

BOARD OF SELECTMEN MEETING

July 13, 2015

Chairman Michael L. Champoux called the meeting to order at 6:00 p.m. in Room 9 of the Town Hall. Present were Selectmen Louis Cimaglia, IV, Michael V. McCoy, Michael J. Newhouse and Judith L. O'Connell. 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 adjourn to executive session for the purpose of discussing collective bargaining issues with the intention to return to open session.

Chairman Michael L. Champoux reconvened the meeting at 7:03 p.m. in Room 9 of the Town Hall. Present were Selectmen Louis Cimaglia, IV, Michael V. McCoy, Michael J. Newhouse and Judith L. O'Connell. Also present was Town Manager Jeffrey M. Hull. Chairman Champoux welcomed Selectman McCoy back after his recent absence.

Chairman Champoux asked those present to rise and requested Selectman McCoy lead the pledge of allegiance.

TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 53, 53A, 54, 54A, 55, 55A, 1, 1A, 2 & 2A.

MINUTES

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held on Thursday, July 10, 2014 and that all actions taken are hereby ratified and confirmed.

JOSEPH M. GLEASON, VERIZON NEW ENGLAND, INC., RE: PUBLIC HEARING ON REQUEST OF VERIZON NEW ENGLAND, INC. AND READING MUNICIPAL LIGHT DEPARTMENT TO PLACE ONE (1) POLE ON JACQUITH ROAD

Mr. Gleason was present on behalf of Verizon New England to request permission for Verizon to locate one pole on Jacquith Road. Mr. Gleason advised that the location would be on the westerly side of Jacquith Road, approximately 266 feet northerly of the Kendall Street intersection. He stated that the reason for the request is to service two new houses being constructed.

Chairman Champoux asked if there were any questions or comments from the Board and there were none. A motion was made by Selectman Cimaglia, seconded by Selectman O'Connell and by the affirmative vote of four with Selectman Newhouse abstaining, it was

VOTED: That the Board of Selectmen approve the request of Verizon New England, Inc. and Reading Municipal Light Department to place one (1) pole on Jacquith Road.

JOSEPH M. GLEASON, VERIZON NEW ENGLAND, INC., RE: PUBLIC HEARING ON REQUEST OF VERIZON NEW ENGLAND, INC. AND READING MUNICIPAL LIGHT DEPARTMENT TO REMOVE ONE (1) POLE AND PLACE TWO (2) POLES ON CHURCH STREET

Mr. Gleason advised that the petition will result in the net of one new pole. He advised that this petition has a little bit of urgency as it is relative to the high school project. Mr. Gleason stated that the petition intends to relocate existing pole 7/33 and place a new pole 7/33.5 to accommodate the new entrance of Wilmington High School. Pole 7/33 is currently located very close to the new entrance of the high school and by relocating the pole it will provide clearance for vehicles entering the driveway. The necessity of placing pole 7/33.5 is to elevate the pole line to eliminate sagging.

Town Manager Hull stated that the Town is requesting this pole relocation and it is time-sensitive.

Chairman Champoux asked if there were any questions or comments from the Board and there were none. A motion was made by Selectman O'Connell, seconded by Selectman Newhouse and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the request of Verizon New England, Inc. and Reading Municipal Light Department to remove one (1) pole and place two (2) poles on Church Street.

VAUGHAN BRYAN, ENGINEERING PROJECT MANAGER, READING MUNICIPAL LIGHT DEPARTMENT, RE: PUBLIC HEARING ON REQUEST OF READING MUNICIPAL LIGHT DEPARTMENT AND VERIZON NEW ENGLAND, INC. TO PLACE ONE (1) POLE ON LOWELL STREET

Mr. Bryan was present to request permission to locate a new pole on Lowell Street approximately 35 feet westerly from the Woburn Street centerline, located approximately 82 feet westerly from existing pole W/22/42 Lowell Street, and on the southerly side of Lowell Street.

Mr. Bryan advised that there are aerial wires sagging and this pole will alleviate that situation.

Chairman Champoux asked if there were any questions or comments from the Board and there were none. A motion was made by Selectman Cimaglia, seconded by Selectman McCoy and by the affirmative vote of four with Selectman Newhouse abstaining, it was

VOTED: That the Board of Selectmen approve the request of Reading Municipal Light Department and Verizon New England, Inc. to place one (1) pole on Lowell Street.

