



# Town of Reading Meeting Posting with Agenda

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READING, MASS.

2013 AUG 15 P 1:38

## Board - Committee - Commission - Council:

Board of Selectmen

Other:

Date: 2013-08-20

Time: 7:00 PM

Building: Reading Town Hall

Location: Board of Selectmen Room

Meeting Called By: Paula Schena on behalf of Chairman James Bonazoli

Notices and agendas are to be posted 48 hours in advance of the meetings excluding Saturdays, Sundays and Legal Holidays. Please keep in mind the Town Clerk's hours of operation and make necessary arrangements to be sure your posting is made in an adequate amount of time. A listing of topics that the chair reasonably anticipates will be discussed at the meeting must be on the agenda.

**All Meeting Postings must be submitted in typed format; handwritten notices will no longer be accepted.**

## Topics of Discussion:

- ◆ Open session for topics not reasonably anticipated 48 hours in advance of the meeting

### 1) Reports and Comments

- a. Selectmen's Liaison Reports and Comments
- b. Public Comment
- c. Town Manager's Report

### 2) Proclamations/Certificates of Appreciation

### 3) Personnel and Appointments

### 4) Discussion/Action Items

- a. Hearing - Review and Adopt Traffic Rules and Regulations 7:30
- b. Close Special Town Meeting Warrant 8:00
- c. Hearing - Adopt Policy Establishing Ad Hoc Zoning Advisory Committee 8:15
- d. Set Liquor License Fees for CY14 8:30
- e. Paint and Sip Beer and Wine License 8:40
- f. Aberjona River Drainage Study 9:00
- g. Discuss DPW and Cemetery Garage Sites 9:15

### 5) Approval of Minutes

- a. July 30, 2013
- b. August 1, 2013

### 6) Licenses, Permits and Approvals

- a. Livery license issued to Stephen Modugno d/b/a Regal Coach, 3 Line Road

### 7) Executive Session

### 8) Correspondence

- copy a. Announcement of MMA's Statewide 6<sup>th</sup> Grade Essay Contest
- copy b. ABCC Advisory re: New Farmer Series Pouring Permits for Farmer-Breweries, Farmer-Wineries and Farmer-Distilleries
- copy c. Email from Town Engineer George Zambouras to Beth Dimino re: Libby Area Paving

This Agenda has been prepared in advance and represents a listing of topics that the chair reasonably anticipates will be discussed at the meeting. However the agenda does not necessarily include all matters which may be taken up at this meeting.



## Town of Reading Meeting Posting with Agenda

- copy d. Email from John Feudo re: Amplified Sound Permit for Barrows PTO Back to School Picnic on September 6
- copy e. Email from Prem Kapoor, P.E., District Bridge Engineer, MassDOT Highway Division re: North Reading/Reading Route 28 over the Ipswich River Bridge Restrictions
- copy f. Email from Jeffrey Gomes at MassDOT re: Update on Reading's Franklin and Main Street Intersection
- copy g. Correspondence from Robert Nordstrand re: History of the Clock and Bell at Old South United Methodist Church
- copy h. Correspondence from Town Manager Robert LeLacheur to Governor Deval Patrick requesting special legislation
- copy i. Correspondence from Mary Frere at Verizon re: Upcoming Channel and Programming changes to the FiOS TV channel line up
- copy j. Correspondence from Ken Sharp re: Vehicle Accidents and Utility Poles
- copy k. Email from Christine Hansen re: Community Meeting: 30 Haven Street
- copy l. Email from Chief Cormier to Christine Hansen re: Town Ordinance: Waste Management

<b>DRAFT - BOARD OF SELECTMEN AGENDAS</b>			
<b>2013</b>			<b>2013</b>
<i>8/15/2013</i>		Presentation	Estimated Start time
	<b>August 20, 2013</b>		
<b>Office Hour</b>	<b>Ben Tafoya</b>		<b>6:30</b>
<b>HEARING</b>	Review & adopt - Traffic Rules and Regulations	Martel	7:30
	Close Special Town Meeting Warrant	LeLacheur	8:00
<b>HEARING</b>	ad hoc Zoning Advisory Committee	LeLacheur	8:15
	Set Liquor License Fees for CY14	LeLacheur	8:30
	Paint & Sip beer & wine license	LeLacheur	8:40
	Review drainage studies	Zambouras	9:00
	DPW & Cemetery garage sites	Zager	9:15
	<b>August 21, 2013 (Weds.) - Financial Forum (Woburn Street School operating budget)</b>	Pleasant St. Ctr	7:30
	<b>August 26, 2013</b>	<b>@RMHS</b>	
	Appoint School Committee member	joint mtg SC	7:00
	<b>September 4 &amp; 5 Rosh Hashanah</b>	no meetings	
	<b>September 10, 2013</b>	<b>WORKSHOP</b>	
<b>Office Hour</b>	<b>John Arena</b>		<b>6:30</b>
	Selectmen Appointments to ad hoc Zoning Advisory Committee		7:15
	Business Workshop		8:00
	Affordable Housing	Delios	
	Business Community updates	Delios	
	EDC mission	joint mtg EDC	
	Preview Subsequent Town Meeting (Warrant closed next meeting)	LeLacheur	9:30
	<b>September 11, 2013 (Weds.) - Financial Forum (Woburn Street School project)</b>	Pleasant St. Ctr	7:30
	<b>September 16, 2013 - Special Town Meeting (Mon)</b>	no meetings	7:30
	<b>September 19, 2013 - Special Town Meeting (Thurs)</b>	no meetings	7:30

	<b>September 24, 2013</b>		
	Public Safety Badge pinning	Cormier	7:30
	Reports		7:45
	Town Accountant Report	Angstrom	
	MAPC member Report		
	RIAA Report		
	CAB (RMLD) member Report		
	RCTV members Report		
	Reading/Wakefield Assessing update	joint mtg BOA	8:30
HEARING	Close Subsequent TM Warrant	LeLacheur	9:00
	Review BOS/TM Goals	LeLacheur	9:30
	<b>October 8, 2013</b>	<b>WORKSHOP</b>	
Office Hour	James Bonazoli		6:30
	Traffic & Safety Workshop		7:15
	Discuss driveway width issues	Zambouras	
	West Street project overview	Zambouras	
	Main/Franklin intersection update	Zambouras	
	Review of Downtown public parking	Cormier	
	Specific traffic issues	Cormier	
	<b>October 9, 2013 (Weds.) - Financial Forum (FY15 Budget)</b>	<b>Pleasant St. Ctr</b>	<b>7:30</b>
	<b>October 22, 2013</b>		
	Tax Classification preview	joint mtg BOA	7:30
	Dog Park opportunity	Feudo	8:30
	Birch Meadow Master Plan	Feudo	8:45
	Strout Avenue Master Plan - after Town Forest planning work is done	Feudo	9:15
	Vote Subsequent TM Warrant Articles	LeLacheur	9:30
	<b>October 29, 2013 (Tues.) - Special Election (Woburn Street School)</b>	<b>no meetings</b>	
	<b>November 5, 2013</b>		
Office Hour	Marsie West		6:30
HEARING	Tax Classification	joint mtg BOA	7:30
	Review Final Drainage studies	Zambouras	8:30
	Review Storm Water Enterprise Fund	LeLacheur	9:00
	Discuss moving Enterprise Fund debt to tax rate (requires voter approval)	LeLacheur	9:15

	<b>November 7, 2013</b>	<b>Senior Center</b>	<b>7:00</b>
	<b>Adopt an Island Reception</b>		
	<b>November 12, 2013 - Subsequent Town Meeting (Tues)</b>	<b>no meetings</b>	<b>7:30</b>
	<b>November 14, 2013 - Subsequent Town Meeting (Thurs)</b>	<b>no meetings</b>	<b>7:30</b>
	<b>November 18, 2013 - Subsequent Town Meeting (Mon)</b>	<b>no meetings</b>	<b>7:30</b>
	<b>November 26, 2013</b>		
	<b>RCASA overview</b>	<b>McNamara</b>	<b>7:30</b>
	<b>Approve Liquor Licenses</b>		<b>8:00</b>
	<b>Approve Other Licenses</b>		
	<b>Approve early openings/24 hour openings</b>		
	<b>December 10, 2013</b>	<b>WORKSHOP</b>	
<b>Office Hour</b>	<b>Marsie West</b>		<b>6:30</b>
	<b>Financial Workshop</b>		<b>7:30</b>
	<b>Preview Town Manager's FY15 budget</b>	<b>LeLacheur</b>	
	<b>December 17, 2013</b>		
	<b>Town Manager Performance Evaluation</b>		
	<b>Appoint Town Counsel</b>		
<b>Future Agendas</b>			
	<b>Second Water Meter</b>	<b>Zager</b>	
	<b>Policy on Trust Fund Commissioners</b>	<b>Heffernan</b>	
	<b>Consideration of Class 2 MV license - Global gas station.</b>	<b>LeLacheur</b>	
<b>Recurring Items</b>			
	<b>Town Accountant Report</b>	<b>Jan-Apr-Jul-Oct</b>	<b>Qtrly</b>
	<b>Review BOS/TM Goals</b>	<b>Jan-May-Sept</b>	<b>Tri-ann</b>
	<b>Review Customer Service survey results</b>	<b>Jan &amp; July</b>	<b>Semi-ann</b>
	<b>RCTV members Report</b>	<b>Apr &amp; Oct</b>	<b>Semi-ann</b>
	<b>CAB (RMLD) member Report</b>	<b>Apr &amp; Oct</b>	<b>Semi-ann</b>
	<b>MAPC member Report</b>	<b>Apr &amp; Oct</b>	<b>Semi-ann</b>
	<b>Reading Housing Authority Report</b>		<b>Annual</b>

	<b>Reading Ice Arena Report</b>		<b>Annual</b>
	<b>Appointments of BCCs</b>	<b>June</b>	<b>Annual</b>
	<b>Approve Classification &amp; Compensation</b>	<b>June</b>	<b>Annual</b>
	<b>Tax Classification Hearing</b>	<b>Oct/Nov</b>	<b>Annual</b>
	<b>Approve licenses</b>	<b>December</b>	<b>Annual</b>
	<b>Appoint Town Counsel</b>	<b>December</b>	<b>Annual</b>

- A photograph or an acceptable photocopy of a photograph of each representative of the sponsoring organization who will be soliciting or canvassing in the Town shall be attached to the application.
- No Certificate of Registration shall be issued to any person, or to any organization having an officer or director, who was convicted of commission of a felony, either state or federal, within five (5) years of the date of the application, nor to any organization or person whose Certificate of Registration has previously been revoked as provided below.
- Fully completed applications for Certificates shall be acted upon within five (5) business days of receipt. The Chief of Police shall cause to be kept in his office accurate records of every application received together with all other information and data pertinent thereto and of all Certificates of Registration issued under this section and of all denials.
- Upon approval of an application, each solicitor or canvasser shall be issued a Certificate of Registration with a photo identification badge to carry upon his person at all times while soliciting or canvassing in the Town and to display the certificate whenever asked by any police officer or any person solicited.

**8.9.9.5 Revocation of Certificate**

- Any Certificate of Registration issued hereunder may be revoked by the Chief of Police for good cause, including conviction of the holder of the Certificate of a Violation of any of the provisions of this section or a false material statement in the application. Immediately upon such revocation, the Chief of Police shall give written notice to the holder of the Certificate in person or by certified mail addressed to his residence address set forth in the application.
- Immediately upon the giving of such notice, the Certificate of Registration shall become null and void. In any event, every Certificate of Registration shall state its expiration date, which shall be no later than one year from date of issue.

**8.9.9.6 Deceptive Practices**

No solicitor or canvasser registered or exempt from registering may use any plan, scheme, or ruse which misrepresents the true status or mission of any person conducting the solicitation or canvas in order to gain admission to the home, office or other establishment of any person in the Town.

**8.9.9.7 Duties of Solicitors and Canvassers**

It shall be the duty of every solicitor and canvasser going onto any premises in the Town to:

- Display a Town-issued photo identification badge on the outside of their person; and
- First examine whether there is a notice posted stating that no solicitors are welcome. If such notice is present, then the solicitor or canvasser shall immediately and peacefully depart from the premises; and
- Any solicitor or canvasser who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

**8.9.9.8 Enforcement**

In addition to any other means of enforcement, the provisions of this bylaw and the regulations adopted pursuant thereto may be enforced by non-criminal disposition in accordance with the provisions of Section 1.8 of this bylaw, and M.G.L. Chapter 40 Section 21D.

**8.10 Maintenance of Vacant Buildings and Land**

All vacant structures and vacant land within the Town of Reading shall be maintained in a safe, secure and clean condition so as not to compromise the health, safety and general welfare of the community.

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**8.10.1 Definitions**

For purposes of this bylaw the following definitions shall apply:

**8.10.1.1 Building**

A structure enclosed within exterior walls or firewalls, built, erected, or framed of any materials, and fixed to the ground, having a roof, to form a structure for the shelter of persons, animals or property, or the storage of commercial or industrial personal property.

**8.10.1.2 Owner**

A person, entity, service company, property manager or real estate broker, who alone or severally with others:

- has legal or equitable title to any building, structure or parcel of land, vacant or otherwise; or
- has care, charge or control of any building or structure, parcel of land, vacant or otherwise, in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or
- is a mortgagee in possession of any such property; or
- is an agent trustee or other person appointed by the courts and vested with possession or control; or
- is an officer or trustee of the association of unit owners of a condominium; each such person being bound to comply with the provisions of these minimum standards as if he were the owner; or
- is a trustee who holds, owns or controls mortgage loans for mortgage backed securities transactions and has initiated a foreclosure process.

**8.10.1.3 Vacant**

Buildings or property that are unoccupied for a period greater than one hundred eighty (180) days by a person or persons with legal right to occupancy thereof.

**8.10.2 Minimum Maintenance Requirements**

Owners of vacant properties must fulfill the following minimum adequate maintenance requirements for any such property they own:

- Maintain vacant properties in accordance with all applicable local and state Sanitary Codes, Building Codes and Fire Codes.
- Secure vacant properties to prevent unauthorized entry and exposure to the elements.
- Maintain vacant properties in a manner that ensures their external/visible maintenance, including but not limited to the maintenance of major systems, the removal of trash and debris, and the upkeep of lawns, shrubbery, and other landscape features.
- Remove graffiti, carvings or markings from all structures, signs, walls and fences.
- Repair or replace broken windows or doors within thirty (30) days. Boarding up any doors or windows is prohibited except as a temporary measure for no longer than thirty (30) days, unless an extension is approved by the Building Inspector.
- For properties vacant for six months or more, the utilities for which have been shut off, remove or cut and cap such utilities to prevent accidents.
- Maintain free from the storage of any junked, wrecked, or abandoned vehicles.

Compliance with this section shall not relieve the owner of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and/or homeowner or condominium association rules and regulations.

**8.10.3 Notice of Failure to Maintain Property**

Upon identifying a property as failing to meet the minimum maintenance requirements set out in section 8.10.2, the Building Inspector may notify the owner in writing at the owner's last known address of maintenance deficiencies. If any maintenance deficiency is not corrected within 30

days of said notice, or if a maintenance plan is not approved by the Building Department within 30 days of said notice, the Town may impose a penalty in accordance with the provisions of this bylaw.

**8.10.4 Inspections**

The Building Department, the Board of Health, the Chief of the Police Department and the Chief of the Fire Department, or their designees, shall have the authority to periodically inspect any property reasonably understood to be a vacant property for compliance. The Building Department shall have the discretion to determine when and how such inspections are to be made, provided that the time and manner of such inspections are reasonably calculated to ensure that this bylaw is enforced.

**8.10.5 Penalties**

Violations of this bylaw, including violations of any regulation promulgated hereunder, or failure to comply with a maintenance plan approved by the Building Department, shall be punishable by a fine of one hundred dollars (\$100.00) for each day during which the violation continues. In addition to any other means of enforcement, the provisions of this bylaw may be enforced by non-criminal disposition in accordance with the provisions of Section 1.8 of this bylaw, and M.G.L. Chapter 40 Section 21D. For the purposes of such non-criminal disposition, the "enforcing person" shall mean the Building Inspector, the Health Director, the Police Department, the Fire Department, or their designee.

