

SELECT BOARD MEETING

January 22, 2024

Chair Gary B. DePalma called the meeting to order at 6:15 p.m. in Room 9 of the Town Hall. Present were Select Board members Gregory B. Bendel, Lilia Maselli and Frank J. West. Kevin A. Caira 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 for the purpose of discussing strategies with respect to collective bargaining as it relates to New England Police Benevolent Association Local 1 in accordance with Massachusetts General Law Chapter 30A, Section 21(a) 3 and 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 October 16, 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, Lilia Maselli and Frank West. Kevin A. Caira 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, seconded by Select Board Member Maselli and by the affirmative roll call vote of all, it was

VOTED: That the Select Board accept Treasury Warrants 2428, 2428W, 2428T, 2429, 2429W, 2429T and 2429S.

MINUTES

A motion to approve was made by Select Board Member West and was seconded by Select Board Member Maselli. Select Board Member Caira stated that he is disappointed that on page 3, paragraph 2 he is portrayed as challenging the celebration without a carnival. He stated that he praised the July 4th Committee for the tremendous job they have been doing through the years. He stated that he has been a participant with the Sons of Italy for over 40 years. He does not think the carnival should stop. His point was that if the carnival would not fit in the location for one or two years, it should not prevent the Town from having a celebration. He stated that he is disappointed how it was interpreted by the recording secretary.

Chair DePalma called for the vote and by the affirmative roll call vote of all, it was

VOTED: That the Select Board approve the minutes of their meeting held January 8, 2024 and all action taken is hereby ratified and confirmed.

SARAH SMITH, ENVIRONMENTAL, HEALTH & SAFETY MANAGER, TEXTRON SYSTEMS, RE: PUBLIC HEARING ON THE REQUEST TO AMEND FLAMMABLE LICENSE FOR PROPERTY LOCATED 700 MAIN STREET

Ms. Smith advised that the Facility Maintenance Manager, Jeremy Howell, was also present this evening.

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 open the public hearing.

Ms. Smith advised that she was present to request to amend the flammable license for Textron Systems located at 700 Main Street. She explained that they recently installed a new fire pump system at their facility. The fire pump system is fueled by a 187 gallon, double walled diesel tank.

Ms. Smith provided the receipts from the certified mailing to abutters to the Recording Secretary.

Temporary Town Manager Cimaglia advised that the application was reviewed, and signed off, by the Fire Chief. Building Inspector Al Spaulding and Town Clerk Elizabeth Lawrenson have no issues with granting the amendment.

Chair DePalma asked if there were any questions or comments from the audience and there were none.

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

VOTED: That the Select Board amend the Flammable License for Textron Systems located at 700 Main Street by increasing in the amount of 187 gallons of diesel fuel.

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 close the public hearing.

DISCUSSION, RE: PROCESS TO PERMIT CARNIVAL

Susan Inman, Assistant Town Manager / Human Resources Director, reminded the Board that the last time she met with them there was discussion about conducting more research, speak with legal counsel and to review what the process has been for the events other than the carnival. She reviewed the zoning by-law and stated it is clear that the owner's permission is required. The process for Town property has consistently been to have events approved by the Select Board and the only change is the approval of open air carnivals.

The application packet has been approved by the two chiefs, the health director and legal counsel. Legal counsel said that as long as the application meets what the Board wants to know about the carnival it is legally acceptable.

Ms. Inman stated that the application is a hybrid of the special permit process and the Town Manager / Select Board process relative to advertising, abutter notification and lead time.

Select Board Member Maselli stated that she was concerned about making the process more difficult for the groups.

Select Board Member Bendel commented that the application is basically the same as the Zoning Board of Appeals and was advised that it is a little less. Applicants will still have to notify abutters within 300 feet and pay a fee. Ms. Inman advised that at the request of Fire Chief Cavanaugh, carnival vendors will have to provide information on the storage of flammable and combustible material seven days in advance.

Chair DePalma opined that there ought to be a sign off by the Health Director. Ms. Inman advised that she reviewed the health permit process and has been advised that the ZBA process did not include the food permitting process. She noted that the health director reviewed the application and did not request a sign off.

Select Board Member Cairra asked whether the Town would be sending notification to abutters. He opined that the purpose of the fee is to make sure abutters are notified. Ms. Inman stated that the special permit process is regulatory but applicants for licenses issued by the Select Board are responsible for notifying abutters. Select Board Member Cairra noted that the receipts for mailing and was advised that the notification only has to be first class mail, not certified mail. Certified Mail is expensive and another expense for the charity. Ms. Inman stated that sending abutters notification via first class mail from the Town Manager's office will address the surety of notification being mailed.

