

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, OCTOBER 19, 2020**

Chairwoman Manupelli called the meeting to order at 6:30 p.m. via remote participation. Participating members were Mrs. Gonzalez, Mr. Wallner, Mr. Stuto, Mr. O’Leary, and Town Administrator, Michael Gilleberto.

EXECUTIVE SESSION

MADAM CHAIR, I MOVE TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSES OF EXEMPTION 3 (20 ELM STREET LITIGATION), SUCH DISCUSSIONS IN OPEN SESSION WILL HAVE A DETRIMENTAL IMPACT ON THE TOWN, AND TO ADMIT THE FOLLOWING: ATTORNEY BARBARA CARBONI OF TOWN COUNSEL KP LAW; AND TOWN PLANNER DANIELLE MCKNIGHT; AND FURTHER THAT THE SELECT BOARD WILL RETURN TO OPEN SESSION FOR REGULAR SESSION

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

VOTE: 5-0 (UNANIMOUS)

RECESS OPEN SESSION TO GO INTO EXECUTIVE SESSION – 6:32

RECONVENE – 7:12

CALL TO ORDER OPEN SESSION

Chairwoman Manupelli called to order the open session at 7:12 p.m.

Members recite the Pledge of Allegiance.

REVIEW NOVEMBER STATE/PRESIDENTIAL ELECTION PROCEDURES

Town Clerk, Barbara Stats provides an update on early voting and mail in ballots. Mrs. Manupelli asks the Board for their approval for NORCAM to record the meeting; the Board approves. Mr. O’Leary informs Ms. Stats that a resident informed him there was a person standing by the ballot box outside Town Hall observing activity and the resident was uncomfortable. Ms. Stats responded that no such complaint has been filed with her office, but that if the resident could provide more information it will be followed up on. Mr. O’Leary will see if the resident would be willing to speak with Ms. Stats about the situation. Mr. O’Leary reported he voted Saturday and the process went very well.

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APPOINTMENTS:
ELECTION WORKERS

Ms. Stats informs the Board of a revised list of Election Workers as she was notified this morning that 3 workers no longer want to be appointed; there are now 24 on the list. Ms. Stats further states that she is not anticipating much Election Day activity due to early and mail-in voting.

MADAM CHAIR, I MOVE TO APPOINT ADDITIONAL ELECTION WORKERS FOR THE CURRENT APPOINTMENT PERIOD IN ACCORDANCE WITH SECTION 12 OF CHAPTER 115 OF THE ACTS OF 2020, AS REQUESTED BY THE TOWN CLERK IN A MEMO DATED OCTOBER 19, 2020.

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

VOTE: 5-0 (UNANIMOUS)

RECYCLING COMMITTEE

MADAM CHAIR, I MOVE TO PLACE IN NOMINATION THE FOLLOWING NAMES FOR APPOINTMENT AS MEMBERS OF THE RECYCLING COMMITTEE FOR INDEFINITE TERMS:

USHA PILLAI
FRANK FALCONE

Mrs. Gonzalez, as liaison to the Recycling Committee, states she is recommending both applicants. Mr. Gilleberto states there are 2 vacancies and the terms are indefinite.

MOTION BY:	MR. STUTO
SECONDED BY:	MRS. GONZALEZ

MR. O'LEARY:	USHA PILLAI, FRANK FALCONE
MR. STUTO:	USHA PILLAI, FRANK FALCONE
MR. WALLNER:	USHA PILLAI, FRANK FALCONE
MRS. GONSALVES:	USHA PILLAI, FRANK FALCONE
MRS. MANUPELLI:	USHA PILLAI, FRANK FALCONE

VOTED: 5-0 USHA PILLAI, FRANK FALCONE

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METROPOLITAN AREA PLANNING COUNCIL

MADAM CHAIR, IN ACCORDANCE WITH THE PROVISIONS OF MASSACHUSETTS GENERAL LAW, CHAPTER 40B, SECTION 24, I MOVE TO APPOINT TOWN PLANNER DANIELLE MCKNIGHT AS THE TOWN OF NORTH READING'S REPRESENTATIVE TO THE METROPOLITAN PLANNING COUNCIL AND TOWN ADMINISTRATOR MICHAEL GILLEBERTO AS THE ALTERNATE REPRESENTATIVE FOR THREE YEAR TERMS TO EXPIRE OCTOBER 19, 2023.

