

BOARD OF SELECTMEN MEETING

September 28, 2020

Chairman Jonathan R. Eaton called the meeting to order at 7:00 p.m. in the Auditorium of Wilmington Town Hall. 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, 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 856 5126 1911 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 IT Director John O'Neil for facilitating the meeting.

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

VOTED: That the Board of Selectmen accept Treasury Warrants 12, 12A, 13 & 13A.

HAKKI DENGIZLI, PIZZA DAYS, INC., RE: REQUEST FOR COMMON VICTUALER LICENSE FOR PROPERTY LOCATED AT 206 BALLARDVALE STREET, UNIT 4

Mr. Dengizli was not present at this time. Chairman Eaton advised that he would continue with the meeting until such time Mr. Dengizli was present.

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

Ms. Newhouse participated remotely and advised that the Town currently has ten active positive cases. She advised that Wilmington has remained steady with ten or less cases. Ms. Newhouse reported that there has been a slight increase in nursing homes and are included in the ten cases. She advised that the nursing homes are doing well, takin precautions and are testing residents and staff. Ms. Newhouse stated that the nursing homes are worried that the second wave is coming.

Ms. Newhouse advised that changes in restaurant rules, effective today, allow for seating at the bar. She advised that she visited the establishments last week to review guidelines and she believes that the owners and/or managers are educated in the restrictions. Ms. Newhouse encourages residents to continue with social distancing and wearing masks and emphasized the importance of doing so.

Ms. Newhouse reported that the Board of Health held the first drive up flu clinic last week. She stated that it was a flu mist for children and noted that it is mandatory for school children to receive the flu vaccine by the end of the year. She advised that the clinic went well and thanked the Police Department and the custodians at the middle school for their assistance. She stated that they were not sure what to expect but commented that the clinic went smoothly. Ms. Newhouse advised that there will be additional flu clinics including one on Saturday, October 3 from 9 a.m. to noon at Town Hall. She stated that it is a Town wide clinic by appointment only. Individuals interested in receiving the flu vaccine must register in advance. She advised that having people make appointments assists them in controlling traffic. Ms. Newhouse provided the information on how to make an appointment. She advised she has approximately 300 vaccines. This clinic will be different from the flu mist because it is an injection. Ms. Newhouse stated that flu clinics are not typically held this early in the season.

Chief Cavanaugh stated that he also wishes to encourage residents to maintain social distancing, wear masks and to frequently wash hands. He advised that Advinia Care still has the unit for COVID patients and currently has a few patients. Chief Cavanaugh noted that patients in the unit have all tested positive for the virus. He reported that he is in constant communication with the Health Director to ensure the Fire Department is aware of the number of active positive cases.

Chief Cavanaugh advised that his office is working diligently to obtain reimbursement for the CARES Act and also FEMA. He advised that FEMA will cover 75% because it is considered a national emergency. CARES covers a lot of expenses that are not covered by FEMA. Chief Cavanaugh stated that Rebecca Sanderson and Deputy Chris Pozzi are working to ratify what the Town has received, which is approximately \$315,000, and what it has incurred. He advised that there will be a second part that will cover July 1 through the end of the year. Chief Cavanaugh noted that the FEMA Act has been extended indefinitely. He advised that his department is working hard to ensure the Town receives any funds it may be eligible for.

Chairman Eaton extended his appreciation for the hard work conducted by Ms. Newhouse, Chief Cavanaugh and their departments. He hopes that residents follow their advice and commented that it has been a long 6 ½ months and the end is not around the corner.

Chairman Eaton asked Town Manager Hull to determine whether the first appointment is waiting at the door. Town Manager Hull advised he was not and Chairman Eaton resumed with the meeting.

**GREGG CORBO, ESQUIRE, KP | LAW, AND SHELLY NEWHOUSE, HEALTH
DIRECTOR, RE: DISCUSSION RELATIVE TO ENVIRONMENTAL NOTICE FORM 887
WOBURN STREET**

Chairman Eaton provided background information on the property, 885-889 Woburn Street, and advised that it was known as the location of Whitney Barrel. The property was sold in 2017 to an entity known as 887 Woburn Street, LLC. The new owner has filed an Environmental Notice Form with the Department of Environmental Protection (DEP) to allow for the operation of a construction and demolition material transfer station. Chairman Eaton stated that the area of Town is one that the Board of Selectmen has discussed on a number of occasions. He described the property as being directly across the tracks from the Olin Chemical Superfund Site. Chairman Eaton asked Mr. Corbo to describe what the filing of this ENF means, what the process is going forward and what options, if any, are available to the Town to ensure concerns are answered.

