



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

May 20, 2022

TO: Board of Selectmen

RE: Appointment of Public Works Director

As you know, Michael Woods will be retiring from the position of Public Works Director in July. The Town is very fortunate to have a highly qualified individual in the "on deck circle" ready to step into the role of Public Works Director. Jamie Magaldi has accepted the position and will assume those duties effective July 25, 2022. Mr. Magaldi has a Bachelor of Science degree in civil engineering from Merrimack College and is a licensed professional engineer.

After working for private engineering firms, Jamie served as the Assistant Town Engineer in Westford before taking the position of Assistant Public Works Superintendent in 2004. With the retirement of Donald Onusseit as Public Works Superintendent, and the reorganization of Public Works, Jamie was promoted to the position of Operations Manager in 2013. During that year he also attained the designation of Massachusetts Certified Arborist and has taken on the responsibilities of the Town's Tree Warden. Jamie chaired the Town's Safety Committee for many years fostering safe work habits in the Public Works Department and throughout the other departments while being instrumental in leading the efforts to obtain credits from the Town's insurance carrier for training and other efforts to promote safety. He has been instrumental in coordinating the logistics of road paving in addition to working with Public Works Director Mike Woods to oversee the execution of capital projects approved by Annual Town Meeting. In the April 2021 edition of the American Public Works Association *Reporter*, through efforts spearheaded by Jamie and executed by members of the Parks and Grounds Division, the Department was recognized for its turf management efforts on fields throughout town.

I am very confident that his passion for his work and with his strong leadership of the personnel in the Public Works Department, the standard of excellence in all facets of public works that residents have come to expect will continue and be further enhanced.


Jeffrey M. Hull
Town Manager

cc: Susan Inman, Assistant Town Manager/Human Resources Director



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

May 20, 2022

TO: Board of Selectmen

RE: Appointment of Public Works Deputy Director

I am pleased to announce that current Business and Utilities Manager Joseph Lobao has been appointed as the Public Works Deputy Director. This position replaces the Business and Utilities Manager position which had a significant focus on water and sewer operations and procurement of goods and services for the entire department. The Public Works Deputy Director will work with Jamie Magaldi as Public Works Director to oversee the work of 49 employees and an operating budget of over \$16.7 million.

Mr. Lobao was hired as the Assistant Superintendent of the Water and Sewer Department in 2009. Prior to working for the Town, he served as Assistant Manager for Operations and Maintenance with Weston and Sampson Services, Inc. Following the consolidation of the Water and Sewer Department to become a division of the Public Works Department in 2013, he was promoted to Business and Utilities Manager. Joe has a Bachelor of Science and Business Administration from Roger Williams University and has his Massachusetts Drinking Water Operations License Grade 4 in distribution and Grade 2 in treatment. Additionally, Joe obtained his designation as a Massachusetts Certified Public Purchasing Official from the Massachusetts Office of the Inspector General.

He and Jamie have a strong working relationship and that synergy will only benefit the operation of the department whether through interactions with residents or maintenance of the parks and grounds, cemetery and public infrastructure throughout the town.

Jeffrey M. Hull
Town Manager

cc: Susan Inman, Assistant Town Manager/Human Resources Director



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

May 20, 2022

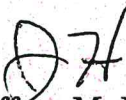
TO: Board of Selectmen

RE: Appointment of Public Works Operations Manager

The Public Works Operations Manager works closely with the Director and Deputy Director to ensure that the myriad of assignments from catch basin clean-out to replacing water lines to street paving and preparing ballfields are executed in a timely and effective manner. This role requires regularly communicating in the field with divisional foremen to keep work schedules on track and to be alerted to issues to equipment, town property or calls for assistance from residents. There is no better person to take on these responsibilities than Jerry Lawrenson. He has been promoted to the Operations Manager position effective July 25, 2022.

Mr. Lawrenson has an extensive background in infrastructure improvements. Prior to being hired by the Town in 1995, he worked for several contractors involving water line and septic system installation on private property. Through this work he garnered experience and licenses in operation of heavy equipment including backhoes, dump trucks and front-end loaders. Upon being hired by the Town he began work in the Water/Sewer Department and has received several promotions over the years including to the positions of working foreman and general foreman. The Town has received a number of communications from residents over the years expressing their gratitude regarding his responsiveness and professionalism in resolving their problem.

During his nearly 27 years of service to the Town he has earned the respect of the individuals who have worked with him and for him and he has earned the confidence of the individuals to whom he reports. Jerry will continue to serve as a key member of the Public Works management team in his new role.


Jeffrey M. Hull
Town Manager

cc: Susan Inman, Assistant Town Manager/Humans Resources Director



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

May 20, 2022

TO: Board of Selectmen

RE: State House Note for Water Tank

Article 26 at the May 5, 2018 Annual Town Meeting authorized the appropriation and issuance of debt in the amount of \$2.5 million for the construction of the new water tank located off Nassau Avenue. During the spring of 2019 the Board members were required to execute the specific documents to acknowledge the issuance of debt.

The Town is once again seeking to issue a new note to replace the current note which expires on June 3rd. The amount of the new State House Note is \$2,410,000. Pamela MacKenzie, Treasurer/Collector, requested bids for the new issuance and the most favorable rate from Newburyport Bank was received at 1.98%. Lori Lombard, the town's financial advisor from Unibank, has advised Ms. MacKenzie that the new issuance does not require a vote of the Board of Selectmen but will require the signatures of at least 3 of 5 members on specific issuance documents.

Packaging this relatively small borrowing with larger borrowing will save on the costs associated with debt issuance. The expectation is that borrowing will be required to pay for a Senior Center and Town / School Administration Building. Other capital projects requiring debt finance include a fire substation and the replacement for the Wildwood School. The plan is to eventually incorporate the water tank short-term borrowing with long-term debt associated with these projects.


Jeffrey M. Hull
Town Manager

cc: Susan L. Inman, Assistant Town Manager/Human Resources Director
Bryan Perry, Finance Director/Town Accountant
Pamela MacKenzie, Treasurer/Collector



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

May 13, 2022

TO: Board of Selectmen

RE: Rail Crossing Safety Issues Update

Chairman Judith O'Connell and I participated in a Zoom session with Michael Muller, MBTA Executive Director of Engineering and Maintenance for Commuter Rail; Ryan Coholan, MBTA Chief Railroad Officer; Abdellah Chaijai, CEO, Keolis Commuter Services and State Senator Bruce Tarr on May 11th.

