

**MINUTES OF THE SELECT BOARD MEETING  
MONDAY, JANUARY 29, 2024**

Chair Gonzalez called the meeting to order at 7:37 p.m. for open session via Hybrid participation. Participating members were Mr. Wallner, Mr. Stuto, Mr. O’Leary and Town Administrator, Michael Gilleberto. Ms. Manupelli was present via zoom starting at 7:50 p.m. A full recording of this meeting can be found at <https://www.youtube.com/user/TheNorcam1>

**First order of business.                      BOARD MEMEBER REPORTS**

Mr. Wallner stated that the accessibility survey went out with the census and it focused on Transportation and Disabilities needs in town. It is quick to fill out and will not cost anymore postage to mail back. The Taxation Committee is working on a match to the Circuit Breaker relief. There are about 400 households in town that have taken advantage of it. It is something the Taxation Committee is working on to do a 50% match at first and increase over time. Wakefield does \$100 match and other towns are doing some sort of match as well.

Mr. Stuto asked how much the Circuit Breaker is.

Mr. Wallner replied that it is \$1250 but will go to \$2500 with 50% match. Lastly, he wanted to make sure that they are still working on scheduling a meeting with the Community Planning Commission regarding the ADU.

Chair Gonzalez said they are. She also added that Ms. Manupelli will be attending the meeting later via zoom due to a work commitment.

Mr. O’Leary stated that the Historical Commission has new and energetic members. They have really good new ideas and you will be seeing some exciting fundraisers soon. The Hillview repairs are ongoing pending weather. Last he urged all to attend tomorrow night’s STM.

Mr. Stuto stated that since receiving the 40B ruling from the Housing Appeals they are still awaiting a date for a ZBA and Developer meeting. There has been no movement. They are waiting on the developer. He too added for all to attend tomorrows STM. Regarding Wastewater they are in communication with Andover and north Andover.

Chair Gonzalez stated that the Housing Authority is looking to replace its director. There has been some interest from the Town of Reading to possibility merge as they are bigger. They also have an Assistant Director that would come over to work in the Town of North Reading. They are interviewing and looking for a right fit. She then asked for the community to come to the STM tomorrow.

Ms. Manupelli- Absent

**Next order of business.                      OLD AND NEW BUSINESS**

Mr. Stuto see Board Member Report

Ms. Gonzalez see Board Member Report

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Mr. O’Leary see Board Member Report  
Mr. Wallner see Board Member Report

**Next order of business. Ryers Market LLC d/b/a Ryers Store**  
**TRANSFER OF LICENSE**

Mr. Gilleberto said we received an application to transfer the license of the Package Store Wine and Malt beverage license currently issued to Molly’s Store LLC. The understanding is that they are in transition right now. The new owners have been working with the Halls on learning the operations of the business and he recommends the transfer depending on approval by all regulatory departments.

Jim Dietz Sr. and James Duffley were present. They are owners of the Joe Fish, The Loft and Hopothecary and are taking over Ryers. They have worked together for many years.

There was discussion of the plans for the future. They plan to keep the staff and it will be a seamless transition with Mark and Judy Hall.

Mr. Gilleberto said they just completed the food permit with the Board of Health.

Jim Dietz Sr. and James Duffley thanked the Select Board.

MADAM CHAIR, I MOVE TO APPROVE A TRANSFER OF LICENSE FOR THE RETAIL PACKAGE GOODS STORE/WINE AND MALT BEVERAGES LICENSE FROM MOLLY’S STORE, INC. D/B/A RYER’S STORE TO RYER’S MARKET LLC D/B/A RYER’S STORE AT 162 PARK STREET TO EXPIRE DECEMBER 31, 2024 SUBJECT TO ALL REGULATORY DEPARTMENT REQUIREMENTS.

MOTION BY: MR. WALLNER  
SECONDED BY: MR. O’LEARY

VOTED BY:	MR. STUTO	AYE
	MRS. GONZALEZ	AYE
	MR. WALLNER	AYE
	MR. O’LEARY	AYE
	MRS. MANUPELLI	ABSENT

VOTE: 4-0 (1-ABSENT)

**CHANGE OF MANAGER**

MADAM CHAIR, I MOVE TO APPROVE A CHANGE OF MANAGER FOR THE RETAIL PACKAGE GOODS STORE/WINE AND MALT BEVERAGES LICENSE FOR RYER’S MARKET LLC D/B/A RYER’S STORE AT 162 PARK STREET, FROM JUDITH A. HALL TO JAMES DUFFLEY.

