

BOARD OF SELECTMEN MEETING

September 11, 2017

Chairman Michael L. Champoux called the meeting to order at 7:00 p.m. in Room 9 of the Town Hall. Present were Selectmen Gregory B. Bendel, Kevin A. Caira, Michael V. McCoy and Edward P. Loud, Sr. Also present was Town Manager Jeffrey M. Hull.

Chairman Champoux asked those present to rise and he led the pledge of allegiance.

Chairman Champoux asked that a moment of silence be held in observance of the 16th Anniversary of the September 11, 2001 attacks and in recognition of the loss of life and property as a result of Hurricanes Harvey and Irma.

TREASURY WARRANTS

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

VOTED: That the Board of Selectmen accept Treasury Warrants 7, 7A, 8, 8A, 9, 9A, 10 and 10A.

MINUTES

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held May 23, 2017 and all action taken is 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 June 12, 2017 and all action taken is hereby ratified and confirmed.

A motion was made by Selectman Loud, 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 June 26, 2017 and all action taken is hereby ratified and confirmed.

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

VOTED: That the Board of Selectmen approve the minutes of their meeting held July 17, 2017 and all action taken is hereby ratified and confirmed.

DANIEL E. WOODS, 4982 BUILDING ASSOCIATION, INC. DBA KNIGHTS OF COLUMBUS, RE: REQUEST TO CHANGE THE MANAGER FROM WILLIAM B. LISTON TO DANIEL E. WOODS AND TO CHANGE THE OFFICERS/DIRECTORS

Mr. Woods advised that it was brought to their attention that the last transaction before the Board of Selectmen in November 2016 was not fully processed. The Alcoholic Beverages Control Commission had requested that the Knights of Columbus update their Articles of Organization which was not completed. The request in 2016 was to change the manager from Mr. Liston to Gina Daniels in addition to changing the officers/directors. He advised that Mr. Liston and Ms. Daniels are no longer affiliated with the Knights of Columbus.

Mr. Woods advised that the Articles have been updated as requested by the ABCC.

Town Manager Hull advised that the application was reviewed by Police Chief Michael Begonis who provided a favorable recommendation.

Chairman Champoux asked if there were any questions or comments from the Board.

A motion was made by Selectman Loud, seconded by Selectman McCoy and by the affirmative vote of four with Selectman Bendel abstaining, it was

VOTED: That the Board of Selectmen approve the request of 4982 Building Association DBA Knights of Columbus to change the manager from William B. Liston to Daniel E. Woods and to change the officers/directors.

INTRODUCTION OF SUBSTANCE ABUSE COORDINATOR SAMANTHA REIF

Town Manager Hull stated that Ms. Reif has been a great addition to the Town's team since she began on August 22, 2017. He stated that Ms. Reif's skills and background will allow the Town to address the issue of substance abuse and mental health to a greater degree.

Chief Begonis expressed his appreciation to the Board of Selectmen, Department Heads and the Town Manager for support in bringing on the Substance Abuse Coordinator to begin to address substance abuse and mental health issues.

Ms. Reif stated that she is excited for the opportunity and noted that she has already made connections in the community. Chief Begonis stated that the weekend prior to Ms. Reif's first day there were two overdose deaths, she sat down with family members and engaged them. He said that she took the initiative to approach two agencies in the community and members of the School Department. He stated that Wilmington is unique as it is proactive and does not wait for a person to overdose, the Police Department wants to communicate with the individual and families by providing information, education and assistance before one overdoses.

Chief Begonis stated that there is a gap in treatment explaining that individuals go to a detox and are released before getting treatment at another facility, it is this period of time that they overdose. He is looking to close the gap so that individuals go through the steps of treatment without a lapse.

Chairman Champoux asked if there were any questions or comments from the Board. Selectman Bendel welcomed Ms. Reif and stated that he stopped by the Police Department during her first week and both times she was out of the building helping individuals. He stated that he reached out to Ms. Reif to invite her to attend the 5k road race for the Tim Brady Foundation. He expressed his appreciation to her for taking the time to attend.

Selectman Bendel asked if Ms. Reif has had contact with the school system because it is his understanding it is critical for prevention. Ms. Reif stated that she met with the Behavioral Health Task Force and was invited to be a part of that task force. She stated that substance abuse is one segment of the task force. She stated that students are a vulnerable population.

Selectman Caira asked Ms. Reif to provide information on her background. Ms. Reif stated that her undergraduate studies were completed at Syracuse University in upstate New York, Bachelor of Science in Social Work and received her Masters from Boston University. She stated that while she was getting her Masters, her field placement was at the Somerville Police Department where her responsibilities were similar to what the Town of Wilmington envisions.

Selectman McCoy acknowledged that substance abuse is not a local issue and initially wanted the position to be a regional position. He stated that Chief Begonis justified to him the necessity of the position not being a regional position.

