

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, JUNE 1, 2022**

Chair Manupelli called the meeting to order at 8:06 p.m. via in person and remote participation. Participating members were Ms. Gonzalez, Mr. Wallner, Mr. Stuto, 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

Members recite the Pledge of Allegiance.

Chair Manupelli asked for a moment of silence for the 2 recent events of gun violence losses.

Mr. O'Leary wanted to say that the time has come for Congress to act on common sense gun control. The citizens of USA agree on more than disagree and it's time to take appropriate action. There is no need for 18 year old to have military weapons for sport.

Abigail Hurlbut added that too many kids are slipping through the cracks and they need mental health help.

Ms. Gonzalez agreed and said that Chicago has stronger gun control and the most violence. Mental Illness needs to be dealt with period.

Mr. Stuto also added that Italy per capita is the same as the USA and has only one mass shooting. He agrees with Mr. O'Leary and Ms. Hurlbut and a combo of their ideas should be used. If it is done in a certain way one can avoid tragedy.

Chair Manupelli said we are in solidarity and we pray for peace to get through. All places have evil people and evil things. Common sense needs to be put into place. We should be doing better in 2022. Proactive action needs to happen. She then shifted to more positive note. She reminded it is June 1st and LGBTQ pride month and she read a proclamation and signed it dated June 1, 2022.

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Mr. Wallner added that there is a pride ride on Sunday, June 12, 2022 at 12:00 p.m. at Ipswich River Park. The committee will need to know if you would like to participate by the 5th. Setup is at 11:15 if you want to join.

Next order of business. Warrant Article Informational Hearing – June 6, 2022 Spring Annual Town Meeting

Chair Manupelli thanked Mr. Wallner for his information. She then read the Warrant Hearing Notice and said they maybe voting on some of the article.

Mr. Gilleberto showed a slideshow of the 1-27 articles.

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

MADAM CHAIR, I MOVE TO RECOMMEND PASSING OVER ARTICLE 6 – FY 2022 TRANSFER FUNDS TO OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUND.

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

ARTICLE 11– PRIOR YEAR BILLS

MADAM CHAIR, I MOVE TO RECOMMEND ARTICLE 11 – PRIOR YEAR BILLS.

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

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

VOTE: 5-0

ARTICLE 16 – RESCIND AUTHORIZATION TO BORROW

MADAM CHAIR, I MOVE TO RECOMMEND PASSING OVER ARTICLE 16 – RESCIND AUTHORIZATION TO BORROW.

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

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

MADAM CHAIR, I MOVE TO RECOMMEND PASSING OVER ARTICLE 21– APPROPRIATE FUNDS FOR LEGAL EXPENSES-MIDDLE/HIGH SCHOOL LITIGATION

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

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

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MRS. MANUPELLI

AYE

VOTE: 5-0

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

MADAM CHAIR, I MOVE TO RECOMMEND PASSING OVER ARTICLE 22 - APPROPRIATE FUNDS FOR LEGAL EXPENSES 20 ELM STREET LITIGATION.

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

Chair Manupelli updated that the trial will be in August for the North Reading Middle/High School Litigation.

Mr. Gilleberto added that the 20 Elm Street litigation does not have a decision yet but we are waiting for that.

Joseph Parisi presented an updated short and consolidated presentation on Article 26.

Mr. Stuto added that this is a vote for max flexibility for the Town of North Reading. For now or for the future this vote will give the town a custom approach and it's not a one size fits all. It is just on the warrant to update a bylaw that is not practical in today's world. This is just updating an antiquated bylaw but when it comes to Wastewater they will need Town Meeting approval.

Mr. Wallner asked if this language is like other towns.

Mr. Gilleberto answered that yes some bylaws similar to North Readings. This bylaw provides clear synching with the State of Massachusetts.

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Joseph Parisi said a lot of this new bylaw is quoting the MGL's.

Abigail Hurlbut provided a concern on behalf of Mr. Kelliher. He is trying to find the logic of the 50% of the sidewalks, storm drains and water supply while going up to the possible 100 for the sewer benefits. He thinks that equity would seem to dictate a uniform approach and that residents or unaccepted roads should not get a better deal than those having a sewer passing by their homes: his questions are why are we breaking out sewers for this why not all betterments.

