

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

#1. Executive Session:

To discuss outstanding individual employment agreements.

#2.

Ms. Manupelli called the meeting to order in open session at 7:27pm

#3. Sign BANS/Bonds

First order of business is to sign the BANS/Bonds. Ms. Rourke gave a brief presentation to the Board. She noted that two weeks prior, the Town had a bond rating call. The Town was pleased with a good rating. Ms. Rourke reviewed the upcoming BANS and Bond sale. Included in the BANS sale is the short-termed borrowed water interconnections land purchase for 9 Mill Street and the High School/Middle School. Additionally included are two design studies. One is for Town center sewer design and Town Center sewer design. The construction for that project is included in the FY23 capital which will be later presented by Mr. Kelliher. The study design will be rolled into the long-term borrowing for the sewer project. The other study included in the BANS sale is the intersection design study. There is also some intersection construction submitted in the FY23 capital.

Ms. Manupelli opened the floor for questions.

Ms. Manupelli asked when the last time our rating has been upgraded was. Ms. Rourke noted that she has worked for the Town for 10 years and it has remained the same during that time. The Town has already been working on this through fiscal policies. The Town met with financial advisors at Hilltop Securities. Things that communities can do to improve bond rating includes financial policies and a buildup of reserves. Advisors were pleased to see the Town established consistent policies and buildup of reserves. Reserves referring to the stabilization funds. Advisors view the sale of Town owned land as one time revenue that will later be used for a large project. Town will continue to work with new outside auditor to determine any other ideas for rating improvement.

Ms. Manupelli then inquired about the sale of 9 Mill St. Mr. Gilleberto responded that the challenge is the way we retain upland area for future municipal use. We struggled with if we needed to adjust zoning. It looks more like the plan would be to expand easements for water line may be a way to turn around and sell the property. Will be discussed further with the waste water working group. We already have authority through Town Meeting to sell the property.

Mr. O'Leary asked how much is the carrying cost on Mill St? Ms. Rourke commented that the amount authorized is \$750,000 and the previous issuances was \$632,000. The Town has done some pay downs because it has been longer than two years of the short-term borrowed. Mr. O'Leary clarified that it is costing the Town money. Ms. Rourke confirmed that we have to pay for the interest and because we have borrowed longer than two years, we have to pay pay-downs each year. Ms. Rourke also noted that the same circumstance applies to the High School/Middle School project.

Ms. Hurlbut stated that we should sell Mill Street. Ms. Manupelli agreed. We could work on outstanding issues. Ms. Hurlbut clarified that the issues had to do with access to the rear of the property. If the Town, for example, wanted to put a pumping station on the site. Now that the Town is no longer participating in MWRA, she feels we would need a good reason to retain the property as

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

a whole. Ms. Manupelli noted we would just need to establish an easement agreement with the buyer. Ms. Manupelli requested to see a plan at the next meeting, an update as to where we are at with this.

Ms. Manupelli then asked for the motion, but first noted the organization changes on the Board. Ms. Manupelli remains the Chair, Mr. Stuto is now Vice Chair and Mr. Wallner is Clerk.

#3. SIGN BANS/BONDS

I, the Clerk of the Select Board of the Town of North Reading, Massachusetts (the "Town"), certify that at a meeting of the board held May 9, 2022, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

I move: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$65,000 borrowing authorized by the vote of the Town passed June 5, 2021(Article 21) is hereby determined pursuant to G.L. c.44, §7(1) to be as follows:

Purpose Borrowing Amount Maximum Useful Life Toolcat 5600 \$65,000 10 years

I move: that the sale of the \$6,205,000 General Obligation Municipal Purpose Loan of 2022 Bonds of the Town dated May 26, 2022 (the "Bonds"), to Janny Montgomery Scott LLC at the price of \$6,602,628.84 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on May 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year Amount Interest Rate Year Amount Interest Rate

2023 \$410,000 5.00% 2031 \$375,000 5.00% 2024 400,000 5.00 2032 365,000 5.00 2025 400,000
5.00 2033 290,000 4.00 2026 395,000 5.00 2034 290,000 4.00 2027 390,000 5.00 2035 290,000 4.00
2028 380,000 5.00 2036 280,000 4.00 2029 380,000 5.00 2037 280,000 4.00 2030 380,000 5.00
2042 900,000 4.00

I move: that the Bonds maturing on May 15, 2042 (a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due May 15, 2042

Year Amount

2038 \$180,000
2039 180,000
2040 180,000
2041 180,000
2042* 180,000

*Final Maturity

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

I move: to approve the sale of a \$5,727,577 3.00 percent General Obligation Bond Anticipation Notes of the Town dated May 27, 2022, and payable May 25, 2023 (the "Notes"), to Piper Sandler & Co. at par and accrued interest, if any, plus a premium of \$31,673.50.

I move: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 28, 2022, and a final Official Statement dated May 5, 2022 (the "Bond Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

I move: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 27, 2022, and a final Official Statement dated May 5, 2022, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

I move: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Bond Official Statement.

I move: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

I move: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes and to comply with relevant securities laws.]

I move: that any certificates or documents relating to the Bonds and the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

I move: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

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 sale of the Bonds or the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

MOTION BY: MR. WALNER

SECONDED BY: MR. O'LEARY

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

Ms. Rourke noted that part of the motion also has included \$6,525,000 of long term bonds and the rate is 3.51%.

#5. Vote to Sign June 6, 2022 Town Meeting Warrant

Mr. Gilleberto presented the 2022 June 6th Town Meeting warrant. He stated that the draft was similar to what the board has previously reviewed with the addition of the language relative to the sewer betterment bylaw amendment.

Mr. Gilleberto introduced Mr. Parisi to give further detail on the proposed bylaw amendment to modify existing sewer betterment bylaw.

Current betterment bylaws relate not only to sewer, but also private road conversions, other private road repairs and also water betterments as well. The Town is currently planning and designing for a substantial wastewater conveyance system. Current bylaws require Town to pay for 50% of the cost of betterments providing no flexibility to the Town to assess otherwise. Current By-Laws do not provide sufficient framework relating to sewer betterment assessments. Mr. Parisi did consult with Town counsel, KP Law and they assisted with language for the bylaw changes.

