

**MINUTES OF THE SELECT BOARD MEETING
MONDAY, NOVEMBER 2, 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.

CALL TO ORDER OPEN SESSION

Chairwoman Manupelli called to order the open session at 6:30 p.m.

Members recite the Pledge of Allegiance.

MINUTES: OCTOBER 19, 2020 REGULAR AND EXECUTIVE SESSION

Mrs. Manupelli asks the Board to table the minutes.

COVID – 19 UPDATE

Mr. Gilleberto states the following:

- There is an increase in the daily case rate and the Town has gone from green back into yellow, there have been 12 reported cases in 7 days.
- He is aware of a couple of positive cases involving students, which quarantine was required and classes were moved to remote learning.
- The Superintendent, School Nurses, Principals, Public Health Director and Public Health Nurse figure out course of action and make recommendations for each case.
- State reporting is now on Thursdays, internal group meets Tuesday mornings.
- Seeing situations where parents contract COVID-19 at work and it is transmitted in the household.
- Most people followed guidance on Halloween and as a result, hopes for minimal to no impact on positive cases.
- The Town has been working towards solutions for remote learning, guidance has been obtained from the Town’s insurance carrier, and the Town could provide a program if demand exceeds the capacity of a proposed YMCA program. That is not the case at this time.
- Regarding the election, early voting concluded Friday with 2,840 voters voting early, 6,675 voted through last night early and by mail. He recognized the election workers and the Town Clerk and staff. The Town will be ready by 7:00 a.m. when the polls open; he explains the traffic pattern for the voting location.
- A stay at home advisory issued by the Governor and will have an impact on restaurants, with a 9:30 p.m. closing time. Gathering sizes have been reduced, the order will address areas where cases are happening.
- Mrs. Manupelli stated the order relating to restaurants, clubs, and businesses for 9:30 closing, residents can still do take-out and delivery, alcohol cannot be served during mandatory closure hours.
- Mr. Stuto inquired about orders turned into advisories, what is enforceable? Do we have the resources to enforce it if we have to?
- Mr. Gilleberto responded to Mr. Stuto stating challenges and expectations created for the Town will be discussed with the working group at meeting tomorrow to determine a course of action.

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- Mr. Stuto responded that the BOH cannot tell anyone what to do in their home and people are going to want clarity; he thinks it will be a major issue in a hurry.
- Mrs. Manupelli stated the advisory is to stay in home between 10:00 p.m. and 5:00 a.m., the remainder are orders to address the state of emergency, and they would supersede any bylaws and statutes. The Governor can give these orders because it's a declaration of a state of emergency. She further stated mandatory orders have a number designated to them which are subject to a fine that gets issued; enforcement officials are making sure that they are being complied with and are taking the approach of giving warnings.
- Mr. O'Leary stated the BOH is working with businesses and the school department, there has been a lot of communication. He stated the biggest issue may be wearing masks outdoors; the public needs to know what North Reading is going to do about it, people will complain and how are we going to respond. Now have broader orders regarding what you can do in your house and how many people you can have, it's forcing people to operate differently. People have a right to know about what our enforcement intention is and what resources do we have to commit to it.
- Mr. Stuto stated people have done a good job, but now it's getting personal, and thinks a police officer knocking on a door for 11 people, it will become a problem at another level.
- Mr. Wallner responded to Mr. Stuto's comment stating it would be no different than having minors drinking in your basement, the police may come to the house if called; people in town are rational and reasonable and people need to be educated about the issues. It doesn't need to be escalated any more, it's not justified.
- Mrs. Gonzalez stated she has confidence in the Police Department that they will handle it appropriately.
- Mrs. Manupelli requested whatever can be posted about these orders on website will be helpful.

PUBLIC COMMENT

None.

PROCLAMATION: VETERANS DAY

Mrs. Manupelli reads the Proclamation.

MADAM CHAIR, I MOVE TO READ THE VETERAN'S DAY PROCLAMATION.

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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- Mrs. Manupelli stated there will be a virtual program from NORCAM and asks that the residents remember Veterans on November 11th and thanks Veterans Agent, Susan Wagner for bringing it together.
- Phil Healey from NORCAM states they will have clips from previous ceremonies and informs the audience of the channels and times to see program.
- Mrs. Gonzalez states Veterans should always be thanked every day.
- Mr. Wallner always thinks about people who served and respects all veterans.
- Mr. Stuto wishes we had more Veterans days throughout the year and thanks the Veterans; it should be talked about more in classrooms.
- Mrs. Manupelli states the history is so important. The Middle school sent out a notice for students who have family and friends that are Veterans to send in pictures. She hopes the direction of what's important and what's a reality as people are being deployed and fighting for us is reset.

