

BOARD OF SELECTMEN MEETING

April 24, 2017

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

A motion was duly made and 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 collective bargaining issues with New England Police Benevolent Association Local 1 with the intention to return to open session.

Chairman Michael L. Champoux called the meeting to order at 7:03 p.m. in the Auditorium of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Edward P. Loud, Sr. and Michael V. McCoy. Also present was Town Manager Jeffrey M. Hull.

Chairman Champoux welcomed Selectman Ed Loud to the Board and congratulated him and Selectman McCoy on their election.

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

TREASURY WARRANTS

Chairman Champoux asked for a motion to accept the Treasury Warrants. A motion was made by Selectman McCoy, seconded by Selectman Bendel and by the affirmative vote of four with Selectman Loud abstaining, it was

VOTED: That the Board of Selectmen accept Treasury Warrants 42, 42A, 43 and 43A.

Chairman Champoux noted that members of the Board of Selectmen were wearing an article of blue clothing for Autism Awareness.

RECOGNITION OF WILMINGTON YOUTH HOCKEY GIRLS U10

Peter Mullarky, Coach, reviewed the various games played by the team which resulted in their earning the title of Massachusetts State Champions for 2016-2017.

Chairman Champoux asked if there were any comments from the Board. Members of the Board offered congratulations to the players and coaches for their successful season. Members of the Board recognized the efforts of the parents.

Chairman Champoux presented the team members with certificates on behalf of the Board of Selectmen.

DAVID W. CARR, ESQUIRE, RE: PUBLIC HEARING TO REQUEST THE TRANSFER OF THE ALL ALCOHOL LICENSE OF MYSTIC LIQUORS, INC. DBA WILMINGTON PLAZA WINE & SPIRITS TO N R WILMINGTON CORPORATION DBA WILMINGTON PLAZA WINE & SPIRIT, 258 MAIN STREET

Attorney Carr was present on behalf of Mr. Rocky Patel and Mr. Nilesh Patel seeking approval to transfer the All Alcohol License of Mystic Liquors, Inc. DBA Wilmington Plaza Wine & Spirits to N R Wilmington Corporation DBA Wilmington Plaza Wine & Spirit for property located at 258 Main Street. Mr. Carr stated that the liquor store has been in existence for several years. He noted that his clients have seventeen years of combined experience in the package store industry and currently own and operate three liquor stores.

Mr. Carr stated that he submitted the receipts from the mailing of the abutter notification to the Recording Secretary.

Chairman Champoux asked if there were any questions or comments from the Board. Selectman McCoy asked if there were any recommendations from applicable departments. Town Manager Hull advised that the application was reviewed by Police Chief Begonis who recommends approval; Inspector of Buildings Al Spaulding who advised there are no outstanding zoning issues and Health Director Shelly Newhouse who recommends approval.

Selectman McCoy stated that he has confidence in the Police Chief and other department heads and did not have any concerns.

Selectman Bendel asked if residents will see anything different or whether it will simply be a change in ownership. Mr. Patel stated that consumers will see lower prices. Chairman Champoux asked whether one or both of the applicants will be present at the store and was advised they will.

Town Manager Hull stated that if the Board is inclined to approve the license that the motion include language that the issuance of the license is not detrimental to the educational activities of The Learning Experience, 220R Main Street.

Selectman Loud asked whether the hours of operation would remain the same and was advised that they would extend one hour from the current hours of operation.

Chairman Champoux asked if there were questions or comments from the audience and there were none.

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 transfer of the All Alcohol Package Store License from Mystic Liquors, Inc. DBA Wilmington Plaza Wine & Spirits to N R Wilmington Corporation DBA Wilmington Plaza Wine & Spirit for property located at 258 Main Street and further that issuance of the license is not detrimental to the educational activities of The Learning Experience located at 220R Main Street.

**COLIN M. CUSHMAN, WILMINGTON SWEET PIZZA, LLC DBA SWEET PIZZA, RE:
REQUEST TO OBTAIN COMMON VICTUALER LICENSE FOR PROPERTY LOCATED
AT 206 BALLARDVALE STREET, SUITE 4**

Mr. Cushman stated that Sweet Pizza opened almost two years ago. He opened it with a partner who has decided to sell the business to him. He stated that it will be the same business but he created a new LLC.

