

BOARD OF SELECTMEN MEETING

October 26, 2020

Chairman Jonathan R. Eaton called the meeting to order at 6:00 p.m. in the Large Group Instruction Room of Wilmington High School, 159 Church Street. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Gary B. DePalma and Jomarie F. O'Mahony. Also present was Town Manager Jeffrey M. Hull.

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

VOTED: That the Board of Selectmen enter Executive Session for the purpose of discussing the purchase, exchange, lease or other acquisition of real property at Map R1, Parcel 6A on Route 125 and Map R1, Parcels 5 and 5A on 141 Andover Street in accordance with Massachusetts General Law Chapter 30A, Section 21(a)6, as an open meeting may have a detrimental effect on the negotiating position of the Town and further to consider Executive Session minutes from April 13, 2020, July 20, 2020, August 17, 2020 and September 14, 2020 in accordance with Massachusetts General Law Chapter 30A, Section 22.

Chairman Jonathan R. Eaton reconvened the meeting at 7:03 p.m. in the Large Group Instruction Room of Wilmington High School, 159 Church Street. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Gary B. DePalma and Jomarie F. O'Mahony. Also present was Town Manager Jeffrey M. Hull.

Chairman Eaton 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). No in-person attendance of members of the public will be permitted except for the portion of the meeting designated for public comment, 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 860 3746 6583 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.

Chairman Eaton thanked WCTV and Andrew Fradette, Systems Administrator, for facilitating the meeting.

Chairman Eaton thanked members of the Board for wearing an article of pink clothing in recognition of October being Breast Cancer Awareness Month.

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

TREASURY WARRANTS

Chairman Eaton asked for a motion to accept the Treasury Warrants. 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 accept Treasury Warrants 16, 16A, 17 & 17A.

MINUTES

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held August 17, 2020 and that all action taken is hereby ratified and confirmed.

PUBLIC COMMENTS

Chairman Eaton reminded viewers of the process to make public comment.

Caleb Nichols, Andover Street, asked what the results were for the Executive Session noting that there was no audio for that portion of the meeting. Chairman Eaton explained that Executive Sessions are not open to the public. He commented that there is no final outcome and noted that the Town cannot acquire property without Town Meeting approval.

Town Manager Hull stated that, if the Board wishes to pursue acquiring property, a proposal is put forward as an article for Town Meeting. The article would be prepared and discussed in an open session of the Board of Selectmen, an open session of the Finance Committee, at the Public Hearing which is open for the public to offer comment and ultimately at Town Meeting. Mr. Nichols asked how the public would be notified of the meetings and was advised how notice of the meetings is provided.

Ethan Sawyer, Lawrence Street, commented on the decision to move Public Comments and stated that he prefers it to be at the end of the meeting. Mr. Sawyer believes it would be an opportunity to discuss what has been discussed during the meeting.

Mr. Sawyer stated that the Board has correspondence which indicates money is outstanding to the Town in the amount of almost \$3 million. He stated that is a lot of money to be outstanding when the High School was completed five years ago.

Chairman Eaton advised that changing the placement of public comments was to provide residents with a reasonable expectation of what time public comments would be taken up. He noted that recent Board of Selectmen meetings have run late and by moving the public comments to earlier in the meeting will allow residents to comment on agenda items prior to a vote taking place.

Gerry Horgan, Treasure Hill Road, expressed concern regarding the subject of the Board's Executive Session to acquire property. A question was raised about the location of the property and Town Manager Hull described where the parcel is situated.

SHELLY NEWHOUSE, HEALTH DIRECTOR, RE: UPDATE ON COVID-19

Ms. Newhouse participated remotely and advised that circumstances have changed since she last met with the Board. She advised that Wilmington currently has 27 active positive cases and 40 residents in quarantine. She noted that the rise in the number of quarantines may be attributed to several parties that occurred in Wilmington. Ms. Newhouse advised that they are unable to make a connection among the positives.

Chairman Eaton asked whether there is a trend and Ms. Newhouse noted that individuals are not wearing masks, are experiencing COVID fatigue and are engaging in risky behavior. Ms. Newhouse noted that Wilmington is not unique.

