

## BOARD OF SELECTMEN MEETING

October 22, 2018

Chairman Kevin A. Caira called the meeting to order at 6:00 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Jonathan R. Eaton, Edward P. Loud, Sr. and Michael V. McCoy. Also present was Town Manager Jeffrey M. Hull.

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

VOTED: That the Board of Selectmen enter Executive Session for the purpose of discussing negotiations with Jeffrey Hull, Town Manager, over the terms of a potential employment agreement in accordance with M. G. L. Chapter 30A, Section 21(a)2 and further for the purpose of discussing strategies with respect to litigation involving New England Transrail with respect to their petition before the Federal Surface Transportation Board in accordance with M. G. L. Chapter 30A, Section 21(a)3, as an open meeting may have a detrimental effect on the Town's position, and further to approve Executive Session minutes from October 9, 2018 (PRIOR) and October 9, 2018 (POST) in Accordance with G.L. Ch. 30A, Sec. 22 with the intention to return to open session,

Chairman Kevin A. Caira reconvened the open meeting at 7:15 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Jonathan R. Eaton, Edward P. Loud, Sr. and Michael V. McCoy. Also present was Town Manager Jeffrey M. Hull.

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

Chairman Caira noted that members of the Board of Selectmen, the Town Manager and the Recording Secretary were wearing an article of pink clothing as October is Breast Cancer Awareness Month.

### TREASURY WARRANTS

Chairman Caira asked for a motion to accept the Treasury Warrants. 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 accept Treasury Warrants 15, 15A, 16 & 16A.

### MINUTES

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 minutes of their meeting held October 9, 2018 and all action taken is hereby ratified and confirmed.

### **KAREN LEVESQUE, RIGHT OF WAY MANAGER, VERIZON, RE: PUBLIC HEARING ON REQUEST OF VERIZON NEW ENGLAND, INC. AND READING MUNICIPAL LIGHT DEPARTMENT TO PLACE ONE (1) POLE ON ARLENE AVENUE**

Town Manager Hull advised that the request has been withdrawn at this time. The Engineer conducted a site visit and found that the proposed location is on a catch basin.

### **SCOTT C. GARRANT, CHAIRMAN, 4<sup>TH</sup> OF JULY COMMITTEE, RE: REQUEST TO USE THE TOWN COMMON FOR TREE LIGHTING ON DECEMBER 1, 2018**

Mr. Garrant stated that he was present requesting to use the Town Common on Saturday, December 1, 2018 from 4 p.m. to 7 p.m. for the purpose of the annual tree lighting ceremony. He

said that, as in years past, there will be horse drawn hayrides, hot chocolate, cookies and an ice sculpture sponsored by the Chamber of Commerce. Wilmington Fire Fighters will be collecting toys for Wilmington children and the Community Fund will have their annual ornament for sale. He also noted that members of the clergy will read the Christmas story and the Wilmington Minutemen will be present with lanterns. Santa is scheduled to arrive at 6 p.m. Following Santa lighting the trees, he will be available inside the Fourth of July building for children to meet him and for photos. Cushing Amusements will be donating one or two kiddie rides.

Mr. Garrant recognized Wilmington High School cheerleaders for their assistance during the evening. He thanked the Town Manager, Board of Selectmen and Town departments for their support.

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

VOTED: That the Board of Selectmen grant the request of the Fourth of July Committee to use the Town Common on Saturday, December 1, 2018 from 4:00 p.m. to 7:00 p.m. for the purpose of the Tree Lighting Ceremony.

**MICHAEL J. NEWHOUSE, ESQUIRE, RE: REQUEST FOR WRITTEN CONSENT TO REPRESENT EAMES STREET MEMBER LLC (“GFI”)**

Mr. Newhouse stated that in 2001 he served as Town Counsel for the Town of Wilmington until 2003. April 2004 through May 2016 he served as a member of the Board of Selectmen. There are certain rules and laws that regulate what former municipal employees can participate in. He stated that when Mr. Goodman, who is present this evening, spoke to him about the prospect of representing GFI and Eames Street Member, LLC he advised Mr. Goodman that there were certain things he had to look into. Mr. Newhouse reviewed his thought process when deciding whether to represent or not represent GFI.