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

MR. O'LEARY:	DANIELLE MCKNIGHT, MICHAEL GILLEBERTO
MR. STUTO:	DANIELLE MCKNIGHT, MICHAEL GILLEBERTO
MR. WALLNER:	DANIELLE MCKNIGHT, MICHAEL GILLEBERTO
MRS. GONSALVES:	DANIELLE MCKNIGHT, MICHAEL GILLEBERTO
MRS. MANUPELLI:	DANIELLE MCKNIGHT, MICHAEL GILLEBERTO

VOTED: 5-0 DANIELLE MCKNIGHT, MICHAEL GILLEBERTO

SIGN STATE/PRESIDENTIAL ELECTION WARRANT

The Board will sign the hard copy of the Election Warrant on Friday.

MADAM CHAIR, I MOVE TO SIGN THE NOVEMBER 3, 2020 STATE/PRESIDENTIAL ELECTION WARRANT.

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

VOTE: 5-0 (UNANIMOUS)

COVID – 19 UPDATE

Mr. Gilleberto states:

- There are 14 new cases and the Town is at a 6.0% level, which is in the yellow designation.
- A couple of the cases have been in schools.
- Looking at CDC and DPH for guidance regarding Halloween activities, more information will be coming this week.

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- Mr. O'Leary states the Board of Health is meeting tomorrow night and will be addressing some of the Halloween concerns. He acknowledges the Public Health Nurse's code red that went out last week, and further stated if we don't do our part, the Department of Health may have to curtail activities. Mr. O'Leary further stated more information will be forthcoming later this week
- Mrs. Gonzalez inquired of the 14 new cases reported, are probable cases included with the count. Mr. Gilleberto responded he is not sure if they are confirmed or probable cases but will check with the public health nurse.
- Mr. Stuto inquired if the Board of Health's decisions are based on confirmed or probable cases. Mr. Gilleberto responded all cases are presented as though they are confirmed, Mr. Gilleberto states the Board of Health data comes from the Department of Public Health.
- Mrs. Manupelli thanks the School Department, the Superintendent and the Administration for alerting parents and keeping them advised.

PUBLIC COMMENT

None.

BOARD MEMBER REPORTS

Mr. O'Leary:

- His busiest assignments are water and wastewater which will be discussed in an upcoming agenda item tonight and the Board of Health, which discussion took place during the COVID update.
- He commented on voting this weekend and encourages people to take advantage of early voting or mail in voting. It was a great relief to have it done and wishes it for everyone else; it is an opportunity to have our say and to determine what the country will be like in the next four years.

Mr. Wallner:

- He is focused on the age friendly initiative in Town and how to make it more age friendly.
- He thanks the 500 who did the survey, the goal is 1000. He informs the audience they can fill out the survey and mail it back or fill it out online on the town website. He also invites residents to participate in a focus session.
- He reads a prepared statement and concludes stating he wants a better community for all.

Mrs. Gonzalez:

- States the audience will be hearing from Mr. Greenberg from the Recycling Committee later in the meeting; there will be a second reading of the policy.

Mr. Stuto:

- States he is one of the Liaison's on the water and waste water committees and has been doing his best to catch up on the issues.

Mrs. Manupelli:

- No comment.

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7:56 - VOTE TO SELL TOWN OWNED LAND

MAP 78, PARCEL 17B – 23 RIVERSIDE DRIVE (CONT'D FROM 8/17 AND 8/31)

Mrs. Manupelli states the petitioner's, the Carreiro's and abutters, Mr. and Mrs. Austin are present. Mr. Carreiro addresses the Board regarding the purpose of their interest in acquiring the land. Mr. Gilleberto states that after discussions with the abutters in the neighborhood on Friday and today, the Board is being asked to sell lot 17B and the Town would retain lot 17A.

Comments as follows:

- Mr. Austin states he thinks there are inaccuracies in who owns what.
- Mr. O'Leary stated the plan is certified by an Engineer and the Town Planner.
- Mrs. Manupelli states the Austin's are not in favor of the acquisition.
- Mr. Austin states they did not have enough time to review. Mr. Gilleberto responded a courtesy notice was provided in April and the process to acquire this parcel started 2 years ago.
- Mr. Gilleberto states the parcel will be put up for auction in the next four weeks along with a parcel on Burroughs Road. The notification of the auction will be in the Transcript and on the Town Website.