Mr. Corbo introduced himself and stated that he was present to advise the Board of the process of going from receiving the proposal to build, a site assignment in a community and to the construction and operation of that facility. He stated that, with no exaggeration, this is the beginning of a very long process. At this point the proposed operator has filed an ENF and this is the very first step of the process. He advised that it is a filing under the Massachusetts Environmental Protection Act (MEPA) and the purpose is to allow the state to perform an initial assessment of a project and its environmental impacts. Mr. Corbo stated that, at this stage, the ENF is filed and it is reviewed for the purposes of determining what the potential impacts are going to be on the environment and what mitigation measures may be appropriate. It also looks at alternatives to doing the project and whether there are other feasible locations. Mr. Corbo emphasized that the outcome of this first step of the process does not result in a permit being granted, or denied, or any approvals being given, or withheld. He advised that it is an opportunity for the public to be apprised that the project has been proposed and what the potential environmental impacts of the project are. He advised that there is a period of time where the Town and other interested parties have an opportunity to review the ENF and provide comments. These comments are considered during the review period. Once the review period ends, a decision is made whether to require an Environmental Impact Report which is a more detailed environmental study of the project. If an Environmental Impact Report is required, the proponent has to prepare and file that report. If the project proponent chooses to go forward then it enters the permitting stage of the procedure. Mr. Corbo advised that it is a two part permitting stage for approval of a solid waste transfer station facility. In the first part, the project is reviewed by the Department of Environmental Protection (DEP) who is charged with making a determination of site suitability. DEP is guided by several factors set forth in the general laws. At the conclusion of the review DEP can decide whether or not the site is suitable for a transfer station. If it issues a positive suitability determination, then the project proceeds to the next step of the process where the town's Board of Health conducts a public hearing before. Mr. Corbo stated that the Board of Health has the charge of determining whether the facility can go forward with the plan consistent with public health, safety and welfare. During the Board of Health proceeding, it conducts a public hearing that is presided over by a hearing officer. The Town, through the Board of Selectmen, has the authority to intervene in the proceeding as an interested party. The Board of Health issues a final written decision stating its reasons and at that point, the Board of Health decision is appealable. Mr. Corbo stated that the factors that the Board of Health will consider are outlined in Massachusetts General Law Chapter 111, Section 150A ½ and he reviewed the seventeen (17) factors that are required to be reviewed.

Once the Board of Health determines that a site assignment may be issued, there are additional permitting steps which include DEP solid waste approval, a process that takes an additional six months; authorization to construct the facility and authorization to operate which occurs once the facility is constructed.

Mr. Corbo reiterated that it is a lengthy and detailed process with several checkpoints along the way during which the Town of Wilmington has the opportunity, and ability, to make comments and recommendations and to voice objections or support.

Chairman Eaton thanked Mr. Corbo for the information and summarized the comments as he understood them. Mr. Corbo advised that in his experience the hearing officer is an attorney that the parties agree to hire to facilitate the process.

Chairman Eaton stated that on the other side of the tracks there is a superfund site and for a number of years the Town of Wilmington has opposed a proposal to put a transfer station on that site. He asked if the site at 887 Woburn Street is deemed suitable and the assignment granted would it make it more likely or easier for the site to be used for the types of hazardous materials that is proposed to be used at the Olin site. Mr. Corbo advised that when a site assignment is granted it is granted for a particular activity and a particular set of circumstances and in order to change the type of waste that is received at a transfer station, an entity has to go through a process to modify the site assignment. Mr. Corbo noted that there are two types of modifications, minor and major. He understands that modifications that change the waste stream are major modifications and one has to go through the same process to modify as when they originally got the site assignment. He stated that it is premature to answer whether they could ever accept hazardous waste as the Town does not know what infrastructure will be there. He stated that the Town would have an opportunity to review and comment before it could happen.

Chairman Eaton stated that he read in the application that the Board of Health would assess a \$13,000 technical fee which would allow the Town to review the technical data, obtain technical assistance and conduct a public hearing before the Board of Health. Mr. Corbo clarified that the funds would be to hire a scientific consultant to advise the Board of Health.

Chairman Eaton stated that it appears that questions that he has regarding specific environmental conditions will be examined by the DEP when determining whether it is a suitable site.

Chairman Eaton asked if there were any questions or comments from the Board. Selectman DePalma asked whether the applicant or his legal counsel were invited to the meeting. Chairman Eaton advised that the applicant was not invited because he believed it was most important that the Board be educated by its own counsel rather than hearing from the applicant first, noting that it is a rather complex, lengthy process and believed it more beneficial to hear from its own counsel and Health Director before moving forward to hear what the applicant is wishing to push forward.

Selectman Caira asked whether the 17 factors referenced by Mr. Corbo need to be addressed by the Board of Health or the DEP. Mr. Corbo advised that the factors would be addressed by both, first by the DEP and if they determine the site is suitable it goes to the Board of Health. The Board of Health has to determine whether the facility can be built in a manner consistent with public health, safety and welfare.

