

## BOARD OF SELECTMEN MEETING

May 14, 2018

Selectman Michael V. McCoy called the meeting to order at 6:15 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Jonathan R. Eaton and Edward P. Loud, Sr. 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 collective bargaining with respect to the International Association of Fire Fighters Local 1370 with the intention to return to open session.

Selectman Michael V. McCoy called the meeting to order at 7:07 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Jonathan R. Eaton and Edward P. Loud, Sr. Also present was Town Manager Jeffrey M. Hull. Selectman McCoy advised those present that he will serve as Chairman until the portion of the meeting where the Board votes to reorganize. He explained that Mr. Champoux chose not to seek another term, leaving the Chairman's seat vacant. Past practice has been that the previous Chairman, or the most senior Selectman, would then fill the role.

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

### TREASURY WARRANTS

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

**VOTED:** That the Board of Selectmen accept Treasury Warrants 43, 43A, 44, 44A, 45 & 45A.

### **DIMITRIOS G. SARAGAS ON BEHALF OF WILMINGTON HEAVENLY DONUTS, LLC DBA HEAV'NLY DONUTS, RE: REQUEST FOR A COMMON VICTUALER LICENSE FOR PROPEY LOCATED AT 579 MAIN STREET**

Mr. Saragas stated that he recently purchased the store located at 579 Main Street and that he intends to continue the business. He stated that he hopes to clean up the facility and will introduce new items.

Town Manager Hull reviewed recommendations from Health Director Shelly Newhouse who recommends approval and Inspector of Buildings Al Spaulding who advised there are no outstanding zoning issues.

Chairman McCoy asked if there were any questions or comments from the Board. Selectman Bendel asked if he would change the hours of operation. Mr. Saragas advised that the store currently closes at 6 p.m. however, he is going to try staying open until 7 p.m. or 8 p.m. Mr. Saragas stated that he was going to add pastry items that the Wilmington store was not offering. He noted that his family established Heav'nly Donuts approximately 45 years ago. Members expressed their congratulations and best wishes to Mr. Saragas.

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

**VOTED:** That the Board of Selectmen issue a Common Victualer License to Wilmington Heavenly Donuts, LLC DBA Heav'nly Donuts for property located at 579 Main Street.

### **KAREN CAMPBELL, RECREATION DIRECTOR, RE: FIELD USE POLICY**

Ms. Campbell advised the Board that the Town has not had a use policy in place for Aprile Field, Palmer Field, Rotary Park or Whitefield Field. She advised that a use policy was recently implemented, with success, for the Yentile Farm field, making sure that the turf was protected.

Ms. Campbell advised that it has recently become more of a problem that there is not a policy for the other fields. The popularity of the Yentile facility has had groups approaching her office to ascertain availability of other fields. She stated that it has become known that Wilmington does not charge a fee for using its fields. Ms. Campbell advised that the advantage of not charging a fee is that Wilmington does not have the same issues of liability that Towns which charge a fee have.

The Recreation Commission voted on March 1, 2018 to put forward the use policy that the Board received in draft form. Ms. Campbell stated that another consequence is that there were groups that have had longstanding permits at some of the fields. Over the years some groups have changed and at this time the Recreation Department is not positive that the intended users of the field are residents of the Town or employees of Wilmington companies. Ms. Campbell advised that the policy is similar to that of the Yentile user policy and the major difference is the user priority list. She advised that fields that the Recreation Department permits, first go to Wilmington Public Schools. Ms. Campbell noted that it has been a longstanding practice that school groups can bump other groups if they have activities going on. The second user priority would be the youth sports groups, third would be the Recreation Department followed by other non-profit community groups. If there was availability, a for-profit entity could reserve a field. Ms. Campbell advised that the other difference is that this policy does not stipulate a “carry in, carry out” regulation. She noted that the student youth organizations currently carry in, carry out. They do a great job of managing their own trash. Ms. Campbell stated that on the rare occasion when a problem arises, she reaches out to the group and the problem is rectified. She stated that there are still barrels at the location for non-permitted, casual users of the field.

