

SELECT BOARD MEETING

November 27, 2023

Chair Gregory B. Bendel called the meeting to order at 6:30 p.m. in Room 9 of the Town Hall. Present were Select Board members Kevin A. Caira and Lilia Maselli. Select Board Member Gary B. DePalma 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 February 10, 2020 and March 8, 2021 in accordance with General Law Chapter 30A, Section 22.

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

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

Chair Bendel advised that votes will be taken by roll call as one member is participating remotely.

TREASURY WARRANTS

Chair Bendel asked for a motion to accept the Treasury Warrants. 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 accept Treasury Warrants 2420, 2420W, 2420T, 2421, 2421W, 2421T and 2421S.

Kevin MacDonald asked for a point of order, he opined that it would be fitting for the Chair to identify the amount of money associated with each warrant.

MINUTES

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

VOTED: That the Select Board approve the minutes of their meeting held October 30, 2023 and all action taken is hereby ratified and confirmed.

Select Board Member Caira thanked the Recording Secretary for her efforts in amending the minutes based on his request from the last meeting.

KAREN L. RASSIAS, PRINCIPAL ASSESSOR, RE: PUBLIC HEARING FOR THE DISCUSSION OF LOCAL PROPERTY TAX POLICY WITH REFERENCE TO CLASSIFICATION

Chair Bendel noted this appointment is a public hearing and stated that notice was provided in the Wilmington Town Crier. A motion was made by Select Board Member Caira, 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. Rassias stated that, in accordance with Massachusetts General Law Chapter 40, Section 56, she was present to provide information to the Select Board. Also present was Finance Director/Town Accountant Bryan Perry. After careful analysis and review, the Board of Assessors recommends to the Select Board a classification shift of 1.75%, resulting in a minimum residential factor of .762331 for Fiscal Year 2024. She advised that the shift conforms to Proposition 2 ½ guidelines and is consistent with prior years' tax policies. Adoption of this recommendation allows the Town to assess and collect an equitable amount of taxes from the residential, commercial, industrial and personal property sectors. Ms. Rassias advised that assessed values were established by analyzing calendar year 2022 sales and income data. Ms. Rassias noted that there were twenty-eight (28) homes that sold for over \$1 million and there are 50 homes valued at over \$1 million. The Board's analysis resulted in the average single family residential property value increasing approximately 10.1 percent. The average commercial value increased approximately 6.1 percent and the average industrial value increased approximately 9.5 percent. It is the Board of Assessors recommendation that the Select Board vote to shift the maximum allowed to the Commercial, Industrial and Personal Property classes.

Ms. Rassias reviewed information that outlined different scenarios and the impact on the different tax classifications.

Ms. Rassias noted different exemptions that have not been adopted by the Town including a Residential Exemption, Small Commercial Exemption and Open Space Discount. The Residential Exemption is for communities with a large number of rental homes and the Small Commercial Exemption is for commercial property valued at less than \$1 million and less than ten employees.

Chair Bendel asked if there were questions or comments from the Board. Members indicated their desire to shift the burden to the commercial, industrial, personal property sector. Select Board Member West inquired about the Small Commercial Exemption and what would be required for the Town to adopt the exemption. Ms. Rassias reiterated that the value of the land must be less than \$1 million and stated 130 properties qualify. She explained that the remainder of the commercial property will absorb the amount of the exemption.

Chair Bendel noted that this was a public hearing and asked if there were any questions or comments from the audience. He asked that speakers provide their name and address for the record. A man who requested to be anonymous, citing bottles thrown on his property, but is known to the Select Board and Recording Secretary as Kevin MacDonald of Andover Street, asked how the difference between the operating budget and the tax levy would be financed. Ms. Rassias explained the different revenue sources. She advised that information on the tax recap is public record and is available on the Department of Revenue's website. Mr. Perry stated that the FY24 budget, as proposed, is on the Town's website. Mr. MacDonald asked about the total of free cash and whether \$39 million was accurate. Mr. Perry advised that free cash has not been certified for this year.

