

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, APRIL 24, 2023**

Chair Manupelli called the meeting to order at 7:56 p.m. via in person and remote participation in Room 14 at the Town Hall. Participating members were Ms. Gonzalez, Mr. Stuto, Mr. Wallner, Mr. O'Leary and Town Administrator, Michael Gilleberto.

#1. Executive Session

#2

Routine.

Next order of business. Wastewater (Sewer) Project

@ 8:05 p.m. Mr. O'Leary reported that he filed disclosures after advice from Town Council that his brother owns property on the Wastewater route. He recused himself as a Select Board member but may participate as a resident. He move to the back of the room.

@ 8:07 p.m. Mr. Wallner reported the same filing of disclosures due to his wife owning property on the Wastewater route. He also recused himself as a Select Board member but may participate as a resident. He move to the back of the room.

Mr. Gilleberto reported that there is a delay in the MA DOT Rte. 114 project thus giving the town more time to make the project clear to residents and what the options are. This also means the STM will be postponed to potentially October. He also explained what some of the positives and negatives could be for waiting.

Mr. Stuto thinks its best take advantage of the extra time. An extra 3 months to get more information is a gift the community.

Ms. Gonzalez asked if they will vote in October and will we be able to get more funding and grants.

Mr. Gilleberto at the OTM or a STM. He said they could be eligible for another round of funding/grants.

Chair Manupelli said that they would need to do another projection of any cost increases.

Mr. Gilleberto agreed with healthy contingencies.

Matt Corbin from Write Pearce added that yes the cost would go up but he does not think it would be much. He reiterated the healthy contingencies.

Chair Manupelli said that it will give us more time to answer questions and more interaction with the public.

Mr. Gilleberto added it will allow the DPW, Dept. of Transportation and the discussion with North Andover to proceed. He also prefers this matter be on the OTM meeting.

@8:16 p.m. Mr. O'Leary and Mr. Wallner returned to their seats at the Select Board table.

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Next order of business. Vote to Sign Martin's Landing Regulatory Agreement

Mr. Gilleberto informed that this is a regulatory agreement for the affordable units that the board may recall discussing almost two years ago. He thinks they asked for the ability to construct an additional 50-plus units by adding an additional floor to three of their remaining buildings. Of those he thinks its 52 units, eight of them were intended to be subsidized housing inventory eligible in order for them to apply. The town does have to enter into a regulatory agreement with the Department of Housing and Community Development and stipulate that a deed rider be put on those properties so that when they're sold they maintain that affordability. This is that step. We've taken both similar to this on other units in the past this is a larger number eight at one time but it's a direct response to this board's request of the Board of Appeals that eight units be designated for them.

MADAM CHAIR, I MOVE TO APPROVE AND AUTHORIZE THE CHAIR TO SIGN THE
MARTIN'S LANDING REGULATORY AGREEMENT.

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. Review Spring Annual (June) Town Meeting Warrant

Mr. Gilleberto reviewed the Town Meeting warrant in full per a request from Chair Manupelli.

When he got to #28 Grant Easement on 6 Elma Road (Map 13, Lot 93) Joseph Parisi took over and presented a PowerPoint from Marchionda Engineering.

Mr. Gilleberto continued with #29-Appropriate Money for Historical Buildings.

Danielle McKnight presented #31-FY2024 Fund Consultant Fees for Compliance with Section 3A of MGL C. 40A (MBTA Communities Requirements) and the background and the options moving forward. Chair Manupelli and Ms. Gonzalez thanked Danielle McKnight for being proactive on this matter.

Danielle McKnight then presented #32-FY2024 Fund American with Disabilities Act Self Evaluation and

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Transition Plan -- Phase 2.

Lillian Hartman presented #33-FY2024 Appropriate Funds for Disability Needs Assessment and Transportation Pilot.

Lillian Hartman presented #34-Increase Revolving Fund Limit – Elder Services on behalf of the Elder services.