**8.10.6 Enforcement**

The Building Department or its designee, the Board of Health, Fire Department and/or the Police Department or their designees(s) shall enforce all provisions of this bylaw; including any regulation promulgated hereunder, and shall institute all necessary administrative or legal action to assure compliance.

**8.10.7 Unsafe Buildings**

If the Building Inspector determines the building to be unsafe, he may act immediately in accordance with the State Building Code to protect public safety. Furthermore, nothing in this bylaw shall abrogate the powers and/or duties of municipal officials to act pursuant to any general statutory authority including, without limitation, M.G.L. Chapter 139 Section 1 et sequens and M.G.L. Chapter 143 Section 6 et sequens.

**8.11 Trash Collection**

No person shall collect, or cause others to collect trash, rubbish, garbage, recycling, offal or other offensive substances (whether from dumpsters, barrels, or otherwise, and whether on the public way, a private way or any lot) after 9:00 PM and before 6:30 AM in any residential district of the Town or within 100 yards of such a district as shown on the then current Zoning Map.



**Town of Reading**  
**16 Lowell Street**  
**Reading, MA 01867-2683**

**JEAN DELIOS**  
**Community Services Director /**  
**Town Planner**  
Phone: (781) 942-6612  
Fax: (781) 942-9071  
jdelios@ci.reading.ma.us

8/14/13

After Scott Silver (general contractor) came to the counter this morning, I received a phone call from Max Gabriello concerned about the fines we would be imposing starting 8/15/13 since the demolition of the building was not happening by the stated deadline.

After a lengthy conversation with Max Gabriello (property owner), I suggested that we try and find a way to meet the bylaw that wouldn't be a great expense to the property owner but would improve the site. I suggested that the following might be a middle ground that we could strike to meet the Vacant Properties Bylaw, **if completed and inspected by 8/15/13:**

- Graffiti – paint over it with a color that would blend in with the existing façade;
- Weeds – remove the weeds from the site as well as the tree lawn on the back side of the sidewalk;
- Trash/Debris – Remove all trash and debris.

**Moving Forward:**

Fines will resume at the \$300/day rate per letter of 7/31/13 if the following conditions are not met:

- Project Schedule – due by 8/19/13;
- Fully executed Construction Contracts verifying that the contractors have been hired (with dates) to verify – due by 8/19/13;
- All work needed in advance of demolition as previously communicated by the applicant will be completed by 9/3/13
- Demolition to commence by 9/9/13

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**Town of Reading**  
**16 Lowell Street**  
**Reading, MA 01867-2683**

Community Development  
Phone: (781) 942-6613  
Fax: (781) 942-9070  
Website: [www.ci.reading.ma.us](http://www.ci.reading.ma.us)

**FINAL NOTICE**  
**GENERAL BY-LAW VIOLATION**

Town Of Reading  
16 Lowell Street

Certified Mail – Return Receipt Requested  
July 31, 2013

<u>Owner of Record</u>	<u>Location of Property</u>
To: Max Gabriello 79 North Main Street Andover, MA 01810	285 Main Street Reading, MA, 01867 Zoning District: Bus. A Map: 12 Lot: 43

Subject: Violations of Town of Reading, General By-Law

There are violations of Section 8.10, Maintenance of Vacant Buildings and Land of the Reading General By-Laws at your property. This property is in violation of minimum requirements for external maintenance per Section 8.10.2 (below). The **BOLDED** requirements were observed to be an issue and must be addressed.

**8.10 Maintenance of Vacant Buildings and Land**

All vacant structures and vacant land within the Town of Reading shall be maintained in a safe, secure and clean condition so as not to compromise the health, safety and general welfare of the community.

**8.10.2 Minimum Maintenance Requirements:**

Owners of vacant properties must fulfill the following minimum adequate maintenance requirements for any such property they own:

- **Maintain vacant properties in accordance with all applicable local and state Sanitary Codes, Building Codes, and Fire Codes.**
- **Maintain vacant properties in a manner that ensures their external/visible maintenance, including but not limited to the maintenance of major systems, the removal of trash and debris, and the upkeep of lawns, shrubbery, and other landscape features.**
- **Remove graffiti, carvings or markings from all structures, signs, walls and fences.**
- **Repair or replace broken windows or doors within thirty (30) days. Boarding up any doors or windows is prohibited except as a temporary measure for no longer than thirty (30) days, unless an extension is approved by the Building Inspector. (Plywood on windows must be removed and windows repaired).**

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- **For properties vacant for six months or more, the utilities for which have been shut off, remove or cut and cap such utilities to prevent accidents. (Confirm electric utility and gas utility cut-off).**

Compliance with this section shall not relieve the owner of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and/or homeowner or condominium association rules and regulations.

You were provided relief from Section 8.10.3 Notice of Failure to Maintain Property based on email correspondence dated May 2, 2013, that outlined a plan to move the project forward. As of July 29, 2013, there has been no change in the status of the property. You are hereby provided FINAL NOTICE to resolve the aforementioned violations. Failure to properly address the violations by **August 15, 2013**, will result in daily recurring fines for violation of the General By-Law as follows:

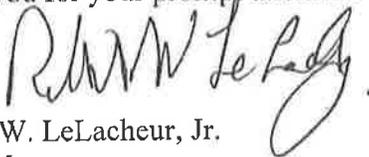
- August 16, 2013 through September 2, 2013: \$100.00 per day
- September 3, 2013 and thereafter: \$300.00 per day

You may contact the Building Department at 781-942-6613 or visit Glen Redmond, Town Building Inspector, during his office hours to inform him of your corrective actions and to avoid further citations. Mr. Redmond's office hours are 7:00 – 8:30 AM & 12:30 – 1:30 PM on Mondays and Thursdays, Tuesdays 7:00 – 8:30 AM & 5:00 – 6:30 PM and Wednesdays 7:00 – 8:30 AM only.

Please refer to the enclosed letter from Jean Delios, Community Services Director / Town Planner, regarding outstanding items related to the permitting process for the proposed project.

All outstanding fines shall be payable before any permits are issued for the project.

Thank you for your prompt attention to this matter.

  
Robert W. LeLacheur, Jr.  
Town Manager  
Town Of Reading  
781-942-9043

Cc: Building Inspector, Town Planner



**Town of Reading**  
**16 Lowell Street**  
**Reading, MA 01867-2683**

**JEAN DELIOS**  
**Community Services Director/  
Town Planner**  
Phone: (781) 942-6612  
Fax: (781) 942-9071  
jdelios@ci.reading.ma.us

July 31, 2013

Max Gabriello  
79 North Main Street  
Andover, MA 01810

Re: Perfecto's Caffe  
258 Main Street, Reading, MA

Dear Mr. Gabriello:

Since the Perfecto's Caffe pre-demolition meeting on May 30, 2013 I understand you have been delayed 8 – 10 weeks by the gas company for a cut and cap of service. This is a reminder that there are still conditions that need to be met before a demolition or building permit is issued.

**Requirements for a Demolition Permit – a building (demo.) permit application, a sign-off sheet is required for all applicable Town Departments, and the fee, as well as:**

- **Conservation** - a "Means & Methods" submittal outlining the demolition of the existing structure. Mr. Tirone reminded you of this requirement in a July 2, 2013 email;
- **Building** - a plan showing the location of a pound and post construction fence. If the foundation is to remain in place during demolition of the structure, the site must be secured to prevent unauthorized entry or accidental falls. An As-Built Plan of the existing foundation to ensure that the foundation is replaced in the same exact location;
- **Engineering** - documentation that the water and sewer utilities have been cut and capped.

**Requirements for a Building Permit – a building permit application, any plans or specs per the Mass State Building Code, a sign-off sheet is required for all applicable Town Departments, and the fee, as well as:**

- **Engineering** - copies of the State driveway access and utility permit as well as local utility (water and sewer) permits. You must also secure all appropriate excavation permits, including Jackie's Law Permit.
- Since you received your Site Plan Review Approval in October of 2009 from the Community Planning and Development Commission (CPDC) we have regularly followed up with you and provided a copy of the Conditions Checklist (see attached). As you know, these conditions must be met before a building permit can be issued.

Sincerely,

Jean Delios  
Community Services Director/Town Planner

Cc: Town Manager, Building Inspector, Town Engineer, Conservation Administrator, Director of Public Health, Chief of Police, Fire Chief, CPDC

Attachment – Conditions Checklist

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## Checklist for Building & Demolition Permits Last Updated May 22, 2013

(Follows the Conditions listed in the October 2009 Site Plan Review Decision, January 14, 2013 Minor Modification Approval, and April 8, 2013 Minor Modification Approval)

\_\_\_ Subject to the other permitting requirements of the Building Inspector, Director of Public Health, Fire Department and others, the Applicant may **file and be issued a demolition permit** prior to addressing all outstanding Conditions of the Site Plan Decision dated October 19, 2009. **However**, the Applicant must address **ALL** conditions in the original Site Plan Decision including those conditions listed below prior to the issuance of a Building Permit.

\_\_\_ Items listed in the Conservation Commission's Order of Conditions (per 2009 SPR Decision)

\_\_\_ Final lighting plan showing the locations of all exterior lighting, the lumen output and the manufacturer specification sheets for the light fixtures. All lighting shall be fully shielded. (Per 2009 SPR Decision and 1/14/13 Minor Modification Approval)

\_\_\_ Photometric Plan (per 1/14/13 Minor Modification Approval)

\_\_\_ Final detail of the fence to screen exterior mechanicals on the north side of the proposed building to ensure bike rack and ADA space are not impacted (per 4/8/13 Minor Modification Approval)

\_\_\_ If mechanicals to be relocated to the roof, revised plan to Town Planner for approval (per 4/8/2013 Minor Modification Approval)

\_\_\_ A Master Signage Plan submitted to Town Planner for review and Approval prior to submitting for sign permit. The Master Signage Plan shall identify the free-standing sign, the entrance and exit sign (ensuring compliance with regulations for directional/informational signage) and sign for Employee Parking adjacent to the dumpster. (per 2009 SPR Decision and 1/14/13 Minor Modification Approval).

\_\_\_ A final site plan that shows one way vehicular circulation through the site, the screening of the refrigeration unit AND the employee parking space adjacent to the dumpster clearly marked and labeled.

\_\_\_ Copies of the Response Action Outcome Statement (RAO) provided to the Town Planner, Conservation Administrator, & Health Administrator demonstrating that the site is in compliance with MGL and DEP requirements.

X Minor Modification from the Zoning Board of Appeals (plans approved by CPDC differed from plans approved previously by ZBA).

**The ZBA approved the changes as a minor modification to Special Permit Case # 08-30 on September 16, 2010. A subsequent Minor Modification was issued in March of 2012 by CPDC, Conservation Commission and ZBA for a new foundation.**

     Two full size sets of the Final landscaping plan to Town Planner (per 2009 SPR Decision).

     Two full size sets of final storm water management plan. One copy to the Town Planner and one copy to the and the Engineering Department with the AutoCAD drawings (per 2009 SPR Decision).

     ANR Approval through CPDC (Per 1/14/13 Minor Modification Approval).

     Evidence of site control for the additional acquired land.

     Shop drawings of mechanicals depicting the dimensions (height, width, depth) of the refrigeration unit along with additional information regarding db count. (1/14/13 Minor Modification Approval)

     Pre-construction meeting (to be schedule when building permits submitted for Building Inspector and Fire Department review). To be scheduled through the Town Planner's office.

*\*Note: Typically, the Special Permit granted by the Zoning Board of Appeals would expire after two years on March 5, 2011 and the October 19, 2009 Site Plan Review Decision would typically expires on October 19, 2011. However, the Massachusetts Permit Extension Act grants and additional four years for permits issued between 2008 & 2010. New expiration dates are March 2015 and October 2015.*

Town Planner Project File  
 Perfecto's - Log of Activity 285 Main Street note: this log is for the period 2012 - present  
 (there were numerous additional meetings, followup etc between 2009-2012)

Date	By	Activity	Notes
2/8/12	Applicant (Gingrich)	Letter	Foundation - approved design (by 3 boards) now changed to a new foundation
2/27/12	Staff (assisted applicant)	CPDC Minor Mod	Staff presented change - CPDC wanted ZBA to review first
3/12/12	Staff (assisted applicant)	<b>CPDC Minor Mod #1</b>	<b>CPDC approved Minor Mod #1 - changes to foundation</b>
4/30/12	Applicant (Gabriello)	Closed on Prop.	Staff verified through Middlesex Registry of Deeds that Gabriello took title of property
7/3/12	All (applicant request)	Meeting	DRT type pre-demolition meeting will all divisions (bldg, health, planning, etc)
7/9/12	All (applicant request)	CPDC prelim review	Presented new changes to elevation - CPDC Approved (informally)
7/30/12	All (applicant request)	CPDC prelim review #2	<b>CPDC reviewed second time revised elevations</b>
8/15/12	Applicant (Gabriello)	<b>CPDC Minor Mod #2</b>	<b>CPDC approved Minor Mod #2 - changes to elevation</b>
9/25/12	Applicant (Gabriello)	Change to Site Plan	Staff met with applicant to review proposed site plan change - adding to site area
10/15/12	Applicant (Gabriello)	Adding to Site Area	Met with CPDC to talk about combining the site with car dealership
Oct, Nov	Car Dealership	Applied for Variance ZBA	Despite staff urging not to pursue a variance due to the difficulty and time involved
Nov, Dec	Car Dealership	Withdrew Variance ZBA	ZBA requested a full application and subsequently applicant withdrew
<b>December</b>	Project Engineer	at least 3 meetings	Prepared a submittal to CPDC for at least a dozen more changes to the plan
1/14/13	Project Engineer	<b>CPDC Minor Mod #3</b>	CPDC approved Minor Mod #3 - multiple changes including adding to the site area
<b>February</b>	Project Designer	Counter with Bldg Insp.	Presented new changes - not reflected in approved plans - reusing upper story for production

Town Planner Project File  
 Perfecto's - Log of Activity 285 Main Street  
 note: this log is for the period 2012 - present  
 (there were numerous additional meetings, followup etc between 2009-2012)

Date	By	Activity	Notes
2/20/13	Staff	Met with Town Counsel	How to proceed with significant change to upper story - affects 3 boards
4/11/13	Applicant	CPDC Minor Mod #4	CPDC approved Minor Mod #4 - prior plan had upper story for storage now active production
<b>April</b>	Staff	Enforcement Action/Fine	An enforcement letter was sent to the property owner to comply with Vacant Property GBL
<b>May - 5/2/13</b>	Applicant	Complained about fine	Town Manager ruled that as long as a plan was developed enforcement was null and void
5/14/13	Applicant (demo sub)	at the counter with staff	Staff (Building, Planning, Conservation) spent over an hour explaining permitting process
5/22/13	Applicant - GC	at the counter with staff	Staff (Building, Planning, Conservation) spent over an hour explaining permitting process
5/23/13	Applicant - GC	Applicant - GC	Conservation
5/30/13	Applicant - GC	Meeting	Applicant requested pre-demolition meeting; all staff attended (health, bldg, cons, plan)
6/5/13	Applicant - GC	Phone Conversation	TP inquired as to status of plans to file for demo permit, GC said tomorrow
6/6/13	Applicant - GC	dropped off plans	not what we asked for at the 5/30/13 pre demo meeting - still nothing for conservation
6/18/13	Applicant - GC	at counter with SP	dropped off more plans - still not what we asked for back on 5/30/13 - said they were coming
6/13/13	Demo Sub Contr	at counter with Health	discontinued sesspool - did not pull a permit as required and did not follow procedure
mid June			Town Manager talked to applicant a few times to become familiar with the issues
6/24/13	Board of Selectmen	at their meeting	Voted to direct staff to proceed with fines
<b>July</b>			Town Manager talked to applicant a few times to become familiar with the issues

