

**MINUTES OF BOARD OF SELECTMEN MEETING
THURSDAY, SEPTEMBER 6, 2018**

Vice Chairman Manupelli called the meeting to order at 7:06 p.m. in Room 14 at the Town Hall in the presence of members Mr. Schultz, Mr. Mauceri, Mr. O'Leary, and Town Administrator, Michael Gilleberto. Chairman Prisco was absent.

CALL TO ORDER OPEN SESSION

Vice Chairman Manupelli called to order the open session at 7:06 p.m.

The Vice 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.

ANDREA'S PIZZA – AUTOMATIC AMUSEMENT DEVICE APPLICATION

John Koulouris, owner of Andrea's House of Pizza was in attendance.

MADAME CHAIR, I MOVE TO APPROVE THE FOLLOWING AUTOMATIC AMUSEMENT DEVICE LICENSE TO EXPIRE DECEMBER 31, 2018 SUBJECT TO ALL REGULATORY DEPARTMENT REQUIREMENTS:

ANDREA'S HOUSE OF PIZZA

MOTION BY: MR. O'LEARY
SECONDED BY: MR. SCHULTZ
VOTED: 4-0 (UNANIMOUS) (MR. PRISCO ABSENT)

ONE DAY WINE AND MALT BEVERAGE LICENSE – COLUMBIA CONSTRUCTION COMPANY

Emilia Howard from Columbia Construction Company was in attendance. She informed the Board that the event to be held is a fundraiser for an employee who has brain cancer.

MADAM CHAIR, I MOVE TO APPROVE THE FOLLOWING ONE DAY WINE AND MALT BEVERAGE LICENSE FOR USE ON SEPTEMBER 23, 2018 BETWEEN THE HOURS OF 1:00 P.M. AND 5:00 P.M. SUBJECT TO ALL REGULATORY DEPARTMENT REQUIREMENTS:

COLUMBIA CONSTRUCTION COMPANY, 100 RIVERPARK DR.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. SCHULTZ
VOTED: 4-0 (UNANIMOUS) (MR. PRISCO ABSENT)

PUBLIC COMMENT

None.

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SELECTMEN'S REPORTS

Mr. O'Leary stated he will have an update for the Board at the September 17th BoS meeting on potential sites for a water treatment facility.

Mr. Mauceri thanked the individual who donated the truck to the Food Pantry. He informed the residents that the increase in the trash bills is due to the change in China's recyclable benefits. Mrs. Manupelli responded that trash fees have not increased in 10 years. Mr. Mauceri further stated that due to the resident's diligent recycling efforts, trash fees have not increased in 10 years. He would like to see the recycling rules back on the Town Website.

Mr. Schultz informed the audience that he has been to meetings regarding a bike trail to be funded with state funds and matching federal grants. He is also meeting with people who are interested in finding a location for a dog park.

Mrs. Manupelli asked the residents to be cautious and respect the rules of the road now that school is back in session.

Mr. O'Leary responded to Mr. Schultz and asked him to incorporate discussions pertaining to a community garden with the people he has been meeting with regarding the dog park and bike trail. Mrs. Manupelli responded that she will find contracts that the City of Malden has for participants of a community garden.

Mr. Mauceri asked Chief Murphy how the rerouted Batch School morning traffic went; Chief Murphy responded it went very well.

DISCUSS NATIONAL GRID

Mr. O'Leary gives the audience the background about the request for a temporary moratorium on National Grid. David Monahan, 42 Wilson Ave, and Jimmy Meriolus, employees of National Grid addressed the Board regarding the lockout. In response to Mrs. Manupelli, Mr. Meriolus stated they did not vote to strike, they only voted not to accept the contract, he explained what a lockout was, and he stated they told National Grid they would continue to work under the existing contract and National Grid said no and also after 5 bargaining sessions, National Grid has not moved in any of their positions. Mr. Meriolus responded to Mr. Schultz letting him know that the top issue holding them back is health care. Mrs. Manupelli stated the concern is about how the lockout impacts the Town. Mrs. Manupelli asked Police Chief Murphy, Fire Chief Stats, and DPW Director Patrick Bower if there are any issues as a result of the lockout; they all stated there are no issues or concerns. Mr. O'Leary informed the audience he contacted the Department of Public Utilities (DPU) and was informed of complaints on National Grid currently being investigated.