Selectman Caira asked to confirm that, if the DEP deems the site not suitable, the application does not move forward. Mr. Corbo confirmed.

Selectman Caira stated that he is concerned with the Olin site in close proximity and if the track is reopened, will that open the door for them to utilize. Mr. Corbo stated that it does not because when the site assignment is issued it is for a specific activity. He stated that there is a process where it can happen, but it is not automatic. Selectman Caira opined that using the rail tracks can cause vibration which may damage the slurry wall.

Mr. Corbo advised that obtaining a site assignment from the Board of Health does not exempt the entity from receiving approvals from other departments, i.e. Conservation Commission. Selectman Caira stated that the Board of Selectmen does not have regulatory authority but can make comments. Mr. Corbo stated that the Board's role in the site assignment process would be to speak for the residents of the Town rather than to make judgement.

Selectman O'Mahony stated that she is disappointed that the decision was made not to include the applicant. She advised that the information was emailed to the Selectman and at the last meeting she had requested that the applicant be present so that questions could be asked. *(sic)* Selectman O'Mahony opined that the project needs to be presented to the Board so that they can understand it before getting to the 17 factors that need to be reviewed. She asked whether Mr. Corbo had reviewed the notification form that was submitted and he advised that he had not reviewed the entire document but had reviewed enough to understand what the project was. She stated that she believes that the applicant addressed the 17 factors in the application that there are no issues with wetlands and traffic would not impact residential neighborhoods.

Selectman O'Mahony stated that she does not understand what the Board is expected to do this evening other than to wait for the DEP review. She stated that as a community member she would want to know more about the project than the legal process.

Selectman O'Mahony related her experience to dispose of a wheelbarrow and the necessity to purchase a sticker. She opined that the wheelbarrow is not an item that would have required the purchase of a sticker under the previous trash contractor. Selectman O'Mahony asked Town Manager Hull where the debris will be brought and whether this facility would be a less expensive alternative than where it is currently brought. Town Manager Hull advised that he would have to confirm with the DPW Director where material is brought but noted that the Town is under contract with Wheelabrator to bring the Town's solid waste to its facility and if waste is diverted and the Town does not meet its tonnage there will be a financial issue.

Selectman O'Mahony asked whether the property owner would provide incentives to the Town so that it will save money on waste removal and recycling.

Chairman Eaton stated that if the DEP determines this is a suitable site, the application will go forward to the Board of Health. At that point there would be a public hearing for the application. This process commences after the DEP has conducted their review of the 17 factors, several of which address environmental impact of the proposal and become a condition of the property. Chairman Eaton stated that this is not an attempt to prevent an open or public process but rather an attempt to make sure, if there were ever to be a hearing, it is done with the environmental due diligence completed. He stated that he had no interest in hosting a hearing where the Board of Selectmen did not have all the information it may want and were relying on the applicant to provide the information. Chairman Eaton stated that he wanted to ensure that the Board was well prepared and well-educated on the condition of the property, status of the application and the ramifications if the project is to happen. He reiterated that the Board of Selectmen is not the Board of adjudication for this proposal, the Board of Health is. He would be wary of inviting an applicant in for a development where the Board is not the forum for adjudication. Chairman Eaton stated that recent history has shown that it sends mixed messages to residents.

Selectman O'Mahony asked Mr. Corbo if there is a cost to the Town for the peer review or any part of the process. Mr. Corbo advised that there isn't any cost that he is aware of. Town Manager Hull noted that the Town has hired GeoInsight to review the Environmental Notification Form and the costs will be borne by the Town. The \$13,000 referenced earlier is an amount based upon a formula the state has for providing some measure of review by a consultant to be hired by the Town. It is anticipated that GeoInsight will participate in that process as well.

Selectman O'Mahony asked whether GeoInsight will prepare a report for the Board of Selectmen to review. Town Manager Hull stated that GeoInsight will work with the Board of Health and the Health Director as part of the review process.

Chairman Eaton asked if there were any additional questions and there were not. Chairman Eaton thanked Mr. Corbo and Ms. Newhouse for participating in the meeting.

COMMUNICATIONS

Town Manager Hull reviewed his memorandum relative to the Recovery/Remembrance Vigil. The vigil which is coordinated by Samantha Reif, Health & Recovery Coordinator, and the Wilmington Substance Abuse Coalition has been rescheduled this year to take place on October 15th at 5:30 p.m. In light of COVID-19 and restrictions on social gatherings, this will be a multi-town event with limited attendance. It was initially planned for the Billerica Town Common, however Ms. Reif became aware that Billerica Access Television could not stream the event live. Since it has been the intention to provide live coverage of the event, she contacted Wilmington Community Television who confirmed the ability to provide the program live. Since the Board of Selectmen are not meeting again until October 13th, in consultation with Chairman Eaton, a determination was made to authorize the use of Wilmington Town Common. Representatives from ten communities have been invited to attend and each community is asked to have not more than three representatives present. If members of the Board of Selectmen are interested in attending the vigil, they are asked to let the Recording Secretary know not later than Friday, October 9.

