

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

Chair Gonzalez called the meeting to order at 7:02 p.m. via in-person and remote participation. Participating members were Ms. Manupelli, Mr. Wallner, Mr. O'Leary and Town Administrator, Michael Gilleberto. Mr. Stuto was absent.

#1

Routine.

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

Mr. O'Leary-the Board of Health is meeting tomorrow so he have an update soon from them and the Hillview Commission is still working on the RFP.

Mr. Wallner – None

Mr. Stuto- Absent

Ms. Manupelli- None

Chair Gonzalez- None

Next order of business. **Discuss Chestnut Street Bridge Replacement**

Mr. Gilleberto began that present for this discussion were Joseph Parisi, DPW Director, Dan O'Donnell, Town Engineer TEC representatives, Jody Trunfio, P.E. – Principal, Andrew Spurr, P.E. – Project Manager & Sam Gregorio, P.E. – Project Manager / Senior Design Engineer whom attended virtually. They were present to answer the questions the Select Board asked the last time they attended a meeting.

Jody Trunfio began PowerPoint.

Abigail Hurlbut asked if the annual escalation costs are in the price factors.

Mr. Trunfio said it is factored in the numbers and then he continued the presentation.

Mr. Wallner thanked TEC for their updated presentation and said the Single Span Bridge is a “no brainer” vs. culverts. He added especially if the DEP finds issues with culverts.

Mr. O'Leary asked if any other communities have had any success rates of plans for box culverts.

Mr. Trunfio said the DEP would look at the site conditions and would say that the box culverts would not meet the minimum requirements.

Mr. O'Leary appreciated TEC returning with all the good information that was requested.

Ms. Manupelli asked how the construction process differs between the Single Span Bridge vs. Culverts.

Mr. Trunfio explained.

Ms. Manupelli asked which option will take the shortest amount of time to completion and why it takes

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

longer if the pipe is the same. She also asked if the elevation of the road will change.

Mr. Trunfio answered that the Single Span Bridge will be the shortest and that you cannot just buy a bigger pipe. It is a special order and size issue. The grade will be a gradual change and only 9 inches will be added.

Ms. Manupelli added that this is a significant cost for the Town of North Reading. She asked will the DEP help to pay for some or all since they have made the parameters more restrictive.

Mr. Trunfio responded that all communities say the same. There are very competitive programs out there. They will try to work with the Commonwealth but that could extend the project 30-40 months. There are also federal funding out there.

Mr. Gilleberto added that they have submitted a Mass Works application June and should hear about it in sometime in October. They also reached out to the Economic Preservation and they asked Town of North Reading to apply. They also ruled out the state run transportation improvement program. They are pursuing opportunities.

Ms. Gonzalez asked if due to the raising of the road will it affect the home nearby.

Mr. Trunfio said no.

Abigail Hurlbut asked what the useful life of all three options were.

Mr. Trunfio said 75 years. The metal will corrode like the current situation. Metal needs to be maintained.

Abigail Hurlbut responded that that is all are maintained all will have a useful life of 75 years.

Mr. Gilleberto said weather is the Box or CMP culverts are implemented it will be the DPW staff clearing.

There were other questions that were answered by Mr. Trunfio.

Question via Zoom asked why we need a bridge and can it be completed in less than six months. Mr. Gilleberto said an earlier part of the presentation answered this.

Question via Zoom can't we put a weight limit on the road. Mr. Gilleberto said the town looked into that before and they were told they are not able to restrict traffic on Chestnut. As to the weight limit on the bridge he referred to TEC.

Mr. Trunfio said they would have to have MassDOT perform a bridge rating.

Question via Zoom if the town is to choose the Single Span Bridge will the town take 185 Chestnut St. by eminent domain. Mr. Gilleberto said the study area is 100 feet downstream and the house is 245 feet. He is not aware of any need to acquire any land. There is conservation land that will need to be encroached on that will require article 97 that will take place at the Annual Town Meeting.

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

Question via Zoom will this pricing include red lights for Chestnut and Route 62. Mr. Gilleberto answered no. There is no plan for a light at Chestnut St. There is a plan for a light at Haverhill and Chestnut St that will occur in the next few weeks. He added all those questions were from Mr. Veader through the chat.

Further clarifying and fact finding and options questioning occurred. Chair Gonzalez added the need for a sidewalk for safety. All agreed to add that to the plans.

Rita Mullins made the point that every two years that area floods and if any one of the plans better at controlling this issue.

Mr. Trunfio answered that the Single Span Bridge has the ability to control that. There was also a discussion on the MassDOT new regulation that the Town of North Reading has to comply with at our own expense.

Chair Gonzalez looked for the consensus of the Select Board to go for the single span or fight for a culvert and maybe loose.

Ms. Manupelli is mindful that they are about to ask the Town of North Reading for an expensive sewer project and other projects are adding to the weight of that cost. She is concerned about the grading and is not in favor of eminent domain. Which is not looking to be an issue. Now that Mr. Trunfio has explained the Single Span Bridge makes the most sense for that location. It's expensive for the town no matter what.

Mr. Wallner asked what the additional cost would be to try and fail at one of the box plans first.