Mr. Goodman’s conceptual proposal is to construct a general warehousing facility at the 51 Eames Street property. As the Board is aware, the property is the subject of a petition before the Surface Transportation Board (STB) dating back to 2003. He stated that based upon his serving as Town Counsel and as a member of the Board of Selectmen, he needed to determine whether the constraints of M. G. L. 268A would allow him to represent Mr. Goodman’s company. Mr. Newhouse stated that he considered whether it may be adverse to a previous client interest as there are professional rules of conduct to be followed and he considered under what conditions he would be willing to represent the firm given the pending petition before the Surface Transportation Board.

Mr. Newhouse stated that Section 18A of 268A bars a former municipal employee forever from participating in a particular activity in which the former municipal employee participated in as an employee. He stated that based on communications and opinion from state ethics commission. Mr. Goodwin’s proposal is a separate matter from the petition before the STB.

Regarding rules of professional conduct, Mr. Newhouse cited rule 1.9, If there is a matter that is adverse to the interests of a client he once represented and he proposes to work on substantially the same matter, he is prohibited from doing so unless he gets a consent in writing from a former client. Though the matter is different, he is not interested in proceeding unless he asks the Board of Selectmen for consent to move forward.

Mr. Newhouse stated that several months ago during first conversations with Mr. Goodman, he pointed out that it would be a condition of his engagement that Mr. Goodman see to it that a standstill agreement be put in place between the Town of Wilmington, New England Transrail and the different corporate entities. Mr. Goodman was receptive to that and it is his understand that an agreement has been struck subject to the Board of Selectmen's approval.

Mr. Newhouse stated that a warehouse would comply with all local by-laws and would not be subject to any exemptions of the Surface Transportation Board or any federal agencies.

Chairman Caira noted that Dan Deutsch of Brooks and DeRensis was present. Mr. DeRensis serves as Special Town Counsel relative to Olin and NET issues. Also present was Town Counsel Mark Reich, KP Law. Chairman Caira asked Mr. Reich to speak relative to the written consent. Mr. Reich stated that he and Mr. Newhouse have had a number of conversations regarding this issue and confirmed tonight was the first time they met and he advised that Mr. Newhouse was very forthcoming in discussing the matter and providing necessary information.

Mr. Reich reviewed Mr. Newhouse' request and relevant rules and laws. Mr. Reich stated that as the facts were presented with respect to Mr. Newhouse' involvement, his discussions with Mr. Newhouse, his review of the Ethics Commission opinion, guidance provided by the Board of Overseers, the Conflict of Interest Law and the Rules of Ethical Conduct, it is his opinion that it is something within the jurisdiction and discretion of the Board of Selectmen to determine if it would be a wholly different matter.

Chairman Caira asked if there were any questions or comments from the Board. Selectman Bendel stated that there are a number of indicators that everything is "by the book" and asked Mr. Reich if there was anything the Board would be in violation of. Mr. Reich stated that the Board is not making a decision regarding a conflict of interest.

Chairman Caira asked if there were additional questions or comments from the Board, there being none Chairman Caira asked for a motion. A motion was made by Selectman Loud, seconded by Selectman Bendel and by the affirmative vote of four with Selectman McCoy abstaining, it was

VOTED: That the Board of Selectmen provide informed written consent to Michael J. Newhouse to represent Eames Street Member LLC and that the Board reserve their right to revisit this matter should other facts or information arise that may cause a concern.

Town Manager Hull advised that a letter was drafted by Town Counsel and read the letter prepared for execution by the Board of Selectmen.

**MICHAEL J. NEWHOUSE, ESQUIRE, AND STEVEN GOODMAN, MANAGER,  
WILMINGTON-WOBURN INTERMODEL LLC AND GFI PARTNERS, RE:  
PRESENTATION OF WAREHOUSE PROPOSAL FOR 51 EAMES STREET (OLIN  
SUPERFUND SITE)**

Chairman Caira stated that he would be recusing himself as his brother Michael has consulted with GFI. Based upon that knowledge and advice of Town Counsel he will recuse himself and leave the room. Chairman Caira stated that he has also filed with the Town Clerk's office a Disclosure of Appearance of Conflict of Interest as required by M. G. L. 268A Section 23(b)3. At this time Chairman Caira left the room.