Chairman McCoy asked if there were any questions or comments from the Board. Selectman Loud asked who permitted the school fields and was advised that the School Department permits their own fields. Selectman Caira asked whether the Recreation Department has noticed conflicts in use of the fields and whether that necessitated the policy. Ms. Campbell stated that the purpose of the policy is to provide direction. She noted that it is not clear that some of the users are residents or employees of Wilmington companies and, without a policy in place, there was no point in asking. Selectman Caira asked whether there have been occasions where the field is being used and another group comes on saying it is their field. Ms. Campbell advised that there have been minor problems that have been worked out. Typically at Aprile Field there are back-to-back groups that use the field and sometimes the games get pushed back due to a high school softball game. He inquired whether it would be necessary to place signs indicating that use of the field is by permit. Selectman Bendel asked Ms. Campbell to review the permitting process. Ms. Campbell advised that the policy and application may be placed on the website as it is for Yentile. Selectman Bendel asked about the duration before an applicant is notified whether they may use the field. Ms. Campbell reviewed the timelines for the different season sports to submit requests to use the field and advised that following the deadline, requests would be turned around in approximately one week. For groups that have not requested in the past, if the field is not being permitted and the DPW approves that the field is not being overused then the Recreation Department will still offer permits.

Selectman Caira stated that there is a stipulation included in the Yentile rules and regulations that only coaches, players and officials are allowed on the playing field. Ms. Campbell stated that it was included to protect the turf. Selectman Caira advised that he attended a soccer game and there were several lawn chairs on the turf field with single legs digging in to the turf. He expressed concern that the turf would be ripped and opined that the coaches need to advise coaches from opposing teams that lawn chairs are not allowed on the field. Ms. Campbell advised

that Recreation Department has reached out to the youth sports organizations and asked them to have the coaches convey the rules, specifically citing lawn chairs. She advised that they have also reached out to the leagues and asked that the rules be conveyed to the coaches and visiting coaches.

Chairman McCoy asked Town Manager Hull whether he wished to make comment. Town Manager Hull advised that for groups signing up for use of the field as of January 1, 2019, the policy will be in effect. Selectman Bendel asked about notifying the various groups about the policy. Ms. Campbell advised that the implementation date will give time to reach out to the groups.

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

VOTED: That the Board of Selectmen adopt the Field Use Policy as presented by the Recreation Department to be implemented January 1, 2019.

**VALERIE GINGRICH, DIRECTOR OF PLANNING & CONSERVATION, RE: INTER-MUNICIPAL AGREEMENT FOR REGIONAL HOUSING SERVICES OFFICE**

Ms. Gingrich stated that she was present this evening to answer questions that the Board of Selectmen may have regarding the Inter-Municipal Agreement that is before them, recognizing that many of the Selectmen have not participated in previous agreements. She stated that the agreement is for the Regional Housing Services Office and the office is shared with Reading, North Reading and Saugus. Since the housing office was started in 2014, the office has been helpful to Ms. Gingrich and the Planning/Conservation Department in terms of monitoring the affordable housing, creating a database with associated documents and doing the administrative paperwork for resales or refinancing as well as assisting with research, regulatory agreements with Avalon and will provide valuable assistance when she prepares the inclusionary zoning by-law.

Ms. Gingrich stated that it is her recommendation that the Town continue with the agreement as it is a great way of having part-time staff without hiring an individual. She stated that the four towns have bi-monthly meetings which are beneficial discussions.

Chairman McCoy asked if there are questions or comments from the Board. Selectman Caira stated that, at a previous meeting, he brought up that the individual's office was not located in Wilmington, but in Reading and asked why she wasn't coming to Wilmington and noticed that changed. Ms. Gingrich confirmed that Ms. Laurie Stanton has held office hours at Wilmington Town Hall once or twice per month and the dates and times are advertised. Ms. Gingrich advised that Ms. Stanton is primarily a resource for her and her department. She is also a great resource for residents with affordable units who want to talk to her. Ms. Stanton also maintains a list of potential buyers if a unit becomes available for sale.

Ms. Gingrich advised that the Town of Wilmington is allotted a certain number of hours per week/month. The office hours that Ms. Stanton holds are accounted for in that allotment. Selectman Caira noted that the Town of Reading's website has an option to go onto the Metro North Housing Service Office website and asked whether that website is available from the Town of Wilmington's website or whether residents have to go on the Town of Reading's website. Ms. Gingrich confirmed that there is a link to Reading's website from Wilmington's website. The cost to have a separate website for the Metro North Housing Service Office would be prohibitive, therefore the Town of Reading is hosting it on their website with the understanding that it is a separate office.