Discussion took place regarding adding set up and break down times subject to approval of the Select Board. It was noted that the entire application is subject to the Board's approval.

Discussion took place regarding the balance of rides. Select Board Member Bendel suggested the language that "an effort shall be made to ensure an equal balance of rides".

Ms. Inman stated that Wilmington has a fabulous event that runs like clockwork. Protective language is included in the event there is a new vendor.

Select Board Member Bendel asked for clarification regarding abutter notification. He was advised that applicants of licenses such as Alcoholic Beverage and Flammable/Combustible Material the applicant notifies abutters by certified mail return receipt requested. The Board was advised that to send one piece of paper in one envelope costs \$8.57 each when sending certified. The consensus of the Board is that the abutter notification be sent from the Town and the cost of the mailing added to the application.

Select Board Member Bendel explained that the Board was going through this process as a result of a change to the by-law made at Town Meeting.

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 approve the application for carnivals as amended.

DISCUSSION, RE: ESTABLISHING A BUILDING REUSE COMMITTEE

Chair DePalma stated that he has spoken with a number of department heads and Public Buildings Department, Department of Public Works, Historical Commission and Commission on Disabilities have interest in serving as well as a member of the Select Board. Each member would then select a resident to be appointed to the Committee.

Select Board Member Maselli stated that she has been hesitant to ask individuals if they are interested because there are no parameters for what the committee will be tasked with. Other members concurred.

Chair DePalma stated that the committee will be charged with reviewing buildings that the town will not be using or are planning on closing, to review the conditions of the buildings and make recommendation to Select Board what they feel should be done. He stated that it costs more to insure buildings that are vacant.

Select Board Member West asked whether the buildings should be specified.

Select Board Member Maselli stated that she would like to ask interested residents to submit a letter of interest for the Board to choose from.

Select Board Member Bendel noted that he would like the new Town Manager to weigh in.

Select Board Member Cairra noted that the suggested make up of the committee will be ten individuals and typically committees are odd numbers.

Select Board Member West stated that the Town of Tewksbury has a reuse committee.

Select Board Member Cairra noted that the town has a Permanent Building Committee and perhaps they should be the repurposing committee or have representation. He agreed that the Board should wait until the new Town Manager is on board.

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 take no action.

COMMUNICATIONS

Temporary Town Manager Louis Cimaglia reviewed his memorandum advising that Reading Municipal Light Department has completed bringing power to the new signals located on Church Street at the Public Safety Building. The contractor has activated the signal to flashing mode and it will remain on flashing mode for approximately two weeks to allow the public to acclimate to the presence of the light.

Temporary Town Manager Louis Cimaglia reviewed a memorandum from Valerie Gingrich, Planning & Conservation Director, advising the Board that, at their January 2, 2024 meeting, the Planning Board reviewed the street acceptance plan and memo from the Town Engineer and voted to recommend the Select Board initiate the street acceptance process for Green Meadow Drive and also recommend laying out the public way. The Planning Board requests that the Select Board schedule a meeting to initiate the street acceptance process and schedule a subsequent public hearing to layout the way and endorse the street acceptance plan mylar.

Temporary Town Manager Louis Cimaglia reviewed communication from Niall Connors, Verizon Fios, advising that effective immediately, Stadium College Sports is no longer available in the Fios TV lineup. This is a provider-driven change.

BOARD TO CONSIDER APPROVING THE PROCESS FOR AUTHORIZATION FOR FAIRS, BAZAARS, ANTIQUE SHOWS AND CARNIVALS

This item was brought up under appointments.

BOARD TO CONSIDER ESTABLISHING A BUILDING REUSE COMMITTEE TO BE COMPRISED OF THE SUPERINTENDENT OF PUBLIC BUILDINGS (*OR DESIGNEE*), SUPERINTENDENT OF PUBLIC WORKS (*OR DESIGNEE*), MEMBER OF HISTORICAL COMMISSION, MEMBER OF SELECT BOARD AND FIVE RESIDENTS

This item was brought up under appointments.

BOARD TO CONSIDER REQUEST OF ELIZABETH LAWRENSON, TOWN CLERK, TO APPOINT ELECTION WORKERS FOR 2024

Select Board Member West stated that he provided a disclosure notice to the Town Clerk as his wife Karen West is one of the individuals being considered for appointment as Election Worker.

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 appoint the following individuals as Election Workers for the year 2024.

