

BOARD OF SELECTMEN MEETING

July 13, 2020

Chairman Gregory B. Bendel called the meeting to order at 7:00 p.m. This meeting was held via ZOOM. Present were Selectmen Kevin A. Caira, Gary B. DePalma, Jonathan R. Eaton and Jomarie F. O'Mahony. Also present was Town Manager Jeffrey M. Hull.

Chairman Bendel stated that pursuant to Governor Baker's March 12, 2020 order suspending certain provisions of the Open Meeting Law, G.L. Chapter 30A, Section 18, and the Governor's March 15, 2020 order imposing strict limitations on the number of people that may gather in one place, members of the public who wish to watch and listen to the meeting may do so in the following manner: WCTV (Channel 9 – Comcast xFinity; Channel 37 Verizon FiOS, and live stream wctv.org). This meeting of the Wilmington Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. Members of the public who would like to listen to this meeting while in progress may also do so via telephone by dialing 1-646-558-8656 and enter meeting ID 851 8751 7301 then press # and press # again at the next voice prompt. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the meeting designated for public comment, by following the steps previously noted then press *9 on their telephone keypad. This will notify the meeting host that the caller wishes to speak. All callers using this feature will be placed in queue in the order they entered the prompt. In the event that, despite our best efforts, we are not able to provide for real-time access, we will post a record of this meeting on the Town's website as soon as we are able. He advised that all votes will be conducted by roll call in alphabetical order.

Chairman Bendel asked meeting participants to rise and he led the pledge of allegiance.

TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 52, 52A, 53, 53A, 54, 1, 2 & 2A.

MINUTES

A motion was made by Selectman Caira, seconded by Selectman Eaton and by the affirmative roll call vote of four with Selectman DePalma abstaining, it was

VOTED: That the Board of Selectmen approve the minutes of their meeting held October 15, 2019 and all action taken is hereby ratified and confirmed.

A motion was made by Selectman Caira, seconded by Selectman O'Mahony and by the affirmative roll call vote of four with Selectman DePalma abstaining, it was

VOTED: That the Board of Selectmen approve the minutes of their meeting held May 11, 2020 and all action taken is hereby ratified and confirmed.

Chairman Bendel noted that the information on how to call in to the meeting was flashing on WCTV. Chairman Bendel thanked IT Director John O'Neil for his assistance and for serving as the host of the meeting, WCTV for broadcasting the meeting and to the recording secretary.

ADAM QUINN, HEIDI BURGER, LLC DBA THE HABIT BURGER GRILL, RE: REQUEST FOR COMMON VICTUALER LICENSE FOR PROPERTY LOCATED AT 196 BALLARDVALE STREET

Mr. Quinn introduced himself to the Board of Selectmen and noted that he is a Dunkin second generation franchisee. He stated that he frequently traverses Ballardvale Street and believes there is a need for this food use. Mr. Quinn stated that he understands the franchise model and researched opportunities. He stated that the Habit Burger Grill is a California based chain with approximately 300 stores and were recently bought out by Yum Brands which is the largest restaurateur in the world. He stated that he wanted to open his first store in an area where he is comfortable.

Chairman Bendel asked if there were any questions or comments from the Board. Selectman Caira asked if there were recommendations from pertinent departments. Town Manager Hull advised that the application was reviewed by Shelly Newhouse, Health Director, who recommended approval and by Al Spaulding, Inspector of Buildings, who advised there were no issues with the application.

Selectman Caira asked when Mr. Quinn anticipates to be open. Mr. Quinn advised that the individual he has identified to run the store is at training for ten weeks and then will have to self-quarantine. He believes they will open in mid-September.

Selectman Caira asked whether Mr. Quinn's store will be an end unit with a drive-thru or whether you enter the location. Mr. Quinn described the location and that his store will be the "end cap" to the building.

Selectman DePalma asked whether consideration has been given to seating during the COVID pandemic. Mr. Quinn responded that he has spoken with corporation many times and he is working with them. He has received the signage/stickers for the six foot guidelines for the floors and walls. Mr. Quinn stated that he is a Dunkin franchisee and is familiar with the guidelines.

Selectman Eaton stated that he did not have any questions but wished Mr. Quinn well. Selectman Eaton stated that he appreciates Mr. Quinn continuing to open businesses in Wilmington and he looks forward to the opportunity to try The Habit Burger Grill.

Selectman O'Mahony and Chairman Bendel agreed with comments made by their colleagues.

