

BOARD OF SELECTMEN MEETING

April 10, 2017

Chairman Judith L. O'Connell called the meeting to order at 7:03 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Michael L. Champoux and Michael V. McCoy. Also present was Town Manager Jeffrey M. Hull.

Chairman O'Connell asked those present to rise and led the pledge of allegiance.

TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 40, 40A, 41 and 41A.

MINUTES

A motion was made by Selectman Champoux, seconded by Selectman McCoy and by the affirmative vote of three with Selectmen Bendel and Caira abstaining, it was

VOTED: That the Board of Selectmen approve the minutes of their meeting held April 11, 2016 and all actions taken are hereby ratified and confirmed.

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held January 30, 2017 and all actions taken are hereby ratified and confirmed.

Chairman O'Connell noted that members of the Board of Selectmen were wearing an article of blue clothing for Autism Awareness. In addition, the lights on the common are lit blue and the Board of Selectmen expressed their appreciation to the anonymous donor.

RECOGNITION OF FRANCESCO GRIECO, BOY SCOUTS OF AMERICA

Chairman O'Connell stated that Frankie is a member of the Boy Scouts of America. During the first week of March he and his family were able to attend a trip to Washington, DC. Ten youth delegates from across the country were chosen to present the organization's Annual Report to the Nation to top U.S. officials. The report highlights the organization's achievements in 2016 including the highest number of volunteer hours served in communities over the last five years. The delegates were selected from approximately 2.3 million youth to share the annual report.

Chairman O'Connell stated that it is a tremendous honor that Frankie was one of the ten chosen and tonight the Board of Selectmen would like to recognize his achievement. She asked if he would like to introduce his family and say a few words. Present with Frankie were his Mom (Rachael) and Dad (Rob), brother Domenic and sister Gianna. Frankie stated that someone nominated him to be considered as a delegate. He stated that a man made a robotic hand for him, he in turn made four hands using a 3D printer and donated those hands to children in Haiti. Mr. Grieco stated that it was a full five days of meeting every important person in Washington. Frankie was the youngest delegate. When asked his favorite part he responded that it was meeting the president. Frankie shared that he would like to become a marine biologist.

Chairman O'Connell asked if there were any comments from the Board. Members of the Board congratulated Frankie on being chosen as a delegate and thanked him for sharing his experience.

Chairman O'Connell presented Frankie with a Certificate of Achievement on behalf of the Board of Selectmen.

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

VOTED: That the Board of Selectmen recess to allow for the youth hockey team to enter the room.

The Board of Selectmen meeting recessed at 7:15 p.m. and was called back to order at 7:18 p.m.

RECOGNITION OF WILMINGTON YOUTH HOCKEY BANTAM 2 TEAM

Mr. Ray Mercuri, Coach, reviewed the games and scores that led to the team's championship win. Members of the Board of Selectmen offered their congratulations to the coaches, members of the team and the parents and family members on their successful season.

Chairman O'Connell presented certificates to the players and coaches of the Wilmington Youth Hockey Bantam 2 Team on behalf of the Board of Selectmen.

SCOTT C. GARRANT, CHAIRMAN, 4TH OF JULY COMMITTEE, RE: REQUEST TO USE TOWN COMMON AND SWAIN GREEN FOR THE ANNUAL 4TH OF JULY FESTIVITIES

Mr. Garrant was present to request the use of the Town Common and the former site of the Swain School for the purpose of conducting the annual 4th of July festivities. He advised that the celebration will begin on Thursday, June 29 and will conclude Sunday, July 2. Mr. Garrant stated that Family Day will take place on July 1; a tribute to servicemen and women will be held on Sunday, July 2 followed by the fireworks. In the event of rain, the fireworks will be held Monday, July 3.

Mr. Garrant stated that he was also requesting that the Board ban outside vendors to a half mile from the Town Common. He said that the 4th of July celebration is when many of the non-profit groups do a significant amount of their fundraising.

A motion was made by Selectman Bendel and was seconded by Selectman Champoux to grant the request of Mr. Garrant. Selectman Caira asked whether a decision had been made relative to the carnival and was advised that the Fourth of July Committee issued a request for bids and selected Cushing Amusements. Selectman Caira asked whether the carnival will be the same footprint as 2016. Mr. Garrant stated that he has been before the Board of Appeals and once awarded, Mr. Larry Cushing will attend a meeting with Town leaders and officials.