Selectman Caira commented that the vigil is a great event and noted that Wilmington was one of the first communities to hire a Health and Recovery Coordinator. He expressed concern that the event will attract more than fifty individuals and asked how it would be enforced if there were more attendees. He related past years where parents, grandparents or other family members spoke about losing a loved one to substance use and opined that those family members will not be turned away. He stated that he has attended past events and it gets crowded.

Town Manger Hull stated that the intent is to limit the number to 50 and the expectation that if additional people attend they will socially distance and wear masks.

Town Manager Hull reviewed his memorandum relative to the Environmental Protection Agency (EPA) comment period for Olin Chemical Superfund Site clean-up plan. The deadline for written comments is Monday, October 26, 2020. Both the oral comments offered at the EPA virtual public comment hearing on September 22, 2020 and written comments submitted by the noted deadline will be considered by EPA and have the same weight. The Town's environmental consultant, GeoInsight, is finalizing written comments to be filed with EPA. Additionally, the Town is working with Daniel Deutsch, Special Counsel, to prepare comments of a non-technical nature to be provided to EPA. Town Manager Hull provided the information on where written comments may be submitted.

Town Manager Hull reviewed his memorandum relative to Textron Systems Corporation. He advised that, at the invitation of the Facilities Planner with Textron Systems Corporation, he participated in a virtual meeting with several representatives from the company's Wilmington and Hunt Valley, MD operations for the purpose of updating the Town on Textron's plans in Wilmington. Town Manager Hull was advised that after several years of evaluating options whether to relocate their existing operations or remain in Wilmington, the company has decided to maintain its operation in Wilmington for the foreseeable future. The company has been successful recently in obtaining a number of government contracts which has led to an increased demand for employees. For several years Textron's employment hovered around 55 to 60 employees. They are in a hiring mode and currently employ over 100 employees with the expectation of employing approximately 300 employees within the next five years.

Town Manager Hull reported that Textron is aiming to consolidate their operations into fewer buildings and remove some of the existing facilities.

In response to Town Manager Hull's question about the plans for use of the vacated property, representatives responded that they do not currently have plans. Town Manager Hull advised Textron's representatives about the intersection improvements slated to take place at the intersection of Lowell Street and Woburn Street. They were advised that the Town has been working with Massachusetts Department of Transportation to replace the existing signals and to reconfigure the lanes to improve safety and expedite traffic flow.

Town Manager Hull advised that he expressed the Town's interest in the tennis courts and ballfields and noted the proximity to the Town's Yentile Farm Recreational Facility. He was advised that Textron currently has no plans for that property.

Town Manager Hull stated that the Town Engineer and the Director of Planning and Conservation were apprised of the meeting as it relates to Textron's plans for a new main entrance on Lowell Street. Textron was advised that consulting with the Town Engineer when they begin to plan for the new entrance would be advisable to avoid potential negative impacts to the intersection improvements.

Town Manager Hull reviewed a memorandum from Town Clerk Christine Touma-Conway which provided an update on steps taken since the Board of Selectmen approved moving in person Election Day voting to the Shriners Auditorium on September 14, 2020. Within her memorandum she addressed the several different aspects to planning for this event. Those aspects included notice provided to residents, working with the Town Engineer to layout the space at the Shriners, DPW to assist with signage; Public Building personnel to transport Election Day equipment for set up and break down as well as coverage to ensure frequent disinfection of high touch areas; an insurance binder has been secured to provide to the Shriners Auditorium; rental of two motorized scooters and two wheelchairs; Town Counsel has been consulted with regard to how to measure the allowable 150 foot electioneering parameters. Additional costs to cover the change in polling location will be discussed with Chief Cavanaugh for possible submission as a CARES Act cost. Ms. Touma-Conway stated that she recently learned of a grant that is available from The Center for Tech and Civic Life to local election offices to help ensure they have critical resources needed to safely serve voters in 2020.

Selectman Caira asked whether Town Manager Hull will contact Dr. Brand to utilize their sign in front of the high school for election day. He also opined that the School Department has an extensive email database and suggested that they may cooperate in getting the message out.

Selectman Caira noted that the Town Clerk does not include that masks will be provided if necessary. He stated that residents are aware masks are required and asked whether masks will be available at the polling location and suggested costs can be reimbursed by the CARES Act. Town Manager Hull advised that he expects masks will be available if needed.

