

BOARD OF SELECTMEN MEETING

May 11, 2020

Chairman Gregory B. Bendel called the meeting to order at 7:00 p.m. This meeting was held via ZOOM. Present were Selectmen Kevin A. Caira, Jonathan R. Eaton, Michael V. McCoy and Jomarie F. O'Mahony. Also present was Town Manager Jeffrey M. Hull.

Chairman Bendel stated that pursuant to Governor Baker's March 12, 2020 order suspending certain provisions of the Open Meeting Law, G.L. Chapter 30A, Section 18, and the Governor's March 15, 2020 order imposing strict limitations on the number of people that may gather in one place, members of the public who wish to watch and listen to the meeting may do so in the following manner: WCTV (Channel 9 – Comcast xFinity; Channel 37 Verizon FiOS, and live stream wctv.org). This meeting of the Wilmington Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. Members of the public who would like to listen to this meeting while in progress may also do so via telephone by dialing 1-646-558-8656 and enter meeting ID 884 8123 9606 then press # and press # again at the next voice prompt. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the meeting designated for public comment, by following the steps previously noted then press *9 on their telephone keypad. This will notify the meeting host that the caller wishes to speak. All callers using this feature will be placed in queue in the order they entered the prompt. In the event that, despite our best efforts, we are not able to provide for real-time access, we will post a record of this meeting on the Town's website as soon as we are able. He advised that all votes will be conducted by roll call in alphabetical order.

Chairman Bendel asked meeting participants to rise and he led the pledge of allegiance.

TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 44, 44A, 45 and 45A.

MINUTES

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held April 27, 2020 and all action taken is hereby ratified and confirmed.

Chairman Bendel noted that the information on how to call in to the meeting was flashing on WCTV. Chairman Bendel thanked IT Director John O'Neil for his assistance and for serving as the host of the meeting, WCTV for broadcasting the meeting and to the recording secretary.

SCOTT, COLIN AND JACK MacLEOD, RE: DONATION OF MASKS TO WILMINGTON POLICE DEPARTMENT

Chairman Bendel welcomed Colin and Jack MacLeod and their dad Scott to the Board of Selectmen meeting. He introduced Jack and Colin noting that they are 9 year old twins who recently opened their piggy banks, counted their money and decided they wanted to help others. Chairman Bendel stated that Jack and Colin's actions went above and beyond what 9 year olds are doing and though there have been a lot of acts of kindness, this one rises to the top.

Colin stated that he and his brother thought it would be a good idea to provide 20 masks to the Wilmington Police Department. He stated that on their way to the Public Safety Building they picked up plastic and other trash to help the environment.

Chairman Bendel asked Chief Desmond what his thoughts were when he learned Colin and Jack wanted to help members of his department. Chief Desmond stated that when he was 9 years old he would not have spent his money that way and said it was very moving. He apologized for not having a mask available to show and reported that when he brought them in to the first roll call, members of the department took them for use. He stated that they are great looking masks and are being used by the officers.

Chairman Bendel asked for Mr. MacLeod to comment. Mr. MacLeod stated that he is very proud of his sons. He stated that he knows they have a kind heart and as parents, they try to teach the boys to think of others before themselves. He stated that he heard them counting the coins, wondered what they were up to and when they saw the note they thought it was a kind thing. Mr. MacLeod stated that he put a post on Facebook and Twitter and two good friends offered to help with the masks in quick time. He stated that when out in public the boys are always willing to help out.

Chairman Bendel asked if there were any questions or comments from the Board. Members of the Board thanked Colin and Jack for their generosity and expressed how impressed they were with the brothers' initiative.

Chairman Bendel asked what school Colin and Jack attended and they advised the Shawsheen Elementary School. Chairman Bendel stated that the Board of Selectmen were not the only people who took note of their kind act. He announced that he received a phone call from Dave and Candy Erickson who own AJ's Kitchen and AJ's will be delivering pizza to the MacLeod family as a thank you from the community. Chairman Bendel commented that Jack and Colin acted out of the kindness of their heart, but you never know who is watching.

Chairman Bendel asked if there was anything Colin or Jack wanted to say. Colin stated that he and Jack wanted to give the masks to the Police Department because they do a lot of stuff for us and help out everybody and we wanted to say thank you.

Chief Desmond commented that it is never too early to think about a career in public service.

Chairman Bendel stated that there are many acts of kindness taking place and it is his intention to highlight some of them during Board of Selectmen meetings.

