

**MINUTES OF BOARD OF SELECTMEN MEETING
MONDAY, AUGUST 24, 2015**

Chairman Mauceri called the meeting to order at 7:54 p.m. in Room 14 at the Town Hall in the presence of members, Mr. Prisco, Mrs. Manupelli, Mr. Yull, Mr. O'Leary, and Town Administrator, Michael Gilleberto.

CALL TO ORDER OPEN SESSION

Chairman Mauceri called to order the open session at 7:54 p.m.

The members recited the Pledge of Allegiance.

MINUTES

Executive Session Minutes for July 13, 2015 were passed over.

MR. CHAIRMAN, I MOVE TO APPROVE THE **AUGUST 3, 2015** REGULAR SESSION MINUTES AS WRITTEN.

MOTION BY: MRS. MANUPELLI
SECONDED BY: MR. O'LEARY
VOTED: 5-0 (UNANAMOUS)

MR. CHAIRMAN, I MOVE TO APPROVE THE **AUGUST 3, 2015** EXECUTIVE SESSION MINUTES AS WRITTEN.

MOTION BY: MRS. MANUPELLI
SECONDED BY: MR. O'LEARY
VOTED: 5-0 (UNANAMOUS)

INTRODUCE NEW HEALTH AGENT/PUBLIC HEALTH DIRECTOR

The Town Administrator introduced Mr. Robert Bracey to the public. Members of the Board of Health were in attendance. Mr. Bracey will be beginning his position on August 31, 2015. Board of Health member Mr. Hunt addressed the Board. Mr. Bracey thanked the Board of Selectmen and Board of Health members for his appointment.

EASTGATE LIQUORS

The Town Administrator informed the public of Eastgate Liquors intention to appeal the ABCC decision to Superior Court. Chairman Mauceri allowed John Lucci, owner of Eastgate to make a statement. Mr. Lucci informed the Board that they will not be appealing the ABCC decision and will accept a suspension. Scott Conrad, 4 Sumner Street addressed the Board regarding the inequitable treatment between restaurants and liquor stores in the case of violation penalties.

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MR. CHAIRMAN, I MOVE THAT THE BOARD REINSTATE THE THREE-DAY SUSPENSION ORDERED FOR EASTGATE LIQUORS, AS VOTED ON MARCH 9, 2015 AND AFFIRMED BY THE ABCC ON JULY 22, 2015, SUCH SUSPENSION TO BE SERVED ON SEPTEMBER 10, 11, AND 12, 2015, UNLESS THE ABCC DECISION IS FIRST APPEALED TO SUPERIOR COURT AND THAT THE LICENSE MUST BE DELIVERED TO THE NORTH READING POLICE DEPARTMENT AT THE CLOSE OF BUSINESS ON SEPTEMBER 9, 2015 AND PICKED UP AT THE POLICE STATION ON SEPTEMBER 13, 2015.

MOTION BY: MRS. MANUPELLI
SECONDED BY: MR. PRISCO
VOTED: 5-0 (UNANAMOUS)

Mr. O'Leary indicated the need to be consistent with suspensions however stated that there is merit to different establishments and the policy regarding suspensions should be revisited at a later date. Mr. Yull stated that the fairness issue is not being addressed and days versus dollars are two significant issues.

PUBLIC COMMENT

None.

TOWN OWNED LAND: ANNUAL MUNICIPAL REVIEW

Passed over.

CARPENTER DRIVE

Mr. Stephen O'Neill was in attendance to answer questions from the Board. He filed a subdivision plan that was approved in 2009 that identifies Carpenter Drive as a road. The land was never conveyed from the Town. The Town Administrator stated that the Town could grant a license for access over the property however it would only temporarily cure the issue. A Warrant Article for October Town Meeting will be filed to convey the land. Discussion will continue when CPC Member Chris Hayden arrives.

KINDER MORGAN PIPELINE – DISCUSS PROJECT AND CONSIDER RESOLUTION TO BECOME AN INTERVENOR

The Town Administrator informed the Board of the advantages of becoming an Intervenor in the Tennessee Gas Pipeline. Mr. Yull ensured the community that he attends meetings with FERC and NMGPC and remains actively involved to protect the residents and the environment. Mr. Prisco feels the Board should be negotiating with Kinder Morgan to get whatever they can for those residents who will be impacted.

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MONDAY, AUGUST 24, 2015**

MR. CHAIRMAN, I MOVE THAT THE BOARD VOTE FOR RESOLUTION OF SUPPORT TO BECOME AN INTERVENOR IN THE TENNESSEE GAS PIPELINE.

MOTION BY: MRS. MANUPELLI
SECONDED BY: MR. O'LEARY
VOTED: 5-0 (UNANAMOUS)

Mr. Manupelli reads the resolution. Board Members sign the resolution.

CARPENTER DRIVE CONTINUED

CPC Member Mr. Hayden is in attendance to answer questions from the Board. Mr. O'Neill asks the Board to sign a "Right to Pass and Repass" Document. The Board is not authorized to sign until the parcel of land is transferred at October Town Meeting. Chairman Mauceri will send a letter to the Title Insurance Counsel for the party in a real estate transaction with Mr. O'Neill, informing them of the Board's intention to transfer the parcel of land. Mr. Prisco suggested having Town Counsel speak with Title Insurance Counsel.

