

BOARD OF SELECTMEN MEETING

MARCH 28, 2016

Chairman Michael L. Champoux called the meeting to order at 7:05 p.m. in Room 9 of the Town Hall. Present were Selectmen Louis Cimaglia, IV, Michael V. McCoy, Michael J. Newhouse and Judith L. O'Connell. Also present was Town Manager Jeffrey M. Hull.

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

TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 38, 38A, 39 and 39A.

MINUTES

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

VOTED: That the Board of Selectmen approve the minutes of their meetings held January 14, 2016, February 1, 2016 and February 10, 2016 and all actions taken are hereby ratified and confirmed.

CHRISTOPHER SULLIVAN, ANIMAL CONTROL OFFICER, RE: INTRODUCTION TO THE BOARD OF SELECTMEN

Mr. Sullivan stated that he has worked for the Town as a Public Safety Dispatcher since 2000 and began as Animal Control Officer in February. Mr. Sullivan is currently attending an academy in Boylston each Friday for 12 weeks. He started a Facebook and Twitter page in the event a resident loses a pet the department can spread the word through social media.

Town Manager Hull stated that based upon Mr. Sullivan's record as an employee he felt he was amply qualified and has the work ethic. He notices Mr. Sullivan checking in with the offices at Town Hall and checking on activity at the park as well as other areas in Town. He appreciates dedication to the position.

Chairman Champoux asked if there were any questions or comments from the Board. Members of the Board of Selectmen thanked Mr. Sullivan for attending the meeting and congratulated him on his new position.

MICHAEL R. BEGONIS, POLICE CHIEF, RE: FIREARMS TRAINING FACILITY

Chief Begonis stated that he presented a proposal to the Town Manager to enhance the development of training, specifically, the use of weapons systems. He advised that currently the police department trains two days per year, one day shoot and one night shoot. The day shoot is held in Harvard, MA and with the travel and set up time, the actual time training is greatly reduced. The police department's goal is to re-establish training facility in Wilmington to enhance specific skills that are required. Chief Begonis advised that the plan would be instead of training two days per year, to break it down to four hour blocks and train multiple times per year, adhering to the adult learning principles of recentness and repetition.

Chief Begonis advised that the types of weapons systems has increased but training has not increased. To schedule training at the Harvard facility, the Wilmington Police Department has to work with their schedule. He reviewed the use of Abigail Island and the reason for its closure in the early 2000s. The Police Department recognized that there was an over use of the Abigail Island site. Chief Begonis stated that, while investigating possible locations, the importance of limited use, reducing use and taking care of the environment was understood.

The current violence within society is quite frightening and quite common and the department feels that an extra level of training is important to give the officers skills. Currently, the department trains in the fall, the night shoot is done at the Andover Sportsman Club but they also have concerns of overuse. Training for the night shoot is scheduled for as late in the season as possible to take advantage of the darkness. He stated that the whole dynamic of moving changes at night. Chief Begonis stated that he would like to see a 24 hour training program, broken into four hour blocks.

With the training plan, Chief Begonis believes the department can increase or double the training time for approximately the same amount of personnel cost currently being spent. Chief Begonis reviewed current training needs for the day shoot including “off” hand shooting, injured hand shooting, weapon malfunction drills, K-9/handler with cover officer to ensure proper communication and cold weather training. Night shoot training needs include eyesight capacity and protection, shooting from a moving vehicle. Chief Begonis stated that the day shoot training is replicated at night.

Chief Begonis stated that it is critical for the officers to be trained to understand the need to constantly look at the level of threat.

After consultation with department heads, Abigail Island was the preferred location. He acknowledges the concern of lead. The site has been remediated and the plan is to suggest a proper way to build the site back up with proper sound mitigation and proper lead mitigation and restrict the impact on the footprint by reducing the departments that use the site. The site was moved easterly, slightly north of the previous location. He reviewed what would be used including HESCO barriers. Chief Begonis reviewed the various types of bullet traps and it was determined that the rubber granule trap would be the best option.

Chief Begonis advised the Board of Selectmen that the expected cost is \$130,000 to \$150,000. He stated that it is his intention to utilize drug forfeiture money that has been seized from drug dealers and other criminal enterprises. He stated that approximately \$40,000 is spent on firearms training each year in overtime. He advised that this year it may double due to a problem with sighting systems. Chief Begonis stated that there was a “recall” and the new sighting system is different.

