

**MINUTES OF BOARD OF SELECTMEN MEETING
MONDAY, APRIL 1, 2019**

Chairman Prisco called the meeting to order at 6:01 p.m. in Room 14 at the Town Hall in the presence of members Mrs. Manupelli, Mr. Schultz, Mr. Mauceri, Mr. O'Leary, and Town Administrator, Michael Gilleberto.

CALL TO ORDER OPEN SESSION

Chairman Prisco called to order the open session at 6:01 p.m.

The Chairman States: "In accordance with the Open Meeting Law, the Board states for the record that this meeting is being recorded by NORCAM and may be recorded by other local media."

The members recited the Pledge of Allegiance.

BOARD MEMBERS' REPORTS

Mr. O'Leary reports that he, Mr. Mauceri, and Mr. Gilleberto have had a water meeting with Andover, he defers to Mr. Mauceri who states that the Town is negotiating for a location of a chlorination treatment plant on Route 28.

Mr. Schultz stated that money should be put into repairing the condition of roads as it will cost the Town a lot more money to get them reclaimed. Mr. Mauceri responded that there seems to be a lot of sand on the roads and during the cleaning process the damage can be assessed and a repair cycle started. Mr. Gilleberto responded he will give a report on the street sweeping schedule at the April 22nd Select Board meeting but the patching of holes has been taking place during the winter months.

Mrs. Manupelli congratulates Youth Services Director Jen Ford for a great job she did organizing the Reality Fair at the High School with Amy Luckiewicz. Mrs. Manupelli commented on the 40B development on Elm Street and wanted to clear up for the residents that the Select Board has neither approved nor denied the application for the development. She went on to inform the residents that the next step in the process will have to go before the Zoning Board of Appeals (ZBA) for a determination. Mr. O'Leary acknowledges the effort of the citizens and administration for addressing all the issues and that the application is just a first step. He agrees the area is suitable for affordable housing, however does not think it is suitable for 200 units. He further stated that there will be a lot of opportunity for public input and Mass Housing has indicated a lot of areas for concern. Mr. Schultz added that the Town did not vote for this project and there are lots of departments that have filed letters of opposition and that there is a minimum 6 month timeframe when it goes to ZBA. Mrs. Manupelli informs the residents that the abutters will receive written notification from the Town for hearings regarding the development. She further stated the Town is not against 40B housing, but its opposition is the location of the proposed development pertaining to conservation land and density.

PUBLIC COMMENT

None.

MINUTES

MR. CHAIRMAN, I MOVE TO APPROVE THE MARCH 18, 2019 REGULAR SESSION MINUTES AS WRITTEN.

MOTION BY:	MR. O'LEARY
SECONDED BY:	MRS. MANUPELLI
VOTED:	5-0 (UNANIMOUS)

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MR. CHAIRMAN, I MOVE TO APPROVE THE MARCH 18, 2019 EXECUTIVE SESSION MINUTES AS WRITTEN.

MOTION BY: MR. O'LEARY
SECONDED BY: MRS. MANUPELLI
VOTED: 5-0 (UNANIMOUS)

TOWN OWNED LAND – CONTINUED FROM MARCH 18, 2019

MAP 9, PARCEL 54 – 55 OLD ANDOVER ROAD

Mr. Gilleberto stated the restrictions included in the motion are based on the recommendations of the Building, Planning and Conservation departments. Mr. O'Leary suggested selling lot 57 along with this parcel because of its proximity to parcel 54 and to see it back on the tax rolls. Mr. Gilleberto stated parcel 57 had not been advertised for sale; therefore, no action can be taken on it tonight. Mr. O'Leary suggested conjoining the lots and offering them back up; he wants to honor the request of the abutters, but also wants to do what is in the public's best interest. Mr. O'Leary, referring to the restriction pertaining to erecting a building on the premises, stated he has no problem if someone wants to put a shed on Town Owned Land they purchase, however when the lot purchased is combined with an existing lot, they are still subject to local zoning and conservation restrictions.

MR. CHAIRMAN, I MOVE TO CLOSE THE PUBLIC HEARING ON MAP 9, PARCEL 54, 55 OLD ANDOVER ROAD.

