

BOARD OF SELECTMEN MEETING

March 9, 2020

Chairman Gregory B. Bendel called the meeting to order at 7:00 p.m. in Room 9 of the Town Hall. Present were Selectmen Kevin A. Caira, Jonathan R. Eaton, Michael V. McCoy and Jomarie F. O'Mahony. Also present was Town Manager Jeffrey M. Hull.

Chairman Bendel asked those present 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 Caira, seconded by Selectman O'Mahony and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen accept Treasury Warrants 35, 35A, 36 and 36A.

MINUTES

Chairman Bendel advised that there were two sets of minutes, January 14, 2019 and February 24, 2020, for the Board to approve and suggested that they be brought up individually. Town Manager Hull advised that the February 24, 2020 minutes were delayed and were not included in the packet.

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held January 14, 2019 and all action taken is hereby ratified and confirmed.

INTRODUCTION OF NEWLY HIRED FIRE FIGHTERS

Chairman Bendel introduced Alexander Danas, Joseph Russell, George Boudreau, Jason Baker, Michael Feyler, Joseph Leverone and Meredith Welch as new members of the fire department. Fire Fighter Michael Silva was not able to attend due to a family emergency.

Chairman Bendel acknowledged that Chief Cavanaugh, Deputy Chief Pozzi and members of the Fire Department were present in the audience.

Members of the Board welcomed the new fire fighters and wished them success in their careers with the Town.

Chairman Bendel noted that the eight fire fighters will be sworn in on Wednesday, March 11 at 9 a.m. at the Public Safety Building. He also noted that William Cavanaugh will be sworn in as Chief on Friday, March 13 at 2 p.m.

MICHAEL MURPHY, RE: UPDATE REGARDING ORGAN DONATION

Mr. Murphy stated he was present to thank the Board of Selectmen for their past kindness in allowing New England Donor Services to display the Donate Life flag on the Town Hall flagpole. He advised that the flag reminds citizens of the importance of donating organs and tissue to save the life of some and to improve the quality of life for others.

He stated that the message of awareness is important and the number of available donors has increased by 18%. He stated that 90% of those who obtain their license choose to become organ donors which is signified by a heart on the license.

Mr. Murphy stated that he was once again seeking permission to fly the flag during the month of April, beginning on April 1, 2020 with a brief flag raising ceremony at 9:00 a.m., and to set up a table in the foyer with information on organ donation.

Chairman Bendel stated that if there were no objections he would like to take agenda item number 13 out of order. A motion was made by Selectman Caira, seconded by Selectman McCoy and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the request of Michael Murphy to fly the “Donate Life” flag at Wilmington Town Hall in recognition of April being National Organ Donor month and to set up an informational table in the foyer of Town Hall on April 1.

Members of the Board expressed their appreciation to Mr. Murphy for raising awareness of the importance of organ donation. Selectman O’Mahony advised that this year is the final We’re One Wilmington Run for Wilmington/Walk for Kim Forte and offered Mr. Murphy the opportunity to set up an informational table at that event.

JONATHAN SILVERSTEIN, ESQUIRE, RE: PRESENTATION OF DEVELOPMENT AGREEMENT WITH PRINCETON PROPERTIES

Chairman Bendel advised that this appointment has been postponed and asked that Town Manager Hull provide additional information. Town Manager Hull stated that part of the discussion with Princeton Properties involves a Development Agreement which spells out the terms and conditions of the arrangement established between the Town and Princeton Properties in conjunction with a Local Initiative Program (LIP) application. He advised that the Development Agreement is largely complete, the parties have come to a substantial agreement but it was not finalized in time for this evening’s meeting. The expectation is that it will come before the Board on March 23 and copies will be provided to the Board in advance of the meeting.

BOARD OF SELECTMEN DISCUSSION, RE: REVIEW OF PROPOSED TOWN MEETING WARRANT

Town Manager Hull advised that the warrant provided to the Board is as it was presented at their meeting of February 24, 2020 with one exception. Michael Woods, DPW Director, advised the Town Manager that the lease agreement with AT & T to locate an antenna on the Nassau Avenue Water Tank is due to expire at the end of June. Town Manager Hull stated that he and Mr. Woods had discussed another lease to authorize the vendor to locate an antenna on the new tank at Nassau Avenue. Town Manager Hull read the new article, which is Article 53.