BOARD MEMBER REPORTS

Mrs. Gonzalez:

- She is deep into expiring terms and liaison work to get spots filled. She is working with the Recycling Committee to finish up the work to get grant money.

Mr. O'Leary:

- The Board of Health is very busy meeting and there will be more to report at the next Select Board meeting.
- There will be more information forthcoming on water and wastewater.
- He acknowledges the work of Town Clerk's office and the Election Workers, they have risen to the challenge. Over Six Thousand votes have been processed and it will be a historic and consequential turnout.
- Veterans Day is to enjoy the freedoms of what we have; we are witnessing efforts to suppress people's right to vote, and to ensure votes already cast won't be counted. People have sacrificed their lives to give us this freedom, no one should be suppressed.

Mr. Wallner:

- He continues to focus on the age friendly initiative; reports out of 5,000 surveys sent out, 1,200 have been returned. The UMass Gerontology informed him that North Reading had one of highest return survey rates in MA; we are at 25% now. He thanks Transcript Editor, Maureen Doherty for publishing the survey and encouraged people to take the survey.
- He is running focus groups for key informants, seniors, rising seniors, key stake holders and wants to get it done as quick as possible. Thanks everyone for their time.

Mr. Stuto:

- Looking at committees he is the liaison to, it has been quiet with the CPC and ZBA; there is not much to report.
- Ms. Stats and everyone working with the election is doing a great job. Towns our size are waiting for hours to vote, not in North Reading; he encourages people to vote.

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Mrs. Manupelli:

- Polls open at 7:00 a.m. and close at 8:00 p.m. She asked that everyone be respectful, not everyone will agree.
- Mr. Gilleberto explained voting procedures and they are on town website.

VOTE TO SCHEDULE SHOW CAUSE HEARINGS – LUCKY MART AND NEW ENGLAND BEVERAGE

Mrs. Manupelli states the police reports regarding the violations are in the meeting packet. She states the new attorney representing the petitioner for the transfer of license at New England Beverage is gathering the information the Board has requested and the public hearing will need to be continued. Mr. Stuto requests minutes from the meeting he attended last year where Lucky Mart was in attendance because of a violation.

MADAM CHAIR, I MOVE TO SCHEDULE A SHOW CAUSE HEARING FOR SMOKES & SNACKS, INC., D/B/A ROUTE 28 LUCKY MART FOR MONDAY, NOVEMBER 16, 2020 AT 8:00 P.M.

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 SCHEDULE A SHOW CAUSE HEARING FOR SONNYRIYA, INC. D/B/A NEW ENGLAND BEVERAGE FOR MONDAY, NOVEMBER 16, 2020 AT 8:30 P.M.

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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REVIEW ANNUAL LICENSE FEES FOR 2021

Mrs. Manupelli states the license fees are in the meeting packet. She is asking the Board to consider waiving the renewal fees for Section 12 licensees because they have suffered financially from closing. Comments as follows:

- Mr. O'Leary inquired what the dollar figure associated with this would be. Mr. Gilleberto responded total impact is \$65,050 for alcohol licenses and \$8,300 for other licenses on the list provided. Mrs. Manupelli asks that the list be further broken down.
- Mr. O'Leary stated the impact would be Forty-Six Thousand Dollars for all alcohol licenses and Two Thousand Eight Hundred for the wine and malt license. He wants to hear from the Finance Director and the Town Administrator; he wants to help local businesses but doesn't think the Town can afford a 100% waiver, maybe a reduced fee.
- Finance Director, Ms. Rourke stated her and the Town Administrator addressed local receipts at the Financial Planning Team meeting on Friday, some areas will be adjusted through the tax recap process, therefore the Town might be able to absorb at least 50% this year, but can't guarantee it for FY22.
- Mr. Gilleberto stated November 30th is the due date for license renewals.
- Mr. Stuto would like to know more about our tax receipts.
- Ms. Rourke stated local receipts are down slightly from FY20, due to reduced meal tax, investment account income, other bank accounts are earning minimal interest.
- Mr. Wallner stated he is less inclined to do this, always kept business same as residential, ongoing discussion about charging businesses more than residential, we have been fair to the businesses over the years, Seventy Thousand Dollars sounds like a lot to him.
- Mrs. Gonzalez inquired about a 50% reduction. Ms. Rourke responded this is the first year leading into future years of hard times.
- Mr. O'Leary is in favor of the most impacted establishments, 10 restaurants, if we are doing something for restaurants, he's good with that.
- Mrs. Manupelli states that this can be taken up at the next meeting, and the Board can decide on a percentage of a reduction and she appreciates the Board's willingness to discuss it.
- Mr. Gilleberto stated applications will be coming in in the next couple of weeks, if they have already applied can a refund be issued. Ms. Rourke responded a refund can be given in FY21. Mr. O'Leary responded to hold the applicants renewal check until the Board takes action.
- Mrs. Manupelli stated she wants more of a financial picture from Ms. Rourke and maybe the Board can take a vote at the November 16th meeting. Mr. O'Leary is in favor of the reduction. Mrs. Gonzalez is in favor. Mr. Wallner is hesitant but can compromise. Mr. Stuto is in favor of doing something but wants to see the numbers to come up with a percentage. Mrs. Manupelli wants the Board to consider a reduction and will be put on the agenda for next meeting.

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REVIEW FISCAL YEAR 2020 CLOSEOUT

Finance Director Liz Rourke shares her presentation with the audience (See attached). Comments as follows:

- Ms. Rourke reviewed the General Fund revenues, expenditures, and account deficits from FY 2020.
- Ms. Rourke stated low water retained earnings were the result of the timing of the uncollected water bills and excessive usage; expenditures exceeded revenues. She further stated they will have to monitor and do a rate study because the water rate has not changed in a few years. DOR looks at enterprise funds and compares with previous fiscal years to make sure budget figures are being met.
- Mr. O'Leary inquired if uncollected bills is a timing issue or a combination of things; we should be in a better position, the cost of water has dropped. Water usage was up responded Ms. Rourke and we had to pay Andover.
- Ms. Rourke relayed that the Water Superintendent feels there should be an increase in water rates and there needs to be a water rate hearing. Will be monitoring and checking to see what uncollected is for FY20. Trash was in the same situation due to the timing of the bills being due.
- Mr. O'Leary inquired how to explain to DOR that the low retained earnings is a result of timing. Ms. Rourke stated she will be able to explain the factors contributing to the low retained earnings.
- Revenue will be substantially more due to heavy usage this summer stated Mr. O'Leary. Ms. Rourke responded the timing on the billing and added expenditures for the temporary water chlorination facility is what threw off the retained earnings.
- Mr. Gilleberto stated retained earnings were by design, to level out the impact of rate increases over a seven year period. Rates were increased for only three years, and absorbing the expense shows how healthy the water enterprise is at. Mr. Gilleberto further stated the Board will get more information on a water rate hearing.
- Mrs. Manupelli reiterated earnings are low because we haven't collected on bills and have had expenditures that we had to take out. Mr. Gilleberto stated those expenditures were One Hundred and Thirty Thousand Dollars for the chlorination plant, and approximately Two Hundred and Fifty to Three Hundred Thousand Dollars of water purchased from Andover that we could absorb without making adjustments.
- Mr. O'Leary stated he didn't anticipate having the need to stabilize the rates for the retained earnings. He didn't anticipate operating at a deficit this early into the IMA.
- Ms. Rourke suggested the Water Superintendent and her give a summary of where we are to date in FY21 on revenue and expenditures at a December meeting. There will be a break-out by line item in the water department to see what drove the deficit.
- Mr. O'Leary inquired what the impact of purchasing 100 percent of our water from Andover will have on our rates that we have set and the collectability of things.
- Mrs. Manupelli stated we need to project our rates that we are going to need to consider over the course of the next five or ten years to make sure we are not in the deficit and that we get the retained earnings to where they should be.
- Ms. Rourke stated Parks and Rec retained earnings are down, due to the pandemic. Mr. O'Leary stated since Parks and Rec's retained earnings pay for some of their

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operating budget, will their deficit impact in the upcoming next fiscal year; Ms. Rourke responded they don't exceed Three Hundred Thousand, not all their COVID expenses were reimbursed, they are monitoring their budget for FY21, and the Finance team will have to monitor the Water Department and Parks and Rec closely in FY21.