Selectman McCoy served as Chairman during this appointment.

Mr. Newhouse thanked members of the Board and was pleased that members of the team could introduce their intentions. Mr. Newhouse introduced Mr. Goodman and Robert Byrd, LSP and Hydrogeologist with EnviroTrac; attorney Pamela Alco who handles environmental considerations and Bryan Poitrus, Principal with GFI Partners.

Mr. Newhouse stated that tonight they wanted to introduce the team and what the perspective project looks like, to explain or answer questions from the Board or audience regarding the relationship between the team of developers and New England Transrail and to hear issues of concern from the Board and audience that they have not already identified.

Mr. Newhouse stated that this team is interested in designing, developing and permitting a general warehousing building at 51 Eames Street, the site of Olin Chemical. The specifics have not been nailed down and will be the subject of due diligence before submitting to the Community Development Technical Review Team. The team is well aware of the history of the NET application pending with the STB and is pleased that the Town and parties have agreed to stand still. Mr. Newhouse stated that GFI Partners is in the business of warehousing and are not in the business or owning or operating railway facilities. He stated that they hope that through work on the local level, complying with local regulations that the result will be a development that is acceptable to the Town and ultimately would pave the way for the withdrawal and dismissal of the STB petition. He advised that one issue is that Olin has not moved expeditiously enough to develop remediation plans and is aware and sensitive that the Town needs to be comfortable that the remediation plan is moving forward and is acceptable to the EPA and the Town. They are aware that development of the site may make sense to phase in given the environmental challenges that exist.

Mr. Newhouse stated that while there is a financial arrangement, as there is with any potential acquisition, the group is not in the railroad business. They do own facilities where goods are delivered by rail but they do not transport solid waste or operate a reloading facility.

Chairman McCoy asked if anyone from the team that wanted to offer comments before opening it up for questions from the Board. Mr. Goodman stated that he has been a landowner in Wilmington since 1997. He stated that he has a vested interest in Wilmington. Selectman McCoy asked him to share what properties he owns. Mr. Goodman stated that he owns One Burlington Avenue and 5 Waltham Street.

Mr. Newhouse stated that they understand that there are many questions, issues that need to be addressed and they are not asking or expecting the Board to endorse a project based upon a conceptual presentation. The purpose is to present the team, present the concept, listen and hear what issues need to be addressed.

Chairman McCoy asked if there were any questions or comments from the Board. Selectman Bendel stated that he wants to be cautious. He asked for information about the warehouse and how it will be used. Mr. Goodman stated that he envisions a storage warehouse that may house consumer goods going to market. He stated that he currently does not have a tenant and explained how the delivery model is changing and there is more demand for warehouses close to population base. Mr. Bendel asked if the group would be amenable to eliminating the possibility of rail at that site and Mr. Goodman stated that they would. The only caveat would be that for certain commodities, using rail cuts down on truck traffic.

Selectman Bendel asked whether a phased approach or onetime build would impede the clean up process and Mr. Goodman stated no. He stated that the containment area is an issue of concern. Selectman Bendel asked if they move forward is this an alternative to prevent NET from developing the site.

Selectman Eaton asked Mr. Goodman to speak to the relationship between New England Transrail and Eames Street LLC. Mr. Goodman advised that New England Transrail was the entity that was under agreement with Olin and filed the petition with Surface Transportation Board. He stated that they set up a new entity not related to NET. Mr. Newhouse clarified.

Selectman Eaton stated that there seems to be a possibility that GFI would be able to buy out NET's interest with Olin so NET will no longer be a party. His concern is that if the proposal goes through, what will prevent GFI and NET from going to STB. Mr. Newhouse stated that the conditions the Town deems suitable in consultation with counsel to place on permitting which would effectuate that result, if GFI is successful in going through permitting venture, the STB petition will be dismissed with prejudice.

