

Mr. Hull noted that this would stand as the committee's recommendation only and would still be voted on at Town Meeting.

COMMITTEE TO CONSIDER RECOMMENDATION RELATIVE TO ANNUAL TOWN MEETING WARRANT ARTICLE 35 –
TRANSFER OF FUNDS FY2021 BUDGET

Mr. Doherty asked if Mr. Hull had the transfer numbers. Mr. Hull stated that he received the numbers that were prepared by the Finance Director the prior week. He is requesting transfer of funds to cover overtime. Mr. Hull gave a breakdown of the overtime by departments.

After a brief discussion about the possibility that this funding may need to be increased, the decision was made to hold off the vote until the morning of the Annual Town Meeting.

PUBLIC COMMENTS

There were no public comments.

OTHER BUSINESS

There was no other business.

APPROVAL OF MINUTES

The Finance Committee reviewed the Minutes from February 11, 2021. A motion was made by Ms. Gallezzo, seconded by Mr. Dugas, and by the affirmative roll call vote of all it was:

VOTED: To approve the minutes from February 11, 2021.

The Finance Committee reviewed the Minutes from February 23, 2021. A motion was made by Mr. Dugas, seconded by Ms. Gallezzo, and by the affirmative roll call vote of all it was:

VOTED: To approve the minutes from February 23, 2021.

The Finance Committee reviewed the Minutes from February 25, 2021. A motion was made by Mr. Dugas, seconded by Mr. Nally, and by the affirmative roll call vote of all it was:

VOTED: To approve the minutes from February 25, 2021.

The Finance Committee reviewed the Minutes from March 2, 2021. A motion was made by Ms. Gallezzo, seconded by Mr. Lavigne, and by the affirmative roll call vote of all it was:

VOTED: To approve the minutes from March 2, 2021.

The Finance Committee reviewed the Minutes from March 4, 2021. A motion was made by Mr. Dugas, seconded by Mr. Nally, and by the affirmative roll call vote of all it was:

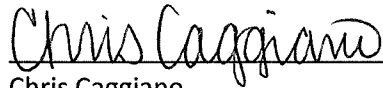
VOTED: To approve the minutes from March 4, 2021.

At the conclusion of the discussion, there being no further business to come before the Committee, a motion was made by Ms. Gallezzo and seconded by Mr. Dugas, it was unanimously and by roll call:

VOTED: That the Finance Committee adjourn.

Meeting adjourned at 8:03 pm

Respectfully Submitted,

A handwritten signature in cursive script, reading "Chris Caggiano", is written over a horizontal line.

Chris Caggiano

Recording Secretary