

## BOARD OF SELECTMEN MEETING

January 13, 2020

Chairman Gregory B. Bendel called the meeting to order at 6:00 p.m. in the Auditorium of the Town Hall. Present were Selectmen Kevin A. Caira, Jonathan R. Eaton, Michael V. McCoy and Jomarie F. O'Mahony. Also present was Town Manager Jeffrey M. Hull.

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

**VOTED:** That the Board of Selectmen enter Executive Session for the purpose of discussing strategies with respect to litigation involving a claim before the Massachusetts Commission Against Discrimination by Police Officer Anthony Fiore in accordance with Massachusetts General Law Chapter 30A, Section 21(a)3, as an open meeting may have a detrimental effect on the Town's position as so determined by the Chairman and further to consider Executive Session minutes from November 12, 2019, November 25, 2019 and December 16, 2019 in accordance with Massachusetts General Law Chapter 30A, Section 22 with the intention to return to open session.

Chairman Gregory B. Bendel reconvened the open meeting at 7:04 p.m. in the Auditorium of the Town Hall. Present were Selectmen Kevin A. Caira, Jonathan R. Eaton, Michael V. McCoy and Jomarie F. O'Mahony. Also present was Town Manager Jeffrey M. Hull.

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

### TREASURY WARRANTS

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

**VOTED:** That the Board of Selectmen accept Treasury Warrants 25, 25A, 26, 26A, 27, 27A, 28 and 28A.

### MINUTES

A motion was made by Selectman McCoy, seconded by Selectman Eaton and by the affirmative vote of four with Selectman O'Mahony abstaining, it was

**VOTED:** That the Board of Selectmen approve the minutes of their meeting held December 10, 2018 and all action taken is hereby ratified and confirmed.

A motion was made by Selectman Eaton, 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 November 25, 2019 and all action taken is hereby ratified and confirmed.

### **RECOGNITION OF POP WARNER "D" TEAM CHEERLEADERS & COACHES**

Chairman Bendel welcomed the cheerleaders, coaches and parents to the meeting and spoke relative to their achievements that brought them to the National Cheer and Dance Competition held in Florida in December. The Pop Warner D Team Cheerleaders earned first place at that competition.

Chairman Bendel awarded citations to the cheerleaders, coaches and the program director. Coach Deb Smith commented regarding the advanced skills of the cheerleaders.

Chairman Bendel asked if there were any comments from the Board of Selectmen. Members of the Board offered their congratulations and well wishes to the cheerleaders and acknowledged the parents. Members of the cheerleading team demonstrated a portion of their routine.

**ANDREW M. CHABAN, CHIEF EXECUTIVE OFFICER, PRINCETON PROPERTIES, RE: AFFORDABLE HOUSING PROPOSAL ON JEFFERSON ROAD**

Mr. Chaban thanked the Board of Selectmen for the opportunity to continue discussion regarding Princeton Properties' proposal to construct 108 apartment units on Jefferson Road. Mr. Chaban introduced Daniel Endyke, Executive Vice President, Development and Acquisition, and Christian Jensen who represents the family of the property owner.

Mr. Chaban stated that when he was last before the Board of Selectmen they were before them with a blank slate asking for the opportunity to collaborate with the Town. He reviewed his experience as well as the history of Princeton Properties, noting that they still own the very first property in Lowell.

Mr. Chaban provided a PowerPoint presentation to the Board of Selectmen. He stated that the proposal is for two buildings. Initially an under the building parking garage was proposed and that has been removed to lower the height of the building in response to concerns of Town departments. He stated that the number of parking spaces remains at 1.7 spaces per unit.

Mr. Chaban stated that the site currently does not have sewer and it will be Princeton's responsibility to secure funds through a MassWorks grant. The installation of sewer to that area was identified as a need as part of the Master Plan for Sewer. The installation of sewer will unlock additional parcels of land including parcels owned by the Town.

Mr. Chaban addressed a failing culvert and indicated they will try to secure a MassWorks grant to pay the costs.

Mr. Chaban reviewed the process including receiving support for the Local Initiative Petition and the requirement to appear before the Zoning Board of Appeals and the Conservation Commission. He noted that the Board of Selectmen's support does not bind the Board of Appeals or Conservation Commission. Mr. Chaban provided a timeline of the project indicating that construction is expected to commence in April 2021.

Mr. Chaban committed to the Town that soft costs relative to the grant application will be borne by Princeton Properties.