Mr. Quinn requested that, presuming his application is approved, the Board of Selectmen restrict the hours to not later than 10:00 p.m. He stated that Target closes at 10:00 p.m. as well as the Dunkin he owns. Mr. Quinn stated that he does not want to cause undue strain on Town resources. He advised that it would also make him more comfortable in terms of keeping his employees safe. Chairman Bendel opined that it was a reasonable request.

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

VOTED: That the Board of Selectmen issue a Common Victualer License to Heidi Burgers, LLC DBA The Habit Burger Grill for property located at 196 Ballardvale Street, Unit 1 and further that hours be restricted not to operate past 10:00 p.m.

INTRODUCTION OF OFFICERS MICHAEL DILORENZO AND KATHRYN GOODWIN

Chairman Bendel stated that Officers Goodwin and DiLorenzo graduated from the police academy on July 7. Both officers grew up in Wilmington and attended Wilmington High School and the Town of Wilmington is proud to have them on the Wilmington Police Department.

Chairman Bendel asked Police Chief Desmond if he had any comments. Chief Desmond commented that due to COVID-19, the officers were not allowed to have family and friends attend their graduation ceremony to celebrate their accomplishment. He noted that the academy was suspended and reopened during Phase II. Chief Desmond stated that Officer Goodwin worked at Silver Lake during summers and interned at the Police Department.

Members of the Board of Selectmen offered their well wishes to the two officers.

SHELLY NEWHOUSE, HEALTH DIRECTOR, AND WILLIAM CAVANAUGH, FIRE CHIEF, RE: UPDATE ON COVID-19

Ms. Newhouse likened the past couple of weeks to a roller coaster ride. She stated the Town had great numbers which went up a little and now are back down. She advised that she has been busy helping businesses to reopen including answering an array of questions. Ms. Newhouse noted that in addition to addressing these inquiries and ensuring businesses are in compliance, she has obligations that are not COVID related.

Ms. Newhouse stated that she believes that the increase was due to individuals who went on a trip. She implored residents to be cautious of their actions. Chairman Bendel asked Ms. Newhouse to update the Board of Selectmen on current numbers. Ms. Newhouse advised that there are currently 5 active cases and 2 in quarantine.

Chief Cavanaugh advised that the public safety departments are operating business as usual. He advised that there are occasions where they encounter COVID positive patients, particularly at Advinia, but the numbers are substantially lower than they were in April. Chief Cavanaugh expressed his appreciation to Superintendent of Public Buildings George Hooper and his personnel for ensuring the office space was set up to provide for employees' safe return.

Chairman Bendel asked if there were any questions or comments from the Board. Members of the Board thanked Ms. Newhouse for participating in multiple meetings/updates and for ensuring residents safety by securing masks and gloves for distribution.

Selectman O'Mahony asked how information is being communicated and enforced. She stated that she is confused how phasing is being applied in different areas. Ms. Newhouse stated that most information is being disseminated through social media and news outlets. She advised that the state is currently in Phase II and those businesses that are expected to reopen in Phase III are waiting with baited breath and are preparing. Relative to enforcement, Ms. Newhouse advised that she does receive complaints. She asked for patience, noting that it is a lot for hairdressers to wear a mask all day. Ms. Newhouse stated that individuals and businesses that she has encountered who are not in compliance is because they did not know. She stated that she educates them and they are willing to do what is necessary to be in compliance.

Ms. Newhouse stated that she is currently working with the School Department as they prepare the three plans for reopening and commented that it is a huge endeavor.

Selectman O'Mahony asked what is expected in Phase IV. Ms. Newhouse advised that Phase IV will provide for high risk activity and people congregating.

Chairman Bendel commented relative to a recent post on social media regarding the new fire truck. Chief Cavanaugh stated that it was scheduled to be inspected by Bulldog and should be in Massachusetts on Friday or Monday. The truck will then be delivered to Hopkinton to complete the lettering. Chief Cavanaugh advised that he expects the truck to be in Wilmington by the end of the month.

Chairman Bendel commented on a recent letter to the editor that was written by a sixth grader who asked individuals to be conscientious and properly dispose of masks and gloves.

REPRESENTATIVE DAVID ROBERTSON RE: ROUTE 38 LANE CONFIGURATION AT CLARK STREET

Representative Robertson advised that his intern, Mariam Nelson, is also participating in the meeting. He advised that Ms. Nelson is a junior at Wilmington High School and will be assisting him by taking notes.