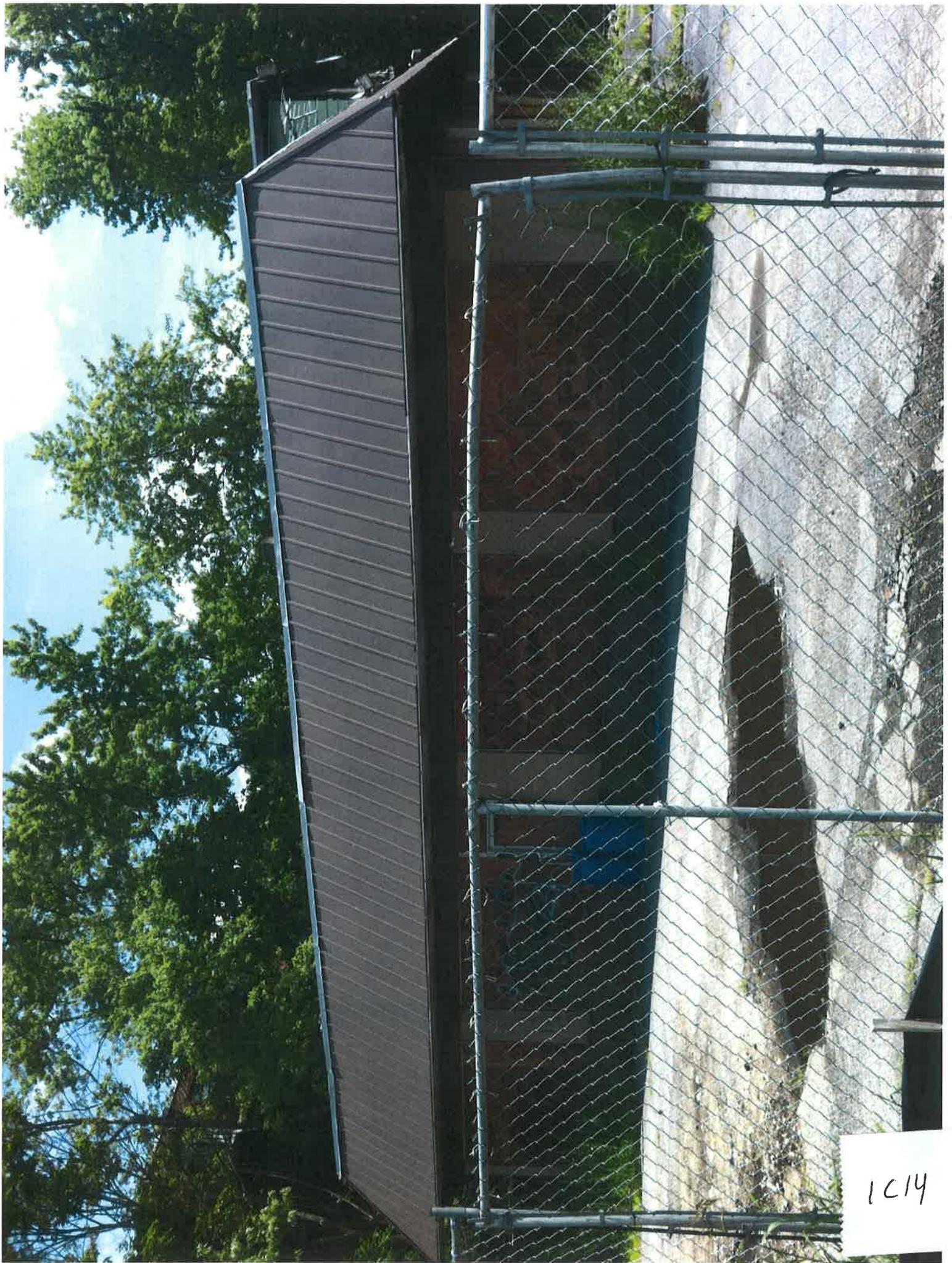
Town Planner Project File  
 Perfecto's - Log of Activity 285 Main Street

note: this log is for the period 2012 - present  
 (there were numerous additional meetings, followup etc between 2009-2012)

Date	By	Activity	Notes
7/30/13	Board of Selectmen	at their meeting	Decision was made that since they were delayed by the Gas Co. it was a legitimate excuse
7/31/13	Town Manager	Letter (certified and email)	BOS advised to proceed with daily fines per Vacant Property Bylaw Violations
8/1/13	JD and Contractor	at CS Counter	Final Notice provided to applicant that 8/15/13 was deadline to correct violations or demo
8/6/13	JD spoke w/Contractor	Telephone Call	Reviewed the letter explained the expectations, including for bldg permit per attachment Contractor expects to have everything for Conservation by 8/7/13
8/7 - 8/12	Contractor	submittals	Contractor expects to have everything for Building by 8/8/13; will start work by 8/15/13; Demolition will be completed by 8/20/13
8/14/13	Contractor	at CS Counter	everything was submitted as noted above and demo permit issued on 8/12/13 permit stipulated a 24 hour advance notice of demolition of the building
			explained to JD that would "make it look like work started" by removing boards with graffiti
			Need asbestos removal contractor who isn't available until later in August before demo.
			Violation letter reviewed again, explained 8/15/13 FINAL DEADLINE
			if all violations arent corrected by deadline or bldg demolished - then will be fined
			Applicant requested an extension of time, JD said can't do that,
			Any relief should be sought from the BOS who meet on 8/20/13 and he can feel free to attend



1C13



1014



1C15

**LEGAL NOTICE**



**TOWN OF READING**

**To the Inhabitants of the  
Town of Reading:**

**Please take notice that the  
Board of Selectmen of the  
Town of Reading will hold a  
public hearing on August 20,  
2013 in the Selectmen's  
Meeting Room, 16 Lowell  
Street, Reading,  
Massachusetts on:**

- Adopt Updated Traffic  
Rules and Regulations 7:30  
p.m.**
- Adopt Policy Establishing  
an Ad Hoc Zoning Advisory  
Committee 8:15 p.m.**

**Copies of the proposed  
documents regarding these  
topics are available in the  
Town Manager's office, 16  
Lowell Street, Reading, MA,  
M-W-Thurs from 7:30 a.m. -  
5:30 p.m., Tues from 7:30 a.m.  
- 7:00 p.m. and is attached to  
the hearing notice on the  
website at  
[www.readingma.gov](http://www.readingma.gov)**

**All interested parties are  
invited to attend the hearing,  
or may submit their com-  
ments in writing or by email  
prior to 6:00 p.m. on August  
20, 2013 to  
[townmanager@ci.reading.ma.  
us](mailto:townmanager@ci.reading.ma.us)**

**By order of  
Robert W. LeLacheur  
Town Manager**

4a1

**Police Dept. & PTTTF Traffic & Parking Regulation Project**  
**—Board of Selectmen Briefing Package—**

**I. Relevant Statutes & Bylaws**

**A. Code of MA Regulations**

1. 527 CMR 10.03.10: 10: State regulation promulgated by the Department of Fire Services' Board of Fire Prevention Regulations, which grants the local Fire Chief the authority to require 18' fire lanes when necessary and creates a burden on the property owner to maintain them in properly signed and marked condition.<sup>1</sup> Note, the localized details of how the Town manages the requirements of this regulation are included in Article 8.3 of the Town's General Bylaws.

**B. MA General Laws<sup>2</sup>**

1. MGL 40-22: Vehicles bearing disabled veteran plates, handicapped plates and handicapped placards are statutorily exempt from overtime parking penalties.
2. MGL 85-2: Grants municipalities the authority to post signage and enumerates specific caveats and requirements. For example, municipalities must obtain approval from MassDOT for Heavy Vehicle Exclusion. Another example, municipalities must conform to the MUTCD or MassDOT can remove signage without notice or, in the extreme, withhold Chapter 90 money until fixed.
3. MGL 89-9: Case law requires police to cite one-way violations under 85-2 and reference Article 8.1
4. MGL 90-1: Provides consistent definition and statutory reference for the term "trailer"
5. MGL 90-17: Establishes the "reasonable and proper" clause for speeding based on road conditions
6. MGL 90-18: Requires municipalities to obtain approval from MassDOT for speeds higher or lower than 30MPH for thickly settled areas (all of Reading) and establishes speed on RTE28 at 40MPH via the "any other way" clause

**C. Town's General Bylaws**

1. Article 8: Establishes various public order regulations, which include a broad range of topics such as: snow removal, silly string, road obstructions, parades, driveway permits, some concerning duplication on the topic of fire lanes, distributing leaflets, news racks, animal control, firearms, marijuana, constructions hours, etc.

**II. Definitions & Terms Changes**

**A. Additions**

1. Downtown Business District
2. Fire Lane, Holiday
3. Recreation Equipment

**B. Deletions**

1. Business District
2. Senior Van

**C. Modifications**

1. Trailer

**III. Regulatory & Policy Changes**

**A. Additions**

1. Includes listings for 74 private and semi-private ways which are regulated
2. Recordkeeping duties are assigned to the Town Clerk, consistent with existing bylaw procedures
3. Non-substantive numbering and formatting changes are allowed
4. Clarifies penalty and fine amounts to readers *in the document* rather than on their *parking tickets*
5. Requires regulations to be posted online and printed (in amended form) annual by the Town Clerk
6. Provides reference to Article 8 of the General Bylaws regarding fire lanes

**B. Deletions**

1. Former reserved parking space for the senior van at the Atlantic is removed (Appendix A-1a).

**C. Modifications**

1. Combines separate school zone Do Not Enter regulations into one for consistent timing

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<sup>1</sup> Regulation available online at: <http://www.lawlib.state.ma.us/source/mass/cmr/cmrtxt/527CMR10.pdf>

<sup>2</sup> All MGL's discussed herein are available online at (search required): <http://www.malegislature.gov/Laws/GeneralLaws/Search>

4a2

#### **IV. Changes to the Applicability of Regulations**

##### **A. Additions**

Adds the following in Article 12 to reflect signage, which was vetted through PTTTF as appropriate and for which the PTTF believes was previously passed, but where there is no paperwork to support. Current, these are signed accordingly and included in the re-adoption document:

1. STOP SIGN at Bear Hill/Summer
2. STOP SIGN at Bolton/Ash
3. NO PARKING for the first 50' from Main on northerly side of Forest Glen
4. RESIDENT PERMIT REQUIRED for the easterly side of Fulton
5. NO PARKING on the easterly side of High from Woburn to Mt. Vernon
6. DO NOT ENTER Hillside from Waverly
7. RESIDENT PERMIT REQUIRED on westerly side of Linden from Haven to #25
8. NO PARKING on westerly side of Linden from #25 to Woburn
9. Reference to 720 CMR 9.03(2) included for NO PARKING on Lowell except marked spaces
10. Reference to 720 CMR 9.03(2) included for NO PARKING on RTE28 whatsoever
11. STOP SIGN at Mill/Main
12. LEFT TURN ONLY from lefthand lane on New Crossing onto Walkers Brook
13. STOP SIGN at Pond Meadow/New Crossing
14. STOP SIGN at Rustic/Beaver
15. Reference to 720 CMR 9.03(2) included for NO PARKING on Salem except marked spaces
16. STOP SIGN at Scotland/Summer
17. STOP SIGN at Van Norden/Forest
18. NO TURN ON RED from Willow onto Lowell
19. STOP SIGN at Winslow/West
20. NO LEFT TURN from General Way onto Walkers Brook Drive
21. Again, includes listings for 74 Private Ways categorized as "public access" and "no public access"
22. STOP SIGN at Zachary/Dividence

##### **B. Deletions**

1. HEAVY VEHICLE EXCLUSION on Bancroft
2. HEAVY VEHICLE EXCLUSION on Grove<sup>3</sup>
3. NO PARKING on southerly side of Hillside from Oakland to Waverly<sup>4</sup>
4. Duplicative occurrence of the NO LEFT TURN from Hopkins onto Main; one instance to remain
5. HEAVY VEHICLE EXCLUSION on Prescott
6. HEAVY VEHICLE EXCLUSION on Summer<sup>5</sup>
7. HEAVY VEHICLE EXCLUSION on Village<sup>6</sup>

##### **C. Modifications:**

1. Make sure to cover the DNE school zone signage Hancock, Temple (both items)

#### **IV. Formatting Changes**

##### **A. Overview**

1. The major formatting change is that the alphabetical street listing in the new document replaces the "section-and-appendix" reference system of the old document. The alphabetical street listing improves reader understanding, recordkeeping procedures, enforcement standards and signage requirements. In short, the new document is much easier to read and understand.

<sup>3</sup> Currently there is signage in place, but there was never even a regulation passed. No record indicating how it was ever posted.

<sup>4</sup> Prior Board had given the Town Manager discretion in creating parking regulations during the construction of the new RMHS building under former Article 5.16.

<sup>5</sup> Due to the proximity to Joshua Eaton and Parker, the Town may wish to reapply for the exclusion in the future.

<sup>6</sup> Due to the poor turning radii at Green and Pleasant, the Town may wish to reapply for the exclusion in the future.

**DRAFT 2013 Special Town Meeting**  
**Monday September 16, 2013**  
**WARRANT OUTLINE REVISED 08/13/2013**

1

<u>Art.</u> <u>#</u>	<u>Article Description</u>	<u>Sponsor</u>	<u>Mover/ Comment</u>	<u>Moderator Notes</u>
1	Reports	Board of Selectmen		None expected
2	Instructions	Board of Selectmen		None known
3	Amend the Capital Improvement Program FY 2014-FY 2023	Board of Selectmen	♦ LeLacheur	None expected
4	Amend the FY 2014 Budget	FINCOM	♦ LeLacheur	
5	Approve 12(2)(d) benefit for retirees	Retirement Board	♦ Loughlin	
6	Authorize Debt subject to a proposition 1-1/2 debt exclusion for the Woburn Street School	School Committee	♦ Doherty	

# COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Officer's Return, Reading:

By virtue of this Warrant, I, on \_\_\_\_\_, 2013 notified and warned the inhabitants of the Town of Reading, qualified to vote on Town affairs, to meet at the place and at the time specified by posting attested copies of this Town Meeting Warrant in the following public places within the Town of Reading:

- Precinct 1     J. Warren Killam School, 333 Charles Street
- Precinct 2     Reading Police Station, 15 Union Street
- Precinct 3     Reading Municipal Light Department, 230 Ash Street
- Precinct 4     Joshua Eaton School, 365 Summer Avenue
- Precinct 5     Reading Library, Local History Room, 64 Middlesex Avenue
- Precinct 6     Barrows School, 16 Edgemont Avenue
- Precinct 7     Birch Meadow School, 27 Arthur B Lord Drive
- Precinct 8     Wood End School, 85 Sunset Rock Lane  
                    Town Hall, 16 Lowell Street

The date of posting being not less than fourteen (14) days prior to September 16, 2013, the date set for Town Meeting in this Warrant.

I also caused a posting of this Warrant to be published on the Town of Reading website on \_\_\_\_\_, 2013.

\_\_\_\_\_  
, Constable

A true copy Attest:

\_\_\_\_\_  
Laura Gemme, Town Clerk

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# TOWN WARRANT



## COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

To any of the Constables of the Town of Reading, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Reading, qualified to vote in elections and Town affairs, to meet at the Reading Memorial High School Performing Arts Center, 62 Oakland Road, in said Reading, on Monday, September 16, 2013, at seven-thirty o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with the provisions of the Reading Home Rule Charter.

**ARTICLE 1** To hear and act on the reports of the Board of Selectmen, Town Accountant, Treasurer-Collector, Board of Assessors, Director of Public Works, Town Clerk, Tree Warden, Board of Health, School Committee, Contributory Retirement Board, Library Trustees, Municipal Light Board, Finance Committee, Cemetery Trustees, Community Planning & Development Commission, Town Manager and any other Official, Board or Special Committee.

Board of Selectmen

**ARTICLE 2** To choose all other necessary Town Officers and Special Committees and determine what instructions shall be given Town Officers and Special Committees, and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, for the purpose of funding Town Officers and Special Committees to carry out the instructions given to them, or take any other action with respect thereto.

Board of Selectmen

**ARTICLE 3** To see if the Town will vote to amend the FY 2014-23 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended, or take any other action with respect thereto.