Mr. Chaban described the proposed buildings as simplistic, one being in the form of an L and the other in the form of a U. Of the 108 units, 50% (54) will be one bedroom units; 40% (43) will be two bedroom units and 10% (11) will be three bedroom units.

Chairman Bendel stated that the proposal was first brought to his attention over the summer and he believed it should be brought before the full Board. He noted that the number of units were negotiated down and the distance of the building from the street was greater than initially proposed.

Selectman Eaton asked Director of Planning & Conservation Valerie Gingrich about the Town's housing inventory. Ms. Gingrich explained that the town will be below 10% affordable housing soon. Selectman Eaton asked if all units would count towards affordable housing and was advised they would because they are rental units. Ms. Gingrich further explained how the commonwealth calculates housing inventory and advised that if this project is approved, it will be counted while under construction provided it meets certain thresholds.

Selectman Eaton asked about the development agreement and how often it is entered into. Jonathan Silverstein of Town Counsel's office clarified how the numerator and denominator of the housing inventory is updated. He stated that a Local Initiative Project (LIP) is also known as a "friendly 40B". The town has more control over the project as it is currently above 10%. Mr. Silverstein stated that it is his recommendation that the Board enter into the development agreement as it ensures that all parties are on the same page.

Selectman Eaton commented on the fire that took place at Avalon approximately five or six years ago and recalled a comment made by the Fire Chief at the time that the building was built to burn and questioned whether there were any preventative measures that would be put in place. Mr. Chaban advised that Avalon was constructed using code 13R which did not require sprinklers in the attic. He advised that the code has changed requiring additional sprinkler heads and sprinklers in the attic. It was suggested that the fire began due to a grill on the balcony and Mr. Chaban commented that grills are not allowed on balconies in multi-family wood structures and that would be included in the lease.

Selectman O'Mahony asked whether there would be an effort made to improve the situation with the MBTA platform and was advised that the design is not complete and therefore they have not been able to commit. Mr. Jenson stated that the family will do what it can.

Selectman McCoy asked Mr. Chaban the height of the buildings and was advised they would be no taller than 50 feet. If the roof is pitched, it may be 55 feet. Selectman McCoy asked where the closest four story building was to the project. Selectman McCoy asked whether Princeton Properties would consider scaling back and making the buildings two stories. Mr. Chaban advised that the height was already reduced and they have done their best to respect the wetlands.

Selectman McCoy asked if they do not receive the MassWorks grant whether the Town will be responsible and was advised the Town will not.

Selectman McCoy asked how the property will be taxed whether residential or commercial. Town Manager Hull stated that he did not have an answer and would have to research that question.

Selectman Caira offered comments about keeping a retail component and suggested moving the offices located at the back to the front of the property. Mr. Chaban clarified that they are not under contract to purchase that property as it is income producing for the family.

Selectman Caira asked about local preference and was advised that 70% of the affordable homes are designated for Town of Wilmington residents who already own property, children of homeowners and employees of the Town.

Selectman McCoy opined that the proposed project will increase student population. Mr. Chaban stated that they will be providing to the Board of Appeals an estimate based formula. He commented that families can rent homes for less money in other developments. He also stated that studies show homes appreciate at a higher rate when there is a multi-family in the community noting that if an individual moves into the apartment and likes the area, they will purchase a home in the community.

A motion was made by Selectman Caira, seconded by Selectman Eaton to endorse the project and that the motion read as presented. Prior to Chairman Bendel calling for the vote a resident called for a point of order. Ethan Sawyer, Lawrence Street, stated that he does not see a reference on the agenda that a vote would take place and it is his belief it was known at the time the Board published the agenda that such action would take place. Mr. Sawyer does not believe the vote should take place this evening.

Selectman McCoy stated that he knows it is not a public hearing but stated he would like to hear from residents on the issue. Chairman Bendel advised that the opportunity will be given under Public Comments.

Mr. Sawyer again asked for a point of order and stated that he would like to hear from Town Counsel if the Board taking a vote is appropriate. It is his opinion that it is not appropriate and stated the Board has made the mistake before. Jonathan Silverstein, Esquire, KP|Law, stated that the Attorney General's office has indicated that, as a general rule, when you have something on the agenda and you indicate you are going to have a discussion about something, chances are that there might be a vote and that unless it is a standing agenda item, an ongoing discussion item over several meetings where people may rightly assume it will be discussion with no vote, in that instance you should include "potential vote".