Mr. Parisi presented that the current bylaw currently says that sewer betterments require the Town to provide 50% of the necessary funds. At a public hearing if a majority of the property owners residing on a street vote in favor of the construction of the sewer improvement the DPW recommends the street to the Select Board for construction. At the hearing, abutters will be given a not-to-exceed assessment of the cost estimate as defined in Title 5 of the State Environmental Code 300 CMR Section 15.203. The final assessment is the lower of either the actual cost based on total construction divided by the assessable usage of the estimated assessment quoted at the time of the public hearing.

What is being proposed for changes?

The requirement for the Town to specifically pay 50% of the betterment cost is eliminated. The Select Board or Town Meeting can choose to assess up to 100% of the project cost to property

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

owners receiving the benefit of the new sewer system. The amount of the project cost to be assessed is then apportioned into costs to be immediately assessed to the sewer abutting property owners as sewer betterment assessments and those costs to be reserved for sewer privilege fee assessments in the future to non-abutting properties that connect to the sewer at a later date. The Select Board may separate the costs of general benefit facilities such as pump stations, trunk and force mains, from that of special benefit facilities. All properties abutting a sewer street will be assessed the proportional cost of the special benefit and general benefit facilities. A portion of the cost of the general benefit facilities that will service future sewer expansion areas can be reserved for assessment at a later date. Mr. Parisi displayed a map of the planned sewer expansion area, going down route 28 and North Street to Lowell Road and also Park St to Concord.

Ms. Manupelli opened the floor to questions.

Mr. Wallner, viewed the map and asked if those residents along may be assessed? Mr. Parisi confirmed yes, immediately assessed. Any location that fronts the sewer would be assessed.

Ms. Manupelli commented that the draft provided in the warrant article feels misleading. She does not read the draft the same as was explained. She asked if the language would mean that the board could assess betterments based on any one of the three outlined methods. Mr. Parisi explained that the initial change would make it specific to the sections of the street. Whatever those projects detail as the percentage to be bettered that is still enforced. The intent was to strike the 50% that applies to all the categories and then be specific in sewer in being up to 100% of the project cost can be assessed. In the section relating to the water, he did have to strike all of the sewer language which allows it to be a separate section.

Ms. Manupelli inquired if there was a reason why he incorporated into the bylaw if there was no change to section 25.2. Why is it in there as a proposed amendment? Mr. Parisi kept the entire 25.2 section intact for view. No changes were made in the street sidewalks of store section.

Ms. Gonzales asked to clarify more in regards to Mr. Wallner's question. Anybody on that line, even if they do not choose, is it an option if they want to connect? Mr. Parisi responded that it is an option to connect but not an option if they want to be assessed. They are being assessed for a portion of the cost of the street work for the project. Each property individually has its own cost to connect to a sewer lateral that they will be left at their property front. They share in the cost of the entire project. Example of uniform unit method. Based on actual water use or title 5 water use. You wouldn't normally see those details in the bylaw. The bylaw gives you the framework to work with. The details of how you do the assessment are worked out to conform to the bylaws. Abutters would not have to connect and pay individually for the cost from the house, but they will be assessed and have a choice to pay for their betterment over a number of years on their tax bills.

Mr. Stuto stated that in his understanding that the intent is to give the Town maximum flexibility on a project that could have a lot of variables. The current bylaw only allows one way to go about it. Mr. Parisi stated that the current bylaw is pretty rigid. Flexibility and better framework tied to Mass General laws is what he is trying to accomplish.

Mr. Wallner asked that the betterment would take as long as it takes to pay off the project. Mr. Parisi responded that MGL usually requires 20 years but if the bond is for 30 years, you can increase

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

apportionments onto their tax bill. This helps with affordability. Mr. Wallner feels that some people may object. Do they have legal recourse? Mr. Parisi answered that there is legal recourse to file an abatement request, but there would need to be good reason for it.

Mr. O'Leary clarified that they culled out sewage portion of bylaw and handle differently by allowing the board or Town Meeting to decide what the allocation would be. If left the bylaw as it was, the taxpayers as a whole would need to absorb 50% of the cost of this rather than the users. We want to give the board the opportunity to appropriately allocate the carrying costs of the project itself. As more users come on then the costs would go down. The current bylaw does not allow that. The taxpayers as a whole would have to absorb more of the costs upfront and for the entire financing of the project and that isn't fair either in relation to the specific project we are discussing. Rest of bylaw stays the same, but in regards to sewer it gives the board flexibility to determine what the split will be. Anyone along the route is going to get bettered. They are going to have cost associated with that because they have the opportunity. The value to their property and the opportunity to tie in is there. If they choose not to, they will still have betterment assessed, just won't have a sewer bill.

Mr. Wallner stated that for years there has been talk about dividing property tax between commercial and residential. He asked if there would be any secondary adjustment for commercial properties that will benefit not necessarily from the sewer but just by location. For households this is an expense verses businesses when the landlords will get huge benefit. Mr. Parisi responded they are looking at unit methods that have the ability to assess on various different methods. One being actual water usage. There are some income generating properties that use very little water, but the potential there with sewage is pretty significant. Can also look at it through Title 5. Regardless of what they are actually using, what that property would have to design their septic system for. One step further you could also use Title 5 on highest and best use of the property. You collect and assess all that potential upfront. There is potential for special legislation for increase in use of the property after the assessment. Comparing to other communities, there is a term compensatory super privilege fees and that means we'll assess you now for what you are and then if you decide to change in use, we could capture the differential. Mr. Wallner stated that seems fairer and will that be worked into the language. Mr. Parisi stated that it was the intent to work with KP law to have that be included. Mr. Wallner asked if that would be a part of the warrant. Mr. Gilleberto stated that it would be part of the project. There are project specific special acts. During the special Town Meeting in the fall, there would be a special act to ensure the ability to recover compensatory privilege fees for any developed property. Mr. Parisi followed stating it is ok to move the bylaw forward as is and then work on the special legislation for that particular project. Mr. Wallner asked why you would put it in to one. Mr. O'Leary responded that the general bylaw is generally the guidelines that you're going to be operating from. In order to alter your bylaws to treat specific projects differently, you need special legislation. You would incorporate any language in a general bylaw. You need to handle it as special legislation specific to this project. Whether this bylaw is implemented will be determined by Town Meeting.