Chairman Champoux asked Town Manager Hull to provide recommendations from applicable department heads. Town Manager Hull advised that the application was reviewed by Health Director Shelly Newhouse who recommends approval and Inspector of Buildings Al Spaulding advised that there were no outstanding zoning issues.

Chairman Champoux asked if there were any questions or comments from the Board. Members of the Board wished Mr. Cushman success.

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

VOTED: That the Board of Selectmen grant a Common Victualer License to Wilmington Sweet Pizza, LLC DBA Sweet Pizza, 206 Ballardvale Street, Unit 4.

APPROACH TO PROVISION OF SUBSTANCE ABUSE SERVICES

Town Manager Hull stated that discussions first began approximately 18 months ago with Chief Begonis, Health Director Shelly Newhouse, other internal staff and members of the Substance Abuse Coalition about the prospect of looking for resources to address substance abuse. There was some individual discussions the Police Chief and Health Director had with a representative of a Behavioral Health entity about the prospect of providing services and there was some interest. Based upon that in the Fiscal 17 budget he recommended \$80,000 be appropriated for the purpose of issuing a request for proposal and engaging with a behavioral health provider to offer those services. Town Manager Hull stated that the RFP was issued at the end of February and stated that the Town did not receive any proposals. He stated that part of the reason the company was not able to submit a proposal was because they did not have the resources to appoint someone to the Town of Wilmington. Conversations were held with Alice Brown-LeGrand, Director of Student Support Services, Wilmington Public Schools, and stated that the types of qualifications the Town was looking for probably would not be available from a consulting arrangement. Town Manager Hull stated that he is recommending that the Town take the approach of hiring an individual on a full time basis to engage in the effort of assisting the victims of substance abuse as well as the families. The job description would be multi-faceted working with the Police Department and accompanying officers when they go to a location where someone is struggling with substance abuse and working with families to identify resources.

Town Manager Hull stated that he is looking to finalize the job description by the end of the week and will be receiving information from other communities who have done this. The town would begin advertising the week of May 1, select and interview candidates by the week of May 22 and by the end of June or beginning of July have someone in place.

Chairman Champoux stated that, at the last meeting, the Board wanted to continue to attach a high level of priority to this effort. He stated that he is satisfied with the schedule and is encouraged that the Town is at a point where it is taking positive steps.

Selectman McCoy asked whether there are abutting communities that have a full time individual similar to what Wilmington is proposing. Town Manager Hull stated that he believes neighboring towns have part time employees. Selectman McCoy stated that he would not be opposed to having a regional individual, he questioned the necessity of hiring a full time individual. Town Manager Hull stated that one of the challenges of being part of a regional effort, depending upon the number of communities, you only have access to the person on a part time basis. He believes there are enough individuals that the Police Department is aware of to warrant a full-time individual. He noted that it is not limited to the Police Department as Veterans' Services and Elderly Services are also affected by substance abuse. A person working part time would not be adequate to address the demand for services. Selectman McCoy asked for statistics to justify hiring someone full time.

Chief Begonis stated that they looked at a regional approach where the individual would be in the community one day per week and individuals would go to them. He stated that Wilmington is looking to be pro-active to hit the streets, to reach out to families when they receive information that they have an individual struggling. Chief Begonis stated that it is a health problem for the entire family and there is a lot of mystery about the process. He stated that the average person in recovery is in recovery for about ten years and goes to three rehabs. Chief Begonis stated that counselors in the schools focus on the children and noted that there are elderly grandparents

raising their grandchildren because their child has an addiction. He noted that the situation creates emotional and financial issues. Chief Begonis stated that Wilmington is looking to have a bigger program, it is a follow up process and relationship process. He stated that no other community is doing what Wilmington is planning to do.

Selectman Loud asked whether \$80,000 is what the Town will target for a salary. Town Manager Hull stated that the Town is finalizing the salary now and information received from other communities indicate \$80,000 will be adequate.

