

## BOARD OF SELECTMEN MEETING

October 10, 2017

Chairman Michael L. Champoux called the meeting to order at 7:05 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Edward P. Loud, Sr. and Michael V. McCoy. Also present was Town Manager, Jeffrey M. Hull.

Chairman Champoux stated that the Board just concluded in Executive Session for the purpose of discussing strategy with respect to litigation M.G.L. Chapter 30A Section 21(a) 3 Rotondo Enterprises vs. R&L Main Street Associates. He then asked those present to rise and he led the pledge of allegiance.

### TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants, 13, 13A, 14, and 14A.

### MINUTES

A motion was made by Selectman McCoy, seconded by Selectman Bendel and by the affirmative vote of four with Selectman Loud abstaining, it was

VOTED: That the Board of Selectmen approve the minutes of their meeting held August 15, 2016 and that all action taken is hereby ratified and confirmed.

A motion was made by Selectman Bendel, seconded by Selectman Caira and by the affirmative vote of four with Selectman Loud abstaining, it was

VOTED: That the Board of Selectmen approve the minutes of their meeting held November 28, 2016 and that all action taken is hereby ratified and confirmed.

A motion was made by Selectman Caira, seconded by Selectman McCoy and by the affirmative vote of four with Selectman Loud abstaining, it was

VOTED: That the Board of Selectmen approve the minutes of their meeting held December 12, 2016 and that all action taken is hereby ratified and confirmed.

Chairman Champoux stated that each member of the Board is wearing an item of pink attire in support of October as Breast Cancer Awareness Month. The Board will continue to display pink attire at each meeting in October in hopes of bringing attention and awareness to the cause.

### **MARIO MARCHESE, MASTER OF FRIENDSHIP LODGE, RE: FRIENDSHIP MASONIC LODGE COMMUNITY INVOLVEMENT**

Mr. Marchese was present to give a presentation on the ways Friendship Lodge contributes to the community. He gave a brief history of Free Masonry and stated that Friendship Lodge was established in Wilmington in 1901 and noted that eight (8) percent of the lodge's members are Wilmington Residents. The Friendship Lodge, along with other area lodges, offers community programs including "Hospital Equipment and Loan Program" (HELP) and "Ramp Program," which loan out hospital equipment such as beds, walkers, and wheelchairs, and accessible ramps at no charge to those in need. The lodge asks that when the equipment is no longer needed, it is returned to the lodge for repair or restoration so that it may be loaned out again.

Mr. Marchese also noted the "Angel Fund" which focuses on helping children in need. The lodge works with local school administrators, faculty, guidance, and nurses to find children who require

assistance with needs such as eyeglasses, clothing, hearing aids, food, or shelter. The lodge only asks that the child and his/her family never find out from where the funds came as it is about helping the community, not glory and recognition.

Mr. Marchese invited the members of the Board and the community to the Masonic Open House on Saturday, October 21, to learn about the lodge, free masonry, and the programs they offer.

Members of the Board expressed their appreciation to Mr. Marchese and Friendship Lodge for their work in the community.

Mr. Marchese then presented each Board member with a package of information of Free Masonry.

**VALERIE GINGRICH, DIRECTOR OF PLANNING & CONSERVATION RE:  
AFFORDABLE HOUSING AND IMPLICATIONS FOR DEVELOPMENT AND ZONING**

Town Manager Hull stated that Wilmington is currently slightly above the ten (10) percent minimum for Affordable Housing, which means the Town is not subject to Massachusetts General Law Chapter 40B developments, which were designed to promote Affordable Housing in the Commonwealth. Chapter 40B developments can be risky as the developer can determine the density and type of development without approval from most local boards as long as it maintains ten (10) percent of its housing stock as affordable. Every ten years, the percentage of the Affordable Housing is subject to change with the census.

Ms. Gingrich stated that data was compiled to compare neighboring communities and what each is doing to accommodate Affordable Housing in their communities. She compared Wilmington to the Affordable Housing statistics of neighboring communities and explained how some communities have “Safe Harbor” status, which means if a community is under the 10% minimum, but has added 0.5% affordable units to its total housing stock, and has an approved housing plan, the community can be safe from 40B developments for one (1) year.