SHELLY NEWHOUSE, HEALTH DIRECTOR, AND WILLIAM CAVANAUGH, FIRE CHIEF, RE: UPDATE ON COVID-19

Chairman Bendel noted that there has been good news with the numbers but residents need to continue to be cautious. Ms. Newhouse stated that there has to be a consistent drop for two weeks before we can get excited. She stated that Wilmington currently has 22 active positives and noted that is a drop from the weekend. She stated that she expects to see the fluctuation with the increased testing. Ms. Newhouse stated that there are 9 individuals in quarantine. She reported that there are 30 active positives at Care One and 19 at Windsor Place. She stated that both facilities have adequate staffing and are managing fine.

Ms. Newhouse expressed her appreciation to the Wilmington Food Pantry, Mary Palen, Food Services Director, and Theresa Marciello, Elderly Services Director, for assisting in providing supplies and food to families unable to leave their homes. She noted that there have been many local residents who wish to remain anonymous that have stepped up to provide meals.

Ms. Newhouse emphasized that if residents receive a phone call from MA COVID it is important to answer that call. She advised that it is a contact tracing initiative implemented by the state and if one is receiving the call it is because they have either been in contact with a COVID positive patient or they are positive.

Ms. Newhouse stated that the Board of Health has distributed 4,000 masks since March and they had a successful initiative of distributing 500 masks in 45 minutes. Residents drove around Town Hall to Room 5 and masks were provided. She stated that five masks per car were distributed and she has both adult and child masks. Ms. Newhouse advised that she is in the process of procuring additional masks and advised residents to watch social media for updates on distribution dates.

Chief Cavanaugh stated that, at the two facilities that have COVID positive patients, they also have patients that the Fire Department is transporting to the hospital for a multitude of reasons. He advised that Advinia Care has been converted into a partial COVID unit. He advised that the Fire Department is treating the entire facility as contaminated.

Chief Cavanaugh stated that Police Lieutenant Scott Sencabaugh, Deputy Fire Chief Christopher Pozzi and Fire Lieutenant David Woods have been aggressive in the procurement of Personal Protection Equipment (PPE) and have been able to assist Ms. Newhouse with masks. He advised that he has received supplies from Massachusetts Emergency Management Agency (MEMA). Chief Cavanaugh stated that members of his department are using a lot of PPE. Due to the number of false positives and false negatives, members of the Fire Department are treating every call as if it is COVID until proven otherwise.

Chief Cavanaugh stated that he is often frustrated when hearing this pandemic likened to H1N1 (commonly referred to as Swine Flu) or the Bird Flu. He stated that those outbreaks did not have the same effect that COVID-19 is having. He stated that every single call the men and women of the police and fire departments are wearing PPE and the dispatchers must obtain additional information from the caller for public safety personnel. Chief Cavanaugh reported that there has not been a fire fighter or police officer to test positive for COVID-19 and that is a testament to the precautions that are being taken.

Chairman Bendel asked Chief Desmond if he would like to comment. Chief Desmond stated that his department is trying to stress that the Police Department is still open. He opined that the residents may not realize that public service is still available. He noted that it may be a different type of response. Chief Desmond agreed with Chief Cavanaugh that it is not an accident that no members of their departments have contracted the virus. He noted that four members of his department were tested and the results were negative for each one.

Chairman Bendel asked if there were any questions or comments from the Board. Members expressed their appreciation to Ms. Newhouse, Chief Cavanaugh and Chief Desmond, and their respective departments, for the amount of work, diligence and attention to detail to protect the residents of Wilmington. They recognized that this pandemic has been going on for two months.

Selectman O'Mahony asked if there is any support that the Board of Selectmen can provide for the Health Department and Fire Department. Both Ms. Newhouse and Chief Cavanaugh stated that, at this time, they have what they need.

Selectman O'Mahony asked Ms. Newhouse whether the requirement for there to be a decline in cases for two weeks is the standard or whether that is for Wilmington. Ms. Newhouse advised that it is a state standard that must be adhered to in order to enter the phases of opening outlined by Governor Baker.

Chairman Bendel stated that the three departments represented tonight have been on the front lines and the Board appreciates their efforts. He recognized the Department of Public Works, Public Buildings Department and other departments have contributed to keeping the town operating. Town Manager Hull stated that it is gratifying to have people you can depend upon. He reviewed how municipal departments are continuing to operate to provide services to the residents.

Chairman Bendel expressed his appreciation that updates are being released almost daily.