Selectman Caira asked Ms. Gingrich to explain why Wilmington is responsible for a higher percentage of the cost and Ms. Stanton is only here one or two mornings per month. Ms. Gingrich advised that the Town of Wilmington has more affordable units and is currently the only town of the four that comprise the agreement that has met the 10% affordable threshold. Ms. Gingrich acknowledged that the Town of Reading was working towards that requirement. She noted that when the office was set up in 2014, it was based upon the number of units. Over the years, the number of actual time spent has been tracked. Selectman Caira asked whether there is a sliding scale in the event the other towns surpass Wilmington in the number of units. Ms. Gingrich stated that they are conscious of the number of hours being used and if it appears that a community has not used the allotted hours the community will have her assist with administrative work and filing that needs to be done to ensure the hours are utilized. Selectman Caira asked if there is an assistant and Ms. Gingrich advised that Ms. Stanton is the sole employee.

Chairman McCoy stated that Wilmington is paying almost double what Saugus is paying and they are a larger community. He opined that, at some point, it would be fairer if it were 25% for each community.

Selectman Loud noted that Ms. Stanton is monitoring Avalon Oaks and Avalon West and asked whether Ms. Stanton is monitoring Whispering Pines, Metro or Regency and was advised that those units are being monitored by the state while the loans are being repaid. The Town will become the monitoring agent once the loans are paid off.

Selectman Loud asked when Ms. Gingrich expected the inclusionary zoning by-law will be ready and Ms. Gingrich stated that it is her goal to have it available for discussion at the Planning Board's meetings during the summer and to be presented to the Board of Selectmen in the fall and to be placed on the 2019 Annual Town Meeting Warrant.

Selectman Eaton reviewed his understanding of Wilmington's obligation to monitor the Avalon properties and the purpose of establishing the Metro North Housing Office. Ms. Gingrich advised the Board that the office was helpful when crafting the new regulatory agreement with Avalon to include a small fee in the agreement for monitoring services.

Selectman Bendel asked whether Ms. Stanton would consider scheduling office hours for late in the afternoon or early evening for those residents who work and are unable to attend during the morning. He stated that he does not know whether it would be beneficial and asked about attendance during morning office hours. Ms. Gingrich advised that typically there are one or two individuals who stop in and would inquire whether she would be willing to try office hours on one evening.

Selectman Bendel stated that he is also concerned about the costs and asked if the other towns have already signed the agreement and was advised that Saugus has signed and Ms. Gingrich believes Reading and North Reading are on a similar timeline as Wilmington. Selectman Bendel asked what the ramifications would be if the Board of Selectmen did not sign the agreement and Ms. Gingrich stated that she would have to assume the workload. Selectman Bendel asked what would happen if the Board wanted to lower the percentage. Ms. Gingrich stated that she would have to speak to representatives of the other towns to see if they would agree to a larger percentage/more hours noting that the Town would not receive as many hours of work with a lesser percentage.

Selectman Bendel asked if there were costs in addition to the salary. Ms. Gingrich advised that there is approximately \$500 for professional development and approximately \$5,000 for an expert consultant. She noted that these costs are included in the consultant fee. Selectman Bendel asked how often the expert consultant's services are utilized and was advised that they are used often.

The consultant attends the bi-monthly meetings, she is in-tune to state policies that have been amended or crafted and she is very helpful.

Town Manager Hull cautioned that if the Board is looking to reduce costs, the consequence is the number of hours the Town can utilize her services is also reduced.

Selectman Caira opined that after one year the agreement ought to be reevaluated to ensure that the Town is not paying 36% of the costs if it is not utilizing 36% of the hours which is why he believes there ought to be a sliding scale. Selectman Bendel noted a provision in the contract titled *5. Membership Fee Adjustments* appears to address Selectman Caira's concern.

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

VOTED: That the Board of Selectmen authorize and sign the Inter-Municipal Housing Service Office agreement for the term July 1, 2018 to June 30, 2020 and further that Ms. Laurie Stanton be asked to provide one evening of office hours at Wilmington Town Hall.

