



Town of Reading Meeting Posting with Agenda

RECEIVED
TOWN CLERK
READING, MASS.

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2014-09-02

Time: 7:00 PM

2014 AUG 28 A 11:53

Building: Reading Town Hall

Location: Selectmen Meeting Room

Address: 16 Lowell Street

Purpose: General Business

Meeting Called By: Paula Schena on behalf of Chairman John Arena

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 not be accepted.

Topics of Discussion:

- OFFICE HOUR – Daniel Ensminger** **6:30**
- 1) **Reports and Comments**
 - a. Selectmen's Liaison Reports and Comments
 - b. Public Comment
 - c. Town Manager's/Assistant Town Manager's Report
 - 2) **Open Session for topics not reasonably anticipated 48 hours in advance of the meeting**
 - 3) **Proclamations/Certificates of Appreciation**
 - 4) **Personnel & Appointments**
 - 5) **Discussion/Action Items**
 - a. Reading Garden Club Adopt an Island Awards 7:20
 - b. Hearing - Public Tree Removal at 640/660 Main Street 7:30
 - c. Human Relations Advisory Committee 8:00
 - d. Hearing – Liquor Violation – Ricky's Liquor, 214 Main Street, Sale to a Minor 8:30
 - e. Close the Warrant for Special Town Meeting on 9/29/14 9:00
 - f. Vote Warrant Articles for Special Town Meeting 9:15
 - g. Preview Warrant for Subsequent Town Meeting 9:30
 - h. Preparation for Financial Forum on 9/10 9:45
 - i. Finalize FY15 Town Manager Goals 10:00
 - 6) **Approval of Minutes**
 - a. June 10, 2014
 - b. July 30, 2014
 - c. August 12, 2014



Town of Reading Meeting Posting with Agenda

- 7) **Licenses, Permits and Approvals**
- 8) **Executive Session**
 - a. Approval of Minutes
August 2, 2014
August 12, 2014
- 9) **Correspondence**
 - copy a. Email from Stephanie Lee at Verizon re: Verizon Good News
 - copy b. Email from Bob LeLacheur re: Alleyway Maintenance – Confirmation of Maintenance Schedule and Ownership
 - copy c. Email from George Zambouras re: Oakland Road – Town Owned Property

DRAFT - BOARD OF SELECTMEN			
2014	AGENDAS		2014
<i>8/28/2014</i>		Responsibility	Start time
	September 2, 2014		
Office Hour	Dan Ensminger		6:30
	Reading Garden Club Adopt an Island Awards		7:20
HEARING	Public Tree Removal - 640/660 Main Street	LeLacheur	7:30
	Human Relations Advisory Committee	Cormier	8:00
HEARING	Liquor Violation - Sale to a minor - Ricky's Liquor	Cormier	8:30
HEARING	Close Warrant for Special Town Meeting	LeLacheur	9:00
	Vote Warrant for Special Town Meeting	LeLacheur	9:15
	Preview Warrant for Subsequent Town Meeting (to be closed next BOS mtg)	LeLacheur	9:30
	Preparation for Financial Forum on 9/10	LeLacheur	9:45
	Finalize FY15 Town Manager Goals	LeLacheur	10:00
	September 9, 2014 - State Primary		
	September 10, 2014 Financial Forum II	Coolidge Multi-purpose Room	7:30
	Legislative delegation update		
	September 16, 2014	locations TBA	
	Reading 2020 Working group sessions		
	September 23, 2014	WORKSHOP	
	Call for Special Town Meeting January 5th, 6th & 7th (2015) for Charter Changes		7:20
	Climate Advisory Committee Adaptation Rpt		7:25
	Town Forest Committee Rules & Regs	Zager	7:45
HEARING	Belmont Water easements	Zambouras	8:15
HEARING	Close Warrant for Subsequent Town Meeting	LeLacheur	8:30
HEARING	Request for Early Opening - Cumberland Farms, 303 Salem Street		8:45
	Enterprise Funds Workshop	LeLacheur	9:00
	Special Town Meeting September 29, 2014	RMHS PAC	7:30
	October 14, 2014		
Office Hour	Marsie West		6:30

	Tax Classification preview	Santaniello	7:30
	Town Accountant Report	Angstrom	8:00
	Discuss fees and collection policies	Angstrom	8:15
	Vote Subsequent TM Warrant Articles	LeLacheur	9:00
	October 28, 2014		
HEARING	Tax Classification	Board of Assessors	7:30
	Private/Public Road discussion	Town Counsel	8:00
	October 29, 2014 Financial Forum III		
	November 4, 2014 - Election		
	Subsequent Town Meeting November 10, 2014	Monday	
	Town Meeting November 13, 2014	Thursday	
	Town Meeting November 17, 2014	Monday	
	November 18, 2014		
Office Hour	John Arena		6:30
	Approve licenses		
	Town Meeting November 20, 2014	Thursday	
	December 9, 2014		
Office Hour	John Halsey		6:30
	Review FY16 Town Manager Goals		
	December 23, 2014		
Future Agendas			
	Reading 2020 Community Meeting		
	Multi BCC Summit		
	RMLD joint meeting		
	Strout Avenue Master Plan (after Town Forest planning work is done)	Feudo	
Recurring Items			
	Close Town Meeting Warrants	by Sep 23/Nov	
		by Mar 3/April	
	Review BOS/TM Goals	Mar-July-Dec	Tri-ann

	Review Customer Service survey results	Feb & Aug	Semi-ann
	Review Regionalization efforts	June	Annual
	Appointments of BCCs	June	Annual
	Approve Classification & Compensation	June	Annual
	Appoint Town Counsel	June	Annual
	Tax Classification Hearing	October	Annual
	Approve licenses	December	Annual
Reports to BOS			
	Town Accountant Report		Qtrly
	RCTV members Report		Semi-ann
	CAB (RMLD) member Report		Semi-ann
	MAPC member Report		Semi-ann
	BOS Appointed Boards, Committees & Commissions		Annual
	Reading Housing Authority Report		Annual
	Reading Ice Arena Report		Annual



Office of the Town Manager
16 Lowell Street
Reading, MA 01867

781-942-9043

townmanager@ci.reading.ma.us

www.readingma.gov/town-manager

To: Board of Selectmen
From: Robert W. LeLacheur, Jr. CFA
Date: August 28, 2014
RE: September 2nd BOS Meeting

Agenda Items

The Reading Garden Club will be in to present their annual Adopt an Island Awards. We all know how fortunate the town is because of the amazing volunteer efforts – nowhere is that effort more visible to the community than in the many beautifully landscaped areas around Reading: <http://bit.ly/1sIfXrb>.

The downtown area certainly looks much improved in recent years, with a combination of state/town funding for the Main Street project and private efforts ranging from small scale sprucing up of businesses to large scale building renovations. One further piece of the downtown improvement puzzle is a proposal to reshape the Adopt-an-Island in front of 640/660 Main Street (near CVS). A discussion with area businesses resulted in the desire for better storefront visibility as well as the inviting look of happy customers seated outdoors. This proposal will add modestly to the outdoor seating at Bunratty's Tavern, D'Amicis Bakery and Orange Leaf yet be more of a public spot for anyone to use. We are proposing to remove the middle of three street (public) trees in the Island in order to make room for this seating: <https://drive.google.com/folderview?id=0B5R6kun-ymTONHBxUGQtTGIZcDQ&usp=sharing>

Jean Delios and I met with both Brian Stowell (Eastern Spring Landscape) who currently maintains the site as part of the Garden Club program and Lauri Johnson (Garden Rhythms) who designed the nice new landscaped parking lot entrance to Town Hall. We came up with several exciting “landscaping master planning” ideas for the entire downtown – but wish to begin in this one location.