MOTION BY: MR. O'LEARY
SECONDED BY: MRS. MANUPELLI
VOTED: 5-0 (UNANIMOUS)

MR. CHAIRMAN, I MOVE TO SELL BY AUCTION TOWN OWNED LAND DESIGNATED AS MAP 9, PARCEL 54 LOCATED AT 55 OLD ANDOVER ROAD, IN ACCORDANCE WITH MGL CHAPTER 60, SECTION 77B AT A MINIMUM BID PRICE OF \$600. BUYER TO PAY ALL FEES, COSTS AND EXPENSES ASSOCIATED WITH THE CONVEYANCE SUBJECT TO THE FOLLOWING RESTRICTION (S):

...SUBJECT TO THE FOLLOWING RESTRICTION (S):

1. NOT BE USED IN AND OF ITSELF AS A SEPARATE BUILDING LOT.
2. NO BUILDING OR OTHER STRUCTURE OF ANY KIND SHALL BE ERECTED OR MAINTAINED ON THE PREMISES UNLESS THE PREMISES IS COMBINED WITH ADJOINING AND PREMISES NOT USED TO CREATE NEW OR ADDITIONAL BUILDING LOT.
3. PROPERTY SHALL NOT BE SUBDIVIDED.

MOTION BY: MR. O'LEARY
SECONDED BY: MRS. MANUPELLI
VOTED: 5-0 (UNANIMOUS)

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MAP 9, PARCEL 58 – 1 BEAR ROAD

MR. CHAIRMAN, I MOVE TO CLOSE THE PUBLIC HEARING ON MAP 9, PARCEL 58, 1 BEAR ROAD.

MOTION BY: MR. O'LEARY
SECONDED BY: MRS. MANUPELLI
VOTED: 5-0 (UNANIMOUS)

MR. CHAIRMAN, I MOVE TO SELL BY AUCTION TOWN OWNED LAND DESIGNATED AS MAP 9, PARCEL 58 LOCATED AT 1 BEAR ROAD, IN ACCORDANCE WITH MGL CHAPTER 60, SECTION 77B AT A MINIMUM BID PRICE OF \$600. BUYER TO PAY ALL FEES, COSTS AND EXPENSES ASSOCIATED WITH THE CONVEYANCE SUBJECT TO THE FOLLOWING RESTRICTION (S):

...SUBJECT TO THE FOLLOWING RESTRICTION (S):

1. NOT BE USED IN AND OF ITSELF AS A SEPARATE BUILDING LOT.
2. NO BUILDING OR OTHER STRUCTURE OF ANY KIND SHALL BE ERECTED OR MAINTAINED ON THE PREMISES UNLESS THE PREMISES IS COMBINED WITH ADJOINING AND PREMISES NOT USED TO CREATE NEW OR ADDITIONAL BUILDING LOT.
3. PROPERTY SHALL NOT BE SUBDIVIDED.

MOTION BY: MR. O'LEARY
SECONDED BY: MRS. MANUPELLI
VOTED: 5-0 (UNANIMOUS)

MAP 78, PARCEL 17 – 23 RIVERSIDE DRIVE

Mr. O'Leary expressed his concern regarding a restriction that would preclude the owners from using the land for a raised septic system, if they ever needed to in the future. He stated that any building plans for that land would still be subject to health and zoning restrictions. Julie Carreiro, 25 Riverside Drive, addressed the Board stated she just wants to keep the land as is.

MR. CHAIRMAN, I MOVE TO CLOSE THE PUBLIC HEARING ON MAP 78, PARCEL 17, 23 RIVERSIDE DRIVE.

MOTION BY: MR. O'LEARY
SECONDED BY: MRS. MANUPELLI
VOTED: 5-0 (UNANIMOUS)

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MR. CHAIRMAN, I MOVE TO SELL BY AUCTION TOWN OWNED LAND DESIGNATED AS MAP 78, PARCEL 17 LOCATED AT 23 RIVERSIDE DRIVE, IN ACCORDANCE WITH MGL CHAPTER 60, SECTION 77B AT A MINIMUM BID PRICE OF \$1,800. BUYER TO PAY ALL FEES, COSTS AND EXPENSES ASSOCIATED WITH THE CONVEYANCE SUBJECT TO THE FOLLOWING RESTRICTION (S):
...SUBJECT TO THE FOLLOWING RESTRICTION (S):