Mr. Wallner asked that this extra information be provided at Town Meeting. Mr. O'Leary continued that everyone is concerned about the costs to the single family homeowner, but their property will be improved. For multiple reasons, from a Title 5 standpoint, from an environmental standpoint, but also from an economic standpoint in relation to where they are situated and what can be done. Once sewage comes by, the value of their home is significantly enhanced and the betterment is justified. We want to make sure homes are treated fairly in terms of the enhancement of this project. It will

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

require special legislation to allow us to address that. What everybody is anticipating is that there will be a windfall, not only for the landowners, but for the Town as a whole because the value of those properties go up. The tax revenue generated would be a greater share. Economic development potential is much more significant. As those property owners decided to develop, we want to be able to assess them differently.

Ms. Manupelli asked to discuss how it was presented in warrant article. I'm still not understanding why is 25.2 is there even after you explained it. If you didn't make any changes, why is it still there? It's very confusing. How many commercial parcels and how many residential parcels are along this routing? Mr. Parisi stated that he did not have those numbers with him, but it is substantially more commercial/industrial than residential. There are some large condo parcels. Ms. Manupelli still does not understand how it will be assessed. We have heard three or four different things even though it is tied to the statute. More needs to be fleshed out. Seems it is up in the air how it will be decided who will be assessed and how. For condo units, each individual condo unit to be assessed separate tax bills. Ms. Manupelli would want to know more before decided business verses residential. We are waiting on feasibility study to see the return on investment here. The whole purpose for us, in addition to the health benefits, is to encourage economic growth. We're assuming now that we're going to charge a higher assessment. Needs more concrete example or discussion or explanation is important. A layperson is not going to know what Uniform Unit method means. There is a lot of leeway in determining that. Mr. Parisi noted that there is leeway, but it is not much different than what communities look at for water or sewer usage as the basis for assessment. We are looking at three different methods of looking at the assessments based on actual water use, current Title 5 use of water flow and what would be based on total or potential buildout based on the size of the property. That isn't something that is recommended by KP Law to put into the bylaw. The bylaw is the framework. Ms. Manupelli reference storage units who do not use much water would be assessed by their highest and best. Mr. Parisi confirmed that is one method along with their actual usage. Ms. Manupelli asked who would decide that. Mr. Parisi stated the sewer commissioner, who is the Select Board. It says that Town Meeting can step in and decide a different percentage for a specific project.

Mr. Stuto commented from meetings he'd been involved in, as a liaison for CPC. His opinion is that, whatever the future use can be that sewerage will open up, he finds it hard to believe that a storage unit will remain storage unit. A smart business will see the value of their property will try to maximize it within the guidelines of the Town. Most people like to take advantage of economic opportunity if they can. Ms. Manupelli agreed and said it should not be guesswork. Where are we at with that feasibility study? Mr. Parisi stated that it would be June presentation for the sewer assessments, second market analysis would come over the summer.

Ms. Manupelli stated that a component would include how we would pay for it. Mr. Parisi confirmed that would be part one of it. There is a component of the cost of the project, the betterments that would be generated based on the various assessments. Also all grant opportunities that could be considered, as well as funds from the sale of Town owned land to offset the cost of the project. That will all be provided as financing of the project. Ms. Manupelli asked if Mr. Parisi was working with the experts generating the feasibility study. Mr. Parisi is in close conversations with them as well as others in different departments. Discussing specifics as to the scope of their work. Information will be presented in more detail discussions. Ms. Manupelli asked if it would be provided by June Town Meeting. Mr. Parisi stated it would not have to be before June Town Meeting as those would be the details of the betterment assessments that will come later. Ms. Manupelli wants better understanding

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

of details before it hits Town Meeting. Mr. Parisi confirmed that all the details would be part of the study. They have the parcel by parcel that would be impacted by the project.

Mr. O'Leary interjected that we need to keep the issues separate. What we're trying to do here right now is to amend bylaw. For future projects, the amendment is to allow more flexibility rather than the rigidity of the current bylaw. What we have in place for the current bylaw doesn't work well for the community as a whole. Where we end up for percentages would depend on project specifics and funding. Right now we just need to focus on does the bylaw need amending? Not just for this fall but looking forward. This bylaw needs to be addressed. Give us the tools to implement the project when it comes to it. Its two separate issues in relation to the specifics. If Town Meeting chooses to act favorably on this this fall, we have a mechanism in place to make the appropriate determination to be fair. I don't want a financial presentation to this board to be premature. It would lead to more questions rather than provide information to make an informed decision. Pushing for June 1 for the feasibility study to be presented to the board is too soon. The bylaw needs to be adjusted and that is what we are proposing now. We need to adjust the mechanism by how we can assess. That will allow us to inform the public in October, saying this is how we are planning on doing it.

Ms. Manupelli trying to understand the language as integrated. Confusion regarding the first paragraph that doesn't say how it would be assessed, but section 25-4 A1 says the sewer commissioners can determine the percentage. Under a certain percentage, it goes to a Town vote, that's how it reads. Mr. O'Leary stated that what's being proposed is that the sewer commission (the select board) can establish up to 100% but they can also determine to bring to Town Meeting or board could make determination and public could disagree and bring forth a citizen petition. Town Meeting ultimate authority. Ms. Manupelli does not read it that way. Mr. O'Leary suggests to speak with Town Council to see if there is a better way to word it.

Mr. Wallner stated for him it's a timing thing. Just by introducing this will raise the questions we've asked. I think what people will hear is, if I live on this street I will be impacted a huge amount and they will be upset not knowing the particulars. Mr. O'Leary stated if we don't amend this bylaw, the only thing we can do is say Town will absorb 50% of the costs. We can't do the financial aspects of it unless we have the flexibility within the bylaw. We will be presenting a project with a split cost assessment at the special town meeting in October. We can't do that with the bylaws in place. This brings it all to the forefront and gives us three months to answer the questions. If we don't enact this, we can't tweak it if we don't have the flexibility. It does raise questions, that's good. In order to give us the tools to adjust appropriately we need this fixed. Mr. Wallner suggested to express upfront why it needs to happen now. Mr. Gilleberto asked in clarification if it is the board's preference to have detail presentation from consultant on June 1st. Ms. Manupelli said from Mr. O'Leary's explanation they have a better understanding of the timing aspect. She thinks it's important to have something that explains how many parcels are going to be assessed.

