

## BOARD OF SELECTMEN MEETING

December 12, 2016

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

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

### TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 23, 23A, 24 and 24A.

### **INTRODUCTION OF ASSISTANT TOWN MANAGER DENISE CASEY**

Chairman O'Connell welcomed Ms. Casey and understands she has completed her first week in Wilmington. Town Manager Hull introduced Ms. Casey and reviewed her experience in municipal government. Town Manager Hull stated that Ms. Casey attended Suffolk University and also teaches at Suffolk.

Chairman O'Connell offered Ms. Casey an opportunity to make comments. Ms. Casey thanked Town Manager Hull for appointing her to the position and looks forward to serving the community. She stated the community has been very welcoming.

Chairman O'Connell asked if there were any questions or comments from the Board. Members of the Board welcomed Ms. Casey to Wilmington and wished her well.

### **BOARD OF SELECTMEN DISCUSSION, RE: FISCAL YEAR 2018 BUDGET**

Town Manager Hull stated that he wanted to give the Board of Selectman an overview in terms of the financial state of the Town. He stated that the process starts in October when instructions are provided to the Department Heads to update the Capital Improvement Plan. He explained that the Capital Improvement Plan is a five year plan of larger expenditures including vehicles, building repairs or infrastructure improvements. Instructions for preparing the operating budget are provided to Department Heads in November.

He stated that in terms of the local economy, Wilmington is doing well. Homes are selling quickly, homes are being torn down and rebuilt and there are a couple of developments being built and noted the former Garden of Eden property and Murray Hill. Town Manager Hull stated that as a result there has been an increase in new growth. He advised that the Local Meals Tax has increased from approximately \$61,000 when implemented to \$94,000 per quarter.

Town Manager Hull expressed concern relative to the State budget and 9C cuts by the Governor. He advised that there were approximately \$98 million in 9C cuts made.

Town Manager Hull stated that in terms of the five year capital plan, approximately \$34 million in capital requests have been made. He noted that a dollar amount is targeted and invariably requests are deferred as projects are prioritized by need.

Town Manager Hull acknowledged that the Town does not yet have its free cash number but it is his expectation it will be over \$15 million when finalized by the Department of Revenue. In light of the Town's liabilities, the Town needs be judicious in how the money is used. He anticipates recommending funds be taken from Free Cash to use for OPEB and other liabilities. Rating agencies believe that OPEB is something that needs to be funded, and funded continuously, when borrowing.

Town Manager Hull noted in his memo to the Board he identified goals and does not believe that they will change significantly from year to year. He said that energy efficiency continues to be a priority as well as technology. He stated that allocating resources to assist those affected by substance abuse is also a priority.

Chairman O'Connell asked if there were any questions or comments from the Board. Selectman Bendel stated that his priorities are Substance Abuse; investment in Chapter 70 School Aid and to keep costs low for taxpayers through creative budgeting.

Selectman McCoy acknowledged that creating the budget is not an easy task and recognized that residents have become accustomed to the lack of user fees. He stated that taxes do increase but noted that the value of their homes has also increased.

Selectman Champoux offered comments regarding the Town Manager's goal of positive customer service. He believes it is happening but would like it to continue to be reinforced. Selectman Champoux commented that improving energy efficiency is beneficial to the planet and to Town finances. He stated that applying technology, makes the Town more efficient which is also a cost savings. Selectman Champoux stated that he would like to more strategically entice business to Wilmington.

Selectman Caira thanked Town Manager Hull for the overview. He commented relative to the Capital Improvement Plan and expressed interest in seeing what the departments presented and asked whether it is provided to the Cecil Group. Town Manager Hull believes that much of the items requested, the Cecil Group is aware of. Town Manager Hull stated that the Town will want to be careful how it addresses building improvements in the near term, it does not want to invest significant money in a building that may be destined for mothballing in five years. If a building is anticipated to be in use in ten or fifteen years it will make sense to replace windows, etc.