Chairman Eaton asked if there were any questions or comments from the Board. Selectman Bendel thanked Ms. Newhouse for the update. He asked how many of the positive cases reside in the same household and was advised that there are five households with as many as three or more positives. Selectman Bendel commented that when the pandemic began the numbers were different. He noted that a neighboring community also reports the number of recovered cases and asked if Wilmington would be able to report the number of recovered. Ms. Newhouse noted that in the spring, the virus was affecting the elder population and now it is affecting younger people.

Selectman Caira asked if the number of positive cases are included in the quarantine number. Ms. Newhouse explained that individuals who are confirmed positive are considered to be in isolation and those who are included in the quarantine number are individuals who have had contact with someone who has confirmed positive.

Selectman O'Mahony stated that, for students, one party may end the fall sports season. She implored residents to do the right thing and noted that she understands her children are no different from other children and she needs to be vigilant in ensuring they continue to wear their masks.

Ms. Newhouse emphasized the importance of answering the phone when someone from contact tracing calls.

Members of the Board of Selectmen expressed their appreciation to Ms. Newhouse and members of her staff for their diligence in keeping the residents of Wilmington well and informed.

CHRISTINE TOUMA-CONWAY, TOWN CLERK, RE: UPDATE ON PREPARATIONS FOR STATE ELECTION ON NOVEMBER 3, 2020 AND RECEIPT OF GRANT FUNDS

Ms. Touma-Conway was present remotely to update the Board of Selectmen on the progress of planning to hold the State Election for all precincts at the Shriners Auditorium. Ms. Touma-Conway provided information on methods used to notify voters.

Ms. Touma-Conway provided information on the physical set up of the auditorium noting that there is ample handicapped parking to the rear, accessible entrance and two golf-carts will be available to shuttle voters to and from their automobiles. She advised that the automobile traffic flow plan is under development and discussion with the Police Department.

A floor plan was provided to the Board which reflects how the precincts will be set up and how voters will proceed through the voting process. She advised that the precincts will be color-coded and the voters will be greeted at the door by extra staff, their precincts determined and then will be guided to their precinct.

Ms. Touma-Conway advised that, inside the auditorium, motorized scooters and wheelchairs will be available and extra personnel will be stationed throughout the auditorium to assist voters.

Ms. Touma-Conway advised that sign holders will be allowed along Fordham Road. She noted that the Town Clerk's office has already processed a lot of early voters. Selectman O'Mahony asked about the percentage of early voters and was advised that the turnout was 46%. Selectman O'Mahony thanked Ms. Touma-Conway for her efforts and opined that communicating the change in location has gone above and beyond. Ms. Touma-Conway recognized her staff and the assistance of the Recreation Department. She noted that election workers are also offering assistance.

Ms. Touma-Conway provided information to the Board relative to expenses incurred because of the change in voting location. She noted that due to the consolidation there will be some savings recognized, specifically less police officers and custodians.

Ms. Touma-Conway advised that an \$8,600 grant has been secured from The Center for Tech and Civic Life. The grant is provided to local election offices to ensure they have critical resources needed to safely serve voters in 2020. Ms. Touma-Conway reviewed the costs the funds will cover. All expenses not payable by the grant will be considered for submission for reimbursement from the CARES Act funding in consultation with Chief Cavanaugh.

Selectman Caira asked about costs for set up of the polling location and was advised that the set up and breakdown will take place during regular business hours and therefore there will be no additional expense.

Selectman Caira stated that he has not received a postcard. Ms. Touma-Conway advised that postcards were scheduled to be mailed beginning the week of October 12.

Selectman Caira asked whether the schools were contacted to send out email notices and to use the message board as mentioned at the last meeting. Ms. Touma-Conway advised that she has not. Town Manager Hull advised that he reached out to Paul Ruggiero, Assistant Superintendent of Administration and Finance, who advised that the School Department does not have an electronic signboard. Town Manager Hull advised that the Town has three electronic message boards that are deployed in various locations with a message about the change in location. He noted that the schools have a manual signboard in front of the Roman House and Selectman Caira confirmed that is the board he was referring to. Town Manager Hull and Ms. Touma-Conway advised that they will reach out to the schools to request an email be sent using their database and to put a message on their signboard.

Members of the Board of Selectmen thanked Ms. Touma-Conway for the update on preparations being made for the election.