Selectman Champoux asked about the hours of operation. Mr. Garrant advised that the carnival and events will be from 5 p.m. to 9 p.m. on Thursday and Friday; 12 p.m. to 10 p.m. on Saturday and Sunday from 1 p.m. to 10 p.m. Mr. Garrant stated that there will be a wristband special for the carnival rides on Saturday from 12 p.m. to 5 p.m. and possibly on Thursday or Friday.

Mr. Garrant noted that whiffle ball is returning this year on Family Day.

Chairman O'Connell thanked Mr. Garrant and the Fourth of July Committee for their efforts.

A motion having been made and seconded, and upon the unanimous vote of all, it was

VOTED: That the Board of Selectmen approve the request of Scott Garrant, Chairman, Fourth of July Committee to use the Town Common and Swain School site for the purpose of conducting Fourth of July festivities, Thursday, June 29 through Monday, July 3, 2017.

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

VOTED: That the Board of Selectmen restrict hawkers and pedlers to one-half mile from the Town Common during the period Thursday, June 29 through Monday, July 3, 2017.

JUDITH L. O'CONNELL, CHAIRMAN, RE: PRESENTATION OF BOARD OF SELECTMEN ANNUAL REPORT FOR CALENDAR YEAR 2016

Chairman O'Connell read the Board of Selectmen's report as contained in the 2016 Annual Report of the Town of Wilmington. The Selectmen's report highlighted projects and programs that either commenced or were completed during the year 2016. The Board of Selectmen's report is made part of these minutes by attachment.

RECOGNITION OF CHAIRMAN JUDITH O'CONNELL

Town Manager Hull stated that this was placed on the agenda on behalf of the members of the Board of Selectmen to acknowledge Chairman O'Connell. He stated that he appreciates her professionalism, not only as a member of the Board of Selectmen but also as Chairman of the Yentile Farm Development Committee. Members of the Board of Selectmen expressed their appreciation to Chairman O'Connell. Selectman McCoy noted that Chairman O'Connell has always treated him with respect and was kind to his son Christopher. Selectman Cairra noted that he was Chairman O'Connell's softball coach when she was a freshman in high school.

Former selectman Michael Newhouse was not able to attend tonight's meeting and sent an e-mail that was read by Town Manager Hull.

Chairman O'Connell stated that she was overwhelmed and appreciative of the kind words offered by the Town Manager and members of the Board of Selectmen. She acknowledged former Town Manager Michael Cairra, Assistant Town Manager Dee Casey, Department Heads, School Department and members of the School Committee.

Chairman O'Connell thanked the voters of Wilmington and her family. She noted that she and her sister just celebrated ten years in business, nine of which she was in public office. She acknowledge James Rooney who told her she would be good in public service. She noted that he passed away without seeing her elected to the Board of Selectmen.

COMMUNICATIONS

Town Manager Hull reviewed his memorandum regarding the Yentile Farm Recreational Facility. Town Manager Hull wrote that after consultation with Public Works Director Michael Woods, he authorized the opening of the turf field effective Monday, April 3, 2017. Wilmington Youth Soccer and Wilmington Youth Lacrosse were granted use permits and though the open house is not scheduled until May 13, 2017, he deemed it appropriate to provide for a soft opening. The kids' play areas and the paved walking areas are also open to the public. Beginning Monday, April 10 the basketball and street hockey courts will be open to the public. No permit is required for their use. Town Manager Hull stated that the events lawn is currently very soft due to the heavy rains. Patrons are reminded that dogs and other pets are not permitted in this recreation area.

Selectman Caira expressed concern that lawn chairs and other prohibited items have been on the turf. Town Manager Hull stated that Recreation Director Karen Campbell will be having a conversation with the groups. The Board of Selectmen discussed the policy for the bathroom facility, obtaining permits to use the turf field and the need for additional signage.

Town Manager Hull reviewed his memorandum regarding the Substance Abuse Coalition. Town Manager Hull stated that a Request for Proposal for substance abuse services was issued at the end of February. He advised the Board of Selectmen that no responses were received by the deadline and is reassessing the approach going forward. Consideration will be given as to whether the Town should hire an individual to be employed by the Town for the purpose of focusing on substance abuse.

Town Manager Hull reviewed his memorandum where he advised the Board of Selectmen that Article 53 was withdrawn by petitioner Edward Hill, Jr. Mr. Hill was seeking to purchase Town owned property on St. Paul Street.