**VALERIE GINGRICH, DIRECTOR OF PLANNING & CONSERVATION, AND KRISTEN COSTA, LA ASSOCIATES, RE: SPRUCE FARM OVER 55 AFFORDABLE HOUSING**

Ms. Gingrich stated that the application before the Board of Selectmen is for the over 55 condominium development that is currently being constructed off of Andover Street. There are 27 units, of which three will be designated as affordable units and are required through the Over 55 zoning district. Ms. Gingrich stated that this is the only district that has inclusionary zoning as a component. The application includes an overview of the development, sets the sale price at approximately \$214,000, and provides a draft regulatory agreement which will govern the affordable units, provides the condo document fees which are set at approximately \$87 per month and describes the fair housing marketing plan which explains the housing lottery. Ms. Gingrich stated that two out of the three units have a preference for Wilmington residents.

Ms. Gingrich advised the Board of Selectmen that, because the units are required by the local zoning by-law, the Town must sign off on the application to Department of Housing and Community Development in order for the units to be included on the affordable housing inventory.

Selectman Caira asked if there is a possibility that the application would be denied and Ms. Gingrich stated that only in the event there is something wrong with the application or if it is not in compliance with fair housing law. Selectman Caira asked about the process if the owner decides to sell an affordable unit after a few years. Ms. Costa advised that there is a deed rider that is on record when someone purchases an affordable unit to maintain affordability in perpetuity. Ms. Costa briefly reviewed the process.

Selectman Loud asked why only two units are reserved for Wilmington residents and was advised that local preference only allows for 70%. He asked if it were possible that Wilmington residents would be picked for each of the three units and was advised that there is that possibility. Ms. Costa reviewed the process for the housing lottery.

Selectman Loud expressed concern that only 10% of the units are affordable and the Town will not get ahead in terms of affordable housing. Ms. Gingrich stated that Whispering Pines was constructed through a comprehensive permit and the minimum is 20% affordable housing. Spruce Farm is being constructed through local zoning. When the district was created it was written that at least 10% must be affordable, there is a provision that if 25% of the units are affordable, the developer will receive a density bonus where they can build up to 10 units per acre.

Selectman Loud noted that the affordable units are part of duplex units and not single family homes and asked what the rationale is. Ms. Gingrich advised that, through the Planning Board's Special Permit process, the specific units were identified and are spread out through the development.

Selectman Loud asked the projected timeframe to begin to sell the units. Ms. Costa advised that once the state approves the package, approximately one or two months following receipt, they will receive the go ahead to begin to market the units. Ms. Costa stated that it will be up to the developer when he can deliver the units, she does not want to proceed with the process and have people waiting a long period for the units. Ms. Gingrich noted that the application is required to be submitted prior to the developer receiving building permits.

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 and sign the application to the Department of Housing and Community Development for Over 55 affordable units located at Spruce Farm.

### **REORGANIZATION OF THE BOARD OF SELECTMEN**

Chairman McCoy stated that he would entertain nominations for Chairman and would then ask for a second. Selectman Bendel moved that Kevin Caira serve as Chairman and Selectman Loud seconded the motion. A motion having been duly made and seconded and by the affirmative vote of all, it was

VOTED: That Kevin Caira serve as Chairman of the Board of Selectmen.

Chairman Caira thanked Selectmen Bendel and Loud for the nomination and the second and to his colleagues for the unanimous vote of confidence in him to serve as Chairman for the next year.

### **COMMUNICATIONS**

Town Manager Hull reviewed his memorandum regarding legal services. He stated that members of the Screening Committee reviewed proposals and interviewed five firms. Those firms were Brooks & DeRensis, P. C.; KP Law, P. C.; Mead, Talerman & Costa, LLC; Murphy, Hesse, Toomey & Lehane, LLP and Collins, Loughran & Peloquin, P. C. Town Manager Hull noted that the law firm Collins, Loughran & Peloquin is strictly labor and employment law. In addition, a proposal was received from Sugarman, Rogers, Barshak & Cohen, P.C. An interview was not conducted because the firm did not appear to possess the level of experience dealing with the myriad of legal issues confronted by most municipalities to meet the requirements of the RFP.

