

## BOARD OF SELECTMEN MEETING

September 26, 2022

Chairman Judith L. O'Connell called the meeting to order at 6:00 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Gary B. DePalma and Lilia Maselli.

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 strategies with respect to potential litigation associated with cost recovery for the Wildwood School oil tank breach in accordance with Massachusetts General Law Chapter 30A, Section 21(a)3 as an open meeting may have a detrimental effect on the negotiating or litigating position of the Town and further to consider Executive Session minutes from September 27, 2021, November 8, 2021 (PRIOR) and November 8, 2021 (POST) in Accordance with Massachusetts General Law Chapter 30A, Section 22.

Chairman Judith L. O'Connell reconvened the meeting at 7:00 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Gary B. DePalma and Lilia Maselli. Also present was Assistant Town Manager Susan L. Inman.

Chairman O'Connell noted that each of the members of the Board of Selectmen are wearing an article of gold clothing in observance of September being Childhood Cancer Awareness Month.

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

### TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 202311, 202311WIRES, 111A, 202312, 202312WIRES & 12A

### **RICHARD LOWE, LLM, INC. DBA TREMEZZO, RE: REQUEST TO CHANGE THE MANAGER OF THE ALL-ALCOHOL LICENSE OF LLM, INC. DBA TREMEZZO FOR PROPERTY LOCATED AT 2 LOWELL STREET FROM MAURO LUCCHESI TO RICHARD LOWE**

Mr. Lowe was present before the Board of Selectmen. Chairman O'Connell commented that Mr. Lowe is no stranger to the Town as he owns three restaurants: Tremezzo, Tremezzo's Pizzeria and Josie's Bakery.

Assistant Town Manager Inman reviewed the recommendation from Police Chief Desmond who advised that the application was reviewed by the Police Department and he offers a favorable recommendation.

Chairman O'Connell asked if there were any questions or comments from the Board. Selectman Bendel thanked Mr. Lowe for being before the Board and noted that they are aware of the good deeds he and his businesses do for the community and expressed his appreciation. Selectman Bendel stated that he and his family recently dined at Tremezzo's and commented that his staff was very accommodating to his young family. Mr. Lowe thanked Selectman Bendel for the nice comments.

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

VOTED: That the Board of Selectmen approve the request of Richard Lowe, LLM, Inc. DBA Tremezzo, to change the Manager of the All-Alcohol License of LLM, Inc. DBA Tremezzo for property located at 2 Lowell Street from Mauro Lucchesi to Richard Lowe.

**LOUIS CIMAGLIA, VETERANS' SERVICES DIRECTOR, RE: PROMISE TO ADDRESS COMPREHENSIVE TOXINS (PACT) ACT**

Mr. Cimaglia was present with Michael Frotten, Veterans' Services Officer. Mr. Cimaglia thanked the Board of Selectmen for their support. He thanked Town Manager Hull for reaching out to the Department of Veterans' Services when he learned of the new legislation.

Mr. Cimaglia asked that the Board indulge him for a moment. He stated that September is also National Suicide Prevention Awareness Month. He expressed concern that, of the over 18 million veterans in the United States, only 9 million are registered in the Veterans Administration (VA). Post Traumatic Stress Disorder (PTSD) and other service-related invisible wounds are real injuries and are an enemy to veterans, the families that support them and to all Americans. It is not enough to bring our troops home, we must support them when the battle follows them home. It is unacceptable that veterans who come home safely later lose their life to the enemy of suicide. Veterans are committing suicide at a higher rate than their civilian counterparts and a recent study found that nearly three out of four veterans in need of mental health care receive inadequate care or no care at all. This cannot be acceptable to a nation intent on protecting those who wear its uniform. Mr. Cimaglia urged residents that if they believe someone needs help, to follow the ACE (Ask, Care, Escort) suicide prevention model.

Ask – if and when you encounter someone you believe may be considering suicide, engage with them and ask the question directly: “Are you thinking about suicide?” or “Are you thinking about killing yourself?”

Care – Show the person you are concerned for their well-being, stay with them or get someone to them as quickly as possible. Stay on the phone with them, grab a cup of coffee and just be there for the person who is thinking about taking their own life.

Escort – Take the person to a place where they can receive professional care as quickly as possible, ideally the nearest hospital. You can also call the Veterans' Crisis Line at 800-273-TALK (8255) then press 1 or text 838255 to get immediate help, or visit [veteranscrisisline.net](http://veteranscrisisline.net) to find additional resources.