Chairman Bendel asked Mr. Silverstein whether, in his opinion, the vote tonight would be legal and Mr. Silverstein confirmed.

Frank West, Birchwood Road, asked for a point of order. He stated that on the agenda it states "Andrew M. Chaban, Chief Executive Officer, Princeton Properties, re: Affordable Housing Proposal on Jefferson Road" and further down "Board to Consider Placing Article on May 2, 2020 Annual Town Meeting Warrant for a Senior Center". He stated that he assumes the second item will be a vote of the Board and that the first item is just that the gentlemen are going to talk. Chairman Bendel noted that Mr. West served as a member of the Board of Selectmen and during that time, he imagined Mr. West took votes under appointment. Mr. West state that he does not know. Mr. West stated his opinion that if the Board is going to hear public comments after the vote, they ought to hear the comments prior to the vote so the Board can hear from people in the audience who are more or less neighbors to the property.

Chairman Bendel thanked Mr. West for his comments and stated that Town Counsel has advised that it would be legal to take action this evening. He stated that the last time Mr. Chaban was before the Board, Public Comments were taken out of order and comments were solicited at that time.

Ethan Sawyer, Lawrence Street, asked for a point of order. Mr. Sawyer stated that the last time Mr. Chaban was before the Board it was with a blank slate and he believes things have changed significantly and he feels everyone who attended this meeting to make comment is being denied the opportunity to be heard by the Board of Selectmen before they take their vote. Mr. Sawyer stated that he does not like being denied the ability to speak about things that are important to the community that impact the residents that are present. Chairman Bendel noted that was the third time Mr. Sawyer spoke and the public will always have an opportunity to speak under Public Comments.

With a motion having been made and seconded, Chairman Bendel called for the vote and by the affirmative vote of four with Selectman McCoy opposed, it was

**VOTED:** That the Board of Selectmen endorse as a Local Initiative Program project, the application of Princeton Development LLC, for a comprehensive permit for the project identified as "Princeton at Wilmington Apartment Homes" and located on Middlesex Avenue in Wilmington, Massachusetts to contain 108 rental dwelling units, and to contain no fewer than 20% of the constructed dwelling units to be rented at no greater than 50% of the area median income. The motion for endorsement is contingent upon the following conditions:

1. Negotiation and execution of a development agreement between Princeton Development LLC and the Town of Wilmington;
2. That nothing in this endorsement shall be construed as interfering with or usurping the statutory authority of the Board of Appeals. The conditions as established in the development agreement are requirements of the Board of Selectmen to obtain their endorsement of the proposed project pursuant to the Local Initiative Program (LIP). The Board of Selectmen's endorsement neither creates nor imposes any limitations on the authority of the Board of Appeals to review and vote on a comprehensive permit application subsequent to this endorsement.
3. That this endorsement be declared null and void and immediately rescinded should the Department of Housing and Community Development (DHCD) not approve the Board of Selectmen's endorsement inclusive of each condition and the development agreement or failure of DHCD to approve the Board of Selectmen's endorsement by April 30, 2020.
4. Compliance with the rules, regulations and by-laws of the Town of Wilmington unless the same are waived by the Board of Appeals pursuant to the Board's statutory regulatory authority.
5. And to authorize the Town Manager to negotiate the terms of a development agreement and to execute the same on behalf of the Board of Selectmen and further to execute such forms or documents as may be required by DHCD as evidence of the Board's endorsement of the project.

**SAMANTHA REIF, HEALTH & RECOVERY COORDINATOR, RE: UPDATE ON EFFORTS IN 2019 AND UPCOMING PROGRAMS**

Police Chief Joseph Desmond thanked the Board of Selectmen for the opportunity to be before them. He and Samantha Reif, Health & Recovery Coordinator, were present to update the Board on events that occurred in 2019.

Ms. Reif advised the Board that she is going into her third year with the Town. She stated that during 2019 she received 236 referrals by the Police Department. She explained that the referrals are generated by the police and/or fire department when they respond to a call and identify a mental health or substance use concern. The report is provided to her and she provides outreach to the individual.

Ms. Reif advised that, on average, she works with 10 to 15 individuals or families. She continues to conduct family/team meetings to provide support.