Town Manager Hull recommended that the Board decide on dates to conduct interviews. He believes that it is advisable for the Board to conduct the interviews outside of their regularly scheduled meetings and suggested possible dates. He believes it is important to consider that the Board's meetings in June are on the 11<sup>th</sup> and the 25<sup>th</sup> and it would be advantageous to conduct the interviews so that the Board can make a decision at their meeting of June 11. Town Manager Hull said that would provide a couple of weeks for transition in counsel, if necessary.

Chairman Caira suggested that members may wish to take time to look at their calendars and determine a date at their next meeting. Selectman Loud advised that he would be in the Bahamas for a wedding and will not be available on the dates suggested. Town Manager Hull suggested that it would be advantageous for members to determine dates this evening. Discussion took place regarding available dates and times and it was the consensus of the Board of Selectmen to meet on Wednesday, June 6 and Tuesday, June 12. Chairman Caira suggested conducting two interviews

on the first night to see how much time is required. Selectman Bendel asked if the start time would be 6:30 p.m. as recommended by Town Manager Hull. Chairman Cairra stated the meeting would begin at 6:00 p.m. on both nights and allow one hour for the interview with a half hour in between in the event the interview goes longer.

Town Manager Hull reviewed his memorandum regarding deployment of Automated External Defibrillator (AED) devices at Town ballfields and recreational areas. He stated that the devices have become more “user friendly” and have automatic voice instructions to lead people through its use in an emergency. The devices have been designed in a way that largely eliminates the ability of the device harming someone if used incorrectly, but individuals who have been trained in their use will likely use the AED most effectively in an emergency. Town Manager Hull noted that some of the ballfields have buildings to which a cabinet containing the AED could be attached, he does not believe it is advisable as they would be easy targets for theft and they should not be exposed to temperature extremes due to the effect on the batteries and pads.

Town Manager Hull stated that an option that has been discussed is to require organizations that obtain permits under the jurisdiction of the Recreation Department to bring the AED to the field. He acknowledged that some groups that are well established, non-profit organizations may be able to readily purchase an AED and cover the cost in their enrollment fees, other smaller, more loosely affiliated groups that use the fields may be more challenged to afford a unit. Someone from the group or organization will need to take responsibility for ensuring that the battery remains charged, pads are changed out and that the device is operable in general. Each league has multiple teams playing on the fields at the same time or multiple times and to ensure that the AED is accessible would either require the purchase of multiple devices or regularly swapping the device with the next group of coaches to be on the field.

Town Manager Hull advised that at some popular locations such as Yentile Park or Robert Palmer Park, there may not be any organized sporting events or groups playing on the fields at the time of an incident. As a consequence, no AED device would be immediately available. Storing the AEDs in the concession buildings will have limited benefit because not every group that is using the fields has ready access to the buildings. For security reasons only groups that, through the permit process, request access to the concession building at the Yentile Park will be provided with access to the concession building. In the case of Yentile Park, there are multiple emergency pull stations that should be the first course of action if a patron witnesses someone in distress. On other fields where emergency pull stations do not exist, since most people carry cell phones, the best course of action is to contact Public Safety via one’s cell phone. Town Manager Hull opined that residents should be encouraged to enroll in classes in Cardiopulmonary Resuscitation and to obtain certification.

Selectman Bendel thanked the Town Manager for including on the agenda. He stated that he disagreed with some of the Manager’s comments and opined that the Town needs to find a way to make it happen as it needs to be a priority. The Town has beautiful parks that are constantly being used and he does not believe the Town should give up because the device cannot be stored in the weather. Selectman Bendel believes this needs to be a priority to have them available to groups having large functions.

Town Manager Hull clarified that there is a device available at the concession building at Yentile and Youth Soccer has one at their concession building at Shawsheen but if there is an incident while someone is at the playground or playing on the courts, they will not have access to the device.

Chairman Caira asked if there is an AED in Wilmington Town Hall and was advised there is. He asked if the building is open, would the Little League have access if they were aware the device was located inside. Town Manager Hull stated that if the building is open, they would have access.

Selectman Bendel stated that the Board ought to find out where there is a weakness and how to improve it, if money is a problem the Town needs to find a way to make AEDs readily available. Town Manager Hull stated that he is not suggesting that money is a problem, rather the logistics of having the devices available is an issue. He also noted that Town Hall employees, and other employees, have been trained in the use of the AED. The devices are user friendly but he was made aware of an incident at a local gym that had an AED and in which those using the AED were unable to assist the victim because of their lack of training. Had people been trained, the device would have been more effective.

