

BOARD OF SELECTMEN MEETING

October 25, 2021

Chairman Lilia Maselli called the meeting to order at 7:00 p.m. This meeting was held in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Gary B. DePalma and Judith L. O'Connell. Also present was Town Manager Jeffrey M. Hull.

Chairman Maselli noted members of the Board were wearing an article of pink clothing in recognition of October being Breast Cancer Awareness Month.

Chairman Maselli asked meeting participants to rise and she led the pledge of allegiance.

TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 16, 16A, 17 & 17A.

MINUTES

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held December 16, 2020 and that all actions taken are hereby ratified and confirmed.

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held September 13, 2021 and that all actions taken are hereby ratified and confirmed.

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held October 12, 2021 and that all actions taken are hereby ratified and confirmed.

PATRICK GIROUX, CHAIRMAN, 4TH OF JULY COMMITTEE, RE: REQUEST TO USE THE TOWN COMMON FOR TREE LIGHTING ON DECEMBER 4, 2021

Mr. Giroux thanked members of the Board for the opportunity to be before them. He stated that, due to the pandemic, he is two years late and is excited to be present to request permission to have the Annual Tree Lighting. Mr. Giroux stated the Committee is requesting use of the Town Common on Saturday, December 4, 2021. Festivities are scheduled to begin at 4:00 p.m. and continue until approximately 7:00 p.m. He reported that Santa Claus will be visiting Wilmington, arriving on one of Wilmington's fire engines and will lead the countdown to the lighting.

The Committee will be providing cookies and hot chocolate. This year the cookies are being made by students of Shawsheen Tech. In addition, there will be an ice sculpture sponsored by the Wilmington/Tewksbury Chamber of Commerce; Wilmington Minutemen will escort Santa to the gazebo; performance by Wilmington High School acapella group Soundscape; Wilmington High School Cheerleaders will participate by passing out the refreshments; Wilmington Community Fund Annual Holiday Ornament will be for sale in the Fourth of July building; fire fighters will be collecting new, unwrapped toys for Wilmington children and there will be a presentation by members of Wilmington clergy.

Mr. Giroux advised that the Committee is hopeful to have a horse drawn carriage ride and kiddie rides by Cushing Amusement. He stated that the Committee is in the midst of planning the event. He advised that typically, after the tree lighting children, are invited into the building to meet and have a photo taken with Santa Clause. In light of the on-going pandemic, the Committee believes it is in everyone's best interest to try to eliminate crowds inside and keep the activity outside. Photos with Santa will be omitted this year.

Mr. Giroux noted that portable restrooms will be made available this year to alleviate the number of people entering the building.

Mr. Giroux thanked the Board of Selectmen, Town Manager Hull and his staff, the Department of Public Works, Department of Public Buildings, Police and Fire Departments for supporting the event.

Chairman Maselli asked if there were any questions or comments from the Board. Selectmen Bendel expressed his appreciation for the work of Mr. Giroux and the committee to prepare for the event. Selectman Bendel asked if the committee has had discussion to bring back the Fourth of July celebration in 2022. Mr. Giroux stated that in 2020 the celebration would have turned 40 years old and it was a true disappointment to cancel. It was in the best interest of all that the Committee cancelled 2021. He reported that the event takes several months to plan. Mr. Giroux stated that there are several dedicated residents on the committee which has been meeting on the Zoom platform during the pandemic. The Committee is looking forward to producing a 40th celebration.

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

VOTED: That the Board of Selectmen approve the request of the Fourth of July Committee to use the Town Common on Saturday, December 4, 2021 for the purpose of the Annual Tree Lighting.

**KERRY COLBURN-DION, ASSISTANT TOWN MANAGER/HR DIRECTOR, RE:
VERIZON CABLE LICENSE RENEWAL ASCERTAINMENT PUBLIC HEARING**

Ms. Colburn-Dion thanked the Board for having her and noted it has been a while since she has been before the Board to discuss the process for the renewal of the cable license with Verizon. She reported that the current contract expires February 25, 2022. Ms. Colburn-Dion reminded the Board that, at their March 5, 2021 meeting, they appointed five members to the Cable TV Advisory Task Force to carry out steps of the ascertainment process including holding the public hearing and negotiating on behalf of the Board of Selectmen. She stated that members of the committee are herself, George Breslin, Karen Campbell, Ken Lord and John O'Neil. Ryan Malyar, Executive Director of WCTV, participates as a nonvoting member and legal counsel is provided by Attorney William Hewig of KP Law.