MR. CHAIRMAN, I MOVE TO INCLUDE AN ARTICLE IN THE ANNUAL OCTOBER 2015 TOWN MEETING WARRANT TO AUTHORIZE THE BOARD OF SELECTMEN TO GRANT AN EASEMENT TO PASS AND REPASS AT 71R CHESTNUT STREET TO MR. STEPHEN J. O'NEILL AS TRUSTEE OF 69 CHESTNUT STREET REAR REALTY TRUST.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. YULL
VOTED: 5-0 (UNANAMOUS)

MR. CHAIRMAN, I MOVE TO DRAW UP A LETTER OF INTENT, ON BEHALF OF THE BOARD UNDER THE CHAIRMAN'S SIGNATURE, TO MR. O'NEILL AND TITLE INSURANCE COMPANY COUNSEL INDICATING THE BOARD'S INTENT TO MOVE FORWARD WITH A LEGAL RESOLUTION AT THE OCTOBER TOWN MEETING TO GRANT AN EASEMENT OVER/THROUGH 71R CHESTNUT STREET TO MR. STEPHEN J. O'NEILL AS TRUSTEE OF 69 CHESTNUT STREET REAR REALTY TRUST.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. YULL
VOTED: 5-0 (UNANAMOUS)

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MAGNOLIA ROAD

The Town Administrator discussed the issue at 13 Magnolia Road. The owners of the property, the Taylors were in attendance. Valerie Taylor addressed the Board. Ms. Taylor informed the Board of the need to replace the septic system. In order to achieve the needs for their property, they would like to access lot 11, which is town owned land, listed as open space.

MR. CHAIRMAN, I MOVE TO INCLUDE AN ARTICLE IN THE ANNUAL OCTOBER 2015 TOWN MEETING WARRANT TO FILE A HOME RULE PETITION WITH THE LEGISLATURE TO REMOVE LOT 11 ON MAGNOLIA ROAD FROM ARTICLE 97 RESTRICTIONS.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. YULL
VOTED: 5-0 (UNANAMOUS)

MR. CHAIRMAN, I MOVE TO AUTHORIZE THE ADMINISTRATION TO ENTER INTO A LICENSE AGREEMENT WITH THE TAYLOR'S OF 13 MAGNOLIA ROAD, FOR THE PURPOSE OF PERFORMING SEPTIC SYSTEM TESTING ON LOT 11 ON MAGNOLIA ROAD.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. YULL
VOTED: 5-0 (UNANAMOUS)

REVIEW OCTOBER TOWN MEETING WARRANT ARTICLES

The Town Administrator reviewed the Warrant Articles for October Town Meeting. Additional Articles to be added are:

- Appropriate additional funds for legal action pertaining to new school.
- Carpenter Drive Easement.
- Magnolia Road.

JT BERRY/LOWELL ROAD PROPERTY UPDATE

Mr. Prisco updated the Board on the status of the JT Berry Property. The Governor signed the legislation transferring the property to North Reading. Mr. Prisco informed the Board of a tradeshow on September 24th sponsored by DECAMM featuring Commonwealth property for sale. Mr. Prisco would like the Board to approve attendance at the event and would like a member of EDC to man a booth.

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APPOINTMENT

RECYCLING COMMITTEE

MR. CHAIRMAN, I MOVE TO APPOINT JOSEPH VENIO, 11 ROCK STREET AS MEMBER OF THE RECYCLING COMMITTEE FOR AN INDEFINITE TERM.

MOTION BY: MRS. MANUPELLI
SECONDED BY: MR. YULL
VOTED: 5-0 (UNANIMOUS)

TOWN ADMINISTRATOR'S REPORT

(See attached)

Topics discussed:

- New Website.
- Credit issued to the Town which will reduce Worker's Compensation premium.
- Swan Pond Road Special Act
- Recognized public safety departments for response to accident.

OLD AND NEW BUSINESS

MR. O'LEARY

- Spoke of the demolition of the High School. The certificate of occupancy will hopefully be available this week. Open house is scheduled for September 30th. Acknowledged the passing of Fred Chalmers and spoke of his community involvement and sent his condolences to the family.

MR. YULL

- Echoed the sentiments of Mr. O'Leary regarding Fred Chalmers and said he was a great community man.

MRS. MANUPELLI

- No Comment.

MR. PRISCO

- Spoke of Sandy Carriker's resignation from the Food Pantry. He would like the Board to acknowledge her great service.
- Discussed the raised manhole covers on Central Street and suggested using rubber tubing to avoid tire damage.

MR. MAUCERI

- Mentioned the speed sign on Orchard Drive and expressed it is a good idea. It is portable and can be moved to different locations.

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- Mentioned the bow and arrow incident.
- Informed the Board that beginning next meeting, business dress is required.
- Reminded residents that school will be back in session soon and to be aware of busses and children.

MR. CHAIRMAN, I MR. YULL MOVE TO ADJOURN

SECONDED:	MR. PRISCO	
VOTED:	MR. YULL	AYE
	MR. O'LEARY	AYE
	MRS. MANUPELLI	AYE
	MR. PRISCO	AYE
	MR. MAUCERI	AYE

VOTE: 5-0 (UNANAMOUS)

ADJOURN: 10:35 p.m.

DATE

KATHRYN MANUPELLI, CLERK

Documents and Exhibits:
Town Administrator Report