VAUGHAN BRYAN, ENGINEERING PROJECT MANAGER, READING MUNICIPAL LIGHT DEPARTMENT, RE: PUBLIC HEARING ON REQUEST OF READING MUNICIPAL LIGHT DEPARTMENT TO PLACE ONE (1) POLE ON LOWELL STREET

Mr. Bryan advised that the request is to place a new stub pole on Lowell Street approximately 98 feet easterly from existing pole W/22/43 and approximately 39 feet easterly from the Woburn Street centerline on the northerly side of Lowell Street.

Chairman Champoux asked if there were any questions or comments from the Board and there were none. A motion was made by Selectman O'Connell, seconded by Selectman Cimaglia and by the affirmative vote all, it was

VOTED: That the Board of Selectmen approve the request of Reading Municipal Light Department to place one (1) pole on Lowell Street.

COMMUNICATIONS

Town Manager Hull reviewed his letter to David J. Raymond, Potentate, Aleppo Shriners, expressing his appreciation for accommodating the Town of Wilmington's Fourth of July celebration.

Town Manager Hull reviewed correspondence from the Massachusetts Municipal Association regarding the Fiscal Year 2016 State Budget.

EARLE JACKSON, PROJECT ENGINEER, MANAFORT BROTHERS, INC., RE: PUBLIC HEARING ON THE REQUEST TO RENEW EARTH REMOVAL PERMIT FOR WILMINGTON HIGH SCHOOL, 161 CHURCH STREET

Mr. Jackson was present on behalf of Manafort Brothers requesting that the Board of Selectmen extend the Earth Removal Permit issued in 2013 until the end of the calendar year.

Town Manager Hull stated that there has been a considerable amount of work continuing at the site including the demolition of the old high school. He advised that the permit allows for material to be moved off site. Most of the material has remained in Wilmington. The project is in the final stages and the anticipated date of completion is October 23, 2015. Work that continues is the creation of the parking lot off Adams Street and the multi-purpose field on Wildwood Street.

Town Manager Hull reviewed recommendations from applicable departments. Favorable recommendations were received from Health Director Shelly Newhouse, Building Inspector Al Spaulding, DPW Director Michael Woods, Director of Planning and Conservation Valerie Gingrich and Town Engineer Paul Alunni.

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

George Lingenfelter, Concord Street, stated that he understands five feet of material was removed from the Activities Use Limitation (AUL) area and asked if it was known where that material was delivered. He also asked if there was a screening process to ensure the material removed was not contaminated. Mr. Jackson advised that upon demolition of the former high school, no contamination was found within the AUL.

Mr. Lingenfelter stated that he disagrees with the DEP as he believes a Storm Management Plan should have been required and not just an AUL. He stated that there are issues with the new AUL that DEP will have to generate.

Mr. Lingenfelter asked whether the Town will use the material or if it was donated to another property. He stated that if it is clean material there is a value and the Town should be compensated.

Michael Marcella, Gilbane Building Company, stated that Gilbane has kept a tally, as well as Manafort Brothers, and advised that they have been in contact with the Department of Environmental Protection Bureau of Waste Site Clean-up before the start of any activity. In addition, the project had a plan developed by Lord Associates which was followed and their LSP was on-site for the excavation work. Mr. Marcella stated that they did not encounter a situation of either oily substance or odor from the material. Testing also came back clean. Boring reports taken before the commencement of site work also indicated that they would not encounter contaminated material.

Mr. Marcella advised that most of the material has been reused on site and advised that they have a list of addresses where material was transported to. He stated that as a result of the competitive bid process, material that is removed from the site belongs to Manafort.

Mr. Lingenfelter asked whether the LSP was Teller and was advised that it was.

Kevin MacDonald, Andover Street, asked Mr. Jackson if he is familiar with the AUL area and was advised he is. He asked whether the parking lot would be pervious material and was advised that it would not be in that location. Mr. MacDonald expressed his concern that storm water drainage would negatively impact an upstream water supply. He asked how many feet of crushed stone was placed in the area and Mr. Jackson advised him that it was at least 12 inches and stated that the area is raised away from the riverfront area and there should not be any groundwater infiltration.