Selectman Loud stated that he is pleased to learn that Ms. Reif is also working with the Department of Elderly Services, Department of Veterans' Services and the School Department. Selectman Loud noted that Wilmington also has students at Shawsheen Tech.

Chairman Champoux stated that it is regrettable that circumstances in society require her services. He is pleased to learn of her experience in Somerville and expressed his appreciation that she is being proactive.

Selectman Bendel asked Ms. Reif how members of the community can reach her. Ms. Reif advised that her office is located at the Police Department in the Public Safety Building and residents may call 978-658-5071.

Chief Begonis stated that there is a misconception that if families call the Police Department to get help for a loved one that it will cause more grief. He emphasized that is not the mission of the Police Department. He stated that they want to help and use various methods to keep people out of that type of crisis. He acknowledged that there is a criminal element that goes with substance abuse.

Chief Begonis stated that Ms. Reif is not a counselor, she is a resource and through the department is able to get services. He stated that she understands how to navigate to obtain the necessary services.

Selectman Loud asked if Wilmington's officers are protected when responding to suspected opioid calls. Chief Begonis stated that he does not want to play into mass hysteria but his information is that nitro gloves are the best barrier. If the substance is airborne or in large quantities, they do not enter. Chief Begonis acknowledged that there is potential for exposure but at that point, they will not have sufficient time to put on a special suit. He stated that his department has instituted a special program where they store the narcotics in evidence. There is nasal Narcan posted on the wall and the lieutenants who handle the evidence have it in their office. He advised the Board of Selectmen that they are not to be manipulating it, touching it, bagging it or packaging it for shipment to the lab unless someone is aware they are working with it and is keeping an eye out for them.

INTRODUCTION OF CONSERVATION AGENT RYAN HALE

Town Manager Hull stated that Mr. Hale began on July 24, 2017 and is well-schooled in wetlands law. He stated that Mr. Hale worked in the private sector and has worked with companies who are looking to develop areas in Wilmington. Having that perspective in his new role will be advantageous.

Valerie Gingrich, Director of Planning and Conservation, stated that Mr. Hale has great technical skills and can identify wetlands easily. She stated that he can effectively communicate and has a knack for problem solving. Ms. Gingrich stated that Mr. Hale will be working on educating residents on why wetlands are important and what value they have. He will also be implementing the Open Space Plan and keep focusing on the trails.

Mr. Hale reviewed types of projects he has worked on in the past. He noted that Wilmington is in the headwaters of the Ipswich River and stated that there are locations where the river dries up before reaching the ocean. He stated that dams are being removed from the Ipswich River and the Shawsheen River to allow herring and other fish to return. He stated that the quantity and quality of water coming from Wilmington is important to Wilmington and everything downstream.

Chairman Champoux asked if there were any questions or comments from the Board. Selectman Loud stated that in his experience on the Board of Appeals, they relied on the expertise of the Conservation Commission.

Selectman McCoy asked what Mr. Hale did in the private sector. Mr. Hale stated that he worked for AMEC and TRC in Lowell. He stated that they were mostly engineering companies and his responsibilities included fieldwork delineating wetlands and preparing permit applications.

Selectman Caira asked if Mr. Hale is familiar with the environmental issues at Olin. Mr. Hale stated that he is not familiar with it but is aware the Board will be provided with an update this evening.

Selectman Bendel noted that Wilmington has a large amount of wetlands which it values. He asked Mr. Hale to provide information regarding the cleanup day. Mr. Hale stated that teams will go to Town owned properties to clean up trash on Saturday, September 23. Volunteers are welcome to meet at the Department of Public Works, 135 Andover Street between 8 a.m. and 12 p.m.

Chairman Champoux looks forward to taking additional steps regarding the Town's trails and open space.

MARK E. BEAUDRY, PE, ON BEHALF OF MERIDIAN ASSOCIATES, RE: PUBLIC HEARING: EARTH REMOVAL PERMIT FOR 375 BALLARDVALE STREET

Mr. Beaudry stated that he is a professional engineer representing FedEx Ground and Howland Development relative to a project at 375 Ballardvale Street. He stated that it is the existing FedEx Ground facility and the site is in need of improvements to the pavement and drainage systems. He stated he has been working with the Planning Board and Conservation Commission. He stated that the Conservation Commission approved the project last week and issued an order of conditions. He anticipates a decision from the Planning Board on October 3.

Mr. Beaudry stated that FedEx Ground is interested in adding a larger security building to replace the current building as well as construction of a locker shelter. As part of the site work, the pavement needs to be removed and replaced or ground and repaved.

Mr. Beaudry advised that there are areas where there is little pavement base resulting in the need to excavate and place a good quality base before repaving. He stated that during the pavement operation some of the material ground up may be able to be used as base material but estimates a surplus of 4500 cubic yards.