Selectman O'Mahony noted that there are 35 days until the election and of those 35 days, 14 days are available for early voting.

Town Manager Hull reviewed a press release from the Planning and Conservation Department advising residents that, due to the current COVID-19 pandemic, the Wilmington Conservation Commission and the Department of Planning & Conservation is asking residents to volunteer to do individual town clean-up efforts during the months of September and October in their neighborhoods.

Town Manager Hull reviewed a memorandum from Valerie Gingrich, Director of Planning & Conservation, and Paul Alunni, Town Engineer, advising that the Town of Wilmington has been awarded \$31,000 from the state to complete a combined Municipal Vulnerability and Preparedness (MVP) Plan and Hazard Mitigation Plan (HMP) update. The funding will enable the Town to work with a state-certified consultant to lead the process and develop the plan. Town staff will provide support to the process. The MVP plan will provide prioritized action items to make the community more resilient to climate change. The Town's current HMP addresses current natural hazards such as flooding, wind and winter storms and is set to expire in 2021. Recognizing that to truly understand our risk to natural hazards, we need to factor in the potential impacts from climate change, the Town is taking this opportunity to update our local Hazard Mitigation Plan in conjunction with developing a MVP plan that will consider future impacts from climate change that are not fully factored into our current mitigation plan. Once the MVP plan is complete and the Town becomes a certified MVP community, the Town will be eligible for action grant funding to implement projects and strategies outlined in the plan. Ms. Gingrich and Mr. Alunni advised that the planning process will occur over the next year and will benefit from involvement of various key town departments, community organizations and residents.

Town Manager Hull reviewed a notice issued by the Department of Public Works relative to the collection of bulky items. The DPW reported that there has been a substantial increase in requests from residents to have bulky items removed by Casella. Historically the number of items scheduled for pick up has been between approximately 50-100 bulky times per week. Since the COVID-19 shut down in March, the requests have increased to between 150 to more than 300 per week. The number of trucks assigned to Wilmington and the associated cost was based upon data provided in December of 2019. The unforeseen increase in materials has unfortunately put a burden on Casella, causing a significant delay in scheduling pick up dates. A modest decrease in the number of requests are beginning to trend and there are indications that quantities of bulk items for collection will be back to a more manageable volume soon. The DPW advised that Casella has reported an excessive amount of stops where the items are not at the curb for pick up on the scheduled date. This is valuable time that the trucks could be picking up at other locations and reminded residents to have the bulky times placed curbside on the day that they are scheduled and, if necessary, to cancel pick-up by calling Casella as soon as possible.

Town Manager Hull reviewed a press release from Reading Municipal Light Department regarding Power Week October 4 through 10. The RMLD advised that the annual event is celebrated by not-for-profit, community-owned electric utilities that take pride in providing safe, reliable and affordable electricity to the local community. RMLD invites customers to celebrate the event virtually with resources and activities for the entire family to enjoy.

BOARD TO CONSIDER REQUEST OF MICHAEL BARRY, CO-FOUNDER/DIRECTOR, THE MISFIT ARTIST COMPANY, TO USE ROTARY PARK, OCTOBER 11 THROUGH OCTOBER 17, 2020 FOR THE PURPOSE OF THEATRE PRODUCTION, REHEARSALS AND PERFORMANCE

Mr. Barry wrote that he and his wife are residents of Wilmington and started a non-profit arts company called The Misfit Artist Company with a goal to provide a family-type environment for artists of all disciplines to create and perform art. He advised that during the fall they have two productions scheduled including a middle and high school production of A Midsummer Night's Dream and an elementary school production of Macbeth. Mr. Barry indicated that a previous production was held via Zoom but it is their wish to use an outdoor space to perform. Mr. Barry's request included measures that will be taken to ensure participants' and spectators' safety.

Town Manager Hull stated that he spoke to Mr. Barry and advised that Mr. Barry is asking to change the dates to the Saturday and Sunday, October 17 and October 18. Chairman Eaton asked if there were any conflicts with those dates and was advised there is not. Chairman Eaton reviewed recommendations from Health Director Shelly Newhouse and the DPW Director Michael Woods. A motion was made by Selectman O'Mahony and seconded by Selectman DePalma to approve Mr. Barry's requested. Selectman Caira stated that Mr. Barry's request does not mention masks to be used and suggested that Mr. Barry be reminded that masks should be worn. He commented that the proposal is a great idea. Selectman Caira stated that when the Board approves the use of Rotary Park for certain functions, such as weddings, it is noted that Rotary Park is a public place and children will be using the playground or residents will be walking around the pond. He stated that during the performance, it appears that the playground will be used and during the time period the public will not be allowed to use the playground as well as the pond.