Mr. Gilleberto concluded by presenting #35- Citizen's Petition.

Chair Manupelli asked to check on why #16 it not more toward the beginning of the warrant articles. Mr. Gilleberto said that it generally follows that articles relate to the current fiscal year but he will look into it.

Next order of business. Receive Recommendations of Capital Improvement Planning Committee-Vote to Approve Fiscal Year 2024 Capital Improvement Plan

@ 9:21 p.m. the Community Impart Planning Commission (CIPC) began their recommendations.

Attending in person were Don Kelliher and Abigail Hurlbut other members were attending virtually. Mr. Kelliher said that a 7-0 vote to approve the packet was being presented. There was much discussion re: the matter of opposing opinions on the Central Street & Rte. 62 signal and what was originally recommended by the experts that did the report.

Rita Mullin commented that it is the most dangerous intersection.

Chair Manupelli reiterated that it is a very dangerous intersection and they have to do something about it.

Ms. Gonzalez wanted more information on how the ARPA funds were being used.

@ 10:24 p.m. Mr. Wallner left room 14.

@ 10:28 p.m. Mr. Wallner returned to room 14.

The Select Board decided to amend the motion to break out the signal portion of the CIP into two options.

MADAM CHAIR, I MOVE TO RECOMMEND TO TOWN MEETING THE FY2024 CAPITAL

EXPENDITURES AS RECOMMENDED BY THE CAPITAL IMPROVEMENT PLANNING

COMMITTEE AND TO AMEND THE BREAKDOWN AND TO SPLIT THE CENTRAL STREET &

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RTE. 62 INTERSECTION WITH ADDING JUST THE SIGNAGE OPTION AT THE COST OF \$250K
OR THE SIGNAGE AND FULL SIGNAL OPTION AT THE COST OF \$350K.

MOTION BY: MR. WALLNER
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 Updated FY 2024 Revenue/Expense Plan

Mr. Gilleberto made comments in that there are a few moving parts to be resolved that the financial planning team since this was last reviewed on April 10th. Some good news is updated increases in local Aid numbers but some bad news was the assessment number. We also received an updated number from the Northeast Metropolitan vocational school and that does exceed what we had budgeted based on a budget that they've approved so that will create a bit of an additional Financial challenge. The financial planning team got some good news with regard to our Property and Casualty quote but also some was offset by some bad news by our workers compensation. He thinks the takeaway is for the board to hear tonight is that they have been adjusting the investment income estimate to try to account for the shortfalls that this is creating and we have a significant amount of investment income that we've been receiving both from the Non-Pulte Investments and from the Pulte Investments as well. You will hear the final revenue and expense plan at the May 8th meeting. You'll see that there may have been some adjustments. He did add the Finance director and he mentioned at the last meeting a proposal for there to be a balanced Municipal budget as painful as it was and as difficult as it was but we are aware that there continue to be challenges with the school department's budget. We're trying to identify ways that we might address that through the revenue plan process. We are fortunate we have a number of one-time expenses that we're able to fund in a one-time nature be attributed to the turnover the fire department over the past year and a half and or the upcoming year but those are the things that we'll be working on again. In the net of the wins and losses depending upon the scenario we made we may break even or actually be a little bit ahead

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as we look at the offset of the insurance but we just we need to finalize all that still. Then we got to do some good Property and Casualty Insurance and that's helping to gain some ground.

Next order of business. Review Town Administrator's Recommendations for FY 2024 Operating Budget-Vote to Approve FY 2024 Municipal Departmental Budgets

Hold off on Vote until May 8, 2023 update.

Next order of business. Approve FY 2024 Health Insurance Plan

MADAM CHAIR, I MOVE TO APPROVE THE EMPLOYEE HEALTH INSURANCE FOR FY2024
AS INDICATED IN THE ATTACHED SUMMARY.