He stated that the proposal is to add an interceptor drain to catch runoff that may be coming from the hill before it gets under the pavement structure. The drainage installation will result in another 300 cubic yards of material that may need to be removed from the site. He anticipates that it will be completed in five phases over the period of ten days. He stated that it is unclear whether it will be ten consecutive days.

Mr. Beaudry noted that this work will not result in additional impervious cover on the site. There will be four water quality treatment units on the site as well as adding recharge components to recharge the roof runoff.

Mr. Beaudry has received comments from Michael Woods, DPW Director, and Paul Alunni, Town Engineer. He noted that the applicant has no issues with the suggested conditions of approval but would like to discuss the limitation that work be conducted Monday through Friday. He was advised that it was a typical, standard condition. The contractor would like to reserve the right to do work on Saturday as well. FedEx does not allow work on site after November 1 due to the busy season. He stated that it is an industrial area of Town and truck traffic will head south down Ballardvale to Route 125 to Route 93. Having Saturdays available, the work will get done quicker. He stated that the material is all clean material.

Chairman Champoux asked Town Manager Hull to provide recommendations from applicable department heads. Town Manager Hull reviewed a memorandum from Michael Woods, DPW Director, and Paul Alunni, Town Engineer, which recommended granting an Earth Removal Permit subject to conditions. He stated that he contacted Mr. Woods regarding Saturday operation. Due to the location within the industrial area, Mr. Woods does not object to Saturday operation. Town Manager Hull advised that the application was reviewed by Shelly Newhouse, Health Director, and Valerie Gingrich, Director of Planning & Conservation, who recommend approval and Al Spaulding, Inspector of Buildings, who advised there were no outstanding zoning issues.

Chairman Champoux asked if there were any questions or comments from the Board.

Selectman Bendel asked whether Mr. Beaudry would be looking to operate between 7 a.m. and 3:30 p.m. on Saturdays. He recognized that trucks will be traveling close to a residential area and wanted to ensure that they would not be looking to begin earlier. Mr. Beaudry stated that the contractor would be willing to move to 8 a.m. Selectman Loud stated that his experience on the Board of Appeals would require Saturday work to not begin before 8:00 a.m. and he believes that to be reasonable.

Selectman Caira asked how many truckloads of material are anticipated to be removed and how any damage to the Town's roadways would be mitigated. Mr. Beaudry stated that it is anticipated there will be 200 truckloads of 20 yard dump trailers. He stated that the purpose of the performance bond is to cover damage.

Selectman Bendel asked how many Saturdays and was advised two.

Selectman McCoy asked whether any explosives will be used and was advised that it is not anticipated. Mr. Beaudry stated that an extensive geotechnical program was done on the property with approximately 10 borings. Most of the site is fill condition but noted there is some shallow depth to rock but it is not within a foot of the surface. Selectman McCoy asked to confirm which direction the trucks will be going and emphasized that the Board of Selectmen does want them to turn left on Route 125 and right on Andover Street as that is a major residential area. Mr. Beaudry noted that it would be an appropriate condition of approval if the Board wished to include.

Selectman Loud stated that he was pleased with the drainage improvements, reiterated the route of travel and that if Saturday work is approved that the start time be 8:00 a.m.

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

Chairman Champoux asked about the requirement to keep loam in Wilmington. Mr. Beaudry stated that they do not anticipate loam as it will be grindings from the pavement area.

Selectman McCoy asked whether there was any contaminants on the property. Mr. Beaudry stated that they do not anticipate any but the pavement grindings are sent to MassDOT facilities. The state allows a percentage of reclaimed material in the mix so there is a salvage value.

Mr. Beaudry advised that there were changes to the plan and provided the revised plan so that the plans referenced in the Earth Removal Permit is the same as the plan referenced in permits of the Conservation Commission and Planning Board.

Town Manager Hull advised that the next step is for the Board of Selectmen to close the public hearing and for the Board to vote at their meeting scheduled September 25, 2017.

Chairman Champoux closed the public hearing relative to the request for an Earth Removal Permit for 375 Ballardvale Street.

Town Manager Hull asked Mr. Beaudry to provide the receipts from the certified mailing to abutters tomorrow.

**JAMES DiLORENZO, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,
RE: STATUS UPDATE OLIN**

Chairman Champoux stated that the intent of this agenda item is due to the volume of communication received relative to Olin Superfund Site. The correspondence is often technical and difficult to understand.

Mr. DiLorenzo was present with Chris Smith, Project Manager, Environment Protection Agency (EPA) and Gary Waldec, Massachusetts Department of Environmental Protection (DEP). Mr. DiLorenzo advised that Mr. Waldec replaces Joseph Coyne. Martha Stevenson, Chairman, Wilmington Environmental Restoration Committee (WERC) and committee members were also present.