Ms. Reif advised that a mental health communication tool was established to address a gap in communication that was identified. She cited that when an individual is transported to the hospital with mental health/substance use concern, the information is not always being relayed to emergency room staff.

Ms. Reif noted that in September, the Wilmington Substance Abuse Coalition held its fourth vigil for substance use. She stated it was a celebration for individuals who found their recovery and a night of remembrance for those individuals lost to substance use.

The Substance Abuse Coalition began a book club that meets three times per year, is open to the public and free of charge. Ms. Reif stated that an author is invited to speak who has written a book along the lines of substance use. The first meeting was held in October 2019 and the next will take place on February 6. They are held at the Banyan Treatment Center, 66K Concord Street.

Three different mental health first aid trainings were offered. Eight hour training to educate attendees about mental health, substance use, eating disorders and a wide variety of different things that could be going on. Ms. Reif stated one training was conducted for the community, one for the Senior Center and one for police and dispatch personnel.

Additionally, this is the second year of having a recovery coach on staff who works approximately 20 hours per week. The Recovery Coach identifies as being in long-term recovery and can relate with individuals on a peer level. The Recovery Coach assumed the responsibility of producing the Podcast on a monthly basis.

Ms. Reif advised that grants were received including a Town Hall grant. With this grant she identified three middle school boys who created a three part program focusing on underage drinking, vaping and substance use. Ms. Reif stated that the series will be presented to students at spring assemblies.

Ms. Reif stated that she has partnered with the schools through another grant relative to the Vaping Diversion Program.

Ms. Reif stated that the Town of Wilmington has begun sharing data with other agencies. She cited the example of a Wilmington resident who may overdose in another community. The individual's home community would not be aware of the overdose. The local Boards of Health are collaborating to share the data so appropriate outreach can happen in their home town.

Upcoming events include Marijuana, Vape and You, scheduled for January 23, 2020 at 7:00 p.m. at St. Thomas Church and the Book Club on February 6, 2020 at 7:00 p.m. Michael Wilson, author of Loving Lions, will be the guest author at the event.

Members of the Board expressed their appreciation for her presentation and the work she does on a day to day basis. They are pleased that a partnership has been developed with the Schools. Ms. Reif was asked whether she collaborates with the Department of Veterans' Services and she advised them that the Director will frequently call her if there is a substance abuse component.

Chairman Bendel asked how residents can get in touch with her and Ms. Reif advised that they can contact the station or email her.

## COMMUNICATIONS

Town Manager Hull reviewed information regarding the 2020 Annual Town Meeting and Fiscal Year 2021 Budget Calendar. He noted that important dates to be aware of include January 27, budget presentation; February 7, the last day to submit a petitioned warrant article; February 10, last day for submission of departmental and committee zoning articles; February 14, last day for submission of departmental and committee articles; March 17, Finance Committee/Planning Board Public Hearing; April 25, Town Election and May 2, Annual Town Meeting.

Town Manager Hull reviewed his memorandum regarding the dates the Finance Committee will be with department heads to review their budget. The meetings, with the exception of Public Safety, Wilmington Public Schools and Shawsheen Tech, will be held in Room 9 of the Wilmington Town Hall.

Town Manager Hull reviewed his memorandum advising the Board that in his FY2021 budget, he will be recommending that the Town authorize the expenditure of \$955,000 from free cash to complete a feasibility study and schematic design for a new town and school administrative building. The Facility Master Plan issued in January of 2018 recommended this joint facility along with a senior center as the first buildings to address a part of a multi-year approach to provide public facilities that accommodate people of all abilities, that are energy efficient, that provide for appropriate and flexible meeting and office space and that allow for necessary space for retention of public records. In his memorandum, Town Manager Hull wrote that the Roman House is a 4,498 square foot Victorian home constructed in 1900. While elegant in its time as a home, the space is not conducive for use as the School Department's central administration building. Individuals with mobility challenges do not have access into the building. Due to the space constraints, administrative personnel including Student Support Services must be located in modified classroom areas within the schools. Limited space also creates a challenge for record retention. The building does not have fire suppression systems and is not energy efficient.

The Town Hall, formerly the Glen Road School, was constructed in 1959. Since June of 1984 the school has been repurposed as a town hall. With the increase in scope and scale of responsibilities for each department over the last 35 plus years, the current Town Hall has limited meeting and record retention space and inadequate office space. Its single pane windows do not retain heat in the winter and the heat distribution system leaves some offices stifling while other offices have inadequate heat. Accessibility issues also exist in parts of the building. The former school gymnasium has served as the main "auditorium" meeting space for larger gatherings. Due to the nature of the design of this room, the acoustics make clearly hearing speakers a challenge for the audience.