VALERIE GINGRICH, PLANNING & CONSERVATION DIRECTOR, RE: CRITERIA FOR LOCAL PREFERENCE RELATIVE TO PRINCETON DEVELOPMENT

Ms. Gingrich stated that she was before the Board to discuss local preference and marketing the affordable units. Local preference is a "set aside" where affordable housing units are allocated to those who qualify as local. She stated that the Department of Housing & Community Development (DHCD) allows a local preference if the Town can prove that it is needed. Ms. Gingrich provided examples of how that can be accomplished including providing information on how long the wait list is for rental units. She advised that the maximum number of affordable housing units that can be local preference is 70%. If approved by DHCD, local preference can be employed by the owner/manager of the property of the first leasing during the lottery process. Ms. Gingrich advised that DHCD has four categories for what they consider local: current resident, municipal employee, employee of Wilmington business and households with children attending town schools.

Ms. Gingrich stated that Princeton Properties has agreed to employ local preference at the first lease-up of affordable units and the definition of what will be considered local preference will be worked out during the permitting process.

Town Manager Hull explained that the Zoning Board of Appeals, as part of the permitting process, will ultimately consider local preference. It is his suggestion that the Board of Selectmen consider making a recommendation as to what the definition of local preference should be within the parameters provided. He advised that the Board can choose to take no action at all. The fact that the project came through the Board of Selectmen, the Board can take the opportunity to make a recommendation to the Board of Appeals.

Chairman Bendel stated that Princeton Properties will be before the Board of Appeals on Wednesday evening. Town Manager Hull confirmed but noted that this is the beginning of the process and he did not anticipate the Board would address local preference at this meeting.

Selectman Caira asked whether the Town had to choose one of the options for local preference or prioritize the four options. Ms. Gingrich advised that the four categories are what the Town can choose from. The town can choose all four. She advised that the DHCD offers guidance and explained that if the Town chooses "a", it must do x, y & z. She advised that if the Town defines local preference using all four options, each option is equal. If an applicant meets one of the eligibility requirements, their name goes into a hat to be pulled.

Selectman Caira opined that it would be prudent to choose all four options to give everyone the opportunity to go into the lottery. He asked how other communities define local preference and Ms. Gingrich advised that the Town often allows all four categories.

Selectman McCoy stated that his preference is to recommend current resident as the sole definition of local preference.

Selectman Eaton commented regarding the fourth category which is for households with children attending the schools. He stated that the example provided referenced METCO students which he does not believe Wilmington is a part of. Selectman Eaton stated that he would understand it to effect households where the parents are not living together and he is strongly in favor of including that category if it means a parent who is divorced or separated will have an opportunity to live in the town that their child is going to school in. He believes it is something that should be encouraged because there is some logistical advantages to the children who are attending our schools to have both parents nearby. He also agrees that current resident should be included and noted that he does not have any significant objection to the other two categories.

Selectman O'Mahony stated that the case could be made for all four categories. She stated that when she thinks of current residents, she thinks of the senior population that would like to stay in Wilmington. Selectman O'Mahony believes it is import to understand the lottery process. She noted that local preference provides an opportunity to be included in the lottery.

Chairman Bendel stated that as the process progresses, the Town Manager will keep members of the Board of Selectmen informed.

Town Manager Hull stated that the two boards that will be reviewing the proposal are the Conservation Commission and the Zoning Board of Appeals. It is the intent that the process run concurrently with each board reviewing different aspects of the proposal.

Selectman Caira asked to confirm that it is up to the Board of Appeals to make the ultimate decision on the criteria. Ms. Gingrich confirmed that the Board of Selectmen would make a recommendation to the Board of Appeals and the ZBA would write it into the decision for the Comprehensive Permit.

Selectman Caira asked whether the ZBA typically includes all four categories as they did with Spruce Farm (Andover Street). Ms. Gingrich stated that Spruce Farm was different because it went through the Planning Board. The project was completed under local zoning and not by a comprehensive permit. Ms. Gingrich confirmed that all four categories were included.

Chairman Bendel asked if there were any additional questions or comments for Ms. Gingrich and there were none.

Chairman Bendel reminded those watching of the number and process to call in to make a comment.