Ms. Colburn-Dion advised that the committee has met several times and is in the process of ascertainment. She explained that ascertainment is to determine that the cable operator is in compliance with its current license and to determine what the Town's future community cable needs will be to support PEG on an annual basis including capital for the term of the license.

She reports that legal counsel has advised that the Town should be prepared for the license to be different because Verizon has new corporate renewal policies in place. The Town will be expecting a maximum license renewal term of five years and the inclusion of Unilateral Termination Clause

which will permit Verizon to terminate the agreement under certain conditions, expecting that capital grants will not be a finite annual amount but a per subscriber or expressed as a percentage of the gross annual revenue. Ms. Colburn-Dion stated that the Town will continue to request that the 5% annual operating support currently received from Verizon, currently receive \$25,000/year for capital from Verizon and the budget shows more of a need so the committee will try to negotiate a higher amount to meet WCTV needs.

Ms. Colburn-Dion reported that Mr. Malyar has developed a five year operation plan that will be presented at the hearing and a 10 year capital plan. The public hearing will be held November 15 at 6 p.m. in the Town Hall Auditorium. The public is encouraged to attend and be heard with complaints, praise or comments about WCTV. When the hearing is over, negotiations will begin with WCTV (*sic*) and the terms of the agreement are subject to the approval of the Board of Selectmen and Verizon corporate management. The draft license will be reviewed by counsel, the Town Manager may then ask that the Cable TV Advisory Task Force for review before it is presented to the Board of Selectmen for review and discussion.

Chairman Maselli asked if there were any additional questions or comments. There were none.

MICHAEL WOODS, DPW DIRECTOR, AND JOSEPH LOBAO, BUSINESS AND UTILITY MANAGER, RE: PER-AND POLYFLUOROALKYL SUBSTANCES (PFAS) EXCEEDANCE OF MAXIMUM CONTAMINANT LEVEL

Mr. Woods thanked the Board for having him this evening. He referenced the memorandum which has been provided to the Board of Selectmen and introduced Joseph Lobao and advised that Mr. Lobao oversees the water treatment facilities and interacts with the Department of Environmental Protection (DEP).

Mr. Lobao explained that PFAS is affecting many towns in the commonwealth and is an issue across the country. The situation is not unique to Wilmington and noted that it is often subject of news stories. He reported that, as of last week, there are over 76 communities addressing the issue of PFAS. He stated that PFAS are human made chemicals typically associated with non-sick coating such as Teflon, waterproofing, stain proofing and fire fighting foam. He stated that PFAS is unique because they do not degrade easily in soil and water which is why they are known as forever chemicals.

Mr. Lobao advised that, until recently, there hasn't been a standard or rule about how much is safe to drink in water. He reported that the Environmental Protection Agency (EPA) does not have a standard but rather a health advisory level of 70 parts per trillion (ppt). Since then, the DEP established their own standard of 20 parts per trillion. A recent sample for the Water Treatment Plant tested at 20.6 ppt which exceeds the DEP standard. He emphasized this is not a violation but it does require public education. Mr. Lobao stated that is required within 30 days of receiving the result of the sample.

Mr. Lobao stated that since the Town received the result of the sample it has been working proactively by taking both short- and long-term measures.

Mr. Lobao reported that results of a subsequent sample taken last week are below the 20 ppt at 16.5 ppt. Mr. Lobao stated that the amount of water being distributed to the public was decreased by shutting down one of the wells. He advised this action decreased the load on the carbon filters at the water treatment plant. Mr. Lobao stated that steps have been taken to initiate the replacement of the granular activated carbon (GAC). He stated that Wilmington is fortunate that it already has GAC infrastructure in place. While the GAC is being replaced, the Sergeant Water Treatment Plant will be offline for approximately two weeks. During that time, the department

will take advantage of the down time to conduct additional maintenance. The creation of Town of Wilmington PFAS information page will provide residents with information and links to additional resources including MassDEP and other regulating agencies. Mr. Lobao stated the department will continue with the monthly PFAS sampling required by DEP and will continue to engage with DEP to meet all its regulatory obligations.

Mr. Lobao stated that with the level over 20 ppt, the DEP advises people in a sensitive group to not consume the water. He reiterated that this is not a Tier 1 violation through DEP which would be an immediate health risk such as Ecoli. This would be a Tier II notice which recommends a time frame of 30 days to educate the public on this situation.

Residents should be aware that per requirement of DEP, an educational flyer will be mailed to each household.

Chairman Maselli asked when the last test was prior to the 20.6 result. Mr. Lobao advised it was taken October 6. He advised that towns similar in size to Wilmington were required to begin sampling in April 2021. Samples are collected and tested monthly.