Mr. Schultz stated the Board should not be taking a stance on a private labor dispute; however he would like to see the Union back to work immediately. Mr. O'Leary stated National Grid's decision to lock out workers is impacting our community because they cannot service our needs. Mr. Mauceri's concerns focus on safety issues. He further stated maybe the State can put pressure on National Grid. Mrs. Manupelli stated rate payers will probably pay for this in the end and she does not want the administration assuming the responsibility that should be upon National Grid. Mr.

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O’Leary stated communities should call on the State Administration and DPU to get involved so that experienced workers can get back on the job.

MADAME CHAIR, I MOVE TO INCOPORATE INTO THE MINUTES AND APPROVE THE FOLLOWING MEMORANDUM AND GUIDANCE TO THE ADMINISTRATION REGARDING PERMITTING REQUESTED BY NATIONAL GRID

The North Reading Board of Selectmen takes the issues of public health/safety and economic development as paramount. At the direction of the Board, the administration reached out to National Grid management. National Grid informed the administration that their company policy is not to discuss the labor dispute in public meetings and declined an invitation to speak with the Board. While the Board respects their position, the effects of their decision and labor negotiation strategies is impacting current development projects and raising significant public safety concerns.

While the Board of Selectmen would not normally opine or inject itself into private sector contract issues, this current situation poses legitimate concern for public safety and the delivery of services by National Grid to our community. National Grid’s decision to lockout 1,250 of its most experienced, certified, job specifically trained, seasoned professionals has impacted its ability to address emergency, mandated compliance and maintenance work, and non-emergency expansion needs in a timely and cost-effective manner.

National Grid is the sole supplier of natural gas to our community, delivering its product and services through pipelines which lie beneath public streets, roadways and lands as well as privately owned residential and business properties. Primary oversight of work performed by National Grid is provided by union inspectors employed by National Grid and periodic visitations from inspectors from the Massachusetts Department of Public Utilities. Local permitting only provides oversight from the gas meter to the inside of the building or structure.

According to correspondence received from David Gendall, Director-Community and Customer Management at National Grid, the “work continuation team”, employed to ensure uninterrupted service to gas customers during this lockout, includes approximately 600 contract employees and roughly 700 National Grid management employees, including supervisors who typically oversee their union employees.

In a report, provided to the Board at our August 20, 2018 meeting, a review and survey of several ongoing construction projects indicated that a moratorium of issuing permits for National Grid may adversely impact the progress of those and future projects. The report also indicated an increased level of frustration from some developers of the current delay in services by National Grid. Developers spoke to the risk of shutting down their projects or seeking alternative energy sources because of National Grid’s inability to meet time sensitive needs and deadlines. Additional correspondence, from Mr. Grenall, included in the report, further indicated and verified that National Grid is focused on emergency and mandated compliance work while doing a very limited amount of non-emergency work. He stated that they would do their best to prioritize the work and accommodate requests but the reality is that they won’t be able to get to everyone.

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It would appear that issuing a moratorium on permits requested by National Grid would have minimal effect based upon the minimal amount of non-emergency work being performed. Under the current circumstances, the examples of non-emergency work described in the correspondence would be cases, we, as a Board, would hope to be prioritized and accommodated. A moratorium in those types of cases would do more harm than good.

Public and employee safety should not be compromised. ***While it is recognized that all workers are mandated and required to have certifications to perform tasks***, it is of concern that members of the “work continuation team” are less experienced and proficient, than the locked-out employees, at the work responsibilities and tasks they are now being called upon to perform. Additionally, the current management employees who would normally be providing oversight on employees and projects are now performing the tasks themselves with ***potentially*** less independent supervision. Union inspectors with ***project*** oversight responsibilities have been locked-out calling into question quality controls and raising ***potential*** safety concerns. The locked-out employees are first responders in emergency situations and are professionally trained and experienced. Our first responders, police and fire, and community-at-large rely on National Grid to provide the best skilled workforce.