Mr. Trunfio replied \$150K

Ms. Manupelli asked if all else fails to get funds how would we pay.

Mr. Gilleberto not available for ARPA and would require borrowing.

Mr. Wallner asked if Pulte money is avail.

Mr. Gilleberto said could be, yes.

Chair Gonzalez now that adding a sidewalk could that open us up to other funds.

Mr. Gilleberto maybe open up to compete street and other funding's.

Mr. O'Leary not in favor of waiting 6-12 months of waiting and hoping for more grants to cover the delta.

MADAM CHAIR, I MOVE TO CONTINUE PLANNING AND DESIGN TO INSTALL A PRE-CAST
BRIDGE AT THE CHESTNUT STREET IPSWICH RIVER CROSSING.

MOTION BY:

MR. WALLNER

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

SECONDED BY: MR. O'LEARY

MADAM CHAIR, I MOVE TO CONTINUE PLANNING AND DESIGN TO INSTALL A PRE-CAST BRIDGE AT THE CHESTNUT STREET IPSWICH RIVER CROSSING AND TO AMEND TO ADD A SIDEWALK AND CONTINGENT WITH NO EMINENT DOMAIN TAKEN WITH BRIDGE.

MOTION BY: MRS. MANUPELLI

SECONDED BY: MR. O'LEARY

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

VOTE: 4-0 1-ABSENT

Next order of business. Acceptance of Gifts

Mr. Gilleberto announce the receipts of 2 gifts.

Chair Gonzalez asked Rita Mullins if the fund were enough and she said yes.

MADAM CHAIR, I MOVE TO ACCEPT A GIFT IN THE AMOUNT OF \$19,750 FROM FRIENDS OF NORTH READING PARKS AND RECREATION AND TO AUHORIZE EXPENDITURE OF SAID FUNDS FOR SKATE PARK RAMP REPAIRS.

MOTION BY: MR. WALLNER

SECONDED BY: MRS. MANUPELLI

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

VOTE: 4-0 1-ABSENT

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

MADAM CHAIR, I MOVE TO ACCEPT A GIFT IN THE AMOUNT OF \$1,950 FROM FRIENDS OF NORTH READING COUNCIL ON AGING AND TO AUTHORIZE EXPENDITURE OF SAID FUNDS FOR FREE SENIOR YOGA CLASSES.

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

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

VOTE: 4-0 1-ABSENT

Next order of business. **Minutes**

Tabled

Next order of business. **Public Comment**

Noel Kelley 33 Leland Road- This week's transcript has a public notice that FEMA are redrawing the Flood maps. This was last done 12 years ago, most people are not affected by this time but a lot of people are. 12 years ago, I was one of those when I was already in the flood plane but it was a dramatic increase in the rates of which insurance companies challenge. They went up dramatic. I was one of the lucky ones as I was at the tail end of my mortgage. On principle I had a survey done and I was taken out. I appealed. That cost me a considerable amount of money out of my own pocket now there was no notification at the time other than what would have been in the Transcript which I didn't pay attention to. I think it behooves the town to inform their citizenry as to what's happening with this because they've expanded the scope more houses would be touched by this than were before. If you're a young couple facing a mortgage and then your insurance company is going to whack you with several thousand dollars increase because the property value has gone up a lot. It's based on your insured value some based on your outstanding mortgage. The only notice I saw was this and there's a 90-day period to appeal. Now for those of you hands up just anybody who in the room is in the floodplain. If you see how many houses in this town are impacted by this and it's a huge economic burden on people who are already stretching to pay their mortgages and so forth. So most of these people don't know what's going on and don't pay attention to that. It's one of those things that happens in the background. I spoke with the national office today I called them. I spoke with this very nice man who informed me that this can happen, the 30-day period is an appeal process but in order to be able to change it you have to have hydrological data. There's not one person in this town other than the town engineer who has access to hydrological data. That is not going to happen. it's an informational session, what they're saying is you have 90 days to look at the maps and the overlays and it's not final. Even with those Maps you don't know now I looked at the maps they're online and unfortunately they're using GIS imagery which was taken in the summertime when the trees are full of leaves. When you look at an overlaying map, and what it is you take the GIS map you, like the Google

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

Map and they show you the overlays where these floodplain is going to impact the properties and we're it touch the boundaries. It's very very different to understand from these maps whether your house is going to be impacted so your backyard but if it doesn't cut your house you're okay. There's a 90-day period starting around August 26th and at the end of that period they will determine what the final map will look like. I appealed it 12 years ago if I find that the new plot line touches my property I can actually resurrect that appeal from 12 years ago without having to go out and pay a survey. Anybody else who's impacted by this is going to have to engage the services of the surveyor out of their own pocket before they even know if they have a chance of being interrupted so even that's not a guarantee. The purpose I'm here is this article was published in the transcript this week only references. No disrespect when I called the national guy he gave me your (Dan O'Donnell) phone number as a contact and he said you need to reach out to your local flood plan. Neither of those names are in the sheet are in the statement so they say if you want more information contact the FEMA Max specialist at 877 FEMA. I went through this 10 year 12 years ago and I understand about the impact that this can be on some people my recommendation is that you make a conservative effort to inform the public as to what's happening and this is the big deal not just this is for planning purpose. Nobody has said anything about it and so I would be very appreciative and I think a lot of other people would also be very appreciative if the town were to make an effort to inform the populace. I appreciate the time thank you

Mr. O'Leary asked how to get this info.