Karen West, Birchwood Road, asked what the process would be for the exemptions to be adopted. Ms. Rassias advised that the request could be made to the Board. She stated that the residential exemption is not applicable to Wilmington as there are not that many rental properties. She explained the burden that would be on the Board of Assessors because homeowners would have to prove residency.

A motion was made by Select Board Member DePalma, 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.

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

VOTED: That the Select Board adopt a classification shift of 1.75 as recommended by the Board of Assessors which results in the minimum residential factor of .762331 for Fiscal Year 2024.

DANIEL TRANT, SENIOR DISTRIBUTION MANAGER, READING MUNICIPAL LIGHT DEPARTMENT, RE: PUBLIC HEARING ON REQUEST OF READING MUNICIPAL LIGHT DEPARTMENT TO LOCATE ONE (1) POLE ON WESTDALE AVENUE

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

VOTED: That the Select Board open the public hearing.

Mr. Trant was present on behalf of Reading Municipal Light Department requesting to locate a solely owned utility pole approximately 70 feet from the existing pole to service a recently constructed home. The installation of this pole will also eliminate an illegal trespass at 39 Westdale Avenue and will remove the guy wire currently located in a tree.

Select Board Member Caira asked whether locating the pole within a public way meant within a sidewalk. He expressed concern that it would impede pedestrians. Mr. Trant advised that there are no sidewalks on that side of the street.

Select Board Member Bendel asked if the pole had already been installed and was advised that it had not.

A man who requested to be anonymous but is known to the Select Board and Recording Secretary as Kevin MacDonald of Andover Street, asked who assumes liability if someone is injured because of poles located in sidewalks. Mr. Trant did not know.

Mr. MacDonald asked how much it costs to remove a pole and was told tens of thousands of dollars. Mr. Trant explained the process utilities go through to change lines over.

A motion was made by Select Board Member DePalma, 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.

Chair Bendel stated that, provided there were no objections, he would like to take agenda item 6 out of order. There were no objections.

A motion was made by Select Board Member Caira, 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 Daniel Trant, Senior Distribution Manager, Reading Municipal Light Department, to locate one (1) solely owned pole on Westdale Avenue.

ANNE MURRAY, RE: HEROES CHRISTMAS TREE

Ms. Murray stated that she is a resident of Wilmington and a Blue Star mother. Her son Jonathan is a sergeant and crew chief at Fort Campbell in Tennessee. Also present was Barbara Woods. Ms. Woods' son is friends with Jonathan (JT) and serves in the Air Force as a Rescue Para Jumper. In 2006 the Blue Star Mothers New Hampshire Branch started the yearly tradition of establishing the Heroes Tree. She stated that it is a way of honoring and remembering family members and friends currently serving, or who have served, during the holiday season. Ms. Murray stated that the organization supplies the tree and the decorations and encourages residents to add the name of a loved one who is serving, or a veteran, to the tree. Troops have expressed their appreciation for the honor of being remembered during the holiday season. Ms. Murray noted that blue stars are for active military or veterans, gold stars are for those members of the military that have made the ultimate sacrifice and black stars are for the POWs and MIAs.

Ms. Murray was present seeking approval of the Select Board to display a Heroes Tree in the Town Hall during the month of December.

Members of the Select Board thanked Ms. Murray and Ms. Woods for bringing this forward and expressed their gratitude for their sons' service.

Select Board Member West asked if a location had been chosen so that it would stand out. Temporary Town Manager Cimaglia stated that there are a couple of areas being considered including the alcove at the front entrance and near the Town Hall directory.

Select Board Member Cairra asked whether it would be a real tree. He was advised that it would be an artificial tree approximately six or seven feet tall.

Chair Bendel stated that, provided there were no objections, he would like to take agenda item 7 out of order. There were no objections.