Board of Selectmen

**ARTICLE 4** To see if the Town will vote to amend one or more of the votes taken under Article 11 of the April 22, 2013 Annual Town Meeting relating to the Fiscal

Year 2014 Municipal Budget, and see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate as the result of any such amended votes for the operation of the Town and its government, or take any other action with respect thereto.

Finance Committee

**ARTICLE 5** To see if the Town will accept the minimum monthly allowance of \$500 for beneficiaries of active members as provided in section 12 (2)(d) of Chapter 32 of the Massachusetts General Laws to be effective for September 14, 2013.

Contributory Retirement Board

**ARTICLE 6** To see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate for the purpose of acquiring property and renovating and expanding the Woburn Street School located at 172 Woburn Street, including the costs of consulting services, audits, plans, documents, cost estimates, and bidding services, said sum to be expended by and under direction of the School Committee; and to see if the Town will authorize the School Committee, Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants, to be used to defray the cost of all, or part of, said improvements; and to authorize the School Committee and/or Town Manager to enter into any and all contracts and agreements as may be necessary to carry out the purpose of this Article, subject to the approval by the voters of the Town of a Proposition 2-1/2 debt exclusion for the Town portion of the cost of the project, or take any other action with respect thereto.

School Committee

and you are directed to serve this Warrant by posting an attested copy thereof in at least one (1) public place in each precinct of the Town not less than fourteen (14) days prior to September 16, 2013, or providing in a manner such as electronic submission, holding for pickup or mailing, an attested copy of said Warrant to each Town Meeting Member.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for said meeting.

Given under our hands this \_\_\_<sup>th</sup> day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
James E. Bonazoli, Chairman

\_\_\_\_\_  
John Arena, Vice Chairman

\_\_\_\_\_  
Ben Tafoya, Secretary

\_\_\_\_\_  
Daniel Ensminger

\_\_\_\_\_  
Marsie K. West

SELECTMEN OF READING

\_\_\_\_\_  
, Constable

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**LEGAL NOTICE**



**TOWN OF READING**

**To the Inhabitants of the  
Town of Reading:**

**Please take notice that the  
Board of Selectmen of the  
Town of Reading will hold a  
public hearing on August 20,  
2013 in the Selectmen's  
Meeting Room, 16 Lowell  
Street, Reading,  
Massachusetts on:**

**•Adopt Updated Traffic  
Rules and Regulations 7:30  
p.m.**

**•Adopt Policy Establishing  
an Ad Hoc Zoning Advisory  
Committee 8:15 p.m.**

**Copies of the proposed  
documents regarding these  
topics are available in the  
Town Manager's office, 16  
Lowell Street, Reading, MA,  
M-W-Thurs from 7:30 a.m. -  
5:30 p.m., Tues from 7:30 a.m.  
- 7:00 p.m. and is attached to  
the hearing notice on the  
website at  
[www.readingma.gov](http://www.readingma.gov)**

**All interested parties are  
invited to attend the hearing,  
or may submit their com-  
ments in writing or by email  
prior to 6:00 p.m. on August  
20, 2013 to  
[townmanager@ci.reading.ma.  
us](mailto:townmanager@ci.reading.ma.us)**

**By order of  
Robert W. LeLacheur  
Town Manager**

### **Policy establishing an ad hoc Zoning Bylaw Advisory Committee**

There is hereby established an ad hoc Committee to review the Reading Zoning Bylaw ("Zoning Advisory Committee" or ZAC) to prepare a comprehensive update with the help of staff and a consultant. The Committee will present the zoning update to the Board of Selectmen by July 15, 2014 prior to an Article that will be presented at the Fall 2014 Subsequent Town Meeting.

The ZAC shall be comprised of seven (7) members and will be a multiple member body as defined by the Town of Reading Home Rule Charter. In selecting the ZAC the Board of Selectmen shall attempt to fill the positions as follows:

- One member from the Board of Selectmen, appointed by the Board of Selectmen;
- Two members appointed by the Community Development and Planning Commission;
- One member appointed by the Zoning Board of Appeals;
- Three other members, and the Board of Selectmen will consider the following qualifications:
  - Members from the Bylaw Committee or any other Board/Committee/Commission;
  - Residents from the community who do not fall into any of the above categories, and who preferably would have experience firsthand with zoning or implications of zoning (e.g., owns or operates a business in Reading).

The mission of the ZAC is to clarify and simplify the Reading Zoning Bylaw. A consultant will be hired to provide technical assistance and expertise in zoning. The recommendations will be developed in concert with an extensive public process.

In conducting its work, the ZAC will be bound by all of the rules and regulations of the Town of Reading and the Commonwealth of Massachusetts, including but not limited to the Open Public Meetings law. Staff will be assigned by the Town Manager to work with the ZAC. The ZAC will be considered to be part of the Department of Community Services for administrative purposes.

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**Zoning Advisory Committee Meeting Schedule (proposed)**

Reading Zoning Bylaw Comprehensive Update Project

**Contractor Completes Draft bylaw by 7/15/14**

Month	Monday	Wednesday	Contractor Presentations
<b>2013</b>			
September	30		
October	28	16	
November		6	
		20	
December	16		
<b>2014</b>			
January	6		1st Monday
		22	
February	3		
		12	
March	3		1st Monday
		19	
April	3		Update at Annual Town Meeting
		21	
May	5		
		21	Community Forum
June	2		
		18	
July	7		
		21	Update Board of Selectmen
August	4		
		18	CPDC Public Hearing
September			
October			
November			Article at Subsequent Town Meeting

**Zoning Advisory Committee**

Appointed by the Board of Selectmen as an Ad Hoc Committee with at a minimum representatives from the various land use boards, the Building Division, the Planning Division and others

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Comparable Communities - Liquor Fee Survey 2013	All Alcohol Restaurant (14)	Wine/Malt Restaurant (1)	Package Store (6)	Clubs (4)
Andover	\$4,500	\$2,500	\$2,000	\$2,000
Bedford	\$3,500	\$3,000	\$2,250	\$600
Belmont	\$4,000	\$2,500	\$2,500	\$4,000
Burlington	\$3,000	\$1,500	\$2,200	\$250
Canton	\$2,000	\$1,500	\$1,500	\$1,500
Danvers	\$4,600	\$2,100	\$2,000	\$1,150
Dedham				
*Lynnfield	\$4,250	\$2,800	\$2,350	\$1,710
Mansfield	\$4,000	\$1,400	\$1,500	\$750
Marshfield				
Milton	\$2,500	\$2,500	\$2,500	\$2,500
Natick	\$3,000	\$1,750	\$2,000	\$500
North Andover	\$3,000	\$2,000	\$2,000	\$1,500
*North Reading	\$4,600	\$2,800	\$2,500	\$2,000
Shrewsbury	\$1,800	\$900	\$1,800	\$900
*Stoneham	\$3,500	\$3,500	\$1,500	\$350
Tewksbury	\$2,500	\$1,200	\$1,800	\$1,000
Walpole	\$2,200	\$1,110	\$1,650	\$990
Westborough				
Westford	\$2,500	\$1,500	\$2,000	\$1,500
*Wilmington	\$2,000	n/a	\$1,750	\$250
<b>Average</b>	<b>\$3,192</b>	<b>\$2,033</b>	<b>\$1,989</b>	<b>\$1,303</b>
<b>Reading</b>	<b>\$3,700</b>	<b>\$2,700</b>	<b>\$2,500</b>	<b>\$1,300</b>
<b>Reading rank (of 19)</b>	<b>7th</b>	<b>5th</b>	<b>1st tie</b>	<b>9th</b>

\*neighboring communities

Selectman Ben Tafoya suggested continuing the hearing until the next meeting on October 26th so he'll have a chance to work on a solution.

Hearing – A-Frame Sign Regulations – The Secretary read the hearing notice.

The Town Manager noted that Town Meeting approved the Sign Bylaw including A-Frame signs so the Selectmen need regulations approving A-Frame Signs. The regulations were sent to all the businesses and the Chamber of Commerce, and we received two comments back regarding the cost and setbacks. Some businesses feel that the cost is prohibitive so he changed it to an initial cost to \$50.00, and then \$25.00 after that for the annual renewal.

Vice Chairman Camille Anthony asked about #7 regarding sign and locations for businesses like Be Gifted. The Town Manager noted that there is an exception if it is out of the way location; i.e., an alleyway.

A motion by Schubert seconded by Goldy to close the hearing on the A-Frame Sign Regulations was approved by a vote of 4-0-0.

A motion by Schubert seconded by Goldy to approve the A-Frame Sign Regulations, as presented on October 5, 2010, was approved by a vote of 4-0-0.

Hearing – Amendment to Recycling and Rubbish Rules and Regulations – The Town Manager noted that the proposed modifications require recycling.

Selectman Stephen Goldy noted that he disagrees with the enforcement because his recycling gets picked up at 7:30 a.m. and the rubbish doesn't get picked up until later.

A motion by Goldy seconded by Tafoya to close the hearing amending the Recycling and Rubbish Rules and Regulations was approved by a vote of 4-0-0.

A motion by Goldy seconded by Schubert to approve the amendments to Section 4.6 of the Board of Selectmen Policies – Solid Waste Recycling, Collection and Disposal Rules and Regulations, as presented, was approved by a vote of 4-0-0.

Hearing – Liquor License Fees – 2011 – 2013 – The Secretary read the hearing notice.

The Town Manager noted that the Selectmen need to establish the fees for 2011. The current fees are a little high but other communities are all over the place.

Selectman Richard Schubert noted that they were asked to look at increasing fees at the last Financial Forum.

The Assistant Town Manager noted that the Town will be installing permits and licensing systems that will cost money.

Selectman Ben Tafoya indicated that he didn't see any reason to change the fees.

A motion by Goldy seconded by Schubert to close the hearing establishing liquor license fees for 2011 through 2013 was approved by a vote of 4-0-0.

Schubert moved and Goldy seconded to approve the liquor license fees for 2011 through 2013 as follows:

Liquor Fee Survey 2010	All Alcohol Restaurant	Wine/Malt Restaurant	Package Store	Clubs
Proposed 2011	\$3,600	\$2,600	\$2,400	\$1,200
Proposed 2012	\$3,700	\$2,700	\$2,500	\$1,300
Proposed 2013	\$3,800	\$2,800	\$2,600	\$1,400

The motion failed by a vote of 2-2-0.

Tafoya moved and Goldy seconded to approve the liquor license fees for 2011 through 2013 as follows:

<i>Reading</i> Liquor Fee Survey 2010	All Alcohol Restaurant	Wine/Malt Restaurant	Package Store	Clubs
Proposed 2011	\$3,500	\$2,500	\$2,300	\$1,100
Proposed 2012	\$3,600	\$2,600	\$2,400	\$1,200
Proposed 2013	\$3,700	\$2,700	\$2,500	\$1,300

The motion was approved by a vote of 4-0-0.

Update – Ad Hoc Municipal Building Committee – Ad Hoc Municipal Building Committee Chairman David Michaud and members Vicky Yablonsky and George Hines were present.

David Michaud noted that the Committee has been meeting regularly. They have met with staff, conducted site visits, compiled data which shows that maintenance is meeting expectations with minor areas of improvement, the Capital Improvements Plan addresses most maintenance and/or replacement requirements. Both Chiefs are happy with their buildings. The Town is pursuing grants for school roads, doors and windows. The Senior Center needs improvement to the drainage and a kitchen update. The northern portion of the Oakland Road property is a good site for a cell tower. They also heard a presentation from a private developer looking to build a sports facility/with a possible daycare.

Selectman Richard Schubert noted that the Committee has been collecting data to get a sense of where we are with facilities.

**BRACKETT & LUCAS**

**COUNSELORS AT LAW**

19 CEDAR STREET  
WORCESTER, MA 01609  
508-799-9739  
FAX 508-799-9799

GARY S. BRACKETT

gsbrackett@brackettlucas.com

July 24, 2013

Robert W. LeLacheur, Jr. CFA  
Town Manager  
Town of Reading  
16 Lowell Street  
Reading, MA 01867

RE: Judy Barolak  
Request for "Amended" Beer and Wine License  
"Paint and Sip" Business

Dear Bob:

You have requested that I review a proposal by Judy Barolak for a beer and wine license (on premises), with the exclusion of food, for a so-called "Paint and Sip" business. Ms. Barolak plans to offer painting classes, both as pre-scheduled events and private events, at which beer and wine would be served, without any food, to the participants. Ms. Barolak cited an example in the City of Newton for this concept. You have asked whether the proposal would set a precedent for future liquor licenses in Reading.

I have reviewed the Board of Selectmen Policies, Article 3 "Licenses" regarding this issue. That policy specifically requires service of food in establishments with liquor licenses. In my opinion, granting the type of license sought by Ms. Barolak would set a precedent. If the Selectmen wanted to consider developing this type of license category, it would be necessary to amend the policy. I would recommend that, if the Selectmen wanted to pursue this matter, a study be made of other communities to determine if they allow this type of license, the types of local regulations which have been adopted and any conditions which have been imposed on these licenses.

For your information, I did speak with Newton Assistant City Solicitor Maura O'Keefe regarding the "Paint Bar" example. She represents the Newton Licensing Commission and she advised me that the Commission had some concerns regarding allowing service of alcohol without food. To address those concerns, they required the applicant to provide food service on the premises during the hours of operation. Since the facility did not have a kitchen, the applicant was required to contract with a caterer to provide the food. In

4e1

Robert W. LeLacheur, Jr. CFA  
July 24, 2013  
Page 2

addition, as a condition of the liquor license, it was specified that each painting class was limited to two hours and only two drinks could be served per person, per class. No alcohol could be provided to persons who were not class members. I have attached copies of the liquor license and food establishment permit for your information.

Please advise if I may be of any further assistance in this matter.

Very truly yours,



Gary S. Brackett

GSB/dsh

Enclosures

cc: James W. Cormier, Police Chief (via email)

4e2

LICENSE

NO. 176

ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF  
THE CITY OF NEWTON  
MASSACHUSETTS  
HEREBY GRANTS A

GENERAL ON PREMISES  
CLUB LICENSE

License to Expose, Keep for Sale, and to Sell  
Wines and Malt Beverages  
To Be Drunk On the Premises

To The Paint Bar, LLC dba THE PAINT BAR  
Jill Kerner Schon, Manager

on the following described premises 823 Washington St., Newtonville. Approximately 1,255 sq. ft.  
on the main story of a one-story masonry building. Front entrance on Washington Street; rear  
entrance leading to back alley; and entrance to basement from door off of rear alley. Restroom on  
main floor; storage in basement. SEATS: 30

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires December 31, 2013 unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this day of January 1, 2013.

The Hours during which Alcoholic Beverages may be sold are:

Weekdays 9 A.M. to 11 P.M.

No sales/service prior to 11 A.M. on Sundays.

License may be exercised after 11 A.M. on Memorial  
Day, Christmas Day and other legal holidays when  
classes are held.

RESTRICTIONS: 1.) Each class is two hours long only.

2.) Only two drinks allowed per person per each two  
hour class.

3.) Price per glass will be \$5.00.

4.) Service of Alcohol for Class Members Only.



LICENSING BOARD

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ

4e3



# CITY OF NEWTON

## Health Department Permit

1294 Centre Street · Newton Centre, Massachusetts 02459 · 617-552-7058 Fax: 617-552-7063

### FOOD ESTABLISHMENT

In accordance with 105 CMR 590.00 (Chapter 10) of the State Sanitary Code.