Mr. DiLorenzo provided a summary to the Board of Selectmen and members of the audience which included a brief history, current status, next steps and the proposal by New England Transrail (NET).

He noted that the property was included as a Superfund Site in April 2006; an agreement with responsible parties was finalized in July 2007 and a work plan for field studies was approved in 2009. Field work has been occurring since that time.

Studies were conducted from 2010-2013 and culminated in a remedial investigation report that was issued in 2015 for part of the study. Mr. DiLorenzo explained the extent of contamination. He stated that it was expected that the well located on the property of the former cement company would not be contaminated but there was significant contamination which resulted in Olin being required to expand the test wells. It appears that a clean boundary has been established.

Mr. DiLorenzo stated that homes with wells have been sampled on a quarterly basis and generally there are low concentrations of NDMA. He stated that it is the most concerning chemical because it is the most toxic and the most mobile. Mr. DiLorenzo stated that there is no drinking water standards for NDMA, the EPA does risk-based calculations and have identified a concentration of 42 nanograms per liter as being unacceptable from a long term risk exposure. Tests of the private wells have shown a concentration of 10 nanograms and although it is concerning it is not actionable by the EPA. He noted that there are two wells on Cook Avenue that after the first year have shown a consistent pattern of detections and Olin was asked to provide bottled water.

Mr. DiLorenzo reviewed the Dense Aqueous Phase Liquid (DAPL) which is pooled on top of bedrock and is more contaminated. He described the locations of the four pools. In 2013 Olin completed a study on removing DAPL by putting a test well on the Jewel Drive property. The test well was pumped at different rates and is currently being pumped at a quarter gallon per minute. About 900,000 gallons have been removed to date which is approximately 40% of the mass in that pool.

Mr. DiLorenzo stated that the next step is for a report to be completed for groundwater that will identify the nature and extent of contamination. A Human Health Risk Assessment will have to be conducted and determine if individuals are exposed to contaminated groundwater and whether someone were to drink the most contaminated groundwater what would be the risk. Once that study is reviewed and approved, a feasibility study will be conducted to review remedial clean up options ranging from not aggressive to very aggressive. EPA will then prepare a proposed plan for clean-up. EPA will conduct a public hearing to receive comments and will then issue a final clean up decision.

Mr. DiLorenzo advised that EPA is in an administrative dispute with Olin relative to groundwater cleanup and noted that it is not unusual. He advised that there are certain sites where it is not possible to remediate the aquifer to drinking water standards and Olin believes they may have an argument for that. Selectman Caira asked Mr. DiLorenzo to provide clarification.

Mr. DiLorenzo stated that Town Manager Hull asked him to discuss New England Transrail (NET). He stated that NET signed an agreement to purchase the Olin property in 2003 to construct a regional trans-loading facility. EPA does not get involved in the specific use of the property but does get involved to make sure that future activity is safe for workers or other people visiting the site. They also get involved to make sure that it does not inhibit their ability to clean up the site. Mr. DiLorenzo noted that the Surface Transportation Board (STB) is the entity that approves or disapproves NET's proposal. The STB recently decided that an Environmental Impact Statement (EIS) is required.

Mr. DiLorenzo stated that EPA is able to provide the community with a technical services grant to have access to a technical consultant to review the EIS.

Selectman Caira asked whether, as part of the process, they will be seeking EPA input whether it is feasible to have NET at that location and was advised they will. Mr. DiLorenzo stated that EPA does not opine on a specific reuse. They will ask whether commercial use of the site is acceptable and it appears that it is acceptable based upon the level of contamination that remains.

Chairman Champoux stated that he is surprised that the EPA does not have an opinion relative to the NET project. Mr. DiLorenzo stated that EPA typically would embrace reuse with regard to Superfund Site because it does not want to expend a lot of resources for it to remain dormant. He stated that regarding specific reuse, the EPA tries to remain neutral and look at potential exposure.

Town Manager Hull stated that it is troubling for the town that EPA has given the green light to NET to proceed. The Town is concerned given the approach that NET has taken, not forthcoming about intentions and the nature of that type of operation. He does not believe it is inconceivable for NET's operation to contribute to contamination. Mr. DiLorenzo stated that it not a green light. STB was told that EPA would not know whether the site was safe for commercial reuse until 2015 when the site risk assessment was issued.

Selectman McCoy stated that the Town wants less contamination on the site and referenced the public hearing that took place on October 25, 2016 hosted by the STB. He asked Mr. DiLorenzo whether the previous land owner provided monies to Olin. He stated that it is his understanding that Olin went after previous land owners and recouped a lot of money. Mr. DiLorenzo stated that he is not aware but when the site was listed the EPA went after Olin and the preceding owners and operators with liability. Olin is not the only responsible party.