Selectman Eaton asked whether there are signs posted at the fields that identify where the nearest device is located. He noted that there are Good Samaritan laws to protect individuals and providing access to an AED is better than not.

Selectman Loud stated that he agrees with Selectman Bendel and believes another component is to educate individuals. He stated that he has been trained on an AED but it is outdated and he would like to attend a recertification course. He would like to have information placed on the website where classes are available.

Selectman Bendel asked whether the Recreation Department offers classes and was advised that they did at one time but due to the lack of enrollment, they have stopped offering the classes.

Chairman Caira stated that he believes the Health Center offers classes on occasion.

Selectman Bendel stated that his colleagues bring up good points and believes the issue is worth exploring.

Selectman Loud asked whether coaches are required to have CPR/AED certification. Selectman Bendel stated that for school coaches, it depends upon the school. Selectman Loud suggested that if coaches were required to be certified, there is a guarantee that someone on the field is certified.

Town Manager Hull reviewed a letter from DaLorin Pearson, Emergency Preparedness Training Coordinator, Massachusetts Office on Disability advising that, in partnership with the Wilmington Commission on Disabilities, a meeting will be held to bring together people with disabilities and local emergency preparedness professionals. The meeting will be held on July 12, 2018 from 10:30 a.m. to 12:00 p.m. in the Town Hall Auditorium. The purpose of the meeting is to explore how to ensure that people with disabilities have the assistance they need in times of emergency. Communities across the Commonwealth are planning for emergency situations. Members of the disability community will learn about the emergency response resources and procedures within their local communities and the steps that can be taken personally to prepare for emergency situations. Persons with disabilities will also receive an “Emergency Go Pack” with essential items that might be needed during an emergency.

## **BOARD TO CONSIDER ESTABLISHING INTERVIEW SCHEDULE FOR TOWN COUNSEL SERVICES**

This item was taken up under Communications.

**BOARD TO CONSIDER REQUEST OF LOU CIMAGLIA, DIRECTOR OF VETERANS' SERVICES, AND FRIENDS OF TIM RYAN TO INSTALL A MEMORIAL BENCH IN THE VETERANS' LOT AT WILDWOOD CEMETERY**

Town Manager Hull reviewed the letter from Director of Veterans' Services Louis Cimaglia, who wrote on behalf of the Friends of Tim Ryan Organization. Mr. Ryan was a lifelong resident of Wilmington, a 2005 graduate of Wilmington High School and a United States Marine Corp Veteran. Tim served honorably and deployed twice to Afghanistan. Mr. Cimaglia advised that Tim lost his battle with Post Traumatic Stress Disorder (PTSD) on May 7, 2011. The Friends of Tim Ryan wish to install a bench so people can sit and reflect when they visit the Veterans' Lot. Mr. Cimaglia advised that he knew Tim for many years and coached him in Wilmington Pop Warner football and opined that he was a fine young man and stand up Marine. A motion was made by Selectman Bendel, seconded by Selectman Loud and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the request of the Director of Veterans' Services and Friends of Tim Ryan to install a memorial bench at the flagpole in the Veterans' Lot at Wildwood Cemetery.

**BOARD TO CONSIDER REQUEST FROM KAREN CAMPBELL, RECREATION DIRECTOR, TO USE THE TOWN COMMON AND GAZEBO FOR THE SUMMER CONCERT SERIES ON WEDNESDAYS, JULY 11, JULY 18, JULY 25 AND AUGUST 1 (RAIN DATE THURSDAYS, JULY 12, JULY 19, WEDNESDAY, AUGUST 8 AND THURSDAY, AUGUST 2 RESPECTIVELY)**

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

VOTED: That the Board of Selectmen approve the request of the Recreation Commission to use the Town Common and Gazebo for the Summer Concert Series on Wednesday, July 11, July 18, July 25 and August 1 and, if necessary, rain dates of Thursday, July 12, July 19, Wednesday, August 8 and Thursday, August 2 respectively.

**BOARD TO CONSIDER ADOPTING FIELD USE POLICY**

This item was taken up under Appointments.