Mr. Stuto commented that maybe with the presentation, a clarifying statement to some of these points. It's a general change of a bylaw for present and future projects. All that is being approved is change in process.

Mr. O'Leary made a suggestion that the wastewater team should be making a presentation to the Town which will give Town Meeting a detailed understanding of where we are at in the process. One piece of the puzzle is the article tonight, a piece of the process. Ms. Manupelli stated that's the

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

collective agreement, that's the plan. Mr. Gilleberto noted that the draft identified the select board as the sponsor. It was modified for the DPW to sponsor. Ms. Manupelli asked for a show of hands, if it matters who sponsors the article. Mr. O'Leary stated that it matters to me, either we own this or we don't. Select Board in favor of being sponsor.

#4. VOTE TO SIGN JUNE 6, 2022 TOWN MEETING WARRANT

MADAM CHAIR, I MOVE TO SIGN THE JUNE 6, 2022 SPRING ANNUAL TOWN MEETING WARRANT.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

#5. Sunday Entertainment License - Ultra Chic Events LLC. d/b/a Ultra Chic Events at Hillview Country Club

This action should have been considered with the granting of the license, however it was overlooked. Fabiana and Adilson Santos of Ultra Chic Events were in attendance.

Ms. Santos addressed the board and stated that their plans for Sundays are the same as Saturday events, wedding, birthdays, music, dancing, DJs.

MADAM CHAIR, I MOVE TO GRANT A SUNDAY ENTERTAINMENT LICENSE TO ULTRA CHIC EVENTS LLC. D/B/A ULTRA CHIC EVENTS AT HILLVIEW COUNTRY CLUB TO EXPIRE DECEMBER 31, 2022 SUBJECT TO ALL REGULATORY DEPARTMENT REQUIREMENTS.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

MRS. GONZALEZ: AYE

#6. Receive Recommendations of Capital Improvement Planning Committee Vote to Approve Fiscal Year 2023 Capital Improvement Plan to be Submitted to Spring Annual Town Meeting

Next order of business is to receive the recommendation of the Capital Improvement Planning Committee for FY2023. A report is included in the meeting packet. The CIPC has been invited to attend.

Mr. Don Kelliher of the CIPC Chairman presented to the Board. Mr. Kelliher stated that the committee went through their normal process of meeting with department heads, asking questions and getting their recommendations. Committee members then ranked projects and reviewed the rankings. All of the projects were compiled into a ranking sheet. The committee then looked to see what we could afford. There were \$7.7 million in requests. Under the Municipal and School requests, the committee is recommending close to \$3.4 million in funding. Different this year, we have been the beneficiary of some grants from the State.

CIPC recommending Funding - \$3,393,766

Grants from the Commonwealth - \$523,338

Free Cash - \$475,000

Application of accumulated Bond Premiums - \$356,000

Cash available to the Capital Improvement Stabilization Fund - \$470,428

Bonding - \$1,569,000

In respect to the two enterprise funds, the committee reviews whether the projects make sense. The enterprises, particularly Hillview, only go forward with projects that they can afford. The same is true for the Water enterprise.

Mr. Kelliher then presented a spreadsheet that contained the full \$7.7 million dollars in requests. The columns contained the project descriptions, the amount requested and the various methods of funding including grants, cash and bonding columns. Mr. Kelliher reviewed project line items and discussed funding sources for each. Spreadsheet included in Select Board packet.

There were four requests for intersection improvements, Haverhill Street/Chestnut, Central Street/North, Central Street/Park and Park Street/Concord. All are important safety issues in Town. To do all in one year was determined to be cost prohibitive. To do all four would not allow funds for other important projects. The CIPC spoke with the DPW Director and decided to complete in multiple phases with the most pressing being Haverhill Street/Chestnut to be completed this year and the remaining three be moved to next year. Haverhill/Chestnut to cost \$580,000. There is \$100,000 in grant funding from the State. The remaining \$480,000 to be bonded.

Mr. Kelliher explained the ranking of each project from 0-5, 5 being high priority. The cutoff for FY2023 came in the 3 range ranking. The only reason items were not recommended for this year is that we cannot afford it. The construction of Downtown sewer project connecting several municipal buildings and the Batchelder School to the wastewater facility at the High School/Middle School was deemed very important. This item is deferred until October with the hopes that there may be some

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

Federal funding. There is capacity at the treatment plant to handle these additions. It will save the Town from replacing the septic systems as they age and fail.

Mr. O'Leary interjected with a question if the Town had approached the State about the potential of tying in Peabody Court? Mr. O'Leary stated that they may be willing to share in some of the costs. Mr. Kelliher responded that it was talked about and may be applicable in the future, but there were concerns that the higher demand of wastewater from Peabody Court. They know there is capacity in the facility to handle the proposed properties, but not sure if enough capacity to include Peabody Court.

It is also complicated because Peabody Court is State owned rather than Town owned. Could be a good way to help pay for it, but do not want to over exert the system. Mr. O'Leary commented that there are 40 units there. He anticipates that they will be knocking on our door at some point (10-15 years) to replace the system or to tie in to the treatment facility. Mr. Kelliher feels it would make sense to do it when we know the system could handle it. The Batchelder School would be the heaviest usage of what is being discussed. Mr. Gilleberto noted that Peabody Court was discussed. There was some concern in regard to DEP and their review process. We would want to partner with the housing authority. Mr. Gilleberto will ask the Public Works Director and Town Engineer to approach DEP to see about that possibility. It could be an opportunity to defray costs or cover additional costs. Mr. Gilleberto stated that we have provided the project to legislative delegation and to our congressional delegation. Mr. O'Leary stated that from an appropriation standpoint, the timing to ask is now. Ms. Manupelli stated that in order to do that we would need to understand the usage with the schools and Town buildings being added. We would need to understand the maintenance and the increased costs to the Town. That would need to be determined first before we add on extra properties. It would have to be some benefit to us to add even more buildings that we would be responsible for maintaining.