Brian requested that we add water access to the area, which is a simple and inexpensive change that will allow landscapers (only) easier access to water for the entire downtown area. Brian and Lauri each had different concepts on the area redesign, so you will see both proposals. We would propose to brick in the new middle section to match the area design. Funding comes from the last bit of leftover money in the Downtown Improvements project. While the business owners I spoke to were in favor, please note one email in your packet from Jeff Struble, who prefers to leave the area as it is now. We invited all area businesses to attend next week and voice (or email) their views.

The Human Relations Advisory Committee will be in to discuss a specific issue with the Board and then have a broader “Mission/Vision” type of discussion with the Board. I met with them last month and they have some very interesting thoughts to share.

The Board will then hold a Public Hearing concerning an alleged second liquor violation by Ricky's Liquors (sale to a minor). Police department staff will be in to present the facts and Town Counsel will join us to assist as needed.

September 2, 2014 Board of Selectmen

In your packet please find a DRAFT Warrant for the Special Town Meeting proposed for September 29th. There were two driving forces behind this STM: 1) a change in an ongoing legal situation concerning the RMHS construction project from some years back, and 2) the desire to submit our medical marijuana zoning changes to the AG's office in order to have feedback before our moratorium expires in November. Tonight you will need to vote to close the Warrant, and I will also ask you to vote on some Articles so that your views may appear in print for Town Meeting members.

I will also preview the November Subsequent Town Meeting Warrant, as the Board will need to close that Warrant at your next meeting on September 23rd (believe it or not!) While on the topic, the Charter Committee will be requesting that the Board call for a 2015 Special Town Meeting on January 5th, 6th and 7th (# of nights as needed) to discuss proposed Charter changes. This will allow any approved changes to appear on the local ballot in April 2015.

I will ask the Board their thoughts about the upcoming Financial Forum to be held on September 10th and attended by our local legislative delegation. On September 3rd the Finance Committee will formally plan that agenda, so your feedback will be timely. Note that meeting will be held in the Coolidge multipurpose room.

Lastly we will try to finalize the FY15 Town Manager Goals. If we don't complete them I suggest we do so at your second meeting in September. As a reminder, we are scheduled on September 16th to have some Reading 2020 working group meetings, more details on those to follow.

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 September 2, 2014 at 7:30 p.m. in the Selectmen's Meeting Room, 16 Lowell Street, Reading, Massachusetts on the Town's request to remove one 6 inch diameter Zelcova tree located in front of 640/660 Main Street.

A copy of the proposed document regarding this topic is 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

All interested parties are invited to attend the hearing, or may submit their comments in writing or by email prior to 6:00 p.m. on September 2, 2014 to townmanager@ci.reading.ma.us

By order of
Robert W. LeLacheur
Town Manager

8/19, 8/26

561



Town of Reading
16 Lowell Street
Reading, MA 01867-2685

FAX: (781) 942-9071

Email: townmanager@ci.reading.ma.us

Website: www.readingma.gov

TOWN MANAGER
(781) 942-9043

August 21, 2014

Dear Downtown Reading Neighbors,

On September 2, 2014 at approximately 7:30pm the Board of Selectmen is holding a Public Hearing on the removal of the middle of three trees planted in an island as part of the Downtown Improvement project. The exact location is right in front of the 640/660 Main Street area – adjacent to the red light when exiting the small parking lot on the Main Street side of CVS and Reading Trophy & Shirt.

After discussing the idea with many of you, the Town is interested in re-landscaping that entire island. We intend to first remove the middle of the three trees, and then flatten out and brick a middle section in order to put some seating in the interior of that island. We believe this will improve the site lines for some of our stores, and the added outdoor seating always brings in more customers to the area. This seating will supplement the seating in front of D'Amici's Bakery and seating planned for Orange Leaf and Bunratty Tavern.

If you have an opinion on this issue, please come see us at Town Hall in the Selectmen's Meeting Room (near the Lowell Street entrance and on the main floor) on September 2nd at 7:30PM. If you are interested but unable to attend, please feel free to send an email with your comments by September 1st to me at the address below and they will become an official part of the Public Hearing.

Thanks,

Robert W. LeLacheur, Jr. CFA

Town Manager

townmanager@ci.reading.ma.us

562

LOCATION: ADOPT-AU-ISLAND
SITE IN FRONT OF TOWN PIZZA
MAIN ST, READING

← Sidewalk by stores →

1.46

3.00

4.62

R3.13

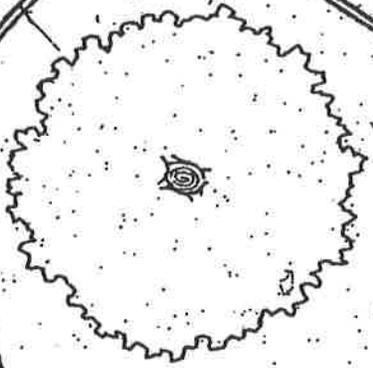
3.91

1.84

3.00

0.37

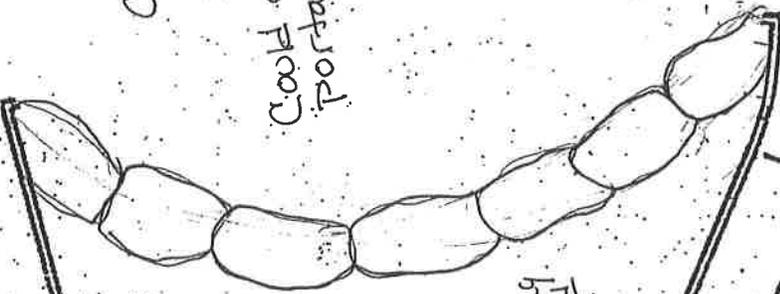
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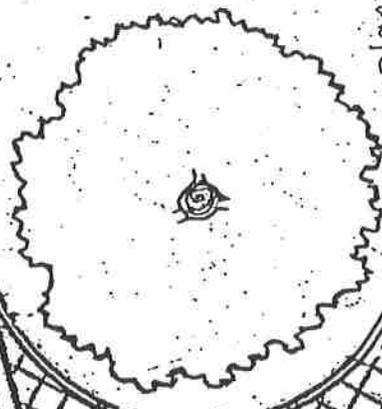
Planting
bed