Until National Grid puts the locked-out employees back to work, the administration should coordinate the issuance of permits to National Grid with the Massachusetts Department of Public Utilities (DPU). The Town should request inspectors from DPU to provide ***verification of workers credentials and*** necessary oversight of all permitted activity. In the absence of DPU assistance, the administration, ***in its determination on a case-by-case basis***, should provide adequate inspectional oversight by appropriately trained Town staff or contracted services. The costs associated with the additional oversight is to be added to the permitting fees and charged to National Grid.

The administration should request that National Grid provide a list of workers and tasks assigned to each worker and their certifications for each permitted project. At the discretion of the administration, the listings will be forwarded to the DPU for verification of certifications.

The administration should provide the Board, on a monthly basis, a list of activity and permit requests of National Grid.

The administration, on behalf of the Board, through written correspondence, should encourage the state administration become more heavily involved in facilitating additional meetings between National Grid, Union representatives and federal mediators in an effort to resolve the disputes.

The administration, on behalf of the Board, will forward this correspondence to appropriate National Grid management and reiterate and re-extend the Board’s invitation for National Grid to address its concerns.

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Mr. Mauceri stated the memorandum is putting pressure on DPU; it would get the State to realize there is a problem and they need to get involved. Mrs. Manupelli completely disagrees with Mr. O'Leary's memorandum and stated it shifts all responsibility from National Grid and puts it on our administration, who is taxed enough already.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. MAUCERI
VOTED: 2-2 (MR. O'LEARY AND MR. MAUCERI IN FAVOR)
(MR. SCHULTZ AND MRS. MANUPELLI OPPOSED)

Mrs. Manupelli provided Mr. O'Leary with her resolve to the lock out issue.

Mr. Schultz invites Mr. Monahan and Mr. Meriolus to the next BoS meeting to update the Board on the status of upcoming negotiation meetings.

Mr. Gilleberto states that the Administration is aware that some residents are waiting for gas service and they are being impacted by the lockout.

MR. O'LEARY READ THE FOLLOWING RESOLUTION OUTLINE INTO THE MINUTES FOR CONSIDERATION AT THE NEXT BOARD MEETING.

Resolve that it is the sense of the members of the North Reading Select Board that communication should be sent to National Grid by the Clerk of the board stating substantially the following:

That the prolonged dispute between National Grid and its Union employees who have been prevented from work since June 25, 2018 is placing services at risk of delay or disruption at our businesses and residents presents concerns for our community regarding safety due to uncertainty as to the level of training and qualifications of replacement workers being utilized by National Grid at the present time and is likely in the end ultimately to impact rate payers at large financially.

Therefore the North Reading Select Board determines it is necessary to communicate this resolve to National Grid to take immediate steps to return its qualified and trained employees to service while the parties resolve their collective bargaining issues.

The Select Board holds National Grid accountable for any issues, hazards and injuries caused due to any work performed or provided by less qualified or less trained replacement crews.

Finally, the Select Board also deems it necessary to advise National Grid in writing of its current position and that it will continue to monitor the need to take more serious preventive measures in the near future if National Grids' prolonged failure to return these qualified and trained employees to duty presents any risk to our citizens.

No vote was taken.

8:30 – Mr. Schultz leaves the room.

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MINUTES

MADAME CHAIR, I MOVE TO APPROVE THE **AUGUST 20, 2018** REGULAR SESSION MINUTES AS WRITTEN.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. MAUCERI
VOTED: 3-0 (UNANIMOUS) (MR. SCHULTZ AND MR. PRISCO ABSENT)

MADAME CHAIR, I MOVE TO APPROVE THE **AUGUST 20, 2018** EXECUTIVE SESSION MINUTES AS WRITTEN.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. MAUCERI
VOTED: 3-0 (UNANIMOUS) (MR. SCHULTZ AND MR. PRISCO ABSENT)

MIDDLE/HIGH SCHOOL DRIVEWAY

- **VOTE TO APPROVE ORDER OF TAKING AND VOTE TO SIGN PLAN**

Mr. Gilleberto informed the audience that due to an issue related to the associated plan, the order could not be recorded within 30 days of the last vote and therefore needs to be voted on and signed again; this vote is only an administrative task.