Chairman Champoux stated that he feels that the role will be like what Lou Cimaglia does as Veterans' Services Director will be for civilians. Chief Begonis stated that he expects it will have a great amount of success. It is a more holistic approach to the process. Children exposed to childhood trauma have a higher propensity to substance abuse and looking to stem the tide of epidemic. Chief Begonis thanked members of the Board for their support.

Selectman Bendel requested a copy of the job description be provided in their packets.

Chairman Champoux asked where the individual will work out of and was advised that they will work out of the Public Safety Building. Chief Begonis stated that the program will mirror a Jail Diversion Program.

DISCUSSION AND ASSIGNMENT OF MOTIONS FOR THE ANNUAL TOWN MEETING

Chairman Champoux noted that he will not be in attendance as his son will be celebrating his confirmation. Town Manager Hull reviewed the articles and noted which Selectman will make the motion. Motions were assigned in rotation beginning with Selectman Bendel followed by Selectmen Caira, McCoy and Loud. Article 5 will be offered by the Chairman of the Finance Committee, Articles 24 through 30 will be offered by a member of the School Committee and Articles 46 through 49 will be offered by the Chairman of the Planning Board.

Chairman Champoux asked if there were any questions or comments and there were none.

REORGANIZATION OF THE BOARD OF SELECTMEN

Chairman Champoux stated that he is serving as Chairman because Chairman O'Connell did not seek reelection. He asked if there were any comments from members of the Board of Selectmen. Selectman Caira moved that Michael Champoux serve as Chairman, citing that he is currently serving in that capacity and is the previous chairperson. Selectman Bendel seconded the motion. Michael Champoux accepted the nomination and stated that he hopes to cultivate an environment of collaboration within the board, other volunteers and residents. Chairman Champoux asked if there were any additional comments and there were none. A motion having been duly made and seconded and by the affirmative vote of all, it was

VOTED: That Michael Champoux serve as Chairman of the Board of Selectmen.

COMMUNICATIONS

Town Manager Hull stated that the first item under correspondence is his memorandum regarding substance abuse which was previously addressed.

Town Manager Hull reviewed correspondence from James DiLorenzo, United States Environmental Protection Agency (USEPA) regarding Olin Corporation. Mr. DiLorenzo had requested that Olin develop remedial alternatives to address OU1, OU2 and the DAPL pools in OU3 for EPA to issue an interim Record of Decision to address these areas of the site rather than

waiting for completion of the full groundwater investigation. Mr. DiLorenzo provided Olin's position paper on the dispute which provided insight into their objections. He advised that Olin excluded discussion on ongoing chemical diffusion and migration of diffuse groundwater, which are central to EPA's position that DAPL is an ongoing source. All but one issue raised were expected. The one issue not expected is Olin's claim that removal of DAPL may interfere with an overall remedy for OU3 (groundwater). Mr. DiLorenzo advised that EPA will be meeting with Olin to discuss the dispute during the week of April 24th. He expects that Olin will be in the field to conduct the geoprobe work along Main Street and install the new monitoring well clusters to the north within the next week or two.

Chairman Champoux asked whether the communication is provided to GeoInsight and was advised that it was.

Selectman Caira stated that the correspondence from Olin is insulting that they do not want to address the DAPL and though he is not an expert, EPA wants them to handle it. Town Manager Hull agreed with Selectman Caira's opinion.

Selectman Bendel asked whether it would be appropriate for the Board to respond to the letter. Town Manager Hull stated it would be appropriate to respond but is not sure whether the Town has a forum to respond. Selectman Bendel believes a letter should be sent and Selectman Caira asked whether the letter should be directed to the EPA. Town Manager Hull stated that the letter should be addressed to the EPA, copied to Olin and the legislative delegation.

Chairman Champoux stated that when Mr. DiLorenzo has been present at Board of Selectmen meetings, he has had the impression that as a federal agency the EPA ties his hands regarding the action he can take. He stated that he would be interested in the results of the meeting EPA had with Olin. Chairman Champoux asked whether Mr. DiLorenzo should be invited to a Board of Selectmen meeting. Selectman Bendel would like to have Mr. DiLorenzo in and to invite affected residents. Town Manager Hull stated that he spoke with Mr. DiLorenzo a couple of months ago regarding attending a Selectmen's meeting to provide a status and he suggested August or September based upon work being done and timing of different submittals that Olin is being required to make.

