

SELECT BOARD MEETING

December 11, 2023

Chair Gary B. DePalma called the meeting to order at 6:45 p.m. in Room 9 of the Town Hall. Present were Select Board members Gregory B. Bendel, Kevin A. Caira and Frank J. West. Select Board Member Lilia Maselli participated remotely. Also present was Temporary Town Manager Louis Cimaglia.

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

VOTED: That the Select Board enter Executive Session pursuant to General Law Chapter 30A, Section 22(a)(7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements - for the purpose of reviewing and considering release of Executive Session Minutes from November 13, 2023, November 27, 2023 and November 28, 2023 in accordance with General Law Chapter 30A, Section 22.

Chair Gary B. DePalma reconvened the meeting at 7:00 p.m. in Room 9 of the Town Hall. Present were Select Board members Gregory B. Bendel, Kevin A. Caira and Frank West. Select Board Member Lilia Maselli participated remotely. Also present was Temporary Town Manager Louis Cimaglia.

Chair DePalma asked those present to rise and he led the pledge of allegiance.

TREASURY WARRANTS

Chair DePalma asked for a motion to accept the Treasury Warrants. A motion was made by Select Board Member Bendel and seconded by Select Board Member West. Kevin MacDonald asked for a point of order, he was advised that the Board was in the middle of a vote. Chair DePalma called for the vote and by the affirmative roll call vote of all, it was

VOTED: That the Select Board accept Treasury Warrants 2422, 2422W, 2422T, 2423, 2423W, 2423T, and 2423S.

MINUTES

A motion was made by Select Board Member West, seconded by Select Board Member Caira and by the affirmative roll call vote of all, it was

VOTED: That the Select Board approve the minutes of their meeting held June 12, 2023 and November 27, 2023 and all action taken is hereby ratified and confirmed.

JOHN PETRIN, SENIOR ASSOCIATE, AND JULIE JACOBSON, SENIOR ASSOCIATE, COMMUNITY PARADIGM ASSOCIATES, LLC, RE: UPDATE ON TOWN MANAGER SEARCH

Mr. Petrin was present to update the Select Board on activities that have taken place since being hired to assist in the Town Manager search. Mr. Petrin provided an overview of the team that will be working on the search and their experience. He advised that he has spoken to each of the Select Board members individually and many of the Department Heads. The team has also met with members of the Screening Committee, and he commented that Wilmington has a great group of people noting their professionalism.

Mr. Petrin advised that a questionnaire was directed to Department Heads and the responses have provided a lot of information. He stated that over 200 responses were received from the community survey.

Mr. Petrin advised that the team has been reviewing various documents, projects and goals and noted that Wilmington is in great financial condition.

Mr. Petrin stated that Community Paradigm will be meeting with the Screening Committee on December 21.

Mr. Petrin advised that the application deadline will be after the Massachusetts Municipal Association's (MMA) Annual Meeting. He advised that he and Bernie Lynch will be in attendance and it will be an optimal place to make contact with potential candidates.

Mr. Petrin advised that before the position can be posted, the Select Board needs to finalize the pay for the position. He stated that he spoke to each of the Select Board members and advised that the previous Town Manager's salary was not market condition and it is his suggestion that the Select Board establish a salary of \$220,000±.

Chair DePalma recognized that Town Manager Screening Committee Chair Rob Peterson and member Michael Champoux are present this evening.

Chair DePalma asked if there were any questions or comments from the Board. Select Board Member Bendel commented regarding his interaction with Community Paradigm, stating that he is impressed with the firm.

Select Board Member West requested the Board receive a schedule of the process. Mr. Petrin reviewed the timeline which is the process. He advised that Community Paradigm will need a couple of weeks to conduct reference and background checks. A report of each candidate, an approximately two page synopsis, will be developed and then final interviews will be scheduled. Select Board Member West stated he is confident that they will select the best candidate.