Dan O'Donnell is working on that as he got a broken link from FEMA.

Mr. Wallner said to write a letter to the editor

Ms. Manupelli thinks it should be on the website and a possible reverse 911.

Mr. Veader, 8 Cedar Street said since you committed this the sidewalk to the bridge are you going to extend the sidewalk past 62 from the DPW to the bridge.

Mr. O'Leary replied not today but the ultimate goal would be to connect.

Next order of business. Nuisance/Dangerous Dog Hearing – 103 Main Street, Unit 12

Mr. Wallner read the hearing notice that was delivered to Mr. Michael Baker, 103 Main Street, Unit 12.

Attorney Jeff Blake made opening comments, explain the law and definitions and law standards on dangerous or nuisance dog.

Also in attendance was Chief Mark Zimmerman, Administrative Lieutenant Joseph Thibodeau, and Town of North Reading Dog Officer Jerry Berg. Additionally via zoom were Jennifer Darfoor & Jessica Graham who are in the Police Department report.

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

MADAM CHAIR, I MOVE TO ACCEPT THE REPORT ENTITLED "NRPD INVESTIGATION –
BAKER FAMILY DOG "FLOYD" 103 MAIN ST. UNIT 12" AND THE FACTS CONTAINED WITHIN.

MOTION BY: MR. MANUPELLI
SECONDED BY: MR. WALLNER

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

VOTE: 4-0 1-ABSENT

Chief Mark Zimmerman presented the Police Department report that included a summary of complaints on 3 dog bites and residential complaints.

Jacquelyn Rudder, 103 Main Street, Unit 4 - She retold her story of encounters and she was involved in two incidents. The first she described was with her dog Wendy.

Jessica Graham, 103 Main Street, Unit 4- Ms. Graham described her encounter and that she was bitten on the left thumb & right middle finger, drawing blood to her right middle fingernail bed while separating her dog from being bitten by Floyd.

Jennifer Darfoor, 26 Enmore St. Andover- She explain that on Friday 1/6/23 was when Floyd attacked and killed her dog Mr. Pope in the Pet Smart parking lot at 104 Commerce Way in Woburn MA

Chair Gonzalez asked for questions.

Ms. Manupelli asked Ms. Rudder if they were on her property.

Ms. Rudder replied Mr. Baker did not come onto the patio. Kaysea was holding the other dog. Floyd did not respond to Mr. Baker. She had to pull the dog off her dog.

Ms. Manupelli asked Mr. Baker if he takes the dog for walks.

Mr. Baker said yes. Floyd is a black mouth Cur that he rescued from down south after he was abused by a human. The dog is a crossbreed between a Shepard, retriever and hound. They are hunting dogs and know to be a great temperament.

Ms. Manupelli asked Chief Mark Zimmerman if it's a dangerous breed.

Chief Mark Zimmerman said it is known as a hunting dog.

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

Mr. O'Leary is reserving judgement until he hears from the owner of the dog. It is certainly impacting the quality of life in that neighborhood.

Ms. Manupelli wondered why they were just hearing about this animal now.

Taylor DoSantos 103 Main, Unit 21- Has a dog but brings him to other places to walk due to the fear of Floyd. She was told by the Police Department that more things had to happen and go through the Police Department to report them to get to this point of a Public Hearing. She also added they are moving away because of these dogs. They are all fearing for their pats and their own safety.

Mr. Wallner asked how old the dog is.

Mr. Baker said the Vet at Northeast Animal Shelter guessed approx. 2 ½ yrs.

Mr. Wallner asked how big.

Mr. Baker replied 85 Lbs.

Chair Gonzalez gave Mr. Baker his chance to respond.

Mr. Baker said he has been a union medic for many years in Lowell. He is familiar with Robert's Rules of order and the rule to speak non fact and first he will say Taylor and her husband are not moving because of the dog. They had already started to move before the recent unfortunate incident happened. She just disrespected your Select Board by her non-truthful statement. He then read a prepared statement. The dog has been enrolled in the K9 Behavioral Modification class and has taken 5 classes to date. He gave copies of his letter and documentations to the Select Board. The dog is also an ESA dog for his wife Kelsea. The K9 instructor believes Floyd was made to be a fighting dog before he come to Massachusetts. He also took responsibility for not being able to control the dog during the third incident with the beagle dog due to his shoulder injury. Especially after his wife lost control. He added that during the second incident that occurred in Woburn at Petco the dog besides being an ESA dog for the wife, he is also her protector. Had they known about the history they would not have had the dog be a protector. Kelsea also had their other puppy George. The dog of Jennifer Darfoor walk forward on a long lease that's when Floyd reacted. The first incident Floyd was on his runner which keeps him 3 feet from the end of the driveway and he describe the incident with the Shephard. He additionally had pictures of his neighbors on his property. Next he gave information and more photos of the strength and rigging he has set up to keep Floyd in his yard. He comment that his neighbors are weaponizing the police against him and his dog. Lastly, he reiterated that Floyd has shown progress down at the K9 Center in Reading, MA with his Reactive Deprograming.