COMMUNICATIONS

Town Manager Hull reviewed his memorandum regarding legislation relative to Town Meeting quorum. The legislation he provided to the Board is being considered by the Senate and may ultimately receive approval from the House and the Governor. Though there are multiple provisions addressed in the bill, the provision of greatest potential consequence to the Town would allow the Selectmen in consultation with, and approval of, the Town Moderator to establish a quorum that is less than the quorum established by Town By-law. The authorization would exist

during the time of the state of emergency and up to thirty days following the termination of the state of emergency. The quorum cannot be reduced to less than ten percent of the existing quorum but the caveat is that only budget matters and matters required to meet federal deadlines can be considered. Selectman Eaton asked Town Manager Hull what the capacity is of the High School Auditorium. Town Manager Hull stated that he believes the capacity is approximately 700. He stated that internal discussions have taken place about what measures will need to be taken to address social distancing.

Selectman Eaton stated that the Board of Selectmen has gone through a lot of effort to maximize participation at Town Meeting. He noted that the Governor passed an amendment to allow municipalities to approve a 1/12 budget of the prior year. Selectman Eaton opined that if the Town has to go past June 30 to have an Annual Town Meeting, legislation would allow the Town to do that so it would not have to reduce the quorum. He expressed concern that the Board of Selectmen would meet five of the fifteen required attendees needed to meet ten percent of the quorum and he does not believe that is the type of democracy the Town by-laws are set up to preserve.

Town Manager Hull reviewed his memorandum relative to a draft agreement between the Town of Wilmington and the Olin Corporation to supply water to Cook Avenue. He advised that the final edits were made and sent to James Cashwell, Director, Environmental Remediation with Olin. The agreement and plan of the approximate route of the water line are now under review by Olin. A copy of the documents have been provided to Lynne Jennings, Environmental Protection Agency (EPA) Section Chief. The EPA is expected to play a role in the review of this project but the extent of their involvement is unclear at this time. Town Manager Hull reviewed major phases of work of the agreement and noted that the agreement specifies work be concluded in one year. He advised that the Town's Engineering Department will be monitoring the work at each phase to ensure it is up to standard.

Selectman McCoy thanked the Town Manager for ensuring this was addressed. He opined that Olin Chemical owes the water line to the residents. He noted that a recent house fire required hoses to be laid across Main Street resulting in Main Street being closed for a few hours.

Town Manager Hull reviewed his memorandum regarding the Yard Waste Drop-Off Center. He advised that the curbside collection of yard waste concluded the week of May 4, 2020 and the collection periods are contractual obligations for Russell Disposal. The yard waste disposal center off Old Main Street was slated to remain open until Saturday, May 9. Due to a request to provide additional opportunities to dispose of yard waste during the month of May, the center will remain open two days per week through the end of May.

Town Manager Hull reviewed his memorandum regarding New England Transrail Status and advised that the most recent reports to the federal Surface Transportation Board from both the Town's special counsel and legal counsel for New England Transrail and Wilmington Woburn Intermodel stated that there have been no communication between the parties during the most recent reporting period. No activity has taken place pending the release by the federal Environmental Protection Agency of their proposed remediation plans for the Olin Corporation superfund Site.

Town Manager Hull reviewed his memorandum regarding the summer beach program. He noted that there is uncertainty over the types of business re-openings and activities that will be permissible in the coming months. Programs like the summer beach program require significant advance planning. In February, prior to concerns about COVID, lifeguards and staff who have worked for the Town in the past were invited to return. Following discussions with Karen

Campbell, Recreation Director; Shelly Newhouse, Health Director; Joseph Desmond, Police Chief and William Cavanaugh, Fire Chief, he decided that the beach program will not take place this summer. Town Manager Hull stated that the safety of patrons who would attend the beach and of Town staff is paramount. He also believes that a responsibility exists to provide as much notice to the individuals who have been invited to work for the Town as soon as possible so that they can pursue other employment options. He advised that efforts to recruit new lifeguards have been unsuccessful. The beach parking area and beach area itself will remain closed until further notice. Permitting the area to open, or permitting swimming at “your own risk”, will lead to large crowds gathering on the beach during good weather days.

Chairman Bendel stated that, when setting the agenda, this item stood out the most and he was most troubled by it. He recognized that Karen Campbell, Recreation Director, was participating in the meeting and asked what actions will be taken to let residents know. Town Manager stated that notice will be sent out through the regular means of communication including social media, Town Crier and he anticipates it will be included in *Town Topics*.

Selectman Caira asked whether there is an ability to place a lock on the gates and was advised that they are currently locked and signs are up. Ms. Campbell stated that off-season the beach remains open but due to COVID-19 it has been locked.

Ms. Campbell advised the Board of Selectmen that she is on a task force that is comprised of Recreation Departments across the state that have aquatic facilities. The task force has met once per week trying to navigate through confusing information that is being received. She advised that many municipalities are taking this stance, she stated that it is a tough decision and believes the Town Manager’s decision to be in everyone’s best interest.