Mr. MacDonald asked to confirm that material was brought in for the foundation. Mr. Marcella advised that during excavation for the building foundation both native material and crushed stone was used in the first floor area of the high school closest to Church Street and in the auditorium/gymnasium area. Mr. MacDonald asked what quantity of material was brought in to support the foundation and was advised by Mr. Marcella that he has that information but the purpose of the extension of the Earth Removal Permit pertains to the parking lot area.

Chairman Champoux advised Mr. MacDonald that the discussion is specifically for the Earth Removal permit and his requests for information are not pertinent to the discussion. Mr. MacDonald asked why clean material is not going to Yentile Farm and why a value has not been put on the material. Selectman O'Connell advised that the Town has not said that it will not be considered for the Yentile site. Mr. MacDonald asked how much has been brought to the site and was advised that no material has been brought to the site because there are no permits to do so at this time.

Mr. MacDonald asked where the material has been delivered that was removed from the site. Mr. Marcella advised that the information can be provided to the Board of Selectmen. Town Manager Hull noted that a significant amount of material has remained in Wilmington and been delivered to Town owned locations. Mr. MacDonald stated that he has heard conflicting information and would like to know the addresses of the location.

Selectman Newhouse reiterated that Mr. Marcella has explained that part of the bid documents, done a long time ago when the project was bid, permits Manafort Brothers to keep the material and do what they want within the constraints of the law. He stated that he appreciates that Manafort maintained data. As long as they are complying with the conditions of the permit in place, the discussion is whether the Board continues to impose the conditions of the permit and whether the Board is satisfied that they have done so to this point. He stated that he has not heard anything that indicates Manafort has not complied with the permit. Selectman Newhouse stated that Mr. Marcella explained that an LSP has been involved and they have complied with DEP regulations relative to material removed from the AUL area.

Selectman Newhouse stated that questions have been asked of Mr. Marcella and Mr. Jackson and the answers have been forthcoming. From the standpoint of the Board of Selectmen, the task is to review whether new conditions are needed. He stated that the conditions in place have been working and there is no indication they have been violated. He believes it is incumbent on the Board to extend the permit and keep the work going in a manner that is efficient and encourages compliance with the law and the permit.

Mr. MacDonald stated that a lot of the sites that the material went to were not town sites. He opined that the Yentile site will need material and he wants to know why all the material did not go to Town sites. Chairman Champoux asked Mr. Marcella to provide the information to Town Manager Hull and advised Mr. MacDonald to go through the public records process to obtain the information.

Gerry O'Reilly, Wildwood Street, stated that he has a private well and he cannot afford the cost of installing a water line to his house. Mr. O'Reilly stated that DEP Judge Jones mandated that his water be pure and he expressed concern for the quality of his water.

Mr. MacDonald asked why the material is not being used to replace the contaminated material. Chairman Champoux advised that his question was duly noted and was asked by Mr. MacDonald whether he would receive a "duly noted" answer. Chairman Champoux stated that for approximately five years the Town has made exhaustive efforts to work with experienced professionals. The Board has made decisions to proceed through the construction process with advice and expertise from well-trained individuals. He stated that he has the full faith in the contractors that have been hired to do the project and therefore does not feel that he has to get into the "nitty-gritty" or endure Mr. MacDonald's ridiculous questions and is going to stop the questioning.

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

VOTED: That the Board of Selectmen grant the request of Manafort Brothers, Inc. to renew the Earth Removal Permit for Wilmington High School.

**JOSEPH C. EDWARDS, ESQUIRE, ON BEHALF OF BEESA RAM, SUMANBEERA, INC.
DBA MICHAEL'S PLACE, RE: REQUEST TO OBTAIN AN ALL ALCOHOL LICENSE
FOR PROPERTY LOCATED AT 110 LOWELL STREET**

Selectman McCoy advised that he would recuse himself from discussion as he is the former licensee and is the owner of the property. Selectman McCoy left the room.

Mr. Edwards stated that in February 2015, Mr. Beesa Ram purchased Michael's Place and was granted a Common Victualer License. Mr. Edwards stated Mr. Ram is requesting an All Alcohol Retail Restaurant License which he believes Mr. McCoy also held. He stated that Mr. Ram did not want to obtain the license at the time of the purchase and noted that Mr. Ram is an experienced restaurant manager having worked at Primo's on Beacon Hill. He is TIP certified and a copy of the certificate was provided to the Town. Mr. Edwards stated that Mr. Ram has assured him that all employees will be TIP certified.