Representative Robertson stated that he was present to request the Board of Selectmen's support to ask Massachusetts Department of Transportation (MassDOT) conduct a traffic study at the intersection of Main Street and Clark Street. He noted that there are plans for the redesign of Main Street from Burlington Avenue to the Woburn town line. He stated that he had conversations with Ms. Nelson and community members, on a quick, easy adjustment that could be made to Route 38 to alleviate traffic while lining up the next potential MassDOT project to fix Main Street.

Representative Robertson stated that the specific location is between mile marker 13 and 13.1 (from Dunkin north to Enterprise). He explained that when driving south from Wilmington Plaza, the two lanes merge to one lane and returns to two lanes after you pass Dunkin's. He advised that he spoke with Town Manager Jeff Hull and Town Engineer Paul Alunni and he would like to send a letter to MassDOT asking that they consider when traveling southbound, to maintain two travel lanes through the entire segment of Route 38. A MassDOT study is "run-of-the-mill". Representative Robertson advised that Police Chief Desmond informed him there have been approximately ten motor vehicle accidents in the past three years, a low risk intersection.

Town Manager Hull confirmed he spoke with Mr. Alunni who provided a memorandum to the Board of Selectmen. Town Manager Hull read the memo into the record. Mr. Alunni advised that the Engineering Division performed a cursory review of the existing pavement markings along Main Street in the vicinity of the Clark Street intersection. The intersection is a four-legged signalized intersection under the jurisdiction of MassDOT and a lane reduction is marked by crosshatching in advance of the dedicated left hand turn lane. The purpose of the crosshatched lane reduction is to minimize driver frustration and confusion by merging through traffic into the appropriate lane in advance of the dedicated left turn lane. The inclusion of a lane reduction is based on an engineering judgement after careful evaluation of traffic volume, patterns and safety.

Town Manager Hull stated that he believes it is appropriate for MassDOT to review the intersection and to consider the prospect of creating "jockeying" when drivers in the left lane realize they need to move to the right lane to proceed through the intersection. Representative Robertson advised that the letter would request two lanes to continue south and the signals be reconfigured so a driver in the left lane would be able to go straight through or turn left with a dedicated left turn.

Chairman Bendel asked if there were any questions or comments from the Board. Selectman Caira asked who has jurisdiction over the lights at the Clark Street intersection and was advised that MassDOT has jurisdiction.

Selectman Caira commented regarding the lights at Wildwood Street and Middlesex Avenue. Representative Robertson stated that he has observed vehicles turning right on red which will affect the light cycle.

Members of the Board of Selectmen offered comments regarding other intersections including the signals at Wilmington Crossing (269 Main Street) and Richmond Street. Selectman Caira expressed concern that the dedicated left turn arrow for traffic traveling north at the Wilmington Crossing Plaza/Market Basket Plaza intersection does not work properly and needs to be fixed.

Selectman Eaton stated that he is not opposed to a traffic study being conducted.

Selectman O'Mahony stated that she would like to see Route 38 expanded from Richmond Street to Clark Street but expressed her fear that the stretch of Main Street will become like Cambridge Street in Burlington which is one lane but is used as a two lane road.

Representative Robertson stated that he and Mr. Alunni have spoken regarding the other intersections but he is focusing on the Clark Street intersection because it will likely only need sandblasting and paint. The other intersections are more sizeable and will require more of an investment.

He also noted that at the Annual Town Meeting residents were asked to participate in a survey which asked what they feel is the priority: addressing Main Street from Burlington Avenue to Richmond Street or from Richmond Street to the Tewksbury town line. Representative Robertson believes that respondents will indicate the section from Burlington Avenue to Richmond Street is the priority.

Representative Robertson stated that he would approach MassDOT regarding the intersections that the Board has expressed concern about. Chairman Bendel stated that the Town would appreciate any assistance and noted Representative Robertson's assistance in getting a curb cut on Main Street for a family with a handicapped member.

REORGANIZATION OF THE BOARD OF SELECTMEN

Chairman Bendel thanked members of the Board for the opportunity to serve as their Chairman over the past 14 months and expressed his appreciation for their support. Chairman Bendel nominated Selectman Eaton to serve as Chairman and was seconded by Selectman Caira. Chairman Bendel asked if there were any additional nominations or discussion. Members of the Board thanked Chairman Bendel for his service over the past 14 months noting the additional meetings and phone calls that could not have been anticipated.