Mr. Cimaglia reminded residents that they can now dial 9 8 8, the nationwide phone number to connect directly to the Suicide and Crisis Lifeline. He also stated that the veteran can be referred to the Department of Veterans' Services and he, Mike Frotten and Patti Meehan will assist them in getting the help they need.

Mr. Cimaglia thanked the Board for the opportunity to provide the community with information on a new law that expands VA health care and benefits for Veterans exposed to burn pits and other toxic substances. Mr. Cimaglia advised that the legislation is federal and referred to as the PACT Act. Mr. Frotten stated that this new law will expand and extend eligibility for VA health care for veterans with toxic exposures and veterans of the Vietnam, Gulf War and post 9/11 eras, adds more than 20 new presumptive conditions for burn pits and other toxic exposures, adds more presumptive exposure locations for Agent Orange and radiation, requires the VA to provide a toxic exposure screening to every veteran enrolled in VA health care and helps to improve research, staff education and treatment related to toxic exposures. He stated that one problem is that the federal government is not going to address cases until January as there is no funding. He stated that veterans who may have applied, and been denied, in the past may be eligible now due to changes. For veterans of the Gulf War era and post 9/11, more than 20 burn pit and other toxic exposure presumptive conditions have been added. Mr. Cimaglia advised that many cancers including brain cancer, kidney cancer, melanoma, pancreatic cancer, and others are considered presumptive. In addition, respiratory illnesses such as

asthma, chronic bronchitis, COPD, emphysema pleuritis, pulmonary fibrosis and others are now deemed presumptive. Veterans serving in certain locations including Afghanistan, Djibouti, Egypt, Jordan, Lebanon, Syria, Uzbekistan, Yemen or air space above any of these locations on or after September 11, 2001 have been determined to have had exposure to burn pits or other toxins. Veterans serving in Bahrain, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, Somalia, The United Arab Emirates or air space above any of these locations on or after August 2, 1990 have been determined to have had exposure to burn pits or other toxins.

Vietnam era Veteran eligibility, two new Agent Orange presumptive conditions have been added, hypertension and monoclonal gammopathy of undetermined significance, and five new locations have been added where if a veteran served on active duty in the location and during the time period, it will automatically be presumed there was an exposure to Agent Orange.

In addition, three new radiation response efforts have been added to the list of presumptive locations: Enewetak Atoll, Palomares, Spain and Thule Air Force Base.

Chairman O'Connell asked if, for those listening at home, there is an appropriate contact number to learn more. Mr. Cimaglia encouraged veterans, or their families, to contact the Department of Veterans' Services at 978-694-2040 or by email at [veterans@wilmingtonma.gov](mailto:veterans@wilmingtonma.gov). Mr. Frotten noted that the release of this information has generated phone calls from veterans seeking information.

Chairman O'Connell asked if this Act is related to the commercials seen on television. Mr. Cimaglia explained that what has been on television is related to water contamination at Camp Lejeune specifically and is sponsored by a group of lawyers and not the Federal government. Chairman O'Connell read from the information provided which directed veterans on how to file a new or supplemental claim. Mr. Cimaglia advised that Massachusetts is the only state that requires each city or town to have a Veterans' Services Officer. He stated that the directions on the form was from the Federal government. Mr. Cimaglia and Mr. Frotten encouraged veterans to contact their office for assistance.

Chairman O'Connell asked if there were any questions or comments from members of the Board. Selectman Maselli asked if a veteran that may have been denied benefits in the past, and has since passed away, whether there were benefits available for the family. Mr. Frotten confirmed that it is possible the widow is eligible to receive benefits.

Selectman DePalma expressed his appreciation to the staff of the Department of Veterans' Services. He referred a friend to the office, noting the friend was skeptical that he would be entitled to benefits. The friend was surprised to learn the benefits he is entitled to and thanked them for their assistance.

Selectman Caira asked if contractors were exposed whether they would be entitled to benefits. Mr. Frotten advised that if they were civilian contractors, they would not be entitled. Mr. Cimaglia explained veteran status.

Members of the Board thanked Mr. Cimaglia and Mr. Frotten for their service. Chairman O'Connell stated that, at this time, she would be taking agenda item Salute to Service out of order. Selectman Bendel noted that at each Selectmen's meeting, he takes the opportunity to thank a veteran from the community. This evening the Board salutes Michael Frotten for his service in the United States Army for over thirteen years including deployment to Sinai and Bosnia. A certificate was presented to Mr. Frotten.

