

**MINUTES OF THE SELECT BOARD MEETING  
MONDAY, JANUARY 23, 2023**

Chair Manupelli called the meeting to order at 8:41 p.m. via remote participation. Participating members were Ms. Gonzalez, Mr. Stuto, Mr. Wallner, Mr. O'Leary and Town Administrator, Michael Gilleberto.

**EXECUTIVE SESSION**

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

**Next order of business. Public Comment**

Adam Austin-42 Main Street- The founding fathers of our nation strove to develop an open government formed on the principles of democracy and public participation. Informed citizens are better equipped to participate in that process.

The purpose of the Open Meeting Law is to ensure transparency in the deliberations on which public policy is based. Because the democratic process depends on the public having knowledge about the considerations underlying governmental action, the Open Meeting Law requires, with some exceptions, that meetings of public bodies be open to the public.

For this reason, I have requested access to observe the deliberations of the Wastewater Planning and Advisory Committee, and the Wastewater working group. The Select Board claims that because these groups have held presentations to the community, they are being transparent. Unfortunately, that is not the case. The groups have presented their findings and recommendations to the rest of the Select Board and the people of the Town, but their deliberations have not been accessible to the public.

Fortunately, in Massachusetts, the Attorney General's Office works diligently to promote openness and transparency in government. They work to ensure that every resident of Massachusetts is able to access and understand the reasoning behind the government policy decisions that affect our lives. I have asked the Attorney General's office to look into several issues regarding the conduct of the Select Board, the Wastewater Planning and Advisory Committee, and the Wastewater Working Group. Time will tell if their office agrees with Chairwoman Manupelli's characterization of my assertions as "Misinformation".

The Massachusetts Public Records Law and its Regulations provide that each person has a right of access to public information. This right of access includes the right to inspect, copy or have a copy of records like the ones created by the Wastewater Planning and Advisory Committee and the Wastewater Working group.

Unable to observe the deliberations of the Wastewater Planning and Advisory Committee and the Wastewater Working Group, I have attempted to shed light on their deliberations by requesting public records related to their meetings and work products. My goal is to share any information that I receive with

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all of the residents of North Reading. I have offered to pay applicable fees to access the information on behalf of our community. Unfortunately, once again, the Town leadership has failed to comply with the law.

Every government record in Massachusetts is presumed to be public unless it may be withheld under a specifically stated exemption. Unlike the Open Meeting Law, Massachusetts' Public Records Law, codified at Chapter 66 of the Massachusetts General Laws, is enforced by the Office of the Secretary of the Commonwealth. Between the 15<sup>th</sup> of November of 2022 and the 11<sup>th</sup> of January of 2023, I submitted a series of requests for Public Information about the Wastewater Project. On each occasion, the Town leadership has failed to respond in accordance with Public Records Law.

I have had to seek redress through the administrative process provided by the Supervisor of Records for each of my requests. The Supervisor of Records has issued a total of five determinations, each time ORDERING the town leadership to come into compliance with the law. There are four additional appeals currently under review by the Supervisor of Records. Currently, the Town stands in violation of 5 orders.

At this point, the Supervisor may notify the Office of the Attorney General for enforcement.

I also personally have the option to commence a civil action in superior court to enforce the requirements of the Public Records Law. Where applicable, the superior court may award reasonable attorney's fees and costs if I obtain relief.

It makes no sense to have to take things this far. It would be simple for the Town's leadership to allow the community to observe the deliberations of the Wastewater Planning and Advisory Committee. It would be simple to allow the public to inspect public records of the work that is done by that group. An occasional "Sales-Pitch" PowerPoint is not enough for citizens to be informed as desired by our founding fathers. Compliance with the Open Meeting Law and the Public Records Law would be enough. I ask you the Select Board to come into compliance with these Sunshine Laws. Do Better for our Town.

Paul Denaro-402 Park St. asked if the Select Board can consider having the executive session on another night because the meeting was supposed to start at 7:30.

Chair Manupelli answered that that it is the law that the Select Board conducts the Executive Session prior to regular session.

Meghan McDonough- Melrose, MA wanted to express her concerns regarding the disability issues on the hill at NEMT New School Building Project.

Paul Denaro-402 Park St. said he thought that the Mr. O'Leary said the Select Board cannot talk about Wastewater until it comes to Town Meeting around April 13<sup>th</sup>.

**Next order of business. Northeast Metropolitan Regional Vocational School Construction Project Update**

David DiBarri, Superintendent of NEMT and Judy Dymont Town of North Reading NEMT representative were present to answer the Select Board questions on the new building project. Superintendent DiBarri updated and had sent documents to the Select Board that answered the issues in question.

Mr. O'Leary asked if the project has changed especially the site work.

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Superintendent DiBarri responded no change on the site work but there has been an escalation on the expense of steel and wood costs.

Chair Manupelli asked for questions.

Ms. Gonzalez asked about a photo that was shared on the screen of a multilevel access that is not ADA accessible.

Superintendent DiBarri explained that picture was of a Nature Walk. The new building has entrances on each side that have ADA compliant.

Mr. Wallner went through his packet of information.

There was some dialogue.

Chair Manupelli asked if there is a way to get ADA student from the school to the field.

Superintendent DiBarri said there is a road to transport ADA individuals down to the fields on the lower level. Additionally they have a Golf cart program for transportation.

Chair Manupelli asked if there was any additional funds to be requested that's expected due to blasting.

Superintendent DiBarri no. It was included in price.

Ms. Gonzalez thanked David DiBarri and Judy Dymont for attending and explaining. The picture that they saw was alarming and she appreciates them answering all their questions.