Selectman McCoy stated that the Town is counting on the EPA to assist them. Five out of nine wells have been shut down. He opined that the 2003 tolling agreement was not beneficial for the Town.

Selectman Loud expressed his appreciation for the update and to members of WERC for their commitment. He commented about the amount of DAPL that has been removed and what remains. Mr. DiLorenzo stated that EPA is pushing Olin to develop other options to speed up the removal. Selectman Loud asked whether Mr. DiLorenzo believed any of the dates may be moved up. Mr. DiLorenzo stated that EPA is trying to push Olin to having a proposed clean-up plan to the public next year. He stated that, due to the issues he mentioned, it is imperative that the Environmental Impact Statement not be glossed over. Mr. DiLorenzo opined that it will be a lengthy clean up regardless of the final solution.

Selectman Loud stated that the Mayor of Woburn is putting together a task force to determine development of the city's Superfund site and asked whether Mr. DiLorenzo foresees the Olin site being put in use prior to complete clean up. Mr. DiLorenzo stated that could happen. Selectman Loud stated that he is against New England Transrail and expressed his desire that EPA and DEP have an opinion on NET.

Selectman Bendel commented that the Board of Selectmen is united with the community against New England Transrail. He believes that residents who pay taxes in Wilmington should have clean drinking water and it is unacceptable for residents to be drinking bottled water.

Selectman Caira asked Mr. DiLorenzo to review the letter from GeoInsight to him. He asked why GeoInsight was not provided the documents they needed to address the issues. Mr. DiLorenzo stated that the documents came from the dispute EPA is having with Olin. The Town and GeoInsight will be able to vet and comment on the full risk assessment.

Selectman Caira stated that he is concerned that there is 25 million gallons of DAPL still on site with NET bearing down.

Selectman Bendel asked when the Board will receive its next update. Mr. DiLorenzo expects that the next time will be at the point there is final risk assessment for groundwater and EPA will have information on clean up. He believes that will be late 2018 but he is more than willing to come before the Board before that time.

Selectman McCoy asked how much jurisdiction the Board of Health has if there is an issue with drinking water. Mr. DiLorenzo stated that the Board of Health is a strong advocate for the community. He stated that there is NDMA in some of the private wells but it is a low concentration. There is no standard for NDMA in drinking water. The Board of Health reviewed their regulatory guidelines to see if they could compel action.

Selectman Caira asked what the acceptable level of NDMA in drinking water is and was advised that it appears to be 42 nano grams per liter. Suzanne Sullivan, member of WERC, stated that the amount is high as California's standard is 10. Mr. DiLorenzo confirmed that you would not want to drink it at 42. Selectman Caira clarified that there is not a standard, it varies from state to state. Ms. Sullivan suggested that the DEP be petitioned to establish a standard.

Mr. DiLorenzo stated that the Clean Water Act manages a finite number of chemicals that have not changed in decades and the number of chemicals are far broader. NDMA is not managed in public water supplies and the EPA must develop clean-up standards on a site by site basis. The Clean Water Act is not issuing new guidelines.

Chairman Champoux stated that he sees where milestones are being achieved and it appears this is the first time conversations are being held regarding a clean-up plan. Relative to NET, he opined that EPA is not representing the interests of the small town and he finds that disappointing.

Chairman Champoux offered Martha Stevenson an opportunity to comment. Ms. Stevenson stated that WERC received a grant from the EPA in 2008. She stated that the Town and WERC have not seen the remedial investigation report on groundwater and the groundwater contamination is the reason it is a Superfund Site. Ms. Stevenson opined that the Town needs to be prepared to take Olin on and support EPA's efforts to force Olin regarding the clean-up process.

Chairman Champoux thanked Mr. DiLorenzo for providing the Board of Selectmen with the update.

COMMUNICATIONS

Town Manager Hull reviewed correspondence from GeoInsight to James DiLorenzo, United States Environmental Protection Agency, regarding Olin Chemical Superfund Site. GeoInsight provided initial comments on the Focused Human Health Risk Assessment and noted that substantial discussion and documentation were not provided to the Town or GeoInsight.

Town Manager Hull reviewed his memorandum regarding police and fire response to Edgewood Apartments in North Reading. The Police Department does not typically respond to calls at Edgewood Apartments unless there is an incident involving the regional law enforcement team or an ongoing joint investigation. The Fire Department provided statistics for the years 2013 through 2017. Town Manager Hull noted that the North Reading Fire Department will typically be called for fire and medical incidents involving Wilmington residents who reside on Virginia Road, Bates Road and Larson Road which only have access to Route 28 in North Reading. It is the expectation that in accordance with the mutual aid agreement, Wilmington EMS would respond to a medical emergency at the new Martins Landing Development if the North Reading ambulance is responding to another incident in their community.