CONCRETE PAVER
PATIO
Could add benches or
portable cafe tables

Reclaimed
Granite Block
for extra seating
& soil retention
18-20" high



Planting
bed



Planting
bed

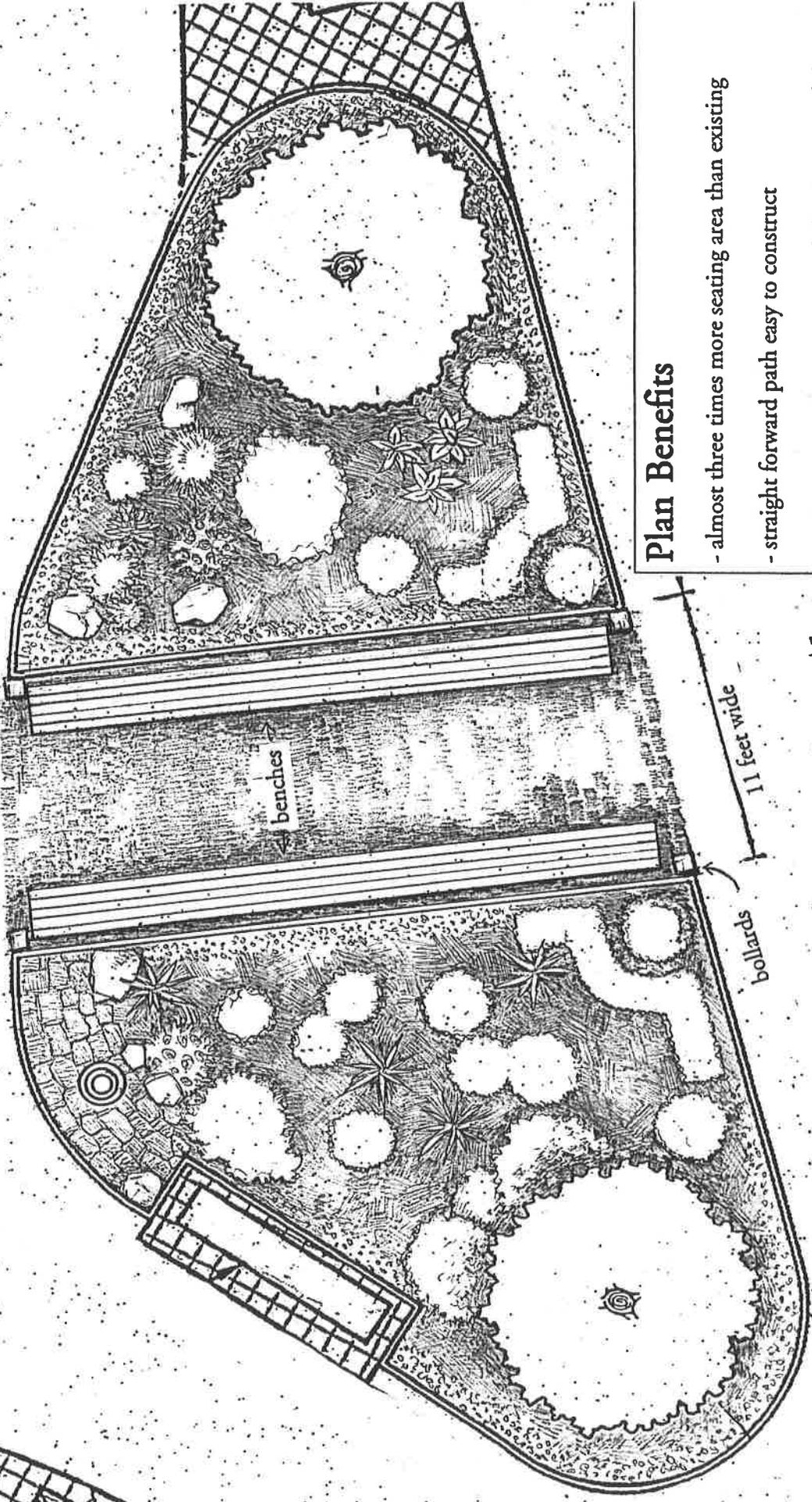
1.84

PLAN NOT TO
SCALE

← Main street sidewalk →

8/27/14
LAURI JOHNSON
lajohnson45@verizon.net

Main Street



benches

11 feet wide

bollards

Plan Benefits

- almost three times more seating area than existing
- straight forward path easy to construct
- retains the maximum amount of planting area while increasing seating and providing a clear pedestrian way

Store Fronts

Schena, Paula

From: Struble Engineering, LLC <jws.strublengr@comcast.net>
Sent: Wednesday, August 27, 2014 1:48 PM
To: LeLacheur, Bob
Cc: Schena, Paula
Subject: Well...you asked for it
Attachments: 08-27-14 Letter to Town Manager Re Removing Middle Tree.pdf

Hi Bob:

In response to the proposal to cut down the middle tree in front of Town Pizza, I have prepared these comments for the hearing next Tuesday since I probably won't be able to attend.

Executive Summary; don't do it.

If you could get these into the records of the hearing (like you said in the flyer on my door), I'd appreciate it. Thanks.

Jeff Struble

Jeffrey W. Struble, PE

Struble Engineering, LLC

603 Main Street – Suite 5
Reading, MA 01867-3002
(781) 942-3845

STRUBLE ENGINEERING, LLC

603 Main Street
Reading, MA 01867-3002
(781) 942-3845

Robert W. LeLacheur, Jr. CFA
Reading Town Manager
16 Lowell Street
Reading, MA 01867-2685

August 27, 2014

Reference: Proposed Tree Removal at 640/660 Main Street, Reading, MA

Dear Bob:

I am writing to present my comments regarding the proposal to remove the "middle of the three trees" at the referenced location that will be the subject of a public hearing on September 2, 2014 in the Selectmen's Meeting Room at Reading Town Hall. As a "Downtown Reading Neighbor", I received a notice of this hearing yesterday (08-26-14) taped to my office door as many of my immediate and (I assume) fellow Main Street businesses did explaining the proposed removal and inviting comments. As I am not certain I can attend the hearing next Tuesday, I am accepting your invitation for comments via this correspondence which I hope will be considered by the Board of Selectmen at that meeting if I am absent.

As background, I have been a Reading resident for almost 30 years and I am starting my 14th year as a downtown consulting engineering business, spending the past 8 years at 603 Main Street and the previous 5 years at 604 Main Street directly across the street (in the M.F. Charles Bldg.). I am quite familiar with the section of Main Street where the current landscaped "island" is located as indeed I am familiar with the entire downtown area. I have witnessed firsthand the improvements to this section of Reading's downtown and have the good fortune to look out at this island and its vicinity as I sit at my desk every day. Describing it as an "island" perhaps misses the opportunity to label it with a more fitting description; it is an "oasis" in the hard-surfaced, heavily-travelled street frontage that exists in the 600-block of Main Street.

At least once a day I pass by its cooling shade and colorful plantings and appreciate the refreshing effect this oasis has on its immediate surroundings. Since receiving the notice about the idea of removing the middle of the three shade trees to make room for a

566

bricked path and seats, I have looked hard at the oasis and have come to the conclusion that the each tree there is crucial to the total effect created by the oasis. The three trees are offset "just so" to give the impression of a larger planted area than really exists by adding depth to the grouping that would be destroyed if the middle tree were removed. The addition of a bricked path in its place would effectively bisect what's left of the oasis into two much smaller plantings (smaller by perception as well as actual area) that would become just two more street trees embellished with some ground cover. In my opinion, doing so would be a mistake, as I will attempt to explain.