Selectman Bendel asked whether the Town of Reading built its 40B projects, or if a private developer built them, and whether the units were built on town-owned land or private property. Ms. Gingrich noted they were built by private companies on private properties.

Ms. Gingrich stated that another possibility is having special permits that require a certain percentage of the units on a housing project be designated as affordable. She also provided information on the Community Preservation Act, which a community must vote to adopt. The act imposes a tax of up to 3%, which provides funds to be used for open space, historical preservation, and affordable housing. This enables a community to buy a piece of land and put it out for development, and subsidize it to make units more affordable.

Members questioned Ms. Gingrich regarding further details of affordable housing. Following discussion about development projects and other communities’ efforts, some members agreed that it is best to be proactive in trying to maintain the 10% affordable benchmark. However, they were hesitant to have the Town sell off town-owned land for such projects, particularly the St. Dorothy’s parcel.

A motion was made by Selectman McCoy to recommend the Town Manager instruct the Planning Board to not submit an article for the 2018 Town Meeting to sell town-owned property for the purpose of developing affordable housing, seconded by Selectman Caira and by a vote of 2-3 (Selectmen McCoy and Caira in the affirmative and Selectmen Bendel, Champoux and Loud in the negative) it was

**DEFEATED:** That the Town Manager instruct the Planning Board to submit an article for the 2018 Town Meeting to not sell town-owned property for the purpose of developing affordable housing.

Selectmen McCoy and Caira asked whether the Planning Board has received proposals for Textron, xPedex, or Sciarappa Farm properties. Ms. Gingrich noted that there have been inquiries and discussions, but no formal proposals have been submitted.

### COMMUNICATIONS

Town Manager Hull reviewed a memorandum from Valerie Gingrich, Director of Planning & Conservation, with proposed changes to the Planning Fee Schedule. He advised that the last time fees were adjusted was in 2004. Comparisons were made with neighboring communities and these new fees are in-line with what other communities charge.

Town Manager Hull reviewed his memorandum regarding the Global Partners LLP. He advised that Global Partners representatives notified the Planning Board and Conservation Commission that Global is withdrawing its application for the proposed project at 102-104 West Street.

Town Manager Hull reviewed an email received from David Ray with respect to the proposed substance abuse detox center. He read the email into the record which indicated Mr. Ray was withdrawing his involvement with the detox center proposed at 362 Middlesex Avenue.

Town Manager Hull reviewed his memorandum regarding the proposal for the substance abuse detox medical center at 362 Middlesex Avenue. He noted that Paul Kneeland is evaluating options of whether to proceed with detox center, or pursue a center at a different location. He noted that he is mindful of the concerns raised by residents at the meeting on September 25<sup>th</sup>.

Town Manager Hull reviewed a memo to the Board regarding the Legal Opinion from Town Counsel on Zoning Classification of 362 Middlesex Avenue. He noted that Town Counsel advised that the detox center would meet criterion under zoning bylaw 3.4.6 hospitals & nursing homes, and would be subject to a special permit and decision from the Zoning Board of Appeals.

Town Manager Hull reviewed a memo from Tina Stewart, Library Director, regarding the Mass Memories Road Show held on September 30<sup>th</sup>. The event was successful, thanks to the efforts of Charlotte Wood, Assistant Library Director, and the involvement of 22 different community groups, 25 high school students, and 240 attendees. A total of 411 photographs were scanned.

Town Manager Hull reviewed the Comcast Form 100 Formal Filing, which provides background and financial organization, background of the company, and is part of the application for renewal.

Town Manager Hull reviewed a memorandum to the Board regarding the appointment of Denise Casey, Assistant Town Manager, to the Local Government Workforce Skills Gap Working Group. The group is led by Lt. Governor Karyn Polito to focus on the challenge municipalities face with finding qualified individuals to fill vacant roles in public service.