Selectman Loud expressed concern that the project will have detrimental impacts to the Town of Wilmington, specifically to the roads. Town Manager Hull advised that a meeting was held with several department heads to review possible impacts.

Chairman Champoux suggested that if the Town sees a spike in the number of responses to this location that it would be fair and appropriate to meet with administrators of the Town of North Reading.

Town Manager Hull reviewed a letter from Paul Brozo who advised that, due to work commitment, he was providing a letter of resignation from the By-Law Study Committee.

Town Manager Hull reviewed a letter from Jonathan L. Gulliver, Acting Highway Administrator, Massachusetts Department of Transportation, regarding the Butters Row Bridge. Mr. Gulliver stated that during a meeting with Town officials on August 10th, MassDOT explained the current fiscal issues that impact the amount of resources available for the Butters Row Bridge. The MassDOT also discussed the project to replace the Route 38 Bridge which is planned for

advertising in federal fiscal year 2021 and based on the proximity of the two bridges, work on either would require similar coordination with the MBTA, it makes sense to implement work at both locations during the same construction period.

Town Manager Hull reviewed a letter from Charles D. Baker, Governor, and Karyn E. Polito, Lieutenant Governor, regarding Chapter 90 Local Transportation Aid Funding. The Town was notified that, pending final passage of the bond authorization, its apportionment for Fiscal Year 2018 is \$761,621.

Town Manager Hull reviewed a press release from the Massachusetts Department of Transportation, advising that BAI Communications has been notified that the proposed implementation of the Wi-Fi system, which was for the installation of approximately 320 seventy foot monopoles among the Commuter Rail network's rights of way will not be approved. The proposal is not consistent with the license agreement and cited concerns among members of the public and among federal and state legislators concerning the project's impact on historic sites and community character. BAI has been invited to submit a new implementation plan.

Town Manager Hull reviewed a notice from the Massachusetts Bay Transportation Authority regarding public meetings to inform the public of improvements being implemented on the Haverhill Commuter Rail Line and alternative travel options.

Town Manager Hull reviewed a letter from Jane Lyman, Comcast, which advised the Board of Selectmen of channel changes.

Town Manager Hull reviewed a letter from Bonnie Mounsey, Wilmington Families First, who provided the Board of Selectmen with a petition opposing the proposed gas station to be located on West Street. The petition was located on the Wilmington Families First website and was electronically signed by 304 Wilmington residents.

BOARD TO CONSIDER REQUEST TO INSTALL A STOP SIGN AT THE INTERSECTION OF GARDEN AVENUE – EASTBOUND AND KING STREET

Town Manager Hull stated that at the Board's last meeting it authorized the installation of a stop sign at the intersection of Garden Avenue – westbound and King Street. During a review of the initial request it was discovered that there was no record that the existing stop sign was authorized by the Board of Selectmen. The Board is being asked to officially authorize the existing stop sign. Chairman Champoux asked if there were any questions, comments or a motion. A motion was made by Selectman Bendel, seconded by Chairman Champoux and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen authorize the installation of a stop sign at the intersection of Garden Avenue – Eastbound and King Street.

BOARD TO CONSIDER SIGNING ALCOHOLIC BEVERAGES CONTROL COMMISSION LLA REVIEW FORM RELATIVE TO THE CHANGE IN OFFICERS/DIRECTORS FOR 99 RESTAURANTS OF BOSTON, LLC DBA 99 RESTAURANT AND PUB, 144 LOWELL STREET

Town Manager Hull advised that due to the large number of restaurants, the application and applicable fees were sent directly to the Alcoholic Beverages Control Commission (ABCC). The ABCC has reviewed the documentation and advised that it is in order.

Chairman Champoux advised that this process periodically takes place with large chains and asked if there were any questions, comments or a motion. A motion was made by Selectman Loud, seconded by Selectman McCoy and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen sign the Local Licensing Authority Review Form relative to the change in officers/directors for 99 Restaurants of Boston, LLC DBA 99 Restaurant and Pub, 144 Lowell Street.

BOARD TO CONSIDER REQUEST OF GIGI SHENLOOGIAN THAT WILMINGTON TOWN COMMON BE ILLUMINATED IN PINK DURING THE MONTH OF OCTOBER IN OBSERVANCE OF BREAST CANCER AWARENESS

Chairman Champoux 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 grant the request of Gigi Shenloogian to illuminate the Town Common pink during the month of October.

BOARD TO CONSIDER REQUEST OF HEALTH DIRECTOR SHELLY NEWHOUSE ON BEHALF OF THE SUBSTANCE ABUSE COALITION TO USE THE TOWN COMMON AND GAZEBO FOR A CANDLELIGHT VIGIL ON THURSDAY, OCTOBER 5, 2017

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

VOTED: That the Board of Selectmen grant the request of Shelly Newhouse, on behalf of the Substance Abuse Coalition, to use the Town Common and Gazebo for a candlelight vigil on Thursday, October 5, 2017.