Temporary Town Manager Louis Cimaglia reviewed his memorandum regarding his meeting with Mr. John Petrin and Ms. Julie Jacobson. He was advised that in order to move forward with the process, they requested the Select Board to give them a salary range to add to the posting. They are recommending \$220,000 "plus or minus".

There being no objection, Agenda Item 6 was taken out of order. Select Board Member West asked whether the Screening Committee had an opinion. Mr. Peterson stated that he has had cursory conversations and believes that \$220,000 puts the Town in a competitive position.

A motion was made by Select Board Member Bendel, seconded by Select Board Member Maselli and by the affirmative roll call vote of all, it was

VOTED: That the Select Board establish the Town Manager's salary at \$220,000±.

At this time, Chair DePalma requested that a moment of silence be held for Margaret White, a former employee in the Town Manager's office, and John Forrest who served on the Board of Appeals and as a member of the Board of Selectmen.

COMMUNICATIONS

Temporary Town Manager Louis Cimaglia reviewed his memorandum regarding the application for carnivals. He advised that a vote at the 2023 Annual Town Meeting removed the special permit application process for carnivals from the Zoning Board of Appeals and is now issued by the Select Board. It was brought to his attention that a process has not been put in place and it is almost time for the Fourth of July Committee to apply for their permit. A past email to our former

Town Manager dated October 18, 2023 provided a couple of draft applications for review. The Fourth of July Committee has been waiting since August for an application to be prepared so that they may apply for their permit. Temporary Town Manager Cimaglia asked the Board to review the application and provide comments. The Board will be asked at a future meeting to approve the application and develop a process to follow for any organization that comes forward with a request to hold a carnival.

Select Board Member Caira asked if the application provided is the application used by the Zoning Board of Appeals (ZBA). Temporary Town Manager Cimaglia advised that it is and the Board can make changes.

Select Board Member Caira stated that he did not see the requirement for background checks and was advised that the requirement is on page two.

Select Board Member Maselli asked about set up and breakdown and whether there were any parameters.

Select Board Member Caira stated that he would like to see applications that were submitted over the past two or three years.

Additional discussion took place regarding the location the Fourth of July festivities as the new Town Hall/School Administration building will be under construction.

Temporary Town Manager Louis Cimaglia reviewed a memorandum from Jamie Magaldi, DPW Director, regarding the status of American Rescue Plan Act (ARPA) funds. Mr. Magaldi provided information on the status of the different projects.

Select Board Member Caira inquired why, under “Provide grant for façade and streetscape improvements” there is an allocation of \$300,000 but zero expenditures when grants were awarded. Select Board Member West commented that it may be due to the need for recipients to complete the work and provide receipts to be reimbursed.

Temporary Town Manager Louis Cimaglia reviewed a memorandum from John O’Neil, IT Director, who wrote to advise that the Town of Wilmington has been accepted as a participant, in a joint effort with the Wilmington Public Schools, in a limited, State-sponsored Cybersecurity Assessment, conducted by MIT students and faculty.

Temporary Town Manager Louis Cimaglia reviewed communication from Deborah A. Wagner, Director of Accounts, Massachusetts Department of Revenue, who wrote to advise that the Fiscal Year 2024 tax rate has been certified by the Bureau of Accounts for Wilmington.

BOARD TO CONSIDER ESTABLISHING TOWN MANAGER SALARY

This item was taken up under appointments.

BOARD TO CONSIDER REQUEST OF CHRIS HARPER, FRIENDS OF WILMINGTON BASEBALL, TO CONDUCT A FUNDRAISING CAR WASH AT THE PUBLIC BUILDINGS DEPARTMENT, ON SATURDAY, MAY 18, 2024 (RAINDATE: SUNDAY, MAY 19, 2024) FROM 9:00 A.M. TO 12:00 P.M.

A motion was made by Select Board Member Bendel, seconded by Select Board Member Caira and by the affirmative roll call vote of all, it was

VOTED: That the Select Board approve the request of Chris Harper, Friends of Wilmington Baseball, to conduct a fundraising car wash at the Public Buildings Department on Saturday, May 18, 2024 from 9:00 a.m. to 12:00 p.m. with a raindate of Sunday, May 19, 2024.