**MICHAEL CHAMPOUX, CHAIRMAN, ECONOMIC DEVELOPMENT COMMITTEE, AND  
THOMAS STIRLING, PRINCIPAL, STIRLING BRANDWORKS, RE: TOWN  
BRANDING/MARKETING PROJECT**

Mr. Champoux introduced Matt Gustafson who was also present representing Stirling Brandworks. In addition, Rob Oliveri and Suzanne Sullivan, members of the Economic Development Committee, were present. Ms. Gingrich was unable to be in attendance.

Mr. Champoux reminded the Board that, at their last meeting, he and representatives of Stirling Brandworks were present to introduce two proposed taglines. Trepidation was expressed by some Board members and the team has since come up with alternatives. He stated that the committee is trying to establish a foundation upon which a full campaign will be launched and asked the Board members to keep an open mind.

Mr. Stirling thanked the Board for their time and stated he appreciated the discussion at the last meeting. It is their hope that this evening Board members will reach a consensus. Mr. Stirling presented three options to the Board. Those options were: 1. Opportunity. Innovation. Community. 2. It Starts Here. and 3. Innovation Awaits. Mr. Stirling reviewed each option and a brief narrative that accompanied it.

Mr. Champoux stated that he liked the second option and stated that it is simple with an opportunity to expand. Ms. Sullivan and Mr. Oliveri stated that this was their first opportunity to hear the options and they both like the second option. Mr. Champoux explained that the committee did not have an opportunity to review the options prior to this evening due to time constraints and adhering to the Open Meeting Law.

Selectmen DePalma and Maselli indicated that they like option number 2 also. Selectman Bendel stated that his preference is the first option. He explained that he liked the word community and referenced the success of Mr. Lowe and what his businesses have contributed to the community and that Mr. Lowe is not alone. Selectman Cairra also expressed a preference for the first option. He asked whether Stirling Brandworks has researched whether the taglines are being used for other communities. Mr. Stirling stated that he did not have the information with him but confirmed a review was completed and the taglines were not being used. He clarified that Opportunity Awaits was used in Mississippi about three or four years ago. He further explained marketing versus trademark and used Nike's "Just Do It" as an example.

Board members questioned the need for a decision this evening. Mr. Stirling and Mr. Champoux explained the grant requires a report in November and therefore they have a limited time to provide deliverables. Mr. Stirling stated that their primary objective is to generate business activity, create awareness and, ideally, bring in aspirational new businesses to a great group of businesses already in the community. Mr. Champoux expressed concern that putting off a decision will require another meeting before the Board and the Committee will run out of time and money and the exercise will be for naught.

Chairman O'Connell stated that she likes option one and when she saw option two, she really liked it because number one can be rolled into number two. She commented about the importance of knowing how the "fill in" words for option two would be displayed noting that it may be best to have all options displayed as opposed to one at a time. Chairman O'Connell commented that she liked the narrative used for Option 1. Mr. Stirling thanked the Chairman for her comments and provided an example of how the tagline will be displayed. He stated that the campaign will use video, social media and other outlets.

Chairman O'Connell asked members if they were prepared to move forward with a vote. Selectman Bendel expressed concern that the public has not had an opportunity to weigh in on the options. Selectman Caira stated that was his concern at the last meeting as well. He stated he would have liked to have seen more of the campaign proposal. Mr. Stirling advised that they cannot proceed with more of the campaign until a tagline is chosen.

A motion was made by Selectman Maselli, seconded by Selectman DePalma and by the affirmative vote of three with Selectmen Bendel and Caira opposed, it was

VOTED: That the Board of Selectmen endorse Option 2. It Starts Here.

### COMMUNICATIONS

Assistant Town Manager Inman reviewed Town Manager Hull's memorandum regarding 175, 205 and 207 Lowell Street. He wrote that questions were raised at the Board's September 12<sup>th</sup> meeting whether debris piles on the referenced sites were contaminated. Health Director Shelly Newhouse informed the Town Manager that oversight of materials on construction sites is vested with the state Department of Environmental Protection (DEP). Representatives of National Development have advised that the covered stockpile alleged to be contaminated was comprised of natural soils excavated as part of their efforts to relocate a sewer line on the Howland property. The stockpile, which is covered by plastic and surrounded by silt sacks for dust control and erosion runoff constituted approximately 20 cubic yards of earth material that is planned to be reintegrated into soils on the same parcel as part of the sewer line relocation. There is no regulatory requirement that the soil be tested due to the absence of any signs of contamination. National Development's environmental consultant stated that disturbed soil is only required to be tested if the soil is being relocated or disposed of at another site or when there are visual signs or smells indicating potential contamination. Town Manager Hull continued that stockpiles are not required to be covered if they are being actively used such as having material added or removed. The responsible party may cover the stockpile, periodically dampen the material or create a temporary natural cover of grass to address dust. There is no indication that site materials are contaminated or being handled inappropriately.