Selectman Eaton asked what access GFI would be willing to provide regarding remediation and Town water and soil testing. Ms. Alco stated that because it is superfund site and under the supervision of the EPA, they have an obligation to let EPA and Olin's contractor's on site. She stated that they lose the liability protection if they do not allow them on site.

Selectman Loud stated that he would feel more comfortable knowing what the remediation plan is before the first hole is dug. Mr. Goodman stated that from the developer's perspective, they are not going to locate a building where they do not have permission to do so. He stated that their development needs to be part of the remediation.

Selectman Loud stated that there is a vacant warehouse on Main Street and asked what the hurry was to build a warehouse. Mr. Goodman stated that if Selectman Loud is referencing the xpedex property, he does not expect the building to be vacant for a long period of time and what is proposed to be built on Eames Street will be a better building and a better location.

Selectman Loud stated that he was on the Board of Appeals when a cement company was present before them relative to property located across the street from 51 Eames Street. Selectman Loud stated that the application was denied due to traffic. He stated that any truck larger than a 30 foot truck crosses into oncoming traffic when turning right on to Woburn Street and he asked if they had plans to fix that intersection. Mr. Goodman stated they are present tonight to introduce the proposal and that they understand that issues need to be addressed and that they have to come up with solutions. They believe the site can be a valuable contribution to the Town.

Selectman Loud asked if it was GFI's intention to own the property and, if so, what happens with Olin. Ms. Alco advised that with regard to the Superfund Site, Olin remains a responsible party and that does not go away. GFI cannot make the situation worse. Mr. Poitrus stated that as part of the development plan they will conduct additional testing. He believes the process of developing the site will accelerate the clean-up of the site. Having a building, capping, a parking lot as part of the solution will make things happen faster.

Selectman Loud asked how GFI knows that phase I is not contaminated. Ms. Alco stated that it is contaminated but not to the same degree that the containment area is contaminated. Samples will be taken at the proposed building location so they understand what is present. She stated that often buildings and parking lots serve as caps. The agreement with Olin requires that any building have a vapor mitigation system. Selectman Loud expressed concern that soil contamination leads to the groundwater. Mr. Byrd explained that soil contamination does not

always end up as groundwater contamination. He stated that you have to have water infiltration to push the contamination down. If the area is capped, it stops the infiltration. He also stated that the bulk of the contamination is the DAPL (Dense Aqueous Phase Liquid) which is in the containment area and off-site.

Selectman Eaton commented that the focus feasibility study is due to the EPA next month and the bedrock plan is due in December and opined that it is difficult to evaluate the proposal. Mr. Goodman stated that they are before the Board of Selectmen to introduce themselves and the concept of what they want to do.

Mr. Newhouse stated that he needed to come before the Board of Selectmen before he could comfortably advocate and represent the client. He stated that he is of the mindset of having a public discussion sooner, rather than later.

Chairman McCoy asked if the contamination area is at the slurry wall and asked whether the slurry wall has been compromised and there is leakage. Mr. Poitrus believes that the EPA is looking at and is very interested in the outcome.

Chairman McCoy stated that Olin has not moved as quick as the Town would like to remediate the property. Chairman McCoy read from a prepared statement regarding the clean-up of the property and the loss of wells.

Town Manager Hull commented that one of the underlying concerns that was raised was the Town's ongoing position regarding redevelopment. He believes it to be appropriate for the EPA to at least evaluate the site. It may preclude certain options. He asked if they had a time line.

Mr. Goodman stated that they are aware that they cannot do anything without EPA's permission and without a plan from them.

Town Manager Hull stated that for a while it appeared that the Town and EPA had the same position that nothing can happen until the site is fully characterized. The Town was surprised when EPA said they do not have a problem if NET proposal goes forward if the EPA can continue.

Ms. Alco stated it is important to keep in mind the larger picture of remediation of the Superfund site which includes this parcel, off site impacts and the groundwater.