Locating town and school administration in the same building provides for some "economies" with respect to meeting rooms accessible to both administrations, for example. Working in the same building will also foster further collaboration in areas such as human resources. A combined facility will mean that the Public Buildings Department will be responsible for maintaining one HVAC system instead of two separate systems.

The Town Hall site is under consideration for multiple uses including the potential site of a future senior center. If the preferred location of a new town/school administration facility is not on the current site of the Town Hall, this decision will enable this site to be considered for use as a senior center or other facility without the need to work around a functioning Town Hall.

Authorization of funding will enable the hiring of an Owner's Project Manager (OPM), a requirement of state law, to serve as the Town's representative during design and construction and the hiring of an architect to provide schematic design services. As with similar services procured for a senior center, the end result of these efforts would be an identified site and an estimated cost for construction.

**BOARD TO CONSIDER REQUEST OF WILMINGTON SONS OF ITALY TO CONDUCT AN ANTIQUE AND COLLECTORS CAR SHOW AT THE TOWN COMMON PARKING LOT ON SUNDAY, JULY 26, 2020 FROM 9 A.M. TO 2 P.M.**

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

VOTED: That the Board of Selectmen approve the request of the Wilmington Sons of Italy to conduct an Antique and Collectors Car Show at the Town Common parking lot on Sunday, July 26, 2020 from 9 a.m. to 2 p.m.

**BOARD TO CONSIDER RECOMMENDATIONS OF THE INHABITANT BY-LAW COMMITTEE**

Chairman Bendel asked if there were any questions, comments or a motion. Selectman McCoy advised that the By-Law Study Committee would be meeting on Tuesday, January 14 to discuss the Board of Selectmen's reaction to the Phase I Recommendations of Inhabitant By-law changes for May 2, 2020 Town Meeting. A motion was made by Selectman Eaton, seconded by Selectman O'Mahony and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen table this agenda item until their meeting of Monday, January 27, 2020.

**BOARD TO CONSIDER PLACING ARTICLE ON MAY 2, 2020 ANNUAL TOWN MEETING WARRANT FOR A SENIOR CENTER**

Town Manager Hull reviewed his memorandum to the Board of Selectmen where he noted that the presentation made by the Elderly Services Commission that took place at the Selectmen's December 16, 2019 meeting about the need for a new senior center identified many shortcomings at the Buzzell Senior Center. He stated that there is no disputing the fact that the existing building is old, does not meet the space requirements for increasing program offerings to service a growing senior population and does not have private space required for small group meetings or confidential meetings with seniors. The sense of urgency to act was clearly evident by the desire to appropriate a sum of money for completion of a feasibility study, schematic design, final design and construction.

While there has been discussion about possible locations and an approximate size for a senior center, those decisions have not yet been made and will each have a significant impact on the cost of construction. The region continues to enjoy a strong economy with building projects throughout the Boston metropolitan area. This level of activity continues to drive construction costs higher. In an effort to obtain as accurate a construction cost as possible, it is my recommendation that the Board of Selectmen pursue construction of a new senior center incrementally.

The first step should be to seek funding to hire an Owners Project Manager (OPM) and to procure the services of an architectural firm to complete a feasibility study, complete schematic designs and develop cost estimates for the construction of a new center. The OPM, typically an architectural or engineering firm, serves as the Town's expert providing guidance through planning, design and construction. Massachusetts General Law Chapter 149 requires all municipalities engaged in construction of buildings with a cost in excess of \$1.5 million to hire an OPM prior to contracting for design services.



With the OPM in place, the Town should engage the services of a firm to assist the Town in arriving at a location that makes the most sense. During this feasibility study, the firm will work with the Town to reach agreement on the size of the facility, exam multiple sites, evaluate site conditions, access to utilities and the ability of the site to accommodate a building of the desired size. Schematic design and design development will lead to establishing the number, size and layout of rooms with drawings of the site, floor plans and elevations. These preliminary designs will be refined leading to estimated costs for construction based upon the specific design.