Wardens: Cynthia McCue, Wendy Diecidue, Jeanne Buck, Julie Sbraccia-Manos, John Duhamel and Paul Valardo; Clerks: Sandra Cosman, Sarah Cosman, Marie Creeth, Diana Wilson, Christine Murphy and Carol King; Election Workers: Roberta Allard, David Annick, Georgia Arbo, Susan Bakhtieari, Beth Bergman, Barbara Bishop, Elaine Calvo, Constance Carter, Jeffrey Cohen, Ellen Curren, Beverly Dalton, Judith Dankese, Patricia Dennis, Judith Lee Dickson, Diana DiGregorio, Thomas Donahue, Christina Downey, Debrah Dudley, Penni Dudley, Carol Dwyer, Linda Fasulo, Carolyn Fenn, Donna Flynn, Christine Garrard, Michelle Getchell, Linda Golden, Jack Grady, Jeanne Grant, Janette Hanna, Christine Hauray-Gilbert, Lillian Hupper, Bronwin Jones, Jackson Jones, Horace Jones, Carolyn Kenney, April Kingston, Maggi Lopes, Patricia McKenna, Susan McNamara, Medora Miller, Elizabeth Morgan, Gail Ollila, Judith Perry, Gail Protopapas, Anna Rainone, Kassidy Reese, Margaret Reese, Michael Robillard, Elizabeth Robillard, Charles Robinson, Clarice Ross, Alice Rourke, Jacquelyn Santini, Annette Shelley, Ellen Sullivan, Laura Sulton, Kira Szulborski, Deborah Taylor, Karen West, Jayne Wierzbicki and Kristine Zuk.

BOARD TO CONSIDER REQUEST OF TOWN CLERK ELIZABETH LAWRENSON TO AUTHORIZE JOSEPH DESMOND, POLICE CHIEF, TO ASSIGN DETAIL OFFICERS TO THE THREE POLLING PLACES DURING 2024

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

VOTED: That the Select Board authorize Police Chief Joseph Desmond to assign police officers to the three polling locations for the year 2024.

BOARD TO CONSIDER REQUEST OF TOWN CLERK ELIZABETH LAWRENSON TO CONSIDER SCHEDULE FOR EARLY VOTING FOR PRESIDENTIAL PRIMARY ELECTION

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 approve schedule for early voting for the Presidential Primary Election as Saturday, February 24, 2024 from 9 a.m. to 5:00 p.m. and Monday, February 26, 2024 through Friday, March 1, 2024 from 8:30 a.m. to 12:30 p.m.

BOARD TO CONSIDER REQUEST OF TOWN CLERK ELIZABETH LAWRENSON TO ALLOW IN-PERSON, AT THE COUNTER VOTING FOR APRIL 27, 2024 LOCAL ELECTION

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 approve the request of Town Clerk Elizabeth Lawrenson to allow in-person, at the counter voting for April 27, 2024 local election.

BOARD TO CONSIDER REQUEST TO CHANGE NAME ON FLAMMABLE LICENSE FROM KOCH SEPARATION SOLUTIONS TO KOVALUS SEPARATION SOLUTIONS LLC FOR PROPERTY LOCATED AT 850 MAIN STREET

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

VOTED: That the Select Board approve the request to change the name on a flammable license from Koch Separation Solutions to Kovalus Separation Solutions LLC for property located at 850 Main Street.

BOARD TO CONSIDER REQUEST OF J. CHRISTOPHER NEVILLE TO USE TOWN BEACH AT SILVER LAKE AND THE BEACH HOUSE FOR ROTARY AND ROTARY INTERACT MEMBERS TO PARTICIPATE IN THE POLAR PLUNGE ON SATURDAY, MARCH 23, 2024 AT 12:00 P.M. (SNOW/ICE DATE: SATURDAY, APRIL 6, 2024)

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 approve the request of J. Christopher Neville to use Town Beach at Silver Lake and the Beach House on Saturday, March 23, 2024 at 12:00 p.m. with a snow/ice date of Saturday, April 6, 2024.

BOARD TO CONSIDER REQUEST OF JOHN ROMANO ON BEHALF OF THE WILMINGTON SONS AND DAUGHTERS OF ITALY, TO USE THE MUNICIPAL PARKING LOT AT THE FOURTH OF JULY BUILDING ON SATURDAY, MARCH 23, 2024 (8:00 A.M. TO 3:00 P.M.) AND SUNDAY, MARCH 24, 2024 (8:00 A.M. TO 1:00 P.M.) FOR A DRIVE THRU DIAPER DONATION

Temporary Town Manager Cimaglia stated that he has spoken with Daniel Pallotta, Owner's Project Manager, and representative of Consigli Construction who advised that this is the last weekend the Town should allow events.

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

VOTED: That the Select Board approve the request of the Sons and Daughters of Italy to use the municipal parking lot and Fourth of July building on Saturday, March 23, 2024 and Sunday, March 24, 2024 for a drive thru diaper donation.