If there is a portion of the site where soil conditions can be understood, building a building will address soil condition by capping it.

Town Manager Hull asked whether there has been conversation with EPA and the issue of stormwater and how it will be handled. Mr. Goodman stated that they understand stormwater will need to be tested to ensure not releasing contaminants.

Town Manager Hull asked if there has been preliminary information regarding traffic. Mr. Goodman advised that existing counts have been conducted.

Selectman Loud asked if the Town can be copied on testing that occurs and was advised that it will go through the EPA.

Chairman McCoy asked if there were questions or comments from the audience.

Rob Fasulo, Marjorie Road, asked if the project is entertained whether it will hamper the Town's position. Mr. Deutsch stated that the attention being given to the project will not directly impact EPA's ongoing review of the environmental issues or the reports of Olin's consultants.

Mr. Fasulo asked whether Mr. Deutsch would be in favor of the project. Mr. Deutsch advised that it is not his role to provide a non-legal opinion of a project in a concept phase but it does present an alternative to the project of a type that the Town has been opposed to.

Suzanne Sullivan, Lawrence Street, stated that she wanted to remind the Board and residents that the reason the property is a superfund site is not because of 21E issues or soil contamination but because of groundwater contamination. She asked whether the Board is aware of the September 25<sup>th</sup> letter that the EPA sent to Olin regarding the Notice of Disapproval. She opined that it is premature to be before the Town without Olin meeting their obligations and believes that saying testing will be done is disingenuous. She stated that she wants to see the site be reused but wants a remedial plan first. Ms. Sullivan stated that Olin is filing a Technical Waiver Request so that they do not have to clean up the site.

Chairman McCoy asked Town Manager Hull whether there was a letter sent to the Town. Ms. Sullivan stated that the Town should have received it and noted it was dated September 25<sup>th</sup>. Town Manager Hull advised that the Town received a letter and advised that it was forwarded to GeoInsight, the Town's environmental consultant, as well as staff members. Town Manager Hull stated that the Town can continue to spend time, money and resources to fight the NET petition with STB or the Town can consider alternative options.

Ms. Sullivan stated that her concern is that the site gets developed and nothing happens. Most Superfund sites have a record of decision (ROD) before it is developed.

Town Manager Hull stated that he is in agreement that Olin has been irresponsible but believes it unfortunate to assassinate people who are saying they have another option.

Frank West, Birchwood Road, suggested that a bond be held to ensure that what needs to be done is being done.

Gary DiPalma, Swain Road, stated he moved into Wilmington in 1991 and have followed the issue and stated that the Town should tell them to fix it before they can build.

Chairman McCoy asked if there were any additional comments from the audience, there were none. Chairman McCoy asked if there were any additional comments from the Board, there were none. Chairman McCoy offered Mr. Newhouse an opportunity to make additional comments.

Mr. Newhouse thanked the Board for the opportunity to present their proposal and to those who offered comments. He noted that none of the comments were unexpected.

At this time the Board took a short recess to allow Chairman Cairra to return to the room.

### COMMUNICATIONS

Town Manager Hull reviewed a memorandum from Louis Cimaglia, Director of Veterans' Services, regarding the dedication of a new POW/MIA chair that was donated by students at Shawsheen Tech. He requests the opportunity to be placed on the Board's agenda in November to explain the significance of the chair.

Town Manager Hull reviewed an invitation for the Board of Selectmen to participate in the Veterans' Day Ceremony at the Town Common on Sunday, November 11, 2018 at 11:00 a.m. He also requests that the Board authorize the Town Common to be lit green during the month of November to honor all veterans.

Town Manager Hull reviewed a memorandum from Valerie Gingrich, Director of Planning and Conservation, written in response to a letter received from Rob Fasulo regarding the requirements of the Subdivision Regulation in reference to the proposed detox facility development at 362 Middlesex Avenue. Mr. Fasulo referenced a waiver request due to conflicting requirements in the Subdivision Rules and Regulations.