Gay Lemmons, 103 Main, Unit 20. When she moved in she was warned about Floyd killing the dog. She has a small dog and that she is very nervous and she will not go out and is on edge for going out or walking her dog. Once she was out getting mail and was hurrying to get back inside as she saw one of the dogs with Kelsea and Kelsea said "you don't have to rush this is the small one" implying that she did not have to worry about the small one but she did need to worry about Floyd. Kelsea then added "she can't walk the other one because he is too big". Ms. Lemmons does not walk her dog as she is always looking for places to run. She also submitted a petition to people in the community that she submitted. She added that a neighbor man said his large dog was attacked 4 times by Floyd but he did not report it. Also a little

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

girl is not riding her bike anymore. She added she is healthy but has been diagnosis with health complication with living in fear daily due to the dogs. It is very easy to get an ESA certificate if your party \$200. It has nothing to do with ADA compliance. She did not have her dog with her on the day he said she was in his driveway as she added she was just speaking to Jerry Berg.

Mr. Gilleberto has 38 comments on the chat. Chair Gonzalez made sure no one else in the room wanted to speak.

Jennifer Darfoor- 26 Enmore St. via Zoom Andover She was very offended for the victim blaming that occurred today. She was in a public Place she had an appointment and purpose. She does not see how her dog intimidated his dog as it was in her arms. She wants to see a copy of the video of his dog killing her dog. The ESA means nothing. Floyd is her definition of a dangerous dog.

Scott House, 103 Main, Unit 7. Said that he lives a few doors down and has two small dogs and he is afraid to walk by. Mr. Baker dog has already killed a dog. One of his neighbor's dogs has been attack 4 times. It's hard to protect his dogs from Mr. Baker.

Diane Robachad 103 Main, Unit 5. Said the dog cannot be controlled. Her dogs are confined to her yard only. She has to go to dog parks to walk her dog. She feels bad but nobody is safe with the two dogs.

Rebecca Allen 103 Main, Unit 7. Kaysea has been attacked by Floyd. The ESA dog attacked. She feels unsafe walking past the house as the dog even lunges at cars. There are children in the neighborhood. It's not ok that Mr. Baker leaves it up to his wife to control this dog.

Mr. Gilleberto relayed a question from Adam Austin who respectfully requests the Select Board to consider the validity of the dog's emotional support animal designation for its legitimacy.

Ms. Manupelli said it is not a service dog so there are no credentials to review.

Chair Gonzalez confirmed all whom wanted to speak via zoom have.

Mr. O'Leary asked how many units are at the address.

Landlord Jimmy answered 29 homes.

Mr. O'Leary said that the majority of the neighborhood is living in fear, 13 signatures and many neighbors has said the dogs in bad hands. To Mr. Baker he said "what do you suggest I do?"

Mr. Baker said it sucks and he was abused. He will pay for a fence with a runner and a gate.

Mr. O'Leary responded that the dog may have been abused but now the neighborhood is being abused and if they moved the dogs to a new neighborhood it becomes someone else's problem.

Mr. Baker said he is a dog lover and he is not victim blaming.

Mr. O'Leary added that Mr. Baker's inability to control animals is not fair. Neighbors are living in fear. He has failed and continues to fail. He is torn.

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

Mr. Baker again when over the set up at his home and the changes he is willing to make. There was more back and forth between Mr. O'Leary and Mr. Baker.

Mr. O'Leary will defer to the Chair as her Husband and daughter who is a state trooper train dogs.

Mr. Wallner said when being asked to determine if this is a nuisance or a dangerous dog there is no doubt in his mind that this is a dangerous dog by definition. Mr. Baker has had three times to make corrections and correct the dog's behavior. Five lesson does not change a dogs behavior and at 2 ½ years old whatever happened before will continue and he has no hesitation on saying this dog needs to be euthanized. The Dog cannot go to another neighborhood.

Ms. Manupelli asked Chief Mark Zimmerman if he instructed Mr. Baker to file a criminal complaint against his neighbor.

Chief Mark Zimmerman responded that no he did not.

Ms. Manupelli said to Mr. Baker he is on first name basis with the dog officer and how many years has he known him.

Mr. Baker said they keep it friendly and he thinks it was last September after the first incident that they met.

Dog Officer Jerry Berg responded that it was after the first dog bite.

Ms. Manupelli said the dog officer did not order the dog training it sounds like a family friend suggested it.

Mr. Baker said a friend who is a state trooper recommended K9 in Reading, MA.

Ms. Manupelli that from what Mr. Baker is testifying they are doing him a disservice by trying to explain away the behavior by telling you what his dog is thinking. Usually when a dog goes to Petco they are really excited to see other dogs and they're not mauling them like his dog did. They all feel horrible hearing all of this but as an ESA dog you and your wife should fire that dog because she can't imagine that these instances aren't causing your wife tremendous anxiety and even not being able to control the dog on a walk. She wondered why after the second incident the Select Board did not hear about this. It should have been brought to their attention. All of the Select Board are dog lovers and that she herself rescued her dog from Northeast Animal Shelter and she finds it hard to believe that they would entrust anyone with a dog that seems vicious to be an ESA dog.

