

**MINUTES OF BOARD OF SELECTMEN MEETING  
MONDAY SEPTEMBER 8, 2014**

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Chairman Mauceri called the meeting to order at 6:00 p.m. in Room 14 at the Town Hall in the presence of members Mr. Prisco, Mr. Yull, Mr. Foti, and Town Administrator Michael Gilleberto. Mr. O'Leary was absent.

**CALL TO ORDER IN OPEN SESSION**

Chairman Mauceri called to order open session at 7:15 p.m.

**SIGN TOWN MEETING WARRANT**

MR. CHAIRMAN, I MOVE TO SIGN THE OCTOBER 6<sup>TH</sup> TOWN MEETING WARRANT.

MOTION BY: MR. YULL

SECONDED BY: MR. FOTI

VOTED: 4-0 (MR. O'LEARY ABSENT)

**APPROVE JULY LEGAL BILLS**

MR. CHAIRMAN, I MOVE TO APPROVE LEGAL BILLS FOR JULY 2014 IN THE AMOUNT OF **\$6,292.47** AS FOLLOWS:

KOPELMAN AND PAIGE, P.C. (GENERAL)	\$5,932.47
KOPELMAN AND PAIGE, P.C. (LABOR)	\$ 360.00
TOTAL	<b>\$6,292.47</b>

MOTION BY: MR. YULL

SECONDED BY: MR. FOTI

VOTED: 4-0 (MR. O'LEARY ABSENT)

**MINUTES:**

MR. CHAIRMAN, I MOVE TO APPROVE THE **AUGUST 18, 2014** REGULAR SESSION MINUTES AS AMENDED.

MOTION BY: MR. YULL

SECONDED BY: MR. FOTI

VOTED: 4-0 (MR. O'LEARY ABSENT)

MR. CHAIRMAN, I MOVE TO APPROVE THE **AUGUST 18, 2014** EXECUTIVE SESSION MINUTES AS WRITTEN.

MOTION BY: MR. YULL

SECONDED BY: MR. FOTI

VOTED: 4-0 (MR. O'LEARY ABSENT)

**PUBLIC COMMENT**

None.

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**SHOW CAUSE HEARING: ONE STOP LIQUORS**

Chief Murphy read the attached report of the violation that an underage operative was able to purchase alcohol without being asked for identification. This was the result of a town wide underage alcohol compliance check. The Clerk who sold the alcohol was not TIPS certified. The Manager of the store was not present at the time of the violation. Attorney Alphin was present to represent One Stop Liquors. Attorney Alphin informed the Board of new procedures One Stop Liquors has taken to prevent future violations. Attorney Alphin sought to clarify that there was only one alleged violation pending at tonight's hearing. There was no disagreement amongst the Board with that fact.

MR. CHAIRMAN, I MOVE TO SUSPEND FOR 3 CONSECUTIVE DAYS ON OCTOBER 10, 11, & 12, 2014, THE RETAIL PACKAGE GOODS STORE LICENSE OF ONE STOP LIQUORS 265 MAIN STREET AND THAT THE LICENSE MUST BE DELIVERED TO THE NORTH READING POLICE DEPARTMENT AT THE CLOSE OF BUSINESS OF OCTOBER 9<sup>TH</sup> AND PICKED UP AT THE POLICE STATION ON OCTOBER 13TH.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O'LEARY ABSENT)

**THOMSON CLUB PRO SHOP – CHANGE OF MANAGER**

The new manager, Chris Young was present.

MR. CHAIRMAN, I MOVE TO APPROVE THE CHANGE OF MANAGER FOR THE WINE AND MALT LICENSE FOR THE THOMSON PRO SHOP FROM JOHN G. WILEY TO CHRISTOPHER YOUNG.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O'LEARY ABSENT)

**SEPTEMBER 6 MICROBURST**

Mr. Yull commented on the efficiency of the Police and Fire Department, the DPW, and the Electrical Inspector after the microburst hit the Park Street area.

**UPDATE ON J.T. BERRY CENTER PROPERTY**

Mr. Prisco informed the Board that the process to purchase is moving forward and he hopes to have more information at the September 15<sup>th</sup> BOS meeting.

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**VOTE WARRANT ARTICLE RECOMMENDATIONS**

**ARTICLE 2 – PRIOR YEAR BILLS**

MR. CHAIRMAN, I MOVE RECOMMEND AT TOWN MEETING ARTICLE 2 – PRIOR YEAR BILLS.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 3 – TRANSFER FUNDS TO CAPITAL IMPROVEMENT STABILIZATION FUND**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 3 – TRANSFER FUNDS TO CAPITAL IMPROVEMENT STABILIZATION FUND.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 4 – APPROPRIATE MONEY TO STABILIZATION FUND**

MR. CHAIRMAN, I MOVE TO PASSOVER ARTICLE 4 – APPROPRIATE MONEY TO STABILIZATION FUND.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 5 – TRANSFER FUNDS TO OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUND**

MR. CHAIRMAN, I MOVE TO PASSOVER ARTICLE 5 – TRANSFER FUNDS TO OTHER POST EMPLOYMENT BENEFITS LIABILITY TRUST FUND.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 6 – AMEND FY 2015 OPERATING BUDGET**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 6 - FY 2015 BUDGET AMENDMENT.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

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**ARTICLE 7 – APPROPRIATE FUNDS FOR IMPROVEMENTS TO TOWN HALL AND OTHER MUNICIPAL BUILDINGS**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 7 – APPROPRIATE FUNDS FOR IMPROVEMENTS TO TOWN HALL AND OTHER MUNICIPAL BUILDINGS.