Permit Type :  
**FSE**

Permit No :  
**4199**

The City of Newton Health Department does hereby grant this permit to:

Name : THE PAINT BAR  
Address : 823 WASHINGTON STREET  
NEWTON MA 02460  
Comment : JILL KERNER SCHON. LEVEL 1

- Food Service Establishment
- Retail Food Service
- Milk
- Six Month Permit
- Residential Kitchen
- Mobile Food Unit
- Temporary Food Vendor
- Caterer
- Beds(Nursing Home)
- Other \_\_\_\_\_

Issue Date :  
**01/01/2013**

Expiration Date :  
**12/31/2013**

\_\_\_\_\_  
Health Department Agent

**NON-TRANSFERABLE**

**POST CONSPICUOUSLY**

4e4

Proposed Business Hours	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Business Hours at startup							
9:30-12:30 p.m.							
1:00-4:00 p.m.	Family Paint- Open to Public						Family Paint- Open to Public
6:30-9:30 p.m.					Night Class Open to Public	Night Class Open to Public	Night Class Open to Public
Business Hours future projection							
9:30-12:30 p.m.	Private party children only or Family Paint					Private party children only or Family Paint	Private party children only or Family Paint
1:00-4:00 p.m.	Family Paint- Open to Public		Private party	Private party	Private party	Private party	Night Class Open to Public
6:30-9:30 p.m.	Night Class Open to Public		Night Class Open to Public	Night Class Open to Public			
Family Paint	No alcohol served, 8y and under accompanied by an adult.						
Night Class	Alcohol served, 8y+ accompanied by adult.						
Private Party	No alcohol served at any children's parties.						

Food - Teen Banquet  
 impact on BCS policies

5 currently exist in MA/BS  
 Newton - no permits w/o food model facilities

yes



# Town of Reading

16 Lowell Street  
Reading, MA 01867-2683

Fax: (781) 942-5441

Website: [www.ci.reading.ma.us](http://www.ci.reading.ma.us)

(781) 942-9077

August 15, 2013

Honorable Board of Selectman  
Mr. James E. Bonazoli, Chairman

Re: Aberjona and Saugus River Study

Dear Mr. Banazoli,

In August 2011 the Town awarded a contract to the engineering firm AECOM to perform hydraulic modeling for sections of the Aberjona River and Saugus River basins. The goal of the study is to recommend stormwater improvements, if needed, in the following areas:

- Saugus River
  - From the Town line to DPW Facility
  - Sunnyside Avenue Area
  - Open Channel of Bolton Street
- Aberjona River
  - From West Street to Birch Meadow Drive

The consultant had prepared an interim draft report in June 2012 which was presented the Board. At that time most of the Aberjona River portions were incomplete. To avoid any confusion I have not included a copy of the draft report as sections of the original draft will be revised in the final report.

The consultant has recently completed its analysis of all the areas will be submitting a draft report to staff for comments before the end of the month. I anticipate the final report will be presented to the Board late October or early November

I have attached a Town map which highlights the areas included in the study.

Sincerely,

George J. Zambouras, P.E.  
Town Engineer

4F1

# WATERSHED PROBLEM AREAS

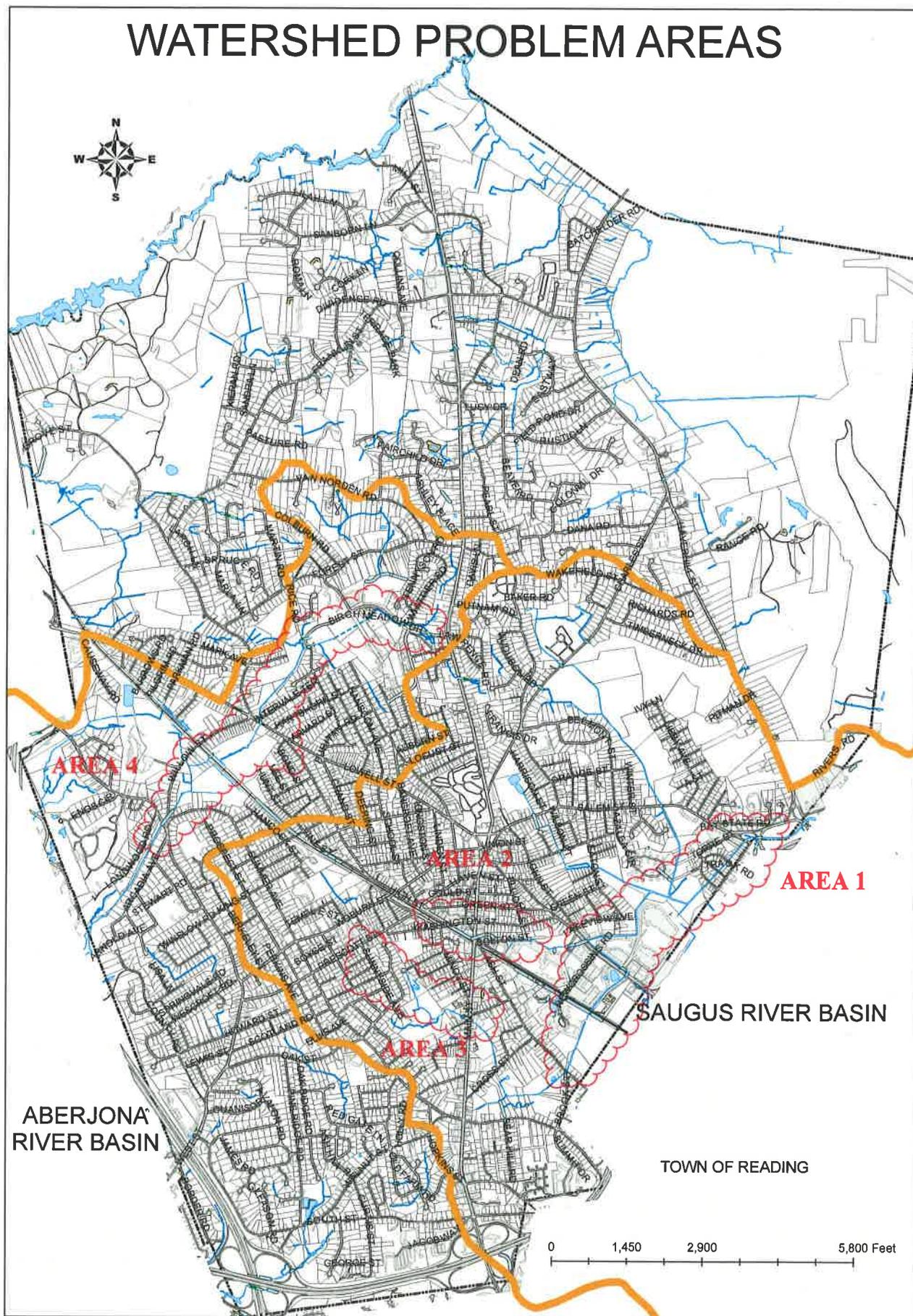


FIGURE 1

yfz

**Board of Selectmen Meeting  
July 30, 2013**

*For ease of archiving, the order that items appear in these minutes reflects the order in which the items appeared on the agenda for that meeting, and are not necessarily the order in which any item was taken up by the Board.*

The meeting convened at 7:11 p.m. in the Selectmen's Meeting Room, 16 Lowell Street, Reading, Massachusetts. Present were **Chairman James Bonazoli, Selectmen Daniel Ensminger and Marsie West**, Town Manager Robert LeLacheur, Office Manager Paula Schena, Town Planner Jean Delios, Human Resource Administrator Carol Roberts, and the following list of interested persons: RMLD General Manager Coleen O'Brien, Bill Brown, Charlie Adams, and Jacqui Carson.

**Reports and Comments**

Selectmen's Liaison Reports and Comments – Marsie West noted she attended the School Committee Woburn Street School abutter meeting and there was a lot of good information but there were gaps in the traffic study – they missed some key locations. Residents had concerns about traffic enforcement and idling. There are problems now with just the Parker Middle School and this will add to it. There were also concerns about whether there will be a crossing guard.

Daniel Ensminger noted the Board received an email from a resident regarding the sidewalk at Vine and High Streets and he was informed that there is an intentional curve to force people to cross at a safe point. Mr. Ensminger asked if the Woburn Street School traffic study looked at whether traffic will back up and the Town Manager noted that the study did contemplate queuing and more will be done when school is in session. James Bonazoli noted that these are CPDC issues and he asked when they will be reviewing this. The Town Manager noted that CPDC will review it after the election. The ZBA voted 4-1-0 to approve because there is only a small deficiency for parking on the church site. There will be a financial forum on the Woburn Street School on August 21 and September 11.

John Arena noted that he attended the dedication of the room at the Senior Center for Sally Hoyt.

Public Comment – Bill Brown indicated that there is already a PRD in place for Bear Hill and that could be extended to the Oakland Road property. He also noted that the Cemetery Garage is the only building not covered under building maintenance. The Town Manager noted that he could figure out the cost of maintaining and get approval of Town Meeting.

Town Manager's Report – The Town Manager introduced Coleen O'Brien, the new RMLD General Manager, who was present to meet the Board. The Town Manager then gave the following report:

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Administrative matters (\* indicates additional material in tonight's packet)

- ◆ Sally Hoyt sent a very nice Thank You note to the Board for her recent honor of having the Great Room of the Pleasant Street Center named after her. The honor is well-deserved for all the work on behalf of the seniors she has done over many years of public service.
- ◆ School Committee vacancy – Rob Spadafora has resigned because he will be relocating. A joint meeting of the Selectmen and the School Committee will meet at 7:00 p.m. on Monday, August 26 at the Superintendent's Conference room at Reading Memorial High School to select a replacement. We are accepting applications for the position – please check the Town's website in the lower right-hand side "Volunteer Opportunities: Boards & Commissions" for further details. The appointment will fill out Mr. Spadafora's term until the next local election, scheduled for April 2014.
- ◆ \*The West Street Historic District is looking for volunteers to fill one full membership on the Commission.
- ◆ Medford's Substance Abuse Prevention Team is designing a diversion program and has sent Reading their thanks for RCASA's inspiration and help. They are using the Reading model in their school system.
- ◆ RCASA will be working on a opioid grant collaboration with Stoneham, Melrose, Wakefield, and Medford.
- ◆ \*Finance – we added extra mailings in January 2009 after Town Meeting voted to increase the demand fee from \$5 to \$25 to remind our customers that were not making timely tax bill payments. Since that time, a combination of postage costs and lost demand fees is estimated at about \$250,000 for the general fund. A couple of years ago we began to offer residents the opportunity to be reminded of bill payments electronically – the difference being that if you sign up you are reminded this way, even if you have already paid. During difficult economic times this was the right thing to do for our residents. I recommend that we stop mailing out reminders to residents as of January 1, 2014 – and we advertise that fact in upcoming mailings of water/sewer/storm water bills (tax bills are often escrowed and the billings ignored).
- ◆ \*Finance – the House & Senate overrode the Governor's local aid veto. Reading's state aid for FY14 will be a bit higher than we estimated.
- ◆ Finance – former Town Accountant Gail LaPointe has agreed to cover for the current Town Accountant when she goes on medical leave. Last week FINCOM transferred the funding necessary for this.

Community Services

- ◆ \*The Reading Shell Station on Walker's Brook Drive has had permission to be open 24 hours since 2007. The owner has recently been permitted to incorporate a Dunkin Donuts. Selectmen's Policy Section 3.9 suggests that this request should be granted. Since the Selectmen's Policy indicates that 24 hour approval is for the entire site, the Board agreed that it be granted.
- ◆ George Danis of 128 Marketplace off Walker's Brook Drive will make a brief presentation tonight concerning an investment he is making in his property. He will ask the Board to consider changes to conditions on a liquor license. If the Board is

5a2

willing to do so, we will seek comments from Public Safety and once we receive an application we will advertise a Public Hearing.

- ◆ Comprehensive Update of the Zoning By-Law – An RFP for consulting services has been advertised. Tonight the Board will review a request to form an ad hoc Zoning Advisory Committee.
- ◆ Perfecto's - Nearing the end of the 6-8 week wait for National Grid to come in to cap the service so it is safe for demolition. Staff will meet with Applicant in August to discuss community expectations and set a time frame for a compliance process that will include a review of possible fines.

#### Library

- ◆ Library Building Committee – Results from the RFP for architectural services are currently being reviewed; RFP for temporary space is finalized and will be advertised on July 31<sup>st</sup>.

#### Schools

- ◆ Woburn Street School – The Zoning Board of Appeals voted 4-1-0 at their meeting on July 11 that the ANR which creates two lots does not materially worsen the current parking deficiency of the St. Agnes lot. The newly created lot and use are exempt from zoning law & therefore not subject to ZBA review. This gives St. Agnes the right to divide their lot and sell the former school building. Below is a list of important dates:
  - August 21 – Financial Forum at the Pleasant Street Center to review the expected changes to the annual School Operating Budget over a multi-year period;
  - September 11 – Financial Forum at the Pleasant Street Center to review the entire project;
  - September 16 (and 19 as needed) – Special Town Meeting at RMHS Endslow PAC.

#### Public Safety

- ◆ \*Franklin & Main Streets - Jeff Gomes of MA DOT has finished his analysis and design and is putting together funding for short-term improvements. There should be a short term solution by September/October.
- ◆ Tree down on Summer Avenue – about ten days ago a street (Town) tree limb fell on Summer Avenue. A DPW crew responded and cleaned up the debris. A few hours later a microburst went through Town and the tree twisted and fell towards the house. There were no injuries and relatively minor damage. There was a series of inaccurate media reports that the home was crushed – happily this was not the case.
- ◆ \*Paint & Sip – Town Counsel has been in discussion with Newton as well as the applicant in Reading. Newton required food service as a condition of the food & malt license, which was a concern of both the Board and the Police Chief. I suggest we proceed as previously planned and have a full discussion on August 20 with the applicant as to the terms and conditions the Board would approve for such an endeavor.

- ◆ Traffic Rules & Regulations – at the August 20 Selectmen’s meeting the Board will be asked to review & adopt the revised Traffic Rules & Regulations. We will send out an electronic copy next week as the document is quite extensive. Former Safety Officer Justin Martel will make the presentation, and has provided a well-organized summary of the changes for you to review.

Public Works

- ◆ West Street – draft TIP is again in the 30 day comment period, MPO committee to take final vote at their July meeting instead. FINCOM approved a Reserve Fund transfer on June 26 and we are ready to award a contract based on the results of an RFP to begin paper work on land-takings. This will allow construction to begin in the spring of 2014 if the project is funded.
- ◆ \*The Town Forest Committee is in the process of scheduling a meeting in early August. They have been copied on all of the emails sent to the Selectmen. The meeting will be posted on the website once it is set – and a DRAFT Town Forest Committee Agenda is in tonight’s packet.
- ◆ Water debt – we have some forms for the Board to sign allowing us to borrow over \$4 million interest-free from the MWRA, thanks to diligence by the former Town Manager.

Road Improvements

- ◆ \*See summary in the packet. We’re testing a mapping method to be able to show this visually to the public for the next construction season.

The Town Manager also noted that page 53 of the handout is a letter from Bob Nordstrand which suggests that the Town owns the clock and bell tower at the Old South Church and they are requesting Town funds for repairs.

He held a meeting with the business community regarding the Fall Street Faire. Approximately 12 businesses attended and that included new people in Town who didn’t know about it. He noted that the tree lighting ceremony needs work and he would like to change to Friday night when businesses are open. He will speak with the business owners about this. Daniel Ensminger commented that it would be nice to see a religious undertone as was done in the past.

The Town Manager noted that there is a defect in Article 1 of the 2013 Annual Town Meeting Warrant where the election date was left out. He asked the Board to meet on Thursday to instruct him to ask the Governor for a Special Act to remedy the defect. Also on Thursday the Board needs to approve a confirmatory deed.

Discussion/Action Items

Discuss “Peer Communities” – Human Resource Administrator Carol Roberts was present. Ms. Roberts noted that in 2008 the Town hired a consultant to do a study on non-union employee pay and classification. Winchester and Wakefield did not answer the survey. A list of the peer communities is in the packet.

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The Town Manager noted that this was discussed with the Finance Committee last week and the Finance Committee wants the Board of Selectmen to adopt the peer communities as first comparison whenever possible. He noted that we have allowed other communities in that we formerly did not.

Marsie West agreed with the list and indicated that being consistent all of the time eliminates the appearance of “cherry picking.”

Memorial Park Lights – Recreation Administrator John Feudo and David Chase from Friends of Reading Recreation were present.