BOARD TO CONSIDER REQUEST OF MICHAEL P. FERRARA, PERFORMING ARTS DEPARTMENT, WILMINGTON PUBLIC SCHOOLS, TO USE THE TOWN COMMON AND GAZEBO ON THURSDAY, MAY 16, 2024 (RAINDATE: MAY 23) FROM 5:00 P.M. TO 9:00 P.M.

**FOR THE PURPOSE OF HIGH SCHOOL HONORS JAZZ BAND AND CONCERT BAND
AND ON TUESDAY, MAY 28, 2024 (RAINDATE: JUNE 4) FROM 5:00 P.M. TO 8:30 P.M. FOR
THE PURPOSE OF ELEMENTARY STRING ORCHESTRA CONCERT**

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 approve the request of Michael P. Ferrara, Performing Arts Department, Wilmington Public Schools, to use the Town Common and Gazebo on Thursday, May 16, 2024 (raindate May 23) from 5:00 p.m. to 9:00 p.m. for the purpose of High School Honors Jazz Band and Concert Band and on Tuesday, May 28, 2024 (raindate June 4) from 5:00 p.m. to 8:30 p.m. for the purpose of Elementary String Orchestra Concert.

PUBLIC COMMENTS

There were none.

ANNOUNCEMENTS

There were none.

NEW BUSINESS

There was none.

IMPORTANT DATES

Temporary Town Manager Cimaglia reviewed important dates including:

- January 29 – Select Board– Town Hall – Room 9 – 7:00 p.m.
Town Manager’s FY 25 Budget Presentation
- January 30 – Finance Committee – Town Hall – Room 9 – 7:00 p.m.
FY 25 BUDGET OVERVIEW; REVENUE; GENERAL GOVERNMENT
- January 31 – Town Hall / School Administration Building Committee – Virtual – 5:00 p.m.
- February 1 – Finance Committee – Town Hall – Room 9 – 7:00 p.m.
RECREATION, LIBRARY, HISTORICAL COMMISSION
- February 2 – Last Day to Submit Petitioned Warrant Articles for Inclusion on the Warrant for the Annual Town Meeting – May 4, 2024
- February 6 – Finance Committee – Town Hall – Room 9 – 7:00 p.m.
DEPARTMENT OF PUBLIC WORKS; PUBLIC BUILDINGS DEPARTMENT
- February 8 – Finance Committee – Town Hall – Room 9 – 7:00 p.m.
VETERANS’ SERVICES, ELDERLY SERVICES, INFORMATION TECHNOLOGY, TOWN CLERK
- February 12 – Select Board – Town Hall – Room 9 – 7:00 p.m.
- February 13 – Finance Committee – Town Hall – Room 9 – 7:00 p.m.
PLANNING & CONSERVATION, BUILDING INSPECTOR/BOARD OF APPEALS, BOARD OF HEALTH
- February 19 – Presidents’ Day – *Town Offices Closed*
- February 26 – Select Board – Town Hall – Room 9 – 7:00 p.m.

- February 27 – Finance Committee – Town Hall – Room 9 – 7:00 p.m.
POLICE DEPARTMENT, PUBLIC SAFETY CENTRAL DISPATCH, FIRE DEPARTMENT
- February 29 – Finance Committee – Town Hall – Room 9 – 7:00 p.m.
WILMINGTON PUBLIC SCHOOLS
- March 5 – Presidential Primary – Polls Open 7:00 a.m. to 8:00 p.m.
- March 7 – Finance Committee – Town Hall – Room 9 – 7:00 p.m.
SHAWSHEEN TECHNICAL SCHOOL DISTRICT
- March 11 – Select Board – Town Hall – Room 9 – 7:00 p.m.
- March 19 – Finance Committee / Planning Board Public Hearing
Town Hall – Auditorium – 7:00 p.m.
- March 25 – Select Board – Town Hall – Room 9 – 7:00 p.m.
- April 17 – Last Day to Register to Vote in the Annual Town Election/Annual Town Meeting
Town Clerk's Office Open Until 5:00 p.m.

SALUTE TO SERVICE

Chair Bendel recognized the service of Lawman Johnson who served as a Sergeant in the United States Air Force. Mr. Johnson served from 1966 to 1969 as an Aircraft Maintenance Specialist. He was awarded the National Defense Service Medal, Vietnam Service Medal, Republic of Vietnam Campaign Medal and the Air Force Good Conduct Medal.

Lawman served the City of Everett as a Police Patrolman and Detective for 34 years. He and his wife of 54 years, Constance, have lived in Wilmington for 40 years and have one son, Lawman Johnson III, who has appeared on America's Test Kitchen.

The Select Board and citizens of Wilmington salute Lawman Johnson 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 West, 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 8:01 p.m.

Respectfully submitted,

Recording Secretary