BOARD TO CONSIDER APPROVAL OF THE 2024 LICENSES FOR ALCOHOLIC BEVERAGES; AUTOMATIC AMUSEMENT; BILLIARD ROOM; CLASS I VEHICLE SALES; CLASS II VEHICLE SALES; COMMON VICTUALER AND ENTERTAINMENT

Temporary Town Manager Cimaglia advised that favorable recommendations have been received from applicable department heads. A motion was made by Select Board Member Bendel, seconded by Select Board Member West and by the affirmative roll call vote of all, it was

VOTED: That the Select Board approve the renewal of the Alcohol Beverages, Automatic Amusement Device, Billiard Room, Class I Vehicle Sales, Class II Vehicle Sales, Common Victualer and Entertainment Licenses for the year 2024.

ALL ALCOHOL – CLUB

Fordham Associates Inc. DBA **Aleppo Temple**, 99 Fordham Road, and 4982 Building Association Inc. DBA **Knights of Columbus**, 112 Middlesex Avenue.

ALL ALCOHOL – PACKAGE STORE

Aviarch, LLC DBA **Colonial Park Liquors**, 35 Lowell Street, Unit 9; Eastgates Wil-NR DBA **East Gate Liquors**, 211J Lowell Street; Shop Rite Liquors, Inc. DBA **Elia's Country Store**, 381 Middlesex Avenue; Super Target Liquor of Massachusetts DBA **Target**, 210 Ballardvale Street, and N R Wilmington, Inc. DBA **Wilmington Plaza Wine & Spirit**, 258 Main Street.

ALL ALCOHOL – RESTAURANT

Restaurant of Boston, LLC DBA **99 Restaurant & Pub #3007599**, 144 Lowell Street; Green Sauce, Inc. DBA **Casa Blanca Mexican Restaurant**, 207 Main Street; Doodlesack LLC DBA **Cucina LaRosa's**, 228 Main Street; A & C Stone, Inc. DBA **Golden Ginger Restaurant**, 225 Main Street; Pacific Sunshine Inc. DBA **Pacific Grove**, 211E Lowell Street (aka 217 Lowell Street); Pancho's Inc. DBA **Pancho's Cantina**, Unit 7, 206 Ballardvale Street; BGP Tavern, LLC DBA **Red Heat Tavern**, 300 Lowell Street; C & C Restaurant Group, LLC DBA **Rocco's Restaurant**, 193 Main Street, and LLM, Inc. DBA **Tremezzo**, 2 Lowell Street.

AUTOMATIC AMUSEMENT DEVICE

K1 Speed, Inc., 40 Fordham Road, (23 devices)

BILLIARD ROOM

K1 Speed, Inc., 40 Fordham Road, (2 tables)

CLASS I VEHICLE SALES

Cimino Automotive, Inc. DBA **Cornerstone Automotive and Cornerstone Mitsubishi**, 580 Main Street, and MAG Retail Holdings – HNW, LLC DBA **McGovern Hyundai Route 93**, 271 Main Street.

CLASS II VEHICLE SALES

DJ Auto Sales, 127 Main Street; **Forrest Auto Repair**, 600 Main Street; **Heavy Equipment Connection, Inc.**, 239 Andover Street; **Imperial Auto LLC**, 845 Woburn Street, Suite D; **Triple Nickel Auto Body & Repair, LLC**, 555 Main Street, and Naya Inc. DBA **Z & S Gas & Service**, 603 Main Street.