Mr. Gilleberto answered that he received Mr. Kelleher's question. He said one of the challenges that they identified with this bylaw going back 8 years because he has not seen a single instance where they have been able to effectively implement it. They are not issuing bills to abutting property owners on private or public place. The most recent example he can site is on Swan Pond Rd., they had quite a bit of conversation and it was clear it would not be a candidate for a betterment because they are not constructing it to become an accepted way. He said the approach they want to take is the sewer is much more complicated and potentially impactful project for which there is no one-size-fits-all solution. Due to the unknown of what the development potential might be and the desire to make sure every property owner is paying their fair share breaking this up separately made the most sense. Other areas included in the bylaw including the unaccepted ways are generally for drains/sidewalks which we don't do a ton of new construction or paving of a way.

Chair Manupelli said that they can't use funding for private way that could go to public ways.

Mr. Lawrence Soucie: 4 Allston Rd: Questioned about the procedure that was in place to pay for the current bylaw the town pay 50% betterments approved the fund for this phase of the project and that plan was the current bylaw which is required down paying 50. Who will benefit from the increase tax base for businesses and that benefits the whole town? This was approved at ATM but now you are changing it and something seems unfair if the whole town put a limit on it.

Mr. Gilleberto said at town meeting when they requested for funding they were still working through it became clear this restriction of 50% can limit the town's options. The DPW director discovered this is something that needs to be considered under this bylaw as it can limit options.

Mr. Soucie added that tax payers will say 0% goal to benefit town as a whole. He thinks they should put an amendment to add a limit of 30%-70% as it would not be fair changing the rules in the middle of the game.

Mr. O'Leary said the article sounds like majority rules and it's not. Borrowing requires 2/3 town vote. 50% share that's cast in stone make projects not economically feasible and this bylaw may fairly assess the viability of the project. Looking toward the future they need to be able to expand to other areas of town. Prorated benefits and prorated equality.

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Joseph Parisi said if you look at all sections of the bylaw change it isn't to just the abutters, look at portion of the cost of sewer treatment plant, separate costs not all reserving some cost reduce betterments. The plan is to use a uniform method for appropriate cost by users or potential users down the line.

Chair Manupelli said the Select Board recommends the modification is clear and Mr. Soucie and Mr. Kelliher issues are there to prevent 100%; there is not a fixed amount. Mr. Stuto mentioned to the Select Board to purpose the one step on the ladder to look at alternate methods and the need to work with changes to the bylaw. It will give ability to make changes and a more equitable way to pay.

Mr. Soucie said the current plan is to go down RT 28 but what about streets like Allston Rd. which is 200 feet from RT 28. Will they be required to pay the betterment fee? It's great you want to make it a democracy but the whole town will not benefit.

Mr. Gilleberto said this discussion started in 2014 with not only Main St., Park Street West and Concord Street but also all of Martin's Pond, and numerous side streets up and down Main St. A calculated decision was made to bring this project forward to be Main St., Park Street West and Concord Street connecting to the far south west end of town where there is industrial property in order to create a financially stable sewer enterprise. So when it comes time for expansion the cost impact could be reduced because infrastructure would be in place already. To expand into residential neighborhood would be a decision for the Town.

Chair Manupelli asked if this is implemented would it fall under this same bylaw in terms of the cost factor.

Mr. Gilleberto answered that is correct but it would be treated as a separate project.

Chair Manupelli not speaking for colleagues but she is not looking at the sewer project as a revenue generator. She sees improvement in economic development down the line.

Mr. Stuto said the next project could be different and 50% for the abutter is too much but now the proposed bylaw can work both ways. Maximum Flexibility for this project or a future project. This may not pass in October but the bylaw will give the flexibility.

Mr. Soucie said he would like to see a formal standard procedure coming up with that percentage rather than throwing it up to majority rule. The answer to his other question about side streets is as he heard yes it can and whoever is affected by that will be assessed a betterment. Before there was a small safeguard in there that allowed people on that street to needle it basically and now that is being removed. He added he has been in the sewer business for 30 years and he might be an expert at this stuff. There is a huge incentive if you spread the sewers out. Lastly, regarding the engineering and one thing that happens is failure and as he understand flow will go by gravity down to town line and there will be a pump to pump up. What if it fails? Emergency bypass?