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. Vote to Determine Useful Life for Capital Items

MADAM CHAIR, I MOVE THAT THE MAXIMUM USEFUL LIFE OF THE DEPARTMENTAL EQUIPMENT LISTED BELOW TO BE FINANCED WITH A PORTION OF THE PROCEEDS OF THE BORROWING AUTHORIZED BY THE VOTE OF THE TOWN PASSED JUNE 6, 2022 (ARTICLE 17) IS HEREBY DETERMINED PURSUANT TO G.L. C.44, §7(1) TO BE AS FOLLOWS:

<u>PURPOSE</u>	<u>BORROWING AMOUNT</u>	<u>MAXIMUM USEFUL LIFE</u>
2007 F-350 DUMP TRUCK #34	\$70,000	10 YEARS

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POLICE DEPARTMENT HOT WATER HEATER	\$65,000	10 YEARS
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I FURTHER CERTIFY THAT THE VOTES WERE TAKEN AT A MEETING OPEN TO THE PUBLIC, THAT NO VOTE WAS TAKEN BY SECRET BALLOT, THAT A NOTICE STATING THE PLACE, DATE, TIME AND AGENDA FOR THE MEETING (WHICH AGENDA INCLUDED THE ADOPTION OF THE ABOVE VOTES) WAS FILED WITH THE TOWN CLERK AND A COPY THEREOF POSTED IN A MANNER CONSPICUOUSLY VISIBLE TO THE PUBLIC AT ALL HOURS IN OR ON THE MUNICIPAL BUILDING THAT THE OFFICE OF THE TOWN CLERK IS LOCATED, OR, IF APPLICABLE, IN ACCORDANCE WITH AN ALTERNATIVE METHOD OF NOTICE PRESCRIBED OR APPROVED BY THE ATTORNEY GENERAL AS SET FORTH IN 940 CMR 29.03(2)(B), AT LEAST 48 HOURS, NOT INCLUDING SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS, PRIOR TO THE TIME OF THE MEETING AND REMAINED SO POSTED AT THE TIME OF THE MEETING, THAT NO DELIBERATIONS OR DECISION IN CONNECTION WITH THE SUBJECT MATTER OF THIS VOTE WERE TAKEN IN EXECUTIVE SESSION, ALL IN ACCORDANCE WITH G.L. C.30A, §§18-25 AS AMENDED.

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 Public Comment

Adam Austin- 42 Main Street wanted to talk briefly about the Wastewater project in a recent meeting Mr. Gilberto recommended that we all come in with kind of a new set of eyes while things have changed and I've been trying to do that and obviously you know a lot of work's gone into it and a lot of things have changed. My initial concerns have been addressed obviously there's more tying things down but it seems like a lot of my initial concern are being addressed. Tonight I'm a little bit surprised even with my new eyes, my new ears what I see is before we have four and a half million dollars in ARPA funds that could

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have gone to pay Downs relatively significant portion of the Wastewater project which is by all accounts from what I understand from the select board and everyone agrees it's one of the most important projects that we have. I heard a unanimous vote which included redirecting that basically makes it seem like the Park Street Bridge is a better way to spend one and a half million dollars then on the sewer project and that the sidewalk to Heritage Way is a better way to spend a hundred thousand dollars than the sewer project. I'm surprised by that so I admittedly don't know enough about this stuff. I don't know about this sidewalk I don't know much about this bridge but I plan on learning about it because apparently these are more important things than the sewer project more better ways to spend the ARPA funds than the super project. I just wanted to raise that as a concern I mean if obviously like you said the select board can spend those funds as you see fit but it's clear at least from my understanding from this evening that these two projects are more important are better ways to spend that money than the super project so I plan on learning a little bit more about that but I'm surprised to see that and I hope that the rest of the ARPA funds might be reserved for the sewer project if it really is as important as we're all saying. I'd also like to bring up you early this evening I think it's great it really addresses one of my concerns that we're talking about taking you know taking our foot off the gas pedal, slowing things down, taking a little bit more time to where we don't have this pressure from the from the Mass DOT project so we can take a little bit more time and get a little bit more information but we still haven't seen the Kleinfelder report. We spent three million dollars on it we've seen the FXM portion which wasn't a feasibility study we have seen no feasibility study and we've got this three million dollars that we spent we've got the FXM input and we've got a little portion of that. We've seen a report on but every time I've asked to see the Kleinfelder report the answer is reasonable "hey we have to lock down our terms or whatever before they before they finalize the report" but I would like to ask that we be given access to this Kleinfelder report so we can make an informed decision well in advance of the of the vote and so now we've got a little bit more time that's more time to get the Kleinfelder report done. I don't know how much more there is that needs to be locked down before Kleinfelder can create their report but I think we all deserve to see it. We paid for it, it's a big piece of this and none of us have seen it so I would like to ask that you consider really getting us access to the Kleinfelder report as soon as soon as it's possible.