MADAME CHAIR, I MOVE TO APPROVE THE ORDER OF TAKING FOR THE PARCEL OF LAND SHOWN AS "PARCEL 'A' AREA = 127+ S.F." ON A PLAN ENTITLED "ACCEPTANCE PLAN AND STREET LAYOUT PLAN 'MIDDLE/HIGH SCHOOL DRIVEWAY' NORTH READING, MASSACHUSETTS," WITH A REVISION DATE OF DECEMBER 24, 2015, PREPARED BY WELCH ASSOCIATES LAND SURVEYORS, INC, TO SIGN THE ORDER OF TAKING, TO AWARD DAMAGES IN THE AMOUNT OF ZERO DOLLARS (\$0), AND TO SIGN SAID PLAN.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. MAUCERI
VOTED: 3-0 (UNANIMOUS) (MR. SCHULTZ AND MR. PRISCO ABSENT)

8:33 – Mr. Schultz returns

ANNUAL MUNICIPAL REVIEW TOWN OWNED LAND

Mr. Gilleberto states this review is done by policy and by-law. Mr. O'Leary would like to take a closer look at the Town Owned Land especially for the purposes of wastewater. He would like it discussed further at the next meeting.

REVIEW/DISCUSS OCTOBER TOWN MEETING WARRANT ARTICLES

Mr. Gilleberto stated the draft of the warrant will go to Town Council for review and the Board will be signing it at the September 17th BoS meeting. He further stated some articles are waiting for cost estimates. Mr. Schultz stated everyone is working together on the snow and ice articles to find a solution and is hoping to have a unified motion at Town Meeting.

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APPOINTMENT: MARTIN'S POND RECLAMATION COMMITTEE

MR. CHAIRMAN, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAME FOR APPOINTMENT AS A MEMBER OF THE MARTINS POND RECLAMATION STUDY COMMITTEE FOR A TERM TO EXPIRE DECEMBER 31, 2020.

JOEL A. SPRUANCE, 4 TRAVELLED WAY

MOTION BY: MR. O'LEARY
SECONDED BY: MR. SCHULTZ
VOTED: 4-0 (UNANIMOUS) (MR. PRISCO ABSENT)

ARTHUR KENNEY FIELD RESTROOM/CONCESSION STAND

Mr. O'Leary reports that project is complete and looks great and he congratulates the committee.

MADAME CHAIR, I MOVE TO APPROVE PAYMENT REQUISITION #9 IN THE AMOUNT OF \$38,489.66 TO CONSTRUCTION DYNAMICS, INC.

MOTION BY: MR. O'LEARY
SECONDED BY: MR. MAUCERI
VOTED: 4-0 (UNANIMOUS) (MR. PRISCO ABSENT)

Mr. Gilleberto stated the project ended up costing more than the commitment and they are working with Friends of Parks and Rec to reconcile the dollar amount. Mrs. Manupelli would like a commercial grade stove, refrigerator and freezer considered for the concession stand through capital planning.

TOWN ADMINISTRATOR'S REPORT

See attached. Topics discussed:

- Applications available for Senior Tax Rebate Program and meeting on September 12th;
- Upgrade of telephone system for Town Hall, Senior Center and the Library;
- Mosquito spraying;
- Creation of new Master Plan for the Town;
- The home-rule petition to establish more flexibility in scheduling the dates of Town Meetings was signed into law;
- Approval of a 3 year Federal Youth Substance Abuse Grant was approved; and
- DPW paving projects.

OLD AND NEW BUSINESS

Mr. O'Leary: No Comment, just be careful now that school is back in session.

Mr. Mauceri:

- School busses are out, take caution.

Mr. Schultz:

- Informed the residents of a benefit for the Usher Syndrome Foundation on September 20th at Giggles in Saugus.

Mr. Manupelli: No Comment.

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

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

VOTE: 4-0 (UNANAMOUS) (MR. PRISCO ABSENT)

ADJOURN: 9:11 p.m.

DATE

STEPHEN J. O'LEARY, CLERK