Mr. Gilleberto again he does not want to discuss the design of a specific project for which is just underway and will be presented to the community in the coming months in advance of the Special Town Meeting.

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They were clear about the route the project would be taking and there have been many public works departments and engineers in discussions about the best way to do this project and connect to the treatment plant. There is inherent risk with any infrastructure water and water included.

Joseph Parisi added that a lot of pump station designs are built with redundancy of pumps and backup generators as well. Mostly likely have minimal total failure situations but you would have a bypass and you can't design that into a system. It is all part of designing a sewer system.

Mr. Gilleberto also added that they have invested into a substantial upgrade to the Town of North Reading monitoring system for water and he expects there will be a similar monitoring system for wastewater as well.

Ms. Gonzalez wanted to go back to Mr. Soucie first issue with majority vote which is 2/3rds vote.

Mr. O'Leary said to amend the general bylaw its 50% but to appropriate/borrow the money its 2/3rds vote.

Ms. Gonzalez is concerned that it could go the way Mr. Soucie is saying about zero and everybody adjacent pays 100% of this project.

Chair Manupelli said that would only happen at a Town Meeting for them to effectuate this process if the bylaw gets passed.

Mr. Gilleberto said yes a majority would be needed at the ATM to pass the bylaw. He added that they would need to borrow for this project as the money is not sitting in a fund, so a 2/3 vote to approve an actual project would be required.

Mr. O'Leary said how we pay for it is up to us. It will work like the Hillview project. He also added that the project will probably only use 50% of the capacity they are purchasing. In 20, 25, 30 years down the road we will be paying for this they will be able to expand down Martin's Pond etc. That would be a separate project and the betterments would be different because the infrastructure will already be in place. They are being very cognoscente in relation to the future expansion because they are buying that capacity and making it economically feasible for single-family residences from a public health and environmental standpoint. There is a lot of educating to be done.

Mr. Soucie asked if during the presentation to make sure the town knows that the decision to go up the side streets will inflict betterment on them that they will be physically assessed and have to pay. He also said he has not heard anything about how they plan to assess how much it is going to be.

Chair Manupelli said that before they get too far they need to remember that info will be discussed at an entirely separate town meeting. The topic of discussion is the bylaw amendment. She wanted to make sure they were no other questions.

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Mr. Soucie said there should be a formula and thank you.

Mr. Stuto added that any future project if you start attaching "what ifs" nothing will ever get done. You will just go around in a circle.

Chair Manupelli said this is a very unique opportunity and the options to expand into the other areas in town is an important component for her to be brought on board with the idea in addition to the economic development. They are talking about things not on track but the first step is the betterment adjustment.

Bill Cain-39 North Street (zoom typed response) said the focus is in the 50% and its rigidity. Proposing amending 25-4, the sewer portion of the bylaws. Why not amend 25-3, the water supply portion of the bylaw at the same time using the same rationale?

Mr. Gilleberto said the answer is that he knows that's when the bylaw was created the only practical area where it could be applied would be for street repaving, sidewalk construction and storm water management. While bylaw mentions sewer it was not a feasible option because there's nowhere to which pump or drain in the sewer flow. There was a substantial investment that needed to be made in order to provide that as an option anywhere in town. They need to give themselves that flexibility particularly on the front end of the project.

Chair Manupelli said that Mr. Soucie is saying to use the same model for 25-3 and maybe we should take up the thought at a separate time. She asked if there were any more questions as they have been discussing this topic for a while. Seeing no further questions she thanked everyone for the questions and participation. Then Mr. Gilleberto moved onto article 26 in the presentation.

Noah Spicer-13 Swan Pond Rd asked if there will be improved parking at the trail head with the trail improvement.

Mr. Wallner said yes that is the intention and it will be ADA compliant and added control for the motor vehicles that are not supposed to be there now.

Abigail Hurlbut said it was suggested that this not be a preamble to get more money later. As she understands there would be various town volunteers that would help to satisfy the designs that the consultant had come up with to blaze the trail. There seems to be some apprehension as that one thing leads to another. If for example it's asked for \$350K to establish trails and parking lots etc. is not the intent of this committee.