Chairman O'Connell stated it is important to note that tax rates have just been announced for Fiscal Year 2017. She believes Wilmington is in a vital spot for people to establish their business and agrees with Selectman Champoux that smart economic development is key. She stated that this board and previous boards have been supportive of the schools. Chairman O'Connell stated that the Town has looked internally at the potential of bringing some of the ambulance services in house and would like that to be reevaluated. She expressed her belief that it will bring revenue back to the Town.

Chairman O'Connell stated that the Town needs to maintain buildings while waiting for a twenty year plan to proceed and has every confidence that the Town leaders will do so strategically and effectively. She opined that the Town should continue to allocate resources to the substance abuse issue. She believes a fire substation is one of her priorities, as is acquiring an ice rink and assisting seniors in terms of housing.

Selectman Champoux asked about installing or leasing space for solar arrays. Town Manager Hull advised discussions have taken place between RMLD and George Hooper. Town Manager Hull advised that due to the facilities master plan currently in progress, the Town has instituted a moratorium on making commitments involving Town buildings.

## COMMUNICATIONS

Town Manager Hull reviewed his letter to Julie Broussard, School Committee Chairperson, inviting her to attend the Board of Selectmen's December 12, 2016 meeting to discuss the separation agreement with former superintendent Mary DeLai.

Town Manager Hull reviewed a letter from Julie Broussard, School Committee Chairperson, responding to the Board of Selectmen's invitation to attend their meeting. Ms. Broussard advised that she had a family commitment and noted that the terms of the separation agreement are confidential.

Town Manager Hull reviewed his memorandum regarding the Employment Agreement and Separation Agreement with Mary DeLai. The separation agreement was a redacted copy and he advised that non-disclosure agreement does not absolutely "trump" the Massachusetts Public Records Law. He advised that the public records request has been forwarded to the supervisor of Public Records for a determination as to whether any of the redacted elements of the separation agreement must be made available for public review.

Town Manager Hull reviewed correspondence to Joanne Benton, Interim Superintendent, regarding a public records request for the separation agreement entered into between the Wilmington School Committee and former School Superintendent Mary DeLai along with any and all other documents related to Ms. DeLai's separation or termination as an employee of the Wilmington School Department.

Town Manager Hull reviewed a letter from Joanne Benton, Interim Superintendent, relative to the public records request made on behalf of the Board of Selectmen. Ms. Benton provided the financial information from the separation agreement and advised that the School Department views the remainder of the separation agreement as a personnel record and exempt from disclosure under the public records law.

Selectman McCoy believes the School Committee has a responsibility to the residents and ought to attend a meeting of the Board of Selectmen. He opined that Superintendent DeLai was a bully and the School Department lost a lot of good employees. Selectman McCoy made a motion to extend an invitation to the School Committee Chairman to a future meeting of the Board of Selectmen. The motion was seconded by Selectman Caira. Selectman Caira believes the School Committee needs to justify their decisions and explained how they came to the decision. He requested that the Town Manager obtain the School Committee's Executive Session minutes. He noted that the Town Accountant just got a copy of the agreement that was made in October and opined that it should have been done immediately.

Selectman Bendel stated that he is not opposed to inviting the School Committee to a meeting but does not want to violate the agreement and cost the Town more money. Town Manager Hull stated that he does not believe inviting the Chairman and members of the committee is a problem, he imagines they will receive counsel from their attorney on what they can or cannot say. He stated that legitimate questions have been posed.

Chairman O'Connell understands that the School Committee would like to cooperate and based on legal advice she believes they are of the mindset that their hands are tied.

With a motion having been duly made and seconded, Chairman O'Connell asked for a vote and by the affirmative vote of all, it was

**VOTED:** That the Board of Selectmen extend an invitation to the Chairman and members of the School Committee to attend a future meeting of the Board of Selectmen.

Selectman Champoux asked what the criteria is to release Executive Session minutes. Selectman Champoux also wants to be cautious not to fracture the relationship between the two boards. He stated that he would like to be as transparent as possible. He would like to have a better comprehension of what was involved regarding in the negotiations.