Town Manager Hull reviewed his memorandum relative to the budget request for Tasers. Town Manager Hull stated that Police Chief Begonis submitted a request for electronic control weapons, commonly known as Tasers, citing the 2015 incident at the MBTA Station. A highly agitated individual wielding a knife, threatened innocent commuters and police officers. The individual was brought under control by a police officer from a neighboring community trained in the use of Tasers who activated his Taser on the individual. Town Manager Hull stated that he decided to seek funding over a period of two years. Town Manager Hull explained the dollar amount that was initially budgeted. He stated that, as noted at the Finance Committee/Planning Board public hearing, the most advantageous option is to participate in the TASER Assurance Plan. This approach will provide 51 Tasers; Tasers are warrantied for five years; Taser International provides a 5 year payment plan and at the conclusion of 5 years, the Tasers will be replaced with new Tasers of the same type at no additional cost.

Town Manager Hull reviewed communication from Michael Woods, Public Works Director, regarding Spring 2017 roadway work schedule. Weather permitting, the Department of Public Works plans to begin paving Cross Street from Lowell Street to Main Street and Old Andover Street/Old Salem Street from 100 Andover Street to Route 62 on Wednesday, April 19, 2017. All roads are planned for milling and a bituminous overlay. During work, the roadways will be closed to through traffic.

Town Manager Hull reviewed a letter from Governor Charles D. Baker regarding Chapter 90 local transportation aid funding for Fiscal Year 2018. He advised that funding will total \$200 million statewide, pending final legislative approval.

Town Manager Hull reviewed a letter from Martin Suuberg, Commissioner, Department of Environmental Protection, who announced the launch of the annual Sustainable Materials recovery Program Municipal Grant Application. The Sustainable Materials Recovery Program was authorized under the Green Communities Act and MassDEP regulations to provide grants to Massachusetts municipalities and regional government entities for recycling, composting, reuse and waste reduction activities in support of the State's Solid Waste Master Plan goals.

BOARD TO CONSIDER REQUEST OF MICHELLE GARCIA TO USE ROTARY PARK ON SATURDAY, APRIL 22, 2017 FROM 12:30 P.M. TO 4:30 P.M.

Ms. Garcia is requesting to use Rotary Park for the purpose of having a birthday party for her children. Town Manager Hull advised that the Little League will be using the field at Rotary Park and that he contacted Ms. Garcia to discuss an alternate date. Town Manager Hull stated that the

request has been amended to Sunday, April 23, 2017 from 1 p.m. to 5 p.m. Chairman O'Connell asked if there were any questions, comments or a motion. A motion was made by Selectman Champoux, seconded by Selectman Caira and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen grant the request of Michelle Garcia to use Rotary Park on Sunday, April 23, 2017 from 1 p.m. to 5 p.m.

BOARD TO CONSIDER REQUEST OF SCOTT GARRANT, CHAIRMAN, 4TH OF JULY COMMITTEE, TO RESTRICT HAWKERS/PEDLERS AND TRANSIENT VENDORS FROM CONDUCTING BUSINESS WITHIN ONE-HALF MILE OF THE TOWN COMMON DURING THE CELEBRATION

The Board of Selectmen took action on this request under appointments with Scott Garrant, Chairman, 4th of July Committee.

BOARD TO CONSIDER REQUEST OF CHRISTINA STEWART, LIBRARY DIRECTOR, TO USE THE TOWN COMMON/SWAIN GREEN ON THURSDAY, JULY 27 FROM 10 A.M. TO 1 P.M. (TEDDY BEAR PICNIC); THURSDAY, AUGUST 11 FROM 5 P.M. TO 8 P.M. (SUMMER BASH) AND SATURDAY, SEPTEMBER 23 FROM 9 A.M. TO 12 NOON (SHREDDING DAY)

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

VOTED: That the Board of Selectmen approve the request of Christina Stewart, Library Director, to use the Town Common/Swain Green on Thursday, July 27 from 10 a.m. to 1 p.m. (*TEDDY BEAR PICNIC*); Thursday, August 11 from 5 p.m. to 8 p.m. (*SUMMER BASH*) and Saturday, September 23 from 9 a.m. to 12 noon (*SHREDDING DAY*).

BOARD TO CONSIDER APPROVING THE RENEWAL OF THE SECOND DEALER LICENSE FOR ROBERT P. FLAHERTY JEWELER, INC.

Town Manager Hull advised that favorable recommendations were received from the Police Chief, Deputy Fire Chief, Building Inspector and Treasurer/Collector.

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

VOTED: That the Board of Selectmen approve the request to renew the Secondhand Dealer License for Robert P. Flaherty Jeweler, Inc.

PUBLIC COMMENTS

Louis Cimaglia, Director of Veterans' Services and former selectman, recognized Chairman O'Connell for her years of service to the Town of Wilmington. Mr. Cimaglia was also present to defend his department. An individual at previous meetings had made comments relative to individuals being denied benefits. Mr. Cimaglia acknowledged that the individual had been present earlier this evening but was not currently present. He asked that if an individual believes they are entitled to benefits to meet with him at his office.