Town Manager Hull reviewed recommendations from applicable departments. Police Chief Michael Begonis reviewed the application and recommends approval; Al Spaulding, Inspector of Buildings, advised that there are no outstanding zoning issues and Shelly Newhouse, Health Director recommends approval.

Chairman Champoux asked if there were any questions or comments from the Board and there were none. Chairman Champoux stated that while the Town only issues All Alcohol Licenses, Mr. McCoy only served beer and wine and asked what Mr. Ram intended. Mr. Edwards stated that it will be a family restaurant and will offer beer and wine and if there is a demand for additional alcohol he will offer it.

Chairman Champoux asked if there were any questions or comments from the audience. Mr. MacDonald stated that he was in attendance at the meeting where Mr. Ram was granted the Common Victualer License and Mr. McCoy retained the alcohol license. Mr. MacDonald asked whether this is an additional license in Town. Selectman Newhouse advised that Mr. McCoy surrendered his alcohol license at the time Mr. Ram was granted the Common Victualer License.

Mr. MacDonald asked what bank provided financing and was advised by the Chairman that the question was not relevant.

A motion was made by Selectman Cimaglia, seconded by Selectman Newhouse and by the affirmative vote of, it was

VOTED: That the Board of Selectmen grant an All Alcohol Restaurant License to Sumanbeera, Inc. DBA Michael's Place for property located at 110 Lowell Street.

Selectman McCoy returned to the meeting.

**VALERIE J. GINGRICH, DIRECTOR OF PLANNING AND CONSERVATION, RE:
UPDATE ON 18 DENAULT DRIVE REHABILITATION AND OVERVIEW OF OPEN
SPACE AND RECREATION PLAN**

Ms. Gingrich began by providing an overview of the Open Space and Recreation Plan. She advised that the plan has been finalized and is being prepared for submission to the State's Executive Office of Energy and Environmental Affairs. She noted that the Town submitted an updated plan in 2013 for review and approval. The state responded with a letter detailing which Sections of the plan would need to be revised in order to receive final approval.

Ms. Gingrich advised that a major component of the required revisions was the need for additional public process to gather up-to-date data on open space needs and demand in order for the Plan to reflect current goals and action items. The Town issued an online survey and held a workshop in May 2015 to gather input on current open space needs. Results from the survey were focused on providing more walking trails, water features, dog park and picnic areas in Town and they were incorporated into the 2015 Draft Plan and the Community Goals.

Ms. Gingrich stated that goals that were identified include the mapping of existing trails and to provide education regarding existing resources; create new trails and connect existing trails and to work with others to provide access along the Middlesex Canal. Ms. Gingrich noted the challenge of balancing different types of open spaces and accessibility.

Ms. Gingrich advised that the Plan will be submitted to EEA by July 15th with the Town's PARC Grant application for the Yentile Farm Recreational Facility.

Chairman Champoux asked if there were any questions or comments from the Board. Selectman O'Connell thanked Ms. Gingrich for her efforts and said that she has been an instrumental part of the Yentile project.

Town Manager Hull advised that Ms. Gingrich has put a significant amount of work into the PARC grant application, which is a \$400,000 grant opportunity.

Chairman Champoux stated that he has participated on the Open Space and Recreation Committee as the Board of Selectmen liaison and he continues to be amazed at the wealth of outdoor, natural resources in the Town of Wilmington.

Ms. Gingrich provided an update on 18 Denault Drive. She stated that it is an affordable unit, built in 1998 and the bank issued a mortgage that it should not have issued. The Town worked with the bank to ensure that it was kept as an affordable unit and it is her understanding that it was quite an effort. Part of the agreement with the bank was that the Town of Wilmington would qualify bidders for the foreclosure auction. In March, a Request for Qualifications was issued for individuals who would rehab and resell as an affordable unit. Ms. Gingrich advised that two parties were qualified; Triton Construction Management, Rich Stuart and Kristen Costa, and Habitat for Humanity. She stated that the Town had two viable parties at the foreclosure auction which was held by the bank on June 26. She advised that Rich Stuart was awarded the sale of the unit and a contract was signed with the Town outlining how the dwelling will be rehabbed and sold as an affordable unit. Mr. Stuart has advised that he expects construction to begin in September. Ms. Gingrich noted that it is a lot of interior work that is required and it is expected to be ready for occupancy in early 2016.