John Feudo noted that Memorial Park was renovated three years ago but the Town didn't have the money for lights. They are looking for decorative and functional lights to get away from flood lights. They are looking at sets of three lights on black poles. The neighborhood has been canvassed and the neighbors are okay with it. There will be 16 total light units – 12 dedicated to skating and 4 for passive recreation. The lights will be energy efficient and a weather sensor will be incorporated to control the lights. The total cost is approximately \$30,000. The goal is to allow Friends of Reading Recreation to start fundraising and have the lights installed by the end of November 2013.

Daniel Ensminger asked if the lights can be angled to just hit the field and John Feudo indicated they could.

The Town Manager asked how many poles there will be and John Feudo indicated six poles and there will be a green box like the one on the Common.

John Feudo noted if the Selectmen give the okay to do fundraising then they will come back for a public hearing. The Board gave the okay to start fundraising. James Bonazoli suggested a snack shack would be nice.

Hearing – Bertucci's Restaurant – Issuance of Stock, New Officer/Director, New Stockholder and Transfer of Stock – The Secretary read the hearing notice. Michael Bonnell from Bertucci's was present and indicated that there is no change in Manager.

**A motion by Ensminger seconded by West that the Board of Selectmen close the hearing on issuance of Stock, New Officer/Director, New Stockholder and Transfer of Stock for Bertucci's Restaurant Corp. at 45 Walkers Brook Drive was approved by a vote of 3-0-0.**

**A motion by Ensminger seconded by West that the Board of Selectmen approve the issuance of Stock, New Officer/Director, New Stockholder and Transfer of Stock for Bertucci's Restaurant Corp. at 45 Walkers Brook Drive was approved by a vote of 3-0-0.**

Overview of 128 Marketplace (Danis) Building Project – George Danis noted that the liquor store (The Wine Bunker) is not successful due to the limit of what they are allowed

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to sell and they will be asking the Board to remove the conditions. They have gone before the Planning Commission and are talking to new tenants.

Jean Delios noted that the biggest change in the site plan is in the back. They are creating additional parking in the rear for employees and a portion of the building will be demolished. She noted it is a very good project. George Danis indicated he is adding 39 parking spaces in the front also.

Daniel Ensminger asked Mr. Danis to characterize the difference in the liquor store size and Mr. Danis indicated the store will remain the same size. The present owner is selling and is negotiating with a possible new owner.

James Bonazoli noted that the restrictions were self imposed by the applicant. The Town Manager indicated the restrictions include not using all of the square footage and not selling nips or lottery because the majority of his sales were through the internet.

George Danis noted that the new owner will be coming before the Board for a transfer of the liquor license with the request that the restrictions be removed.

Request for Ad Hoc Zoning Advisory Committee – Jean Delios noted that a comprehensive update of the Zoning Bylaws is being done. She is requesting an Ad Hoc Advisory Committee to help shepherd the project along with the consultant. The committee will consist of representatives from multiple boards and she has drafted a policy for a seven member committee.

Charlie Adams, Chairman of CPDC, noted that input is needed from a variety of Boards, Committees, and Commissions. A number of workshops have been scheduled and emails have been sent out. He also noted that CPDC wants three members on the committee. They feel if there is only one CPDC member then something will be missing.

Marsie West noted that high rising issues should come from the Board of Selectmen first and she asked if there should be more than one Selectmen representative.

Daniel Ensminger indicated he would like to have more than one member of the public. He also noted that three CPDC members would be a quorum and they would have to post each time they met.

Bill Brown noted that the Chamber of Commerce would be interested in this.

James Bonazoli recommended to Charlie Adams that CPDC appoint their strongest member to represent CPDC. He noted it is difficult to manage a committee larger than seven members.

Charlie Adams noted that it is an advisory committee and the more the better – he wants more overlap. Marsie West indicated she did not want CPDC appointing a committee to do zoning.

The Town Manager noted that in the past the Board has leaned toward more public involvement. It is dangerous to appoint large numbers from one committee especially since this is a broad community wide project.

James Bonazoli suggested amending the policy to include two CPDC members, one ZBA member, one Selectman and three members at large. The committee should have a sunset date of one year. Mr. Bonazoli also noted that he wanted to wait until there is a full Board to finalize the policy and have the full Board interview applicants instead of the Volunteer Appointment Subcommittee.

Develop Policy on Affordable Housing; Regional Housing Services Coordinator – Jean Delios noted that the Town has done good work on affordable housing and Mass Housing looks favorably on Reading for that. She is asking that the Board consider a shared Housing Coordinator to make sure we don't lose units when they come up for sale and would specialize in this area. The process and timeframe is such that if the seller cannot find a qualified buyer in 90 days then we lose the affordable housing unit. We are in need of a ready buyer list.

James Bonazoli asked if there is interest from other communities to do this and Jean Delios indicated there is and MAPC is offering a grant. The cost for the shared Coordinator for Reading would be approximately \$9,000.

The Town Manager noted that there was \$450,000 in the Affordable Housing Trust Funds two years ago and then Oaktree asked for \$200,000 so \$250,000 is left. He asked if the Board wanted to replenish the fund with Smart Growth money. The plan allows a maximum of 5% or \$10,000 and he would propose to pay out of the general fund now. He suggests discussing this with the Housing Authority and noted that Jacqui Carson was present this evening.

Jacqui Carson, CEO of Peter Sanborn Place, noted that the fund is set up to be ongoing. She noted that the State keeps a buyer list but they are ever changing and not reliable.

Follow Up on Affordable Housing Trust Fund – Jean Delios reviewed the current Affordable Housing Trust Fund versus the State Act. The Town depends on two Boards – the Board of Selectmen and the Housing Authority, and the State requires a five member trustee board with one member from the Board of Selectmen appointed by the Board of Selectmen.

Marsie West noted that the State Act requires the funds to be audited and that will need to be paid for. The Town Manager noted that the fund is small and there is not much to audit.

Jean Delios recommended to the Board that they adopt a new Affordable Housing Trust Fund policy under MGL Chapter 44 S.55c and hire a Regional Housing Service Coordinator. Both Marsie West and James Bonazoli agreed it was a good idea.

Marsie West asked about the status of Perfecto's Café. Jean Delios noted they filed papers for a demo permit on May 31. They are waiting for the gas company to cap the gas for which there is a six to eight week lag period. The Health Division issued a fine regarding the cesspool. The previous Town Manager made an agreement with Perfecto's that as long as the project was moving along there will be no fine. Marsie West noted that the Board voted in June to send a letter. Bob LeLacheur noted that the gas story was a legitimate one. Staff will meet with the applicant in August and start fines in September. Marsie West indicated that they could at least put some white paint over the graffiti to make it look better. James Bonazoli noted that waiting until September to start fining them is too generous and he directed staff to send a letter indicating that if there are no improvements by the August 20 Board of Selectmen meeting, then the fines will begin on August 21.

Review Constable Situation – The Town Manager noted that six years ago the Board of Selectmen voted to decline to three Constables through attrition. We currently have two Constables and really have the need for four. The Board directed the Town Manager to post the vacancy and put this on the next agenda for a vote.

Preview Special Town Meeting – The Town Manager noted that Article 5 is sponsored by the Retirement Board and Town Meeting needs to vote on the increase of the cost of living for retirees. Article 6 is sponsored by the School Committee for the debt exclusion for the Woburn Street School. The Town Manager also noted that he will be doing an Article at some point for adoption of a new organizational chart for Town government.

The Town Manager noted that the Board has shown interest in revisiting the use of remote participation at meetings. The Town Clerk has indicated that a vote of the Selectmen is all that is needed. He suggests asking for input from all Boards and the Selectmen can exempt Boards if they wish.

Daniel Ensminger requested that the memo from Town Counsel regarding the demolition delay be sent to the Historical Commission.

Approval of MWRA Water Bonds – The Town Manager noted that the Board needs to vote on the MWRA sale of water bonds.

**A motion by Ensminger seconded by West that the sale of the \$4,012,000 Water Bond of the Town dated August 12, 2013 to the Massachusetts Water Resources Authority (the "Authority"), is hereby approved and the Town Manager is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on August 15 of the years and in the principal amounts as follows:**

5 a 8

<u>Year</u>	<u>Installment</u>	<u>Year</u>	<u>Installment</u>
2014	\$401,200	2019	\$401,200
2015	401,200	2020	401,200
2016	401,200	2021	401,200
2017	401,200	2022	401,200
2018	401,200	2023	401,200

and that each member of the Board of Selectmen, the Town Manager, the Town Clerk, and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes. The motion was approved by a vote of 3-0-0.

Approval of Minutes

A motion by Bonazoli seconded by Ensminger to approve the minutes of June 18, 2013 was approved by a vote of 3-0-0.

A motion by Bonazoli seconded by Ensminger to approve the minutes of June 19, 2013 was approved by a vote of 3-0-0.

A motion by Ensminger seconded by West to approve the minutes of July 9, 2013 as amended was approved by a vote of 3-0-0.

A motion by Bonazoli seconded by West to adjourn the meeting at 9:56 p.m. was approved by a vote of 3-0-0.

Respectfully submitted,

Secretary

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**Board of Selectmen Meeting  
August 1, 2013**

The meeting convened at 7:02 p.m. Present were Chairman James Bonazoli, and Selectmen Marsie West and Daniel Ensminger. Also present was Attorney John Geurin representing residents Catherine and Michael O'Meara.

**Discussion/Action Items**

**Confirmatory Deed for a Lot at #17 Selfridge Road** - Attorney Geurin presented an overview of the situation of why the board was being asked for a Confirmatory of the deed.

A memo from Town Manager Bob LeLacheur, who was unable to be present, noted that Attorney John Guerin is representing his clients, Catherine and Michael O'Meara, who have lived at that location for over fifteen years. In their process of refinancing a mortgage, there was some discrepancy as to clear title that had not been previously uncovered. This action tonight is taken at the advice of Town Counsel to clear the deed, and is done from time-to-time by the Selectmen. The urgency of meeting tonight was the refinancing rate-lock expires next Monday, and the title company did not give the go-ahead to this suggestion until last weekend.

**A motion by Ensminger seconded by West that the Board of Selectmen authorize the Issuance of a Confirmatory Deed for lot 36 at 17 Selfridge Road in Reading, was approved by a vote of 3-0-0.**

**Vote to Authorize the Town Manager to Request that the Governor Petition the State Legislature for a Special Act Validating the Results of the Annual Election Held in the Town of Reading on April 2, 2013** – A memo from Town Manager Bob LeLacheur noted that this action concerns the ability to borrow funds on behalf of the Library Project. In the printed Annual Town Meeting Warrant, Article 1 failed to specify the April 2, 2013 election date. The best remedy to that omission is to request that the Governor petition the Legislature for a 'Validating Act' through a Special Act.

**A motion by West seconded by Ensminger that the Board of Selectmen request that His Excellency Deval Patrick, the Governor of the Commonwealth of Massachusetts, request through a Special Act sent to the Legislature**

**“AN ACT VALIDATING THE RESULTS OF THE ANNUAL ELECTION HELD IN THE TOWN OF READING ON APRIL 2, 2013.**

***Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:***

**Whereas, The deferred operation of this act would tend to defeat its purpose, which is to validate the actions taken by the town of Reading at its annual town election held on April 2, 2013, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.**

**SECTION 1. Notwithstanding any general or special law to the contrary, all acts and proceedings taken by the town of Reading at the annual town election held on April 2, 2013 and all actions taken pursuant thereto are hereby ratified, validated and confirmed, notwithstanding any failure to include the date, time and place of said election in the posted warrants for said election.**

**SECTION 2. This act shall take effect upon its passage.**

**The motion was approved by a vote of 3-0-0.**

**A motion by West seconded by Ensminger to adjourn the meeting at 7:11 p.m. was approved by a vote of 3-0-0.**

Respectfully submitted,

Secretary



# THE COMMONWEALTH OF MASSACHUSETTS

Number: 2013-4

Fee: \$50.00

## TOWN OF READING

This is to certify that **STEPHEN MODUGNO D/B/A REGAL COACH, 3 LINE ROAD, READING, MASS.**

IS HEREBY GRANTED A

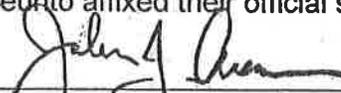
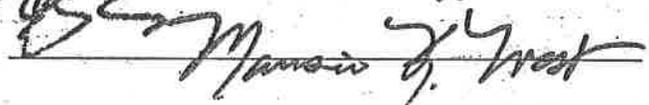
## LIVERY DRIVER'S LICENSE

in said Reading, Massachusetts and at that place only and expires December 31, 2013, unless sooner suspended or revoked for violation of the Rules and Orders for the Regulation of Carriages and Vehicles Used in the Town of Reading, and subject to the following conditions:

1. One vehicle only is to be used in the livery business
2. Drivers are only to be residents at 3 Line Road
3. Vehicle is to be parked on existing driveway at 3 Line Road only
4. No advertising on the vehicle or on the property
5. No maintenance of the vehicle on the site, other than interior and exterior cleaning

This license is issued in conformity with the authority granted to the Licensing Authorities by General Laws, Chapter 140, Section 2.

In Testimony Whereof, the undersigned have hereunto affixed their official signatures.

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Date Issued: August 13, 2013

6a

# MMA's Statewide 6th Grade Essay Contest

## Community Sign-Up Sheet

The leadership and commitment of elected and appointed officials is the key to the contest's success. The MMA will count on you to promote the contest, generate enthusiasm for local government, and help make one of your 6th graders the winner. Please consider:

- Publicizing the contest by working with your superintendent, principals and teachers. Alert the PTA, school committee, and community groups.
- Promoting the contest on your community's website.
- Posting the contest materials in city/town hall.
- Announcing the community's participation to local newspapers.
- Visiting your 6th graders to discuss local government and the contest.

Talk about community service, local government's commitment to citizens and the importance of good leadership. A classroom visit from a local official has a profound impact on the quality of information students possess about municipal government.

- Holding a hometown award ceremony at a meeting of your governing board (or at an appropriate event) if one of the winners is from your community.

**NOTE: By completing this form you give MMA permission to invite your schools to participate. Participation by your schools is optional, but MMA will not forward any contest materials to your schools without your signed support of the essay contest.**

### Sign Us Up Today!

*As the chief municipal official, our community will participate in the MMA's statewide contest.*

Name: Bob LeLacheur Title: Town Manager  
 Address: 16 Lowell Street, Reading MA 01867  
 Fax: 781-942-9071 Phone: 781-942-9043  
 Email: townmanager@ci.reading.ma.us Date: August 10, 2013

1. Is your community in a regional school district (yes or no): No
2. Is your 6th grade included in the regional district (yes or no): No
3. What other communities in the district include their 6th grade:

Email or Fax to MMA by AUGUST 23: [alorenti@mma.org](mailto:alorenti@mma.org) or Fax: (617) 695-1314

Questions? Contact Amanda Lorenti or Katelyn O'Brien at the MMA at (800) 882-1498

*ga*



*The Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
Boston, MA 02114*

**Steven Grossman**  
*Treasurer and Receiver General*

**Kim S. Gainsboro, Esq.**  
*Chairman*

**THE ALCOHOLIC BEVERAGES CONTROL COMMISSION ("ABCC") ADVISORY**

**NEW FARMER SERIES POURING PERMITS FOR FARMER-BREWERIES, FARMER-WINERIES & FARMER-DISTILLERIES**

Effective July 11, 2013, the legislature authorized a new type of "pouring permit" for Farmer-Breweries, Farmer-Wineries Farmer Distilleries<sup>1</sup> ("Farmer Series Pouring Permit"). Previously, these types of establishments were licensed as pouring permits under M.G.L. c. 138, § 12, ¶ 7 ("Restaurant Pouring Permit"). The Farmer Series Pouring Permit is an on-premises license which allows the licensee to sell and allow samplings of the alcoholic beverages it manufactures on its premises. The Farmer Series Pouring Permit follows the same process as all retail licenses. They must be approved in writing by both the local licensing authorities and the Alcoholic Beverages Control Commission (the "Commission").