Ms. Gingrich's letter addressed the purpose of subdivision regulations, the current effort to update the subdivision regulations, waivers and the potential conflict. She advised that a new street is proposed off of Middlesex Avenue as part of the subdivision of the 362 Middlesex Avenue parcel. The proposed street meets the definition of a Minor Street as described in Section II of the Rules and Regulations. However, in Section V.B.2 of the Construction Requirements, an additional note is added to the Major Street category that was not present in the Design Requirement Section: "Major Streets and all streets in a subdivision other than a residential subdivision." For this category, a minimum right of way width of sixty (60') feet and a minimum pavement width of forty-two (42') feet is required. She advised that the additional note creates a potential conflict between the Design Section and the Construction Section and because of this conflict, the applicant for the 362 Middlesex Avenue development has requested a waiver of the additional note. Ms. Gingrich advised that the proposed street is considered a Minor Street by definition and as proposed, meets the pavement and right of way requirements.

Town Manager Hull reviewed his memorandum regarding economic development. He related points made at the Board's September 10 meeting. He noted that the Town is in the midst of a market analysis focused on a portion of the Route 38 corridor between Richmond Street and Clark Street. The study will provide demographic information and identify where residents are expending money to make purchases of products or services. Selectman Eaton believes that some points that came out of discussions with Secretary Ash, Senator Tarr and Representative Gordon do not require an Economic Development Coordinator that a committee comprised of residents to identify the types of developments the community would like and the areas of town to target. He believes participation from the Planning Board and Board of Appeals would be beneficial. Increasing the community's involvement in shaping the direction of the town is a good thing.

Selectman Bendel stated that he is in agreement that there should be a committee established and suggested that there be a community forum similar to that which was conducted when discussing the Butters Row Bridge.

Town Manager Hull stated that with respect to a committee, the key is to identify what the end product is. He stated that there needs to be clarity as to what their mission is and what will be done at the end of the day. Committees should have a mission, a purpose and an end product. Town Manager Hull stated that there needs to be consideration of who will staff the committee as someone will need to take minutes and day to day follow up. Selectman Bendel stated that the Town has 23,000 finest residents and believes the Board will be able to find someone willing to keep minutes. He agreed that there needs to be a goal in mind and perhaps it is a discussion the Board should have at a future date. He stated that he is not asking volunteers to put together a plan and put shovels in the ground, he believes people have good ideas and ought to be heard. Selectman Eaton stated that he has looked into other communities and their economic development committees and read the mission statement from the Town of Maynard. He stated that he believes Selectman Bendel's suggestion of a community forum is a good one.

Town Manager Hull stated that if the desire is to have a committee, use that as a forum to gather opinions of what people are looking for and where the Town should be focusing efforts taking on the question of what is an appropriate balance of what is more economic development and the prospect of the consequences that come from that. He commented that residents are frustrated



with the traffic in town. If it is the desire of the Board to have a committee, he can report back with a proposed format and mission. He would suggest that the committee be an ad hoc committee that is time specific with a mission to go out to the community, talk to people that they know, speak to members of the Chamber of commerce and that they speak to other residents put together a series of standard questions that they can use to develop information. A public forum can be part of that process. Selectman Bendel stated that they all have heard concerns about traffic but they also hear that they are tired of seeing vacant businesses along Route 38 and other portions of the community.

Town Manager Hull reviewed his memorandum relative to Annual Town Meeting. He provided members of the Board with a hard copy of the survey and noted the survey will be available on line via Survey Monkey with hard copies available at the Town Hall, Library and Senior Center. The survey is to assist the Board in deciding whether to propose or endorse an article for the 2019 Annual Town Meeting to change the Inhabitant By-laws as they relate to the establishment of the date for Annual Town Meeting. The survey will be available for residents to complete beginning Monday, October 22 through Friday, November 30, 2018. Residents will receive a notice about the survey with the water bills which will be issued November 1. Selectman McCoy stated that the Inhabitant By-Law Committee took a vote that was unanimous to support a Saturday in the month of March. He stated that the survey is going in the opposite direction and the warmer the weather, the harder it will be to get people to attend. Selectman McCoy stated that in March there is no holy communion and no sports. He believes that the survey needs to be revised.