Chairman Maselli asked if there were questions or comments from members of the Board. Selectman DePalma asked whether the Town is losing another well citing the report that a well was shut down. Mr. Woods advised the well was shut down temporarily to take the load off the water treatment plant. All three of the wells treated at that plant contain PFAS and one of the ways to treat for PFAS is a carbon bed and, fortunately, it is the filtration system used at that plant. Selectman DePalma asked if there is a scheduled maintenance for the carbon filters and was advised that the department typically budgets every three years. The carbon is tested quarterly and there are certain parameter which indicate whether the carbon is adequate. Mr. Woods stated that current carbon indicators are that it is good but carbon companies are advising changeout may be required every 12-18 months at \$100,000 to \$130,000 per carbon.

Selectman O'Connell asked what MWRA may be doing differently where they have a zero detect. Mr. Woods stated their water supply is the Quabbin Reservoir and they own the property around it. There hasn't been the history of heavy industrial use or manufacturing of the products that use PFAS.

Selectman O'Connell asked if there is anything the Town should be looking at in terms of capital improvement. She asked whether the department has the money budgeted for the change or whether they will need to go before the Finance Committee. Mr. Woods stated that he had budgeted to conduct pipeline maintenance but has been unable to due to COVID pandemic and explained the use of the Enterprise Fund.

Selectman O'Connell asked if there was an outside vendor collecting samples. Mr. Lobao stated that the samples are collected in house by Water Treatment Operators who have received training in PFAS and the Town has a contract with Con-test Laboratories in East Longmeadow.

Selectman O'Connell asked about the communication protocol and how the department has derived at what they believe to be appropriate. She asked if there was communication with Shelly Newhouse, Health Director. Mr. Woods stated that when there are any results that are out of the norm, the first people notified are Town Manager Hull and Ms. Newhouse.

Selectman O'Connell asked that the Board receive updates over the next couple of months to see testing results to ensure they are not moving in the wrong direction.

Selectman Bendel asked when the result that was 16.5 ppt was collected and he was advised October 21.

Selectman Bendel asked where the 20.6 ppt ranked with other results and Mr. Lobao stated that results vary monthly, but the average is 15 ppt.

Selectman Bendel noted that the testing is done monthly and asked whether it is necessary to test more frequently. Mr. Woods stated that he does not believe it is necessary to test more often.

Selectman Caira asked whether the test was new. Mr. Woods advised that samples were collected and tested a couple of years ago but at that time they were based on parts per billion. Mr. Lobao stated that the change to parts per trillion is due to technology advances at the laboratory.

Selectman Caira stated that he is concerned relative to providing notice to the public and wants to remedy that information. Mr. Woods commented that the department could have sent notice on a Friday, but no one would be at the office if residents phoned with questions or concerns. He opined it would scare people and there was nothing to fear. Mr. Woods noted that an abutting community has had results at 40 ppt since April. Selectman Caira asked whether that community has made notice to the public. Mr. Woods advised it has because the result has been occurring monthly for a longer period.

Mr. Woods stated that the result is a snapshot in time on a well that operates 24/7 at that point in time the result was 20.6 ppt and the Town learned the result three weeks later. He advised that the department knew by taking a well offline the number would be reduced substantially. He stated that he was following the Massachusetts standard. He reported that he believes the New Hampshire standard is 5 ppt. Many states do not have a standard and some are as high as 30 ppt.

Town Manager Hull stated that there is no question that the language DEP uses, and requires the Town to use, in its notice disconcerting. On one hand they note that the water is not necessarily unsafe but then they reference a particular group. He understands that they are being conservative to avoid potential liability.

He referenced the DEP fact sheet that “it is important to note that consuming water with PFAS 6 above the drinking water standard does not mean that adverse effects will occur, the degree of risk depends upon the level of chemicals and the duration of exposure.” Town Manager Hull stated that the duration of exposure is important. Residents’ exposure to 20.6 ppt may have been six weeks as a worst case. He stated that the Town is concerned for the entire population regardless of their health situation. If the result was 19.6 or 19.9, the Board of Selectmen would not be having this discussion.

Mr. Woods noted that the DEP recommends checking their website before buying bottled water because several brands contain PFAS. He reported that scientists believe the chemical is so prevalent that 98% of the population have PFAS in their blood.

Chairman Maselli asked what the community can do to prevent it from getting in the water. Mr. Woods advised that there are approximately 3800 PFAS, the worst were banned approximately 30 years ago, but can be imported. He suggested the community be mindful of what is spilling on the ground or dumping down septic systems.

Chairman Maselli stated that she would open Public Comments only for those comments pertaining to this topic and asked that speakers identify themselves by providing their name and address.