BRITTANY TUTTLE, ASSISTANT TEEN LIBRARIAN, RE: FOR FREEDOMS SIGNS

Chairman Eaton welcomed Ms. Tuttle to the Board of Selectmen meeting. Ms. Tuttle introduced an initiative being undertaken at the library to provide students in grades 6 through 12 with a voice during the election. She noted that other communities are also undertaking this initiative. Ms. Tuttle explained that the lawn signs are two sided and answer one of the freedoms. She stated that responses can be submitted anonymously and she will write on the signs.

Ms. Tuttle noted that last year she attended a conference at Simmons University where she had the opportunity to meet Luke Kirkland of the Waltham Public Library. This initiative provides an opportunity for teens to express issues that are important to them and is intended to encourage discussion. She stated that it is based on President Roosevelt's Four Freedoms speech on January 6, 1941 to the US Congress which outlined fundamental principles for a peaceful and democratic world. The four freedoms are freedom of speech and expression, freedom of worship, freedom from want and freedom from fear.

Ms. Tuttle stated that the library has partnered with the Town Clerk's office to conduct voter registration and a mock election.

Chairman Eaton thanked Ms. Tuttle and stated that he believes it is an excellent initiative and commented that good ideas come from the library. He appreciates initiatives which encourage civic engagement.

Chairman Eaton asked if there were any questions or comments from the Board. Members expressed their thoughts that it is a great initiative.

Ms. Tuttle advised that residents can go on the library's website www.wilmlibrary.org for information on this initiative and other resources.

LYNNE JENNINGS, EPA SECTION CHIEF, JOSH FONTAINE, EPA REMEDIAL PROJECT MANAGER, AND JAMES CASHWELL, DIRECTOR, ENVIRONMENTAL REMEDIATION, OLIN SUPERFUND SITE, RE: AERIAL SURVEY FOR DATA GATHERING

Ms. Jennings, Mr. Fontaine and Mr. Cashwell participated in this meeting remotely. Ms. Jennings thanked the Board of Selectmen for the opportunity to meet with them. She stated that the purpose of being before the Board is to inform them and the Town Manager on upcoming investigative work to be conducted around the Olin property. She noted that the work is approved by the Environmental Protection Agency (EPA) to address data gaps. She advised that part of the investigation involves a low flying helicopter and, acknowledging that it may raise concern, wanted to make sure residents are aware.

Mr. Cashwell had a PowerPoint presentation which included photographs of the helicopter with the device that will collect the information as well as the pattern the helicopter would fly to obtain the information. Mr. Cashwell advised that the helicopter would be low flying, approximately 100 foot altitude and would fly for approximately 2 hours to conduct an aerial electromagnetic (AEM) survey. He advised that there would be real-time on-board data observation and would have a post flight completeness analysis.

Mr. Cashwell advised that they are working with a vendor to determine a date. He stated that notification will be made to the Town Manager and flyers will be placed in mailboxes of abutters.

Chairman Eaton asked if the survey will be weather dependent and Mr. Cashwell advised that it would be at the discretion of the pilot. He anticipates that it will likely occur unless it is exceptionally windy or if there is thunder and lightning.

Selectman Caira asked whether the work needed to be conducted before any water freezes and was advised by Mr. Cashwell that there has been experience with the apparatus being used in Alaska through permafrost.

Selectman Bendel suggested that the Police Department be made aware of the date and time the work will take place.

Town Manager Hull stated that the work is part of the ongoing investigation to fill in gaps in the data as required by the EPA to delineate contamination.

Chairman Eaton stated that unless there is opposition, he would like to take up the Board to Consider item relative to the Board signing the access lease and agreements for Olin Corporation to conduct groundwater monitoring and sampling activities.

Ms. Jennings stated that this is an important part of the investigation and advised that the next phase cannot proceed until the data gaps are closed. She stated that there is some frustration that they are not getting access to key properties. She advised that there are eleven properties that are critical to gathering information and the process will be slowed down if enforcement must be used. Selectman Caira asked about the process to gain access to the parcels. Ms. Jennings stated that Olin will negotiate with property owners and the EPA is reaching out. Some property owners are conforming. She advised that there is one parcel where the owner is deceased and they have to determine who is responsible.