Chairman Bendel asked Chief Desmond if he would like to offer comment. Chief Desmond stated that, over the last few weeks, unsupervised beach openings in California and Florida have not been successful and have resulted in closure the next day. He stated that he would anticipate the same result and opined that it is a good decision to close the beach.

Selectman Caira asked how the beach closure would affect fishing on the pier and asked whether signs will be installed. He stated that it has come to his attention that there were a lot of people fishing recently. Town Manager Hull stated that, for the most part, there has not been an issue of overcrowding at the fishing pier. He believes that fishing can continue at the pier. Chief Desmond stated that the Police Department has received phone calls and when officers respond, they find that individuals are six feet apart in most cases.

Town Manager Hull reviewed his memorandum regarding the Class of 2020. He advised the Board of Selectmen that he was contacted by a Nicole Walker seeking support for the graduating class. She and another resident, Jennifer Erickson, were seeking to sell Wildcat flags to demonstrate community support and unity for students who have lost a portion of their school year and, in particular, the senior class who will be graduating. As of April 23rd, Ms. Walker and Ms. Erickson had sold 125 flags. Town Manager Hull stated that the Town purchased 60 flags to be displayed along Church Street and Middlesex Avenue and Town buildings. The flags are Wildcat blue with the Wildcat mascot. The year is not on the flags which will allow the Town to fly them each year.

Town Manager Hull reviewed a letter from Lou Cimaglia, Director of Veterans’ Services, advising the Board that, due to the current social distancing requirements, the Department of Veterans’ Services has decided to cancel the Memorial Day parade. The traditional ceremony will be held at the Veterans’ Lot and Soldiers Monument at Wildwood Cemetery at 11:00 a.m. on Monday, May

25. Mr. Cimaglia advised that the public is welcome to assist with decorating veterans' graves at 8:00 a.m. on Saturday, May 23 followed by the decoration of monuments and squares. On Sunday, May 24, there will be a short ceremony on the Town Common at 1:15 p.m. to honor all of Wilmington's fallen heroes.

Town Manager Hull reviewed a press release from Town Clerk Christine Touma-Conway seeking election workers to staff the June 20, 2020 Annual Town Election. She advised that candidates should not be within the COVID-19 vulnerable categories.

Town Manager Hull reviewed a press release from the Fourth of July Committee advising that they have voted to cancel the 2020 Fun on the Fourth Celebration.

Town Manager Hull reviewed a letter from Jamie M. Magaldi, PE, MCA Operations Manager/Tree Warden, Department of Public Works, where he provided notice of the 2020 Vegetation Management Plan. The notice advises of the Town's intention to selectively spray herbicides within Town-owned Rights-of-Way and is conducted as a component of an integrated vegetation management program which also utilizes mechanical and natural control techniques.

Town Manager Hull reviewed correspondence from Annemarie Walsh, Community Relations and Economic Development Specialist, Eversource, regarding maintenance work on existing access roads along the Eversource transmission corridor.

Town Manager Hull reviewed his letter to Catherine Racer, Associate Director, Department of Housing & Community Development, in support of Princeton Development LLC's proposed LIP 40B development.

Town Manager Hull reviewed a letter from Catherine Racer, Associate Director, Department of Housing & Community Development, where she advised the Town and Princeton Properties that the application for project eligibility under the Local Initiative Program for the proposed Princeton Apartment Homes has been approved.

BOARD TO CONSIDER SIGNING THE WARRANT FOR THE ANNUAL TOWN ELECTION

Chairman Bendel asked if there were any additional questions, comments or a motion. A motion was made by Selectman Eaton, seconded by Selectman O'Mahony and by the unanimous roll call vote of all, it was

VOTED: That the Board of Selectmen sign the Warrant for the Annual Town Election.

BOARD TO CONSIDER REQUEST TO LIGHT THE TOWN COMMON RED, WHITE AND BLUE

Town Manager Hull stated that the request came from Lou Cimaglia, Director of Veterans' Services, during a recent ZOOM Department Head meeting. A motion was made by Selectman Cairra, seconded by Selectman O'Mahony and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen authorize the request to light the Town Common red, white and blue during the month of May.