MADAM CHAIR, I MOVE TO SELL BY AUCTION TOWN OWNED LAND DESIGNATED AS MAP 78, PARCEL 17B LOCATED AT 23 RIVERSIDE DRIVE, IN ACCORDANCE WITH MGL CHAPTER 60, SECTION 77B AT A MINIMUM BID PRICE OF \$1,550.00 SUBJECT TO THE FOLLOWING RESTRICTION (S):

1. PARCEL SHALL NOT BE USED IN AND OF ITSELF AS A SEPARATE BUILDING LOT, AND THE PROVISIONS OF MGL CHAPTER 40A, SECTION 6 PURSUANT TO ITS NINTH PARAGRAPH, IF APPLICABLE, ARE WAIVED TO PROHIBIT THE USE OF THE PARCEL AS A SEPARATE BUILDING LOT.

2. ACCESSORY STRUCTURES OF ANY KIND SHALL NOT BE ERECTED OR MAINTAINED ON THE PARCEL UNLESS THE PARCEL IS COMBINED WITH AN ADJOINING PARCEL CONTAINING A PRIMARY STRUCTURE.

4. THE PARCEL SHALL NOT BE USED TO SATISFY MINIMUM ZONING OR HEALTH CODE REQUIREMENTS FOR THE CONSTRUCTION OR USE OF ANY ADDITIONAL DWELLING UNIT ON THE PARCEL OR ON ANY ADJOINING PARCEL.

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

VOTE: 5-0 (UNANIMOUS)

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WATER/WASTEWATER UPDATE

Water Superintendent Mark Clark and Acting DPW Director Chris Deming are in attendance.
Comments as follows:

- Mr. Deming stated he attended a meeting last week with the Town's water consultants, Mark Clark, John Klipfel and North Andover DPW to discuss a potential sewer main down Routes 125 and 114 to connect to the greater Lawrence Sewer district. North Andover said utilities are crowded on 114, and upgrades would be needed to tie into their pump system. Tying into their collection system was also discussed.
- Write Pearce is reaching out to MA DOT to look into bringing a sewer main up 114, from Merrimac College to the supermarket. North Andover is in the process of getting approvals for reconstruction of that area and it might be a long shot to start breaking ground before 2023.
- Mr. Gilleberto stated the Town was directed towards 125-114 by Andover. Mr. Deming discussed the original plan of going up Route 28 and stated Andover was not interested in the Town going up 28 through Andover to tie into Lawrence, they didn't want us going through downtown Andover. Different options were discussed, and all options show there would be some complications, that is why alternative routes are being evaluated.
- Mr. O'Leary stated during discussions with Andover and the 99 year water deal, a sewer main was discussed. Today, Andover's appetite for digging up downtown is diminished due to the reconstruction that was needed after the Columbia Gas explosion.
- Mrs. Manupelli states it does not make sense to go up Routes 114 or 125 to get sewer on Route 28, and we are being rerouted because of Columbia gas, it puts our project back 10 years. Mrs. Manupelli wants to make sure the team is pushing back. Mr. O'Leary responded the consultants said going the 114 125 Routes would be less costly because it would be all new infrastructure and upgrades would not be necessary. Mrs. Manupelli wants updates at meetings to see modifications prior to meetings, she would like it uploaded to a shared folder.
- Mrs. Gonzalez states it seems crazy going all that way around and can't see how it wouldn't be more costly.
- Mr. Deming discussed water; the Town has the inter-basin treatment permit. Write Pearce is reviewing the bids for the water mains on Mt. Vernon Street and North Street and will be making a recommendation next week, the project will start in the spring of 2021.
- The responses to the chlorination treatment plant RFP were too high, it went back out to bid and bids will be due October 21st, the General Contractor bids are due November 4th. Mr. Deming stated we are delayed since it went out to be rebid. He further stated the timeline for construction is scheduled by end of the construction season next year. Mr. O'Leary added the April 2022 timeline for the construction of the chlorination plant is when peak demand fills up; the original plan was to have it completed next fall. Mr. Gilleberto added we have a temporary interconnection during the high demand season and are authorized to do it next summer also. Having the permit in hand is a great spot to be in. Mr. Gilleberto further stated they have seen success with the rebidding process and is hoping it will pay off with construction costs of the project.