Town Manager Hull reviewed a letter from Mary Jane Handy, Director of Accounts, Massachusetts Department of Revenue, advising that the Fiscal Year 2017 tax rate has been certified by the Bureau of Accounts.

Town Manager Hull reviewed a letter from Ron and Suzanne Crooker of Middlesex Avenue regarding the 2017 proposal for a carnival submitted by the 4<sup>th</sup> of July Committee. They allege that the proposal is almost identical to the proposal of 2016 which was declined by the Board of Appeals. Town Manager Hull advised that he looked preliminarily at the application and it is his recollection that the latest event ends at 10:00 p.m. Chairman O'Connell recognized Scott Garrant, Chairman of the Fourth of July Committee, who reviewed the application that is before the Board of Appeals. He stated that he does not know where Mr. & Mrs. Crooker received their information. He advised that one difference is the hours on Sunday night, which will be the night of the fireworks. Mr. Garrant advised that it is a difference of two hours from the Town's application last year and there are an identical number of rides. The Fourth of July Committee's application must be determined to be substantially different than the application which was denied. Mrs. Crooker stated that the ad in the Town Crier had an end time of 11:00 p.m.

Town Manager Hull reviewed a memorandum from Town Clerk Sharon George who advised that the By-laws of the Town of Wilmington require a review of the by-laws every ten years. She stated that the last review was conducted in 2006.

Town Manager Hull reviewed his memorandum regarding an Inhabitant By-Law Study Committee. The committee will review the by-laws and make recommendations for any amendments that may be deemed necessary. It is anticipated that the committee will have recommended changes ready for consideration at the Town's 2018 Annual Town Meeting. He advised that the appointments have been made by the Town Manager with the Board of Selectmen designating a liaison from the Board to serve on the Committee. He advised that he will be appointing Sharon George, Town Clerk; Valerie Gingrich, Director of Planning and Conservation and Robert Richter, Deputy Police Chief to serve on the committee. He asked the Board of Selectmen to each recommend one individual for appointment.

Town Manager Hull reviewed a memorandum from Valerie Gingrich, Director of Planning & Conservation, regarding a zoning petition that was submitted by Derek Santini to rezone 278 Lowell Street from General Business to Residence 20. Ms. Gingrich advised that the Zoning Act requires the Planning Board to hold a public hearing within 65 days of receipt. The public hearing will be held during their regularly scheduled meeting on January 3, 2017. Following the public hearing the Planning Board will provide a recommendation within the required 21 days. Town Meeting is required to vote on the proposed zoning amendment within six month after the Planning Board hearing.

Town Manager Hull reviewed a memorandum from Paul Alunni, Town Engineer, providing an update on the status of the Yentile Farm Recreational Facility. Mr. Alunni advised that the bulk of the remaining work at the facility is interior trade work (electrical, plumbing, finish work) for the concession stand and restroom building. He expects the building to receive an Occupancy Permit within the next two weeks. Mr. Alunni further described the work which remains to be completed.

Town Manager Hull reviewed a letter from 4 Jewel Drive Condominium Association, regarding new England Transrail Transfer Site. The trustees expressed their concerns about the selling of the Olin property (a Superfund site) to New England Transrail and noted that the EPA has not completed their investigation of the property.

Town Manager Hull reviewed his letter to the Congressional delegation regarding the prospect of New England Transrail obtaining authorization from the Surface Transportation Board to acquire, develop and operate rail infrastructure on the existing Olin Chemical site. Members of the congressional delegation were invited to attend a meeting of the Board of Selectmen to hear from Board members about this proposal.

Town Manager Hull reviewed his memorandum advising the Board of Selectmen that Kate Machet, Regional Director with Senator Edward Markey's office, called to confirm that the Senator received the Board's correspondence seeking his involvement in the petition from New England Transrail to the Surface Transportation Board. She indicated her intention to meet with representatives from the office of the other members of the Massachusetts Congressional delegation to ensure that the respective offices are on the same page in terms of working with the Town.