BOARD TO CONSIDER ESTABLISHING A POLICY FOR ELECTRONIC SIGNATURES

Town Manager Hull reminded the Board that correspondence was provided to them regarding the process of using electronic signatures. He stated that internally, some departments require signatures from their Boards and Committees. Town Manager Hull stated that we are looking to implement the policy and John O'Neil, IT Director, made arrangements to purchase DocuSign, the program that would allow for electronic signatures. Town Manager Hull advised that there are documents that cannot be signed electronically, many of which related to real estate transactions. Town Manager Hull stated that for 99% of signatures the Board of Selectmen would be required make, DocuSign could be used. He referenced the weekly treasury warrants. Currently the Warrant is located at the Public Safety Building for selectmen to go and sign and if additional signatures are required, the police will go to the member's home to obtain the signature. The intent was to be more efficient and avoid unnecessary contact.

Chairman Bendel thanked Selectman Eaton for bringing forward and it was suggested to him to have the Board vote on it.

Selectman Eaton offered comment regarding DocuSign including information on how to use it and that it is user friendly. He stated that given the current circumstances, it encourages a practice consistent with social distancing. Using DocuSign will reduce the number of people entering the Public Safety Building and exposing public safety personnel to the potential of contracting COVID.

Selectman Eaton stated that signing the documents by e-mail encourages the selectmen to take their time and be more diligent. He cited Selectman Caira discovering the settlement agreement being paid to the former school superintendent while examining the warrant.

Selectman Eaton noted that the Planning Board and Conservation Commission have adopted a policy and are using DocuSign.

Selectman Eaton reviewed the security aspects including that the Town has the ability to see the IP addresses of computers receiving documents and noted that security measures such as encryption are compliant with federal and state law. He acknowledged that it is a change to routine and believes that as members use it they will become comfortable and appreciate not having to go the police station to review the warrant.

Chairman Bendel asked if Selectman Eaton was willing to put it forward as a motion and Selectman Eaton confirmed. The motion was seconded by Selectman McCoy.

Selectman Caira asked to confirm that there are other board that have already adopted a policy of electronic signature. Town Manager Hull stated that the Planning Board adopted a policy within the last seven to ten days. Selectman Caira asked whether it was a result of the state of emergency. Town Manager Hull confirmed that the Planning Board did not utilize electronic signatures prior to COVID.

Selectman Caira stated that he likes the idea of electronic signature but opined the policy is too general. It was his understanding that the policy would be specific for the Board of Selectmen for the purpose of endorsing the treasury warrants. It is his opinion that the policy should be enacted during a state of emergency rather than in general.

Chairman Bendel asked Selectman Caira if he wanted to move forward with the understanding that using electronic signatures will be the process for the remainder of the state of emergency and that it will be revisited.

Selectman Caira offered an amendment to the motion that the policy should only be enacted during a state of emergency to extend to all town departments, boards, committees and commissions.

Selectman McCoy stated that he is in agreement that it should only be brought forward during a state of emergency. He stated that he is “old school” and would prefer to see the document and sign it.

Selectman O’Mahony stated that when she was preparing to enter the Public Safety Building to sign last week’s warrant, she was putting on gloves and a mask. She stated that it was not comfortable for the officers. She does not feel that she is giving the warrants the same consideration she was once able to and advised that she has used DocuSign in her profession. Selectman O’Mahony understands Selectmen Caira and McCoy’s viewpoint and agrees it should not receive open ended approval. Selectman O’Mahony suggested that discussion should take place when not in a state of emergency. She stated that she is not a fan of having members of the Police Department obtaining the signatures if not everyone has signed.

Chairman Bendel offered IT Director John O’Neil the opportunity to comment. Mr. O’Neil stated that the policy does not force the Board of Selectmen to use electronic signature, it merely creates the responsibility that if you are using an electronic signature, the Town knows the full intent and you have agreed to it. He stated that after the state of emergency the Board could move back to wet signatures.

Chairman Bendel summarized the discussion and stated it is his understanding that there isn’t an objection to using electronic signature now while under a state of emergency and once the state of emergency is lifted that the Board of Selectmen will revisit and have additional discussion.

Chairman Bendel stated that he has used DocuSign and is comfortable using it.

Chairman Bendel asked Selectman Eaton if he is comfortable amending his motion. Selectman Eaton stated that his personal preference is to use it indefinitely and believes it is because he has used it for a long time. He is confident that the Board will like using DocuSign. He stated that if the consensus of the Board is to try it during the state of emergency and if it works, the Board can continue using it and if the Board does not feel it is working there can be additional discussion to find a solution. Selectman Eaton stated that he would be comfortable with that.