Mr. Wallner said there is going to be no paving of the existing trails, all will be dirt and natural materials except for the parking area. It will be modest improvements with the area scouts volunteer and Essex Aggie will be making the signs. It's a modest budget for lumber and what other towns that have done the same was around \$60K-\$80K. A lot of volunteer labor is expected.

Chair Manupelli added that there is not going to be any alteration.

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Mr. Wallner said the most would maybe be a parking lot. There will be a public informational hearing to discuss further.

Next order of business. Show Cause Hearing – Thompson Club

A discussion on when best to have the Show Cause ensued. The original Motion stands.

MADAM CHAIR, I MOVE TO SCHEDULE A SHOW CAUSE HEARING FOR THOMSON CLUB, INC. D/B/A PRO SHOP FOR MONDAY, JUNE 13, 2022.

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. K-P Law Consent Regarding Regional Housing Services Office

Mr. Gilleberto said the requests from KP Law and details are in the Select Board packet. KP is counsel for another party to an intermunicipal agreement that is under review.

MADAM CHAIR, I MOVE TO DETERMINE, PURSUANT TO RULE 1.7 OF THE MASSACHUSETTS RULES OF PROFESSIONAL CONDUCT, THAT THE NORTH READING SELECT BOARD CONSENTS TO KP LAW, P.C., REPRESENTING THE TOWN OF NORTH READING ("THE TOWN") WITH REGARD TO THE INTER-MUNICIPAL AGREEMENT FOR A COMMON REGIONAL HOUSING SERVICES OFFICE WITH THE TOWNS OF READING, SAUGUS, AND WILMINGTON, AND THE CITY OF WOBURN, AS DISCLOSED IN A LETTER TO THE TOWN

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DATED MAY 2, 2022, NOTWITHSTANDING THAT KP LAW, P.C., ALSO SERVES AS TOWN COUNSEL FOR THE TOWN OF WILMINGTON, AND TO SIGN THE DETERMINATION DATED JUNE 1, 2022.

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**
NONE.

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

Mr. Gilleberto said that the Police Department will be hosting a free Rape Aggression Defense course this summer. There will be two four-day sessions, one in June and one in August. Please see the attached flyer.

Chair Manupelli added the contact info Detective Mara 978-350-5050 and mmara@nrpd.org and it will be from 6-9 p.m.

Additionally, as the Board knows, the Fire Department is anticipating a handful of vacancies over the course of the next fiscal year, including one vacancy created by a transfer earlier this fiscal year. They have had difficulty identifying suitable candidates from the "Paramedic" Civil Services lists. While they expect to be able to fill the existing vacancy with a Paramedic, they will need to consider alternative strategies in order to maintain proper staffing levels.

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

Mr. O'Leary said they have been having regular Wasterwater meetings. He hopes to have a consultant update on June 13th. The Memorial Day Parade was nice to have it return to town and Mt Vernon Street without any potholes. There was a good turnout. Also there was a terrific address by Ms. Gonzalez. He then urged people to attend the ATM. Lastly he expressed his condolence for Jim Burke's (a.k.a Lobster)

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passing as he was well loved, a wonderful fellow and will be missed.

Mr. Wallner said that he and Allison Polito presented to the CPC and they were all in favor. He added that he stayed on for the remainder of the CPC meeting and what he has been thinking of is the Accessory Dwelling units that they are supposed to be working on a policy for and he asked if they would revive that at the end of the meeting. The CPC wanted to know if the Select Board is still in support of pursuing an Accessory Dwelling unit policy. They are not sure the Select Board is still in support.

Mr. Stuto asked if there was any movement by the CPC by way of consensus.

Mr. Wallner said they thanked him for bringing it up and he added we are not the 1st community to creat Accessory Dwelling unit policy and they were successful.

Mr. Stuto said it was formerly discussed a few months ago and it is a safety issue. Gerry Noel the Building Inspector said they already standardized it. There were Danielle McKnight drafts 2-3 against it.

Chair Manupelli said it is in the draft phase.