With a motion having been made and seconded, Chairman Bendel called for the vote and by the affirmative roll call vote of all, it was

VOTED: That Jonathan R. Eaton serve as Chairman of the Board of Selectmen.

Chairman Eaton thanked his colleagues for their vote of confidence.

COMMUNICATIONS

Town Manager Hull reviewed his memorandum regarding the Olin Superfund Site. Town Manager Hull advised that Lynne Jennings, Section Chief with the Environmental Protection Agency (EPA), confirmed that the EPA will be issuing their Record of Decision (ROD) related to a portion of the Olin Superfund Site on August 10, 2020. The ROD will describe the approach they believe that Olin and two other responsible parties will be required to take to remediate the

contamination on the site and in certain “off property” locations. He noted that Ms. Jennings agreed to conduct the informal virtual information meeting on August 25th beginning at 7:00 p.m. A thirty day comment period will begin August 26th and will extend through September 26th unless an interested party seeks a thirty day extension. A second virtual meeting will take place on September 22, 2020 at 7:00 p.m. This meeting is scheduled for the purpose of receiving verbal comments.

Town Manager Hull reviewed a letter from Jay Sullivan, Associate Commissioner School Finance and District Support, Massachusetts Department of Elementary and Secondary Education, to Melanie Hagman, Superintendent of Schools, Shawsheen Tech, wherein he advised Ms. Hagman that Shawsheen Valley Regional Vocational Technical School District to continue its operation and to spend up to \$2,651,671 in each month of FY21 until the District’s FY21 budget has been adopted, or until December 1, 2020, whichever comes first.

Town Manager Hull reviewed a letter from Valerie Love, Senior Vice President, Human Resources, Coca-Cola North America, which advised the Town that Odwalla will cease operations at the facility located at 10 Jewel Drive, Wilmington. Layoffs are anticipated and when finalized will be permanent and that the entire facility will be closed. Affected employees will be separated from employment on August 31, 2020. Town Manager Hull advised that he reached out to representatives of Coca-Cola regarding the Rapid Response Team to assist employees in securing employment.

Town Manager Hull reviewed his letter to John Romano, President, Wilmington Sons of Italy, expressing gratitude for their generosity by making arrangements to provide lunch to staff.

Town Manager Hull reviewed communication from Dan Gibbons indicating his resignation from the Economic Development Committee.

Town Manager Hull reviewed reappointments of John Doherty, Jonathan Dugas and Theresa Manganelli as members of the Finance Committee. The reappointments were made by the Finance Committee Appointing Committee which is comprised of the Chairman of the Board of Selectmen, the Chairman of the Finance Committee and the Town Moderator.

Town Manager Hull reviewed communication from Niall Connors, Franchise Service Manager, Verizon, notifying the Board of Selectmen of FiOS price change.

BOARD TO CONSIDER APPOINTMENT OF PAUL TIVNAN TO THE ECONOMIC DEVELOPMENT COMMITTEE

Selectman Caira expressed his appreciation to Mr. Gibbons for the time expended when the Economic Development Committee was established. Selectman Caira provided information regarding Mr. Tivnan’s experience and offered a motion to appoint him to the Economic Development Committee. The motion was seconded by Selectman Bendel who also expressed his appreciation to Mr. Gibbons.

Selectman DePalma inquired about notification regarding appointments and reappointments noting the reappointments to the Finance Committee and this appointment. Chairman Eaton advised that the term of the Finance Committee concludes following the Annual Town Meeting.

Chairman Eaton asked if there were any additional questions or comments. A motion having been duly made and seconded, Chairman Eaton called for a vote and by the unanimous roll call vote of all, it was

VOTED: That the Board of Selectmen appoint Paul Tivnan to the Economic Development Committee.

BOARD TO CONSIDER APPROVING THE RENEWAL OF THE SECONDHAND DEALER LICENSE FOR GAMESTOP

Town Manager Hull advised that the renewal was delayed for a period of time due to the COVID situation. He advised that the application has been reviewed by the Police Chief, Fire Chief, Building Inspector and Treasurer/Collector.

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

VOTED: That the Board of Selectmen renew the Secondhand Dealer License for GameStop for property located at 246 Main Street.