Chairman Bendel asked Town Manager Hull if he can provide an example outside the Board of Selectmen of how DocuSign may be used. Town Manager Hull stated that he would have opportunity to use DocuSign to execute various contracts and the decisions made by the Planning Board require the chairman’s signature within a short period of time and using DocuSign will expedite the process.

Selectman Caira asked who has the authority over the Planning Board to allow them to take action to adopt an electronic signature policy. Town Manager Hull stated that the Town Manager can authorize different boards and committees to adopt provisions. Selectman Caira asked Town Manager Hull to confirm with Town Counsel whether it is the Town Manager or the Board of Selectmen with the authority to permit it. Selectman McCoy opined that it is the Town Manager and cited the Strong Town Manager Act which permits the Town Manager to enter negotiations, contracts, hiring and firing.

Chairman Bendel noted that there is a motion on the table that has been duly made and seconded and he called for the vote. By the unanimous roll call vote of all, it was

VOTED: That the Board of Selectmen establish an electronic signature policy and utilize DocuSign for the duration of the state of emergency with the understanding additional discussion will take place relative to its use when the state of emergency is over.

TOWN MANAGER TO CONSIDER APPOINTMENT TO THE SCHOLARSHIP FUND COMMITTEE

Town Manager Hull stated that he has identified Ms. Christine Bento to fill the vacancy on the Scholarship Fund Committee.

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

VOTED: That the Board of Selectmen appoint Christine Bento as a member of the Scholarship Fund Committee for a term to expire on April 30, 2023.

BOARD TO CONSIDER RECOMMENDATION TO BOARD OF APPEALS, RE: DEFINITION OF LOCAL PREFERENCE FOR PRINCETON APARTMENT HOMES, WILMINGTON, MA

A motion was made by Selectman Caira, seconded by Selectman O'Mahony and by the affirmative roll call vote of four with Selectman McCoy opposed, it was

VOTED: That the Board of Selectmen recommend to the Board of Appeals that local preference include the widest possible qualifying criteria permissible by DHCD regulation. As a result, the Board recommends that local preference be defined in the following manner:

1. Current Residents: A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing or voter registration listing.
2. Municipal Employees: Employees of the municipality, such as teachers, janitors, fire fighters, police officers, librarians or town hall employees.
3. Employees of Local Businesses: Employees of businesses located in the municipality.
4. Households with children attending the locality's schools, such as METCO students.

BOARD TO CONSIDER REQUEST OF DENISE BRESNAHAN, RE: DISCLOSURE IN ACCORDANCE WITH CHAPTER 268A, SECTION 20 (B) RELATIVE TO SUMMER EMPLOYMENT WITH WILMINGTON RECREATION

Town Manager Hull advised the Board that Ms. Bresnahan is an employee with the School Department. She also works for the Recreation Department during the summer. One of the requirements, because she is employed in two different capacities, is to seek an exemption from the Board of Selectmen. Town Manager Hull read requirements that must be met before the Board of Selectmen may grant the waiver.

Chairman Bendel asked if there were any questions, comments or a motion. A motion was made by Selectman McCoy, seconded by Selectman Eaton and by the affirmative roll call vote of all, it was

VOTED: That the Board of Selectmen acknowledges receipt of Denise Bresnahan's disclosure and determine that her employment with the Recreation Department is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.

BOARD TO CONSIDER REQUEST OF ERIN COWDEN, RE: DISCLOSURE IN ACCORDANCE WITH CHAPTER 268A, SECTION 20 (B) RELATIVE TO SUMMER EMPLOYMENT WITH WILMINGTON RECREATION

Town Manager Hull advised the Board that Ms. Cowden is an employee with the School Department. She also works for the Recreation Department during the summer.

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

VOTED: That the Board of Selectmen acknowledges receipt of Erin Cowden's disclosure and determine that her employment with the Recreation Department is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee.

PUBLIC COMMENTS

Chairman Bendel reminded those wishing to make a public comment to identify themselves by providing their name and address.

Kevin MacDonald, Andover Street, thanked the Board of Selectmen for the opportunity to ask questions and stated that he would try to keep his questions pertinent to the agenda. Mr. MacDonald opined that COVID-19 is the highest priority that the Board discussed this evening. He referenced news reports and noted they are not interviewing individuals who are working amid the illness and cited funeral directors and nursing homes.

Mr. MacDonald referenced the ratio of ill workers to ill patients at nursing homes and expressed concern that once government is fully opened, the predicted second wave in the fall may, in fact, be a third wave.