Mr. Kelliher continued with the list of capital requests and discussed not recommended items. The committee had to draw the line somewhere. Many of the not improved items will be back next year. They kept the debt service at the prescribed limit. All of the modeling done was kept with debt service in mind and not exceeding allowable amounts. CIPC recommends using the stabilization fund each year to buy down debt services. We're able to do that through the projection period of 2030. Mandate is to hold debt service at the limit as funded by the operating budget. We're able to do that with project recommended.

Mr. O'Leary inquired what the route 28 project is. Mr. Kelliher responded that it is the design of roadway, when the State comes in to re-do 28. The \$800,000 represents 25% of the design. This is the first piece. The alternative is letting the State do the design and hoping they allow the Town input. The likelihood of State acting on route 28 within the next year is pretty small. Question is, can we influence the design for the road without paying for it. The consensus is that we may not have that input without doing our own design.

Ms. Gonzales stated about her input on the CIPC. She gave 5s to all the intersections discussed. She feels it is a safety issue that shouldn't be put off and she wanted to make that comment.

Mr. Wallner stated "I'm choking on one number" and that is \$486,000 for the turf field. I'm not seeing the wear and tear on the field. Mr. Kelliher stated that this is a safety issue. Field has been

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

inspected and there is wear are some spots that need to be addressed. Turf is more than 10 years old now. Reached useful life. The committee is trying to be responsive to P&R. There is a liability issue we're told needs to be addressed. A lot of people use that field. Take care of safety first. It's something we have to do. Ms. Gonzales commented that going forward we need to prepare for this because we know it is going to need to be done again. Mr. Kelliher stated in fairness to Parks and Recreation, it is a school property. The primary user of that field is the school system. Ms. Manupelli questioned the liability. Understanding of concussion risk, but that it true of any field. You can get hurt anywhere. Maybe there is some other options that we could look into. We're stuck with the maintenance of a turf field. I agree, 10 years seems hardly worth it. Lay some grass seed. It's really expensive. Ms. Manupelli then asked about Tee Boxes. What's a Tee Box and why \$100,000? Cart Paths, isn't that just a dirt path you drive the car on? Some of that funding could have gone to traffic improvements. Mr. Kelliher answered that if you don't have a golf course that has good usable facilities it won't bring in the revenue. Ms. Manupelli asked what a bunker is. Ms. Manupelli felt those items seemed expensive. Mr. Kelliher and Mr. O'Leary explained what the golf course items were and clarified that there are 18 holes that need maintenance.

Ms. Manupelli agrees with Ms. Gonzales and ranks the intersections very high priority as well. We have the study now and need to move forward with it. Ms. Manupelli agrees with Mr. Kelliher that the School Department is the primary user of the Turf Field. Mr. O'Leary clarified that the field is Hillview Enterprise land under the care, custody and control of the recreation department. The school has first priority for use. Hillview put up the funds to originally rehab the field and now we have to maintain it. Mr. O'Leary stated that we should have been planning for this for the past 10-15 years. It's a major facility that the Town uses and raises revenue from. Know we have to do this every 10-15 years, we should just plan on it. Compliments to Mr. Kelliher for the layout of the presentation.

MADAM CHAIR, I MOVE TO RECOMMEND TO TOWN MEETING THE FY2023 CAPITAL EXPENDITURES AS RECOMMENDED BY THE CAPITAL IMPROVEMENT PLANNING COMMITTEE.

MOTION BY: MR. WALLNER

SECONDED BY: MR. O'LEARY

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

#7. Review Updated FY 2023 Revenue/Expense Plan

Ms. Rourke presented the updated FY2023 Revenue/Expense plan. The Chair and former Vice-Chair review most recently reviewed the plan at the financial planning meeting approximately 2 weeks prior. Ms. Rourke reviewed the plan briefly to highlight some minor changes.

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

Taxes and State Aid changes; updated figures to Chapter 70, Charter Tuition reimbursements and Public Library offset receipts. There have been no changes to Local receipts since last reviewed. Expenses show decrease to State and County charges and an increase in Cherry Sheet offsets. No other changes have been made. Ms. Rourke did note that the PFA health insurance contingency as well as the school health insurance and municipal health insurance budget numbers reflect the 7.5% increase as previously discussed. The budget distribution shows a breakdown between fixed costs, municipal cost and school department costs. Municipal costs representing 33.11%, school allocation of revenue 66.89%. Another item that has been adjusted is in relation to the trash program. We have the trash fee and another line item for the pay as you throw program where residents will purchase bags for their trash overflow. We are only projecting \$5000 for FY23 due to production delays on the bags. Ms. Rourke then gave further figures on the budget distribution.

Total Municipal Revenue available \$18,790,779
Total Municipal Operating budget \$19,138,291
Additional funding source of free cash \$347,512 (one-time items)

Total School Revenue available is \$35,474,330
Total School Operating Budget \$35,709,330
Additional funding source of free cash \$235,000 (one-time items)

Mr. O'Leary inquired about the 7.5% PFA contingency. Ms. Rourke responded that it represents what we have to pay for the PFA, also contingency for any changes including new hires and life changing events. Mr. Gilleberto clarified that the figure discussed is the portion of health insurance cost related to the PFA. He continued by explaining that there are three components of health insurance that are now in the expenditure plan: the PFA, municipal health insurance and school health insurance. The town has applied the 7.5% across the board in the three categories. Ms. Rourke then continued that of the PFA number we pay our advisor fee and also what they project for claims they plan to pay out. Mr. O'Leary inquired that they increased that number by 7.5% over that last year? Ms. Rourke confirmed. The number will be adjusted to 8.5% for FY24 and moving forward the town will incrementally determine how it should increase for future years. Topic to be discussed with financial planning.