Town Manager Hull stated that the public will not be barred from being present. Selectman Caira stated that he walks that area on a regular basis and stated that there are families that are utilizing the playground.

Selectman Caira noted that Mr. Woods expressed concern regarding lighting in the area and would prefer that the program start earlier. Town Manager Hull stated that Mr. Barry advised him that the plays are relatively short and it was his understanding that the plays would happen between the hours of three and six.

Selectman O'Mahony stated that she had a similar concern relative to restricting the use of the playground. Selectman O'Mahony expressed concern that with the number of individuals expected to be present and asked whether the baseball field will be used.

Selectman Caira asked how the request to use Rotary Park for rehearsal time will impact the use of the playground and Rotary Park. Town Manager Hull stated that Mr. Barry has indicated to him that he lives in the neighborhood and is at Rotary Park frequently and he will make sure that he understands it is a very active area.

Selectman DePalma requested that the applicants be notified that they are responsible to ensure all waste is properly picked up or they will be subject to a cost. Town Manager Hull advised that they will convey that it is a carry in / carry out park.

With a motion having been made and seconded Chairman Eaton called for the vote. By the affirmative vote of all, it was

VOTED: That the Board of Selectmen approve the request of Michael Barry, The Misfit Artist Company, to use Rotary Park, October 11 through October 18, 2020 for the purpose of theatre production, rehearsals and performance.

**BOARD TO CONSIDER ISSUING AUTOMATIC EXTENSIONS TO LICENSEES
LICENSED FOR ON-PREMISES CONSUMPTION AND GRANTED APPROVAL FOR
OUTDOOR TABLE SERVICE FOR A PERIOD UP TO SIXTY DAYS AFTER THE END OF
THE STATE OF EMERGENCY**

Chairman Eaton noted that in June the Board of Selectmen allowed Section 12 Alcoholic Beverage Licensees to apply temporarily amend their license to include outdoor table service for on-premise consumption of food and drink at restaurants as part of Phase 2 reopening. Governor Baker issued order number 50 which extended the order from November 1 to sixty days after the end of the state of emergency. Chairman Eaton stated that there are two portions of the Board to

Consider and one is whether to extend the authorization until sixty days after the end of the state of emergency and the second is whether to make the extension automatic. 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 automatically extend approval to licensees licensed for on-premises consumption and granted approval for outdoor table service for a period up to sixty days after the end of the state of emergency.

**BOARD TO CONSIDER REQUEST OF CHRISTINE TOUMA-CONWAY, TOWN CLERK,
TO APPOINT ADDITIONAL ELECTION WORKERS FOR 2020**

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 appoint the following individuals as election workers for 2020:

Jawad Alhady	Mary Holland
Lynne Ayvazian	Lillian Hupper
Jennifer Begon	Ronald Judkins
Beth Bergman	Linda Kanihan
Diana Couture	Maggie Lopes
Judith Lee Dickson	Kimberly Peterson
Jennifer Erickson	Charles Robinson
Mary Ann Fogarty	Matthew Savage
Christine Garrard	Laurie Towle
Michelle Getchell	Alicia Verno
Christine Hauray-Gilbert	Kristine Zuk
Lori Hayes	
Jody Heffernan	Alexander Howlett

PUBLIC COMMENTS

Chairman Eaton reminded viewers of the process to make public comment. Chairman Eaton was advised there were callers.

Ethan Sawyer, Lawrence Street, commented regarding 887 Woburn Street. He asked whether the Town could prohibit trucks from going through the residential areas.

He stated that this is an important time for residents to make comments to the EPA regarding Olin clean up. Mr. Sawyer stated that New England Transrail has been put on hold and the redevelopment is on hold and he is concerned that the Town may end up with a transfer station in the area. He stated that intermodal means multiple means of transportation and opined that means by truck and rail.

Mr. Sawyer commented regarding the Board's decision to appoint Selectman O'Mahony as the Board of Selectmen designee to the MBTA Advisory Board. He stated he was confused because he does not believe there was action to specifically remove Mr. McCoy from the Advisory Board. Mr. Sawyer noted there will be significant activity at the North Wilmington Train Station and opined

Mr. McCoy would be an asset to the process. He stated that he doesn't believe there is any reason Mr. McCoy cannot continue to serve on the Advisory Board and opined that he does not think he is actually off the Board. Mr. Sawyer requested that the Board of Selectmen look into it.

Chairman Eaton stated that he understands Mr. Sawyer's concern regarding the trucks in residential neighborhoods and advised that was not something he was prepared to answer this evening and advised it will be looked into.

Chairman Eaton stated that relative to the MBTA Advisory Board, he asked Selectman O'Mahony whether she would inquire whether Wilmington was permitted to have additional representative.