Mr. MacDonald stated that he has received HAZ-MAT, OSHA, safety-oriented training and Mind, Safety & Health training. He has learned that respirators have to be properly used to protect oneself. Mr. MacDonald commented that individuals wearing improper fitting masks are not effective. He asked that the Board of Health and public safety officials reach out to the state to obtain an abundant supply of respirators.

Mr. MacDonald stated that he has been informed that individuals can contact the virus through their eyes and asked that the Board secure safety glasses or eye protection.

Chairman Bendel assured Mr. MacDonald that the Town is in constant communication with the legislative delegation. He advised that Senator Tarr, Representatives Gordon and Robertson have been very attentive to Wilmington's needs. He expressed his appreciation to Ms. Newhouse, Chief Cavanaugh and all public safety officials for keeping the Board informed on the guidance issued by the state and Center for Disease Control (CDC). Chairman Bendel encouraged residents to continue to practice social distancing and heed the guidance of the CDC.

Chief Cavanaugh stated that he understands Mr. MacDonald's intent but if he has been trained, he should know that respirators must be properly fitted to the individual, maintained, a log book kept and a company program established in order to issue respirators. Chief Cavanaugh stated that the N95 mask is effective and what should be utilized.

Chairman Bendel asked if there were any additional public comments and was advised there were none. Chairman Bendel reminded residents of the process to call in and offer comment and stated he would wait a few moments to give them time to do so. There being no further comments, Chairman Bendel proceeded to the next agenda item.

ANNOUNCEMENTS

Selectman Cairra extended congratulations to those who will be graduating this year, whether it be college or high school. He expressed his appreciation to the members of the police and fire departments who have participated in parades to celebrate graduations, birthdays and anniversaries.

Selectman Eaton thanked the Chairman for including Colin and Jack MacLeod on the agenda. This period of time has been challenging for everyone and is appreciative that residents are stepping up to help out.

Selectman O'Mahony commented that it is easy to become discouraged with many event cancellations. She emphasized that the decisions are being made with their safety in mind and she hopes residents realize that.

Selectman O'Mahony stated that she also appreciated that Chairman Bendel highlighted the efforts of the MacLeod brothers and she hopes to see more acts recognized. She also expressed her appreciation to Town Manager Hull and other officials and stated that she understands the time spent addressing COVID related issue outside of the Board of Selectmen meetings.

Chairman Bendel stated that he saw students dressed up and taking pictures as though they were going to prom and thought how nice it was.

Chairman Bendel stated that he was open to suggestions for future recognition.

NEW BUSINESS

Selectman McCoy asked whether there was a plan to address the roadways which, he opined, are not in the best of shape. He asked whether the Town will be filling in potholes. Town Manager Hull advised that potholes are being filled or will be filled as they are identified. He noted that the Department of Public Works issued an email regarding work being done on one of the roadways and that work will continue.

Town Manager Hull advised that there are discussions to develop a plan for a phased reopening. Each department is active to various levels but once the Governor provides direction and the Town is able to reopen services, it will do so.

Chairman Bendel issued a challenge to local restaurants. He stated AJ's set the bar high in providing pizza to the MacLeod family and he hopes that when the next individual or group is highlighted, a restaurant will step up.

Selectman O'Mahony noted that Wilmington House has been making deliveries to Deming Way for a while. She stated that she thought it would be a one-time event but they have continued.

Chairman Bendel commented about the generosity of the local restaurants and the residents who support them.

IMPORTANT DATES

Chairman Bendel noted that the dates the Town Manager is about to review are subject to change. Town Manager Hull reviewed important dates including:

- May 13 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- May 16 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- May 17 – Farmers Market – Town Common Parking Lot – 10:00 a.m. to 1:00 p.m.
- May 20 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- May 23 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- May 25 – Memorial Day Ceremony at Wildwood Cemetery – 11:00 a.m.
Town Offices Closed
- May 26 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- May 27 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- May 30 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- June 1 – Revised Deadline for Property Tax Bills and Exemption and Deferral Applications
- June 3 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- June 4 – Shawsheen Tech Graduation
- June 6 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- June 7 – Wilmington High School Graduation
- June 8 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- June 14 – Farmers Market – Town Common Parking Lot – 10:00 a.m. to 1:00 p.m.
- June 20 – Annual Town Election – Polls Open 8:00 a.m. to 8:00 p.m.
- June 27 – Annual Town Meeting – High School Auditorium – 10:30 a.m.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 9:02 p.m.

Respectfully submitted,

Recording Secretary