Chairman Bendel asked if there were any questions or comments from the Board. Selectman Caira stated that at the Board’s last meeting discussion took place regarding Article 50 and asked whether Town Manager Hull looked into the issue. Selectman Caira asked whether the article would now permit dogs on the beach from October to May. He stated that he wants to make sure he is interpreting it correctly and that it was his impression that the Board did not want to make the beach an area for the dogs to potentially use for bathroom purposes. Selectman McCoy stated that if that is the case, he is in agreement. Selectman Caira stated that he may be interpreting it wrong.

Selectman Eaton noted that Town Manager Hull provided the Board with a memorandum dated February 28 and quoted, *By taking this vote the by-law would read as follows: “No dog shall be allowed on a public beach from May 1 to October 1 each year.”* Selectman Caira confirmed that dogs would be allowed on the beach from October 2 through April 30. Selectman McCoy stated

that if that is case, he is not in favor of it. Town Manager Hull advised that the warrant is prepared. Chairman Bendel advised that this and several other articles were brought to the Board of Selectmen as recommendations from the By-Law Study Committee. Residents will have the opportunity to ask questions and comment on each article at the joint meeting of the Finance Committee and Planning Board on Tuesday, March 17 as well as at the Town Meeting of May 2.

COMMUNICATIONS

Town Manager Hull reviewed a memorandum from Assistant Town Manager Kerry Colburn-Dion and Health Director Shelly Newhouse which provided an update regarding the COVID-19 virus (Coronavirus). The Board was advised that information is changing on a daily, sometimes hourly, basis. As of March 6, 2020 there was one confirmed case of COVID-19 in Massachusetts and a total of 719 individuals subject to quarantine. The memo also provided answers to questions such as traveling, cancelling public events, preventative actions, steps Public Buildings' staff are taking to prepare and concerns about the Senior Center.

Town Manager Hull reviewed a memorandum from Dr. Glenn Brand, Superintendent of Schools, who provided an update regarding the work surrounding the Massachusetts School Building Authority Statement of Interest applications. Dr. Brand advised that he, Public Buildings Superintendent George Hooper and Assistant Superintendent of Administration and Finance Paul Ruggiero have worked extensively on compiling information from previously completed facilities reports to include in the six statement of interest applications. Dr. Brand provided an overview of next steps with dates that the steps need to be completed.

Town Manager Hull reviewed a memorandum from Michael Woods, Director of Public Works, who provided an update regarding 2020 solid waste management contracts for trash and recycling. Mr. Woods outlined relevant points related to Casella Waste Management's transition as the new trash and recycling collection contractor and Wheelabrator Technologies contract for the Town. He provided information regarding the terms of the contract, the cost per year based on estimated tonnage, existing trash and recycling barrels, bulky item/white goods/Cathode Ray Tubes (CRT) collection and public notification. A brief discussion took place regarding the barrel amortization remaining from the Russell Disposal Contract and whether Russell is in possession of remaining barrels.

Town Manager Hull reviewed a memorandum from William Cavanaugh, Fire Chief, regarding reimbursement received from the Federal Emergency Management Agency in the amount of \$124,770.98. The reimbursement represents 75% of the total funds expended for snow removal, sanding, salt and additional emergency personnel costs from the snow storm in March 2018.

Town Manager Hull reviewed a letter from Governor Charles Baker and Lt. Governor Karyn Polito regarding Chapter 90 Local Transportation Aid funding. The letter certifies that pending final passage for the bond authorization, Wilmington's Chapter 90 apportionment for Fiscal Year 2021 is \$774,086.

Town Manager Hull reviewed his memorandum regarding the status of the Environmental Protection Agency's (EPA) proposed clean-up plan for Olin. He stated that he was advised by Lynne Jennings, EPA Section Chief, that the agency is in the process of briefing EPA regional management on the proposed remediation plan and drafting a fact sheet that will describe the plan. If agency management is satisfied with their proposed plan, then the plan could be issued in April with a public comment period to follow. Once Ms. Jennings learns whether the plan is acceptable, she will contact the Town to discuss scheduling a date for a public information hearing.

The comment period is expected to be at least 30 days. Town Manager Hull noted that Dan Deutsch, Esquire, has drafted a proposed agreement to be presented to Olin that would establish the terms for extending a water line from Main Street up Cook Avenue. The draft agreement has been reviewed internally with comments sent to counsel. Once comments have been addressed, the draft will be sent to James Cashwell, Director of Environmental Remediation, at Olin Corporation.