Recent news outlets have reported that the Federal Transit Administration (FTA) is conducting a safety audit of the MBTA in light of the multiple accidents occurring on the commuter rail and in the subway system. The accounts noted the January 2022 accident in Wilmington amongst other accidents. Mr. Muller was questioned about whether the audit would involve the accident in North Wilmington and, if so, the nature of the review. He responded that the FTA investigation will only be addressing the subway system. The investigation will include a review of safety procedures, a document review, staff training and preventive maintenance knowledge of MBTA employees. The MBTA and Keolis completed an investigation of the January incident in Wilmington. Other parties investigating the incident were the Massachusetts State Police and the District Attorney's Office. A report has not yet been released.

According to Mr. Chaijai, signal testing and repairs have been completed as of May 2nd at all 11 rail crossings in Wilmington. These components ensure that the crossing arms function properly when trains are approaching or leaving a crossing. Work to address drainage along the rail near the crossings and the ballast (crushed stone) continues at the Woburn Street, Kilmarnock Street, Concord Street and Middlesex Avenue rail crossings. Work involves replacing the ballast material and shaping the ballast to maximize proper drainage away from the rails. Work has been completed to create larger signs with the rail crossing identification number and phone number to call to report irregularities at the crossings. These signs will be added to the signs that are already required by the FTA. Final approval for installation of the signs is expected by today. Once final approval is granted, it is expected that production and installation of the signs will take about 5 weeks. Chairman O'Connell inquired about whether establishing a QR code on signs had been investigated and was advised that use of QR codes had not been looked into but an answer would be forthcoming at the next Zoom session.

The Keolis CEO noted once again that they plan to install air conditioning in the bungalows where installation is possible. During the period of June, July and August signal failures can occur due to the impact of heat on the components in these storage sheds.

Mike Muller stated that the MBTA is finalizing the documentation required by the FTA related to their request to install a new platform at the North Wilmington rail crossing. It appears that the submission of this information is imminent. The next check-in is scheduled for May 25 at 10:00 a.m.



Jeffrey M. Hull
Town Manager



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

May 13, 2022

TO: Board of Selectmen

RE: Town/School Administration and Senior Center Building Projects


Selectman Caira asked that I provide an itemized breakdown of the expenses incurred to date for the Town / School Administration and Senior Center Building projects. Attached is a summary page of total project costs and the invoices for the Owners Project Manager (OPM), P3; Johnson Roberts Associates, Inc. architect for the Town / School Administration project; and Dietz & Company Architects, Inc., architect for the Senior Center project. A question was raised about billing for services and whether costs are incurred each time the OPM or architects are contacted similar to the arrangements with legal counsel.

The agreement with P3 for services associated with the Town / School Administration Building project is a lump sum contract for \$107,000. The agreement with P3 for the Senior Center Project is a lump sum amount of \$75,000. In each instance the fees are broken down based upon specific phases of work to be completed. Charges are not billed hourly each time the OPM is contacted or for the time associated with each meeting as is the case with legal counsel.

The agreed upon prices for both architects are based upon the scope of work that was established in the Request for Proposals. Each architect estimated an amount of time and number of meetings required to complete the scope of work. It is possible that if more time or meetings are required to complete specific phases of the work than projected, that either architect could request a contract amendment to modify the project price. The architect would need to provide supporting documentation justifying the request. Each request would be reviewed by the OPM with a recommendation as to whether to accept or reject the request. I will make the final decision. The architects also do not charge the Town hourly based upon each contact or meeting. No such amendment requests have been made to date.

George Hooper, as chairman of both committees, has advised members that they should not contact the OPM or architect directly. They should first consult with him. He has received questions from committee members and in some instances has authorized them to consult directly with the OPM or architect. George has stated that such inquiries have not been excessive.

At the Senior Center Building Committee meeting on March 23, 2022, Terri Marciello expressed the importance of informing the seniors about the status of the project and providing an opportunity for seniors to ask questions. Some seniors may be uncomfortable with participating in a Zoom session or not be inclined to attend in person meetings in the evening. Three of the four meetings in February and March were via Zoom. The committee agreed to the idea of having George Hooper, Dan Pallotta and Lee Morrisette make a presentation on the afternoon of April 6th prior to the scheduled Senior Center Building Committee meeting. That presentation was held at the Buzzell Senior Center.



Jeffrey M. Hull
Town Manager

Attachments



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

FROM THE TOWN MANAGER

May 20, 2022


TO: Board of Selectmen

RE: Board of Selectmen Designees

Board members expressed interest in considering your assignments to Boards and Committees. The thought is to provide members with the opportunity to determine whether to continue with your current assignments. Currently, the following committees have designees serving from the Board of Selectmen:

- Commission on Disabilities
- * Economic Development Committee
- * Inhabitant By-law Study Committee
- Library Strategic Planning Committee
- Open Space and Recreation Committee
- Rink & Recreation Committee
- Senior Center Building Committee
- Town Hall / School Administration Building Committee
- MBTA Advisory Board
- Wildwood School Building Committee

The asterisked committees have both Board designees and individuals on the committee appointed by the Board. Some committees, like the Inhabitant By-law Study Committee, the Library Strategic Planning Committee and Open Space and Recreation Committee have extended periods of inactivity until the by-laws or plans must be reviewed again. A periodic review of committee assignments may create opportunities for current members to take a break from their designated committee and allow other members to serve.


Jeffrey M. Hull
Town Manager

L.A. ASSOCIATES, INC.
11 Middlesex Ave., Suite 5
Wilmington, MA 01887
(978) 758-0197 fax (978) 658-7333
kriscosta@laassoc.com

May 12, 2022

Judith L. O'Connell, Chair
Board of Selectmen
Town of Wilmington
121 Glen Road
Wilmington, MA 01887

Re: 79 Nichols Street

Dear Madam Chair:

I am writing on behalf of Golden Realty Trust, owner and applicant of the affordable housing project known as Baldwin Landing.

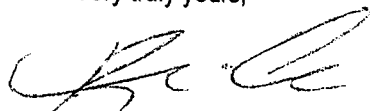
We are hereby notifying you that we have submitted a Project Eligibility Application to MassHousing under their Housing Starts/New England Fund 40B program for this project. Enclosed please find a copy of the application and required attachments for your records.

Upon receipt of the Project Eligibility Letter from the MassHousing, we will then apply to the Zoning Board of Appeals for a Comprehensive Permit.

If you have any questions, or if you would like to learn more about the project, please call me at (978) 758-0197. I would be happy to meet with you and/or other town officials to offer additional information about my client's plans.

Thank you.

Very truly yours,



Kristen E. Costa
Consultant

cc: James Mangano
Michael Newhouse, Esq.



Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

TEL: 617.854.1000
FAX: 617.854.1091 | www.masshousing.com

Videophone: 857.366.4157 or Relay 711

May 17, 2022

Judith L. O'Connell, Chair
Board of Selectmen
Town of Wilmington
121 Glen Road
Wilmington, MA 01887

**RE: Proposed 40B—Baldwin Landing
Wilmington, MA
MH ID No. 1150**

Dear Chair O'Connell:

The Massachusetts Housing Finance Agency (MassHousing) is currently reviewing an application for Site Approval submitted by Golden Realty Trust (the Applicant). The proposed development will consist of 20 units of rental & homeownership housing on approximately 4.36 acres of land located at 79 Nichols Street in Wilmington, MA.

The site approval process is offered to project sponsors who intend to apply for a Comprehensive Permit under Chapter 40B. MassHousing's review involves an evaluation of the site, the design concept, the financial feasibility of the proposal, and the appropriateness of the proposal in relation to local housing needs and strategies. As part of our review, we are soliciting comments from the local community, and we would appreciate your input. You also may wish to include in your response issues or concerns raised by other Local Boards, officials, or other interested parties. Pursuant to the new Massachusetts General Laws Chapter 40B regulations (760 CMR 56.00) your comments may include information regarding municipal actions previously taken to meet affordable housing needs such as inclusionary zoning, multifamily districts adopted under G.L. c.40A and overlay districts adopted under G.L. c.40R. Your comments will be considered as part of our review.

We have been informed by the Applicant that the Town has received a copy of the application and site plans for Baldwin Landing. Please inform us of any issues that have been raised or are anticipated in the Town's review of this application. We request that you submit your comments to this office by Friday, June 17th, so we may process this application in a timely manner.

During the course of its review, MassHousing will conduct a site visit, which Local Boards, as defined in 760 CMR 56.02, may attend. The site visit for Baldwin Landing has been tentatively scheduled for Tuesday, May 31st at 11 a.m. Please notify me promptly if any representatives of

your office or if other Local Boards plan to attend the tentatively scheduled site visit.

Please note that if and when an application is submitted for a comprehensive permit, assistance is available to the Zoning Board of Appeals (ZBA) to review the permit application. The Massachusetts Housing Partnership's (MHP) Ch. 40B Technical Assistance Program administers grants to municipalities for up to \$15,000 to engage qualified third-party consultants to work with the town's ZBA in reviewing the Chapter 40B proposal. For more information about MHP's technical assistance grant visit MHP's web site, www.mhp.net/40B or e-mail MHP at kbosse@mhp.net.

If you have any questions, please do not hesitate to email me at mbusby@masshousing.com.

Thank you for your assistance.

Sincerely,

Michael Busby
Relationship Manager



TOWN OF WILMINGTON
Engineering Division Memorandum

TO: Jeffrey M. Hull, Town Manager

CC:

FROM: Paul M. Alunni, PE, Town Engineer

SUBJECT: MassWorks Project Update

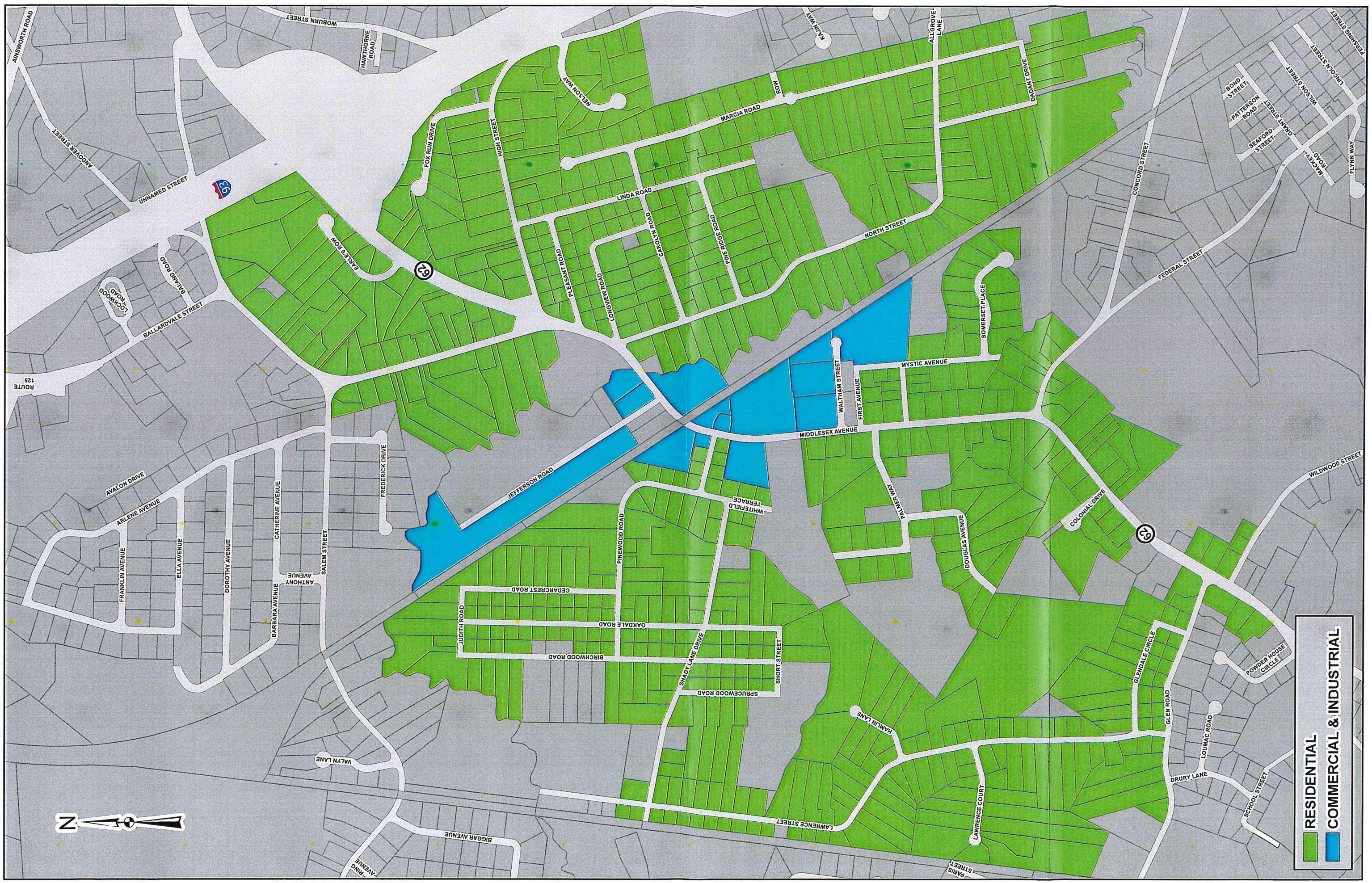
DATE: May 20, 2022

As discussed at the April 25, 2022 Selectboard meeting, the Department of Public Works is advancing with plans to replace the culvert conveying Lubber's Brook under Middlesex Avenue in July 2022. The project will require a full closure of Middlesex Avenue (in the vicinity of the culvert) for a period of approximately 30-days. At a meeting with the contractor, J. Tropeano, Inc., on May 17, 2022, the Town was given an approximate start date of the full closure of July 18, 2022. This is primarily dependent on lead time for manufacturing the culvert and delivering to the site. The contractor will be doing as much preparation work as possible in advance of the shutdown to expedite the construction schedule (full closure) accordingly. As such, over the next two (2) months, residents may see work being performed along the roadway shoulder resulting in a temporary single lane closure and experience minor delays.