Town Manager Hull reviewed correspondence from the Massachusetts Municipal Association asking state leaders to fix flaws in the new commercial marijuana law.

Town Manager Hull reviewed a letter from Michael R. Sweeney, Executive Director, Massachusetts State Lottery Commission, advising the Board that Quick Mart, 206 Ballardvale Street, will be sent an application and agreement to sell KENO To Go. If the Board has any objections, the Lottery Commission must be notified in writing within 21 days.

Town Manager Hull reviewed a letter from Daniel Veerman, Board of Appeals, who advised of a conflict regarding an application from the Fourth of July Committee for a Special Permit. He advised that the request is to locate the carnival at the site of the former Swain School and noted that it is directly across from his residence. He stated that he was advised by Town Counsel that the safe course of conduct would be to recuse himself from hearing the Committee's application. He was advised to communicate the conflict to the appointing authority, the Board of Selectmen, and they have on two previous occasions unanimously decided to waive my conflict after proper deliberation and decision.

**BOARD TO CONSIDER REQUEST OF BOARD OF APPEALS, RE: DISCLOSURE IN ACCORDANCE WITH CHAPTER 268A, SECTION 20 (b) RELATIVE TO AN APPLICATION FOR A SPECIAL PERMIT BY 4<sup>TH</sup> OF JULY COMMITTEE**

Chairman O'Connell asked if there were any questions, comments or a motion. Selectman Champoux asked if the Board did not take a vote would Mr. Veerman be recusing himself. Town Manager stated that we do not know for certain but his expectation is that absent a vote of the Board of Selectmen he would not be prepared to proceed on that application. Selectman Champoux asked to clarify Mr. Loud and Mr. Barletta's role and whether they have conflicts. Town Manager Hull stated that Mr. Barletta's conflict was that he was on the Fourth of July Committee but he stepped down from that position. Mr. Loud's conflict was that his employer sells generators and because a carnival vendor is not named, Mr. Loud does not have a conflict. Selectman Champoux stated his understanding is that there would be four members of the Board of Appeals to hear the case and the Board of Selectman do not need to make a determination for Mr. Veerman to hear the proposal.

A motion was made by Selectman Cairra and seconded by Chairman O'Connell for discussion. Selectman McCoy stated that he voted for Mr. Veerman last year but believes Mr. Veerman was not fair last year and he will not vote in favor again.

Selectman Champoux stated that he does not agree with Selectman McCoy's observations but the reality is that the Board does not need Mr. Veerman to participate as there are four members of the Board of Appeals who can participate in the vote.

Town Manager Hull noted that the Board of Appeals needs a vote of four in favor for the application to pass. He said a five member board would allow the vote to be four in favor, one opposed and the application will prevail. With a four member board hearing the application, the vote must be unanimous.

Chairman O'Connell stated that she does not want to pick and choose when Mr. Veerman is needed to hear a case. She does not view this request any different than previous requests. She believes Mr. Veerman has a demonstrated track record.

Selectman Champoux stated that the Town owes Mr. Veerman a debt of gratitude and noted that there was a lot of press because of his vote. He volunteers many hours and the value cannot be overstated.

Following additional discussion and a motion having been made and seconded, Chairman O'Connell asked for the vote. By the affirmative vote of three with Selectmen McCoy and Champoux opposed, it was

**VOTED:** That the Board of Selectmen determine that Daniel Veerman's ownership of property near the carnival site is not so substantial as to likely effect him from impartially acting on the special permit application submitted by the Fourth of July Committee.