Liz Harriman, Birchwood Road, Director of Toxic Use Reduction Institute at UMassLowell, comment that the longer chain chemicals, many of which are in PFAS 6, have not been banned for 30 years. She stated that they are being phased out. Ms. Harriman stated that there are actions that can be taken and suggested checking whether the Fire Department has a triple f on site.

Mr. Woods noted that fire fighting foam may be the biggest culprit as runoff from Route 93 goes into the well.

Suzanne Sullivan, Lawrence Street, expressed concern where the PFAS are originating. She opined that the Town should be looking at land use surrounding the aquifer and that the Town needs to begin using MWRA water more to relax the well and she will be advocating for that. Ms. Sullivan requested that the Town work to determine the source of the PFAS rather than accept its presence.

Martha Stevenson, Chandler Road, Wilmington Environmental Restoration Committee (WERC), stated that drinking water is critical to life and it is important to protect it. She opined the Town is lucky to have hit 20.6 as it confirms there is a problem. She asked which well was shut down and Mr. Woods advised it was the Barrows Well in Hathaway Acres. Ms. Stevenson asked if that well was responsible for the need for carbon treatment. Mr. Woods advised that the carbon treatment bed was included in the construction of the Sergeant Treatment Plan in 1989. Ms. Stevenson asked about air strippers and Mr. Woods advised that the Town did not have air strippers and noted that they are not effective in treating PFAS.

Ms. Stevenson noted that the League of Women Voters has advocated for years to purchase land around the wells. Mr. Woods advised that the Town owns the Zone 1 land around the wells.

Stephanie Baima, 14 Kelley Road, stated she was in agreement with comments made by Ms. Harriman, Ms. Sullivan and Ms. Stevenson.

COMMUNICATIONS

Town Manager Hull reviewed his memorandum regarding his appointment of Elizabeth Lawrenson to the position of Town Clerk effective October 19, 2021. Ms. Lawrenson has worked for the Town since March of 2012 having been hired as senior clerk in the Planning and Conservation Department. In June of 2016 she was appointed to serve as senior clerk in the Town Clerk's office. He noted that Ms. Lawrenson is very adept at researching matters that come before her, is well organized and has a strong work ethic. In February of 2021, Ms. Lawrenson was appointed to the position of Assistant Town Clerk. An underlining trait that she has displayed throughout her tenure with the Town is working with residents in a positive and productive manner. Prior to her time with the Town, she worked for the Wilmington School Department and for a local real estate agency. Ms. Lawrenson has an associate's degree in liberal arts from Middlesex Community College.

Town Manager Hull reviewed his memorandum regarding Public Records Access Officers. He noted that the updated Public Records Law took effect on January 1, 2017. Municipalities are required to appoint one or more Records Access Officers (ROA) to respond to requests for public records. One of Wilmington's RAOs is the Town Clerk. With the appointment of Elizabeth Lawrenson to replace Christine Touma-Conway as Town Clerk, it is necessary that the Board vote to designate her to serve in this role.

Town Manager Hull reviewed his memorandum regarding proposed Special Town Meeting dates. He reminded the Board that a Special Town Meeting is necessary prior to the conclusion of the Town's eligibility period within the Massachusetts School Building Authority (MSBA) funding

program. The recommended dates are either Monday, March 7, 2022 or Tuesday, March 8, 2022. The final step in the eligibility period is for the Town to appropriate funds to conduct a feasibility study. If funds are approved at a Special Town Meeting, a firm will be hired to explore several options associated with addressing replacement of the Wildwood Early Childhood Center. The date of the meeting will then dictate a series of other dates including the date for signing the warrant, advertising and conducting the Finance Committee public hearing. He reminded the Board that the Finance Committee holds their budget meetings on Tuesdays and Thursdays during the month of February and the first week of March. Town Manager Hull reported that the auditorium at Wilmington High School is available both those dates but given uncertainties associated with COVID-19, a request has been made as to the availability of the Shriners Auditorium.

Town Manager Hull reviewed his memorandum regarding the Wildwood School Building Committee meeting. He stated that as part of the Massachusetts School Building Authority (MSBA) eligibility period, the Town is required to establish a building committee to provide input and guidance throughout the process of evaluating approaches to address the replacement of the Wildwood School during the process of design and construction. The Wildwood School Building Committee held its first meeting on October 18th at 6:30 p.m. via Zoom. The School Department has created a webpage on their website that will serve as a repository for all the information that is being provided to the MSBA, minutes of the committee meetings and other related information.