With a projected start date in hand, I will be finalizing notification letters to local residents and businesses with points of contact and traffic detour details the week of May 23rd. The enclosed map illustrates all residences (green) and businesses (blue) that will receive a notification letter. Further, the Department of Public Works will be recording and transmitting a telephone message (via Everbridge) to residents and commercial properties Town-wide with project details and schedule. The Department of Public Works will also update social media platforms such as the newsfeed on the Town's website, twitter, and facebook with project updates and schedules. Lastly, variable message boards will be placed along Route 62 and Route 93 fourteen (14) days prior to the road closure.

Should you have any questions or concerns, please do not hesitate to call me at your convenience at 978-658-4499. On behalf of the Department of Public Works, I sincerely appreciate the Town's patience as we advance through construction of this much-needed replacement of the Lubber's Brook Culvert at Middlesex Avenue.

Enclosures (1)



	RESIDENTIAL
	COMMERCIAL & INDUSTRIAL

Map labels include street names such as ANSWORTH ROAD, WOBURN STREET, HAWTHORNE ROAD, NELSON WAY, MARCIA ROAD, FOX RUN DRIVE, HIGH STREET, PLEASANT ROAD, LONGVIEW ROAD, LINDA ROAD, CAROLAN ROAD, PINE RIDGE ROAD, NORTH STREET, DADANT DRIVE, UNNAMED STREET, ANSON STREET, UNNAMED STREET, EAGLES ROW, WALTHAM STREET, MYSTIC AVENUE, SOMERSET PLACE, FEDERAL STREET, CONCORD STREET, LINCOLN STREET, WILSON STREET, PERSHING STREET, POND STREET, PATTERSON ROAD, SEAFORD STREET, MACEY ROAD, FLYNN WAY, BALLAROVALE STREET, LOCKWOOD ROAD, BLANDY ROAD, ROUTE 125, AVALON DRIVE, ARLENE AVENUE, FRANKLIN AVENUE, ELLA AVENUE, DOROTHY AVENUE, CATHERINE AVENUE, ANTHONY AVENUE, SALEM STREET, FREDERICK DRIVE, WILLOWOOD STREET, WALTHAM STREET, MIDDLESEX AVENUE, FIRST AVENUE, WALTHAM STREET, MYSTIC AVENUE, SOMERSET PLACE, FEDERAL STREET, CONCORD STREET, LINCOLN STREET, WILSON STREET, PERSHING STREET, POND STREET, PATTERSON ROAD, SEAFORD STREET, MACEY ROAD, FLYNN WAY, COLONIAL DRIVE, WILDWOOD STREET, DOUGLAS AVENUE, PLUMMER WAY, WHITEFIELD TERRACE, JEFFERSON ROAD, PINWOOD ROAD, CEDARCREST ROAD, OAKDALE ROAD, BIRCHWOOD ROAD, SHADY LANE DRIVE, SPRUCEWOOD ROAD, SHORT STREET, HAMLIN LANE, LAWRENCE STREET, LAWRENCE COURT, DRURY LANE, LOUMAC ROAD, GLEN ROAD, GLENDALE CIRCLE, POWDER HOUSE CIRCLE, VALYN LANE, BIGGAR AVENUE, PARIS STREET, and ANSON STREET.



TOWN OF WILMINGTON
DEPARTMENT OF PUBLIC WORKS

Highway Water & Sewer Engineering
Tree Parks & Grounds Cemetery

Interoffice Memorandum

TO: Jeffrey M. Hull, Town Manager

FROM: Michael J. Woods, Director of Public Works
Jamie M. Magaldi, PE, MCA, Operations Manager / Tree Warden
Paul Alunni, PE, Town Engineer
Valerie Gingrich, Director of Planning and Conservation
Shelly Newhouse, Director of Public Health

SUBJECT: ARPA Funding Status Update

DATE: May 13, 2022

The Town Manager's Office provided the Board of Selectmen with a proposal on the planned use of American Rescue Plan Act (ARPA) Funds in correspondence dated November 5, 2021. As stated in the memo, ARPA funding awarded to the Town of Wilmington in the amount of \$7,007,864 must be obligated by or before December 31, 2024 and expended by December 31, 2026. The following chart serves as a reminder to the current planned allocation of funding, followed by updates for each project.

Project Total	Allocation Estimate
Replacement of Woburn Street water main from Lowell Street to the Woburn Street School	\$5,500,000
Stormwater improvements to existing catch basins	\$ 550,000 (reduced from \$1,000,000)
Lubbers Brook Culvert Replacement – Mass Grant Supplement	\$ 450,000 (added February 14, 2022)
Support of personnel to conduct contact tracing	\$ 50,000
Provide grant for façade and streetscape improvements	\$ 300,000
Branding and Marketing	\$ 50,000
Grant Administration	\$ 100,000
Total	\$7,000,000

Water Supply System Improvements (Woburn Street Water Main)

This project consists of replacing approximately 11,000 of existing 10" water main on Woburn Street from just north of the intersection of Lowell Street to the area near the Woburn Street School.

Status Update: The towns water resources consultant, Kleinfelder, has run an analysis and has determined the proposed water main replacement can likely be sized as a new 12" main, rather than a 16" main and still provide similar flow benefits in the event of a future full time upgrade to MWRA. The Department of Public Works has begun the process of collecting competitive design proposals

for this work from qualified water resource design firms. As the project is still in the procurement and proposal review phase, no money has yet been expended on this project.

Drainage System Improvements (Catch Basin Retrofits)

This project involves the retrofit of existing stormwater catch basins to include the implementation of best management practice (BMPs) to improve water quality at outfall discharge locations in sensitive locations (Ipswich River, Martins Brook, and Aberjona River watersheds).