#### **BOARD TO CONSIDER APPOINTING DENISE CASEY TO THE CABLE TV ADVISORY TASK FORCE**

Town Manager Hull advised that the Cable TV Advisory Task Force was reactivated recently to address the renewal of the Comcast License. The public hearing is scheduled for February 13, 2017 to identify the town's cable related needs. A motion was made by Selectman Caira, seconded by Selectman Bendel and by the affirmative vote of all, it was

**VOTED:** That the Board of Selectmen appoint Denise Casey to the Cable TV Advisory Task Force.

#### **BOARD TO CONSIDER APPROVAL OF THE 2017 LICENSES FOR ALCOHOLIC BEVERAGES, AUTOMATIC AMUSEMENT DEVICE, BILLIARD ROOM, CLASS I VEHICLE SALES, CLASS II VEHICLE SALES, COMMON VICTUALER AND ENTERTAINMENT**

Town Manager Hull advised that the applications were reviewed by applicable department heads and have received favorable recommendations.

##### **AUTOMATIC AMUSEMENT DEVICE LICENSE**

##### **BILLIARD ROOM LICENSE**

Town Manager Hull stated that this request is for renewal of eight automatic amusement devices and the addition of one device, as well as the renewal of one table and the addition of one table. He advised that the application for the additional devices was reviewed by the Police Chief who provided a favorable recommendation.

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

VOTED: That the Board of Selectmen approve the renewal of an Automatic Amusement Device License to K1 Speed, 40 Fordham Road, nine (9) devices and a Billiard Room License to K1 Speed, 40 Fordham Road, two (2) tables.

#### ALCOHOL

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

VOTED: That the Board of Selectmen approve the renewal of an All Alcohol Beverage License - Club for:

Fordham Associates DBA Aleppo Temple, 99 Fordham Road.

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

VOTED: That the Board of Selectmen approve the renewal of an All Alcohol Beverage License - Club for:

4982 Building Association DBA Knights of Columbus, 112 Middlesex Avenue.

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

VOTED: That the Board of Selectmen approve the renewal of an All Alcohol Beverage License - Package Store for:

211 Lowell Street Corp. DBA East Gate Liquor Store, 211 Lowell Street; Aviarch, LLC DBA Colonial Park Liquors, 35 Lowell Street, #9; Mystic Liquors, Inc. DBA Wilmington Plaza Wine & Spirits, 258 Main Street; Shop-Rite Liquors, Inc. DBA Elia's Country Store, 381 Middlesex Avenue and Super Target Liquor of Massachusetts DBA Target, 210 Ballardvale Street.

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

VOTED: That the Board of Selectmen approve the renewal of an All Alcohol Beverage License - Restaurant for:

99 Restaurants of Boston, LLC DBA 99 Restaurant & Pub, 144 Lowell Street; A & C Stone, Inc. DBA Golden Ginger Restaurant, 225 Main Street; BGP Tavern, LLC DBA Red Heat Tavern, 300 Lowell Street; LLM, Inc. DBA Tremezzo, 2 Lowell Street; Pacific Sunshine, Inc. DBA Pacific Grove, 211E (aka 217) Lowell Street; Pepper Dining, Inc. DBA Chili's Grill & Bar, 207 Main Street; C & C Restaurant Group, LLC DBA Rocco's Restaurant, Inc., 193 Main Street and Wilmington's East Coast Diner, Inc. dba The East Coast Diner, 203 Lowell Street.

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

VOTED: That the Board of Selectmen approve the renewal of an All Alcohol Beverage License - Restaurant for Sumanbeera Inc. DBA Michael's Place, 110 Lowell Street.

#### CLASS I VEHICLE SALES

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

VOTED: That the Board of Selectmen approve the renewal of a Class I Vehicle Sales License to Dube Auto Group, Inc. DBA Bill Dube Hyundai, 271 Main Street and Cimino Automotive, Inc. DBA Cornerstone Automotive, 580 Main Street.

#### CLASS II VEHICLE SALES

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

VOTED: That the Board of Selectmen approve the renewal of Class II Vehicle Sales Licenses to Wilmington Shell, Inc. DBA Advanced Automotive, 779 Woburn Street; Charlie's Auto Sales, LLC, 611 Main Street; Forrest Auto Repair, 600 Main Street; Heavy Equipment Connection, Inc., 239 Andover Street; Imperial Auto, LLC, 845 Woburn Street, #5; J & E Services, Inc., 619 Rear Main Street; Naya, Inc. DBA Z & S Gas & Service, 603 Main Street and Unique Auto Care, Inc. 211 Main Street.