Town Manager Hull stated that the challenge is that one of the things that is key to the budget process is what is happening with state aid. It makes it more difficult putting the budget together if the Town Meeting is in March. He stated that he has to present a budget 90 days prior to Town Meeting. A March Town Meeting date will require him to present a budget to the Selectmen three months before that when the Town has just entered a new fiscal year.

Selectman McCoy stated that issue was discussed and noted that it will take a while to implement.

Chairman Cairra asked if the Town Charter addresses the Annual Town Meeting and does the Town Election come in to play. Town Manager Hull stated that it is currently addressed in the By-laws that the Town Election is the week prior to Town Meeting. Chairman Cairra opined that it would be beneficial if the survey included a comment section. Selectmen Bendel and Eaton stated that it is possible to add another "question" that would be labeled comments. Selectman Bendel stressed that the outcome of the survey will have no impact on the Town Election and Town Meeting scheduled for April/May 2019.

Town Manager Hull reviewed correspondence from Paul Regan, Executive Director, MBTA Advisory Board, and Marc Draisen, Executive Director, Metropolitan Area Planning Council regarding municipal elections to the Boston Region Metropolitan Planning Organization.

**BOARD TO CONSIDER AUTHORIZING WRITTEN CONSENT TO MICHAEL NEWHOUSE, ESQUIRE, TO REPRESENT EAMES STREET MEMBER, LLC ("GFI")**

This request was taken up under appointments.

**BOARD TO CONSIDER APPROVAL AND EXECUTION OF TOWN MANAGER'S EMPLOYMENT AGREEMENT**

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

VOTED: That the Board of Selectmen approve and execute the Town Manager's Employment Agreement.

**BOARD TO CONSIDER SIGNING THE WARRANT FOR THE STATE ELECTION TO BE HELD TUESDAY, NOVEMBER 6, 2018**

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

VOTED: That the Board of Selectmen sign the Warrant for the State Election to be held Tuesday, November 6, 2018.

**BOARD TO CONSIDER REQUEST OF SHARON GEORGE, TOWN CLERK, TO APPOINT ADDITIONAL ELECTION WORKERS**

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

VOTED: That the Board of Selectmen appoint Karin Bloom, Julia Sbraccia-Marios, Maria Burns, Nicole Vitale and Judith Perry to serve as Election Workers for the Town of Wilmington.

**BOARD TO CONSIDER REQUEST OF LOUIS CIMAGLIA, DIRECTOR, DEPARTMENT OF VETERANS' SERVICES, THAT WILMINGTON TOWN COMMON BE ILLUMINATED IN GREEN DURING THE MONTH OF NOVEMBER IN SUPPORT OF VETERANS**

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

VOTED: That the Board of Selectmen approve the request of Louis Cimaglia, Director of Veterans' Services that the Town Common be illuminated in green during the month of November and further to authorize the use of Town Common on Sunday, November 11, 2018 for the purpose of Veterans' Day Observance.

**BOARD TO CONSIDER REQUEST OF MIKE BURNS, WILMINGTON ROTARY CLUB, TO POST "1978/6" SIGNS AT WILMINGTON COMMON, SWAIN GREEN, WILMINGTON LIBRARY, FOURTH OF JULY BUILDING, ROTARY PARK, WHITEFIELD SITE, WILMINGTON TOWN HALL AND YENTILE PARK**

Town Manager Hull advised that, in response to a query from the Selectmen, it is understood that if approved, the signs will be posted for not longer than one month. The Selectmen are mindful that they may be asked to consider similar requests on a number of issues.

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

VOTED: That the Board of Selectmen approve the request of Wilmington Rotary Club to post "1978/6" signs at Wilmington Common, Swain Green, Wilmington Library, Fourth of July Building, Rotary Park, Whitefield Site, Wilmington Town Hall and Yentile Park for a period of one month.

**BOARD TO CONSIDER REQUEST OF JEAN CHANG, CO-CHAIR, WILMINGTON COUNCIL FOR THE ARTS, TO APPOINT JUDI HUGHES AND HOLLY POPEO**

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

VOTED: That the Board of Selectmen appoint Judi Hughes and Holly Popeo as members of the Council for the Arts for a term to expire April 30, 2020.