BOARD TO CONSIDER REQUEST OF THE RECREATION COMMISSION TO CONDUCT ITS 50TH ANNUAL HORRIBLES PARADE ON SUNDAY, OCTOBER 29, 2017

Chairman Champoux 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 grant the request of the Recreation Commission to conduct its 50th Annual Horribles Parade on Sunday, October 29, 2017.

BOARD TO CONSIDER APPROVAL OF LICENSE TO SELL CHRISTMAS TREES FOR WILMINGTON METHODIST CHURCH C/O JOHN ARVANITIS, AND FOR BOY SCOUTS OF AMERICA TROOP #56, C/O JOHN MAININI

Town Manager Hull advised that the applications were reviewed by Inspector of Buildings Al Spaulding who advised that there are no outstanding zoning issues and Police Chief Michael Begonis who provided a favorable recommendation. Chairman Champoux asked if there were any questions, comments or a motion. A motion was made by Selectman McCoy, seconded by Selectman Bendel and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve a license to sell Christmas Trees for Wilmington Methodist Church, c/o John Arvanitis, and Boy Scouts of America #56, c/o John Mainini.

PUBLIC COMMENTS

David Norton, 2 Laurel Avenue, expressed his concern regarding a home on Muse Avenue that was partially demolished without asbestos abatement. He stated that Mr. Godzyk contacted the Town Hall on two occasions the week prior, expressing concern that heavy equipment was on site at the home that contains asbestos siding. He stated that concerned neighbors contacted the Town and departments that had the ability to prevent this did not act. He requested that the Town Manager develop a plan to prevent this from happening in the future.

Mr. Norton noted that the workers did not have protective clothing. He reviewed the process that must take place relative to the asbestos. He expressed his frustration that the demolition permit was signed without procedures being followed and abutters notified.

Town Manager Hull stated that he has spoken with Mr. Norton and that he takes responsibility for the problem. He has had conversations with the department heads involved and noted that the Town does not have responsibility for the regulation of asbestos. When the Town became aware that the home was being demolished, it should have contacted DEP. Town Manager Hull stated that he spoken with department heads that prior to sign off on a demolition permit, the DEP provide evidence that the contractor has filed the appropriate plan for remediation as well as rodent and dust control.

Mr. Norton asked how the residents are to clean-up a material that is a fine powder. He expressed concern about mowing his lawn. Town Manager Hull stated that he is not an air quality expert and stated the Town will contact the DEP representative who has jurisdiction over this and find out what kind of air quality testing will be done. Mr. Norton stated that he has contacted DEP and has been told the matter is under investigation and nothing can be disclosed. He expressed his concern that neighbors did not received a reverse notification call.

Chairman Champoux stated that he was incensed to learn what had happened. He stated that he cannot turn the clock back but believes Mr. Norton's request to encapsulate the material is not unreasonable. Members of the Board asked that they be notified when this occurs.

Selectman Bendel expressed his disappointment that he became aware of the situation when he opened his packet on Friday and believes the elected officials should be notified.

Kathleen Moore, Muse Avenue, stated that she reached out to the DEP and did not hear back. She stated that the contractor advised her that what he did was approved by the DEP. Ms. Moore stated that the residents got the DEP to respond and opined that the Town did not assist them. She asked Town Manager Hull to confirm that the application process will change. Shelly Newhouse, Director of Public Health, stated that DEP has issued a permit with conditions on what the contractor must do. She stated that because the site is under an active investigation and enforcement order, DEP will not provide the permit. Ms. Newhouse stated that she was provided a copy of the permit by the contractor. She emphasized that the contractor knew what he was doing, knew it was illegal and did it anyway. She advised that the contractor is being assessed a fine of \$300 per day. Ms. Newhouse stated that the Board of Health does not have to know when a contractor goes through the process of mitigating asbestos because it is not under the Board of Health's jurisdiction. She stated that she has worked for the Town for 21 years and this is the first occurrence. She took it for granted that the contractors knew what they were doing and followed the process. She now requires contractors to provide proof that they have followed the DEP's process for asbestos.

Lorraine Chase, Laurel Avenue, stated that she would like to know if there is anything else on the property as there was someone in the yard moving items around.

Ms. Newhouse stated that she asked DEP about the immediate danger and was advised that because it is under an investigation and enforcement order by DEP the site is status quo. She said that she does not know if there is anything else she can make him do.

Selectman Caira asked whether the demolition permit could be pulled. Al Spaulding, Inspector of Buildings, stated that pulling the permit would not accomplish anything because it is under the jurisdiction of the DEP and with their enforcement order he cannot do anything and they have more power to levy fines.