BOARD TO CONSIDER CLOSING AND SIGNING THE WARRANT FOR THE ANNUAL TOWN MEETING

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

VOTED: That the Board of Selectmen close and sign the warrant.

BOARD TO CONSIDER SIGNING LICENSE AGREEMENT FOR WILMINGTON FARMERS MARKET

Town Manager Hull advised that this was tabled from the Board's meeting of February 24. He advised that the license was revised to reference that the July 5 Farmers Market will take place at the Yentile Farm Recreational Facility. Chairman Bendel asked if there were any questions, comments or a motion. A motion was made by Selectman Cairra, seconded by Selectman O'Mahony and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen sign the license agreement with Wilmington Farmers Market.

BOARD TO CONSIDER REQUEST THAT WILMINGTON TOWN COMMON BE ILLUMINATED IN BLUE DURING THE MONTH OF APRIL IN OBSERVANCE OF AUTISM AWARENESS

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

VOTED: That the Board of Selectmen approve the request that Town Common be illuminated in blue during the month of April in observance of Autism Awareness.

Chairman Bendel thanked the donor for their generosity.

BOARD TO CONSIDER REQUEST OF CHRIS NEVILLE, WILMINGTON ROTARY CLUB, TO USE TOWN BEACH AT SILVER LAKE FOR POLAR PLUNGE ON SATURDAY, MARCH 14, 2020

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

VOTED: That the Board of Selectmen approve the request of Chris Neville, Wilmington Rotary, to use Town Beach at Silver Lake for Polar Plunge on Saturday, March 14, 2020.

BOARD TO CONSIDER REQUEST OF WILMINGTON BAND PARENTS AND FRIENDS TO SELL COFFEE, DONUTS, POPCORN, COLD DRINKS, POMPOMS AND BALLOONS DURING THE MEMORIAL DAY PARADE

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

VOTED: That the Board of Selectmen approve the request of Wilmington Band Parents and Friends to sell coffee, donuts, popcorn, cold drinks, pompoms and balloons during the Memorial Day parade.

BOARD TO CONSIDER REQUEST OF WILMINGTON BAND PARENTS AND FRIENDS TO SELL REFRESHMENTS (POPCORN, COTTON CANDY, HOT PRETZELS, SODA, WATER) DURING THE RECREATION COMMISSION'S SUMMER CONCERT SERIES

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

VOTED: That the Board of Selectmen approve the request of Wilmington Band Parents and Friends to sell refreshments during the Recreation Commission's summer concert series.

BOARD TO CONSIDER REQUEST OF WILMINGTON SONS OF ITALY AND WILMINGTON BAND PARENTS AND FRIENDS TO USE THE SWAIN SCHOOL PARKING LOT ON SATURDAY, SEPTEMBER 12, 2020 FROM 7:00 A.M. TO 5:30 P.M. FOR THE PURPOSE OF CONDUCTING A YARD SALE TO RAISE FUNDS

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

VOTED: That the Board of Selectmen approve the request of Wilmington Sons of Italy and Wilmington Band Parents and Friends to use the Swain School parking lot on Saturday, September 12, 2020 from 7:00 a.m. to 5:30 p.m. for the purpose of conducting a fundraising yard sale.

BOARD TO CONSIDER REQUEST OF MICHAEL MURPHY TO FLY THE "DONATE LIFE" FLAG AT WILMINGTON TOWN HALL IN RECOGNITION OF APRIL BEING NATIONAL ORGAN DONOR MONTH

This item was taken up under appointments.

PUBLIC COMMENTS

Frank West, Birchwood Road, expressed concern that there will be several stand-alone projects in one neighborhood and opined they will change the character of the neighborhood. Mr. West was referring to the section of Route 62/Middlesex Avenue between Shady Lane Drive and Jefferson Road property.

Mr. West stated that Cub Scout Troop 136 recently visited the Public Safety Building and he expressed his appreciation to Detective Butch Alpers and members of the Fire Department that took time out of their day.

Mr. West offered an invitation to members of the Board of Selectmen to attend the Wilmington Company of Minutemen Installation of Officers on Sunday, March 15 at 2:00 p.m. He advised the event will take place at the Minuteman Headquarters which is located on the grounds of Harnden Tavern.