**BOARD TO CONSIDER REQUEST OF WE'RE ONE WILMINGTON TO PLACE SIGNS ON THE TOWN COMMON FOR THE FESTIVAL OF TREES**

Town Manager Hull suggested that the Board be consistent with other requests and allow a maximum of two signs on the Church Street side of the Common and two signs on Middlesex Avenue side of the Town Common.

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

VOTED: That the Board of Selectmen approve the request of We're One Wilmington to place signs on Town Common for the Festival of Trees subject to a maximum of two on each side of the Town Common.

**PUBLIC COMMENTS**

Frank West, Birchwood Road, suggested that the budget portion of Town Meeting be addressed one day and the Warrant Articles and Petitioned Warrant Articles be addressed on another day.

Mr. West commented regarding affordable housing and that other communities may be losing their certification of 10% affordable housing and suggested that the Board communicate with Secretary Ash to determine solutions. Mr. West recalled that the state once offered a loan program for homeowners that met certain income requirements to have repairs made to their home. While the home was under the loan, it was counted towards the Town's affordable housing stock. Mr. West asked whether the Town could use an amount from available funds to establish a program similar to the state's loan program.

Rob Fasulo, Marjorie Road, stated that while Secretary Ash was in Wilmington, discussion took place regarding the Lowell Street property and his advice to the Town was to pick three to five properties to focus attention. Mr. Fasulo stated that the Board spent two hours speaking about Olin and commented about the condition of the property across the street. Mr. Fasulo stated that there are traffic problems in town and suggested that this may be a section of town to focus on as it is underutilized.

Selectman McCoy clarified what property Mr. Fasulo was referring to and was advised the Olin property, Lehigh Cement across the street and an abutter of Textron and Textron.

Town Manager Hull stated that the Town is mindful of the Textron property. He advised that the Town is making efforts to establish a dialog.

**NEW BUSINESS**

Selectman Bendel encouraged residents to attend the Veterans' Day ceremony at Town Common on November 11.

Selectman Bendel encouraged residents to vote on November 6.

Selectman Bendel commented about the Welcome to Wilmington program held recently at Wilmington Library. The program allowed new residents an opportunity to learn more about Wilmington resources.

Selectman Loud recognized the service of Charles “Mickey” Rooney, a U. S. Marine and Vietnam Veteran who passed away on October 17. Mr. Rooney was Wilmington’s 2002 Good Guy and a participant of the PanMass Challenge.

Selectman Loud encouraged residents to replace one light with a green light in support of veterans.

Chairman Cairra noted that October 31 will be arriving soon and urged residents to use caution while driving as there will be trick-or-treaters out and about.

### IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- October 22- Early Voting – Town Hall Auditorium
- November 2 – Mondays 8:30 a.m. -7:00 p.m.; Tuesdays – Fridays 8:30 a.m. to 4:30 p.m.
- October 26 – Haunted Woods – Harnden Tavern – 6:30 p.m. to 9:30 p.m.
- October 27 – Haunted Woods – Harnden Tavern – 6:30 p.m. to 9:30 p.m.
- October 27 – Early Voting – Town Hall – 8:30 a.m. to 12:30 p.m.
- October 28 – Horribles Parade – Rotary Park – 4:30 p.m.
- November 4 – Harnden Tavern Open House – 2:00 p.m. to 4:00 p.m.
- November 4 – Turn Clocks Back – Change Detector Batteries
- November 5- Curbside Collection of Yardwaste
- December 7 –
- November 6 – State Election – Polls Open 7:00 a.m. to 8:00 p.m.
- November 11 – Veterans’ Day Ceremony – Town Common – 11:00 a.m.
- November 12 – Town Offices Closed – *Veterans’ Day*
- November 13 – Board of Selectmen – Town Hall – Room 9 – 6:30 p.m.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 10:15 p.m.

Respectfully submitted,

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Recording Secretary