**BOARD TO CONSIDER APPROVAL OF TAX INCREMENT FINANCING (TIF) AGREEMENT WITH ANALOG DEVICES, INC. AND ECONOMIC DEVELOPMENT INCENTIVE PROGRAM (EDIP) LOCAL INCENTIVE ONLY APPLICATION SUBMISSION TO THE ECONOMIC ASSISTANCE COORDINATING COUNCIL**

Town Manager Hull reviewed the process leading up to the Board being asked to authorize the Tax Increment Financing Agreement between the Town and Analog Devices. The agreement is part of a larger package of documents that must be submitted to the Economic Assistance Coordinating Council no later than May 23, 2018 and will be considered at their meeting of June 20, 2018. Town Manager Hull reviewed the highlights of the agreement including:

- The Town will waive \$700,000 in permit fees associated with the expansion project.
- The Town will waive \$4.3 million in property taxes associated with the value of future new construction only.
- The TIF Agreement will extend for up to eight (8) years or through receipt of the \$4.3 million in waived property taxes in addition to waived permit fees, whichever comes first.
- Analog Devices is responsible to retain 1,555 in full-time jobs for the duration of the Agreement.

- Analog Devices is responsible to add 50 new full time jobs by December 31, 2024.
- Analog Devices will relocate and retain an additional 450 full time jobs when construction is complete but no later than December 31, 2024.
- Analog Devices will construct 441,160 square feet of new space to include office and laboratory, a so-called hub building and a parking garage and will invest \$142.9 million in this project.
- In the event that there is a material default or failure on the part of Analog Devices to meet their specific obligations and the EACC decertifies the TIF agreement, then the Town shall have the right to receive payment for a portion of the property taxes forgone as part of the TIF agreement.

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

VOTED: That the Board of Selectmen approve and sign the Tax Increment Financing (TIF) Agreement with Analog Devices, Inc. and Economic Development Incentive Program (EDIP) Local Incentive Only Application.

#### **BOARD TO CONSIDER SIGNING INTER-MUNICIPAL AGREEMENT FOR REGIONAL HOUSING SERVICES OFFICE**

This item was taken up under Appointments.

#### **BOARD TO CONSIDER SIGNING SPRUCE FARM OVER 55 AFFORDABLE UNITS APPLICATION TO BE SUBMITTED TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

This item was taken up under Appointments.

#### **PUBLIC COMMENTS**

Kevin MacDonald, 140 Andover Street, offered congratulations to Selectman Eaton and noted that in his campaign flyer he commented regarding the accessibility of bathrooms at the Senior Center and asked if Selectman Eaton would make a motion to have Town Manager Hull address the situation immediately. Selectman Eaton stated that his approach to solving such problems is not to be done “on the fly” but needs to be done through different departments without the Board of Selectmen pushing the issue. He stated that although he is not prepared to make a motion tonight, it is not an issue he will forget about. Space constraints at the Senior Center are not limited to the restrooms.

Mr. MacDonald asked how the Board arrived at the firms to be interviewed and was advised that a Request for Proposal was issued and six firms applied and five were suggested to be selected for interviews. Mr. MacDonald asked the Board to confirm his understanding that the Town has been using legal counsel services of the Town’s insurance company. He asked how it impacts any decrease in legal services bill and what the insurance company handles. He expressed his concern that the School Committee signed a multi-year agreement with the new Superintendent. Chairman Cairra advised that the Board of Selectmen does not have jurisdiction over the School Committee. Town Manager Hull advised that under Education Reform, passed in 1993, once the appropriation is made at Town Meeting, the aggregate appropriation may be spent by the School Committee as they deem appropriate. Mr. MacDonald asked whether there should be language that the funds are subject to Town Meeting approval. Town Manager Hull stated that the contract between the School Committee and the Superintendent of Schools is not unusual. In response to Mr. MacDonald’s question regarding insurance company counsel, Town Manager Hull advised that

instances in which insurance counsel is called upon are limited. He advised that it depends upon whether an insurance claim has been filed, whether the insurance carrier covers that claim and will provide defense coverage. Although there are a few instances, the bulk of legal services the Town receives is through Town Counsel.

Mr. MacDonald commented that he obtained minutes that were approved at a recent meeting and noted that the minutes were from a meeting that occurred three years ago. Chairman Caira advised that the minutes of open session are handled appropriately, minutes of Executive Session meetings take longer to release because there may be an on-going issue. Minutes are not to be released until the matter is finalized and therefore may have taken place one, two or three years ago.