A motion was made by Select Board Member Cairra, 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 Anne Murray to display a Heroes Christmas Tree at Wilmington Town Hall during the month of December.

KAREN WEST, RE: TOYS FOR TOTS PROGRAM

Ms. West was before the Board with Staff Sergeant Tyler Short to provide information on the Toys for Tots program. Ms. West reviewed upcoming events to raise funds/toys for Toys for Tots. Mr. West noted that collection boxes are at multiple locations in Wilmington and Tewksbury including schools, Town Hall, Senior Center and local businesses. Residents are welcome to drop new, unwrapped toys at any drop-off location or his office at West Real Estate. Residents in need can go to toysfortots.org and complete a request for donated toys.

SSgt. Short presented a certificate of appreciation to the Select Board to thank the Town for supporting the Toys for Tots program.

Chair Bendel asked the Board if there were any questions or comments. Members of the Board expressed sincere thanks to the West family for coordinating the program and to SSgt. Short for his service.

COMMUNICATIONS

Temporary Town Manager Cimaglia reviewed correspondence from the Town Clerk's office seeking support and approval for a Veterans' Heritage Grant. The Veterans' Heritage Grant is a program administered by the State Historical Records Advisory Board and its purpose is to preserve objects, sites and collections of documents that are significant to the history and experiences of military veterans in the Commonwealth. Temporary Town Manager Cimaglia recognized Assistant Town Clerk Meghan Jones was present this evening. Ms. Jones advised that her office is applying for funds to conserve a book of vital records including four death records of young men killed in action during World War II. The goal of this project is to conserve and preserve the original documents and to create legible, digitally enhanced copies of those four records for future reference. She explained that the documents are negatively impacted by a Health Permit Marker attached to the paper records either by the self-stick adhesive on the marker itself, or with staples. The markers stained all records with which they had contact and the adhesive is permeating the paper making it difficult or impossible to read the information on the death records.

Ms. Jones stated the four records the Town Clerk's office is seeking to conserve are CM 2C Joseph Lincoln Ring, RM 2C William E. Butterworth, S2 Elmer Drew and Sgt. John S. Neal. Sgt. Neal was a resident of Tewksbury but is included in the Town's records because when his remains were returned North Wilmington train depot was the closest rail station to the funeral home. The Town of Tewksbury maintains the resident record.

Chair Bendel stated that, provided there were no objections, he would like to take agenda item 9 out of order. There were no objections.

A motion was made by Select Board Member West and was seconded by Select Board Member Maselli that the Select Board sign the community letter of support.

Select Board Members commented about the importance of preserving these records. Chair Bendel noted that Elmer Drew's mother was the first female member of the Board of Selectmen and that S2 Elmer Drew has not received his high school diploma. He noted that S2 Drew is eligible, and Dr. Glenn Brand has been advised and he hopes the family is awarded the diploma.

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

VOTED: That the Select Board sign the Community Letter of Support for the Veterans' Heritage Grant

Temporary Town Manager Cimaglia reviewed communication from the United States Department of Transportation Federal Aviation Administration (FAA) providing notice that the FAA has issued a Finding of No Significant Impact and Record of Decision and Final Environmental Assessment which assessed potential environmental impacts of the Instrument Flight Procedures Low-Level Helicopter System to Support Helicopter Air Ambulance Operations project. The ILHS-HAA project seeks to improve the efficiency of the national airspace system in Maine and portions of New Hampshire and Massachusetts by optimizing helicopter en route procedures serving various airports and heliports within the ILHS-HA Project General Study Area. The project involves changes to helicopter flight routes and altitudes in certain areas.

Temporary Town Manager Cimaglia reviewed communication from Kerry Morris, Sr. Manager Government Affairs, Comcast regarding changes to Xfinity TV services and price changes.

**BOARD TO CONSIDER REQUEST OF READING MUNICIPAL LIGHT DEPARTMENT
TO LOCATE ONE (1) POLE ON WESTDALE AVENUE**

This item was taken up under appointments.