Selectman Bendel asked that the letter also be copied to residents who are receiving bottled water due to the contamination so that they know the Board of Selectmen is doing what it can.

Town Manager Hull reviewed correspondence from Rick Hill, President, Wilmington Little League, who wrote on behalf of the Board of Directors to thank the Town Manager and Wilmington Board of Selectmen for participating in the Opening Day Parade and Ceremonies at Rotary Park. Mr. Hill stated that the Board appreciates each of them for their support year round to allow Wilmington Little League the opportunity to be the best they can be for the baseball and softball players of Wilmington.

Town Manager Hull reviewed his memorandum regarding incumbents who may be considered for reappointment by the Board of Selectmen. Appointments and reappointments are scheduled to be considered at the May 8, 2017 Board of Selectmen meeting. Town Manager Hull noted that as a result of the election of Selectman Loud has provided him with a letter of resignation from the Board of Appeals. He suggests that the Board consider a process to appoint his replacement. Chairman Champoux noted that there are vacancies on the Commission on Disabilities and the Historical Commission.

Town Manager Hull reviewed letters from Paul Bruce, Jr., Ronald DiGiorgio and John J. Ruehrwein who wrote expressing their wish to be reappointed as a Constable.

Town Manager Hull reviewed his letter to John P. Goggin, Republican Town Committee, regarding the reappointment of Edward L. Sousa to the Board or Registrars.

BOARD TO CONSIDER REQUEST OF DEBORA POTTER, BOSTON AUCTIONS AND ANTIQUES, LLC FOR AN ANNUAL AUCTIONEER'S LICENSE FOR PROPERTY LOCATED AT 355 MIDDLESEX AVENUE, SUITE 11

Town Manager Hull advised that Ms. Potter held an Auctioneer's License which expired at the end of November. He advised that the application was reviewed by Police Chief Begonis who recommends approval. The applicant included the requisite recommendations provided by other auctioneers.

Chairman Champoux asked if there were any questions, comments or a motion. Selectman Caira asked whether the applicant has operated since November. Town Manager Hull advised that Ms. Potter was notified in November that she would not be able to conduct auctions and to the best of his knowledge, she has not.

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

VOTED: That the Board of Selectmen issue an annual Auctioneer's License to Debora Potter, Boston Auctions & Antiques, LLC 355 Middlesex Avenue, Suite 11.

BOARD TO CONSIDER REQUEST OF TERESA CASTELLANO TO CONDUCT A 5K ROAD RACE IN MEMORY OF ANTHONY (TONY) ALONARDO

Ms. Castellano wrote the Board of Selectmen requesting to conduct the 3rd annual "Tony A 5k". The route would be the same that was followed last year and provided four dates that they would be interested in conducting the race: Saturday, September 30; Sunday, October 1; Saturday, October 14 or Sunday, October 15.

Town Manager Hull stated that it is his recommendation that the race take place on Saturday, October 14. There are no conflicts with the School Department.

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

VOTED: That the Board of Selectmen grant the request of Teresa Catellano to conduct a 5K road race in memory of Anthony Alonardo on Saturday, October 14, 2017.

PUBLIC COMMENTS

Kevin MacDonald, Andover Street, offered congratulations to Selectmen McCoy and Loud and thanked the voters who took the time to vote.

Mr. MacDonald suggested that in the past Wilmington had a DARE officer and expressed concern spending additional money when the Town should be hiring police officers trained in dealing with the drug issue.

Mr. MacDonald commented relative to the Olin issue. He stated that he heard there was a secret agreement and Olin would be "let off the hook". Chairman Champoux stated that Olin is not "off the hook". EPA is holding Olin accountable.

Mr. MacDonald is concerned that the Board is not more aggressive knowing that people have died of cancer and five wells were shut down knowing that the carcinogen found in the wells migrated from the Olin site. He believes the Board should have the attorneys take legal action against Olin. He reiterated that he believes Olin should be facing manslaughter charges.