1. NOT BE USED IN AND OF ITSELF AS A SEPARATE BUILDING LOT.
2. NO BUILDING OR OTHER STRUCTURE OF ANY KIND SHALL BE ERECTED OR MAINTAINED ON THE PREMISES UNLESS THE PREMISES IS COMBINED WITH ADJOINING AND PREMISES NOT USED TO CREATE NEW OR ADDITIONAL BUILDING LOT.
3. PROPERTY SHALL NOT BE SUBDIVIDED.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. SCHULTZ
VOTED: 5-0 (UNANIMOUS)

MAP 8, PARCEL 144, 86 BURROUGHS ROAD- MOTION TO CONTINUE HEARING
MR. CHAIRMAN, I MOVE TO CONTINUE THE HEARING TO MONDAY, JUNE 17, 2019 AT 7:30 PM.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. MAUCERI
VOTED: 5-0 (UNANIMOUS)

**RECONSIDER SALE OF TOWN-OWNED LAND – MAP 8, PARCEL 209 – 8
AUDUBON RD.**

Ed Nicosia, 2 Poplar Terrace requested the Board reconsider their vote from March 18th with regard to the subdividing restriction. He would like to purchase this parcel with another abutter, John Magazzu so they can subdivide the land and add it to their respective lots. Mr. Nicosia and Mr. Magazzu were both in attendance.

MR. CHAIRMAN, I MOVE TO RECONSIDER THE VOTE OF MARCH 18, 2019 TO SELL LAND DESIGNATED AS MAP 8, PARCEL 209, 8 AUDUBON ROAD.

MOTION BY: MR. O'LEARY
SECONDED BY: MRS. MANUPELLI
VOTED: 5-0 (UNANIMOUS)

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MR. CHAIRMAN, I MOVE TO SELL BY AUCTION TOWN OWNED LAND DESIGNATED AS MAP 8, PARCEL 209 LOCATED AT 8 AUDUBON ROAD, IN ACCORDANCE WITH MGL CHAPTER 60, SECTION 77B AT A MINIMUM BID PRICE OF \$600. BUYER TO PAY ALL FEES, COSTS AND EXPENSES ASSOCIATED WITH THE CONVEYANCE SUBJECT TO THE FOLLOWING RESTRICTIONS:

1. NOT BE USED IN AND OF ITSELF AS A SEPARATE BUILDING LOT.
2. THE PREMISES SHALL NOT BE USED TO SATISFY MINIMUM ZONING OR HEALTH CODE REQUIREMENTS FOR THE CONSTRUCTION ON OR USE OF ANY BUILDING ON ADJOINING LAND.
3. NO BUILDING OR OTHER STRUCTURE OF ANY KIND SHALL BE ERECTED OR MAINTAINED ON THE PREMISES UNLESS THE PREMISES IS COMBINED WITH ADJOINING LOT AND PREMISES NOT USED TO CREATE NEW OR ADDITIONAL BUILDING LOT.

MOTION BY: MR. O'LEARY
SECONDED BY: MRS. MANUPELLI
VOTED: 5-0 (UNANIMOUS)

VOTE TO SIGN DISCHARGE AND RELEASE: 40 MAIN STREET, #7

Mr. Gilleberto informed the audience that there was no representative from the Housing Authority present at the meeting, however, he met with the Director last week and was informed that 40 Main Street, #7 was never in the subsidized housing inventory. He stated a Housing Authority representative may be able to attend the April 22nd Select Board meeting to further explain if necessary.

MR. CHAIRMAN, I MOVE TO APPROVE AND AUTHORIZE THE CHAIRMAN TO SIGN THE DISCHARGE AND RELEASE FOR 40 MAIN STREET, #7, AS REQUESTED BY NORTH READING HOUSING AUTHORITY.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. SCHULTZ
VOTED: 5-0 (UNANIMOUS)

APPOINTMENTS

HISTORIC DISTRICT COMMISSION

MR. CHAIRMAN, I MOVE TO APPOINT THOMAS PARKER TO THE HISTORIC DISTRICT COMMISSION FOR A TERM TO EXPIRE DECEMBER 31, 2020.