**BOARD TO CONSIDER REQUEST OF ANNE MURRAY TO PLACE A HEROES
CHRISTMAS TREE IN TOWN HALL DURING THE MONTH OF DECEMBER 2023**

This item was taken up under appointments.

**BOARD TO CONSIDER AMENDING FLAG POLICY FOR THE TOWN OF WILMINGTON
TO INCLUDE MEMORIAL LIBRARY FLAG AT WILMINGTON MEMORIAL LIBRARY
AND PURPLE HEART FLAG**

Temporary Town Manager Cimaglia stated that, following the Board's meeting of November 13, 2023, he was contacted by the Library Director and informed of the Library's flag and it was noted that the Purple Heart Flag had been omitted from the initial policy.

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

VOTED: That the Select Board Amend the Flag Policy for the Town of Wilmington to Include Memorial Library Flag at Wilmington Memorial Library and Purple Heart Flag.

**BOARD TO CONSIDER SIGNING COMMUNITY LETTER OF SUPPORT VETERANS'
HERITAGE GRANT**

This item was taken up under communications.

**BOARD TO CONSIDER ESTABLISHING A TOWN BUILDING REPURPOSING
COMMITTEE TO EVALUATE POSSIBLE REUSE OR DISPOSITION OF VACATED
BUILDINGS**

Chair Bendel clarified with Select Board Member DePalma that he is seeking a yea or nay to develop this committee. Chair Bendel asked if there was a motion. Select Board DePalma offered a motion which was seconded by Select Board Member West.

Select Board Member Caira stated that he appreciates the item but asked if it is ultimately up to the Select Board to make the decision on the buildings. Is the intention for the committee to make a proposal to the Board. He asked if Town Meeting action is required to determine what happens to the buildings.

Select Board Member DePalma stated that the committee will review the vacant buildings and noted the cost of maintaining a vacant building is expensive including costs to insure and heat. He expects the committee to present their recommendations to the Select Board.

Select Board Member Maselli asked whether Select Board Member DePalma was seeking an advisory committee and suggested that certain town departments need to be involved including the Public Buildings Superintendent and Town Engineer. She stated that she agrees the buildings should not be vacant and noted that the Board should determine the number of people and who will make up the committee and their mission.

Select Board Member Caira suggested that the Building Inspector, Health Director and Fire Chief should also be involved. He commented that other committees have been made up by each member of the Select Board appointing an individual to the committee, a representative of the Historical Commission and the Superintendent of Public Buildings would make seven.

Select Board Member DePalma stated that he has communicated with the Historical Commission, the Superintendent of Public Buildings and two residents who have expressed interest in serving on the committee. He stated that he was looking to keep it small so scheduling meetings would not become burdensome.

Chair Bendel asked Select Board Member DePalma whether the committee will make a recommendation to the Select Board. He stated that he sees this as the first step and the next step would be to determine the make-up of the committee.

Select Board Member West asked if there will be a budget for the committee so that there would be a recording secretary. Chair Bendel agreed that is something to be considered. Select Board Member West opined that a professional recording secretary won't likely miss what the minutes should look like. Chair Bendel stated that he anticipates it to be a while before the committee is established and perhaps funds could be included in the budget.

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

VOTED: That the Select Board create a building repurposing committee, the size and participants to be determined at a later date.

BOARD TO CONSIDER REQUEST OF KIMBERELY LOVELL, WILMINGTON HIGH SCHOOL FIELD HOCKEY, TO CONDUCT A FUNDRAISING CAR WASH AT THE PUBLIC BUILDINGS DEPARTMENT, ON SUNDAY, AUGUST 25, 2024 FROM 9:00 A.M. TO 1:00 P.M.

Temporary Town Manager Cimaglia stated that the applicant has been advised to contact the Masonic Hall to ensure that there are no activities that will conflict with the car wash.