Chairman Champoux thanked Ms. Gingrich for the update and asked whether there were any questions or comments from the Board. Selectman Newhouse stated that when the development was approved certain representations were made to the general public about preserving the affordable component of the project. He stated that this is an example of activities of town government that is not time efficient. He noted that Ms. Hamilton, Ms. Gingrich and Town Counsel have spent considerable time to ensure that the foreclosure process would be handled in such a way that the affordable component is preserved going forward.

MICHAEL SCIARRA, UNIQUE AUTO CARE, INC., RE: PUBLIC HEARING ON REQUEST TO OBTAIN A CLASS II GARAGE LICENSE FOR PROPERTY LOCATED AT 611 MAIN STREET (CONTINUED FROM JUNE 22, 2015)

Town Manager Hull advised that this matter was continued from the Board's meeting of June 22, 2015. He noted that the zoning by-law allows for not more than two used vehicles displayed on the premises. Town Manager Hull stated that the question arose whether the Board could limit the number of used vehicles at the location. He stated that he spoke to Town Counsel who advised that the Board of Selectmen does not have the authority to impose any conditions related to the number of used cars. If the applicant is willing to voluntarily accept such a condition, the offer should be so noted. Town Counsel advised that the condition of a five vehicle limit is unenforceable. Town Manager Hull stated that Town Counsel advises that the Board should consider seeking Town Meeting adoption of a by-law to authorize the Board of Selectmen to impose, as a condition of the Class II License, limiting the number of used vehicles permitted on the premise to a fixed number.

Mr. Sciarra was asked by Chairman Champoux whether he would agree to the five vehicle limit and he confirmed that he would.

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

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

VOTED: That the Board of Selectmen close the public hearing and grant a Class II Garage License to Michael Sciarra, Unique Auto Care, Inc. for property located at 611 Main Street, with the understanding that not more than two vehicles will be displayed for sale and not more than five vehicles will be available on the property for sale.

COMMUNICATIONS (CONTINUED)

Town Manager Hull reviewed a memorandum from Michael Morris, Town Accountant, which provided an update on Fiscal Year 2016 Local Aid and Statutory Charges.

Town Manager Hull reviewed correspondence from Jill Reddish, Verizon FiOS, advising the Board that the Tennis Channel will move from channels 303 SD/803 HD to channels 92 SD/592 HD on or after October 1, 2015.

BOARD TO CONSIDER ACCEPTING A GIFT OF LAND OF APPROXIMATELY 18,730 SQUARE FEET OF LAND FOR THE CARE, CUSTODY AND CONTROL OF THE CONSERVATION COMMISSION FROM ERIC G. SWANSON, SAID LAND LOCATED ON ASSESSORS' MAP 41, PARCEL 85, EDDY STREET

Town Manager Hull advised that the Conservation Commission voted to accept this property at their meeting of July 1, 2015. Chairman Champoux asked if there were any question, comments or a motion from the Board. A motion was made by Selectman Cimaglia, seconded by Selectman Newhouse and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen accept a gift of land of approximately 18,730 square feet of land for the care, custody and control of the Conservation Commission from Eric G. Swanson, said land located on Assessors' Map 41, Parcel 85, Eddy Street.

BOARD TO CONSIDER SIGNING ALCOHOLIC BEVERAGES CONTROL COMMISSION FORM 43 RELATIVE TO THE CHANGE IN OFFICERS/ DIRECTORS FOR FORDHAM ASSOCIATES, INC. DBA ALEPPO TEMPLE

Town Manager Hull advised that the Alcoholic Beverages Control Commission requires that holders of Club Alcohol Licenses provide an updated list of Board of Directors for the ABCC's approval. The Board of Selectmen is being asked to sign the Form 43 for submission.

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

VOTED: That the Board of Selectmen sign the Alcoholic Beverages Control Commission Form 43 relative to the change in officers/directors for Fordham Associates, Inc. DBA Aleppo Temple.

BOARD TO CONSIDER EXECUTING MASSACHUSETTS DEPARTMENT OF TRANSPORTATION NONDISCRIMINATION ASSURANCE REQUIREMENT

Town Manager Hull advised that the Board is being asked to execute the document which confirms that the Town of Wilmington adheres to the requirements of Title VI of the Civil Rights Act of 1964 and other subsequent federal anti-discrimination statutes and regulations and does not engage in discrimination with regard to programs, services or activities receiving or benefiting from federal funding. He noted that the requirement applies to funding through the Federal Highway Administration and many of the road projects funded by the MassDOT are underwritten by funds they receive from the Federal Highway Administration. He noted that although he is not familiar with this form, DPW Director Michael Woods has advised him that it is standard practice.