COMMON VICTUALER

99 Restaurant of Boston, LLC DBA **99 Restaurant & Pub #30075**, 144 Lowell Street; ANJAM Corp. DBA **AJ's Kitchen**, 162 Lowell Street; Fordham Associates Inc. DBA **Aleppo Temple**, 99 Forham Road; Sale, LLC DBA **As Good As It Gets Café**, 35 Lowell Street; Mastoran Corporation and LBK, LLC DBA **Burger King**, 280 Lowell Street; Green Sauce, Inc. DBA **Casa Blanca Restaurant**, 207 Main Street; Hong Tai, Inc. DBA **China Wok**, 329 Main Street; **Code 1 BBQ LLC**, 211 Main Street; Krish Convenience, Inc. DBA **The Corner Store**, 296 Shawsheen Avenue, Suite 1; **Country Chef Restaurant**, 139 Main Street; Doodlesack LLC DBA **Cucina LaRosa's**, 228 Main Street; Adam Donuts, Inc. DBA **Dunkin'**, 211 Lowell Street; DJQ Donuts, LLC DBA **Dunkin'**, 66S Concord Street; Hannon Donuts, LLC DBA **Dunkin'**, 357 Middlesex Avenue; Janemarie Donuts, LLC DBA **Dunkin'**, 206 Ballardvale Street; C & C Donuts, Inc. DBA **Dunkin'**, 195 Main Street; Wilmington Donuts, Inc. DBA **Dunkin'**, 321 Main Street; EJ's Fresh Frozen Pizza, LLC DBA **EJ's Fresh Pizza Grab & Go**, 337 Main Street; A & C Stone, Inc. DBA **Golden Ginger Restaurant**, 225 Main Street; MN Pizza and Fried Chicken Inc. DBA **Greg's Pizza**, 101 Main Street; Heidi Burgers, LLC DBA **The Habit Burger Grill**, 196 Ballardvale Street, Unit 1; Wilmington Heavenly Donuts, LLC DBA **Heav'nly Donuts**, 579 Main Street; DDK Baking, LLC DBA **Josie's Bakery**, 2 Lowell Street, Unit 8; **K1 Speed, Inc.**, 40 Fordham Road; 4982 Building Association Inc. DBA **Knights of Columbus**, 112 Middlesex Avenue; Zhong Hua, Inc. DBA **Lin Garden**, 35 Lowell Street; TH McCoy Restaurant Group LLC DBA **McDonald's Restaurant**, 212 Main Street; **Michael's Place Inc.**, 110 Lowell Street; **Mona's Kitchen**, 66U Concord Street; **Nick's Pizza, Roast Beef & Subs**, 331 Main Street; Pacific Sunshine Inc. DBA **Pacific Grove**, 211E Lowell Street (aka 217 Lowell Street); Pancho's Inc. DBA **Pancho's Cantina**, Unit 7, 206 Ballardvale Street; K. Q. Inc. DBA **Peter's Pizza, Roast Beef & Seafood**, 2 Lowell Street; **Pizza Days**, 206 Ballardvale Street; BGP Tavern, LLC DBA **Red Heat Tavern**, 300 Lowell Street; Saint Moses, Inc. DBA **Rizzo's Roast Beef & Pizza**, 3R Church Street, Units 1 & 2; C & C Restaurant Group, Inc. DBA **Rocco's Restaurant**, 193 Main Street; Charlies II Corporation DBA **Simard's Super Beef**, 279 Main Street; Starbucks Corporation DBA **Starbucks Coffee #11757**, 253 Main Street; **Stir Nutrition**, Unit 6B, 2 Lowell Street; Watertown Enterprises DBA **Subway**, 206 Ballardvale Street, Unit 2; **Target Corporation**, 210 Ballardvale Street; LLM, Inc. DBA **Tremezzo**, 2 Lowell Street; WF Pizza Company, LLC DBA **Tremezzo Pizzeria**, 296 Shawsheen Street and Wilmington Pizza of Mass Inc. DBA **Wilmington House of Pizza**, 325 Main Street;

ENTERTAINMENT

Green Sauce, Inc. DBA **Casa Blanca**, 207 Main Street; Pacific Sunshine Inc. DBA **Pacific Grove**, 211E Lowell Street (aka 217 Lowell Street); Pancho's, Inc. DBA **Pancho's Cantina**, 206 Ballardvale Street, Unit 7; BGP Tavern, LLC DBA **Red Heat Tavern**, 300 Lowell Street; C & C Restaurant Group, Inc. DBA **Rocco's Restaurant**, 193 Main Street and LLM, Inc. DBA **Tremezzo**, 2 Lowell Street.