MOTION BY: MR. YULL  
SECONDED BY: MR. PRISCO  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 8 – FUND RENOVATION TO ROOM 14 – TOWN HALL**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 8 – FUND RENOVATION TO ROOM 14 - TOWN HALL.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 9 – APPROPRIATE FUNDS FOR SETTLEMENT AGREEMENT**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 9 – APPROPRIATE FUNDS FOR SETTLEMENT AGREEMENT.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 10 – ACQUISITION, APPROPRIATION AND SPECIAL ACT: MAP 14, PARCEL 148 AND MAP 7, PARCEL 2 – J.T. BERRY PROPERTY**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 10 – ACQUISITION, APPROPRIATION AND SPECIAL ACT; MAP 14, PARCEL 148 AND MAP 7, PARCEL 2 – J.T. BERRY PROPERTY

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 11 – ACCEPT MGL CHAPTER 43D – EXPEDITED PERMITTING LAW**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 11 – ACCEPT MGL CHAPTER 43D – EXPEDITED PERMITTING LAW

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

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**ARTICLE 12 – APPROPRIATE FUNDS FOR REAL ESTATE MARKETING  
CONSULTANT FOR J.T. BERRY PROPERTY**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 12 – APPROPRIATE FUNDS FOR REAL ESTATE MARKETING CONSULTANT FOR J.T. BERRY PROPERTY.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 13 – AMEND CODE – ZONING BY-LAWS – REGISTERED MARIJUANA  
DISPENSARY**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 13 – AMEND CODE – ZONING BY-LAW – REGISTERED MARIJUANA DISPENSARY.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 14 – AMEND CODE – ADD GENERAL BY-LAW – SPECIAL  
OCCUPATIONAL LICENSE – MEDICAL MARIJUANA DISPENSARY AGENTS**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 14 – AMEND CODE – ADD GENERAL BY-LAW – SPECIAL OCCUPATIONAL LICENSE – MEDICAL MARIJUANA DISPENSARY AGENTS.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 15 – AMEND CODE – GENERAL BY-LAWS – CHAPTER 104, ARTICLE 11,  
FINGERPRINTING OR APPLICANTS**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 15 – AMEND CODE – GENERAL BY-LAWS – CHAPTER 104, ARTICLE 11, FINGERPRINTING OF APPLICANTS.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**ARTICLE 16 – APPROPRIATE FUNDS FOR INTERPRETIVE DISPLAY OF NATIVE  
AMERICAN ARTIFACTS RECOVERED FROM THE J.T. BERRY PROPERTY**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 16 – APPROPRIATE FUNDS FOR INTERPRETIVE DISPLAY OF NATIVE AMERICAN ARTIFACTS RECOVERED FROM THE J.T. BERRY PROPERTY.

MOTION BY: MR. YULL

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SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O'LEARY ABSENT)

**ARTICLE 17 – AMEND CODE – GENERAL BY-LAWS – CHAPTER 191-10, WATER – VIOLATIONS AND PENALTIES**

MR. CHAIRMAN, I MOVE TO RECOMMEND –ARTICLE 17 – AMEND CODE – GENERAL BY-LAWS – CHAPTER 191-10, WATER – VIOLATIONS AND PENALTIES.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O'LEARY ABSENT)

**ARTICLE 18 – AMEND CODE – ADD GENERAL BY-LAW – SEX OFFENDER RESIDENCY**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 18 – AMEND CODE – ADD GENERAL BY-LAW – SEX OFFENDER RESIDENCY.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O'LEARY ABSENT)

**ARTICLE 19 – AMEND CODE – ZONING BY-LAWS – PERSONAL WIRELESS SERVICE FACILITY**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 19 – AMEND CODE – ZONING BY-LAWS – PERSONAL WIRELESS SERVICE FACILITY

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O'LEARY ABSENT)

**ARTICLE 20 – FILE SPECIAL LEGISLATION – SWAN POND ROAD RIGHT-OF-WAY**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 20 – FILE SPECIAL LEGISLATION – SWAN POND ROAD RIGHT-OF-WAY.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O'LEARY ABSENT)

**ARTICLE 21 – AUTHORIZE NAMING OF ART ROOM AT HIGH SCHOOL/MIDDLE SCHOOL**

MR. CHAIRMAN, I MOVE TO RECOMMEND ARTICLE 21 – AUTHORIZE NAMING OF ART ROOM AT HIGH SCHOOL/MIDDLE SCHOOL.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 3-0-1 (MR. O'LEARY ABSENT) (MR. YULL ABSTAINED)

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**ARTICLE 22 – CITIZENS’ PETITION – AUTHORIZE NAMING OF NEW MIDDLE SCHOOL**

MR. CHAIRMAN, I MOVE TO RECOMMEND AT TOWN MEETING ARTICLE 22 – CITIZENS’ PETITION – AUTHORIZE NAMING OF NEW MIDDLE SCHOOL.