Status Update: One million dollars (\$1,000,000) to perform improvements at approximately 200 existing catch basins was originally allocated for this project. At the February 14, 2022 Board of Selectmen meeting, a memo was presented requesting funding for this project be reduced to \$550,000 to help accommodate an allocation of funds to supplement Mass Works grant funding to fund the Lubbers Brook Culvert Replacement Project (see update below). As such, the anticipated number of catch basins which will be selected for BMP upgrades has been reduced to approximately 100. The Department of Public Works is in the process of preparing bid documents for this work in order to secure a contractor. No funds have been expended to date. It is anticipated that ARPA funds will be expended toward this endeavor in the 2023 and 2024 construction seasons.

Lubbers Brook Culvert / Jefferson Road Force Main and Pump Station Installation

In November of 2020, the Town of Wilmington was awarded Mass Works grant funding for public infrastructure improvements related to the Princeton Wilmington Smart Growth Housing Project. This project includes a sewer extension with pump station, a culvert replacement, and Jefferson Road Corridor Improvements. As previously reported to the Board of Selectmen, after opening bids for the project it was apparent that the project was underfunded by a considerable amount.

Status Update: The Town of Wilmington has since been awarded additional Mass Works Grant funding for this project from the Executive Office of Housing and Economic Development (EOHED) with the understanding that there is partial match funding provided by both Princeton Properties and the Town of Wilmington. To provide local match for Wilmington, \$450,000 was reallocated from the catch basin retrofit project to the Lubbers Brook Culvert Replacement Project. The Town of Wilmington is preparing preconstruction logistics for this project and it is anticipated the Lubbers Brook Culvert replacement portion of this project will begin in July 2022. As the construction phase of this project has not yet commenced, no ARPA money has yet been expended. It is anticipated that ARPA funds will be expended for this project in fall of 2022.

Support of Personnel to Conduct Contact Tracing

Funds were set aside for the potential for contact tracing associated with uncertainty surrounding COVID-19 patterns. As cases are still continuing as we head into the summer of 2022, there still exists potential for funding related to this need.

Status Update: No funds have been expended to date.

Provide Grants for Façade and Streetscape Improvements.

The town's consultant funded through the Local Rapid Recovery Program (LRRP) has advised that providing grant funding to local businesses to improve signage, storefronts, and streetscapes will help stimulate additional business.

Status Update: No funds have been expended to date. The Façade Improvement Grant Program will be initiated following completion of the Branding and Marketing project. The project is expected in 2023.

Branding and Marketing

LRRP consultant BerryDunn has also recommended the town engage in branding and marketing efforts to help spark economic development.

Status Update: The Town has issued a Request for Proposals (RFP) for these services. The deadline to submit RFPs is May 25, 2022. More information is available on the Town's purchasing page on the Town's website. <https://www.wilmingtonma.gov/purchasing-department>

Grant Administration

As stated in the November 5, 2021 memo to the Selectmen, funding has been set aside to help administer the ARPA grant to help satisfy Treasury guidelines.

Status Update: To date, the town has spent \$1,300.43 in consulting fees payable to CliftonLarsenAllen, LLC (CLA) for grant administration. This was related to the Federal Compliance Report for the U.S. Treasury. This was completed, with the assistance of CLA ahead of the April 30, 2022 due date. CLA has also provided consultation to the town with respect to the planning of allowable projects and to better understand the compliance regulations associated with ARPA.



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

May 20, 2022

TO: Board of Selectmen

RE: Update on Town Hall / School Administration Building Committee

On May 18th the Town/School Administration Building Committee met with Phil O'Brien, LEED AP from Johnson Roberts Associates, Inc., and Rob Todisco from P3 the Owners' Project Manager (OPM), to resume discussions about the location of the building on the School Street/Middlesex Avenue site and to revisit the interior spaces. A few proposed changes in the interior assignment of spaces were discussed but most of the discussion took place on four schemes for siting and the overall layout/footprint of the building.

Scheme B.3 presents the building facing Middlesex Avenue and at the front of the parking lot. This option is slightly different from previous options because the building footprint moves approximately 40 feet into the Swain Green. While approximately 40 parking spaces could be added into the embankment, without that addition there is projected to be a net loss of 14 spaces from the existing 247 spaces. The Buzzell Senior Center would not need to be removed and the 40 spaces in that lot could also be used.

Scheme F sets the building into the embankment in front of and slightly to the north of the Buzzell Senior Center. The design has a constraint to the north of the building as it must be set back 25 feet from an identified wetland area. The portion of the building closest to homes on School Street has the lowest roof line and would serve as space for large and small hearing rooms. This scheme would result in a net increase of parking spaces to 304 and would also not require the removal of the Buzzell Senior Center. The building in this location would be very close to the senior center and would block the view of the Swain Green and parking area from the senior center.

Scheme G1 has one portion of an "L" extending along School Street and the second portion extending along the embankment. The Buzzell Senior Center would need to be demolished. This option also results in a net increase of 47 parking spaces to 304. The building could be accessed from either School Street or the parking lot.

Scheme H has an "H" footprint with a larger presence on School Street than is the case with Scheme G1. One leg of the "H" would contain school related space and the other leg of the "H" would contain general government space with the middle section being comprised of the large and small hearing rooms which would be easily accessible to either town or school personnel. This scheme also provides 47 additional parking spaces.

Committee members voted to remove Schemes G1 and H from further consideration and appear to express a preference for Scheme F. Mr. O'Brien was asked to once again provide committee members with the massing models for review. These massing models were provided at a previous meeting but may assist committee members to reach a final decision on the direction to give the architect for the location of the building on the site. The committee will meet again on June 1st.

Kevin A. Caira
Selectman

cc: George Hooper, Chairman, Town/School Administration Building



Wilmington, Massachusetts

INTER-DEPARTMENTAL COMMUNICATION

May 13, 2022

TO: Board of Selectmen

RE: Senior Center Building Committee

The Senior Center Building Committee met on May 11th to continue discussion about the programming spaces in the building and to the types of exterior materials to use for the building. Lee Morrissette, architect with Dietz & Company, reviewed a plan diagram with the committee. The proposed layout of office spaces remains largely unchanged from the previous plan with greater detail reflected in the kitchen area and the administrative office area. The kitchen area illustrates counters and refrigerator units, and the administrative space depicts workstations. A few questions were raised including whether the wall separating the arts and crafts room from the meeting and classroom should be replaced with retractable divider wall to create flexibility by making the two rooms into one room. Questions were posed about the location of storage spaces and whether adequate storage space has been incorporated into the design. Mr. Morrissette noted that there is a tendency for materials and supplies to fill the available storage. Other discussion took place about whether the kitchen should be designed with walk in freezers or rely upon freezer units and the size of specific rooms. There was no vote taken but the committee has consensus over the organization, types and layout of the spaces.