Samantha Reif, Health & Recovery Coordinator, clarified that the vigil will be virtual and will be live streamed by WCTV.

Rob Peterson, Esquire, stated that his office represents 887 Woburn Street and thanked Mr. Corbo for the presentation of the process.

He addressed Mr. Sawyer's concern relative to truck traffic and advised that the impact to the residential neighborhoods is something the petitioner considered thoroughly and noted the traffic will impact Woburn more than Wilmington.

Mr. Peterson advised that the petitioner was willing and able to answer any questions the Board may have.

Selectman Caira asked Town Manager Hull how many representatives can be on the MBTA Advisory Board. Town Manager Hull advised that, to the best of his knowledge, one. Selectman Caira stated that he has been a member of the Board of Selectmen for 4 ½ years and noted that Mr. McCoy did not report to the Board on the activities of the Advisory Board.

ANNOUNCEMENTS

Chairman Eaton offered congratulations to Selectman Bendel and his wife who are expecting a daughter in March.

Selectman Eaton offered congratulations to Linda Pavluk who will retire from the Library after 24 years.

Selectman Caira offered his congratulations to Selectman Bendel.

Selectman Caira offered congratulations to Ethel Butters on her 103 Birthday. He noted that We're One Wilmington organized a birthday parade.

Selectman DePalma congratulated students who are back to school.

Selectman O'Mahony noted that it was great to see everyone in person.

Selectman O'Mahony noted the loss of Associate Justice of the United States Supreme Court Ruth Bader Ginsburg and Chief Justice of Massachusetts Supreme Judicial Court Ralph Gants.

Selectman O'Mahony wished Ethel Butters a happy 103 birthday. She noted that the parade was a great turnout. Ms. Butters was part of Wilmington Remembers on WCTV and is a 9th generation Butters in Wilmington. She was also inducted into the Wilmington High School Hall of Fame.

Chairman Eaton advised that he and the Town Manager have spoken regarding Halloween. He advised that Wilmington traditionally has not set hours. Town Manager Hull met with several department heads and the Town is advising residents to stay home if they are not feeling well, wear masks, avoid large gatherings and practice frequent hand cleaning. Participating is optional and asked Trick-or-Treaters to be patient and understanding. One does not know the health issues of residents in a home that is not participating. Be respectful.

Selectman Caira asked about the Horribles Parade and was advised that the decision was made not to have it.

NEW BUSINESS

Selectman Caira requested that a letter be sent to Mr. McCoy thanking him for his service on the MBTA Advisory Board, By-law Study Committee and Ice Rink and Recreational Facility Committee. Discussion took place regarding whether Mr. McCoy remains a member of the committees. Selectman Caira opined that he is no longer a member of the Board of Selectmen and therefore not the designee.

Chairman Eaton stated that he would include it on the October 13 agenda as Selectman O'Mahony will be contacting the MBTA Advisory Board to determine whether an additional representative could be appointed. Selectman Caira stated that he would not be in favor of appointing Mr. McCoy as in the 4 ½ years he has been on the Board of Selectmen, Mr. McCoy attended one meeting.

A motion was made by Selectman Caira and seconded by Selectman Bendel for the purpose of discussion. Selectman Bendel stated that he is serving as the Board's designee to the Economic Development Committee and he understands that when he is no longer a member of the Board of Selectmen, he will no longer be its designee to that Committee.

Selectman Caira concurred relative to the committees he serves on and opined that the Board needs to discuss how it handles Selectman appointments. He noted that Mr. McCoy made appointments to certain committees and noted that Selectman DePalma ought to have the opportunity to make appointments. Selectman Caira suggested term limits when making appointments and the need to develop a policy.

Discussion continued regarding the establishment of, and appointments to, the By-Law Study Committee and Ice Rink and Recreational Facility Committee.

A motion having been made and seconded and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen direct Town Manager Hull to send a letter to Michael McCoy thanking him for his service to the community by serving as the Board of Selectmen's designee on the MBTA Advisory Board, By-Law Study Committee and the Ice Rink and Recreational Facility Committee.

Chairman Eaton advised that he received a request this afternoon at 1:08 p.m. from a Suzanne Neal requesting to use the gazebo at the Town Common on Saturday, October 10th, at noon for the purpose of praying with friends. This Public Square Rosary is sponsored by America Needs Fatima. Ms. Neal stated that it will be one of over 20,000 rallies that will take place all across the United States on that day. She advised that local churches will be invited and guidelines for wearing masks and social distancing will be followed. Ms. Neal emphasized that it is not a political event.

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 Suzanne Neal to use the Gazebo at Town Common on Saturday, October 10 at noon for the purpose of prayer and further that Ms. Neal consult with the Director of Public Health and the Chief of Police.