BOARD TO CONSIDER EXECUTING THE ALCOHOLIC BEVERAGES CONTROL COMMISSION 2024 SEASONAL POPULATION INCREASE ESTIMATION FORM

A motion was made by Select Board Member Bendel, seconded by Select Board Member Caira and by the affirmative roll call vote of all, it was

VOTED: That the Select Board execute the Alcoholic Beverages Control Commission 2024 Seasonal Population Increase Estimation Form.

BOARD TO CONSIDER ISSUING A SUNDAY ENTERTAINMENT LICENSE TO K1 SPEED, INC., 40 FORDHAM ROAD

A motion was made by Select Board Member Bendel, seconded by Select Board Member Caira and by the affirmative roll call vote of all, it was

VOTED: That the Select Board issue a Sunday Entertainment License to K1 Speed, Inc., 40 Fordham Road.

PUBLIC COMMENTS

A man who requested to be anonymous but is known to the Select Board and Recording Secretary as Kevin MacDonald of Andover Street, asked questions relative to the "contaminants" from the Water Treatment Plants. Temporary Town Manager Cimaglia advised Mr. MacDonald that a memorandum addressing this issue was provided to the Select Board in a previous packet. Mr. MacDonald asked if any payments were made to a company alleging improper practices of said company.

Mr. MacDonald stated that he rose earlier in the meeting for a point of order and stated that other towns such as Newburyport and Middleton have an open checkbook allowing citizens to review what has been paid. He opined that there may be a problem with one of the warrants.

Temporary Town Manager Cimaglia advised that the product is not contaminated. Often the material is used as landfill cover and it may also be used for agricultural purposes.

Mr. MacDonald opined that Town Meeting has to vote on the Town Manager's salary and commented relative to the approval of minutes.

ANNOUNCEMENTS

Select Board Members wished members of the Board and residents a Merry Christmas and Happy New Year.

NEW BUSINESS

There was none.

IMPORTANT DATES

Temporary Town Manager Cimaglia reviewed important dates including:

- December 16 – Dedication of Hidden Wounds Monument – 11:00 a.m.
- December 17 – Laying of Wreaths at Veterans' Lot – Wildwood Cemetery – 10:00 a.m.
- December 21 – Town Manager Screening Committee – Town Hall – Room 9 – 7:00 p.m.
- December 25 – *Town Offices Closed*
- January 1 – *Town Offices Closed*
- January 3 – Sean Allen Collier Day
- January 2 -
- January 12 – Curbside Collection of Christmas Trees
- January 8 – Select Board – Town Hall – Room 9 – 7:00 p.m.
- January 15 – Martin Luther King Day – *Town Offices Closed*
- January 22 – Select Board– Town Hall – Room 9 – 7:00 p.m.
- January 29 – Select Board– Town Hall – Room 9 – 7:00 p.m.
Town Manager's FY 25 Budget Presentation

SALUTE TO SERVICE

Chair Bendel recognized the service of Richard "Dick" Wetzler. Mr. Wetzler served in the United States Navy aboard the USS The Sullivans from March 1951 to February 1955. He earned the National Defense Service Medal, Navy Occupation Service Medal (European), United Nations Service Medal and the Korean Service Medal. Mr. Wetzler Richard enjoyed traveling all over the world and took every opportunity to explore.

The Select Board and citizens of Wilmington salute Richard Wetzler and thank him for his service to our country and our community.

There being no further business to come before the Board, a motion was made by Select Board Member Maselli, seconded by Select Board Member Bendel and by the affirmative roll call vote of all, it was

VOTED: That the Select Board adjourn.

Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Recording Secretary