Chair Manupelli extended an offer to David DiBarri and Judy Dymont to attend any future meeting and give the Select Board updates throughout the process as the Select Board meetings are a good place to get information out.

**Next order of business.      Public Hearing: Spring/Fall Annual Town Meeting Dates for 2023**

The time was 10:15. Chair Manupelli read the Public Hearing Notice.

Mr. Gilleberto recommended to continue the Public Hearing, re-advertise and conduct the matter at the next meeting on February 13, 2023.

Chair Manupelli asked her colleagues if they were in agreement to continue the Public Hearing to the next meeting on February 13, 2023.

MR. STUTO	YES
MRS. GONZALEZ	YES
MR. WALLNER	YES
MR. O'LEARY	YES

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MRS. MANUPELLI	YES
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POLL VOTE: 5-0 UNANIMOUS

Chair Manupelli asked her colleagues if they were in favor of letting anyone present speak on this matter if they wanted to.

MR. STUTO	YES
MRS. GONZALEZ	YES
MR. WALLNER	YES
MR. O'LEARY	YES
MRS. MANUPELLI	YES

POLL VOTE: 5-0 UNANIMOUS

Chair Manupelli asked if anyone wanted to speak. There were none.

MADAM CHAIR, I MOVE TO CONTINUE THE PUBLIC HEARING TO THE NEXT MEETING TO MONDAY, FEBRUARY 13, 2023 AT 8:00 P.M.

MOTION BY:	MR. O'LEARY
SECONDED BY:	MRS. GONZALEZ

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

VOTE: 5-0 UNANIMOUS

**Next order of business.      Review Remaining Board/Commission/Committee Vacancies**

Mr. Gilleberto said that even after the December appointment time there are still vacancies. The plan is to re-advertise. The new Transportation Committee will be looking for 5 members.

**Next order of business.      North Reading Firefighters, Local #1857/Ratify Integrated Agreement**

MADAM CHAIR, I MOVE TO APPROVE THE INTEGRATED MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF NORTH READING AND NORTH READING FIREFIGHTERS, IAFF

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LOCAL 1857 FROM JULY 1, 2020 THROUGH JUNE 30, 2021, AND FROM JULY 1, 2021 THROUGH  
JUNE 30, 2024.

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

**Next order of business. Minutes**

MADAM CHAIR, I MOVE TO APPROVE THE REGULAR SESSION MINUTES AS WRITTEN AND  
AMENDED FOR THE FOLLOWING DATES.

September 7, 2022  
September 16, 2022  
September 28, 2022  
October 3, 2022  
November 21, 2022  
December 19, 2022  
January 9<sup>th</sup>, 2023

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

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**Next order of business.            TOWN ADMINISTRATOR REPORT**

Mr. Gilleberto reported:

The public is invited to a special event being held by the Flint Memorial Library featuring Brig. Gen. Woody Woodhouse on Tuesday, January 31<sup>st</sup> at 11:00 AM. Seats are limited and registration may be done via the Library website at [www.flintmemoriallibrary.org](http://www.flintmemoriallibrary.org). We have a special gift for Brig. Gen. Woodhouse, and if a Board member is available to attend and present the gift it would be greatly appreciated. Special thank you to Human Resources Director Bob Collins and Library Director Sharon Kelleher for facilitating and planning this event.

Residents may have noticed that the Department of Public Works was required to remove a split and dead apple tree from the upper part of the common. The tree's condition was identified when the holiday lights were being removed two weeks ago. DPW plans to plant a replacement.

I am pleased to report that the Fire Department received a grant from the Department of Fire Services. The \$18,636 grant will be used to purchase self-contained breathing apparatus and command board equipment, which is used to help manage fires and major emergencies.

Bids have come in for the turf field replacement. Unfortunately, the bids exceed available funds including the funds appropriated at Town Meeting and received from the state via an earmark. The current shortfall is approximately \$36,000 including alternates for girl's lacrosse lines and the North Reading High School logo. We are looking into the possible use of ARPA funds to bridge the gap.

Ms. Gonzalez will attend Brig. Gen. Woody Woodhouse event.

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

Mr. Wallner none

Mr. O'Leary said there will be a Wastewater update at the next meeting on February 13, 2023.

Ms. Gonzalez the CIT, NRHS PA, NRPD are having an event on Substance Abuse and Mental Health on February 7, 2023 at NRHS in the DLL at 6:30 p.m. Open to all adults and then it will be shown to the students at the High School on the February 8<sup>th</sup>.

Mr. Stuto none

Chair Manupelli said on behalf of the Select Board she wanted to wish Lt. Romeo much happiness in his next chapter. They wish him well and thanked him for the years of service to Town of North Reading.

The rest of the Select Board echoed the same.

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

Mr. Stuto see Board Member Report

Ms. Gonzalez see Board Member Report

Mr. O'Leary see Board Member Report

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Mr. Wallner see Board Member Report  
Chair Manupelli see Board Member Report

**Last order of business.            ADJOURN**

MADAM CHAIR, I MOVE TO ADJOURN.

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

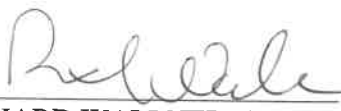
VOTED BY:	MR. STUTO	AYE
	MRS. GONZALEZ	AYE
	MR. WALLNER	AYE
	MR. O'LEARY	AYE
	MRS. MANUPELLI	AYE

VOTE: 5-0 UNANIMOUS

ADJOURN: 10:32 P.M.

DATE

2/13/23

  
RICHARD WALLNER, CLERK