Civically, I have watched the reinvigoration of this downtown block with admiration since I remember the days when it looked like a sad group of storefronts that could have been mistaken for a prairie dust-bowl main street. The addition of the trees and the brick paving (and yes, even the granite megaliths) have made it much more attractive for walking and shopping. The private sidewalk and landscaping endeavors at the M.F. Charles Bldg. have also embellished its attractiveness. Diminishing what is literally growing into a floral centerpiece of this block seems like a step backward, especially since I don't think its potential to attract people to the block has been fully realized. If added seating is a professed goal of re-landscaping the oasis, no more attractive seating could be added than raising the perimeter curb of the landscaped area as a low knee wall with flat paving on it to provide a serpentine "bench". Such a bench would invite passersby to stop and take their ease under the shade of the trees (three trees) and as any business owner knows, getting potential customers to stop within sight of their displays leads to getting them through the door. The added planting depth might inspire more creative landscaping within the perimeter, too. Or, if a complete perimeter bench is too costly, adding more intermittent benches around the existing perimeter would still achieve the goal of a bisecting path with benches (there are three there now).

The oasis as currently designed is most certainly an asset rather than a liability and rather than a proposal destroying it, I'd like to see proposals enhancing it. It has taken a long time to get it to where it is now, a healthy inviting green-piece that will only get better as time goes on. Reading should nurture and protect it. As the sign in my office window says, "Save the Middle Tree!"

Very truly yours,



Jeffrey W. Struble

[As a post-script, the issue of improving "site lines" (*sic*) by cutting down the middle tree is nonsensical to me. The only sight line that would be improved would be the one directly perpendicular to 648 Main Street, which is only found by westbound travel on Pleasant Street, not a very lucrative source of potential customers. The two side trees obscure signage much more than the middle tree anyway.]

The goal of publishing this press release is to respond to the Swastika report and insure that the victims do not feel alone; to remind residents of the importance of respect and the power of hate symbols; and to outline the protocol should you find or be the victim of a hate crime. This is also an opportunity to publicize the existence of HRAC and our mission along with an invitation to come to us with concerns and ideas.

HRAC Press Release

DRAFT

August 27, 2014

Submitted by the HRAC to the Board of Selectmen for discussion at Sept. 2nd Meeting

**HUMAN RELATIONS ADVISORY COMMITTEE
PROMOTES REPORTING OF HATE CRIMES**

The mission of the HRAC is to ensure that Reading is a welcoming and vibrant community, celebrating each individual's unique qualities. The sting of hate is not welcome in our community. Our community is enriched by differences, whether they reflect religion, ethnicity, socio-economic status, gender preference, disability, or history.

This summer, the Reading Human Relations Advisory Committee (H.R.A.C.) met to discuss the discovery of a Swastika scrawled in a public bathroom last winter. It is important to underscore: Hate crimes are against the law. They need to be called into the police and documented.

These crimes are not pranks, but rather an attack on a citizen's right to feel safe and valued in their own home. The Swastika is offensive to people because it is a symbol of prejudice and extreme discrimination. When inscribed upon public walls, it breaks Massachusetts Law which states: (<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter22c/Section32>) a "Hate crime" is "any criminal act coupled with overt actions motivated by bigotry and bias including, but not limited to, a threatened, attempted or completed overt act motivated at least in part by racial, religious, ethnic, handicap, gender, gender identity or sexual orientation prejudice, or which otherwise deprives another person of his constitutional rights by threats, intimidation or coercion, or which seek to interfere with or disrupt a person's exercise of constitutional rights through harassment or intimidation."

An incident like this can shake a community and cause us to ask ourselves about the attitudes of those around us. As one Reading resident shared: having a symbol of hate scrawled in our town "violates our living space... It is more than just defacing property; it invades our homes and neighborhoods. It makes us feel unsafe."

WHAT SHOULD YOU DO IF YOU DISCOVER HATE MESSAGES OR EXPERIENCE DISCRIMINATION OR THREATS?

DO NOT TOUCH THE EVIDENCE!

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If evidence is erased or disposed of then no investigation can be launched, and no answers can be found. It is important to emphasize that the understandable reaction is to eliminate the offensive symbol or evidence. However, it is important to call the police and have it officially documented.

CALL THE POLICE!

According to Reading Police Chief Cormier, the first step is always to get to a safe place and call 911. The officers on shift will respond and take appropriate action. It is the job of the police to enforce the law. The police department takes these situations very seriously and will investigate them thoroughly, but they must be reported so that the police can assess the situation.

Unfortunately, this incident was not reported to the police... If you see your or others' rights being violated, we encourage everyone to report as soon as possible. There are many different ways to report:

CALL 911: If the incident is in progress, call 911, describe what is happening, and provide the location. The police can also be called at 781-944-1212. Reporting is the only way to ensure investigation.

TEXT A TIP: Reporting can also be done anonymously via the Reading Police "Text a Tip Line." To do this, open a new text message and type 847411 in the address line. Type READINGPD in the message box. Add your tip and press send.

EMAIL: A report can also be anonymously sent over the web by going to the Town's web page, clicking on on-line services and then clicking on the anonymous tip line. If the incident is in process, however, this is not an efficient way to report.

HUMAN RELATIONS ADVISOR COMMITTEE

Another valuable resource we have in Reading is the Human Relations Advisory Committee (HRAC), an advisory group for the Reading Board of Selectmen which promotes and encourages respect for the human and civil rights of the entire Reading community. HRAC sponsors outreach efforts and educational programs to foster a greater understanding and appreciation for diversity. The Committee works to prevent prejudice and discrimination on the basis of color, age, gender, religion, disability, culture, national origin, ancestry or sexual orientation. HRAC is a safe place where individuals or groups may plan opportunities for intercultural interactions or share concerns. To ensure that Reading is a welcoming and vibrant community, the HRAC celebrates each individual's unique qualities."

For anyone who would like his or her voice heard, the Human Relations Advisory Committee holds Open Meetings at 7:30 PM on the first Thursday of every month in the Conference Room at the Reading Police Station. Any correspondences can be emailed to HRAC at rhrac867@gmail.com

LEGAL NOTICE



TOWN OF READING

**Alleged Violation – M.G.L.
Chapter 138, §34 - Sale to
Minor**

To the Inhabitants of the
Town of Reading:

Please take notice that the Board of Selectmen as the Licensing Authority for the Town of Reading will hold a public hearing on Tuesday, September 2 at 8:30 p.m. in the Selectmen's Meeting Room, 16 Lowell Street, Reading, Massachusetts to show cause why Jay & Ricky, Inc. d/b/a Ricky's Liquor, Retail Package Store License to Expose, Keep for Sale and to Sell All Kinds of Alcoholic Beverages should not be modified, suspended or revoked for violating G.L. Chapter 138, §34 on August 3, 2014 to wit: the sale or delivery of alcoholic beverages to a person under 21 years of age.

All interested parties may appear in person, may submit their comments in writing, or may email comments to town-manager@ci.reading.ma.us.