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MOTION BY: MR. WALLNER  
SECONDED BY: MR. O'LEARY

VOTED BY: MR. STUTO AYE  
MRS. GONZALEZ AYE  
MR. WALLNER AYE  
MR. O'LEARY AYE  
MRS. MANUPELLI ABSENT

VOTE: 4-0 (1-ABSENT)

**COMMON VICTUALLER**

MADAM CHAIR, I MOVE TO APPROVE A COMMON VICTUALLER LICENSE

FOR RYER'S MARKET LLC D/B/A RYER'S STORE AT 162 PARK TO EXPIRE DECEMBER 31, 2024 SUBJECT TO ALL REGULATORY DEPARTMENT REQUIREMENTS.

MOTION BY: MR. WALLNER  
SECONDED BY: MR. O'LEARY

VOTED BY: MR. STUTO AYE  
MRS. GONZALEZ AYE  
MR. WALLNER AYE  
MR. O'LEARY AYE  
MRS. MANUPELLI ABSENT

VOTE: 4-0 (1-ABSENT)

**Next order of business. Acceptance of Donation for Senior Center**

Mr. Gilleberto said the Friends of the Council on Aging has donated money to continue funding of the Monday program at Aldersgate Church from March 7, 2024 through May 30, 2024.

Mr. Gilleberto reported the following is an update from Kim Manzelli from the Senior Center. Participation in programs has dramatically increased over the past year. Our staff has been able to provide simultaneous programming and additional outreach to seniors by utilizing space at the Aldersgate Church one day a week, through a successful pilot program, which was funded through a grant from the Massachusetts Council on Aging. This program series was held for twenty weeks from September 11, 2023 and will end on February 26, 2024. This additional funding will allow us to continue this additional outreach to seniors in our community who greatly benefit from the congregate meal, exercise, social and health and wellness programs.

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MADAM CHAIR, I MOVE TO ACCEPT A GIFT IN THE AMOUNT OF \$1,950.00 FROM THE FRIENDS OF THE NORTH READING COUNCIL ON AGING GIFT FOR "ON THE MOVE" PROGRAMING MARCH TO MAY FOR THE O'LEARY SENIOR CENTER.

MOTION BY: MR. WALLNER  
SECONDED BY: MR. O'LEARY

VOTED BY:	MR. STUTO	AYE
	MRS. GONZALEZ	AYE
	MR. WALLNER	AYE
	MR. O'LEARY	AYE
	MRS. MANUPELLI	ABSENT

VOTE: 4-0 (1-ABSENT)

At 7:50 p.m. Ms. Manupelli joined via zoom.

Pat Filmore, Fieldcrest Terrace wanted to add that Kim Manzelli is doing a fantastic job. She has increased the numbers to the point where they had to begin working out of two buildings. She is doing an incredible job and the people love her.

**Next order of business. Warrant Article Informational Hearing**

Chair Gonzalez read the hearing notice and opened the public hearing at 8:09 p.m.

Mr. Gilleberto said the Special Town Meeting is tomorrow January 30, 2024 in the Middle/High School Gym. He then reviewed the attached PowerPoint presentation. He also added that it is critically important that they have 150 voters present.

Robert Atkins, Jr., 82 Elm Street, asked about the fair market value of the property.

Mr. Gilleberto answered that the price was proposed by the sellers who came to the town. It is not inconsistent with the assessed value or other available data.

Richard Stratton, 16 Marshall Street said that there's been some discussion around putting the senior center or multi-generational facility there. Will these committees take into consideration the input from the Town of North Reading residents?

Mr. Gilleberto responded that the intergenerational community center is probably the idea that's gotten the most discussion in recent years. That would include a senior center as a component of it. It's probably the project that is further along. He expects the multiple committees that are supporting this will offer many opportunities where the public can interact with the planning process. Whatever it will be will have to come back to town meeting for approval ultimately.