MOTION BY: MR. O'LEARY
SECONDED BY: MRS. MANUPELLI
VOTED: 5-0 (UNANIMOUS)

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RECYCLING COMMITTEE

MR. CHAIRMAN, I MOVE TO APPOINT DANIEL GREENBERG TO THE RECYCLING COMMITTEE FOR AN INDEFINITE TERM.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. SCHULTZ
VOTED: 5-0 (UNANIMOUS)

FY2020 BUDGET HEARINGS

Mr. Gilleberto stated budget recommendations from the Town Administrator and Finance Director will be presented at the April 22nd Select Board Meeting and finalized on May 6th, when the Warrant is signed.

LIBRARY

Library Director, Sharon Kelliher presented the Library budget. She is requesting a coordinator of outreach and adult programs position.

- Mr. Schultz commented on the great programs, and also stated that the Library has something for everyone in the community.
- Mrs. Manupelli stated everyone is welcome, the social media is great, it's such a well done job, she would love to see the coordinator position funded and she thanked Ms. Kelliher.
- Mr. Mauceri thanked Ms. Kelliher for her efforts and since coming on board, the library activity has expanded.
- Mr. O'Leary stated he hears nothing except positive feedback about the staff and is impressed that 63.7% of the residents hold library cards. He appreciates the effort put into the programs and services.
- Mr. Prisco acknowledged the volunteers and thanked them.

HILLVIEW

Hillview Commission Treasurer, Peter Hemme presented the Hillview budget.

7:37 – Mr. Prisco leaves the room.

Mr. Hemme stated the budget is the same except for the renewed 5 year lease for the golf carts.

7:40 – Mr. Prisco returns.

Mr. Hemme stated:

- Lawnmowers are in the capital plan, depending on the revenue;
- The watering system is great;
- 400K debt service continues to go down;
- Labor costs to run the golf course have increased;

Mr. Gilleberto asked what the status of the payment in lieu of taxes is. Mr. Hemme responded that it was not in the budget request.

Mr. O'Leary stated the Board should not count on revenue from Hillview because revenue depends on the weather. Mr. Prisco stated this is the year that payment in lieu of taxes was supposed to be in the revenue plan; Mr. Hemme responded there is no availability of cash to make payments. Mr. Gilleberto requested

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the Board allow the Finance Director and the Town Administrator to meet with the Commission to find a plan.

Mr. Prisco suggested adding a fee to increase revenue. Hillview Commission Chairman, George Stack responded there was never a commitment made to payment in lieu of tax payments, and keeping Hillview off the tax rolls for 31 years has worked.

Mr. Schultz inquired why Mr. Yebba is not running the pub he was contractually obligated to run. He further stated he would not have let him walk away from it. Mr. Stack responded the golfers were not supporting it. Mr. Gilleberto stated that the license with Group One was to be modified to remove the obligation to operate the pub in the same manner the license with the previous operator was modified. When the license was put out for proposals, there were no other viable options to run the function facility, and to terminate the license now would jeopardize community and golf functions.

Mr. Stack stated general government should stay out of the Hillview and 17 Million Dollars of capital has been provided to the Town from the Hillview Commission. Mr. Gilleberto requested the Board allow the Finance Director and the Town Administrator to meet with the Commission to further evaluate options. Mr. O'Leary stated it was always the intention to prevent the general government and the school department to augment general operating expenses with Hillview revenue and the Town has received so many benefits from the Hillview. Mr. Mauceri stated if the Hillview Commission had the money available they would make a payment. He stated the team of appointees who run the Hillview have always done what is in the community's best interest. Mr. Prisco responded the commission does not have the unilateral right to make payment in lieu of taxes.

ELDER SERVICES

Elder Services Director, Mary Prenney presented the Elder Services budget. Ms. Prenney stated Elder Affairs would like to add a full time Outreach Coordinator to the budget. She is requesting adding 16 hours to the current part time Outreach Coordinator position to make it full time.

VETERANS

Veteran's Agent, Susan Magner presented the Veteran's budget. Ms. Magner is requesting adding a full time office support position to the budget.

9:18 – Mr. Schultz leaves the room.

CONSERVATION

Mr. Gilleberto presented the Conservation budget.

ADMINISTRATION

Mr. Gilleberto presented the Administration budget. Mr. Gilleberto is requesting additional funds for membership dues and 75 Thousand Dollars for a non-union Project Manager / Grants Coordinator position.