#### COMMON VICTUALER

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

VOTED: That the Board of Selectmen approve the renewal of a Common Victualer License to 99 Restaurants of Boston LLC DBA 99 Restaurant & Pub, 144 Lowell Street; ANJAM Corp DBA AJ's Kitchen, 162 Lowell Street; DE'S Corner LLC DBA As Good As It Gets Café, 35 Lowell Street; Brother's Roast Beef & Pizza, 331 Main Street; Mastoran Corporation LBK LLC DBA Burger King Restaurant, 280 Lowell Street; Hong Tai DBA China Wok, 329 Main Street; Country Chef Restaurant, 139 Main Street; Adam Donuts, Inc. DBA Dunkin Donuts, 211 Lowell Street; C & C Donuts, Inc. DBA Dunkin Donuts, 195 Main Street; DJQ Donuts, LLC DBA Dunkin' Donuts, 66-S Concord Street; Hannon Donuts, LLC DBA Dunkin Donuts, 357 Middlesex Avenue; Janemarie Donuts, LLC DBA Dunkin Donuts, 206 Ballardvale Street; Wilmington Donuts, Inc. DBA Dunkin Donuts, 321 Main Street; Fordham Associates, Inc. DBA Aleppo Temple, 99 Fordham Road; A & C Stone, Inc. DBA Golden Ginger Restaurant, 225 Main Street; Jasmine Cuisine, Inc. DBA Jasmine Cuisine Restaurant, 35 Lowell Street; 579 Main Street Donut Shop, Inc. DBA Heav'nly Donuts, 579 Main Street; Pacific Sunshine, Inc. DBA Pacific Grove, 211E (aka 217) Lowell Street; PR Restaurants LLC DBA Panera Bread #202117, 228 Main Street; Pepper Dining, Inc. DBA Chili's Grill & Bar, 207 Main Street; K1 Speed, Inc., 40 Fordham Road; K. Q., Inc. DBA Peter's Pizza, Roast Beef & Seafood, 2 Lowell Street, Unit 10; BGP Tavern, LLC DBA Red Heat Tavern, 300 Lowell Street; Saint Moses, Inc. DBA Rizzo's Roast Beef & Pizza, Inc., 3 Church Street; C & C Restaurant Group, LLC DBA Rocco's Restaurant, 193 Main Street; Modash Café, 16 Upton Drive, Unit 5; Maxwell Lee DBA Stop and Go, 3 Jefferson Road; Kumar Stores DBA Subway #56883, 66U Concord Street; Charlies II Corporation DBA Simard's Super Beef, 279 Main Street; RTWebb Restaurant Group No. 2, LLC – Sonic ® Drive-In, 220 Main Street; Starbucks Corporation DBA Starbucks Coffee #11757, 253 Main Street; 337 Main Street DBA Subway #66331, 337 Main Street; CDC Diner DBA Sunnyside Café, 2 Jefferson Road; Diane T. Cutts DBA Sunrise Kitchen, 355 Middlesex Avenue; Sweet Pizza, Inc. DBA Sweet Pizza, 206 Ballardvale Street, Unit 4;



Target Corporation, 210 Ballardvale Street; LLM, Inc. DBA Tremezzo, 2 Lowell Street; TH McCoy Restaurant Group, LLC DBA McDonald's Restaurant, 212 Main Street; Krish Convenience DBA The Corner Store, 296 Shawsheen Avenue; Watertown Enterprises, Inc. DBA Subway; 206 Ballardvale Street, Unit 2 and Jelev Enterprises, LLC DBA Wilmington House of Pizza, 325 Main Street.

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

VOTED: That the Board of Selectmen approve the renewal of a Common Victualer License to Sumanbeera, Inc. DBA Michael's Place, 110 Lowell Street.