Chairman Champoux stated that the Board of Selectmen and paid employees have taken the issue very seriously and acting as aggressively as appropriate and feasible to act. By having EPA involved, EPA is running the project and will get it to a point where the site is cleaned up. The Board consults with experts and seeks the advice of experts and has acted as aggressively as deemed appropriate and on the advice of counsel.

Town Manager Hull stated that throwing out the idea that all people that have had cancer are connected to the Olin contamination is irresponsible, there have never been any facts tying specific cancer cases to Olin.

Mr. MacDonald believes the town should implement a program where they notify residents and residents who have been diagnosed with cancer can be proactive to see if there are any types of the carcinogens in their systems. He said he is disappointed that Town officials are not doing something to scare Olin.

Mr. MacDonald stated that the Chairman sets the agenda and acknowledged that a lot of nice things come before the Board and there are a lot of things that do not come before the board. He stated that he drives around town and there are a lot of potholes and that is not a topic on the agenda. He specifically noted Waltham Street near WCTV. Town Manager Hull advised that Waltham Street is an unaccepted street, like a number of streets, and the town is not responsible and not supposed to spend funds on ways that are not public ways. He stated that the Town has put in temporary patch prior to the half marathon that begins from that location. Mr. MacDonald stated that he will ask the Board to reject pay raises for the Department of Public Works employees and use those funds to repair potholes.

Mr. MacDonald stated that he has spent a considerable amount of time at Deming Way and expressed concern at the number of vacant units. He stated that a paid Town individual slandered him at the previous meeting. He stated that the employee came to the meeting with veterans who help homeless veterans. He would like the Board to reject a pay raise for the Veterans' Services Director and direct him to "do his job" and "put veterans in those units".

Mr. MacDonald returned to his seat and continued to speak. Chairman Champoux advised him that he was no longer recognized. Chairman Champoux advised Mr. MacDonald that if he wished to open conversation and deliver his thoughts in a respectful manner, he is welcome at the microphone, but if he besmirches the character of someone who is beyond reproach in this community as well as the Commonwealth, he is off base. Chairman Champoux stated that he will defend Mr. Cimaglia and his department.

NEW BUSINESS

Selectmen congratulated Selectmen McCoy and Loud on their election and Chairman Champoux on being named chairman.

Selectman Bendel thanked and congratulated members of WOW for their 5k race.

Selectmen Bendel encouraged residents to participate in Town Meeting.

Selectmen Bendel stated that he looks forward to the grand opening of Yentile Farm Recreational Facility on May 13.

Selectman Caira noted that he attended the Little League Parade, as did other members.

Selectman Caira stated that he attended the Facilities Master Plan Committee and the Butters Row Bridge was brought up and the access of emergency vehicles. Town Manager Hull stated that it is an issue that has been brought up periodically over the years and the Town will contact MassDOT to inspect the bridge and take necessary action to fortify the bridge.

Selectman McCoy offered his congratulations to Chairman Champoux' son.

Selectman McCoy thanked those who voted for him at Saturday's election.

Selectman Loud stated that Saturday was a learning experience and he has learned every day about Town government and thanked those who supported him, the voters and his wife Doreen.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- April 26 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- April 29 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- April 29 – Annual Town Meeting – High School Auditorium – 10:30 a.m.
- April 29 – Drug Take Back – Public Safety Building – 10:00 a.m. to 2:00 p.m.
- May 1 -
- May 5 – Curbside Collection of Yardwaste
- May 3 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- May 6 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- May 8 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- May 12 – Good Guy Award Dinner
- May 13 – Yentile Farm Recreational Facility – Open House – 10:00 a.m. to 3:00 p.m.
Ribbon Cutting – 10:00 a.m.
- May 20 – Household Hazardous Waste Day
West Intermediate School Parking Lot – 9:00 a.m. to 2:00 p.m.
- May 21 – PanMass Challenge Kids Bike Ride – Carter Lane – 8:00 a.m. to 12:00 p.m.
- May 22 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.

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

VOTED: That the Board of Selectmen adjourn to Executive Session for the purpose of discussing pending litigation – NEPBA Local 13 v. Town of Wilmington Case 01-16-0005-6563 not to return to open session.

Meeting adjourned at 9:56 p.m.

Respectfully submitted,

Recording Secretary