By order of
Robert W. LeLacheur
Town Manager

8/26

5d1



Town of Reading
16 Lowell Street
Reading, MA 01867-2685

FAX: (781) 942-9071
Email: townmanager@ci.reading.ma.us
Website: www.readingma.gov

TOWN MANAGER
(781) 942-9043

Delivered in Hand

August 7, 2014

Kalpesh Patel
Jay & Ricky, Inc.
214 Main Street
Reading, MA 01867

NOTICE OF HEARING
Alleged Violation - M.G.L. Chapter 138, §34 – Sale to Minor

Dear Mr. Patel:

You are hereby notified that a public hearing will be held by the Board of Selectmen as the Licensing Authority for the Town of Reading, on Tuesday, September 2, 2014 at 8:30 p.m. in the Selectmen's Meeting Room, Town Hall, 16 Lowell Street, Reading, MA, to show cause why your Retail Package Goods Store License to Expose, Keep for Sale and to Sell All Kinds of Alcoholic Beverages Not to be Drunk on the Premises should not be modified, suspended or revoked for violating G.L. Chapter 138, §34 on August 3, 2014 to wit: the sale or delivery of alcoholic beverages to a person under 21 years of age.

This public hearing will be held pursuant to the provisions of G.L. c.138, §64. After the hearing, the Board of Selectmen may vote to suspend or revoke your license if it finds that there is satisfactory proof that a violation has occurred. You may appear on your own behalf and/or with your legal counsel and present witnesses.

For your information and review, copies of police report(s) concerning the alleged incident are enclosed herewith.

Sincerely,

Robert W. LeLacheur, Jr., Town Manager

Encl.

cc: Town Counsel
Chief James Cormier
Alcoholic Beverages Control Commission

522



READING POLICE DEPARTMENT OFFICE OF THE CHIEF

James W. Cormier
Chief of Police

15 Union Street, Reading, Massachusetts 01867
Emergency Only: 911 All Other Calls: 781-944-1212 Fax: 781-944-2893
E-Mail: JCormier@ci.reading.ma.us

Honorable Board of Selectmen
16 Lowell Street
Reading, MA 01867

August 04, 2014

Dear Members of the Honorable Board of Selectmen,

I am requesting a hearing before you for a violation of MGL C138, S34, Sale or Delivery of an alcoholic beverage to a person less than twenty-one years of age. We assert the following serving establishment licensed by you committed the violation on August 03, 2014:

Ricky's Liquors
214 Main Street
Reading, MA 01867

Sincerely,


James W. Cormier
Chief of Police

5d3



Reading Police Department
 Chief James Cormier
 15 Union Street
 Reading, MA 01867
 (ph) 781-944-1212 (fax) 781-944-2893



OFFICERS FORMAL REPORT

Case#: 581991
 Rpt Date: 08/03/14 23:20 Reported: SUNDAY 08/03/14 18:50
 Ucr: 022 LIQUOR LAW VIOLATIONS *
 Ibr: 1:303 2:18A 3:109
 Location: 214 MAIN ST and RICKY'S LIQUOR
 Follow Up By: (D)ETECTIVE BUREAU Case Status: OPEN
 Officer: Rpt Status: COMPLETED
 Review Officer: 72 SGT. SANTASKY
 Comp/Vict Notify: No Sup Review Officer:
 Cir/Involve Type:

Complaint: POSSIBLE UNDER AGE SALE OF ALCOHOL TO MINORS

Primary Officer: 83 OFF. BULLIS Assignment: C Car: 83
 Second Officer: 61 OFF. HURLEY Sup/Back-Up: 70 SGT. AMENDOLA

*** NAMES ***

Type	Mast#	Name/Add	Phone	Dob	SS#
DEFENDANT	115972	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

No Image Available

DEFENDANT	132858	ARMSTRONG, BRUCE W 243 MAIN ST apt: D1 READING MA 01867	(978) 438-9538	[REDACTED]	[REDACTED]
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No Image Available

DEFENDANT	134603	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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No Image Available

DEFENDANT	134608	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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No Image Available

DEFENDANT	140981	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
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524

No Image
Available

DEFENDANT 140982 [REDACTED]

No Image
Available

PERSON TO 010826 MORGAN, TIMOTHY P [REDACTED]
81 ELM ST WAKEFIELD MA

PERSON TO 030051 MCCAFFERTY, WILLIAM E (617) 797-4698 [REDACTED]
62 CROSS ST READING MA 01867

BUILDING 030876 PATEL, KALPESH D (781) 248-6186 [REDACTED]
12 BENJAMIN LN READING MA 01867

PERSON TO 054936 INGEMI, GREGG E [REDACTED]
261 NEWBURY ST apt: 87C PEABODY MA 0196

PERSON TO 140984 BOYDEN, BRENDA J (617) 818-4987 [REDACTED]
72 VERNON ST WAKEFIELD MA 01880

PERSON TO 140986 CRESTA, VICTORIA A [REDACTED]
177 BROADWAY WAKEFIELD MA 01880

PERSON TO 140987 MORO, MAUREEN A [REDACTED]
4 MACKENZIE LN WAKEFIELD MA 01880

*** PROPERTY ***

Prop.Type	Make	Mod/Style	Color	Ser#/Vin#
rpt'd: 08/03/14 class: 02 qty: 375.00				
ALCOHOL	JAGERMEISTER			
Id/Desc:		115972 - 1	Value:	\$0 Ncic:
control #:		bin #:		analy #:
gen note:	JAGERMEISTER 375 ML			
rpt'd: 08/03/14 class: 02 qty: 375.00				
ALCOHOL	CIROC- PEACH			
Id/Desc:		134608 -	Value:	\$0 Ncic:
control #:		bin #:		analy #:
gen note:	CIROC - PEACH LOCATED IN TRUNK OF MA 772MD1			
rpt'd: 08/03/14 class: 02 qty: 16.00				
ALCOHOL	BUDWEISER			
Id/Desc:		134608 -	Value:	\$0 Ncic:
control #:		bin #:		analy #:
gen note:	BUDWEISER- 6 PACK 16 FL			
rpt'd: 08/03/14 class: 02 qty: 1.00				
ALCOHOL	BUD LIGHT			
Id/Desc:		134608 -	Value:	\$0 Ncic:
control #:		bin #:		analy #:
gen note:	BUD LIGHT 6 PACK CANS (2), 8 PACK BOTTLES (2), 18 PACK CANS			
rpt'd: 08/03/14 class: 7A qty: 1.00				
CRIME SCENE P				

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Id/Desc: SURV. VIDEO FOOTAGE Value: \$0 Ncic: 030876 - KALPESH PATEL
control #: bin #: analy #:
gen note: SURV VIDEO FOOTAGE RICKY'S LIQUOR

*** NARRATIVE ***

The following narrative is submitted by: OFF. LAURA BULLIS

ID#: 83

THE FOLLOWING IS A SUMMARY OF THE FACTS. ON 08/03/2014 I WAS WORKING THE C SHIFT ASSIGNED TO MARKED PATROL CRUISER 11 IN SECTOR 2. DUE TO THE RECENT INFORMATION SURROUNDING THE SELLING OF ALCOHOL TO YOUTHS AT RICKY'S LIQUOR AT 214 MAIN STREET (FOR MORE INFORMATION SEE DETECTIVE MACHUGH'S REPORT CASE #580209) I WAS PATROLLING THE AREA.