The architect presented the committee with information about the types of exterior siding, roofs and windows that should be considered. Cedar, fiber cement and brick were some of the types of siding presented along with asphalt shingles or metal roofing and aluminum, wood or fiberglass windows. There are variations within each type and amongst the types of materials with respect to cost and long-term durability. Committee members agreed that efforts should be made to use materials that lessen the building maintenance requirements. Mr. Morrissette noted that it is possible to mix and match different types of materials on the building. Dan Pallotta, Owners Project Manager, cautioned that brick is very expensive.

Dan Pallotta advised the committee that it would be a good time to hold a public forum to gather input from residents about the types of materials and exterior features of the building. A public forum has also been suggested for the Town/School Administration Building and the suggestion was made to cover both projects during the same forum. Poster boards displaying the design options could be set up in addition to a presentation on the options for exterior elements. Mr. Pallotta suggested that this forum be held in early June. The committee will meet again on May 25th.

Gregory B. Bendel
Selectman

Attachment

cc: George Hooper, Chairman, Senior Center Building Committee



Clark Hill

Eric M. Hocky
T (215) 640-8523
F (215) 640-8501
Email: ehocky@clarkhill.com

Clark Hill
Two Commerce Square
2001 Market Street, Suite 2620
Philadelphia, PA 19103
T (215) 640-8500
F (215) 640-8501

May 5, 2022

BY E-FILING

Cynthia T. Brown
Chief, Section of Administration,
Office of Proceedings
Surface Transportation Board
395 E Street SW
Washington, DC 20024

Re: **New England Transrail, LLC d/b/a Wilmington & Woburn
Terminal Railway-Construction, Acquisition and Operation
Exemption-in Wilmington and Woburn, Massachusetts**
Docket No. FD 34797 (Sub No. 1)
Further Status Report

Dear Ms. Brown:

By this letter, Petitioner New England Transrail ("NET") and Wilmington Woburn Intermodal, LLC ("WWI")¹ provide their joint further status report pursuant to the April 5, 2019 Board decision, as amended by the October 24, 2019 Board decision, which requires the parties to submit a status report by November 8, 2019, and every 90 days thereafter. NET and WWI filed their most recent joint report on January 28, 2022 as required. NET and WWI acknowledge that this status report should have been filed by April 30, 2022, and apologize for the short delay.

As noted in previous reports, in October 2018, representatives of WWI presented to the Wilmington Board of Selectmen, WWI's concept for a potential project alternative to the project which is the subject of NET's petition before the Board. The parties apprised Danielle Gosselin in the Board's Office of Environmental Assessment ("OEA") of those preliminary discussions. The conceptual alternative would involve an expanded version of its proposed warehouse for the bulk transfer and storage of retail and other commodities.

¹ In November, 2018, NET petitioned to substitute WWI as the Petitioner. WWI is a joint venture between NET and commercial developer GFI Partners. That petition is still pending with the Board. Nevertheless, WWI is joining in this status report.

In its May 3, 2021 status report, NET and WWI reported that USEPA released its Record of Decision ("ROD") on April 1, 2021, and provided links to a general description of the ROD, and the timeline for next steps, and to the ROD. WWI/NET also provided a copy of the ROD to OEA.

Olin is currently in negotiations with EPA for a Consent Agreement in response to the ROD issued by EPA on March 30, 2021. The final Consent Agreement will be sent to DOJ for acceptance. Remedial design activities will commence after the Consent Agreement is lodged in Federal Court. Discussions with the Town in conjunction with the redevelopment of the site will continue after the Consent Agreement is filed.

WWI (and, by extension, NET as an investor in it) continue to refine their current plans for the property in the context of the ROD, and based on continuing discussions with Olin as Olin negotiates the final Consent Agreement with EPA. WWI and NET have requested timelines and design parameters from which to base their redevelopment options, and plan to meet with Olin again in early May.

As previously noted, WWI / NET had their first meeting with the Town of Wilmington ("Town") following the issuance of the ROD. WWI/NET has since addressed the Town's follow-up questions and observations about how to best implement development without adversely affecting any ongoing cleanup efforts. Some of the issues discussed have included warehouse design, wetlands protection, and fire protection. WWI/NET believes the discussions have been collaborative and productive, and WWI/NET remain committed to further discussions and to providing additional information which supports their proposal's non-impact as well as information that further describes those areas of the proposed development that will contribute to the EPA's cleanup solutions and remediation goals as will be set forth in the Consent Agreement.

WWI and NET will continue to provide status reports to the Board while the proceeding remains in abeyance.

Cynthia T. Brown
Chief, Section of Administration
Page 3

Please let us know if the Board has any questions concerning this report.

Sincerely,

CLARK HILL PLC

/s/ Eric M. Hocky

Eric M. Hocky

Attorneys for New England Transrail and
Wilmington Woburn Intermodal, LLC

EMH/e

cc: Danielle Gosselin, OEA (by email)
Adam Assenza, OEA (by email)
Daniel Deutsch, Esq. (by email)
Attached Service List for Sub-Docket No. 1

Cynthia T. Brown
Chief, Section of Administration
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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of May, 2022, a copy of the foregoing "Further Status Report" was sent by email to the following Party of Record in Sub-Docket No. 1:

Daniel R. Deutsch
Principal and Managing Attorney
Brooks & DeRensis, P.C.
200 Franklin Street, Suite 700
Boston, MA 02110
ddeutsch@bdboston.com

/s/ Eric M. Hocky

Eric M. Hocky

Daniel R. Deutsch, Esq.
ddeutsch@bdboston.com

May 6, 2022

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration,
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

**RE: New England Transrail, LLC, D/B/A Wilmington & Woburn Terminal
Railway-Construction, Acquisition, and Operation Exemption-in
Wilmington and Woburn, Massachusetts
FD 34797 Sub-Docket 1
*Further Status Report of Town of Wilmington***

Dear Ms. Brown:

On behalf of the Town of Wilmington (“Wilmington”), we submit this further status report pursuant to the Board’s Decision dated April 5, 2019 and amended October 24, 2019, requiring the parties to submit status reports by November 8, 2019 and every 90 days thereafter. This report follows our report of February 7, 2022.

The parties’ previous reports summarized initial discussions between Wilmington and WWI/GFI concerning a conceptual alternative to the project that is the subject of the above-noted proceeding which has been suspended. The pace and timing of WWI’s engineering and planning of a potential alternative redevelopment project have depended upon the development and approval of remedial options for clean-up of the Olin Site by USEPA and Olin Corporation and the decision-making of WWI and NET.