Town Manager Hull reviewed a letter which was sent to local organizations who have been involved in events such as races and walks, which involve road closures and police details. This is relative to a new policy to ensure the Town has advanced notice of such events so that departments impacted can better plan for them in their budgets.

Town Manager reviewed two letters from Pamela Goldstein, Associate General Counsel at Verizon. One letter noted the change in mailing address for communication regarding the cable license. The other notes that she is the contact for such correspondence.

Town Manager Hull reviewed a letter from Michael J. Newhouse, representing Global Partners LLP, advising that Global is withdrawing its application from the Board of Appeals for the proposed project at 102-104 West Street.

**BOARD TO CONSIDER REQUEST OF VALERIE GINGRICH, DIRECTOR OF PLANNING & CONSERVATION, TO MAKE PROPOSED CHANGES TO PLANNING BOARD APPLICATION FEE SCHEDULE**

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

VOTED: That the proposed changes to the Planning Board Fee Schedule are hereby approved.

**BOARD TO CONSIDER ERIC R. RANDALL REQUEST FOR APPOINTMENT AS CONSTABLE**

Town Manager Hull advised that he received recommendations from Sharon George, Town Clerk, and Police Chief Michael Begonis stating that they recommend approval for Mr. Randall as Constable.

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

VOTED: That the Board of Selectmen approve Eric R. Randall to Constable with a term to expire April 30, 2018.

**BOARD TO CONSIDER REQUEST FROM JEAN CHANG, CO-CHAIR WILMINGTON CULTURAL COUNCIL, TO APPOINT JEANNETTE CORBETT TO THE COUNCIL**

Town Manager Hull advised that he received a recommendation from Ms. Chang to appoint Jeannette Corbett to serve as a member. He noted that there are currently eight members on the Arts Council. He cited the statute which states that anywhere from five to twenty-two individuals can serve on local arts councils. He noted Ms. Corbett has been an artist and been involved with Wilmington Arts Council for over ten years. He recommended that the Board appoint Ms. Corbett.

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

VOTED: That the Board of Selectmen appoint Jeannette Corbett to the Wilmington Arts Council to a three year term to expire April 30, 2019.

**BOARD TO CONSIDER REQUEST FROM WILMINGTON UNITED METHODIST CHURCH TO FURNISH LAWN SIGNS ON TOWN COMMON**

Town Manager Hull advised that the Board received a request from the Wilmington United Methodist Church to be authorized to place signs on Town Common notifying residents of their upcoming Harvest & Holly Fair scheduled for October 22, 2017.

Chairman Champoux asked if there were any questions, comments or a motion from the Board. 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 Wilmington United Methodist Church placement of signs on Town Common from Sunday, October 15, 2017 through Saturday, October 21, 2017.

### PUBLIC COMMENTS

Jeff Wood of Frederick Drive, stated that the Johns Hopkins study, cited by the backers of the proposed detox center at the previous Board of Selectmen Meeting, used 2011 crime data from Baltimore, MD with a micro-look at violence. However, the average crime index for U.S. cities is approximately 285, whereas Baltimore, MD has an average of 770, and is not comparable to the crime data of Wilmington, MA. He praised Chief Begonis and Wilmington PD and noted that the most recent data available for Wilmington from 2015 listed the crime index at 82.6. He noted Wakefield, a community with similar detox facilities to the one proposed, as having a crime index of 62.8 in 2004 which more than doubled to 125.8 in 2016. He stated that Acute Treatment Services is an unregulated business and asked if the RFP process could be utilized to draw the right kinds of businesses to Town. He opined that the location in the center of town, across from a liquor store, and up the street from a school was inappropriate.

Tom O'Donnell of 18 Douglas Ave asked the members of the Board of Selectmen if they had researched as extensively as Mr. Wood, and who knew the information on the project before the Board.

Selectman Loud noted that the Board of Selectmen only received the information the Friday prior to the meeting and that the Board of Appeals is the governing body that would approve such a facility.

Chairman Champoux noted that if the project had gone through the Planning process, it never even would have come before the Board of Selectmen. Former Town Manager, Michael Caira, as a representative of the group seeking to build the detox center, asked to introduce the project before the Board of Selectmen. No applications had yet been submitted to the Planning Board or the Board of Appeals.