Members of the American Legion Riders Dirty Water Group spoke favorably of Mr. Cimaglia and provided examples of how Mr. Cimaglia has assisted veterans.

Chief Begonis thanked Chairman O'Connell for her service and support of the Police Department. He stated that there are many dedicated employees in the Town and attested that Mr. Cimaglia is always in the office and constantly supporting the veterans in this community. Chief Begonis stated that Mr. Cimaglia supports the veterans and fights for them daily.

NEW BUSINESS

Selectmen Bendel, Caira and Champoux thanked Mr. Cimaglia for his efforts to assist veterans, wished Chairman O'Connell best wishes and wished residents a Happy Easter.

Selectman McCoy read from a prepared statement and cited comments that were in Sunday's edition of the Lowell Sun Column. The comments stated that "Post debate one of Loud's supporters traded sharp words with a departing McCoy in the WCTV lobby." Selectman McCoy stated that the person was Mrs. Loud and alleges that as he was escorted from the building Mrs. Loud continued to shout comments.

Selectman McCoy stated that there is an unspoken rule in politics that you do not attack spouses or family members. He stated that in the 26 years as a member of the Board of Selectmen he has never experienced a spouse lash out at him. He believes he can work better with Mr. MacDonald because he has never had an angry exchange with him. He stated that he does not want to be accused of something that he did not do and does not want to deal with the aggravation of Mr. Loud and his family for the next three years if he is elected.

Chairman O'Connell stated that she did not want the meeting to end on this note but feels compelled to state that she is troubled by the fact that Selectman McCoy is bringing the campaign into this room and choosing to do so when someone is not in the room to defend themselves. She stated that she was in a position where she had parting comments. Selectman McCoy has taken opportunities through the newspaper, public forums, prepared statements and trying to surprise and embarrass people and noted that he had done it to her on a number of occasions. She stated that Selectman McCoy has crossed the line.

Chairman O'Connell noted that Selectman McCoy participated in the vote to appoint Mr. Loud to the Board of Appeals over the past 14 years. She stated that she did not know Mr. Loud until the Yentile Farm Development Committee was established and Mr. Loud was appointed by Selectman McCoy to that committee. Selectman McCoy has alleged that Chairman O'Connell is playing a dirty trick to get Mr. Loud through the back door. She stated that there is no legal or statutory requirement to say whether or not she is going to run. She stated that the door was open for people to run, people pulled papers and did not return them. She announced it through Robert Hayes, Wilmington Apple, and through social media and Selectman McCoy still personally attacked her. She stated that she does not have to answer to Selectman McCoy or anyone. She does not understand why Selectman McCoy chooses to bring political discussions into this room when the campaigning should take place outside of Room 9 and expressed her opinion that it is not appropriate.

Selectman McCoy stated that Chairman O'Connell made comments that he is conducting character assassination on her but opined that she is doing it to herself, he is just pointing it out. He stated that he is lining up all the dots in a row. He opined that everything he has said is factual and he must be doing something right to be on the Board of Selectmen for 27 years.

Chairman O'Connell asked how Selectman McCoy's comments are in the best interest of the Town. Selectman McCoy continued by stating that it was in the March 1 edition of the Town Crier that Chairman O'Connell would not be running for re-election. Chairman O'Connell stated that March 1 was when the Town Crier chose to write the article but they knew about her decision prior to that.

Selectman Champoux expressed his objection and opined that Selectman McCoy's comments are not relevant to conducting business of the Town.

Selectman McCoy continued to state that he is simply pointing it out. Chairman O'Connell stated that Selectman McCoy is misinformed and the last to know because he uses the Town Crier as his one communication outlet. Chairman O'Connell opined that Selectman McCoy is not a moral compass in terms of how she is going to conduct herself. Selectman McCoy continued to speak about the Town Crier article and when Mr. Loud turned in his nomination papers.

Chairman O'Connell advised Selectman McCoy that his comments are out of order. He continued to speak over her and Chairman O'Connell advised him that she is ruling him out of order. Selectman McCoy opined that Chairman O'Connell does not want him to say anything. Chairman O'Connell advised that he has had ample opportunity.

A motion was made by Selectman Bendel, seconded by Selectman Champoux and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen adjourn.

Selectman Champoux commented that when the Board of Selectmen reconvenes, campaigning cannot be permitted in the Board's meeting room.

Meeting adjourned at 9:43 p.m.