Mr. Baker wanted to bring up the Chief Mark Zimmerman was untruthful to the Select Board about the trespassing and he told him it was a misdemeanor and that's a criminal complaint. He said he will come to the next meeting with a recording as he has been recording since he walked in the door.

Ms. Manupelli said they heard what Mr. Baker's statement was. She listened to everyone equally and she appreciated him being direct and admitting to the incidents. Her biggest concern is the lack of control.

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

There are kids there, people with dogs and the interference with the ability for people to feel safe because of Floyd's behaviors. She agrees with Mr. Wallner and it sound like it is way beyond a nuisance dog.

Mr. Baker again went over the rigging with examples he brought.

Chair Gonzalez commented on how she took offense to Mr. Baker calling Chief Mark Zimmerman a liar. She said what he is doing with this dog is so selfish. Her heart goes out to all the victims. This dog does not deserve this life and should have been in training from day one. Northeast does checks and makes sure there is a fenced in yard and room for the dog to run. The dog is a cooped up dog that should have a yard to run. She asked the Chief for the dates of the attacks again.

Chief Mark Zimmerman responded that 9/30/22, 1/26/23 & 7/31/23.

Chair Gonzalez asked after Floyd killed a dog Mr. Baker still took him out on a lease where he then attacked another dog.

Mr. Baker said approximately 8 months later yes Floyd did attack another dog.

Chair Gonzalez said this dog is not controlled. This dog is obviously aggressive to other dogs, and why would he take him out on a leash again and put another dog in danger. She does not understand the thought process and feels bad for the dog. He should probably give this dog to one of his childhood friends who has all this land to run around and whom will get him trained. He need exercise and a release.

Mr. Baker spoke on how the training is set up.

Chair Gonzalez said the dog should have had training from day one.

Mr. Baker divulged his wife's medical issues and why she needs the dog.

Chair Gonzalez officially closed the public portion of the Hearing at 10:37 p.m. She thanks all who came forward and being courageous. The Select Board began deliberations.

Attorney Blake read the dangerous dog rule/law.

MADAM CHAIR, I MOVE TO DEEM THAT DOG IS DANGEROUS ON THE BASIS THE DOG IS ATTACKING OTHER ANIMALS OR APPROACHING IN AN AGGRESSIVE MANNER OTHER ANIMALS, AND ON THE BASIS THAT WE HEARD EVIDENCE THAT THIS DOG SERIOUSLY INJURED ONE DOG, AND ALSO CAUSED THE DEATH OF ANOTHER DOG, AND BECAUSE OF THE BEHAVIOR OF THE DOG IN THE MANNER OF IMMINENTLY THREATENING, NOT JUST OTHER DOMESTIC ANIMALS, BUT ALSO PEOPLE, CHILDREN AND THE OTHER RESIDENTS. THAT'S THE BASIS FOR WHICH I KNOW THE SELECT BOARD HAS DEEMED HIM DANGEROUS.

MOTION BY:	MRS. MANUPELLI
SECONDED BY:	MR. WALLNER

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

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

VOTE: 4-0 1-ABSENT

MADAM CHAIR, I MOVE THAT THE SELECT BOARD ORDER EUTHANIZATION OF THE DOG ON THE BASIS THAT WE HEARD EVIDENCE OF NUMEROUS INTERACTIONS THAT ARE SERIOUSLY THREATENING. THE DOG HAS ATTACKED ONE DOG. THE OWNERS ARE UNABLE TO CONTROL THE DOG. THE OWNER IS HERE EXPLAINING A NUMBER OF IMPLEMENTS THAT THE OWNER HAS DONE TO ADDRESS THE DOG WHICH HAS FAILED. THE INFORMATION FROM THE RESIDENTS AND THE NEIGHBORS THAT DEMONSTRATES THAT ALL THE OTHER AMENDMENTS THAT WE COULD CONSIDER ARE NOT GOING TO ADDRESS THE CIRCUMSTANCE. I UNDERSTAND TO MY COLLEAGUES AND TO MR. BAKER, THAT THIS IS AN EXTREME MEASURE, BUT THIS IS AN ATTACK OF ANOTHER ANIMAL AND AN ATTACK OF A DOG IN A PARKING LOT IN THE PETCO WHERE DOGS GO TO MEET OTHER DOGS, AND ALSO THAT A DOG HAD BEEN MAULED TO THE POINT OF STITCHES AND THIS IS OTHER DOG LIVES IN THE NEIGHBORHOOD, IT'S A FAMILIAR DOG AND A NEIGHBOR WHO WAS BIT BY THE DOG. IT'S EXTREME CIRCUMSTANCES AND MULTIPLE INCIDENTS.

MOTION BY:	MRS. MANUPELLI
SECONDED BY:	MR. WALLNER

Mr. O'Leary identified that he was elected to the Select Board in 1988 and has been involved in several dog hearings and he has never been put in this position to have to euthanize a dog. He does not appreciate being put in that situation. He does not appreciate what this has done to Mr. Baker's neighborhood or his dog. It's not the dogs fault.

Mr. Baker made comments re: the Police Department and was ordered to cease by the chair via gavel.