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Jeff Yull, 427 Park Street, asked if Warrant Article 1 can be amended in such a way that it would define the property for the sole purpose of a multi-generation center.

Mr. Gilleberto responded that the Article cannot be amended. If he chooses the Moderator may entertain a motion to amend on the floor but he cannot speak for him. Given its size the property would not house an multi-generation center on its own.

There was discussion about the potential use of the property as part of an intergenerational center. The idea is to buy the property and not limit the use while planning continues.

Rita Mullin, Abbot Road, stated that she was going to practice being patient tonight let me know how I'm doing. I hope we have a thousand people there tomorrow. I hope we reached a lot of people and again when you look on Facebook and different things you get a lot of people both. I think Jeff's question was a good one to ask here but I think all the answers were correct. that we do not want to pigeon hole ourselves.

Chair Gonzalez asked if anyone in the room wanted to say something. The meeting was disrupted by virtually attendees making hateful and discriminatory comments.

Mr. Gilleberto read chat comments.

Jeff Griffin said that he believes the Community Planning Commission is meeting before the Town Meeting to offer recommendations.

Kevin's iPhone

"If the RE: taxes will not go up with the purchase of this property, will our taxes go up to fund whatever project gets approved? Will town residents have any say after the 4 committees decide what they think is best for that property"

Mr. Gilleberto replied that is a possibility depending upon the scope of the project cost whether or not there's any other outside funding but until that's determined, it really is impossible to say at the moment, but taxes will not be going up to purchase the property.

John Flanagan

"Add on to question above, what is the estimated operating costs for the projects being considered for this property? It seems it will add expenses to the Town budget which will raise RE taxes."

Mr. Gilleberto said we don't at this point time. There's been work done with regard to design, but it really hasn't advanced beyond that for some of these projects. But we suspect that before

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something comes into town meeting for a use, as with the case for the Middle/High School project, we'll have an idea what the operating cost will be at that point.

Mr. O'Leary added in re: to the purchase of this land we don't know what is going to happen on it. We need to be clearer that Town Meeting will determine what the final use of the property is going to be based on the recommendations.

Chair Gonzalez additionally said that to Mr. Atkins point there is no more land being made. Even if we just acquire it is more land for our park.

Melissa Austin

"There are some valid questions in the chat"

Amy D

"I agree that this is a good valuable property to own. With that said, when is the town going to re-assess all the Town owned land we currently own? such as swan pond, the Smith property, yes, 9 Mill St. was addressed in your slides, but if that falls by the waste side come spring what happens? The town owns over 150 acres plus parcels. The Select Board continuously tells us we need revenue, my concern is every piece of property we buy takes more revenue away from us."

Mr. Gilleberto replied that all the parcels are being looked at by LUC and it will be multiple month process. Even prior to this the LUC was doing that to get a better understanding to what we have.

Chair Gonzalez asked if anyone else had any comments to type them in the chat.

Rita Mullins offered an answer to the Smith Property question. There was a concern about the schools and the overflow at that time. It was originally bought to protect the forest and a bike path.

Ms. Manupelli thanked Ms. Mullin for bringing his opportunity to the Town of North Reading. Chair Gonzalez echoed that comment

Mr. Gilleberto moved to Article 2 and that was recommended to pass over and moved to Article 3. Three amendments being requested:

- \$515,000 for water tower painting
  - \$200,000 from Water Enterprise Retained Earnings
  - \$315,000 from Water Infrastructure Stabilization Fund
- \$250,000 from Free Cash for Fire Department renovation design development phase expenses including \$200,000 for required owners project manager services and \$50,000 for additional designer services

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- \$68,750 from Free Cash for design and construction at the North and Central Street intersection
  - \$50,000 is additional funding beyond what was authorized in June, 2023
  - \$18,750 is in place of proceeds from prior borrowing that were ultimately unable to be used for this project

Select Board: Recommends, FinCom: Recommends and CIPC Recommends. He then covered a few more slides.

Pat Fillmore 24 Fieldcrest Terrace, asked if there needed to be a 2/3rds vote and 150 people.

Mr. O'Leary said they need 150.