Next order of business **APPOINTMENTS**

HOUSING AUTHORITY TENANT REPRESENTATIVE

MADAM CHAIR, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAME FOR APPOINTMENT AS THE TENANT MEMBER TO THE HOUSING AUTHORITY FOR A TERM TO EXPIRE ON MAY 2, 2028.

LILLIAN MARTIN

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

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

VOTE: 5-0 (UNANIMOUS)

Ms. Gonzalez wanted to add that this appointment is a state requirement. Mr. Carrucci stepped down and she thanked him for his years of service and they are sad to see him go. This is a good decision with this new tenant.

BOARD OF REGISTRARS

MADAM CHAIR, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAME FOR
APPOINTMENT TO THE BOARD OF REGISTRARS FOR TERM TO EXPIRE ON APRIL 1, 2026.

LEE ATLAS

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

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

VOTE: 5-0 (UNANIMOUS)

TRANSPORTATION COMMITTEE

MADAM CHAIR, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAME FOR
APPOINTMENT TO THE TRANSPORTATION COMMITTEE FOR TERM TO EXPIRE ON MARCH
12, 2026.

ALEXIS ARSENIS

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

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

VOTE: 5-0 (UNANIMOUS)

Chair Manupelli stated that Ms. Gonzalez is the Select Board liaison.

Next order of business. **Meeting Minutes**

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

APRIL 10, 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)

Chair Manupelli read the acknowledgements:

Acknowledgement of release of portions of the following Select Board Executive Session minutes, subject to any necessary redactions under the Public Records Law:

12/14/2018- SEC 6- 217 MAIN ST.
12/17/2018 – SEC 3- DPW
11/5/18 – SEC 3 – POLICE CASE

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

12/3/2018- SEC 3- FIRE UNION
12/3/2018- SEC 2- NONUNION
12/17/2018- SEC 2- NONUNION

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12/3/2018- SEC 3- NRAS
11/19/18- SEC 5 & 7 INVESTIGATE CRIMINAL MISCONDUCT OR
CONSIDER FILING OF CRIMINAL COMPLAINTS
11/19/18- SEC 3- FIRE UNION
11/5/18- SEC 2- NONUNION
11/5/18- SEC 3- NRAS
11/5/18- SEC 3- HEALTH INSURANCE
11/5/18- SEC 5 & 7 INVESTIGATE CRIMINAL MISCONDUCT OR
CONSIDER FILING OF CRIMINAL COMPLAINTS
10/15/18- SEC 3- HEALTH INSURANCE
10/15/18- SEC 5 & 7 INVESTIGATE CRIMINAL MISCONDUCT OR
CONSIDER FILING OF CRIMINAL COMPLAINTS
10/1/18- SEC 2- NONUNION
10/1/18- SEC 3- HEALTH INSURANCE
10/1/18- SEC 3- SSBC
10/1/18- SEC 5 & 7 INVESTIGATE CRIMINAL MISCONDUCT OR
CONSIDER FILING OF CRIMINAL COMPLAINTS; under the Open
Meeting Law.