AT APPROXIMATELY 1850 HOURS I WAS IN THE PARKING LOT OF RICKY'S LIQUOR WHEN I NOTICED A MALE WITH A GRAY T-SHIRT AND BLUE SHORTS EXIT THE STORE WITH A BOTTLE OF JAGERMEISTER (375 ML) IN PLAIN VIEW AND WITHOUT A BAG. THE MALE APPEARED TO LOOK UNDER 21 YEARS OF AGE AND LOOKED LIKE A TEENAGER. I OBSERVED THE MALE ENTER THE PASSENGER SEAT OF A 2002, BROWN NISSAN ALTIMA (MA REG 772MD1). I OBSERVED THE DRIVER AND THE 3 PASSENGERS IN THE REAR OF THE VEHICLE TO ALL APPEAR TO BE UNDER 21 YEARS OF AGE AND RESEMBLE TEENAGERS.

AT THAT TIME THE WINDOW WAS DOWN IN THE CRUISER AND THEY WERE ALSO DOWN IN THE AFOREMENTIONED VEHICLE. I ASKED THE PASSENGER WHAT HE HAD GOTTEN FOR THE NIGHT AND HE REPLIED, "JAGER!" I THEN ASKED HIM HOW OLD HE WAS, HE REPLIED, "21". I ASKED HIM IF HE HAD A DRIVER'S LICENSE ON HIM AND HE STATED THAT HE DID NOT. I ASKED HIM WHAT HIS DATE OF BIRTH WAS AND HE HESITATED AND STATED, "JULY 20...." I THEN ASKED HIM WHAT YEAR HE WAS BORN AND AGAIN HE HESITATED AND APPEARED TO BECOME INCREASINGLY NERVOUS. HE FINALLY STATED "UHH 1992." TYPICALLY PEOPLE DO NOT HESITATE WHEN ASKED THEIR DATE OF BIRTH SO I BECAME MORE SUSPICIOUS OF HIS ACTUAL AGE. AT THAT TIME I PULLED UP THE CRUISER TO THE DRIVER'S SIDE OF THE VEHICLE AND ASKED HIM WHAT HIS NAME AND DATE OF BIRTH WERE AND BEGAN TO TYPE IT INTO MY MOBILE DATA TERMINAL. HE STATED THAT HIS NAME WAS [REDACTED] [REDACTED] FINALLY STATED THAT HE WAS BORN IN [REDACTED] AND HE JUST RECENTLY TURNED 17 YEARS OF AGE. [REDACTED] ADMITTED THAT HE HAD PURCHASED THE ALCOHOL FROM RICKY'S LIQUOR AND THAT HE DID NOT STATE HIS AGE AND WAS NOT ASKED FOR ANY IDENTIFICATION.

I INFORMED SGT AMENDOLA OF THE SITUATION AND SHE STATED THAT SHE WOULD COME TO ASSESS THE SITUATION. AS I WAS SPEAKING WITH THE OCCUPANTS OF THE VEHICLE THEY STATED THAT THEY WERE ALL 17 AND 18 YEARS OLD. THEY STATED THAT THEY HAD COME TO RICKY'S LIQUOR ON MULTIPLE OCCASIONS PRIOR TO TODAY TO OBTAIN ALCOHOL. [REDACTED] STATED THAT HE DID NOT SHOW THE STORE CLERK ANY IDENTIFICATION AND THAT HE WAS NOT ASKED FOR ANY. WHILE I WAS SPEAKING TO THE OCCUPANTS THE STORE CLERK EXITED THE STORE AND APPROACHED ME ASKING WHAT THE PROBLEM WAS. I TOLD HIM TO GO BACK INTO THE STORE AND THAT I WOULD SPEAK TO HIM AFTER I WAS DONE. AFTER HE WENT BACK INTO THE STORE I ASKED [REDACTED] IF THAT WAS WHO SOLD HIM THE ALCOHOL AND HE REPLIED "YES."

SGT AMENDOLA AND OFFICER HURLEY ARRIVED ON SCENE. ALL PARTIES WERE ASKED TO EXIT THE VEHICLE AND WERE IDENTIFIED AS THE FOLLOWING:

[REDACTED]

THERE WERE NO SIGNS THAT ANY OF THE INDIVIDUALS WERE UNDER THE INFLUENCE OF ALCOHOL; HOWEVER, DUE TO ALCOHOL BEING INVOLVED THEY WERE ALL OFFERED AND ACCEPTED TO TAKE THE PORTABLE BREATH TEST. ALL OF THE INDIVIDUALS YIELDED A RESULT OF 0.00% ON THE BREATH TEST. ALL PARTIES WERE ASKED TO CONTACT THEIR LEGAL GUARDIAN TO COME AND PICK THEM UP.

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WHILE I WAS CONDUCTING THE PORTABLE BREATH TEST, SGT AMENDOLA WAS SEARCHING THE VEHICLE. THE OPERATOR OF THE VEHICLE, [REDACTED], STATED THAT THE TRUNK WAS BROKEN AND THAT HE COULD NOT OPEN IT. SGT AMENDOLA ASKED HIM TO OPEN THE TRUNK AND HE THEN APOLOGIZED FOR BEING UNTRUTHFUL AND OPENED THE TRUNK. THE FOLLOWING WAS LOCATED IN THE TRUNK OF THE VEHICLE:

CIROC (PEACH) 375 ML
BUDWEISER (16 PACK/16 FL)
BUD LIGHT (TWO 6 PACKS OF CANS/12 FL)
BUD LIGHT (TWO 8 PACKS OF ALUMINUM BOTTLES/16 FL)
BUD LIGHT (18 PACK OF CANS)

TOTALING - 62 BEERS AND 1 PEACH CIROC

[REDACTED] STATED THAT THE YOUTHS HAD ALL CONTRIBUTED MONEY TOTALING \$90 TO PURCHASE BOTH THE ALCOHOL LOCATED IN THE TRUNK AND ALSO THE JAGERMEISTER THAT WAS IN THE FRONT SEAT WITH THE PASSENGER. [REDACTED] REPORTED THAT THE YOUTHS HAD PLANNED TO GO TO THE WOODS IN WAKEFIELD TO CONSUME THE ALCOHOL. [REDACTED] REPORTED THAT THE ALCOHOL HAD BEEN OBTAINED AT RICKY'S LIQUOR AND THAT THE BEER AND CIROC WERE PURCHASED BY BOTH HIMSELF AND [REDACTED] AND THAT [REDACTED] WENT INTO THE STORE A SECOND TIME TO BUY THE JAGERMEISTER. [REDACTED] ALSO CONFIRMED THAT NEITHER HIM OR [REDACTED] WERE ASKED FOR THEIR DRIVER'S LICENSE OR PROOF OF AGE BY THE STORE CLERK.