Ms. Fillmore wants to know why we need to hire a project manger for a project that is not even approved yet. \$26M is a lot of money and the town of Tewksbury just built a new Fire Station for \$18M. \$26M on a renovation while other towns are building brand new state of the art facilities.

Mr. Gilleberto answered that that we don't love it but it is best practices and it is required by law.

Mr. Jeff Yull, Park Street, said he was confused about the numbers. \$26M and then \$250K and it strikes him as an awful lot of money.

There was discussion regarding the need for a project manager, the amount it would cost, and the projected construction cost.

Abigail Hurlbut, chair of the Facilities Master Plan and Fire Station Building Committees, reviewed the work of those committees.

Robert Atkins, Jr., 82 Elm Street said this is what engineers call finding the problem and that we need a plan before we start talking cost. We need the funding to finish the design and get the OPM so we can get a handle on it.

Chair Gonzalez closed the public hearing at 9:45 p.m.

**ARTICLE 2 – AMEND FY 2024 OPERATING BUDGET**

MADAM CHAIR, I MOVE TO RECOMMEND PASSING OVER ARTICLE 2 - AMEND FY 2024 OPERATING BUDGET

MOTION BY: MR. WALLNER  
SECONDED BY: MR. O'LEARY

VOTED BY: MR. STUTO AYE  
MRS. GONZALEZ AYE

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MR. WALLNER	AYE
MR. O'LEARY	AYE
MRS. MANUPELLI	AYE

VOTE: 5-0 (UNANIMOUS)

**ARTICLE 3 – AMEND FY 2024 CAPITAL BUDGET**

MADAM CHAIR, I MOVE TO RECOMMEND ARTICLE 3 - AMEND FY 2024 CAPITAL BUDGET

MOTION BY:	MR. WALLNER
SECONDED BY:	MR. O'LEARY

VOTED BY:	MR. STUTO	AYE
	MRS. GONZALEZ	AYE
	MR. WALLNER	AYE
	MR. O'LEARY	AYE
	MRS. MANUPELLI	AYE

VOTE: 5-0 (UNANIMOUS)

There was discussion about potentially writing a motion to allow the Board to convey the property at 1 Central Street after acquiring it. The consensus was not to request such authorization from Town Meeting.

**Next order of business.      Public Comment**

None.

**Next order of business.      Appointments: Cultural Council, Taxation Aid Committee & Youth Services**

**CULTURAL COUNCIL**

MADAM CHAIR, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAMES FOR APPOINTMENT TO THE CULTURAL COUNCIL FOR TERM TO EXPIRE ON DECEMBER 31, 2026.      (2 OPENINGS)

KATHLEEN E DESBOIS  
JULIE ELKINS  
BONNIE GIBSON  
RAPHAEL ISAIAH SHAPIRO  
AKM M RAHMAN  
CHRISTINA M GANDOLFO  
ELISABETH MITCHELL

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MOTION BY: MR. WALLNER  
SECONDED BY: MR. O'LEARY

VOTED BY: MR. STUTO KATHLEEN E DESBOIS & JULIE ELKINS  
MRS. GONZALEZ KATHLEEN E DESBOIS & JULIE ELKINS  
MR. WALLNER KATHLEEN E DESBOIS & JULIE ELKINS  
MR. O'LEARY KATHLEEN E DESBOIS & JULIE ELKINS  
MRS. MANUPELLI KATHLEEN E DESBOIS & JULIE ELKINS

VOTE: 5-0 (UNANIMOUS)

**TAXATION AID COMMITTEE**

MADAM CHAIR, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAMES FOR REAPPOINTMENT / APPOINTMENT TO THE TAXATION AID COMMITTEE FOR TERMS TO EXPIRE ON: (2 OPENINGS)

PRISCILLA FITZGERALD -DECEMBER 31, 2026.  
RICHARD WALLNER- DECEMBER 31, 2024. (INCUMBENT)  
YANZHI ZHOU  
JOHN J. VERRENGIA