Respectfully submitted,

Recording Secretary



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Dear Fellow Resident:

On behalf of the Board of Selectmen it is my privilege and honor that I submit our annual report highlighting the Board's work during the course of 2016.

The Town achieved a number of "victories" in 2016 as we also faced some ongoing challenges. Construction of the Yentile Farm Recreational Facility started in late spring and was substantially completed by the close of the construction season in November. This work included installation of an artificial turf field that can be used for soccer, lacrosse, football and girls field hockey. A paved walking path extends from the parking area along a natural rain garden and around an open air pavilion, between two play areas for younger children and around the turf field. The pathway continues between the turf field and the Maple Meadow Brook in the direction of the Textron property before looping back to the main area. Two basketball and street hockey courts are featured along with a concession building and event lawn. The park will be open for use in 2017 and represents a beautiful new public space for all residents to enjoy.

While there was significant public input seeking to include a dog park as one element of the Yentile Farm Recreational Facility, the final design was unable to include a dog park at that location. Instead, the Town constructed a dog park just south of the new recreational space along Route 38 at the entrance to Aprile Field also known as Town Park. This project, which cost approximately \$38,000, was paid for through program funds from the Recreation Department and not through the property tax levy. The dog park was constructed to provide separate space for large K-9s and K-9s that are much smaller. Since completion in mid-June the dog park has been a new gathering spot for dogs and their owners.

In late April, Tennessee Gas filed notice with the Federal Energy Regulatory Commission (FERC) suspending any further work on their Northeast Energy Direct Pipeline project due to lack of commitments from potential customers. The Town and many residents have been attending public hearings and providing comment in vigorous opposition to this project, which proposed a natural gas pipeline that would have extended from Pennsylvania through several northeast states including Massachusetts and continuing into Canada. A spur, referred to as the Lynnfield Lateral, was proposed to extend from Dracut over private property and Town owned property in north Wilmington before continuing to Lynnfield and Peabody. The environmental disruption and degradation from such a project would have been significant.

The proposed development of a transloading operation at the Olin Chemical site on 51 Eames Street by New England Transrail (NET) continues to be a very real concern to Selectmen. In response to correspondence sent from the Board to the Town's Congressional delegation, United States Senators Elizabeth Warren and Edward Markey and United States Congressman Seth Moulton issued a letter to the agency reviewing NET's petition, the federal Surface Transportation Board (STB), calling upon the agency to give thorough and careful consideration to the issues

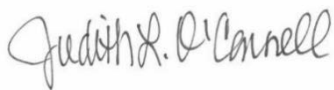
raised by the Town about the impacts from this proposed project. The Board remains vigilant in its oppositions to this proposed use of an active Superfund site and will continue to press our case against NET's petition.

The Board is pleased to offer assistance in facilitating the successful return of the July 4th celebration to the Town Common area. After two years of having much of the activities take place at the Aleppo Shriners Auditorium on Fordham Road, the Board shared the enthusiasm of seeing the event celebrated in the heart of Wilmington. Board members wish to acknowledge the many groups with a role in this success. The Board extends a sincere thank you to the Town Manager and his staff for obtaining the carnival vendor, to the Police, Fire and Public Works Departments for their efforts during the days of the events and to members of the Fourth of July Committee for lending their experience in assisting the Town through arranging for the fireworks and working with the many local non-profits who offered a variety of different foods during the celebration.

It is with great pride that the Board of Selectmen voted at our November 14th meeting to proclaim Wilmington a "Purple Heart Community." Thanks to the tremendous efforts of Director of Veterans' Services Louis Cimaglia and his department, Wilmington has offered significant support to its veterans over many years. Additionally, the Board extends a warm "thank you" to Meredith Cipriani who came forward offering to pay for three "Purple Heart Recipient" parking signs to be located at prominent locations on Town property. It is very fitting that in a community that holds so much respect for its veterans, Wilmington would acknowledge those individuals who, in serving our country, earned the "Purple Heart."

In closing, I wish to extend the Board's appreciation to each and every employee and volunteer who continue to serve the Town of Wilmington. Local government is truly the level of government that is closest to the people. It is here in local government where the personal connections are made. It is here in local government where you, the stakeholders, have the greatest ability to influence the services that are offered. Each one of us, as Selectmen, recognize that we have been elected by you to make decisions representative of your desires and to serve as good stewards of this community. Thank you for your vote of confidence.

Respectfully Submitted,



Judith L. O'Connell, Chairman
Board of Selectmen



*Board of Selectmen from left, Gregory B. Bendel, Kevin A. Caira,
Judith L. O'Connell, Chairman, Michael V. McCoy and Michael L. Champoux.*