Selectman Caira asked whether the Town should reach out to the applicant for a Common Victualer License to determine why they were unable to attend and to invite the applicant to the next Board of Selectmen meeting. A motion was made by Selectman Bendel, seconded by Selectman DePalma and by the affirmative vote of all, it was

VOTED: That the Board of Selectmen table the request of Hakki Dengizli to obtain a Common Victualer License for Pizza Days, Inc. until their meeting of October 13, 2020.

IMPORTANT DATES

Town Manager Hull reviewed important dates including:

- October 7 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 10 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- October 12 – Columbus Day – *Town Offices Closed*
- October 13 – Board of Selectmen – High School – Media Room – 7:00 p.m.
- October 14 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 17 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- October 17 – Early Voting – Town Hall – 9:00 a.m. to 1:00 p.m.
- October 18 – Early Voting – Town Hall – 9:00 a.m. to 1:00 p.m.
- October 19 – Early Voting – Town Hall – 9:00 a.m. to 4:00 p.m.
- October 20 – Early Voting – Town Hall – 9:00 a.m. to 4:00 p.m.
- October 21 – Early Voting – Town Hall – 9:00 a.m. to 4:00 p.m.
- October 21 – Brush Drop-Off – Old Main Street – 8:00 a.m. to 2:00 p.m.
- October 22 – Early Voting – Town Hall – 9:00 a.m. to 6:00 p.m.
- October 23 – Early Voting – Town Hall – 9:00 a.m. to 4:00 p.m.
- October 24 – Brush Drop-Off – Old Main Street – 9:00 a.m. to 4:00 p.m.
- October 24 – Early Voting – Town Hall – 2:00 p.m. to 6:00 p.m.
- October 24 – Last Day to Register to Vote in State/Presidential Election
Registrations Accepted 2:00 p.m. to 4:00 p.m. and 7:00 p.m. to 8:00 p.m.
- October 25 – Early Voting – Town Hall – 9:00 a.m. to 1:00 p.m.
- October 26 – Early Voting – Town Hall – 9:00 a.m. to 4:00 p.m.
- October 26 – Board of Selectmen – High School – Media Room – 7:00 p.m.
- October 27 – Early Voting – Town Hall – 9:00 a.m. to 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 – Media 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.

Selectman Caira asked why the Board of Selectmen is scheduled to meet at the high school. Chairman Eaton advised that the Large Group Instruction Room is currently set up to conduct the meetings and noted the challenges to prepare for a meeting in the Town Hall auditorium. He stated that he wanted to be mindful that many of the individuals filming the meetings are volunteers and are high risk and can no longer attend to film the meetings. Chairman Eaton stated that he has had conversations with the Town Manager regarding public comments and to determine his comfort level in conducting the meeting outside of the building where his office is located.

Selectman Caira stated his understanding that 5% of the cable bill goes to WCTV and they are supposed to cover a certain number of government meetings. He stated that the Town Hall auditorium is a larger forum and asked whether the School Department is okay with the Board of Selectmen meeting there. Town Manager Hull advised that he has spoken with Dr. Brand and the Board of Selectmen meeting will follow the same rules that the School Committee follows.

Selectman Caira opined that the decision to move the Board of Selectmen meeting should have been made by vote of the Board. Chairman Eaton reminded the Board that while Selectman Bendel was chairman he scheduled a meeting to be held at the Wildwood School. Though that meeting was not held due to the unexpected death of an employee of the Public Buildings Department. Chairman Eaton opined that it is at his discretion to conduct the meeting in another location.

Selectman Caira offered a motion that the Board of Selectmen hold their meeting scheduled for October 13 at the Town Hall Auditorium and a vote be taken by whole the Board whether to change the meeting venue. Motion failed for lack of a second.

SALUTE TO SERVICE

Chairman Eaton recognized James Davey, a Wilmington native and 2014 Wilmington High School graduate. SPC James E. Davey, from 84th Engineer K9 Detachment, from 5th Engineer Battalion, Fort Leonard Wood, was awarded the Bronze Star Medal by 36th Engineer Brigade Commander Colonel James Koeppen.

In support of Operation Inherent Resolve, SPC Davey and his military dog conducted over 40 dismounted mine and IED clearance missions. He and his military dog flawlessly led the search of multiple buildings, routes and areas that ultimately allowed them to find 204 land mines, seven Directional Fragmentation Charges, three 55 gallon barrels of HME, two mortars and 100mm rockets totaling over 4,074 pounds of enemy explosives.

His performance directly saved lives of multiple US and NATO personnel and he is credited with the finding of the greatest quantity of explosives by a Mine Detection Dog Team in Iraq in the history of the program.

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 adjourn.

Meeting adjourned at 9:19 p.m.

Respectfully submitted,

Recording Secretary