MOTION BY: MR. WALLNER  
SECONDED BY: MR. O'LEARY

VOTED BY: MR. STUTO PRISCILLA FITZGERALD & RICHARD WALLNER  
MRS. GONZALEZ PRISCILLA FITZGERALD & RICHARD WALLNER  
MR. WALLNER PRISCILLA FITZGERALD & RICHARD WALLNER  
MR. O'LEARY PRISCILLA FITZGERALD & RICHARD WALLNER  
MRS. MANUPELLI PRISCILLA FITZGERALD & RICHARD WALLNER

VOTE: 5-0 (UNANIMOUS)

**YOUTH SERVICES COMMITTEE**

Passed Over

**Next order of business. Meeting Minutes**

Passed Over

Acknowledgement of review and continued non-disclosure of the following Select Board Executive Session minutes:

October 16, 2023 Executive Session

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November 6, 2023 Executive Session  
November 20, 2023 Executive Session  
December 4, 2023 Executive Session  
December 18, 2023 Executive Session  
December 22, 2023 Executive Session

**Next order of business.      Set Upcoming Meeting Schedule**

February 12<sup>th</sup> (Hearing to set Spring and Fall Annual Town Meeting Dates)  
March 2<sup>nd</sup> (SATURDAY; Budget Hearing #1 for Police/Fire/DPW Budget Hearing)  
March 4<sup>th</sup> (Budget Hearing #2)  
March 18<sup>th</sup> (Budget Hearing #3)  
April 1<sup>st</sup>  
April 22<sup>nd</sup>  
May 6<sup>th</sup> (Sign June Town Meeting Warrant)  
Town Election is May 7<sup>th</sup>  
May 8<sup>th</sup> or 9<sup>th</sup> (WEDNESDAY or THURSDAY; Organizational Meeting)  
May 20<sup>th</sup> (June Warrant Article Hearing)  
June 10<sup>th</sup> (June Town Meeting)  
June 17<sup>th</sup> or 24<sup>th</sup> (Water Rate Hearing)

**Next order of business.      Town Administrator's Report**

Mr. Gilleberto informed the Board that he has authorized deficit spending for snow and ice removal this winter. State law allows the Town to spend beyond the budgeted amount for snow and ice removal and to carry the deficit over into the succeeding fiscal year. We have expended \$235,328.62 which represents \$57,732.70 beyond what is available for this fiscal year. We are planning for a deficit as high as \$450,000 to be carried over into next year's budget. He also added that the DPW did a great job with the recent storms snow removal.

Mr. Gilleberto then read a statement:

“As the community knows, on August 21<sup>st</sup>, 2023 the Select Board held a public hearing to determine if a dog (Floyd) owned by Michael and Kaysea Baker was a nuisance or dangerous dog. Based on the evidence introduced at the hearing, including evidence of attacks by the dog on other dogs and an owner and the killing of another dog, the Board unanimously voted to declare Floyd is a dangerous dog. The Board ordered Floyd to be euthanized by August 29, 2023. The owners exercised their right to appeal to Woburn District Court and on October 2, 2023 a Magistrate affirmed the findings and order of the Select Board. The owners then appealed for a full trial which was scheduled and then postponed multiple times to the most recent pending trial date of Thursday, February 2<sup>nd</sup>.

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In accordance with an impoundment order issued by the court, Floyd had been in the custody of the Town since September 14<sup>th</sup> and was being cared for at an out-of-state kennel. At the direction of the owners, Floyd was euthanized by a veterinarian on January 11<sup>th</sup>. The Town continues to pursue steps to recover the \$8,000 in costs associated with Floyd's care during the appeal from the owner. While nothing can bring back a lost pet or erase the memory of a violent attack, we hope that the owner's compliance with the Select Board's euthanasia order will bring closure for the victims and witnesses to the attacks by this dangerous dog."

**Last order of business.                    ADJOURN**

MADAM CHAIR, I MOVE TO ADJOURN.

MOTION BY:                    MR. WALLNER  
SECONDED BY:              MR. STUTO

VOTED BY:                    MR. STUTO                    AYE  
                                    MRS. GONZALEZ              AYE  
                                    MR. WALLNER               AYE  
                                    MR. O'LEARY               AYE  
                                    MRS. MANUPELLI           AYE

VOTE: 5-0 (UNANIMOUS)

ADJOURN: 10:18 p.m.

DATE

  
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RICHARD WALLNER, CLERK