The estimated construction cost developed after going through this process will be far more accurate than the estimate offered at the previous Selectmen's meeting because a specific site will be identified and preliminary design of the building will be complete. It should be possible to complete this work in time to have the construction cost estimate available for the 2021 Annual Town Meeting. If town meeting appropriates funds at that town meeting, the Town would then issue an invitation for bids for construction of the facility.

Based upon consultation with an architectural firm that has worked with the Town on other building projects, I recommend a sum of \$650,000 be transferred from "free cash" to pay for the cost of a feasibility study and schematic design services.

Chairman Bendel stated that he believes this to be the first step to accomplishing the goal of a new senior center. The Board wants to make sure in doing so, it is fiscally responsible noting these were the same steps taken when constructing the high school and middle school.

A motion was made by Selectman Cairra and seconded by Selectman Eaton to approve the recommendation as presented.

Selectman McCoy asked how the Town will be paying for this and stated he understands the Town Manager saying he would like a debt exclusion. He does not want a debt exclusion while the Town has two free cash accounts totaling over \$30 million. Selectman McCoy acknowledged the work of Diane Allan.

Selectman McCoy stated "we're the Board of Selectmen we can wave the magic wand and do whatever we want" and he opines the right approach is for the Town to look at cost to do the Senior Center and have one dollar amount approved that encompasses the facility study, design and construction. Selectman McCoy recalled the Town approving funds for a feasibility study for a library and did not approve funds to approve construction, in his opinion wasting the funds used for the feasibility study.

Town Manager Hull clarified that he has not indicated a desire to fund a senior center by debt exclusion. Town Manager Hull stated that the town has a healthy amount of available funds but it would not be responsible to draw it down on a couple of projects. He stated that he respects Ms. Allan's attempt to come up with a dollar amount but it is based on many assumptions, there is no location, no details on the building and believes it is ill advised to seek funding based on that estimate.

Selectman O'Mahony stated that she made it clear that a senior center should be a priority but the reality is the Town needs a plan. She stated that she did not second the motion because she believes it needs to be tightened up. Selectman O'Mahony indicated that she would like regular updates from the OPM to the Elderly Services Commission and Board of Selectmen and that the feasibility process begin immediately following Annual Town Meeting when funds are appropriated. Further, if the feasibility study is completed prior to the Annual Town Meeting of 2021 that a Special Town Meeting be called so that the process may continue.

Selectman Eaton agreed that a Senior Center is a priority and believes everyone agrees the Buzzell Senior Center is not adequate. He stated that he spoke with a member of the Elderly Services Commission who visited local communities who have recently built senior centers to learn not only what went right, but what went wrong.

Selectman Eaton recognized Representative David Robertson and Senator Bruce Tarr were present. They cautioned about requesting the entire amount from Town Meeting at one time. They explained the difficulty for our legislative delegation to obtain funds for the community when it is large sum and Representative Robertson related the Town of Tewksbury's issue when they constructed their new Senior Center.

Selectman O'Mahony asked if the motion could be amended to include regular updates to the Board of Selectmen and Elderly Services Commission which will be made available to the public. Selectmen Cairra and Eaton agreed to amend the motion.

There being no further discussion, Chairman Bendel called for the vote and by the affirmative vote of four with Selectman McCoy opposed, it was

VOTED: That the Board of Selectmen place an article on the warrant for the Annual Town Meeting to be held Saturday, May 2, 2020 to appropriate \$650,000 from free cash for the purpose of paying for a feasibility study and schematic design for a Senior Center and further that the Owner's Project Manager provide regular updates to the Board of Selectmen and Elderly Services Commission.

#### PUBLIC COMMENTS

Kevin MacDonald, Andover Street, asked to confirm that the Board of Selectmen received an email from him. Members of the Board confirmed that they had received several emails. Mr. MacDonald offered his suggestion for a fire substation and that is to place an emergency vehicle in one of the bays at the Department of Public Works. He opined that there is a tremendous need for senior housing in Wilmington, offered comments that employees are working in a building that housed toxic chemicals (Moth House). Mr. MacDonald again referenced an email he sent to members of the Board of Selectmen regarding a water line on Treasure Hill Road. Chairman Bendel advised him that, as he has been told previously, it is a private matter. The Town Manager has been very generous with his time in speaking with Mr. MacDonald.

Susanne Clarkin, Reno Road, commented that it is discourteous and disheartening to criticize someone who is not present to defend themselves, specifically Diane Allan. Chairman Bendel stated that there was plenty of praise, that he is in agreement that Ms. Allan has given a great deal to the community.