9:21 – Mr. Schultz returns

Mr. O'Leary suggested adding additional funds to the budget to include reimbursement for costs associated with travel pertaining to ongoing litigation.

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REVIEW FY2020 REVENUE/EXPENSE PLAN

Finance Director, Liz Rourke reviewed the Revenue/Expense plan. She gave a power point presentation of the old and new format and included present challenges. With regard to managing the PFA savings in the financial plan, she stated that a 4.5% increase, rather than a 7.5% increase will be carried in the budget since the insurance renewal rate is 2.6%.

- Mr. Prisco stated Mr. O'Leary wanted to keep 7.5% insurance renewal rate in the budget.
- Mr. Prisco stated the Town has a good back up plan when the big rates come up.
- Mr. O'Leary stated the Board has a responsibility to season the PFA to have additional money in reserves. He wants to put one time money in savings and not in operating budget.
- School Committee Chairman, Scott Buckley addressed the Board stating it would be irresponsible for the Town to use the savings surplus and incorporate it into the budget.
- Mrs. Manupelli responded it is not a surplus and the rate is only going to go up and the Board needs to forecast it;
- Mr. Schultz stated he looks at this money as a stabilization fund. He further stated the Pulte proceeds should not be used for recurring costs and that interest money should be used for roads.
- Mr. O'Leary stated one time revenue source should not go into operating budgets and should be used for one time projects.

10:16 – 5 minutes recess.

10:21 – Reconvene.

- Mr. Schultz stated the Town needs to sharpen their pencils as the budget is not sustainable.
- Mr. O'Leary stated the Board needs to agree on the revenue plan but won't know where the gap is going to be until we know what the revenue is and using one time resources for the operating budget is a bad idea.
- Mr. Schultz wants to have investment income come out of the revenue.
- School Committee member Janene Imbriano stated she was told the School Department would be held harmless.
- Mrs. Manupelli responded it is about trying to figure it out.
- Mr. Prisco responded that the Board is trying to be fair separating expenses where they belong, for example taking trash expenses out of the school budget.
- Mr. O'Leary stated where there is a shortfall, it will be a 2-1 ratio with the school department because they are twice the size as the government employees.
- Finance Committee member, Ben Gamer expressed his concern about using investment income to fund capital projects.
- Mr. Prisco stated he wants to make sure savings isn't free cash at the end of the year wants it squirreled away to offset future insurance premium increases.
- Mr. O'Leary stated carrying 4.5% is progress but not acceptable.
- Mr. Gilleberto suggested leaving the insurance premium increase at 4.5% in the budget.
- Mr. Mauceri stated it is acceptable to him.
- Mr. O'Leary would accept 5.5%.

DISCUSS FY2020 DEPARTMENTAL BUDGET REQUEST AND PRIORITIES

Mr. Gilleberto asked for any feedback on the departmental budget requests. Mr. O'Leary stated Inspectional Services has a lot of work ahead of them. Mr. O'Leary stated 102 Lowell Road could be a site for a satellite Fire Department.

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JUNE TOWN MEETING WARRANT ARTICLES

Mr. Gilleberto informed the Board that there are no Citizen Petitions filed. He further stated the Swan Pond study would need to be complete to go to June Town Meeting.

TOWN ADMINISTRATORS REPORT

(See attached) Topics Discussed:

- RMLD tree trimming near Swan Pond;
- Attendance at MMA Legislative Update;
- Attendance at Mystic Valley Elder Services legislative breakfast; and
- New food code.

OLD NEW BUSINESS

Mrs. Manupelli: No Comment.

Mr. Schultz: No Comment.

Mr. Mauceri: No Comment.

Mr. O'Leary: No Comment.

Mr. Prisco: No Comment.

11:42 – Executive Session

11:57 - Reconvene

MR. CHAIRMAN, I MR. O'LEARY MOVE TO ADJOURN.

SECONDED:	MRS. MANUPELLI	
VOTED:	MR. O'LEARY	AYE
	MRS. MANUPELLI	AYE
	MR. SCHULTZ	AYE
	MR. MAUCERI	AYE
	MR. PRISCO	AYE

VOTE: 5-0 (UNANAMOUS)

ADJOURN: 11:58 p.m.

DATE

STEPHEN J. O'LEARY, CLERK