As the parties later reported, USEPA released its Record of Decision on April 1, 2021. Counsel for NET/WWI provided your office with access to information concerning the ROD and the timeline for related next steps. EPA issued interim or final remedial plans for various operating units of the Superfund Site and related activities; some studies and reports have been in process since last spring and remain on-going. EPA is negotiating a Consent Agreement, after which remedial design activities may be undertaken.

As also reported, representatives of WWI/GFI met with certain Wilmington officials in July 2021 to address aspects of WWI’s conceptual proposal for developing the Olin Site in light of the ROD. In mid-September, WWI/GFI representatives met with other Town officials to discuss a conceptual project design. Those officials provided feedback concerning various

Ms. Cynthia T. Brown
May 6, 2022
Page 2

matters including wetlands, fire access, site circulation, and implications of construction on future clean-up activities. The proponents continue to develop design responses to some of those concerns including traffic and stormwater management. At the further meeting in January 2022, WWI indicated an intention to incorporate site remediation engineering into a project design so as to obviate or minimize interference with on-going site cleanup processes. However, details for implementing such engineering also have not yet been provided.

There have not been any further discussions with WWI about these matters. Nonetheless, as three months ago, Wilmington remains open to reviewing updated design plans and any other available information concerning a possible development project, for which WWI/GFI ultimately would need to seek permits from relevant Town boards.

We will continue to provide you with status reports while this proceeding remains in abeyance. Please let us know if you require any additional information.

Very truly yours,

/s/ Daniel R. Deutsch

Daniel R. Deutsch

cc: Danielle Gosselin, OEA (by email)
Adam Assenza, OEA (by email)
Eric M. Hocky, Esq. (by email)
Kevin Pechulis, Office of Environmental Review (by email)
Melanie Morash, Superfund Project Manager, EPA Region 1 (by email)
Christopher Kelly, EPA (by email)
Jeffrey M. Hull, Town Manager, Town of Wilmington (by email)
Attached Service List

Ms. Cynthia T. Brown
May 6, 2022
Page 3

CERTIFICATE OF SERVICE

I, Daniel R. Deutsch, hereby certify that a copy of the foregoing Status Report on behalf of the Town of Wilmington dated May 6, 2022, was sent via first-class mail to the following parties of record.

Steven C. Armbrust
CSX Transportation, Inc.
500 Water Street, J150
Jacksonville, FL 32202

Kathleen M. Barry
Wilmington-Woburn Collaborative
14 Powder House Circle
Wilmington, MA 02210

Linda Raymond
Woburn Neighborhood Association, Inc.
10 North Maple Street
Woburn, MA 01801

James M. Cashwell
David M. Share
Olin Corporation
3855 North Ocoee Street, Suite 200
Cleveland, TN 37312

Martha K. Stevenson
Wilmington Environmental Restoration
Committee
7 Chandler Road
Wilmington, MA 01887

Laura Swain
Commonwealth of Massachusetts Department
of Environmental Protection
One Winter Street
Boston, MA 02108

/s/ Daniel R. Deutsch
Daniel R. Deutsch



The Leader in Public Sector Law

101 Arch Street, Boston, MA 02110
Tel: 617.556.0007 | Fax: 617.654.1735
www.k-plaw.com

May 19, 2022

Lauren F. Goldberg
lgoldberg@k-plaw.com

Mr. Jeffrey M. Hull
Town Manager
Wilmington Town Hall
121 Glen Road
Wilmington, MA 01887

Re: Notice of Rate Increases

Dear Mr. Hull:

I am writing on behalf of the Firm's Management Committee to notify you of an upcoming rate change. We, like you, must address increasing operational costs due to the current economic climate, inflation and wage pressure and the need to attract and retain talent.

Effective July 1, 2022, the hourly rate for legal services will be \$220. Additionally, be informed that we will be charging higher rates for certain complex issues requiring a significant investment of time and specialized expertise, and for which specific appropriations are often made, as well as for those services that are often paid by an entity other than the Town. These "Specialty Legal Services" rates reflect the high demand for such services and the intensity of the work required to provide the same:

- comprehensive permit matters, including hearings, and similar matters paid for by third parties such as host community agreement negotiations and the like, and including any administrative or court appeals (\$360/hour if fees are not paid by municipality; or \$330/hour if paid by the municipality);
- comprehensive general or zoning bylaw revision or review and comprehensive form of government charter or special act adoption or amendment (\$300);
- cable television licensing (\$300); and
- bond counsel work (fees calculated based upon "standard" factors in the field).

As always, paralegal services will be billed at one-half the quoted attorney rate and we will continue to pass through to you disbursements and other costs incurred by the Firm on your behalf.

We are confident that the rates we have developed provide the Town with tremendous value reflective of our commitment to public sector work and our vast experience with the many legal issues faced by cities and towns.



Mr. Jeffrey M. Hull
Town Manager
May 19, 2022
Page 2

Finally, this is to notify you that since Covid began, we have not passed along any in-house copying charges and only limited postage charges. In FY 2023, we will continue this practice and will not pass through any charges for in-house copying and postage.

The Firm very much appreciates and values our relationship with the Town. Please call or e-mail me at your convenience with any further questions.

Very truly yours,

A handwritten signature in blue ink that reads "Lauren F. Goldberg".

Lauren F. Goldberg

LFG/aem
813827/KP/0005



TOWN of WILMINGTON
DEPARTMENT OF PLANNING & CONSERVATION
121 Glen Road, WILMINGTON, MA 01887 www.wilmingtonma.gov (978) 658-8238

MEMORANDUM

To: Jeffrey M. Hull, Town Manager
From: Valerie Gingrich, Director of Planning & Conservation *VG*
Date: May 20, 2022
Re: Inter-Municipal Agreement (IMA) for Regional Housing Services Office

As you know, we currently participate in a shared housing services office, the Metro North Regional Housing Services Office (MNRHSO) with Reading, North Reading, Woburn, and Saugus. Every two years a new Inter-Municipal Agreement (IMA) is signed by member towns. The IMA outlines terms for participating in the MNRHSO and it is recommended that Town Counsel review the revised IMA drafted for FY23 and FY24. Since our Town Counsel, KP Law, also represents the Town of North Reading, the Select Board (Board) will need to make a determination and consent to KP Law reviewing the IMA on behalf of both towns.

The Town of Reading, which employs the current MNRHSO staff person, proposed to the other member towns that we procure a housing consultant to provide services for FY23 and FY24 instead of Reading employing a staff person. Member towns agreed that a housing consultant or consulting firm could offer the same or greater levels of assistance in a more efficient manner. To reflect the change in staffing, draft changes to the IMA were proposed to member Towns for review. The Board's determination and consent will allow KP Law to review the revised IMA for Wilmington and North Reading, with the town sharing the cost of the review.