FY2023 Available Funds
School Department Operations \$35,709,330
\$235,000 in one-time expenses to be funded with free cash

Municipal Department Operations \$19,138,291
Municipal Department Budget requests \$19,290,032
\$347,512 one-time expenses to be funded with free cash

Total Budget Gap \$(-151,741)
Town Administrators recommended budget to close this gap.

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

**#8. Review/Discuss Town Administrator's FY 2023 Departmental Budget Recommendations
Vote to Approve Fiscal Year 2023 Operating Budget to be Submitted to Spring Annual Town
Meeting**

Maintain public service Director Position \$100,000

Defer Library and Youth Services positions \$78,000 moved to salary pool

Fund tuition reimbursement for Library technician \$7,000 (modified request)

Reclassify Project Manager/Grant Position. Moved to Finance Division as Grant Position \$75,000

Mr. Gilleberto shared some background on his recommendations. Library and Youth Services position will report to the new Public Service Director. Still interviewing for the Director position. Once Director is in place, the Town will get their feedback on the Library and Youth Services positions. Recommended that we reserve the funding for those positions in the salary pool so that we have the option available. Grant writer position was advertised, the Town did not receive an overwhelming response in terms of candidates. The decision was to make the position solely a grant writer and to locate it within the Finance Directors office. Mr. O'Leary stated that regarding the grant writer position, he would prefer to have report to the Town Administrators office. It's a new position and we're expecting a lot from the individual. He wants the ownership to be where I'm going to hold the person responsible. Ms. Manupelli stated we need this position filled 3 years ago, a while ago. Ms. Gonzales inquired, I thought we discussed the requirement that they would be a grant writer. Ms. Manupelli stated that a project manager is a completely different position than a grant writer. Mr. Gilleberto explained that the position was advertised as grant writer and combined project manager. Feedback has been that the two are different skill sets. The position now is solely a grant writer.

Ms. Rourke continued with the recommendations.

- Fire Dept. "day officer" position funds of \$164,024 will be held in the salary pool
- Fund requested part-time per diem building inspector at \$20,000
- Modify Board of Health requested Title V inspection services from \$60,000 full time position to \$25,000 in additional contracted services
- Fund additional hours within Human Resources Dept. \$10,468
- Defer funding for two Tree positions with DPW until FY24 \$109,041
- Fund with free cash
- Training for Fire Dept. recruits \$295,312
- DPW small capital \$52,200

Total budget gap \$151741 balanced with Town Administrator budget recommendations.

Ms. Hurlbut asked if the training for fire department always funded with free cash. Mr. Gilleberto responded that it's unique situation with potentially 4 retiring fire fighters. Also with the surplus of free cash, the Town Administrator felt it was right move. Mr. O'Leary followed up, I don't recall funding salaries with free cash. Under the requested day officer, deferring \$164,024 to the salary pool, you're still allocating the money. Ms. Rourke responded it's to cover the Fire Department day officer requested position. Mr. Gilleberto commented that we have seen this request over the past few years. Recently settled collective bargaining agreement provides avenues to modify staffing in the department. Mr. O'Leary stated, I don't see the merits of allocating money to the salary pool while supplementing from free cash. Questioning a bit why you couldn't fund a \$60,000 Board of Health position and defer the salary pool. Another potential COVID uptick in the fall and those

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

responsibilities fall on the BOH. Their general responsibilities don't go away, and COVID has created extra work. For FY2023 their needs are considerable. Ms. Manupelli stated that they are funding the need by giving the \$25,000 in contractual services. They don't need a full-time Title 5 inspector. Mr. O'Leary disagreed that the BOH has been unable to perform these inspections in a timely basis for real estate transactions. There has been criticism and the people we have right now, their attention being diverted to other things. Ms. Manupelli thinks that we would need to see the data to justify a full time position. Mr. O'Leary is unable to justify \$164,000 to the salary pool for a position that may not be filled when the BOH needs are right in front of us. Ms. Manupelli understood Mr. O'Leary's position but did not necessarily feel the funds should go towards a full time Title 5 inspector.

Ms. Gonzales in regards to COVID, I don't think it's going to be like what it was when everyone had to get vaccinated. Mr. O'Leary believes the State has learned a lot but he also feels that a lot is going to be handed down to local level. Ms. Manupelli felt that the argument would have been better made if it was a COVID position. Prior to COVID, the Health Director had already contracted out for those services. Mr. O'Leary does not agree with moving the funds to the salary pool and does not agree with funding salaries from free cash and does not believe we are appropriately addressing needs that are right in front of us.

Mr. Wallner inquired about the funding for Fire Dept. training. Ms. Rourke explained costs associated are a combination of back filling positions, overtime, outfitting the new recruits. She also noted that we funded Fire Dept. recruit training in the past with free cash as it is not typically a recurring cost to the Town. Mr. Gilleberto addressed the Fire Department Day officer position. He's not certain the right move is to fill this position. Moving the funds to the salary pool gives us the opportunity to evaluate what makes the most sense based on the recent collective bargaining agreement. Regarding the BOH funding, their initial request was for \$17,000 in contract services. Mr. Gilleberto is not in favor of moving forward with a full time position but was in favor of allocating more in contracted services than was originally requested.

MADAM CHAIR, I MOVE TO RECOMMEND THE FY2023 OPERATING BUDGET IN THE
FOLLOWING AMOUNTS AS PROPOSED BY THE TOWN ADMINISTRATOR:

Municipal FY 23 Budget	\$19,138,291.00
School's FY23 Budget	\$35,709,330.00
FY23 Fixed Costs	\$23,209,712.57
Total Budget	\$78,057,333.57

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

#9 Fiscal Year 2023 Operating Budget Informational Hearing

Ms. Manupelli read the hearing notice and opened the Budget Informational Hearing.

Ms. Rourke gave a presentation for the benefit of the public to review budget details.

FY23 Budget Goals

Continue budget collaboration between Town and School leaders through the Financial Planning Team. Continue to maintain an affordable health plan, maintain and build critical reserves and continue to dedicate budgeted funding to OPEB annually.