Because Restaurant Pouring Permits are no longer an authorized alcoholic beverages license, all applications for a Restaurant Pouring Permit that were granted by the local licensing authorities prior to July 11, 2013, must be ratified as a Farmer Series Pouring Permit by the local licensing authorities and approved by the Commission. To accomplish this, the Commission recommends that local boards use the following process:

- hold a meeting which complies with the Open Meeting Law;
- vote to give the applicant a pouring permit under M.G.L. c.138, §§19B(n) Farmer-Brewer, 19C(n) Farmer-Winery or 19E(o) Farmer-Distillery, as the case may be;
- prepare and sign a form 43; and
- send the signed Form 43 to the Commission.

Once the Commission approves the application for the Farmer Series Pouring Permit, the stamped Form 43 will be returned to the local licensing authorities in the usual procedure. A Form 43 may be found at <http://www.mass.gov/abcc/pdf/forms/form43.pdf>. Applications for the Farmer Series Pouring Permit will be posted on our website.

Prior to year end, Restaurant Pouring Permit Licensees must apply for a Farmer Series Pouring Permit. To simplify this process, the Commission has sent a letter to all our current Restaurant Pouring Permit Licensees notifying them of the change in the law. The Commission has invited the Licensees to send a petition requesting that we reclassify them as Farmer Pouring Permit Licensees. Once the Commission receives this request, we will reclassify these licensees for their annual renewal. The renewal application will contain their new designation as Farmer Pouring Permits. This will enable the Local Licensing Authorities to approve the new designation using their normal renewal process. We are utilizing this method, with an effort toward minimizing disruption to your ordinary process.

As always, all licensees must ensure that they are in compliance with the laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by state law. Individuals with questions concerning this advisory may contact Ralph Sacramone, Executive Director at 617-727-3040 x 731.

(Issued: August 7, 2013)

<sup>1</sup> The law that made these changes is Acts 2013, Chapter 36, §§ 16-22 and can be found on the website of the Legislature. The language for these new "pouring permits" can be found in M.G.L. c. 138, § 19B(n)(for farmer-wineries), M.G.L. c. 138, § 19C(n)(for farmer-breweries), M.G.L. c. 138, § 19E(o)(for farmer-distilleries).

4/c BOS

**Schena, Paula**

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**From:** LeLacheur, Bob  
**Sent:** Wednesday, August 07, 2013 8:50 AM  
**To:** Schena, Paula  
**Subject:** FW: Libby Area Paving

For BOS packet

**Robert W. LeLacheur, Jr. CFA**  
Town Manager  
Town of Reading  
16 Lowell Street  
Reading, MA 01867  
[townmanager@ci.reading.ma.us](mailto:townmanager@ci.reading.ma.us)  
(P) 781-942-9043  
(F) 781-942-9037  
[www.readingma.gov](http://www.readingma.gov)

Please fill out our brief customer service survey at:  
<http://readingma-survey.virtualtownhall.net/survey/sid/8cebfd833a88cd3d/>

Town Hall Hours:  
Monday, Wednesday and Thursday: 7:30 a.m - 5:30 p.m.  
Tuesday: 7:30 a.m. - 7:00 p.m.  
Friday: CLOSED

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**From:** Zambouras, George  
**Sent:** Wednesday, August 07, 2013 8:44 AM  
**Tc:** \_\_\_\_\_  
**Cc:** LeLacheur, Bob; Zager, Jeff; James Bonazoli forwarding account  
**Subject:** Libby Area Paving

Mrs. Dimino,

At the time you were informed the Libby Ave. roadway improvements would occur following the completion of the water project, the water project only consisted of installing a water main from Belmont St. to Ivy Ln. Following the completion of a detail study of our water system last year, the proposed water project has expanded to include a replacement of the water main for the entire length of Libby Ave. The project is 95% percent designed and we will be applying for the necessary conservation commission permit the beginning of September. The Libby Ave portion is part of a \$5M water improvement project which was approved by Town meeting this spring.

Following receipt of our conservation permit we will solicit bids for the water project. The construction of the water improvements is anticipated to take at least 1 –year. Following completion of the water project the Libby Ave. area roadway project will commence. Barring any delays in construction the roadway improvements will be delayed and should occur the spring of 2015.

George J. Zambouras, P.E.  
Town Engineer  
781-942-6683

801

781-942-5441(fax)

Email: [gzambouras@ci.reading.ma.us](mailto:gzambouras@ci.reading.ma.us)

Please note Town Hall Hours

Monday, Wednesday and Thursday: 7:30 a.m - 5:30 p.m.

Tuesday 7:30 a.m. - 7:00 p.m.

Friday: **CLOSED**

L/CBOS

**LeLacheur, Bob**

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**From:** Feudo, John  
**Sent:** Tuesday, August 13, 2013 11:21 AM  
**To:** LeLacheur, Bob  
**Subject:** Amplified Sound Permit

Hi Bob,

I have issued an amplified sound permit for the Barrows PTO for their back to school picnic on 9/6 from 5:30 – 7:00 PM.

It will be posted on the website as well.

John

John A. Feudo

Recreation Administrator

Town of Reading

Office: 781-942-9075

Fax: 781-942-5441

[jfeudo@ci.reading.ma.us](mailto:jfeudo@ci.reading.ma.us)

Website: [www.readingma.gov/recreation](http://www.readingma.gov/recreation)

Please note new Town Hall Hours effective June 7, 2010: Monday, Wednesday and Thursday: 7:30 a.m - 5:30 p.m. Tuesday: 7:30 a.m. - 7:00 p.m. Friday: CLOSED

Please let us know how we are doing - fill out our brief customer service survey at <http://readingma-survey.virtualtownhall.net/survey/sid/19ab55aed08fbc96/>

8d1

LC Bos

**LeLacheur, Bob**

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**From:** Kapoor, Prem (DOT) <prem.kapoor@state.ma.us>  
**Sent:** Tuesday, August 13, 2013 2:16 PM  
**To:** 'gbalukonis@northreadingma.gov'; Bhatt, Hemendra R (DOT); MSoraghan@northreadingma.gov; rcarnevale@northreadingma.gov; Town Manager; Zager, Jeff; Zambouras, George; Cormier, Jim; Martel, Justin; tromeo@nrpd.org; stilton@nrpd.org  
**Cc:** Leavenworth, Patricia (DOT); Stedman, Paul (DOT); Karas, Mike (DOT); Kratman, Mark (DOT); 'Jody Trunfio'; 'Chris Barr'; Bardow, Alexander (DOT); Casaletto, Daniel (DOT); Consentino, Douglas (DOT); Bernard, William (DOT); Philogene, Lonardi (DOT); Mannion, Patrick (DOT); Zizza, Thomas (DOT); Taylor, Michael (DOT); Krikoris, Gregory (DOT)  
**Subject:** RE: North Reading/Reading - Route 28 over the Ipswich River - Bridge Restrictions

To All:

Our contractor will grout the beams on the west side of the bridge on Thursday. He will be pumping the grout fluid, it will have a compressive strength of 4000 psi in three days. We will remove the lane restriction sometimes on Monday.

Thanks,

Prem Kapoor, P. E.  
 District Bridge Engineer, MassDOT Highway Division  
 519 Appleton Street, Arlington, MA 02476  
 Tel: (781) 641-8310 office  
 (781) 853-7070 mobile  
[Prem.Kapoor@state.ma.us](mailto:Prem.Kapoor@state.ma.us)

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**From:** Greg Balukonis [<mailto:gbalukonis@northreadingma.gov>]  
**Sent:** Tuesday, August 13, 2013 12:38 PM  
**To:** Bhatt, Hemendra (DOT); Kapoor, Prem (DOT); MSoraghan@northreadingma.gov; rcarnevale@northreadingma.gov; townmanager@ci.reading.ma.us; jzager@ci.reading.ma.us; gzambouras@ci.reading.ma.us; jcormier@ci.reading.ma.us; jmartel@ci.reading.ma.us; tromeo@nrpd.org; stilton@nrpd.org  
**Cc:** Leavenworth, Patricia (DOT); Stedman, Paul (DOT); Karas, Mike (DOT); Kratman, Mark (DOT); 'Jody Trunfio'; 'Chris Barr'; Bardow, Alexander (DOT); Casaletto, Daniel (DOT); Consentino, Douglas (DOT); Bernard, William (DOT); Philogene, Lonardi (DOT); Mannion, Patrick (DOT); Zizza, Thomas (DOT); Taylor, Michael (DOT); Krikoris, Gregory (DOT)  
**Subject:** RE: North Reading/Reading - Route 28 over the Ipswich River - Bridge Restrictions

Can you provide an update on the status of repairs to the Route 28 bridge? I noticed the lane restrictions are still on place.

Thank you.

Greg Balukonis  
 North Reading Town Administrator

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**LeLacheur, Bob**

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**From:** Gomes, Jeffrey R (DOT) <jeffrey.r.gomes@state.ma.us>  
**Sent:** Tuesday, August 13, 2013 12:03 PM  
**To:** LeLacheur, Bob  
**Cc:** Zager, Jeff; Zambouras, George  
**Subject:** RE: update on Reading's Franklin & Main Street intersection

Hi Bob,

In short I'm still waiting for the approval meeting to happen (I was hoping the meeting was going to happen last week). We do have a new district highway director so there are a great deal of things he's getting his feet wet with so this got pushed but I'm still pushing to have the meeting very soon. Once this meeting happens I'll be able to expend funds from multiple contracts to get the short-term improvements done.

Please let me know if you have any questions, thanks.

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**From:** LeLacheur, Bob [<mailto:blelacheur@ci.reading.ma.us>]  
**Sent:** Tuesday, August 13, 2013 8:40 AM  
**To:** Gomes, Jeffrey R.(DOT)  
**Cc:** Zager, Jeff; Zambouras, George  
**Subject:** update on Reading's Franklin & Main Street intersection

Hi Jeff,

What is the current status of that intersection? Our Selectmen meet next Tuesday night and will be asking.

Thanks,  
Bob

**Robert W. LeLacheur, Jr. CFA**

*Town Manager  
Town of Reading  
16 Lowell Street  
Reading, MA 01867  
[townmanager@ci.reading.ma.us](mailto:townmanager@ci.reading.ma.us)*

*(P) 781-942-9043*

*(F) 781-942-9037*

*[www.readingma.gov](http://www.readingma.gov)*

*Please fill out our brief customer service survey at:*

*<http://readingma-survey.virtualtownhall.net/survey/sid/8cebfd833a88cd3d/>*

Town Hall Hours:

Monday, Wednesday and Thursday: 7:30 a.m - 5:30 p.m.

Tuesday: 7:30 a.m. - 7:00 p.m.

Friday: CLOSED

86

From the desk of -  
ROBERT I. NORDSTRAND

8/13/20

Robert LeFebvre

Attached is a copy of  
a well documented "History  
of the Clock and Bell".

It was written several  
years ago & I should  
have looked for its  
realization. The "Public

clock" first paragraph  
looks good for us, but  
recent history does not

Sorry for my  
mistake.

Bob Nordstrand

## READING CLOCK AND BELL FUND DIRECTORS REQUEST YOUR SUPPORT

The Reading Clock and Bell Fund is an endowment Fund established in 1983 and last replenished in 1999 through town-wide fund drives lead by the Reading Lions Club. Income from the endowment investments is used to maintain and repair the clock and bell located near the top of the steeple in the Old South United Methodist church, overlooking Reading Common. The clock is mechanical and must be wound by hand once a week by the Clockfolk of New England. The Clockfolk also make repairs to the clock and bell as necessary.

Over the last decade maintenance and repair expenses have exceeded investment income, and the Fund has decreased from \$30,000 in 1999 to \$25,000 in 2011. The Board of Directors of the Reading Clock and Bell Fund ask the generous people of Reading to once more consider a gift to this endowment, mailing address, Reading Clock and Bell Fund, Inc. P.O. Box 66, Reading Ma. 01867.

### HISTORY OF THE CLOCK AND BELL AT OLD SOUTH UNITED METHODIST CHURCH

In 1817, a church was built on the site that is currently Old South United Methodist Church on Salem Street in downtown Reading. The Old South Parish had a tower and bell, but no clock. In 1862 a benefactor provided for a **public clock** to complement the bell and tower. In 1878, the clock began to have mechanical problems. At the spring town meeting that year, someone suggested the money acquired from the dog license fees be used to repair the clock, but it was decided that dog license money could only be used for education or library purposes. In any event, the 1879 town meeting earmarked \$35.00 for the maintenance of the clock. The town meeting continued to support the maintenance of the clock until 1983.

In 1886, the remaining members of Old South Parish joined their brethren who had left them earlier to build a church at the corner of Woburn and Sanborn Streets where the congregational church is today. The Methodist soon bought the Old South Parish Church which included the clock and bell.

In 1911, an arsonist caused the church to burn to the ground. A new church was constructed on the site, a replica of the Old South Parish Church. The Reading Chronicle put out a special appeal for donations to the people of Reading, and money was raised to purchase a new clock and a new bell.

The new bell was inscribed "Reading, Mass, A.D. 1912. This Bell and Clock are purchased by the Old South Methodist Episcopal Society and interested citizens of the town for the benefit of all".

In 1983, the yoke of the Old South Bell broke. The estimated cost was \$6,000.00. The Reading Lions Club led a town-wide fund drive, and the Reading Chronicle gave a great deal of publicity for the cause.

The drive exceeded all expectations, and over \$12,000.00 was raised. The \$6,000.00 excess was placed in an interest bearing account to replace the town's support. However by February 1999, these funds were depleted. This prompted another town-wide fundraiser in 1999, again spear-headed by the Reading Lions Club, and heavily supported by the Reading Chronicle. The goal was established to create a \$25,000.00 endowment fund. Due to the generosity of the Reading townspeople \$30,000 was raised and the Reading Clock & Bell Fund, Inc. a non-profit corporation was established.

Today the Fund is still financially sound, but losing ground. So, we seek to replenish the current endowment to insure the long term future of the clock and bell. **Please send tax deductible donations of any size to Reading Clock and Bell Fund, Inc. P.O. Box 66, Reading Ma. 01867**

Board of Directors: Dominic Rotondi, President; Sheilah Reichardt, Clerk; Bruce Austin, Treasurer; Robert Nordstrand, Lynne Cameron.

Sources for the history of the Old South Church clock and bell include: a History of the Old South Compiled by Catherine Moulton, various articles from the Reading Chronicle and the Reading Advocate, including an article by Mirium Barclay, and an interview with the Clockfolk of New England.

862



Town of Reading  
16 Lowell Street  
Reading MA 01867

L/CBOS

Office of the Town Clerk  
781-942-9050

fax: 781-942-9070  
website: [www.readingma.gov](http://www.readingma.gov)

August 13, 2013

Massachusetts State House  
Office of the Governor - Room 280  
Boston, MA 02133

Lynne Montague  
Deputy Director of Government Affairs  
Office of Governor Deval L Patrick

The Town of Reading is writing to request that the Governor file special legislation on behalf of the Town of Reading. Notwithstanding the absence of the April 22, 2013 at 7:30 PM of warrant for the town meeting, with Town Annual Election being held April 2, 2013, we wish to validate the Town Meeting results. The legislation is necessary to ensure that the Town is able to borrow funds by confirming the date that the town voted to approve a proposition 2 1/2 debt exclusion, which was inadvertently omitted from the printed Annual Town Meeting Warrant.

Thank you very much for your time and attention on this issue.

Robert LeLacheur  
Town Manager

August 13, 2013

Laura A Gemme  
Town Clerk

August 13, 2013

8h

L/C BOS

**Schena, Paula**

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**From:** LeLacheur, Bob  
**Sent:** Wednesday, August 07, 2013 8:18 PM  
**To:** Schena, Paula  
**Subject:** FW: Verizon FiOS Customer Notice  
**Attachments:** Customer Notice - ESPN 3D, Speed and Fox Soccer (September).pdf; Customer Notice - GOL TV (August).pdf

for BOS packet (attachments also)

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**From:** Frere, Mary Louise [mary.l.frere@verizon.com]  
**Sent:** Friday, August 02, 2013 11:57 AM  
**Subject:** Verizon FiOS Customer Notice

Dear Municipal Official,

This is to notify you of upcoming channel and programming changes to the FiOS® TV channel line-up as described below.