Acknowledgement of release of portions of the following Select Board
Executive Session minutes:

12/3/2018- SEC 6- 217 MAIN ST.
12/17/2018 – SEC 3- NRAS
11/29/2018- SEC 6- 217 MAIN ST
12/17/2018 – SEC 6- 217 MAIN ST.
12/11/2018 – SEC 6- 217 MAIN ST.
12/3/2018- SEC 6- 4 COGSWELL RD.
11/19/18- SEC 6- REAL PROPERTY
11/7/18- SEC 6- 217 MAIN ST.
11/5/18- SEC 3- SEC 6- REAL PROPERTY

Next order of business. TOWN ADMINISTRATOR REPORT

Mr. Gilleberto reported: Neon at this time.

Next order of business. BOARD MEMEBER REPORTS

Mr. O’Leary – John Welch former superintendent buildings passed away this past week. John was a long time public servant not just here as a town employee but prior to that he was on a number of study committees and active a member of the community, shared the rebuilding committee for the former High School. He was a very active member of the community but also professionally as a carpenter. I just want to offer our condolences first of all appreciation for John over the years. We have an election coming up

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and I want to wish Mr. Stuto good luck in the upcoming election. I just want to say from my own personal standpoint having served for over 30 years over the last three years you've done your job, brought yourself up to speed committed yourself to learning what the issues before us are and to the service of the community and I appreciate your service on the board and I hope you're successful in your re-election.

Mr. Wallner – None but after Ms. Gonzalez spoke he added best of luck Mr. Stuto on Election Day.

Ms. Gonzalez- Veterans Events Committee continues to meet and make decisions about the Memorial Day Parade which is very exciting. If anybody out there has a flatbed truck, pick up anything you could use as a float it would be appreciated if you wanted to join in on the parade. The Transportation Committee continues to meet with a great enthusiastic board and coming up with some great ideas and hopefully getting a plan together. We just had a great celebration at Kitty's 80th anniversary and just to say that they've done a great job. It was a really nice get-together. Thank you Mr. O'Leary for the kind words. I would like to also say good luck to Mr. Stuto in his re-election and I absolutely agree with everything Mr. O'Leary said and hope to be sitting beside you again.

Mr. Stuto- added his own sentiments. I don't take anything for granted so I don't know what's going to happen next Tuesday so in case this is my last board meeting I want to thank everybody on this board. I've learned a lot, that if that is the case, I would take it to the outside world that's helped me out there I've met a lot of people got a lot of different opinions and a lot of government appreciation for what people do in town government because again when I came in I was just same as most people, my taxes are too high and you're still trying to raise them. I don't like it and then you get to learn so I do appreciate that and you know a lot of people have given me time to get up to speed is in an enormous task especially when you realize that Municipal Finance moves at a crawl versus the private sector so you got to get used to that but so thank you and then if I am here May 8th I'm going to take this all back.

Chair Manupelli -I will say people get out and vote. I hope people get a vote for you (Mr. Stuto) and there's two contested elections. I think there's a candidate night tomorrow night for people who want to get more information it is at Kitty's at seven o'clock. The election is May 2 and opens at 7:00 a.m. – 8:00 p.m. at Saint Teresa's. Come on out and vote and make your decision known. (To Mr. Stuto) I've really enjoyed the time that I've worked with you on the Select Board and got to know you too. I think it's amazing how you have basically invested so many hours and had a baby or two. I've known you before and what you have done it's amazing. To know the tremendous amount of work that you've done on behalf of the community. I know we all appreciate that and hope that you can continue that service. It's an amazing juggling feat to juggle your business, your family and the public. We really do appreciate all the effort that you made on behalf of the town and all the investment of your time and yourself in this and your input on the Select Board is really been so very helpful. I appreciate getting to know you. Thank you hopefully we can keep it going and go vote at Saint Teresa's from 7:00 a.m. – 8:00 p.m.

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

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*Included in case a matter not reasonably anticipated by the Select Board needed to be discussed.

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: 11:24 p.m.

DATE 5/8/23



RICHARD WALLNER, CLERK