THE FOLLOWING IS THE LIST OF EACH LEGAL GUARDIAN WHO PICKED UP EACH YOUTH:

[REDACTED] - WILLIAM MCCAFFERTY
[REDACTED] - GREGG INGEMI/BRENDA BOYDEN
[REDACTED] - TIMOTHY MORGAN
[REDACTED] - VICTORIA CRESTA
[REDACTED] - MAUREEN MORO

EACH OF THE GUARDIANS AND YOUTHS WERE INFORMED THAT THEY WOULD BE SUMMONSED TO EITHER WOBURN DISTRICT COURT OR LOWELL JUVENILE COURT DEPENDING ON THEIR AGE. ALL PARTIES AGREED THAT THEY WERE ALL UNDER 21 YEARS OF AGE, HAD CONTRIBUTED TO THE \$90 TO PURCHASE THE ABOVE MENTIONED ALCOHOL THAT WAS LOCATED IN BOTH THE PASSENGER SEAT AND ALSO THE TRUNK OF THE VEHICLE. ALL PARTIES KNOWINGLY POSSESSED AND TRANSPORTED THAT ALCOHOL WITH THE INTENT TO CONSUME IT IN THE WAKEFIELD WOODS.

THE FOLLOWING IS A LIST OF EACH PARTY AND THEIR CHARGES.

[REDACTED] - MGL CHAPTER 138 SECTION 34 A (PROCURING ALCOHOLIC BEVERAGES BY FALSE REPRESENTATION) AND MGL CHAPTER 138 SECTION 13C (POSSESSION OR TRANSPORT OF ALCOHOL)
[REDACTED] MGL CHAPTER 138 SECTION 13C (POSSESSION OR TRANSPORT OF ALCOHOL)
[REDACTED] MGL CHAPTER 138 SECTION 13C (POSSESSION OR TRANSPORT OF ALCOHOL)
[REDACTED] MGL CHAPTER 138 SECTION 34A (PROCURING ALCOHOLIC BEVERAGES BY FALSE REPRESENTATION) AND MGL CHAPTER 138 SECTION 13C (POSSESSION OR TRANSPORT OF ALCOHOL)
[REDACTED] - MGL CHAPTER 138 SECTION 13C (POSSESSION OR TRANSPORT OF ALCOHOL)

AFTER ALL OF THE YOUTHS WERE PICKED UP BY THEIR GUARDIANS SGT AMENDOLA, OFFICER HURLEY AND I ENTERED RICKY'S LIQUOR TO CONSULT WITH THE STORE CLERK. I ASKED THE CLERK WHY HE THOUGHT WE WERE THERE TO WHICH HE REPLIED "THERE WERE KIDS IN A CAR WHO BOUGHT BEER." I ASKED HIM IF HE RECALLED TWO YOUTHS PURCHASING ALCOHOL. HE STATED THAT HE DID. I ASKED HIM HOW OLD THE YOUTHS WERE, TO WHICH HE STATED, "21." I ASKED HIM HOW HE KNEW THAT THEY WERE 21 AND HE STATED THAT HE HAD LOOKED AT THEIR DRIVER'S LICENSES. I ASKED HIM IF HE COULD REMEMBER ANYTHING ABOUT THE LICENSES AND HE STATED THAT THEY WERE MASSACHUSETTS LICENSES. AT THAT TIME I NOTICED THAT THE STORE HAD A VIDEO SURVEILLANCE SYSTEM AND ASKED HIM IF THE VIDEO FOOTAGE WOULD SHOW HIM CHECKING THE LICENSE'S OF THE YOUTHS. HE THEN STATED THAT HE DID NOT ASK THEM FOR IDENTIFICATION.

I ASKED THE STORE CLERK FOR HIS INFORMATION AND HE IDENTIFIED HIMSELF AS BRUCE ARMSTRONG. ARMSTRONG STATED THAT THE YOUTHS HAD ENTERED THE STORE ONCE WHICH DID

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NOT COINCIDE WITH THE INFORMATION GIVEN BY THE YOUTHS WHO STATED THAT [REDACTED] AND [REDACTED] HAD GONE IN ONCE TO OBTAIN THE ALCOHOL THAT WAS LOCATED IN THE TRUNK AND THEN [REDACTED] WENT IN A SECOND TIME TO OBTAIN THE JAGERMEISTER.

THE MANAGER OF RICKY'S LIQUOR, KALPESH PATEL, ARRIVED ON SCENE AND WAS INFORMED OF THE SITUATION. PATEL WAS VERY CORPORATIVE AND AGREED TO ALLOW US TO VIEW THE SURVEILLANCE FOOTAGE TO CORROBORATE THE VARIOUS STATEMENTS. PATEL STATED THAT THE SURVEILLANCE FOOTAGE WAS NOT 100% ACCURATE IN TERMS OF ACTUAL TIME AND THAT IT WAS APPROXIMATELY 60 MINUTES BEHIND EASTERN STANDARD TIME. SGT AMENDOLA AND I OBSERVED ON THE TAPE THAT [REDACTED] AND [REDACTED] ENTERED RICKY'S LIQUOR AT APPROXIMATELY 5:44 PM. DURING THE TIME THEY ARE IN THE STORE IT WAS OBSERVED THAT BOTH PARTIES WENT TO A REFRIGERATED COOLER AND TOOK OUT SEVERAL PACKS OF BEER. THE ITEMS WERE THEN PLACED ON THE FLOOR ACROSS FROM THE COUNTER AND STACKED NEXT TO EACH OTHER AND FINALLY TAKEN UP TO THE COUNTER. THERE IS ALSO ADDITIONAL SURVEILLANCE FOOTAGE THAT IS BIRD'S EYE VIEW OF THE COUNTER. FROM THAT VIEW I OBSERVED THAT NEITHER [REDACTED] NOR [REDACTED] SHOWED THE CLERK ANY IDENTIFICATION. DUE TO THE LARGE AMOUNT OF ALCOHOL BEING PURCHASED THE PARTIES THEN GOT A LARGE YELLOW BOX, FILLED IT WITH THE ALCOHOL AND EXITED AT APPROXIMATELY 5:50 PM. WE THEN OBSERVED [REDACTED] TO ENTER ALONE AGAIN AT APPROXIMATELY 5:52 PM AND EXIT A MINUTE LATER WITH A SINGLE BOTTLE OF ALCOHOL. PATEL STATED THAT ARMSTRONG WAS FIRED AND WAS NO LONGER GOING TO BE WORKING AS HIS EMPLOYEE.

PATEL MADE A COPY OF THE TAPE ONTO A FLASH DRIVE, HOWEVER; WE WERE UNABLE TO GET IT TO WORK ON THE POLICE STATION COMPUTER SYSTEM. THE FLASH DRIVE WAS TAGGED AND PLACED INTO EVIDENCE. ALL OF THE ALCOHOL WAS ALSO PLACED INTO EVIDENCE. SUBSEQUENT TO THE EVENTS AT RICKY'S LIQUOR, THE STORE CLERK, ARMSTRONG, WAS INFORMED THAT HE WOULD BE SUMMONSED TO WOBURN DISTRICT COURT FOR MGL CHAPTER 138 SECTION 34 (SELLING ALCOHOL TO A PERSON UNDER 21).