FY2023 Municipal Split

Municipal \$19,138,291 (33.11%)

Schools \$35,709,330 (66.89%)

Key Expenditure Drivers

Health Insurance \$7,572,676

Regional School Assessment \$772,372

County Retirement Assessment \$4,992,898

General Liability Insurance \$454,182

Medicare \$649,834

Current Cash Reserves

Free Cash \$5,232,277

Stabilization fund \$3,784,025.11

Capital Improvement Stabilization Fund \$958,995.01

Water Infrastructure Stabilization Fund \$2,751,555.25

Solid Waste Stabilization Fund \$165,969.80

Water Retained Earnings \$287,325

Cell Tower \$673,831.24

Recommended Budgets

Fixed Costs \$23,209,712.57

Municipal \$19,138,291

Schools \$35,709,330

Total \$78,057,333.57

#10 Public Comment

No questions or comments, public hearing was closed.

**#11. REVIEW/DISCUSS JUNE TOWN MEETING WARRANT ARTICLES - VOTE
RECOMMENDATIONS**

ARTICLE 1 - FY2022 BUDGET AMENDMENT

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 1 - FY2022 BUDGET AMENDMENT

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 2 – FUND FY2022 SNOW AND ICE DEFICIT

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 2 – FUND FY2022 SNOW AND ICE DEFICIT.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 3 – FY 2022 APPROPRIATE FUNDS TO CAPITAL IMPROVEMENT STABILIZATION FUND

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 3 – FY 2022 APPROPRIATE FUNDS TO CAPITAL IMPROVEMENT STABILIZATION FUND.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 4 – FY 2022 TRANSFER FUNDS TO WATER STABILIZATION FUND

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 4 – FY 2022 TRANSFER FUNDS TO WATER STABILIZATION FUND.

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 5 – FY 2022 APPROPRIATE FUNDS TO STABILIZATION FUND

There was a brief discussion on this article prior to vote. Mr. O'Leary referenced bond rating, they're looking for more money in this account? Ms. Rourke stated not specifically this account, just more in reserves. They were satisfied with the policy for transferring to stabilization funds. We can always do better. Can also do more during October Town Meeting after the certification of FY2022. Ms. Manupelli if the policy contains a specific goal we would like to meet? Ms. Hurlbut answered that we would like to see 5% of new revenue. The stabilization fund is effected by cost increases and the needs that this would pay for are incomprehensible in a way. It is already defined in a very restrictive way. The Finance Committee has not been able to determine when the Stabilization Fund was established. Mr. O'Leary feels that we should be putting more than \$250,000 into this account.

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 5 – FY 2022 APPROPRIATE FUNDS TO STABILIZATION FUND.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 6– FY 2022 TRANSFER FUNDS TO OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUND

MADAM CHAIR, I MOVE TO **RECOMMEND** AT TOWN MEETING ARTICLE 6 – FY 2022 TRANSFER FUNDS TO OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUND.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

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

ARTICLE 7 – FY2022 TRANSFER FUNDS TO SOLID WASTE STABILIZATION FUND

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 7 – FY2022 TRANSFER FUNDS TO SOLID WASTE STABILIZATION FUND.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 8 – FY2022 APPROPRIATE FUNDS TO PARTICIPATING FUNDING ARRANGEMENT FUND

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 8 – FY2022 APPROPRIATE FUNDS TO PARTICIPATING FUNDING ARRANGEMENT FUND.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 9 – SELECT TOWN OFFICERS

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 9 – SELECT TOWN OFFICERS.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

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

ARTICLE 10 – HEAR AND ACT ON REPORTS OF TOWN OFFICERS AND COMMITTEES

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 10 – HEAR AND ACT ON REPORTS OF TOWN OFFICERS AND COMMITTEES.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 11– PRIOR YEAR BILLS

MADAM CHAIR, I MOVE TO **RECOMMEND** AT TOWN MEETING ARTICLE 11 – PRIOR YEAR BILLS.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 12 – FY2023 OPERATING BUDGET

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 12 - FY2023 OPERATING BUDGET.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

MR. STUTO: AYE
MRS. GONZALEZ: AYE

ARTICLE 13 – FUND RETIREMENT OBLIGATIONS

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 13 – FUND RETIREMENT OBLIGATIONS.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

**ARTICLE 14–APPROPRIATE FUNDS TO OTHER POST EMPLOYMENT BENEFITS
LIABILITY TRUST FUND**

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 14 – APPROPRIATE FUNDS TO OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUND.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

**ARTICLE 15 – AUTHORIZE TREASURER TO ENTER INTO COMPENSATING
BALANCE AGREEMENTS**

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 15 - AUTHORIZE TREASURER TO ENTER INTO COMPENSATING BALANCE AGREEMENTS

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

VOTED: MRS. MANUPELLI: AYE
 MR. WALLNER: AYE

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

MR. O'LEARY: AYE
MR. STUTO: AYE
MRS. GONZALEZ: AYE

ARTICLE 16 – RESCIND AUTHORIZATION TO BORROW

MADAM CHAIR, I MOVE TO **RECOMMEND** AT TOWN MEETING ARTICLE 16 –
RESCIND AUTHORIZATION TO BORROW.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 17 – FY 2023 CAPITAL EXPENDITURES

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 17 – FY 2023 CAPITAL
EXPENDITURES.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 18 – FUND TOWN BUILDING REPAIRS

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 18 – FUND TOWN BUILDINGS
REPAIRS.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

VOTED: MRS. MANUPELLI: AYE

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

MR. WALLNER: AYE
MR. O'LEARY: AYE
MR. STUTO: AYE
MRS. GONZALEZ: AYE

ARTICLE 19 – AUTHORIZE CHAPTER 90 HIGHWAY CONSTRUCTION

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 19 – AUTHORIZE CHAPTER 90 HIGHWAY CONSTRUCTION.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 20 – AUTHORIZE DIRECTOR OF PUBLIC WORKS TO ACCEPT EASEMENTS

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 20 – AUTHORIZE DIRECTOR OF PUBLIC WORKS TO ACCEPT EASEMENTS.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 21 – APPROPRIATE FUNDS FOR LEGAL EXPENSES-MIDDLE/HIGH SCHOOL LITIGATION

MADAM CHAIR, I MOVE TO **RECOMMEND** AT TOWN MEETING ARTICLE 21– APPROPRIATE FUNDS FOR LEGAL EXPENSES-MIDDLE/HIGH SCHOOL LITIGATION