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8:38 - KITTY’S RESTAURANT – CHANGE OF BENEFICIAL INTEREST

Mr. Gilleberto reads the Public hearing notice. Deborah Birkmaier, 23 Westwood Circle and John Weir, 67 Winter Street are in attendance. Mr. O’Leary states the purpose of this change is for estate planning purposes and next generation taking over, he is supportive of their efforts.

8:47 hearing closes.

MADAM CHAIR, I MOVE TO APPROVE A CHANGE OF BENEFICIAL INTEREST FOR THE COMMON VICTUALLER/ALL ALCOHOL LICENSE FOR KITTY’S RESTAURANT AND LOUNGE, 123 MAIN STREET.

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

VOTE: 5-0 (UNANIMOUS)

8:47 - PARADISE R2, INC. D/B/A/ NEW ENGLAND BEVERAGE – TRANSFER OF LICENSE

Mr. Gilleberto reads public hearing notice. Current license holder Saurabh Patel and petitioner, Kevinn Leng are in attendance. Mr. Patel informs the Board his reasons for “moving on”. Mr. Leng informs the Board of other establishments he owns and disclosed his Lynn establishment had a discipline issue with the ABCC 15 years ago. Comments as follows:

- Mr. Stuto: There was a violation at New England Beverage yesterday. Mr. Leng stated he sold to a minor.
- Manager Susan Ung stated she had the Corey check and fingerprints today and will use equipment and train employees to avoid selling to a minor again.
- Mr. O’Leary stated to put in the software and he will support the application.
- Mr. Stuto identified that at least one establishment linked to the applicant is not on the application.
- Mrs. Manupelli wants an updated application indicating the other establishments he has a beneficial interest in, such as the establishment in South Boston.
- Mr. Gilleberto stated the Board should vote to schedule a show cause hearing for the violation.
- Mr. Greenberg, 25 Shady Hill Drive states he is troubled of the admission of knowingly violating Chapter 138.

9:13 – hearing closes

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- Mr. Gilleberto states the discipline that needs to take place in a fashion that it will be served by the current owner.
- Mrs. Manupelli responds to Mr. Stuto and states there is no disciplinary matter on the agenda, therefore the Board cannot hold it as a reason to grant or deny a license. She further states it was the petitioner who sold alcohol to a minor.
- Mrs. Manupelli discusses the application process and how the ABCC follows the money trail through the information provided on the application.
- It is the consensus of the Board to continue the Hearing until the next meeting, November 2nd to get more information from the applicant.

MADAM CHAIR, I MOVE TO CONTINUE THE PUBLIC HEARING TO NOVEMBER 2, 2020 AT 8:00 P.M.

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

VOTE: 5-0 (UNANIMOUS)

REPORT FROM SERVER TRAINING PROGRAM AUDITOR

Auditor Amy Luckiewicz shares her screen and provides a presentation (see attached).

Comments as follows:

- Mrs. Manupelli likes her recommendations on policies.
- Mr. O'Leary appreciates her effort and she is providing a great service.
- Mrs. Gonzales thanks Amy for doing a great job.
- Mr. Wallner thanks Amy and inquires if she recommends software to licensees. Ms. Luckiewicz states TIPS training is the best protection and highly recommends in person training.

UPDATE ON DRUG FREE COMMUNITIES GRANT

Ms. Luckiewicz gives a Drug Free Communities Grant presentation (see attached).

- Mr. Stuto inquires how COVID is effecting students. Ms. Luckiewicz stated there is a plan to do data collection.

"BUY RECYCLED" POLICY SECOND READING OF POLICY AND ADOPTION

Mr. Gilleberto states there are no changes to the policy and thanks Mr. Greenberg for getting us to the spot to proceed. Comments as follows:

- Mr. Greenberg states motivation is a necessary requirement to allow us to educate our residents about what can go into recycling bins. He further states JRM's contract comes up next June and it will affect financial matters having to do with the contract.

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- Mr. O’Leary thanks Mr. Greenberg for bringing it to our attention, and looks forward to endorsing it, public education needs to be stepped up.
- Mrs. Gonzalez is thrilled to see it happen, the Town needs to be educated.
- Mr. Gilleberto states Chris Deming has been involved in discussions and he thanks him.