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

VOTED: That the Board of Selectmen sign the access lease and agreements for Olin Corporation allowing for the conduct of groundwater monitoring and sampling activities in compliance with fieldwork authorized by the United States Environmental Protection Agency.

COMMUNICATIONS

Town Manager Hull reviewed correspondence from Mary Jane Handy, Director of Accounts, Massachusetts Department of Revenue. Ms. Handy advised that the Town of Wilmington's available funds or "free cash" as of July 1, 2020 has been certified in the amount of \$25,158,945.00.

Town Manager Hull reviewed a letter from Chairman Eaton to the United States Environmental Protection Agency which provided non-technical comments relative to the proposed cleanup plan for the Olin Chemical Superfund site.

Town Manager Hull reviewed a letter from Robert C. Reynolds, Senior Project Engineer, and Kevin D. Trainer, CPG, PC, LSP, both of GeoInsight, to the United States Environmental Protection Agency which provided technical comments relative to the proposed cleanup plan for the Olin Chemical Superfund site.

Selectman Gregory Bendel reviewed his email which provided an update relative to the Senior Center search for an Owners' Project Manager. He advised that two remote interviews were held on October 15th and two remote interviews were held on October 19th. The videos of the interviews have been posted on WCTV's YouTube Channel for members of the public to view. The committee will next meet on Tuesday, October 27th at 6:00 p.m. to discuss the candidates and determine which one to recommend.

Selectman Caira asked about the meetings being on YouTube and was advised that there are technical issues getting the meetings on TV and they are uploaded to YouTube to be accessible in a more timely manner.

Town Manager Hull reviewed a memorandum from Terri Marciello, Director of Elder Services, regarding the schedule that the department is offering transportation to Town Hall for early voting. Interested seniors need to contact the Senior Center. Ms. Marciello advised that the information has been posted on the Buzzell Senior Center Facebook page, Twitter and the Town's website.

Town Manager Hull reviewed a memorandum from him and the Superintendent of Schools which provided an update to the School Committee and Board of Selectmen regarding the statements of interest (SOI) submitted to the Massachusetts School Building Authority (MSBA). A conference call took place with representatives of the MSBA on October 22nd at their request. Due to COVID-19, their customary schedule for considering SOIs has been disrupted and they have been contacting communities that submitted SOIs to inquire whether the community's circumstances have changed such that they no longer wish to have their SOIs considered or whether they believe residents are expected to remain supportive of a school project and whether the community believes it currently has the financial resources to commit to a school project.

When questioned about the ability of MSBA staff to access the schools to evaluate their condition and functionality, they were advised that the Town expects accommodations can be made to permit such school inspections to occur. Ms. DeCristofaro, Capital Program Manager, confirmed that the priority school is the Wildwood Early Childhood Center. Ms. DeCristofaro stated it is unclear whether MSBA will fund projects submitted for the 2020 program and, if funding commitments are made, it is unclear as to the number of schools that would be funded. The MSBA expects to complete their calls to communities over the next couple of weeks and following completion the Town will be advised whether its SOIs remain under consideration. In the event Wilmington schools remain, a “senior study” would be initiated to include either a site visit or “virtual” presentation that would take MSBA staff through the schools. A favorable recommendation from MSBA staff conducting the “senior study” would be followed by a “readiness” call between the MSBA staff and Town staff to prepare for a presentation to the MSBA Board of Directors for invitation into the program.

Town Manager Hull reviewed a letter from Colonel Christopher S. Mason, Massachusetts Department of State Police, who wrote to express his appreciation for the support provided during trooper Thomas Devlin’s wake and funeral.

Town Manager Hull reviewed a press release from Valerie Gingrich, Director of Planning and Conservation. The Open Space Committee has been working on updating the Town’s Open Space & Recreation Plan and would like input from residents on the goals, objectives and action items. The survey will run through November 16, 2020.

BOARD TO CONSIDER SIGNING ACCESS LEASE AND AGREEMENTS FOR OLIN CORPORATION ALLOWING FOR THE CONDUCT OF GROUNDWATER MONITORING AND SAMPLING ACTIVITIES IN COMPLIANCE WITH FIELDWORK AUTHORIZED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

This item was taken up under appointments.

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

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 of Veterans’ Services, to illuminate the Town Common in green during the month of November in support of veterans.