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

VOTED: That the Select Board grant the request of Kimberly Lovell, Wilmington High School Field Hockey, to conduct a fundraising car wash at the Public Buildings Department on Sunday, August 25, 2024 from 9:00 a.m. to 1:00 p.m.

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 Town Hall / School Administration building project. Specifically, he asked whether the new building would be connected to sewer. Select Board Member Caira stated that the question was asked and answered at a prior meeting. He stated that on December 6, 2023 there will be a meeting of the Town Hall / School Administration Building Committee at which the Owners Project Manager and the Architect will be present. Mr. MacDonald expressed concern that the sewer will be a forced sewer main and other residents will not be able to tie into it.

Mr. MacDonald reiterated his request from a previous meeting that a fire fighter and police officer be present when fuel tanks are being filled at Town owned buildings.

Mr. MacDonald asked whether Select Board Member DePalma obtained the dollar amounts of the previous treasury warrants.

Steve Turner, Washington Street, offered his support in the establishment of a building repurposing committee.

ANNOUNCEMENTS

Chair Bendel noted that the Town Manager Screening Committee met on November 21 with representatives of the search firm that was recently hired. He opined that it was a productive meeting, and it is estimated that the process will take approximately fifteen (15) weeks. The next meeting of the Town Manager Screening Committee is scheduled for Thursday, December 21 at 7:00 p.m. in Room 9 of Town Hall.

NEW BUSINESS

Select Board Member West asked for a status of the minutes for the Executive Sessions held by the subcommittee during negotiations with Mr. Hooper and Mr. Cimaglia. He noted that the matter is closed, and he was hoping to have minutes to approve. Select Board Member Caira noted that Select Board Member West had asked about the minutes at the last meeting and suspects he will continue asking. Select Board Member Caira stated that the minutes will be done as soon as possible and noted that the Board just reviewed Executive Session Minutes from 2020 and 2021. Select Board Member West stated that the Board has not reviewed minutes since August with the exception of the minutes that were approved earlier this evening.

IMPORTANT DATES

Temporary Town Manager Cimaglia reviewed important dates including:

- November 27- – Curbside Collection of Yardwaste
- December 1
- November 29 – Brush Drop Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- December 1 – Festival of Trees – St. Dorothy Church, Lower Level – 10 a.m. to 9 p.m.
- December 2 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- December 2 – Christmas Tree Lighting – Town Common – 4:00 p.m.
- December 2 – Festival of Trees – St. Dorothy Church, Lower Level – 9 a.m. to 9 p.m.
- December 3 – Santa Parade – 8:30 a.m.
- December 3 – Festival of Trees – St. Dorothy Church, Lower Level – 11 a.m. to 2 p.m.
- December 3 – Holiday Social – Harnden Tavern – 1:00 p.m. to 4:00 p.m.
- December 4- – Curbside Collection of Yardwaste
- December 8
- December 7 – Santa’s Workshop – Town Hall -Room 9 – 6:00 p.m. to 7:30 p.m.
- December 11 – Select Board – Town Hall – Room 9 – 7:00 p.m.
- December 21 – Town Manager Screening Committee – Town Hall – Room 9 – 7:00 p.m.

SALUTE TO SERVICE

Chair Bendel recognized the service of Richard McHugh. Mr. McHugh served in the United States Army from April 1953 until March 1955. Corporal McHugh served during the Korean War era and was stationed in Stuttgart Germany. Corporal McHugh was awarded the Army Occupation Medal-German, the Good Conduct Medal and the National Defense Medal. A longtime Wilmington resident, he and his late wife Maureen raised three sons and one daughter and were grandparents to nine grandchildren. Corporal McHugh passed away on November 23, 2023.

The Select Board and citizens of Wilmington salute Richard McHugh 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 Maselli and by the affirmative roll call vote of all, it was

VOTED: That the Select Board adjourn.

Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Recording Secretary