MADAM CHAIR, I MOVE TO HOLD THE SECOND READING OF THE “BUY RECYCLED” POLICY AND TO ADOPT THE POLICY.

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

VOTE: 5-0 (UNANIMOUS)

REVIEW/APPROVE CALENDAR YEAR 2021 MEDICARE HEALTH INSURANCE PLANS

Mr. Gilleberto states he recommends the Board approve the renewal rates that have been reviewed with IAC, for the renewal for BC/BS at 0.6% increase and Tufts Health Insurance Plan at 4.01% increase for Retirees, both of which are within the projection in the budget.

MADAM CHAIR, I MOVE TO APPROVE THE CALENDAR YEAR 2021 MEDICARE HEALTH INSURANCE PLAN.

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

VOTE: 5-0 (UNANIMOUS)

APPROVE FY 2021 HEALTH INSURANCE PREMIUM CREDIT

Mr. Gilleberto states no vote is required. He further states BC/BS will be issuing a credit to subscribers that will be applied to this or next month’s bill. A 30% share will go to employees and employees will be credited on payroll in December, in a premium deduction. The Town’s share will result in funds unexpended out of FY2021 health insurance budget. He further stated this is good news on health insurance for town and employees.

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REVIEW LIST OF COMMITTEE APPOINTMENTS TO BE ADVERTISED

Mrs. Manupelli informs the audience how apply for any vacancies on Boards or Committees. Mr. Gilleberto states positions will be advertised in the Transcript, Town website, and on social media and wants residents to know there is a deadline for applications. He further states this is an opportunity to see if the Board would like to make any changes in the description and responsibilities of the Committees and if so, it will need to take place before it's advertised. Mr. Wallner stated he will be reviewing the appointing procedures and further stated volunteers should be treated like precious assets with the utmost respect. Mr. O'Leary inquired how the Board will proceed and further states the liaisons are responsible for communicating with the Chairs of the committees to review applicants and relay to the Board what the Liaison and Chairman recommendations are. Mr. O'Leary further stated collectively the Board needs to agree how they need to proceed; the liaison is making recommendations and will recommend to the Board what the chairperson is recommending as well as the liaison. Mr. Gilleberto stated Committee Vacancies will be advertised in the paper for Thursday.

APPROVE LEGAL BILLS

MADAM CHAIR, I MOVE TO APPROVE LEGAL BILLS FOR AUGUST, 2020 IN THE AMOUNT OF \$13,646.01 AS FOLLOWS:

GENERAL	\$ 9,102.51
LABOR	\$ 4,212.00
20 ELM STREET	\$ 331.50
TOTAL	\$13,646.01

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

VOTE: 5-0 (UNANIMOUS)

MINUTES

MADAM CHAIR, I MOVE TO APPROVE THE SEPTEMBER 21, 2020 REGULAR SESSION MINUTES AS WRITTEN.

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

VOTE: 5-0 (UNANIMOUS)

**MINUTES OF THE SELECT BOARD MEETING
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MADAM CHAIR, I MOVE TO APPROVE THE SEPTEMBER 21, 2020 EXECUTIVE SESSION MINUTES AS WRITTEN.

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

VOTE: 5-0 (UNANIMOUS)

MADAM CHAIR, I MOVE TO APPROVE THE OCTOBER 3, 2020 REGULAR SESSION MINUTES AS WRITTEN.

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

VOTE: 4-0 (UNANIMOUS) (MR. STUTO ABSTAINED)

TOWN ADMINISTRATOR'S REPORT

(See attached) Topics discussed:

- DPW will host waste and recycling events.
- NRPD and Coalition Take Back Day.

OLD AND NEW BUSINESS

Mr. O'Leary:

- Urged the residents to participate in voting.

Mr. Stuto: No comment.

Mr. Wallner: No comment.

Mrs. Gonzalez: No comment.

Mrs. Manupelli: Congratulated Mr. Stuto on the birth of their baby.

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, OCTOBER 19, 2020**

ADJOURN

MADAM CHAIR, I MOVE TO ADJOURN.

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

VOTE: 5-0 (UNANIMOUS)

ADJOURN: 10:27 P.M.

DATE

VINCENZO STUTO, CLERK