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

VOTED: That the Board of Selectmen execute the Massachusetts Department of Transportation Nondiscrimination Assurance Requirement.

BOARD TO CONSIDER REQUEST OF MICHAEL BEGONIS, POLICE CHIEF, TO PLACE BANNERS ON THE GAZEBO FOR THE PURPOSE OF ADVERTISING THE NATIONAL NIGHT OUT EVENT TO BE HELD AUGUST 4, 2015

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

VOTED: That the Board of Selectmen approve the request of Police Chief Michael Begonis to place banners on the gazebo at Town Common advertising the National Night Out event scheduled for Tuesday, August 4, 2015.

BOARD TO CONSIDER REQUEST OF JOHN CUSHING TO USE THE TOWN COMMON AND GAZEBO ON WEDNESDAY, AUGUST 5, 2015 FROM 5:00 P.M. TO 9:00 P.M. FOR THE PURPOSE OF A CONCERT FEATURING THE WILDCAT ALUMNI BAND (RAINDATE: THURSDAY, AUGUST 6)

Chairman Champoux asked if there were any questions, comments or a motion. A motion was made by Selectman Cimaglia, seconded by Selectman McCoy and by the affirmative vote of four with Selectman O'Connell abstaining, it was

VOTED: That the Board of Selectmen approve the request of John Cushing to use the Town Common and Gazebo on Wednesday, August 5, 2015 from 5:00 p.m. to 9:00 p.m. for the purpose of a concert featuring the Wildcat Alumni Band (RAINDATE: THURSDAY, AUGUST 6)

BOARD TO CONSIDER REQUEST OF KRISTEN STOKES FOR RESIDENTS OF JACOBS STREET TO HAVE A NEIGHBORHOOD BLOCK PARTY ON SATURDAY, AUGUST 29, 2015 FROM 2:00 P.M. TO 8:00 P.M.

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

VOTED: That the Board of Selectmen approve the request of Kristen Stokes for residents of Jacobs Street to have a neighborhood block party on Saturday, August 29, 2015 from 2:00 p.m. to 8:00 p.m.

BOARD TO CONSIDER REQUEST FROM JOSEPH DULOCK, MIMZEE'S ICE CREAM, TO OBTAIN A HAWK & PEDLE LICENSE TO SELL ICE CREAM

Town Manager Hull reviewed recommendations from applicable departments. Police Chief Michael Begonis and Health Director Shelly Newhouse both recommended approval.

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

VOTED: That the Board of Selectmen grant a Hawk & Pedle License to Joseph Dulock, Mimzee's Ice Cream.

BOARD TO CONSIDER REQUEST FROM NICHOLAS DULOCK, MIMZEE'S ICE CREAM, TO OBTAIN A HAWK & PEDLE LICENSE TO SELL ICE CREAM

Town Manager Hull reviewed recommendations from applicable departments. Police Chief Michael Begonis and Health Director Shelly Newhouse both recommended approval.

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

VOTED: That the Board of Selectmen grant a Hawk & Pedle License to Nicholas Dulock, Mimzee's Ice Cream.

BOARD TO CONSIDER REQUEST FROM STEVEN DULOCK, MIMZEE'S ICE CREAM, TO OBTAIN A HAWK & PEDLE LICENSE TO SELL ICE CREAM

Town Manager Hull reviewed recommendations from applicable departments. Police Chief Michael Begonis and Health Director Shelly Newhouse both recommended approval.

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

VOTED: That the Board of Selectmen grant a Hawk & Pedle License to Steven Dulock, Mimzee's Ice Cream.

Town Manager Hull advised that over the weekend Police Chief Begonis received a request from a resident of Fletcher Lane and Morgan Road to conduct a block party from 1:00 p.m. to 8:00 p.m. on August 1, 2015. He advised that as the Board of Selectmen will not meet until August 10, he wanted to bring it to their attention. Chief Begonis has advised him that the area is a cul-de-sac and has no issues.

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

VOTED: That the Board of Selectmen approve the request for residents of Fletcher Lane and Morgan Road to have a neighborhood block party on Saturday, August 1, 2015 from 1:00 p.m. to 8:00 p.m.