Selectman Caira stated that he heard from a resident who expressed concern that the stockpiles were not being covered. He stated that he has driven by a number of times and advised that his concern is not with the soils but with the demolition of the buildings that probably contain asbestos. Selectman Caira stated that he drove by one time and there was an individual operating a machine and the person could barely be made out due to the amount of dust surrounding them. Chairman O'Connell requested Assistant Town Manager Inman follow-up and determine whether asbestos mitigation was required similar to the testing requirement when a residence is demolished. She also requested an answer whether a requirement to cover the stockpiles changes when it contains asbestos.

Assistant Town Manager Inman reviewed a memorandum from Town Manager Hull regarding an update to the Wildwood School Building Committee. He wrote that on Tuesday, September 20<sup>th</sup>, the Wildwood School Building Committee met with representatives from Dore & Whittier to receive an update on evaluation of building options for accommodating students and staff customarily assigned to the Wildwood School. Eighteen options were initially identified by Dore & Whittier. Following discussions with the working group, the options were narrowed to eight. Over the past few weeks Dore & Whittier has been engaged in a more narrow focus on the remaining options and developing cost estimates. Cost estimates for each option are expected within the next couple of weeks. The expectation is that Dore & Whittier will inform the committee of the cost estimates at a meeting on October 3<sup>rd</sup> and will seek input as the effort continues to reach consensus around a preferred option which the School Committee will be asked to consider when developing their recommendation for a capital expenditure.

Selectman Cairra asked whether the Town Manager will have returned from vacation on October 3<sup>rd</sup>. Recording Secretary confirmed the Town Manager will be in the office on October 3<sup>rd</sup> and will be in attendance at the meeting.

Assistant Town Manager Inman reviewed a memorandum from Town Manager Hull regarding the request for services for an Owners' Project Manager for the Wildwood School. He wrote that the first major step in the feasibility and schematic design phase of the Massachusetts School Building Authority (MSBA) financial assistance program is the hiring of an Owners Project Manager (OPM). The OPM is tasked with working with the Town to procure the services of a designer, typically an architect or engineer, to complete the scope of work in this phase of the program. The OPM is experienced in building construction and serves as the Town's representative in dealing with engineers and architects. If the services of the OPM are retained for final design and construction, then the OPM completes the procurement process for the general contractor and subcontractors and monitors and addresses issues associated with their work on behalf of the Town. The Request for Services provides background on the project and describes the scope of work to be completed by the OPM. The schedule contained in the document is intended to provide the name of the selected OPM to the OPM Panel for consideration at the MSBA December 5, 2022 meeting for their approval. It is the objective to have an OPM on board before the end of calendar year 2022. Assistant Town Manager Inman advised that she received edits from the MSBA and, consequently, she met with George Hooper, Public Buildings Superintendent, and Paul Ruggiero, Assistant Superintendent of Administration and Finance, School Department, via Zoom to address the changes. The draft was then provided to the group and will be submitted to the MSBA by the deadline tomorrow.

Assistant Town Manager Inman reviewed a press release regarding the Conservation Commission's invitation to businesses and residents to share a few hours of their time and participate in the Annual Town Clean-up Day on Saturday, October 15, 2022. The event will happen rain or shine. Interested individuals or businesses may contact the Planning & Conservation Department at Town Hall for more information regarding supplies that can be picked up. Participants are asked to dress appropriately for woods and wetlands and remember to wear sunscreen and insect repellent, to watch out for poison ivy and other hazards.

Assistant Town Manager Inman reviewed information relative to Reading Municipal Light Department's Open House on Thursday, October 6, 2022 from 3:00 p.m. to 6:00 p.m. The event is being held in conjunction with Public Power Week at RMLD's garage at 218 Ash Street, Reading. Activities planned include touch-a-truck, face painting & games, balloon art, pumpkin decorating, lineman activity and more.

Assistant Town Manager Inman reviewed information from the Environmental Protection Agency (EPA) regarding the Olin Chemical Superfund Site. The community update noted that this past spring, EPA conducted a series of interviews to further understand community members' concerns. Under EPA oversight, Olin collected additional data to fill data gaps. Such data helps determine the depth and shape of bedrock, ultimately improving the effectiveness of future remediation. Additional data collection will occur in the spring of 2023. Olin began a study to evaluate treatment options for groundwater contaminated with Dense Aqueous Phase Liquid (DAPL) in May. In August, the EPA and MassDEP approved Olin's proposal to move forward with treatability testing on the DAPL/groundwater mixture. The EPA and MassDEP continue negotiations with the Potentially Responsible Parties (PRPs) for the site, with the goal of reaching an agreement to conduct or finance the cleanup actions selected in EPA's March 2021 Record of Decision.