Mr. MacDonald suggested the responsible person who takes out a permit for use of fields be provided a key for access to an AED. He also suggested the Town's public safety personnel be stationed at the different events. He asked whether the police personnel are CPR certified and if they are not, why not. Town Manager Hull stated that he believes they are certified but would have to confirm, he knows that a few are EMT certified. Deploying emergency personnel to Town fields when activities are occurring is not the best use of their time.

#### NEW BUSINESS

Members of the Board of Selectmen offered congratulations to Jonathan Eaton on his election to the Board, Kevin Caira for being voted Chairman and Dianna DiGregorio who was selected Wilmington's Good Guy for 2018.

Selectman Bendel recognized the actions of Officer Skinner who responded to reports of a house fire on Ohio Street. He stated that when he reached out to Officer Skinner, he quickly deferred praise and acknowledged the neighbor who alerted public safety.

Selectman Bendel noted that the Board was in receipt of an email from an individual regarding the actions of an off-duty fire fighter. Fire Fighter Robert Varey responded to a woman who was hit by a motor vehicle and rendered aid.

Selectman Bendel encouraged residents to attend Memorial Day ceremonies.

Selectman Bendel would like the Board to have further discussion on the possibility of an Economic Development Committee.

Selectman Eaton thanked residents who took the time to vote in the Annual Town Election. He also congratulated Town Moderator Robert Peterson, who did a fantastic job moderating the 9 ½ hour Town Meeting.

Selectman Loud recognized Harvey P. Hudson, a World War II veteran who passed away on April 24 at the age of 99. He was an Amphibious Engineer in the United States Army Company A, 350 1<sup>st</sup> Engineer Combat Battalion. Mr. Hudson participated in ten engagements including Normandy. Mr. Hudson was the recipient of the European African Middle Eastern Theater Campaign Ribbon with Bronze Arrowhead.

Selectman Loud reviewed the schedule of events for Memorial Day weekend including the decoration of veterans' graves on Saturday, May 26 beginning at 8 a.m. at Wildwood Cemetery followed by the decorations of all Squares and Memorials. On Sunday, May 27 there will be service held at the United Methodist Church and rededication of Police Station Monument, Memorial Shrine and at the Veterans' monument at Town Common the parks and squares will be rededicated. On Monday, May 28 the parade begins at 10 a.m. and concludes with ceremonies at the Veterans' Lot. Selectman Loud encouraged residents to participate.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- May 20 – PanMass Challenge Kids Bike Ride – Carter Lane – 8:00 a.m. to 12:00 p.m.
- May 25 – Deadline to Submit Application to Serve on Finance Committee – Town Hall – Room 11
- May 28 – Memorial Day Parade – 10:00 a.m.  
Ceremony at Wildwood Cemetery – 11:00 a.m.  
*Town Offices Closed*
- May 29 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- June 1- – Council for the Arts 38<sup>th</sup> Annual Art Exhibition
- June 2 – Friday, 6:30 p.m. to 8:30 p.m. & Saturday, 1:00 p.m. to 4:00 p.m.
- June 2 – Fishing Derby – Town Beach – 9:00 a.m. to Noon
- June 2 – Household Hazardous Waste Day  
West Intermediate School Parking Lot – 9:00 a.m. to 2:00 p.m.
- June 3 – Wilmington High School Graduation
- June 3 – Harnden Tavern Open House – 430 Salem Street – 2:00 p.m. to 4:00 p.m.
- June 6 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- June 7 – Shawsheen Tech Graduation
- June 8 – Rotary Trivia Night – Knights of Columbus
- June 9 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- June 9 – Town-Wide Yard Sale – 8:00 a.m. to 2:00 p.m.
- June 9 – Town Beach Opens
- June 10 – Farmers Market – Town Common Parking Lot – 10:00 a.m. to 1:00 p.m.
- June 10 – Brady’s Foundation 5K Run for Recovery – Town Common – 9:00 a.m.
- June 11 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- June 15- – Wilmington Relay for Life – Wilmington High School
- June 16 – Friday afternoon, June 15 to Saturday morning, June 16

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 9:03 p.m.

Respectfully submitted,

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Recording Secretary