Chief Begonis advised that a safety and security plan was discussed. The department would like to institute enhancements and establish a strict special order from the Police Department. The plan would be a Police Department only access. Qualified and credentialed instructors will be onsite at all times during training. The Wilmington Fire Department will do a walkthrough to have an understanding of the location, access and full details for landing zones. Due to the isolated location, he believes vandalism will not be an issue.

Chief Begonis thanked various department heads and members of his department for their expertise and help.

Chief Begonis noted that the noise factor was raised as a concern and he advised that Shelly Newhouse, Public Health Director, was present with a sound meter and at different locations there was no incidence where it approached a level of 10 decibels which is considered to be noise pollution. He advised that the hours of operation would be Monday through Friday between 8:00 a.m. and 9:00 p.m.

Town Manager Hull concurs that the priority is to enhance the level of training of the police officers. Situations that prompt the use of force are low frequency, high risk situations. Officers need to be comfortable with the tools they have and be accurate. He understands the history of the site and the overuse and it is his expectation that it will not be repeated.

Chairman Champoux asked if there were any questions or comments from the Board. Selectman McCoy commented that he has lived in Wilmington all his life and did not know of Abigail Island or that it was a firing range. He moved to Treasure Hill Road in 1994 while the range was active and does not recall hearing anything, nor does he recall any constituent complaints during his tenure as a member of the Board of Selectmen. He thought it would be prudent to see the site and made arrangements with the Town Manager to tour the location.

Selectman Cimaglia noted that the environmental impact from years of overuse and the site was mitigated. The plan is for a more controlled environment. As with the military, training is constant and as a resident, he wants the officers who will be responding if an incident occurs to be highly trained and to have the confidence to use what force is necessary with the equipment they have. He noted the importance of developing “muscle memory”.

Chairman Champoux stated that as an elected official, and resident of this town, if there are ways for the community to have a higher, more advanced police force, it is incumbent upon him to provide that. He expressed his gratitude to Chief Begonis for bringing him to the site. He asked Chief Begonis to expand on the rubber granule material. Chief Begonis further explained the bullet trap system.

Selectman Newhouse stated that the Chief had mentioned the challenge to provide ample training which he understands is a challenge to all departments. Selectman Newhouse stated that he has expressed his frustration at the lack of solution provided on a regional or statewide basis.

Selectman Newhouse commented that he believes high risk, low frequency incidents may be a lower frequency if the town weren't experiencing the level of drug abuse. He stated that it is fair to point out that the funds are not coming from taxpayers the Town still needs to determine how to use the funds most productively.

He expressed his opinion that the Board of Selectmen ought to have recommendations from various department heads on record. Those departments included the Conservation Commission, Health Director and DPW Director. It is important to have a written understanding of the parameters for future personnel changes.

Selectman Newhouse stated he would like to have a document to point to of what was supported rather than relying on memory.

Chief Begonis advised that he has spoken with Senator Bruce Tarr regarding the development of a regional range(s). He noted that part of the difficulty is whether Wilmington will be a host community. Chief Begonis cited the difficulties in Billerica of the Sheriff's Department's proposed expansion of an existing correctional facility. He expressed his opinion that a regional site that maintained training for five departments could be accommodated.

Chief Begonis stated that there is not a lot of violence associated with substance abuse. It is his experience that violent crime is primarily a result of mental health issues.

Chief Begonis advised that training is not negotiable. As police chief he can mandate the training. An issue may arise when implementing new equipment such as Tasers and the union can argue a change in working conditions.

Selectman Newhouse inquired about maintenance costs and was advised that it is estimated to cost approximately \$3,600 to mitigate the site every five to ten years.

Selectman O'Connell advised that, due to a potential conflict in regards to her real estate office, she spoke with Town Counsel and the Ethics Commission and filed a Disclosure with the Town Clerk's office. Selectman O'Connell stated that as a member of the Board she needs to ensure that it is a comprehensive proposal and all pertinent questions have been asked. She believes strict policies and procedures need to be in place and have a document with recommendations of other departments. She asked whether NEMLEC would use the facility and Chief Begonis stated that he did not believe it was prudent.

Selectman O'Connell stated that in the event this moves forward she would like periodic updates from the Police Chief regarding progress, what training has taken place and how the department has been enhanced.