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

VOTED: MRS. MANUPELLI: AYE
 MR. WALLNER: AYE

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

MR. O'LEARY: AYE
MR. STUTO: AYE
MRS. GONZALEZ: AYE

**ARTICLE 22 - APPROPRIATE FUNDS FOR LEGAL EXPENSES 20 ELM STREET
LITIGATION**

MADAM CHAIR, I MOVE TO **RECOMMEND** AT TOWN MEETING ARTICLE 22 -
APPROPRIATE FUNDS FOR LEGAL EXPENSES 20 ELM STREET LITIGATION.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

**ARTICLE 23 - INCREASE AMOUNT FOR DISABLED VETERANS PROPERTY TAX
EXEMPTION**

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 23 - INCREASE AMOUNT FOR
DISABLED VETERANS PROPERTY TAX EXEMPTION.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 24 - INCREASE INCOME LIMIT FOR SENIOR PROPERTY TAX DEFERRAL

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 24 - INCREASE INCOME LIMIT
FOR SENIOR PROPERTY TAX DEFERRAL.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

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

ARTICLE 25 - AMEND CODE – GENERAL BY-LAWS – CHAPTER 11 – ALARM SYSTEMS

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 25 - AMEND CODE – GENERAL BY-LAWS – CHAPTER 11 – ALARM SYSTEMS

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 26 - AMEND CODE – GENERAL BY-LAWS – ASSESSMENTS (SEWER BETTERMENTS)

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 26 - AMEND CODE – GENERAL BY-LAWS – ASSESSMENTS (SEWER BETTERMENTS)

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

ARTICLE 27 - APPROPRIATE FUNDS FOR FORESTRY CONSULTANT – SWAN POND FOREST AREA

There was a brief discussion on this article prior to vote. Mr. Kelliher inquired about what happens once the consultant comes back with recommendations. How do we fund it? Mr. Wallner responded that the work would be a volunteer effort from citizens as well as potential assistance from Essex Aggie. The goal is to get mapping of the area, set up trails and determine how to make the area more accessible to members of the community. Mr. Kelliher feels we would get a multi-thousand dollar

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

proposal. In terms of funding, the Town needs to review wants verses needs. Mr. Wallner does not anticipate the need for additional funding from the Town. Potential for grants in the future. Ms. Hurlbut asked how many acres is the Town Forest. Mr. Wallner was unsure.

MADAM CHAIR, I MOVE TO **RECOMMEND** ARTICLE 27 - APPROPRIATE FUNDS FOR FORESTRY CONSULTANT – SWAN POND FOREST AREA

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

#12 Vote to Extend Temporary Outdoor Dining

This item has been placed on the agenda in the event that the Board wishes to consider an extension of temporary outdoor dining that matches the State's new extended date. This was last voted on 9/20/2021 with an expiration of 4/1/2022 which was the previous date approved by the State. The timeframe has been extended by the state to next April, and the public safety departments do not object to the extension.

#12 VOTE TO EXTEND TEMPORARY OUTDOOR DINING

MADAM CHAIR, I MOVE TO EXTEND PREVIOUSLY APPROVED PERMITS

FOR TEMPORARY OUTDOOR DINING TO APRIL 1, 2023, SUBJECT TO REQUESTS

BEING MADE BY THE PERMIT HOLDERS AND APPROVAL BY

REGULATORY DEPARTMENTS.

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

#13. LEGAL BILLS

MADAM CHAIR, I MOVE TO APPROVE LEGAL BILLS FOR MARCH, 2022 IN THE AMOUNT OF \$20,577.85 AS FOLLOWS:

GENERAL \$ 6,207.35

LABOR \$ 5,002.00

20 ELM STREET \$ 9,368.50

TOTAL \$ 20,577.85

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

TOWN ADMINISTRATOR REPORT

Mr. Gilleberto updated the board that the pay as you throw trash plan will be delayed until November as production of bags is delayed. There is no intention to change enforcement policies during the interim period. The public should experience no change in service up until November 1, 2022.

The Land Utilization Committee is seeking to apply for MassDOT grant funding for design of a potential recreational trail. MassDOT is seeking letter from the Town Administrator seeking a Town Hall contact. Mr. Gilleberto intends to sign the letter designating the contact but does not intent to authorize a purchase order to extend funds until either there is a Town Meeting vote approving the funding for design or advisory approval of the expenditure of the grant funding. If the Select Board and LUC requests that the TA execute a grant agreement he would also consider that. There is no intent to execute any grant agreement to expend grant funds until issues with abutters are resolved.

Water main construction on Main Street continues with night work from 9pm-5am through the morning of May 13, 2022.

BOARD MEMBER REPORTS

Mr. O'Leary thanked the board and the community for the acknowledgement and sympathy with the passing of his sister-in-law. He spoke of the tremendous outreach and support his family has received.

Mr. O'Leary continued by commenting on the recent Election. There was 14% turnout which was ok. Mr. O'Leary thanks the public for being energized in repose to a candidate and small group that caused some disruptions in Town.

**MINUTES OF THE SELECT BOARD REGULAR SESSION MEETING
MONDAY MAY 09, 2022**

Mr. Wallner commented on the swearing in process and the oath to uphold state and local town laws. Just a reminder of what we are signing up for.

Mr. Stuto updated the Board on business summit on May 24th from 5:30-7:30pm at the Horseshoe. Invitations have been sent out, there is a link through the Town Planner if others would like to attend. Mr. Gilleberto interjected that there is the ability to RSVP through the North Reading Home page. www.northreadingma.gov

Ms. Gonzales thanked the voters and offered condolences to the O'Leary Family

Ms. Manupelli noted that there will be a Memorial Day parade and asked that the Board and TA march together. She also commented on the Select Board liaison assignments. They will primarily be kept the same, but a few assignments may shift.

#15. ADJOURN 11:32pm

MADAM CHAIR, I MOVE TO ADJOURN

MOTION BY: MR. WALLNER

SECONDED BY: MR. STUTO

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

11/9/23
DATE:



Richard Wallner, Clerk