BOARD TO CONSIDER REQUEST OF JEYANTHI R. GHATRAJU, DIRECTOR, INDIA ASSOCIATION OF GREATER BOSTON TO RAISE THE INDIAN FLAG TO COMMEMORATE INDIA'S INDEPENDENCE DAY ON SATURDAY, AUGUST 15, 2020

Town Manager Hull reviewed the request being made and noted that in past years the organization celebrated August 15 as India Day alongside the Charles River at the Hatch Memorial Shell until 2018 when it began celebrating at the City Hall Plaza. With the current restriction relative to gathering, the organization has opted to bring the celebration to as many towns in New England to help decentralize the celebration and to allow people to take pride in the fact that their town is recognized and celebrate the historic event while still being in the safe radar of their hometown. Ms. Ghatraju requests permission to hoist India's flag at the Wilmington Town Common to commemorate India's 74th Independence Day on Saturday, August 15, 2020. She advised that in the event Saturday is not conducive to the Town and a weekday is preferred, Friday, August 14 would be acceptable.

Town Manager Hull advised that he had a conversation with the Director of Veterans' Services, Louis Cimaglia, who participated in this portion of the meeting. Mr. Cimaglia advised that due to the location of the flag pole at the Town Common in proximity to a war memorial, it is not appropriate to raise a flag that is not the American flag, with the exception of a POW/MIA or Purple Heart flag, over the monument.

Town Manager Hull advised that it would be his recommendation to authorize the flag raising ceremony to take place at the Wilmington Town Hall on Friday, August 14.

Chairman Eaton asked if there were any additional questions, comments or a motion. A motion was made by Selectman O'Mahony, seconded by Selectman Bendel and by the unanimous roll call vote of all, it was

VOTED: That the Board of Selectmen authorize the India Association of Greater Boston to raise India's flag at the Wilmington Town Hall on Friday, August 14, 2020.

PUBLIC COMMENTS

John O'Neil, IT Director, advised that there was a caller on the line but had not requested to speak. Mr. O'Neil reminded viewers of the process to request to speak.

Lou Cimaglia, Director of Veterans' Services, congratulated Mr. Eaton on his chairmanship and thanked Selectman Bendel for his work.

Chairman Eaton asked if there were any additional public comments. Mr. O'Neil advised that the caller has not expressed a desire to speak.

Mr. Cimaglia advised that he received a phone call from Michael Champoux who wished to express his congratulations to Mr. Eaton and thank Selectmen Bendel. Mr. Cimaglia stated that, due to technical difficulties, Mr. Champoux was unable to join the meeting.

Chairman Eaton asked if there were any additional public comments. There were none.

ANNOUNCEMENTS

Members of the Board of Selectmen expressed their appreciation to those individuals involved in the preparation for the Annual Town Meeting and to those who attended.

Selectman Caira expressed his disappointment that the recent edition of the Buzzell Buzz did not reference the renovations and improvements made to the Senior Center.

Selectman O'Mahony asked that Chairman Eaton include on a future agenda the review of Selectmen appointments to committees. She noted that Selectman DePalma was her appointment to the By-Law Study Committee and Mr. McCoy was the Board of Selectmen's designee. She believes it would be a good opportunity to evaluate and make necessary changes.

Chairman Eaton advised that he has become aware that there was difficulty for the caller to indicate he wanted to speak and asked Mr. O'Neil to permit the caller to join the meeting.

Frank West, Birchwood Road, expressed his appreciation to those involved in ensuring a successful Town Meeting.

Mr. West requested assistance with the clock at the Congregational Church. He advised that three faces show different times. He advised the clock is owned by the Town.

Mr. West repeated his request for George Hooper, Superintendent of Public Buildings, to assess the Roman House and paint the exterior. He stated that Selectman Caira referenced \$40,000 improvements to the Buzzell Senior Center and opined it would be beneficial if something similar could be done at the Roman House. Chairman Eaton noted that that \$30,000 was a grant received from the state.

Chairman Eaton advised Mr. West that the Board of Selectmen will have to get back to him relative to the clock.

NEW BUSINESS

There was none.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

Through

October 11 – Drive-Thru Farmers Market – Town Common Parking Lot – 10:00 a.m. to 11:30 a.m.
Pre-Order Required – wilmingtonfarmersmarket.com

August 5 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.

August 8 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.

August 17 – Board of Selectmen – Town Hall – Virtual – 7:00 p.m.

August 25 – Environmental Protection Agency (EPA) Public Information Meeting, re: Record of Decision for Olin Superfund Site – Virtual – 7:00 p.m.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Recording Secretary