Mr. Wallner asked if the Select Board wants it.

Mr. Stuto said the issue planning takes a lot of CPC weight. He is surprised they wanted to come here.

Chair Manupelli said the Select Board was divided on the article for affordable parcels.

Mr. Wallner added that it is a sore spot.

A discussion pursued. Ultimately the Select Board is happy to deliberate with the CPC at the next scheduled meeting.

Mr. Wallner lastly added that the MVRTA has offered a mobility van for disable seniors and he is working on getting the information on how to proceed with that.

Ms. Gonzalez said the parade was great to be able to commemorate with the Town of North Reading. The CIT is still running the "Hidden in Plain Sight". People can still register online on the CIT Facebook site. It is a program to help parents identify drug use. The CIT is sponsoring the 7th Annual National Night Out on August 9th starting at 5 p.m. Lastly she added her condolences to Anthony Maffeo the Town of North Reading's insurance consultant who recently lost his father.

Mr. Stuto reported that the 2nd Annual EDC Summit went well and had good participation. Mr. O'Leary

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added his history of Town of North Reading. The next meeting will be after the numbers for the sewer are out. It was nice to hear from the businesses. Lastly he added that it is swimming season and he urged for all to be cognoscente of kids in the pool. A 4 yr. old died in Brookline with adults within feet of the water, it's all fun and games until it's not.

Chair Manupelli retold of an incident that happened with her son at a pool party and praised Ms. Helen Boulas for saving her child. She will never forget her and said that it's a very good message to spread. She then informed that the Town of North Reading Pride Parade will be on Sunday June 12th at 12:00 p.m. and urged residents to show up and support. She thanked Ms. Gonzalez for her remarks at the Memorial Day parade and fully complimented the Town of North Reading Minute Militia and Captain Rich Stratton, Ms. Sue Magner and all the Scouts who showed up at the crack of dawn to commemorate at the cemeteries. It was also great to see the baseball players throwing out candy to the onlookers. It was a wonderful day and the High School Band did a nice job as well. She also was able to attend a senior social studies class of Mr. Oosting who asked how to get the electric signs to encourage voters to vote. She forgot they have them with the Fire Station and are in the capital plan. She is happy to tell those students that one of the warrant articles #17 addresses this. Mr. Oosting would like to work it in yearly to have a Select Board member attend a class and discuss process procedures. She added that this year's Town Meeting is going to be indoors in the NRHS/NRMS gym. It's the same night the NRHS seniors are exchanging yearbooks and she told the seniors to peak in.

Mr. Gilleberto said the feedback from the elderly was the gym would be more assessable.

Chair Manupelli lastly added that she did the liaisons assignments but she needed to make two corrections.

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

Last order of business. ADJOURN

MADAM CHAIR, I MOVE TO ADJOURN.

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

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

VOTE: 5-0

ADJOURN: 10:46 P.M.

DATE



RICHARD WALLNER, CLERK


DETERMINATION

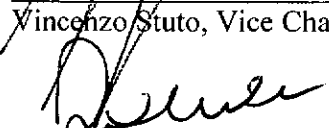
It is determined, pursuant to Rule 1.7 of the Massachusetts Rules of Professional Conduct, that the North Reading Select Board consents to KP Law, P.C., representing the Town of North Reading (the "Town") with regard to the Inter-municipal Agreement for a common Regional Housing Services Office with the Towns of Reading, Saugus, and Wilmington, and the City of Woburn, as disclosed in a letter to the Town dated May 2, 2022, notwithstanding that KP Law, P.C., also serves as Town Counsel for the Town of Wilmington.

TOWN OF NORTH READING
By its Select Board

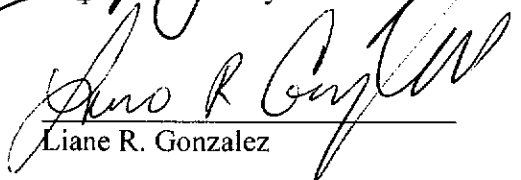
Dated: JUNE 1, 2022


Kathryn McManupelli, Chair


Vincenzo Stuto, Vice Chair


Richard F. Wallner, Clerk


Stephen J. O'Leary


Liane R. Gonzalez