Town Manager Hull stated that he is confident that obtaining recommendations from individual departments can be accomplished. Developing a memorandum of understanding can also be done. Relative to the discussion about regionalizing this operation, there are certain limits to how many communities can be involved, a regional option would be more effective and efficient if done at the right scale. Three years ago there was a catastrophic event with the Marathon Bombing. That incident is a clear example of the need to look at providing appropriate training. Town Manager Hull does not see in the foreseeable future legislative assistance to develop firing ranges and believes it is prudent to pursue.

Chairman Champoux would like concerns that have been raised to be addressed.

Selectman Newhouse provided examples of votes the Board of Selectmen has taken where recommendations from department heads are required. He opined that nothing is more important than Public Safety and would like to request postponing a vote for one more meeting to receive the memorandum of understanding and department head recommendations.

A motion was made by Selectman McCoy that the Board of Selectmen grant the firearms training facility to the Wilmington Police Department and have the Town Manager implement a written policy. Selectman McCoy's motion was seconded by Selectman Cimaglia for discussion.

Selectman Cimaglia stated that members of the Board have expressed their concerns and are acting for what is best for the Town. He commented that the Board can take a vote conditional upon receiving recommendations from applicable department heads.

Discussion took place regarding waiting until the Board's meeting of April 11 to vote on Chief Begonis' request. Selectman McCoy supports the request and is willing to move forward with the vote.

Town Manager Hull stated that he does not believe there is any harm in waiting until the Board's next meeting.

Chairman Champoux stated that a motion has been made and seconded and he called for a vote. The vote was two in the affirmative and three opposed, therefore motion failed.

Chairman Champoux asked Town Manager Hull to develop a memorandum of understanding or other document to codify the rules and usage of the site. In addition, he requested that the Town Manager secure written recommendations from the applicable department heads.

Chairman Champoux thanked Chief Begonis for his presentation and the valuable information provided.

COMMUNICATIONS

Town Manager Hull reviewed correspondence from Daniel R. Deutsch, Deutsch Williams, to the Surface Transportation Board regarding New England Transrail. Mr. Deutsch provided a certificate of compliance and the Town of Wilmington's reply to the Environmental Protection Agency's comment letter dated November 6, 2015.

Town Manager Hull reviewed a letter from Laura Swain, Senior Counsel, Department of Environmental Protection, to the Surface Transportation Board regarding New England Transrail.

Town Manager Hull reviewed a letter from Martha K. Stevenson, President, Wilmington Environmental Restoration Committee, to the Surface Transportation Board, regarding New England Transrail.

Town Manager Hull reviewed his memorandum regarding the Glen Road/Middlesex Avenue/Wildwood Street Intersection. He advised that the traffic signals will be activated to the test/flashing mode in about six weeks and will remain in the flashing mode for approximately 30 days before becoming fully operational. Town Manager Hull noted that the time line is weather dependent.

Town Manager Hull reviewed a letter from Thomas Raphael, Chairman, Middlesex Canal Commission, to Paul Alunni, Town Engineer, regarding his response to the Commission's concerns relative to the location of the Dog Park.

Town Manager Hull reviewed information from the Middlesex Canal Commission regarding their Annual Meeting to be held on Thursday, March 31, 2016 at 3:15 p.m.

Town Manager Hull reviewed an advisory from the Alcoholic Beverages Control Commission regarding powdered alcohol.

Town Manager Hull reviewed a letter from Jacquelyn Santini who wrote expressing her interest in serving on the Board of Appeals.

Town Manager Hull reviewed communication from Jill Reddish, Verizon, notifying the Board of changes to the monthly rate for FiOS Digital Adapter TV equipment of business customers.

Town Manager Hull reviewed communication from Jane Lyman, Comcast, notifying the Board that Al Jazeera America will cease operations and its programming.

BOARD TO CONSIDER REQUEST OF THE DEPARTMENT OF VETERANS' SERVICES TO CONDUCT A PARADE ON MONDAY, MAY 30, 2016

Louis Cimaglia, Director of Veterans' Services, advised that groups interested in participating in the parade should contact his office for information on the application process.

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

VOTED: That the Board of Selectmen grant the request of the Department of Veterans' Services to conduct a parade on Monday, May 30, 2016.

BOARD TO CONSIDER REQUEST OF DANA BURNHAM, PRESIDENT, WILMINGTON FARMERS MARKET ASSOCIATION TO CONDUCT THE FARMERS MARKET ON SUNDAYS, JUNE 12, 2016 THROUGH OCTOBER 9, 2016, 10:00 A.M. TO 1:00 P.M.

Ms. Burnham advised that the Farmers Market would be willing to refrain from Sunday, July 3 depending upon Fourth of July activities.