- On or after August 17, 2013, "Speed" (channels 83 (SD) and 583 (HD)), currently featuring motorsports programming, will become "Fox Sports 1" SD and HD and will feature a broader array of sports programming.
- On or after September 2, 2013, "Fox Soccer" (channels 84 (SD), 584 (HD) and 1522 (Spanish audio)), currently featuring sports programming, will become "FXX" SD, HD and Spanish audio featuring comedy series with the "FX" aesthetic targeted to a younger audience.
- On or after September 24, 2013, "ESPN 3D", channel 1002, will be removed from the FiOS® TV Ultimate HD channel line up and ESPN 3D Add-On Package by the content provider.
- On or after October 1, 2013, "GOL TV", channel 1523, will be removed from the FiOS® TV Ultimate HD channel line up.

Customers will be notified of the above changes by means of the attached bill messages that will run in the August and September bill cycles.

Access to the FiOS® TV channel lineup is available 24/7 by visiting us online at [verizon.com/fiostvchannels](http://verizon.com/fiostvchannels).

We realize that our customers have other alternatives for entertainment and our goal is to offer the best choice and value in the industry. Verizon appreciates the opportunity to conduct business in your community. Should you or your staff have any questions, please contact me.

Mary L. Frere  
Senior Consultant – FiOS Video  
Verizon Communications  
125 High Street Oliver Tower  
Boston, MA. 02110  
617-743-4119

811



## FiOS® TV Channel and Programming Changes

**Messaging will be individually tailored to FiOS® TV subscribers as identified below.**

**ESPN 3D Add-On Package Subscribers:** On or after September 24, 2013, “ESPN 3D”, channel 1002, will be removed from the FiOS TV channel lineup by the content provider. Once the “ESPN 3D” programming is no longer available, this package will also be removed from your account and you will no longer receive charges on your bill.

**ULTIMATE HD Package Subscribers:** The following changes are being made to your FiOS TV Ultimate HD Package:

- On or after August 17, 2013, “Speed” (channels 83 (SD) and 583 (HD)), currently featuring motorsports programming, will become “Fox Sports 1” SD and HD and will feature a broader array of sports programming.
- On or after September 2, 2013 “Fox Soccer” (channels 84 (SD), 584 (HD) and 1522 (Spanish audio)), currently featuring sports programming, will become “FXX” SD, HD and Spanish audio featuring comedy series with the “FX” aesthetic targeted to a younger audience.
- On or after September 24, 2013, “ESPN 3D”, channel 1002, will be removed from the FiOS TV channel lineup by the content provider

**PRIME Package Subscribers:** On or after August 17, 2013, “Speed” (channels 83 (SD) and 583 (HD)), currently featuring motorsports programming, will become “Fox Sports 1” SD and HD and will feature a broader array of sports programming.

**EXTREME LEGACY and EXTREME 2010 Package Subscribers:** The following changes are being made to FiOS TV Programming:

- On or after August 17, 2013, “Speed” (channels 83 (SD) and 583 (HD)), currently featuring motorsports programming, will become “Fox Sports 1” SD and HD and will feature a broader array of sports programming.
- On or after September 2, 2013 “Fox Soccer” (channels 84 (SD), 584 (HD) and 1522 (Spanish audio)), currently featuring sports programming, will become “FXX” SD, HD and Spanish audio featuring comedy series with the “FX” aesthetic targeted to a younger audience.

**ESSENTIALS, PREMIER, SPORTS Package Subscribers:** The following changes are being made to FiOS TV Programming:

- On or after, August 17, 2013, “Speed” (channels 83 (SD) and 583 (HD)), currently featuring motorsports programming, will become “Fox Sports 1” SD and HD and will feature a broader array of sports programming.
- On or after September 2, 2013 “Fox Soccer” (channels 84 (SD) and 1522 (Spanish audio)), currently featuring sports programming, will become “FXX” SD and Spanish audio featuring comedy series with the “FX” aesthetic targeted to a younger audience.

**La Conexion Package Subscribers:** On or after September 2, 2013 “Fox Soccer” (channels 84 (SD) and 1522 (Spanish audio)), currently featuring sports programming, will become “FXX” SD and Spanish audio featuring comedy series with the “FX” aesthetic targeted to a younger audience.



**FiOS® TV Channel and Programming Changes**

On or after October 1, 2013, "GOL TV", channel 1523, will be removed from the FiOS TV Ultimate HD package.

8:4

LCB05

August 5, 2013

2013 AUG 13 AM 9:34

Rick Bosetti or current Selectman Bd. Chmn.  
City of Reading  
16 Lowell St.  
Reading, Massachusetts 01867

Dear Mr. Bosetti,

Recently published about January 17, 1999 in presumably many newspapers was an article by Paul Dean of the Los Angeles Times entitled "Crash course for adults accelerates safety on the roads." When you read this article it is hard not to agree with all of its ideas, but you also realize that only a very small percentage of the driving public will actually take such a course. Furthermore, you realize that if, by some magic, everyone would become a good driver; there would still be driving errors (resulting in accidents) because of many factors.

So we first have to admit there will always be accidents. The problem is minimizing the fatalities and decreasing the severity of injuries resulting from accidents. Let me focus on a small segment of particular kinds of accidents and show you how hard it is to correct the basic cause. For instance, statistics compiled by the National Highway Traffic Safety Administration indicate that in 2010 there were

1,441 fatalities,

49,000 injuries, and

121,000 property damage only accidents

in the United States resulting from vehicles hitting utility poles.

Overhead electric lines and roadways do not interface well because since day 1 we have been leaving the road for one reason or another and hitting power poles. I say power poles here and not telephone poles because power poles are, for a number of reasons, the biggest and the sturdiest. And a collision with a stout wood pole is a terrible thing. True enough, you can hold your course and strike the stout wood pole head-on. Thus you rely on the mass of the engine to break the pole. But I venture to say you may live out your life as a vegetable. On the other hand, your basic instinct tells you to turn the car and you do this. But I venture to say the laws of physics will probably win and will put you in a sideways slide straight into the pole. When this happens the stout wood pole can nearly cut the car in half and you have a very excellent chance of dying in about 20 milliseconds. This is about the time it takes for the stout wood pole to deform the car door and everything in its path to about the center of the car.

8J1

You may want to ask why speeding vehicles that leave roadways hit poles that are 200 to 250 ft apart. The answer has been documented mathematically since about 1968 when Paul C. Skeels, Engineer-in-Charge of Safety Test Engineering at the General Motors Proving Ground, presented a paper dated Feb. 13, 1968 entitled "The Role Of The Highway In A Safe transportation System" at the 65th Annual Convention of the American Road Builders Association. The miracle is when you miss them.

Stout wood poles are everywhere and this is a very serious game we play on our roadways. Unlike a basketball game, I suggest you cannot take a charge and continue the game.

Having made the indictment, we now propose the solution. Either put the stout wood poles back from the roadway out of harms way or put the electric lines underground. Electric street light poles that remain would have to be breakaway poles or equivalent.

So here is what you can do. Ask your electric provider if this (the foregoing paragraph) can be done (not all at once but over a number of years). You may just find out how hard it is to correct the basic cause.

The question is: Who should pay for these fatalities, injuries, and property damage only accidents resulting from vehicle collisions with stout wood power poles.



Ken Sharp  
9342 Oak Run Circle  
Indianapolis, Indiana 46260

cc: Vincent Cameron Jr., Reading Municipal Light Dept.

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# In the driver's seat

## Crash course for adults accelerates safety on the roads

By Paul Dean  
Los Angeles Times

Grim reapings: About 42,000 people die on our highways each year — an American tragedy that comes surprisingly close to matching the total number of soldiers killed in 10 years of fighting in Vietnam.

Gladder tidings: That annual toll has remained pretty even for a decade, despite choking freeways and a population of vehicles and citizens growing at a rate of 1 percent per annum. Drunk-driving deaths are down. Thirty years ago 5.5 people died for every 100 million vehicle miles traveled; today the figure has shriveled to 1.5.

And expect that statistic to hold, experts say, and even fade lower as tens of thousands of Americans take command of their lives through adult driver education courses and high-performance motoring schools. All with a single aim: to improve driving skills that probably haven't budged — except to embrace bad habits — since we first sat in dad's lap. You steered and shifted, and he worked brakes and the gas pedal.

"Over the past 30 years we have made tremendous strides in vehicle and highway engineering," says Lindsay Griffin III, a psychologist and traffic safety researcher with the

Texas Transportation Institute at College Station. Broader and smoother highways, he explains, guardrails and escape roads, seat belts and air bags and side-impact protection may all be credited for the leveling of crash figures.

"Now, to quote a paper by B.J. Campbell," he says, citing another highway safety expert, "the relative value of studying human behavior might be the important priority." America seems to be ahead of the suggestion.

Twenty years ago, there were only three performance driving schools in Canada and the United States. There are now more than 60, offering everything from half-day classes in accident avoidance in family sedans to three-day courses that include track competition in open-wheel race cars.

The California-born, Arizona-based pioneer Bob Bondurant School of High Performance Driving has been selling adult driver's education for 30 years (\$250 for a half-day class, \$3,950 for the three-day road racing school). Students train in factory-supplied Ford Mustangs; ages range from teens to septuagenarians. And this four-wheeled academy graduates 5,000 people a month.

"Five percent of our students want to become race drivers, 20 percent are Walter Mitty's seeking the high-speed

experience, but 75 percent are ordinary people who have realized they are not the drivers they thought they were and want to improve their skills," says marketing director Chan Martinez.

The American Association of Retired Persons' 55-Alive brush-up courses are alive and well nationally. Some local offices of The Automobile Club offer classroom retraining for mature drivers.

Benefits of such programs can include reduced insurance premiums for senior citizens.

To anyone who has ever been tailgated, cut off, flipped off or forced to back off by a Mustang GT sweeping three freeway lanes without signaling, we are a nation of 179 million drivers with death wishes.

Truth is, researchers say, 94 percent of fatal crashes — representing an annual financial loss of \$170 billion — are caused by driver error. Police officers no longer refer to "accidents" because that implies a twist of fate or the back hand of God. The new and official preference is "crashes and collisions."

Mike Smith of Washington, D.C., is a psychologist and researcher with the National Highway Transportation Safety Administration. He says there are few denominators, certainly no easy explanation, for ditching common

sense and denying basic courtesies once we climb behind a steering wheel. Although much bad behavior, he believes, is created by a highway system designed around volunteerism and human faith.

"It is based on people volunteering to comply with rules and regulations, and when they comply, there's no problem," he says. "But because it is a very forgiving system, you are free to violate some of these rules and regulations ... and, generally speaking, nothing happens."

So we go a little faster. We roll through stop signs. One piece of deviant behavior tempts others to retaliate. Bam! A bounty of human errors, crashes and collisions.

Traffic safety, Smith continues, is a convoluted matter, with every question, answer and possible solution locked into enforcement merging with education and legislation. While expected to allow room for personal freedoms and all citizens' rights to the pursuit of mobility.

"Joe and Joan Public have to accept that although the death rate is pretty stable, 42,000 fatalities a year is unacceptable," he says. "We have to address the problems of teen-age drivers who are risk takers and inexperienced at a complex task. Unfortunately, adult behavior is very difficult to change."

4/CBOS

**Schena, Paula**

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**From:** LeLacheur, Bob  
**Sent:** Monday, August 12, 2013 1:34 PM  
**To:** Schena, Paula  
**Subject:** FW: Community Meeting: 30 Haven

For BOS packet:

-----Original Message-----

**From:** Christine Hansen [ \_\_\_\_\_ ]  
**Sent:** Monday, August 12, 2013 1:29 PM  
**To:** LeLacheur, Bob; Cormier, Jim; Reading - Selectmen  
**Cc:** Segalla, Mark; Scott Vermilya  
**Subject:** Community Meeting: 30 Haven

Dear Bob,

On behalf of the residents of 30 Haven Street, thank you for facilitating the Community Meeting relative to safety and security.

Chief Cormier, Lt. Robbins and Sgt. Segalla presented safety information, answered numerous questions, alleviated fears and recommended additional education, including a handout on safety in apartment communities and RAD.

Some residents have followed up with Reading Police Department relative to medical challenges. Several female residents are interested in conducting a RAD program within the building. Jerry, owner of Zinga, furnished whistles to attendees. Numerous residents intend to extend an invitation for a community meeting to the Reading Fire Department.

Thank you again for your prompt response and coordination of a community meeting. Chief Cormier, Lt. Robbins and Sgt. Segalla are valuable assets to the community. We are grateful for the information and insight.

Cordially,  
Christine Hansen  
On behalf if residents of 30 Haven  
30 Haven Street  
#2008  
Reading, MA 01867  
781-944-7087

8K

L/C BOS

**Schena, Paula**

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**From:** LeLacheur, Bob  
**Sent:** Thursday, August 15, 2013 11:25 AM  
**To:** Schena, Paula  
**Subject:** FW: Town Ordinance: Waste Management

For BOS packet

**Robert W. LeLacheur, Jr. CFA**

Town Manager  
Town of Reading  
16 Lowell Street  
Reading, MA 01867  
[townmanager@ci.reading.ma.us](mailto:townmanager@ci.reading.ma.us)  
(P) 781-942-9043  
(F) 781-942-9037  
[www.readingma.gov](http://www.readingma.gov)

Please fill out our brief customer service survey at:  
<http://readingma-survey.virtualtownhall.net/survey/sid/8cebfd833a88cd3d/>

Town Hall Hours:  
Monday, Wednesday and Thursday: 7:30 a.m - 5:30 p.m.  
Tuesday: 7:30 a.m. - 7:00 p.m.  
Friday: CLOSED

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**From:** Cormier, Jim  
**Sent:** Thursday, August 15, 2013 11:24 AM  
**To:** Christine Hansen; LeLacheur, Bob; Reading - Selectmen  
**Cc:** Gemme, Laura; Robbins, Richard; Stamatis, Dave; Garchinsky. Peter; Segalla, Mark  
**Subject:** RE: Town Ordinance: Waste Management

Ms. Hansen,

I understand the inconvenience of the trash pick-up during the early morning hours and recognize how troubling and inconvenient that can be.

After some research on the topic, I have determined that an amendment to our Town Bylaw's, section 8.11, was put into place at April Town Meeting. The process for that to become enforceable it needs to be approved by the Attorney General's office and then posted in the newspaper by the Town Clerk on two occasions. The Town Clerk has advised me that she just got the approval this week from the AG's office and is going to be making the required postings.

When she advises me that the postings have been accomplished and the Bylaw is enforceable, we will visit the businesses in your building and make them all aware of the regulation and advise them they must comply or be subject to a violation for each occurrence.

Hopefully, they will then make arrangements with their carting companies to be in compliance. If not we take the appropriate enforcement action.

If after we make notification to the businesses, (next week I would guess) the problem continues, please call the PD as the event is occurring so we can try to speak with the driver and determine which business they are hauling for.

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I'm confident we can resolve this issue shortly.

Chief James W. Cormier  
Chief of Police  
Town of Reading  
15 Union St.  
Reading, MA 01867  
[JCormier@ci.reading.ma.us](mailto:JCormier@ci.reading.ma.us)  
781-944-1212  
FBINAA 233

**This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail, and delete or destroy the message.**

Please let us know how we are doing - fill out our brief customer service survey at <http://readingma-survey.virtualtownhall.net/survey/sid/ccc2f035993bd3c0/>

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**From:** Christine Hansen [<mailto:christine.hansen@readingma.gov>]  
**Sent:** Tuesday, August 13, 2013 4:49 AM  
**To:** LeLacheur, Bob; Reading - Selectmen; Cormier, Jim  
**Subject:** Town Ordinance: Waste Management

The following is a picture of Waste Management picking up dumpsters at 52-54 Haven Street, Reading at 4:20 am to 4:27 am on August 12, 2013. Residents of at least four apartments at 30 Haven and two private homes are currently awake following this event.

This is an ongoing issue for residents of 30 Haven since June 2013.

Please also note a number of the residents affected are seniors and/or individuals challenged by disabilities.

Cordially,  
Christine Hansen  
30 Haven Street, 2008  
781-944-7087

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