BOARD TO CONSIDER REQUEST OF LOUIS CIMAGLIA, DIRECTOR OF VETERANS’ SERVICES, TO USE TOWN COMMON ON WEDNESDAY, NOVEMBER 11, 2020 FOR VETERANS’ DAY CEREMONIES AND INVITATION FOR THE BOARD OF SELECTMEN TO PARTICIPATE

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

VOTED: That the Board of Selectmen grant the request of Louis Cimaglia, Director of Veterans’ Service, to use the Town Common on Wednesday, November 11, 2020 for Veterans’ Day Ceremonies.

BOARD TO CONSIDER REQUEST OF JOHN ROMANO, PRESIDENT, WILMINGTON SONS OF ITALY, TO USE THE MUNICIPAL PARKING LOT AND FOURTH OF JULY BUILDING FOR ANNUAL ANTIQUE AND COLLECTORS CAR SHOW ON SUNDAY, JULY 25, 2021 FROM 9:00 A.M. TO 2:00 P.M.

Chairman Eaton noted that the time requested is 7:00 a.m. to 4:00 p.m. to allow for set up and break down. Selectman Caira noted that the event is free of charge and that all health guidelines will be followed.

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

VOTED: That the Board of Selectmen approve the request of the Wilmington Sons of Italy to use the municipal parking lot and Fourth of July Building on Sunday, July 25, 2021 from 7:00 a.m. to 4:00 p.m. for an annual Antique and Collectors Car Show. Participants will be required to adhere to the public health guidelines that may be in effect at the time of the event.

BOARD TO CONSIDER REVISIONS TO DRAFT REMOTE PARTICIPATION POLICY BEFORE CIRCULATING TO OTHER BOARDS, COMMITTEES AND COMMISSIONS

Chairman Eaton stated that the Board was provided with a draft Remote Participation Policy which was discussed at a previous meeting. He noted that a number of edits were made and he wanted to make sure each one was accurately incorporated before it is distributed to boards, committees and commissions. Chairman Eaton stated that the policy was provided with the revisions in red to help highlight them.

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

VOTED: That the Board of Selectmen accept the revisions to the draft Remote Participation Policy and direct it to be circulated to the Boards, Committees and Commissions for comment.

BOARD TO CONSIDER MEETING SCHEDULE FOR DECEMBER 2020

Chairman Eaton advised that the Board of Selectmen historically have met once during the month of December. Traditionally, the Board meets the second and fourth Monday of the month and noted that the second Monday would be December 14.

Selectman Caira stated that December 14 would be appropriate as it is the middle of the month. A motion was made by Selectman O'Mahony, seconded by Selectman DePalma and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen establish its December meeting schedule as Monday, December 14.

ANNOUNCEMENTS

Selectman O'Mahony wished residents a safe Halloween and cautioned not to have traditional parties.

Selectman O'Mahony reminded residents to vote on Tuesday, November 3.

NEW BUSINESS

There was none.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- October 27 – Early Voting – Town Hall – 9:00 a.m. to 6:00 p.m.
- October 27 – Senior Center Building Committee – Virtual – 6:00 p.m.
- October 28 – Last Day to Apply for Mail-In Ballot
- October 28 – Early Voting – Town Hall – 9:00 a.m. to 4:00 p.m.
- October 28 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 29 – Early Voting – Town Hall – 9:00 a.m. to 4:00 p.m.
- October 30 – Early Voting – Town Hall – 9:00 a.m. to 4:00 p.m.
- October 31 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- November 3 – State/Presidential Election – Polls Open 7 a.m. to 8 p.m.
Shriner's Auditorium, 99 Fordham Road
- November 4 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- November 7 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- November 9 – Board of Selectmen – High School – Large Group Instruction Room – 7:00 p.m.
- November 11 – Veterans' Day Ceremony – Town Common – 11:00 a.m. – *Town Offices Closed*
- November 12 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- November 14 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.

SALUTE TO SERVICE

Chairman Eaton recognized Sergeant George Veloza who served in the United States Army during World War II from November 14, 1942 to September 27, 1945. Sergeant Veloza was the recipient of the European-African-Middle Eastern Campaign, Silver Star and Purple Heart.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 9:00 p.m.

Respectfully submitted,

Recording Secretary