Mr. Baker further asked "where does he go to get him killed" and some comments about Iraq and the "corrupt" NRPD and how he will have to have his wife sectioned 12 on the next day. He went on interrupting the Select Board meeting with loud interjections and accusations.

Mr. Wallner said when they make a vote on euthanasia he will be contacted by the Dog Officer.

Mr. Gilleberto interjected that the Chair controls the meeting. He told Mr. Baker that she will recognize him when it's your turn to speak if she does not recognize him, he may not speak. If he won't comply he will be removed from the meeting.

After interrupting again by asking when he has to have the dog euthanized Mr. Gilleberto said he will received notice on whatever action is taken.

The Select Board had deliberations.

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

Mr. Baker left the meeting at 10:49 p.m.

Mr. O'Leary checked with Town Counsel on the Motion. Attorney Blake made the suggestion to add a timeline 7-14 days to euthanize and 10 days to appeal to district court.

MADAM CHAIR, I MOVE THAT THE SELECT BOARD ORDER EUTHANIZATION OF THE DOG ON THE BASIS THAT WE HEARD EVIDENCE OF NUMEROUS INTERACTIONS THAT ARE SERIOUSLY THREATENING. THE DOG HAS ATTACKED ONE DOG. THE OWNERS ARE UNABLE TO CONTROL THE DOG. THE OWNER IS HERE EXPLAINING A NUMBER OF IMPLEMENTS THAT THE OWNER HAS DONE TO ADDRESS THE DOG WHICH HAS FAILED. THE INFORMATION FROM THE RESIDENTS AND THE NEIGHBORS THAT DEMONSTRATES THAT ALL THE OTHER AMENDMENTS THAT WE COULD CONSIDER ARE NOT GOING TO ADDRESS THE CIRCUMSTANCE. I UNDERSTAND TO MY COLLEAGUES AND TO MR. BAKER, THAT THIS IS AN EXTREME MEASURE, BUT THIS IS AN ATTACK OF ANOTHER ANIMAL AND AN ATTACK OF A DOG IN A PARKING LOT IN THE PETCO WHERE DOGS GO TO MEET OTHER DOGS, AND ALSO THAT A DOG HAD BEEN MAULED TO THE POINT OF STITCHES AND THIS OTHER DOG LIVES IN THE NEIGHBORHOOD. IT'S A FAMILIAR DOG AND A NEIGHBOR WHO WAS BIT BY THE DOG. IT'S EXTREME CIRCUMSTANCES AND MULTIPLE INCIDENTS AND TO AMEND THE MOTION TO INCLUDE IF THERE IS AN APPEAL TO AMEND THE REQUIREMENT THAT IF MR. BAKER FILES AN APPEAL WITHIN THE 10 DAYS, HE IS TO SURRENDER THE DOG TO THE TOWN OF NORTH READING TO BE KENNELED AT THE OWNERS EXPENSE.

MOTION BY:	MRS. MANUPELLI
SECONDED BY:	MR. WALLNER

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

VOTE: 4-0 1-ABSENT

I MOVE TO FURTHER AMEND TO HAVE THE DOG EUTHANIZED WITHIN 10 DAYS AND IN THE MEANTIME THE DOG SHALL BE SECURELY AND HUMANELY MUZZLED AND RESTRAINED WITH A CHAIN OR OTHER TETHERING DEVICE HAVING A MINIMUM TENSILE STRENGTH OF 300 POUNDS AND NOT EXCEEDING 3 FEET IN LENGTH.

MOTION BY:	MRS. GONZALEZ
SECONDED BY:	MRS. MANUPELLI

MADAM CHAIR, I MOVE THAT THE SELECT BOARD ORDER EUTHANIZATION OF THE DOG ON THE BASIS THAT WE HEARD EVIDENCE OF NUMEROUS INTERACTIONS THAT ARE

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

SERIOUSLY THREATENING. THE DOG HAS ATTACKED ONE DOG. THE OWNERS ARE UNABLE TO CONTROL THE DOG. THE OWNER IS HERE EXPLAINING A NUMBER OF IMPLEMENTS THAT THE OWNER HAS DONE TO ADDRESS THE DOG WHICH HAS FAILED. THE INFORMATION FROM THE RESIDENTS AND THE NEIGHBORS THAT DEMONSTRATES THAT ALL THE OTHER AMENDMENTS THAT WE COULD CONSIDER ARE NOT GOING TO ADDRESS THE CIRCUMSTANCE. I UNDERSTAND TO MY COLLEAGUES AND TO MR. BAKER, THAT THIS IS AN EXTREME MEASURE, BUT THIS IS AN ATTACK OF ANOTHER ANIMAL AND AN ATTACK OF A DOG IN A PARKING LOT IN THE PETCO WHERE DOGS GO TO MEET OTHER DOGS, AND ALSO THAT A DOG HAD BEEN MAULED TO THE POINT OF STITCHES AND THIS OTHER DOG LIVES IN THE NEIGHBORHOOD, IT'S A FAMILIAR DOG AND A NEIGHBOR WHO WAS BIT BY THE DOG. IT'S EXTREME CIRCUMSTANCES AND MULTIPLE INCIDENTS AND TO AMEND THE MOTION TO INCLUDE IF THERE IS AN APPEAL TO ADD THE REQUIREMENT THAT IF MR. BAKER FILES AN APPEAL WITHIN THE 10 DAYS, HE IS TO SURRENDER THE DOG TO THE TOWN OF NORTH READING TO BE KENNELED AT THE OWNERS EXPENSE. I FURTHER AMEND TO HAVE THE DOG EUTHANIZED WITHIN 7 DAYS AND IN THE MEANTIME THE DOG SHALL BE SECURELY AND HUMANELY MUZZLED AND RESTRAINED WITH A CHAIN OR OTHER TETHERING DEVICE HAVING A MINIMUM TENSILE STRENGTH OF 300 POUNDS AND NOT EXCEEDING 3 FEET IN LENGTH.