- Mr. O'Leary inquired how much of turnbacks is related to COVID reimbursements. Ms. Rourke responded on the municipal side approximately Two Hundred and Seventy Thousand Dollars of expenses, the School side is at One Hundred and Seventy to One Hundred and Ninety Thousand Dollars. 1.3 Million Dollars was granted in the cares act, and the Town can look through December 30th for further COVID related expenses.

**8:31 P.M. PARADISE R2, INC. D/B/A NEW ENGLAND BEVERAGE
VOTE TO APPROVE TRANSFER OF LICENSE AND VOTE TO APPROVE PLEDGE
OF LICENSE**

Attorney Rudser, representing the petitioner requested a continuation of the hearing as he needs more time to get information that was requested of the Board at the October 19th meeting. Mrs. Manupelli requested that Attorney Rudser acknowledge, for the record, that there has not been constructive approval of the license and that the Board hasn't taken any official action on it and there would need to be acknowledgement that he understands the Board is still considering it so the Boards time to take action is extended. Attorney Rudser states on behalf of his client he would waive the period of time and states there would be no claim of constructive grant as a result of the granting of his instant request to continue the hearing.

MADAM CHAIR, I MOVE TO CONTINUE THE TRANSFER OF LICENSE, PLEDGE OF LICENSE HEARING OF PARADISE R2, INC. D/B/A NEW ENGLAND BEVERAGE TO MONDAY DECEMBER 7, 2020 AT 7:30 P.M.

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)

TOWN ADMINISTRATOR'S REPORT

See attached. Topics discussed:

- DPW Household Hazardous Waste day;
- Curbside collection of yard waste;
- New virtual meeting software;
- Information provide regarding the upcoming election;
- Re-advertised for the DPW Director. Mrs. Manupelli requested the link GoToMeeting be sent to the Board.

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OLD AND NEW BUSINESS

Mrs. Gonzalez:

- Vote tomorrow, she has faith in the Town Clerk.
- She is seeing more masks on the ground and asks that residents be more careful in disposing of them.

Mr. Stuto: No Comment.

Mr. O'Leary:

- He wanted to discuss appointment procedures and anticipated it being on tonight's agenda; he wants it on the next meeting agenda and stated the public should have a clear understanding of how the Board will handle appointments.
 - Mrs. Manupelli responded discussing the appointment policy should be scheduled in the Strategic Planning meeting.
 - Mr. O'Leary responded two members of the Board wanted more clarity on the policy and it is unfortunate the Chair has decided not to put it on the agenda again.
 - Mrs. Manupelli responded there is a lot to address on agendas and she is not suggesting it be ignored.
 - Mr. O'Leary responded and said the Chair denied a member of the Board to put it on the agenda.
 - Mrs. Manupelli stated the appointment policy would be on a future agenda and advised her colleague of that. Mrs. Manupelli further stated nothing in the policy would disrupt appointments, and a review would not change that the majority of the Board has to vote for an appointee and the policy has not been followed by the Board for years.
 - Mr. O'Leary requests it be put on a future agenda.
- Urges everyone to vote tomorrow.
 - Mr. Stuto stated the policy was self-explanatory to him.
 - Mr. O'Leary stated the proposed amendments should have been part of the meeting packet.

Mr. Wallner:

- Went through the appointment policy and only altered the last section of the procedure.
- Last year was a big mess; the Chair of the ZBA and the Liaison were not on the same page and the information provided to the Board was not accurate.
- He relayed Mr. Hertz's request to have the bike path contract reviewed as there is a time frame that is 3-4 months out at this point.

Mrs. Manupelli:

- Stated there was no lying going on last year; the appointment policy is guidance and not the law and the Board did not do anything inconsistent with the policy.
- Stated the whole set of policies should be revamped.
- The Board should look at all policies that are outdated at the Strategic Planning Meeting.

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It is the consensus of the Board to hold the Strategic Planning Meeting on November 24, 2020 at 7:00 p.m.

ADJOURN

MADAM CHAIR, I MOVE TO ADJOURN.

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

VOTE: 5-0 (UNANIMOUS)

ADJOURN: 9:08 P.M.

DATE

VINCENZO STUTO, CLERK