Town Manager Hull reviewed a memorandum from Michael Woods, DPW Director, and Joseph Lobao, Business and Utility Manager, who wrote to advise the Board that as a result of new state drinking water standards, the Town of Wilmington Water Division has been testing drinking water from a family of chemical compounds known as pre- and polyfluoroalkyl substance (PFAS) the most recent result indicates the presence of PFAS in a concentration above the new maximum contaminant level and the Town is taking immediate action to address the increase in PFAS.

BOARD TO CONSIDER RATIFYING TOWN MANAGER APPOINTMENT OF ELIZABETH LAWRENSON AS PUBLIC RECORDS ACCESS OFFICER

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

VOTED: That the Board of Selectmen ratify the appointment of Elizabeth Lawrenson as Public Records Access Officer.

BOARD TO CONSIDER REQUEST OF LOUIS CIMAGLIA, DIRECTOR OF VETERANS' SERVICES, TO USE TOWN COMMON ON THURSDAY, NOVEMBER 11, 2021 FOR VETERANS' DAY CEREMONIES AND INVITATION OF THE BOARD OF SELECTMEN TO PARTICIPATE

Chairman Maselli asked if there were any questions, comments or a motion. 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 approve the request of Louis Cimaglia, Director of Veterans' Services, to use the Town Common on Thursday, November 11, 2021 for Veterans' Day ceremonies.

BOARD TO CONSIDER REQUEST OF LOUIS CIMAGLIA, DIRECTOR, DEPARTMENT OF VETERANS' SERVICES, THAT WILMINGTON TOWN COMMON BE ILLUMINATED IN GREEN DURING THE MONTH OF NOVEMBER IN SUPPORT OF VETERANS

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

VOTED: That the Board of Selectmen approve the request of Louis Cimaglia, Director, Department of Veterans' Services, to illuminate Wilmington Town Common in green during the month of November in support of veterans.

PUBLIC COMMENTS

Frank West, Birchwood Road, invited members of the Board of Selectmen to participate in Cub Scout Pack 136 and BSA Troop 136 annual signing of Christmas and holiday cards for local veterans. The event will take place on Saturday, October 30th from 11:00 a.m. to 2:00 p.m. at the Masonic Hall on Church Street. In addition, they will be collecting new clothing, socks, winter hats and toiletries to be donated to veterans.

ANNOUNCEMENTS

Selectman Bendel commented that the Recreation Commission will be conducting the annual Horribles Parade on Sunday, October 24.

Selectman Bendel reflected on the passing of Mark Donovan, Shawsheen Tech wrestling coach.

NEW BUSINESS

Town Manager Hull stated that on Friday, October 22, the Massachusetts Department of Public Health released information that a ninth human case of West Nile Virus was confirmed. The individual is a resident of Middlesex County.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- October 27 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 30 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- October 31 – Halloween – Beware of Ghosts and Goblins!
- November 1-
November 5 – Curbside Collection of Yardwaste
- November 4 – Senior Center Building Committee – Town Hall – Room 9 – 6:00 p.m.
- November 7 – Turn Clocks Back – Change Detector Batteries
- November 7 – Community Open House – Shawsheen Tech – 2:00 p.m. to 4:00 p.m.
- November 8 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.
- November 11 – Veterans' Day Ceremony – Town Common – 11:00 a.m.
Town Offices Closed
- November 15 – Verizon Cable License Renewal Ascertainment Public Hearing
Town Hall – Auditorium – 6:00 p.m.
- November 15-
November 19 – Curbside Collection of Yardwaste

November 16 – Economic Development Committee – Town Hall – Auditorium – 6:00 p.m.
November 29-
December 3 – Curbside Collection of Yardwaste

SALUTE TO SERVICE



Selectman Bendel recognized Captain Richard Grinder, US Army, Artillery who will celebrate his 90th birthday next month. Captain Grinder graduated from West Point and served 14 1/2 years. He entered service on June 4, 1954 and left service December 1, 1968. Captain Grinder's earned the Bronze Star Medal, Vietnam Service Medal with Bronze Star, Republic of Vietnam Campaign Medal with Device 60, Meritorious Unit Citation, National Defense Service Medal with 1 Oak Leaf Cluster and an Accommodation Medal. He also has attended many military schoolings to include US Ranger, Nuclear Weaponry and Close Combat Infiltration Course.

Captain Grinder was married for 67 years to his wife Peg before her passing earlier this year. The Grinder's raised their two children, Richard and Ellen, on Middlesex Avenue and were very active with Wilmington Congregational Church.

The Board of Selectmen and citizens of Wilmington salute Richard H. Grinder, Jr. and thank him for his service to our country and our community.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Recording Secretary