**BOARD TO CONSIDER REQUEST OF TOWN CLERK ELIZABETH LAWRENSEN TO CONSIDER SCHEDULE FOR EARLY VOTING FOR STATE ELECTION**

Assistant Town Manager Inman reviewed the Town Clerk’s memorandum where she advised that she is required to have in person early voting approved by the Board for the November 8, 2022 State Election. The memorandum provided information relative to requirements of the legislation. She noted that the last day to register to vote in the State Election is October 28. Chairman O’Connell asked if there were any questions, comments or a motion. A motion was made by Selectman Bendel, seconded by Selectman DePalma and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen authorize the Town Clerk to conduct Early Voting for State Election on Saturday, October 22 from 9:00 a.m. to 3:00 p.m.; Monday through Friday, October 24 through October 28 from 8:30 a.m. to 12:30 p.m.; Saturday, October 29 from 8:30 a.m. to 5:00 p.m.; Monday through Thursday, October 31 through November 3 from 8:30 a.m. to 4:30 p.m. and Friday, November 4 from 8:30 a.m. to 5:00 p.m.

**BOARD TO CONSIDER SIGNING A PURCHASE AND SALE AGREEMENT WITH VINCENZO LICCIARDI RELATIVE TO THE SALE OF TOWN-OWNED LAND LOCATED ON LAKE STREET MAP 55, PARCEL 228A, PURSUANT TO AN AFFIRMATIVE VOTE ON ARTICLE 52 AT THE ANNUAL TOWN MEETING OF MAY 1, 2021**

Chairman O’Connell asked if there were any questions, comments or a motion. A motion was made by Selectman Maselli, seconded by Selectman DePalma and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen sign the Purchase and Sale Agreement with Vincenzo Licciardi relative to the sale of Town-owned land located on Lake Street, Map 55, Parcel 228A.

**BOARD TO CONSIDER SIGNING THE DEED FOR THE SALE OF TOWN-OWNED LAND LOCATED ON LAKE STREET MAP 55, PARCEL 228A, PURSUANT TO AN AFFIRMATIVE VOTE ON ARTICLE 52 AT THE ANNUAL TOWN MEETING OF MAY 1, 2021**

Chairman O’Connell asked if there were any questions, comments or a motion. A motion was made by Selectman DePalma, seconded by Selectman Maselli and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen sign the Deed with Vincenzo Licciardi relative to the sale of Town-owned land located on Lake Street, Map 55, Parcel 228A.

**BOARD TO CONSIDER REQUEST OF LINDA BRESNAHAN, WILMINGTON HIGH SCHOOL GIRLS BASKETBALL, TO USE THE MUNICIPAL PARKING LOT TO CONDUCT A FUNDRAISING CAR WASH ON SUNDAY, OCTOBER 30, 2022 FROM 10:00 A.M. TO 1:00 P.M.**

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

VOTED: That the Board of Selectmen approve the request of Linda Bresnahan, Wilmington High School Girls Basketball, to use the Municipal Parking Lot to conduct a fundraising car wash on Sunday, October 30, 2022 from 10:00 a.m. to 1:00 p.m.

**PUBLIC COMMENTS**

There were none.

ANNOUNCEMENTS

There were none.

NEW BUSINESS

There was none.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- September 28 – Town Hall/School Administration Building Committee – Town Hall – Room 9 – 6:00 p.m.
- September 29 – ALiCE Program Community Awareness Event – WCTV & Zoom – 6:00 p.m.
- October 2 – Farmer’s Market – Town Common Parking Lot – 10:00 a.m. to 1:00 p.m.
- October 5 – Brush Drop Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 6 – RMLD Open House – 218 Ash Street, Reading – 3:00 p.m. to 6:00 p.m.
- October 8 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- October 10 – Columbus Day – *Town Offices Closed*
- October 11 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- October 12 – Brush Drop Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 15 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- October 15 – Town-Wide Clean Up
- October 18 – Finance Committee Public Hearing – Town Hall Auditorium – 7:00 p.m.
- October 19 – Brush Drop Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 21 – Carter Lecture Fund – Middle School Auditorium – 7:00 p.m.
- October 22 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- October 26 – Brush Drop Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 29 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- November 8 – State Election – Polls Open 7:00 a.m. to 8:00 p.m.

Selectman Maselli noted that the Board’s second meeting in October was not included in the list of important dates.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 8:42 p.m.

Respectfully submitted,