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

VOTED: That the Board of Selectmen grant the request of the Wilmington Farmers Market Association to conduct the Farmers Market on Sundays, June 12, 2016 through October 9, 2016 from 10:00 a.m. to 1:00 p.m.

BOARD TO CONSIDER REQUEST OF CHRISTINA STEWART, LIBRARY DIRECTOR, TO USE THE SWAIN GREEN ON THURSDAY, AUGUST 11, 2016 FROM 5 P.M. TO 8 P.M. FOR THE "END OF SUMMER READING BASH"

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

VOTED: That the Board of Selectmen grant the request of Christina Stewart, Library Director, to use the Swain Green on Thursday, August 11, 2016 from 5 p.m. to 8 p.m. for the "End of Summer Reading Bash."

BOARD TO CONSIDER RATIFICATION OF TOWN MANAGER'S APPOINTMENT OF JOSEPH E. MUSE TO THE WILMINGTON HISTORICAL COMMISSION

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

VOTED: That the Board of Selectmen ratify the appointment of Joseph E. Muse to the Wilmington Historical Commission

**BOARD TO CONSIDER RENEWAL OF TAXI CAB LICENSE FOR WILMINGTON TAXI
BOARD TO CONSIDER RENEWAL OF TAXI CAB OPERATOR'S LICENSE FOR
TIMOTHY J. FLYNN**

Town Manager Hull advised that there is only one taxi vendor in town. He advised that the application was reviewed by Police Chief Begonis who advised that there is no evidence to hinder being granted the license requests and therefore the department recommended approval.

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

VOTED: That the Board of Selectmen renew the Taxi Cab License for Wilmington Taxi and renew the Taxi Cab Operator's License for Timothy J. Flynn.

BOARD TO CONSIDER REQUEST FROM JOSEPH DULOCK, MIMZEE'S ICE CREAM, TO OBTAIN A HAWK & PEDLE LICENSE TO SELL ICE CREAM

BOARD TO CONSIDER REQUEST FROM NICHOLAS DULOCK, MIMZEE'S ICE CREAM, TO OBTAIN A HAWK & PEDLE LICENSE TO SELL ICE CREAM

BOARD TO CONSIDER REQUEST FROM STEVEN DULOCK, MIMZEE'S ICE CREAM, TO OBTAIN A HAWK & PEDLE LICENSE TO SELL ICE CREAM

Town Manager Hull reviewed recommendations from Police Chief Michael Begonis and Health Director Shelly Newhouse, both of whom recommended approval. Chairman Champoux asked if

there were any questions, comments or a motion. A motion was made by Selectman McCoy, seconded by Selectman Cimaglia and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen grant Hawk & Pedle Licenses to Joseph Dulock, Nicholas Dulock and Steven Dulock of Mimzee's Ice Cream.

PUBLIC COMMENTS

There were none.

NEW BUSINESS – COMMITTEE REPORTS

Selectman O'Connell noted that the groundbreaking ceremony for Yentile Farm Recreational Facility will be held tomorrow. She thanked members of the Board for their support and acknowledged Vice Chairman Kevin Caira who was present in the audience.

Selectman McCoy stated that he attended the Board of Appeals meeting where the Town is the applicant for the Special Permit to conduct the carnival at the Swain School site. He expressed his opinion that Daniel Veerman, member of the Board of Appeals, should submit a new letter to the Board of Selectmen regarding a potential conflict of interest. Chairman Champoux agreed that he should provide a new letter as it is a new application and new vote.

Chairman Champoux stated that he and Selectman O'Connell served as judges for the Wilmington Educational Foundation's Spelling Bee.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- March 29 – Yentile Farm Recreational Facility Groundbreaking - 8:00 a.m.
- April 2 – Rabies Clinic – Public Buildings Department – Noon to 2:00 p.m.
- April 4 – Last Day to Register to Vote at the Annual Town Election and Town Meeting
Town Clerk's Office Open 8:30 a.m. – 8:00 p.m.
- April 11 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- April 21 – Facilities Master Plan Committee – Town Hall – Room 9 – 7:00 p.m.
- April 23 – Annual Town Election – Polls Open 8:00 a.m. to 8:00 p.m.
- April 30 – Annual Town Meeting – High School Auditorium – 10:30 a.m.

There being no further business to come before the Board, a motion was made by Selectman Newhouse, seconded by Selectman Cimaglia and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 9:51 p.m.

Respectfully submitted,

Recording Secretary