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

VOTED: That the Board of Selectmen approve the renewal of a Common Victualer License to 4982 Building Association DBA Knights of Columbus, 112 Middlesex Avenue.

A motion was made by Selectman Caira, seconded by Selectman Bendel and by the affirmative vote of four with Chairman O'Connell abstaining, it was

VOTED: That the Board of Selectmen approve the renewal of a Common Victualer License to Doodlesack, LLC dba LaRosa's, Unit 211, 269 Main Street.

#### ENTERTAINMENT

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

VOTED: That the Board of Selectmen approve the renewal of an Entertainment License to Pacific Sunshine, Inc. DBA Pacific Grove, 211E (aka 217) Lowell Street; BGP Tavern, LLC DBA Red Heat Tavern, 300 Lowell Street; C & C Restaurant Group, LLC DBA Rocco's Restaurant, 193 Main Street and LLM, Inc. DBA Tremezzo, 2 Lowell Street.

#### **BOARD TO CONSIDER ISSUING A SUNDAY ENTERTAINMENT LICENSE TO K1 SPEED, INC.**

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

VOTED: That the Board of Selectmen approve a Sunday Entertainment License for K1 Speed, Inc., 40 Fordham Road, 10:00 a.m. to 10:00 p.m.

#### **BOARD TO CONSIDER SIGNING ACCESS AGREEMENT WITH OLIN CORPORATION**

Town Manager Hull stated that communication between Town Counsel and counsel for Olin Corporation has taken place regarding language on the Access Agreements. He stated that the issue is that the Environmental Protection Agency (EPA) is requiring Olin to establish a contamination zone. He advised that some test wells are proposed to be located on town property. Town Manager Hull advised that he was contacted by Lou Ross of Town Counsel's office this afternoon that agreements had come back and he reviewed. Town Manager Hull stated that he had not had an opportunity to review and asked that the Board table until their meeting in January.

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

VOTED: That the Board of Selectmen table action until their meeting of January 9, 2017.

#### PUBLIC COMMENTS

There were none.

#### NEW BUSINESS

Selectman Champoux offered compliments to those who organized and participated in the Tree Lighting and the Festival of Trees.

Selectman Caira stated that on December 3 he went to the Brockton VA with IPODs for Wounded Veterans. In addition, Theresa Marciello, Director of Elderly Services, and approximately eight high school students attended and a party was held for 175 veterans. He noted that members of the senior center make bracelets to raise funds for IPODs and they knit hats and gloves for the veterans.

Selectman Caira stated that Secretary of Veterans' Affairs Francisco Ureña mentioned that Senator Tarr is putting through a bill, based upon what was done in Wilmington, for Purple Heart Communities.

Selectman Caira asked Town Manager Hull to elaborate on the meeting he will be attending relative to New England Transrail. Town Manager Hull stated that it is not clear whether the Senators and Congressman will be in attendance but their aides will be in attendance to have a candid discussion about NET's proposal.

Selectman Caira offered congratulations to We're One Wilmington for the Festival of Trees and the Fourth of July Committee for the Tree Lighting.

Members of the Board of Selectmen wished residents a Merry Christmas and Happy New Year.

#### IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- December 14 – Facility Master Plan School Configuration Update – Wilmington High School – Room 1-062 – 6:30 p.m. *SCHOOL COMMITTEE MEETING AGENDA ITEM*
- December 15 – Facilities Master Plan Committee – Town Hall – Auditorium – 6:00 p.m.
- December 26 – Town Offices Closed
- January 2 – Town Offices Closed
- January 3 -
- January 13 – Curbside Collection of Christmas Trees
- January 8 – Harnden Tavern Open House – 2:00 p.m. to 4:00 p.m.
- January 9 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.

Selectman McCoy asked whether the meeting relative to New England Transrail was open for all members of the Selectmen to attend. Town Manager Hull stated that he received a phone call asking if he and the Chairman were available to attend. Selectman McCoy expressed his interest in attending.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 9:40 p.m.

Respectfully submitted,

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Recording Secretary