The MNRHSO member towns are currently in the process of selecting a consultant to provide all of the core services outlined in previous IMAs, so the same level of support will be provided to the Town and residents. It is anticipated that a higher level of expertise will be provided by a consultant, resulting in additional local support to the Town. Since the MNRHSO support will no longer be physically housed in Reading Town Hall, office hours at each community will be a key component of the consultant's contract.

The MNRHSO has a new website that will be populated with useful information for both residents and Town Staff. You can visit the site here: <https://www.mnrhso.org/>

Participating in the MNRHSO is a benefit to the Town and is more cost effective than hiring staff to complete all of the necessary tasks involved with monitoring and tracking affordable housing units. Most recently, the MNRHSO provided guidance to Town staff on the project eligibility process for the proposed 40B development at 100 West Street and aided the Town in applying

for technical assistance for the Zoning Board of Appeals (ZBA) through the Massachusetts Housing Partnership (MHP). MHP contracts directly with a consultant to provide up to \$15,000 worth of training and assistance to the ZBA in navigating the 40B review process at no cost to the Town.

Since it was established in 2014, the MNRHSO has assisted the Town with a variety of housing tasks including the following:

- Compilation of a database containing all of our affordable housing units with deed riders and all associated documents;
- Annual monitoring visits to Avalon Oaks and Avalon Oaks West to review back up financial information for tenants in affordable units;
- Technical review and guidance on the Regulatory Agreements with Avalon Oaks and Avalon Oaks West;
- Annual review of Avalon Oaks and Avalon Oaks West Fair Housing Plans;
- Technical review of Application to Department of Housing & Community Development (DHCD) for the three affordable units at the Spruce Farm Over 55 development off Andover Street;
- Answering phone calls and inquiries from residents about housing related topics;
- Holding office hours for residents to stop in and discuss housing related topics;
- Review of the Town's Inclusionary Housing Bylaw;
- Technical review of the Applicant to DHCD for the affordable units at 168 Lowell Street;
- Creation and maintenance of an interested buyer list;
- Annual letters to owners to self-certify affordable home ownership units;
- Assistance with paperwork for affordable unit refinancing or reselling;
- Technical assistance to the Town Assessor with property valuation of affordable units;
- On-going monitoring of the Town's Subsidized Housing Inventory at DHCD;
- File review and repayment calculations for the 15-year Homeowner Rehab program;
- Tracking of foreclosure units;
- Assistance with various housing related research topics;
- Reviewing special permit conditions related to affordable housing units;
- Guidance on the 40B process;
- Providing guidance on DHCD policy and policy updates related to Fair Housing, Age-restrictions, and Family housing.

May 9, 2022

Mark R. Reich
mreich@k-plaw.com

Hon. Lilia Maselli and
Members of the Board of Selectmen
Wilmington Town Hall
121 Glen Road
Wilmington, MA 01887

Re: Determination and Consent Pursuant to Massachusetts Rules of Professional Conduct, Rule 1.7 – Representation of the Town of Wilmington and Town of North Reading Negotiation and Review of Intermunicipal Agreement for Regional Housing Services Office

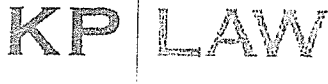
Dear Members of the Board of Selectmen:

We have been requested to provide advice and assistance regarding the negotiation of a new Intermunicipal Agreement between the Towns of North Reading, Reading, Saugus, and Wilmington, and the City of Woburn for a common Regional Housing Services Office. As you may know, KP Law, P.C. serves as Town Counsel to the Town of North Reading.

Our relationship with the Towns of Wilmington and North Reading creates interests that require disclosure pursuant to the Rules of Professional Conduct of the Massachusetts Bar, which mandate that we obtain the express permission of the Appointing Authority of each of municipality before we can represent the other. The purpose of this letter is to make such disclosure and to request that you determine whether you will permit such representation. In addition, while the State Ethics Commission has determined that KP Law, P.C. and its individual attorneys are not “municipal employees” pursuant to the Conflict of Interest Law, we provide this letter to dispel any appearance of a conflict on the firm’s behalf in this matter.

MULTIPLE REPRESENTATION DISCLOSURE

The representation of multiple clients is regulated under the Massachusetts Rules of Professional Conduct. The relevant provision, Rule 1.7, states that an attorney may not represent multiple clients if the interests of one client are directly adverse to those of another client, or if his representation of one client may be materially limited by his responsibilities to another client or his own interests. If, however, the attorney reasonably believes that the representation of either client will not be adversely affected and each of the clients consents after consultation, the attorney may represent the client in such a situation.



Hon. Lilia Maselli and
Members of the Board of Selectmen
May 9, 2022
Page 2

DETERMINATION

It is our belief that our position as Town Counsel to North Reading, for the purposes and under the conditions described in this letter, does not create a concurrent conflict of interest and will not affect the exercise of our independent professional judgment on behalf of the Town of Wilmington with regard to the negotiation of a new Intermunicipal Agreement ("IMA") for a common Regional Housing Services Office. The parties further agreed that the costs for such representation will be split equally between both municipalities. The only risk I would note would be in the event that negotiations over the IMA or any matter related to the IMA breaks down between the parties, to the point where one party seeks legal redress from the other. As previously discussed and as disclosed to North Reading, under these circumstances, KP Law would cease to represent both parties with respect to the new IMA. It is, however, for you to determine whether the representation described herein will not impair the integrity of this firm's services to the Town of Wilmington.

Accordingly, I request that you consent to our representation of the Town of Wilmington notwithstanding the firm also serving as Town Counsel to North Reading with regard to the negotiation of a new IMA. Should you so consent, I ask that you sign the enclosed determination as required by the Rules of Professional Conduct. Please sign the two originals provided, return one copy to this office, and retain one copy for your records.

Thank you for your consideration. Please do not hesitate to contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink that reads "Mark R. Reich".

Mark R. Reich

MRR/JC1/kes

Enc.

cc: Town Manager
812416/WILM/0001

DETERMINATION

It is determined, pursuant to Rule 1.7 of the Massachusetts Rules of Professional Conduct, that the Wilmington Board of Selectmen consents to KP Law, P.C., representing the Town of Wilmington (the “Town”) with regard to the Intermunicipal Agreement for a common Regional Housing Services Office with the Towns of North Reading, Reading, and Saugus, and the City of Woburn, as disclosed in a letter to the Town dated May 2, 2022, notwithstanding that KP Law, P.C., also serves as Town Counsel for the Town of North Reading.

TOWN OF WILMINGTON
By its Board of Selectmen

Dated: _____

Lilia Maselli, Chair

Kevin Caira

Greg Bendel

Gary DePalma

Judy O’Connell