Selectman McCoy expressed concern that the dust could travel to the Yentile Farm Recreational Facility and affect the kids playing.

Selectman McCoy stated that this contractor was caught and he would like demolition permits be reviewed for the past five or ten years and compare with DEP records to ensure that buildings with asbestos have been properly remediated. Town Manager Hull stated that if there are cases where contractors demolished buildings that contained asbestos, he does not believe it helps the Town. Selectman McCoy stated that the Town should contact the Attorney General's office because they could enforce it.

Mr. Norton stated that what happened cannot be changed and requested that from this point forward, it not be allowed to happen again. Selectman Bendel requested that a review of procedures be placed on the Board's next meeting.

Selectman Loud stated that Doug and Kathleen Moore are close friends and Mrs. Moore texted him regarding the events on Muse Avenue. He advised that at the time of the Yentile Farm opening, the residents were concerned that something would be happening. He stated that the Board needs to hold people accountable so that it does not happen again. Selectman Loud stated that lead is another concern. He commented that it is the older homes that are being torn down so it is likely that they will contain asbestos.

Selectman Caira asked Ms. Newhouse whether DEP will investigate the neighbors' concerns that something may be buried in the yard. Ms. Newhouse stated that she is not provided information and once the investigation is complete she will have to submit a formal request for information.

Town Manager Hull stated that he does not expect this problem to happen again. He stated that there will be a process that will include information on the demolition permit outlining what the contractor has to do to provide information regarding asbestos removal.

Chairman Champoux asked the Town Manager to provide the Board with a summary of the new procedure that the staff will be asked to follow going forward. He asked Ms. Newhouse and Mr. Spaulding whether the state legislatures should be involved in order to get answers for the neighbors.

Selectman Loud asked Ms. Newhouse to provide DEP's conditions to members of the Board and neighbors.

George Lingenfelter, Concord Street, stated that he used to work with asbestos and understands their problem. He opined that the Town has mismanaged the Building Department for years. Mr. Lingenfelter commented about issues in his neighborhood and alleged that he received no assistance from the Police Department. He opined that the Board of Selectmen is responsible for the way they run the Town. He believes the Building Department needs to be revamped.

Ms. Chase asked what the risks are to residents relative to asbestos exposure and whether they should be going to a clinic to be evaluated. Chairman Champoux stated that he believes that long term exposure is the concern. Ms. Newhouse will obtain information and provide it to the Board of Selectmen and neighbors.

NEW BUSINESS

Selectman Loud recognized that today is September 11 and noted how it is meaningful to him.

Selectman Loud stated that the Town lost Zac Mayo recently. He noted that Zac was a Navy Corpsman and long-time resident. He lost his battle with PTSD after serving in Afghanistan. Selectman Loud extended his condolences to Zac's parents.

Selectman Loud thanked Paul Flaherty, a member of the Army National Guard, and owner of Flaherty Jewelers. Mr. Flaherty is currently at Fort Drum for training and will be deployed for a year.

Selectman Loud opined the importance of individuals thanking veterans', active service members and local first responders for their service.

Selectman McCoy commented regarding his position of being opposed to the application of Global.

Selectman Caira stated that he was not at the last meeting and wanted to take the opportunity to wish students and teachers a successful year.

Selectman Bendel stated that he would like an agenda item in the future to discuss how to improve communication between the Town and its residents. He believes the Board needs to do a better job getting the facts out and a way for residents to reach the Board members.

Chairman Champoux encouraged residents to participate in the Town Clean-up day on September 23.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

Sundays Through

October 29 – Farmer's Market – Town Common Parking Lot – 10:00 a.m. to 1:00 p.m.

September 17 – Chamber of Commerce Half Marathon and 5K Run/Walk

September 23 – Shredding Day – Municipal Parking Lot – 9:00 a.m. to 12:00 p.m.

September 23 – Annual Town Clean-Up – Meet at DPW, 135 Andover Street
8:00 a.m. to 12:00 p.m.

September 25 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.

September 30 – Mass Memories Road Show – WHS Cafeteria – 10:00 a.m. to 3:00 p.m.

October 5 – Candlelight Vigil – Town Common – 6:00 p.m. to 9:00 p.m.

October 9 – Town Offices Closed – *Columbus Day*

October 10 – Board of Selectmen – Town Hall – Room 9 – 7:00 p.m.

October 13 – Carter Lecture Fund – *The Singing Trooper* – Wilmington Middle School – 7:00 p.m.

October 16 – Welcome to Wilmington Reception – Memorial Library – 6:00 p.m. to 8:00 p.m.

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

VOTED: That the Board of Selectmen adjourn.

Meeting adjourned at 10:55 p.m.

Respectfully submitted,

Recording Secretary