PUBLIC COMMENTS

Chairman Champoux stated that he would recognize Mr. MacDonald for one comment. He noted that Mr. MacDonald was advised earlier in the evening that he would not be allowed to speak again due to the manner in which he conducts himself.

Mr. MacDonald stated that since the Board's last meeting, he spoke with DPW Director Michael Woods regarding the water line on Wildwood Street. He stated that Mr. Woods advised him that personnel were able to install the water line in one day. The line goes 400 feet into Wildwood Street from Middlesex Avenue. Mr. MacDonald stated that at the Board's last meeting discussion took place relative to NDMA and its contamination leading to the closure of five wells. He expressed his opinion that the NDMA is at risk of moving with the water towards residences on Wildwood Street because it is no longer being pumped from the Town's wells.

Mr. MacDonald directed a comment to Town Manager Hull that it would be in the best interest of the Town to install a water line down Wildwood Street, at no cost to the residents, which may protect the Town of the possibility of an increased risk of lawsuits for failing to protect the people. He asked if the Town Manager would consider looking into that.

Town Manager Hull stated that in spite of Mr. MacDonald's continued speculation, there is no information from a reliable source that supports his hypothesis and therefore there is no reason to consider installing a water line up Wildwood Street at this time.

Mr. MacDonald reiterated his position that if the NDMA moved from the Olin site to the Town's wells, it is possible to move to Wildwood Street and asked Town Manager Hull whether testing has taken place between the well site and Wildwood Street to determine whether the NDMA has moved or whether the Town Manager is speculating that it has not.

Town Manager Hull stated that he has not conducted tests, based on Mr. MacDonald's reasoning the NDMA could affect any number of communities or neighborhoods. He noted that the United States Environmental Protection Agency and the Department of Environmental Protection has been involved for a number of years with a significant amount of data collected and he is unaware of any data that suggests the NDMA plume is moving in that direction.

NEW BUSINESS

Chairman Champoux complimented the entire community for the Fourth of July celebration especially the Shriners, 4th of July Committee and personnel of municipal departments.

Chairman Champoux stated that in September, the Board will be looking to discuss the Town Manager's contract. It is his understanding that a working group will meet with Mr. Hull to reach an agreement to bring to the full board. He asked if there are any members of the Board who are interested in serving. Selectman McCoy offered to serve on the working group. Selectman Cimaglia advised that he is not eligible to serve. Selectman O'Connell nominated Chairman Champoux to serve in that capacity. Chairman Champoux indicated his willingness and asked Board members if they believed it appropriate. Members of the Board offered no objection.

Selectman McCoy thanked members of the Board for their well wishes during his recovery. He noted that Town Manager Hull kept him apprised of Board of Selectmen activities.

Town Manager Hull provided an update relative to the Glen Road/Middlesex Avenue/Wildwood Street intersection improvement project.

Town Manager Hull stated that the Board was provided with a notice from the Federal Energy Regulatory Commission of public comment opportunities on the so-called Northeast Energy Direct Project (Kinder Morgan). The commission expects to receive comments on or before August 31, 2015. A scoping session will take place on August 11, 2015 at the Dracut Senior High School. Town Manager Hull advised that the Town will be preparing comments to be issued to FERC and staff will attend the scoping session in Dracut.

Chairman Champoux encouraged residents who may have concerns to participate in the process and have their concern heard by submitting comments to FERC.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

Sundays Through

- October 11 – Farmer’s Market – Town Common Parking Lot – 10:00 a.m. to 1:00 p.m.
- July 15 – Concert on the Common – “Joe Leary” – 6:30 p.m. to 8:00 p.m.
- July 22 – Concert on the Common – “Mark Shelton” – 6:30 p.m. to 8:00 p.m.
- July 29 – Concert on the Common – “Reminisants” – 6:30 p.m. to 8:00 p.m.
- August 2 – Harnden Tavern Open House – 2:00 p.m. to 4:00 p.m.
- August 4 – Wilmington Police Department National Night Out
Rotary Park
- August 5 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- August 6 – Police Association Beach Day – Town Beach – 11 a.m. to 2 p.m.
- August 8 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- August 10 – Board of Selectmen Meeting – Town Hall – Room 9 – 7:00 p.m.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 8:43 p.m.

Respectfully submitted,

Recording Secretary