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

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

VOTE: 4-0 1-ABSENT 10:58 p.m.

Chief Mark Zimmerman added the Police Department will be doing extra checks in the following days.

Next order of business. American Rescue Plan Act (ARPA) Funds

Chair Gonzalez said to table the ARPA discussion until the next meeting.

Mr. O'Leary said they need feedback from the residents and it cannot all be done in one night with no discussing.

Ms. Manupelli stated that there was a Motion missing from the ARPA minutes from a prior meeting.

Mr. O'Leary said they have nothing to look at.

The Select Board had a conversation that before the next meeting to put into the packet all department suggestions and include the school department with actual tangible numbers to discuss.

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

Mr. Gilleberto said he will compile a list of projects and include the previous approved projects. He will have a PowerPoint presentation.

Chair Gonzalez said for the next meeting, Wednesday 9/6/23 they will have all the info and a PowerPoint in the packet for the Select Board to look at ahead of time.

Mr. Wallner asked if they have ideas who they should forward to.

Mr. Gilleberto said to him.

Mr. Wallner wants to see a master list before the next meeting to see what is viable.

Rita Mullins wanted to add that the Parks and Recreation have some good points they would like to bring to the Select Board at the next meeting re: the ARPA funds. Kid Spot is ready to go if they can discuss some additional funding.

Ms. Manupelli asked if Kid Spot was supposed to be funded by the Enterprise fund.

Rita Mullins said yes there is the Enterprise Fund but Parks and Recreation falls into the parameter of what the ARPA money should fund. The playground is considered a town expense. Parks and Recreation looks forward to the opportunity to make that presentation. She just needs 4 minutes next time.

Ms. Manupelli said it does not make sense to pull in other options on things that they have already set up bonding or free cash for like Hillview or Parks and Recreation. That's what the enterprise funds are for. She thinks they should zone in on what is contract ready.

Next order of business. Fall Annual Town Meeting Warrant

Mr. Gilleberto went over the October Town Meeting Warrant Articles. He specifically went over the new ones specifically 7 Theresa's Street, Street Acceptance of Eaton Circle and the new Recycling Committee to regulate sustainable food wear and packaging.

Mr. Wallner said that the black togo containers are trash and they want to implement something that is recyclable.

Ms. Manupelli said they need to provide a draft for this as it will impact the restaurant community.

Dan Greenberg said if the Select Board supports to put on the warrant they will go and meet with every food establishment. They are also presenting to the Board of Health.

Chair Gonzalez said personally she would not be in support of that article.

Mr. Gilleberto added that the DPW & Town Engineer have been working on the timing of the Wastewater project meeting. A meeting may occur a few weeks after the October Town Meeting.

Next order of business. Appointments

CAPITAL IMPROVEMENT PLANNING COMMITTEE

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

MADAM CHAIR, I MOVE TO APPOINT THE FOLLOWING INDIVIDUALS TO THE CAPITAL IMPROVEMENT PLANNING COMMITTEE FOR TERMS TO EXPIRE ON JUNE 30, 2024:

-LIANE GONZALEZ
-VINCENZO STUTO
-LAURIANNE GALVIN
-MICHAEL GILLEBERTO

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

VOTED BY: MR. STUTO ABESNT
MRS. GONZALEZ LIANE GONZALEZ, VINCENZO
STUTO, LAURIANNE GALVIN & MICHAEL GILLEBERTO
MR. WALLNER LIANE GONZALEZ, VINCENZO
STUTO, LAURIANNE GALVIN & MICHAEL GILLEBERTO
MR. O'LEARY LIANE GONZALEZ, VINCENZO
STUTO, LAURIANNE GALVIN & MICHAEL GILLEBERTO
MRS. MANUPELLI LIANE GONZALEZ, VINCENZO
STUTO, LAURIANNE GALVIN & MICHAEL GILLEBERTO

VOTE: 4-0 1-ABSENT

ECONOMIC DEVELOPMENT COMMITTEE

MADAM CHAIR, I MOVE TO APPOINT THE FOLLOWING INDIVIDUALS TO THE ECONOMIC DEVELOPMENT COMMITTEE FOR TERMS TO EXPIRE:

- VINCENZO STUTO- ASSOCIATE MEMBER DECEMBER 31, 2024

-KATHRYN MANUPELLI-FULL MEMBER MAY 4, 2024

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

VOTED BY: MR. STUTO ABESNT
MRS. GONZALEZ VINCENZO STUTO,
KATHRYN MANUPELLI
MR. WALLNER VINCENZO STUTO,
KATHRYN MANUPELLI
MR. O'LEARY VINCENZO STUTO,
KATHRYN MANUPELLI
MRS. MANUPELLI VINCENZO STUTO,
KATHRYN MANUPELLI

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

VOTE: 4-0 1-ABSENT

FACILITIES MASTER PLAN COMMITTEE

MADAM CHAIR, I MOVE TO APPOINT THE FOLLOWING INDIVIDUAL TO THE FACILITIES MASTER PLAN FOR TERMS TO EXPIRE JUNE 30, 2024

-WARREN PIERCE JR.