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED: 4-0 (MR. O’LEARY ABSENT)

**TENNESSEE GAS PIPELINE UPDATE**

Mr. Yull informed the Board he has been to 2 meetings since that last BOS meeting (8/18/14). The Coalition is still gathering information on issues that will affect us. On September 15<sup>th</sup> Kinder Morgan is filing a preapplication for the pipeline.

**APPOINTMENTS – MARTINS POND RECLAMTION STUDY COMMITTEE**

MR. CHAIRMAN, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAMES FOR APPOINTMENT TO THE MARTINS POND RECLAMTION STUDY COMMITTEE FOR A TERM TO EXPIRE DECEMBER 31, 2016.

GEORGE CANGIANO, JR., 1 SHORE ROAD, NORTH READING  
CHRIS BUTLER, 9 SHORE ROAD, NORTH READING

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED BY: MR. PRISCO AYE  
MR. YULL AYE  
MR. FOTI AYE  
MR. MAUCERI AYE  
VOTE: 4-0 (MR. O’LEARY ABSENT)

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**APPOINTMENTS – CAPITAL IMPROVEMENT PLANNING COMMITTEE**

MR. CHAIRMAN, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAME FOR APPOINTMENT TO THE CAPITAL IMPROVEMENT PLANNING COMMITTEE TO EXPIRE JUNE 30, 2017.

MICHAEL P. GILLEBERTO, ANGEL ROAD, AS NORTH READING  
TOWN ADMINISTRATOR

MOTION BY: MR. YULL  
SECONDED BY: MR. FOTI  
VOTED BY: MR. PRISCO AYE  
MR. YULL AYE  
MR. FOTI AYE

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MR. MAUCERI            AYE  
VOTE:                    4-0 (MR. O'LEARY ABSENT)

**CALL FIREFIGHTER RETIREMENT POLICY**

MR. CHAIRMAN, I MOVE TO ADOPT THE FIRST READING OF THE CALL FIREFIGHTER RETIREMENT POLICY.

MOTION BY:            MR. YULL  
SECONDED BY:        MR. FOTI  
VOTED:                 4-0 (MR. O'LEARY ABSENT)

**INTERMUNICIPAL WATER AGREEMENT**

The Board discussed issues with Andover Water Agreement. They agreed a shorter term agreement, a deal with no minimum water usage, and a long term agreement with best rates are the topics for negotiations. The issue of early termination is a problem with both parties.

**TOWN ADMINISTRATORS REPORT**

(See attached)

**OLD AND NEW BUSINESS**

**Mr. Yull:**

Informed the Board he will be running a half marathon in Wilmington as a fundraiser to raise money for the Historical Commission. He encouraged residents to vote September 9<sup>th</sup>. Commented on poles in the turn lane going into the new high school.

**Mr. Prisco:**

Informed the Board of his efforts to get RMLD to move the wires from the poles. RMLD reprioritized their schedule and will begin moving the wires. He welcomed the kids back to school. He discussed traffic challenges getting to the High School. He commented on the Veterans Dinner on September 28 and the Ribbon Cutting Ceremony at the High School on September 20<sup>th</sup>. He requested that all flags fly at half mass on September 11<sup>th</sup>.

**Mr. Foti:**

Welcomed the staff and students back to school. He commended the High School staff for keeping everyone informed and commented that the Farmers Market is still on until September 24<sup>th</sup>.

**Mr. Mauceri:**

Welcomed everyone back to school. He commented on the Apple Festival and the Ribbon Cutting Ceremony on September 20<sup>th</sup>. Commented in his Meeting with Reading, Wilmington, and Lynnfield Boards of Selectmen regarding RMLD. The Boards will meet on a more regular basis and share resources. Commented on financing town meeting. Date for Strategic Planning meeting October 29<sup>th</sup>.



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**ADJOURNMENT**

MR. CHAIRMAN, I MR. YULL MOVE TO ADJOURN.

SECONDED:	MR. FOTI	
VOTED:	MR. PRISCO	AYE
	MR. FOTI	AYE
	MR. YULL	AYE
	MR. MAUCERI	AYE

VOTE: 4-0 (UNANIMOUS) (MR. O'LEARY ABSENT)  
ADJOURN 10:40 p.m.

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DATE

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STEPHEN O'LEARY, CLERK