Ms. Clarkin asked whether a Senior Center would be prioritized over a new Town Hall. Town Manager Hull stated that he is proposing to include a warrant article like other types of expenditures that are put forward. He is simply suggesting that both need to be addressed.

MJ Byrnes, Pinewood Road and member of the School Committee, stated that she was surprised regarding the proposed feasibility study for a town/school administration building and expressed concern that the School Committee nor the Superintendent of Schools was aware of the proposal. Chairman Bendel advised that Chairman Bryson was notified. Ms. Byrnes commented regarding her opinion that Wildwood School is a priority and outlined issues with the school and she would not be in favor of spending \$955,000 on a feasibility study for a Town Hall/School Administration Building. She commented that the administration would rather work in a tent before they would see students and staff struggle in a school of that sort and referred to the Wildwood School as a health hazard.

Chairman Bendel noted that it was a couple of meetings back where the Board of Selectman voted, as did the School Committee, to have the Town Manager and Superintendent of Schools submit (sic) statements of interest. He agrees with Ms. Byrnes that it is unacceptable that the youngest students are being asked to wear jackets during school because of heating issues.

Selectman Bendel stated that he agrees with the assessment but does not agree with deferring Town Hall. He stated that, in his opinion, the Town Hall is not the first priority but the property is a huge piece of the puzzle going forward.

Town Manager Hull stated that there is no question that the Wildwood School needs to be addressed but cautioned about identifying it as a health hazard. He stated that in multiple instances the Public Buildings Department has had testing done and the tests come back with no evidence of air quality issues.

Selectman Cairra stated that he does not agree with deferring Town Hall for one year. He stated that building a Town Hall, the current Town Hall property becomes a place where students of the Wildwood School could be housed in the interim while a new Wildwood School is constructed.

Suzanne Sullivan, Lawrence Street, asked about the land the Town purchased on Main Street for a senior center and asked why it was not being used. Town Manager Hull advised that the land was purchased for no specific purpose. The intent was to conduct the feasibility study to assess the Town's needs and it seemed appropriate to have the property available.

Ms. Sullivan offered comments regarding the proposed 40B including her opinion that sometimes it helps hear what the public has to say. She stated that the delineation on the plan is in the same location as the delineation on the plan for a project that was proposed many years ago in the same location. She stated that the Head Water Stream Team appealed the project and the Town (Conservation Commission) denied the project based on the mean annual high water mark of Lubbers Brook. She opined that a majority of the project is within 200 feet of the high water mark and said if the project goes forward with the delineation as presented, it will be appealed.

Chairman Bendel commented that while he has been on the Board of Selectmen he has heard multiple times of the need for affordable housing. Tonight the Board gave an opportunity for a proposal to move forward in a public regulatory process. The project will have to go before the Conservation Commission and Zoning Board of Appeals.

Ken Clarkin, Reno Road, stated that there are two feasibility studies going forward and asked for clarification on the process including hiring an OPM. Town Manager Hull stated that if Town Meeting approves the article, the Town will solicit requests for qualification for an Owner's Project Manager, there is a separate process to hire an architect. Mr. Clarkin expressed concern about the timing. Selectman Eaton asked whether a request for proposal could be completed prior to Town Meeting and was advised that it could.

Mr. Clarkin asked about Free Cash. Town Manager Hull advised that the amount is certified until June 30, 2020. At that time it goes to zero until it is recertified, however the Town can draw down on the funds because they are available at the time of Town Meeting.

Debra Russo, Lords Court, opined that it was disrespectful of the Board to place the item about the Senior Center last on a very long agenda and believes more seniors would have been present to speak on it. She questioned the feasibility study for a Town Hall/School Administration Building and that no one said the senior center would be placed at Town Hall and it is her opinion that the Town should undertake one study at a time. Ms. Russo cited that the Facility Master Plan stated that the Town needs a new Senior Center. She stated that she is bothered that Town Manager

Hull advised that he spoke with professionals responsible for the high school and opined that there are problems with the high school and there were problems with the middle school. Ms. Russo requested that the total funds be given to the seniors up front rather than having them conduct a feasibility study then go back to Town Meeting. Ms. Russo stated that she does not want the Town to design the plan or choose the OPM, she believes it should be public.

Robin Theodos, Clark Street, stated that she does not want someone who designed the high school to design a senior center.