MOTION BY: MR. WALLNER

SECONDED BY: MR. O'LEARY

VOTED BY:	MR. STUTO	ABESNT
	MRS. GONZALEZ	WARREN PIERCE JR.
	MR. WALLNER	WARREN PIERCE JR.
	MR. O'LEARY	WARREN PIERCE JR.
	MRS. MANUPELLI	WARREN PIERCE JR.

VOTE: 4-0 1-ABSENT

TAXATATION AID COMMITTEE

MADAM CHAIR, I MOVE TO NOMINATE THE FOLLOWING INDIVIDUAL TO THE TAXATATION AID COMMITTEE FOR A TERM TO EXPIRE DECEMBER 31, 2024

-GAIL MANNING

MOTION BY: MR. WALLNER

SECONDED BY: MR. O'LEARY

VOTED BY:	MR. STUTO	ABESNT
	MRS. GONZALEZ	GAIL MANNING
	MR. WALLNER	GAIL MANNING
	MR. O'LEARY	GAIL MANNING
	MRS. MANUPELLI	GAIL MANNING

VOTE: 4-0 1-ABSENT

Next order of business. Set Upcoming Meeting Schedule

Mr. Gilleberto went over all the dates of set meetings and that they need to set the Strategic Meeting date.

Wednesday, September 6, 2023 Sign Fall Annual Town Meeting Warrant

Monday, September 18, 2023 Fall Annual Town Meeting Informational Hearing

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

Monday, October 2, 2023 Fall Annual Town Meeting

Monday, October 16, 2023

Monday, November 6, 2023

Monday, November 20, 2023 Tax Classification

Monday, December 4, 2023 License & Appointment renewals

Monday, December 18, 2023 License & Appointment renewals

After some discussion they decided to postpone until the next meeting.

Next order of business. Town Administrator Report

See memo:

Mr. Gilleberto: The Fire Department responded to and controlled a structure fire at 218 Haverhill Street. Please see the attached media release.

I wish to congratulate Derek How on his promotion to the rank of Lieutenant in the North Reading Police Department. Please see the attached media release.

Next order of business. OLD AND NEW BUSINESS

Mr. O'Leary wanted to say congratulations Lt. Howe.

Mr. Wallner said he was expecting to hear from the Community Planning Commission and thought they were to join the meeting to discuss the ADU Community. He said he was promised it would be on the October Town Meeting. He said it was killed in Committee and it's unacceptable. He does not understand the resistance and that people are over housed.

Chair Gonzalez said they are working on it with Mr. Gilleberto and meeting with Building Inspector Gerry Noel and Danielle McKnight and they are looking for a policy. They tried to get the committee together and it was a timing issue not unwillingness.

Mr. Wallner said he will keep bringing it up at every meeting. It's a simple practical thing to do. The Select Board fully supports the age friendly initiative.

Ms. Manupelli said they should put it on as a warrant article once it is prepared and palatable. It is also ok to disagree with other committees who are also volunteers. But she does not think its right to get upset at a board for disagreeing. They should not attack each other but put it on the Select Board agenda to look at a policy once provided.

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, AUGUST 21, 2023**

Chair Gonzalez was the liaison and agreed with CPC.

Ms. Manupelli said they can sponsor an article too that works best. She also added she thinks they should look into why they did not hear about the dog issue until just recently.

Mr. O'Leary said the Town of North Reading needs to be giving the Town of North Reading opportunity to implement and ADU bylaw.

Jeff Griffin Community Planning Commission- Stated they have been working on this for a long time and did not come to a favorable conclusion. They came to the conclusion that they did not think adding a bylaw was a good idea on something the Building Department could do on their own. He is impressed with the town all working on their due diligence on all the big issues before the town. He added that the Select Board needs to trust the Community Planning Commission like they support the Select Board.

Ms. Manupelli asked if they could get a written recommendation for or against so they see the reasons why the vote happened the way it did.

Mr. Wallner asked if they could get Danielle McKnight to come to the next meeting

Mr. Gilleberto said they are planning on submitting an article.

Mr. Stuto-absent

Ms. Gonzalez see Board Member Report

*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	ABESNT
	MRS. GONZALEZ	AYE
	MR. WALLNER	AYE
	MR. O'LEARY	AYE
	MRS. MANUPELLI	AYE

VOTE: 4-0 1-ABSENT

ADJOURN: 12:16 a.m. 8/22/23

DATE



RICHARD WALLNER, CLERK