Mr. O'Donnell asked how residents can be sure that the Board of Selectmen support their agenda.

Selectman Loud stated that he cannot make a decision for a proposal that has not been submitted.

Selectman Bendel stated that if he was for it, he could not push it through. If he was against it, he would not be able to stop it as the Board of Selectmen is not the governing body for this type of proposal.

A resident asked how residents know when proposals go before the Board of Appeals.

Town Manager Hull explained the process of submissions to the Board of Appeals and that notice is required for two consecutive weeks prior to a meeting. The notice appears in the Town Crier and the proposal is listed on the agenda of the monthly meeting of the Board of Appeals, which is posted in Town Hall, and on the Town's website.

Selectman Loud noted that direct abutters within 300 feet of the property receive notice.

A resident asked Town Manager Hull why the Board of Appeals special permit process would be involved.

Town Manager Hull stated that the property is in a general business zone. The use is allowed, but only allowed by special permit and Board of Appeals would need to hear the case and approve of it.

Mr. Wood asked what information that Mr. Cairra, former Town Manager, was referring to at the end of the previous meeting, when he said that he had given information to the board.

Phil Burns noted that there are some parallels with trying to get out in front of the 10% affordable housing and building a detox center. He noted the substance abuse coordinator could get involved by working with health institutions to establish a detox center.

### NEW BUSINESS

Selectman McCoy stated that he agrees with the residents that a detox center is needed, but 362 Middlesex Avenue is not a suitable location. He proposed a zoning change and prepared an article for a special town meeting. The article seeks to clarify the definition of a detox center and restrict the location of such a facility to areas zoned for general industrial.

Selectman Loud praised veterans and first responders, particularly Lou Riviggio, Somerville Police Department, who lost his life over the weekend. He also recognized Wilmington resident, Nick Troy, senior at The Citadel, who received his class ring and will be a second lieutenant in the Marine Corps upon his graduation.

Selectman Champoux thanked all those, especially Samantha Reif, Substance Abuse Coordinator, who supported the vigil on Town Common for those who have been affected by substance abuse.

Selectman Bendel noted that the Welcome to Wilmington reception for new residents is scheduled for Monday, October 16th at the Library.

### IMPORTANT DATES

Town Manager Hull reviewed important dates including:

#### Sundays Through

- October 29 – Farmer's Market – Town Common Parking Lot – 10:00 a.m. to 1:00 p.m.
- October 11 – Flu Clinic – Town Hall Auditorium – 4:30 p.m. to 6:00 p.m.
  - Brush Drop Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 13 – Carter Lecture Fund – *The Singing Trooper* – Wilmington Middle School – 7:00 p.m.
- October 14 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- October 16 – Welcome to Wilmington Reception – Memorial Library – 6:00 p.m. to 8:00 p.m.
- October 18 – Brush Drop Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 20 – Haunted Woods – Harnden Tavern – 6:30 p.m. to 9:30 p.m.
- October 21 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
  - Haunted Woods – Harnden Tavern – 6:30 p.m. to 9:30 p.m.
- October 23 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- October 23-  
November 25 – Curbside Collection of Yardwaste
- October 27 – Haunted Woods – Harnden Tavern – 6:30 p.m. to 9:30 p.m.
- October 28 – Dedication of Lawrence H. Cushing Gymnasium – 10:00 a.m. to 12:00 noon
- October 28 – Haunted Woods – Harnden Tavern – 6:30 p.m. to 9:30 p.m.
- October 29 – Horribles Parade – Rotary Park – 4:30 p.m.

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- November 5 – Harnden Tavern Open House – 2:00 p.m. to 4:00 p.m.
- November 10 – Town Offices Closed – *Veterans Day*
- November 11 – Veterans Day Ceremony – Town Common – 11:00 a.m.

There being no further business to come before the Board, 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 adjourn.

Meeting adjourned at 9:50 p.m.

Respectfully submitted,

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Recording Secretary