Ethan Sawyer, Lawrence Street, commented regarding the Princeton Properties proposal and opined that it is not about creating affordable housing but preventing an unfriendly 40B. Mr. Sawyer questioned whether the project will continue without MassWorks grant funding for the sewer and was advised that it will not.

Frank West, Birchwood Road, stated that in response to Chairman Bendel's question about whether or not he had taken a vote under appointments, he served on the Board from 2002 to 2005 and does not recall. He further stated that prior to him being on the Board, they did not have Public Comments. Chairman Bendel advised that although the Board is required to conduct their meeting in public, they are not required to solicit comments from the public unless it is a public hearing.

Mr. West expressed concern regarding Princeton Properties of the potential to have two four story buildings.

Selectman Cairra asked if Elderly Services Director Terri Marciello could provide an update regarding improvements being made to the Senior Center. Ms. Marciello stated that cabinets are on order, the rugs have been pulled up and the floors need to be sanded and polyurethaned. She advised that she will be meeting with Public Buildings Superintendent George Hooper regarding the stove. Ms. Marciello advised that the Public Buildings Department has made adjustments to resolve heating issue at the Senior Center.

## ANNOUNCEMENTS

Chairman Bendel welcomed home Wilmington Police Officer Rafael Cruz who has been on military leave.

Chairman Bendel stated that the Economic Development Committee has developed a survey and encourages residents to participate.

Chairman Bendel recognized the retirement of Paula Barry and wished her well.

Town Manager Hull recognized the Wilmington Fire Department relative to a recent house fire on Cook Avenue and chemical incident at a company on Industrial Way.

## NEW BUSINESS

Chairman Bendel stated that he understands the great need for the Senior Center and suggested that the hours of operation be increased. He noted that it currently is open 37.5 hours per week. Chairman Bendel stated that he would like to have a discussion at a future meeting.

Selectman McCoy requested an update relative to Cook Avenue. Town Manager Hull stated that an agreement is in the process noting that Special Town Counsel Daniel Deutsch has prepared a draft.

### IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- January 20 – Town Offices Closed – *Martin Luther King Day*
- January 23 – Wilmington Substance Abuse Coalition  
Marijuana, Vape & You – St. Thomas Church – 7:00 p.m.
- January 27 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.  
Town Manager's FY 21 Budget Presentation
- January 28 – Finance Committee Meeting – Town Hall – Room 9 – 7:00 p.m.  
*FY 21 BUDGET OVERVIEW; REVENUE; GENERAL GOVERNMENT*
- January 30 – Finance Committee Meeting – Town Hall – Room 9 – 7:00 p.m.  
*PLANNING & CONSERVATION, BUILDING INSPECTOR/BOARD OF APPEALS, BOARD OF HEALTH*
- February 4 – Finance Committee Meeting – Town Hall – Room 9 – 7:00 p.m.  
*DEPARTMENT OF PUBLIC WORKS*
- February 6 – Finance Committee Meeting – Town Hall – Room 9 – 7:00 p.m.  
*VETERANS' SERVICES, ELDERLY SERVICES COMMISSION*
- February 7 – Last Day to Submit Petitioned Warrant Articles for Inclusion on the  
Warrant for the Annual Town Meeting – May 2, 2020
- February 10 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- February 11 – Finance Committee Meeting – Town Hall – Room 9 – 7:00 p.m.  
*PUBLIC BUILDINGS DEPARTMENT*
- February 13 – Finance Committee Meeting – Town Hall – Room 9 – 7:00 p.m.  
*PUBLIC LIBRARY, RECREATION, HISTORICAL COMMISSION*
- February 24 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- February 25 – Finance Committee Meeting – Public Safety Building – 7:00 p.m.  
*POLICE DEPARTMENT, PUBLIC SAFETY CENTRAL DISPATCH, FIRE DEPARTMENT*
- February 27 – Finance Committee Meeting – Town Hall – Room 9 – 7:00 p.m.  
*TOWN CLERK, INFORMATION TECHNOLOGY*
- March 3 – Finance Committee Meeting – Shawsheen Tech – 7:00 p.m.  
*SHAWSHEEN TECHNICAL SCHOOL DISTRICT*
- March 5 – Finance Committee Meeting – Wilmington High School – 7:00 p.m.  
*WILMINGTON PUBLIC SCHOOLS*

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 11:02 p.m.

Respectfully submitted,

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Recording Secretary