Janice Sawyer, Lawrence Street, stated that she was also concerned about the number of projects taking place in one area and was concerned whether vehicles will be able to exit out of Shady Lane Drive.

Ms. Sawyer offered comments regarding the proposed Princeton Properties project and asked about the number of affordable units. She asked what the basis was to drop from 120 units to 108 units and asked whether the lower number will meet the affordable housing units needed to be in compliance.

Ms. Sawyer stated that she had submitted a public records request by email to the Town Manager, the Planning & Conservation Director and the Town Clerk for the draft proposal for the Planning Board's March 10 meeting. Ms. Sawyer stated that she was advised that it was not in the Planning Board's packet and was not ready. Ms. Sawyer opined that it is by definition a draft and asked how residents would know what to ask if they do not know what is in the proposal. She asked to have a copy sent to her and to have copies available at the meeting.

Town Manager Hull acknowledged that he saw an email at 2 or 2:30 but did not have an opportunity to respond.

Representative Robertson stated that there is an upcoming debate regarding Chapter 90 Revenues and noted he was among a small minority of Democrats that disagreed with the Transportation Revenue Funding Bill. He stated that the Governor has promised to veto, but he wants the Board to be aware there may be major changes in what is expected in Chapter 90 funding. He stated that Governor Baker does not believe a 5 cent per gallon tax on the everyday person is the greatest way to fund infrastructure. Representative Robertson believe the Senate will have their version of debate and discussion. He assured the Board that he will keep them updated.

Representative Robertson stated that Chairman William Straus and Chairman Aaron Michlewitz, Committee on Transportation and Committee on Ways & Means, respectively, authorized \$500,000 for the survey, design and incorporation of unaccepted ways in Wilmington and \$350,000 for coordination, surveying and engineering of Route 38 from Burlington Avenue to Lake Street through the sale of bonds. He reiterated that the bonds have to be sold on the private market, by the Treasurer and authorized by the Governor, before funds can be made available.

Representative Robertson stated that he was updated by the Legislative Deputy for Secretary Michael Kennealy, Community and Economic Development, regarding \$180,000 directed to the Town for the North Wilmington Commuter Rail platform. He noted that steps have been taken to begin paperwork to transfer funds to the MBTA. Town Manager Hull stated that it is helpful because the grant is set up as a reimbursement grant and he was concerned about how the Town would be able to draw on the funds prior to the end of the fiscal year.

ANNOUNCEMENTS

Selectman McCoy stated that he attended the Tewksbury/Wilmington Elks breakfast to honor veterans. He stated that he enjoyed listening to one of the veterans who is 92 or 93 years old and served under General Patton as a gunner in the tank division.

Chairman Bendel stated that he attended an event on Thursday, sponsored by the Veterans' Services Department. The event was to provide benefit information to veterans'. In addition veterans' learned about services available to them.

NEW BUSINESS

Selectman McCoy asked relative to the Board's third appointment what the holdup was. Town Manager Hull advised that Mr. Silverstein was scheduled to present the development agreement which outlines responsibilities for Princeton Properties and the Town of Wilmington. It was anticipated that it would be finalized in time for the meeting but there are a few elements that need to be finalized.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- March 14 – Community Health & Wellness Fair – Knights of Columbus
9:00 a.m. to 12:00 p.m.
- March 17 – Finance Committee/Planning Board Joint Public Hearing Relative to the
Warrant for the Annual Town Meeting – Town Hall Auditorium – 7:00 p.m.
- March 23 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- April 1 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- April 4 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- April 4 – Rabies Clinic – Public Buildings Department – Noon to 2:00 p.m.
- April 6 – Last Day to Register to Vote at the Annual Town Election and Town Meeting
Town Clerk's Office Open 8:30 a.m. – 8:00 p.m.
- April 8 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- April 11 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- April 13 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- April 15 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- April 18 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- April 18 – Little League Opening Day Parade
- April 20 – Town Offices Closed – *Patriot's Day*
- April 22 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- April 25 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- April 25 – Annual Town Election – Polls Open 8:00 a.m. to 8:00 p.m.
- April 27 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- May 2 – Annual Town Meeting – High School Auditorium – 10:30 a.m.

Selectman Caira asked about curbside collection of yard waste and was advised that collection will take place the weeks of April 6, April 20 and May 4.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 8:34 p.m.

Respectfully submitted,

Recording Secretary