Officers signature: _____ Date: _____

=====
chief [] capt/oic [] cid [] traffic [] fire [] other []
=====

I recommend this case be declared:

Unfounded() Not Cleared() Court Action() Cleared by Arrest()

Case Declared:

Active() Complete() Unfounded() Domestic Violence()

OIC Signature

Date/Time

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John C. SEGALLA
115 HANSON AVENUE
READING, MA. 01867
781-942-1800

INVOICE FOR CONSTABLE SERVICE

08/07/2014

SERVICED OF MOTIONS DECLARED TO KAPESH PATIL,
OWNER OF FAY and RICKY, INC. at 215 MAIN
STREET READING, MA. 01867 @ 11:25PM

Fee: \$30.00

John C. Segalla
Reading TOWN CONSTABLE

3.2.6.2

Holders of special licenses shall provide the liquor to the attendees of any event -- “bring your own liquor (or beer or wine)” will not be permitted. The license holder is required to comply with 204 CMR 4.00 (the prohibited practices requirements). License holders must purchase their alcohol from a licensed Massachusetts wholesaler, in compliance with M.G.L. Chapter 138, Section 14. Alcohol may not be purchased out of state, from a caterer, or from a Section 15 package store. The Town will provide to licensees a list of licensed Massachusetts wholesalers, or the method by which a licensee may obtain such a list.

3.2.6.3

Holders of special licenses shall provide a bartender and/or servers who are trained and authorized to make decisions regarding continued service of alcoholic beverages to attendees (reference 3.2.1.9). There shall be no self service of any alcoholic beverage at an event approved as a special license.

3.2.6.4

Applicants for special licenses shall provide proof of insurance to the Licensing Authority with the application for the one day license.

3.2.6.5 – Limitations

A person or entity may only be issued a maximum of 30 Special Licenses in any calendar year.

3.2.6.6 - Exceptions:

In the case of events held by private residents, outside of their private residence, the Licensing Authority shall not require a special license where: (1) the event is by invitation only, (2) money is not exchanged for alcohol, (3) tickets are not sold, (4) a donation is not required or solicited, or (5) an entrance fee is not charged.

3.2.7 – Enforcement

3.2.7.1

Licensees violating applicable laws of the Commonwealth of Massachusetts, rules or regulations of the Alcoholic Beverage Control Commission, and/or of the Town of Reading Liquor Policies shall be subject to the following range of penalties:

<u>Offense</u>	<u>Penalty</u>
1 st Offense	Warning to three days suspension
2 nd Offense	Three days to six days suspension
3 rd Offense	Six days to 12 days suspension
4 th Offense	Show cause hearing for license revocation

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The term "Offense" is defined as one violation of Massachusetts General Law, Chapter 138, and/or one violation of the Massachusetts Alcoholic Beverage Control Commission Rules and Regulations 204CMR, and/or Town of Reading local licensing regulations and any other law or regulation of the Town of Reading.

Examples of criteria to invoke penalties are based on the following:

- Severity and type of offense
- Number of prior offenses

The penalties are only a guide. The Licensing Authority may use its discretion in determining whether the facts surrounding a violation warrant a penalty which is more lenient or severe than that suggested by the guidelines.

The penalties shall not be construed as to limit the Licensing Authority's ability to consider alternative dispositions or further conditions on a license, or even alternative penalties (e.g. rolling back of the licensee's operating hours, suspension of the licensee's Common Victualers license, and/or suspending the licensee's entertainment license.)

3.2.7.2 - Access to Premises by Police and Agents

It shall be the responsibility of the licensee to ensure that procedures are in place, by posting a doorman or otherwise, to allow Police and authorized agents of the licensing Authority immediate entrance into the premises at any time employees are on the premises. Any delay in providing such access shall be cause for action against the license.

3.2.7.3 - Posting of Notice

Whenever the Licensing Authority warns a licensee or suspends the license or licenses of any licensee, the Licensing Authority shall provide the licensee with a sign containing the words "Closed by order of the Licensing Authority for the Town of Reading," or "warning issued by the Licensing Authority of the Town of Reading" and stating the reason for the warning or suspension. This sign shall be attached by the licensee on the inside of a window in a location designated by the Licensing Authority which location shall be visible from the outside of the licensed premises in a conspicuous place during the entire period of such warning or suspension.

3.2.7.4 - Agents of the Licensing Authority

The Licensing Authority hereby appoints the Chief of Police and the Police Department Lieutenants and Sergeants as agents of the Licensing Authority to insure that the policies of the Licensing Authority and the Massachusetts State Laws regarding Alcoholic Beverage Licensing are adhered to by all licensees.

3.2.7.5 - Compliance Operations

The Licensing Authority shall from time to time review with the Police Chief guidelines for compliance operations by the Police Department.

The Licensing Authority hereby assigns the responsibility of conducting annual inspections of liquor license holders to the Town Manager. These inspections will serve the purpose of reviewing and checking compliance with the Licensing Authority's liquor policies.

Revised 2-10-09: Revised 9-22-09

Liquor License Violations from 2000 - 2014

<u>Licensee</u>	<u>Year</u>	<u>Penalty</u>	
Ricky's Liquor	2014	4 days	not served yet
Meadowbrook Golf Club	2013	2 days	
The Wine Bunker	2012	3 days	
Bistro Concepts	2012	3 days	
Wine Shop	2012	5 days	
Fuddruckers	2011	3 days	
Oye's	2011	3 days	
Bangkok Spice	2011	3 days	
Knights of Columbus	2011	3 days	
Wine Shop	2011	3 days	
Wine Shop	2008	2 days	
Twin Seafood	2008	2 days	
Busa Liquors	2008	2 days	
Square Liquors	2004	3 days	

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DRAFT

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Officer's Return, Reading:

By virtue of this Warrant, I, on _____, 2014 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 29, 2014, 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 _____, 2014.

, 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 29, 2014, 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 FY2015 - FY24 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 authorize the Board of Selectmen to sell, or exchange, or dispose of, upon such terms and conditions as they may determine, various items of Town tangible property, or take any other action with respect thereto.

Board of Selectmen

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ARTICLE 5 To see if the Town will vote to rescind the remaining balances on the following authorized but unsold debt that is no longer needed for the completion of the projects:

- ◆ \$326,722 for Green School Repairs – November 8, 2010 Subsequent Town Meeting Article 9;
- ◆ \$110,607 for Green School Repairs – April 25, 2011 Annual Town Meeting Article 16;

Or take any other action with respect thereto.

Board of Selectmen

ARTICLE 6 To see if the Town will vote to appropriate the sum of \$69,172.79 for the purpose of funding any associated costs with the West Street road construction project, and that to meet this appropriation:

- ◆ \$65.71 shall be transferred from the unexpended proceeds of the town's bonds dated 01/01/2005 which were issued for the construction of the Barrows pursuant to the vote of the town passed 12/10/1998 (Article 5);
- ◆ \$47,193.63 be transferred from the unexpended proceeds of the town's bonds dated 03/22/2012 which were issued for the Green Repairs projects pursuant to the vote of the town passed 04/25/2011 (Article 16); and
- ◆ \$21,913.45 be transferred from the unexpended proceeds of the town's bonds dated 02/01/2009 which were issued for the purpose of Technology Improvements pursuant to the vote of the town passed 04/23/2007 (Article 19);

and that the Board of Selectmen is authorized to take any other action necessary to carry out this project; provided, however that no expenditures shall be made hereunder until the Board of Selectmen determines (which determination shall be conclusive) that after the transfer of such unexpended bond proceeds, the remaining amount of unexpended bond proceeds from all of the above referenced bonds is sufficient to complete the project for which the bonds were sold, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 7 To see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate for the purpose of making water main improvements, including the costs of easements, consulting services, audits, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the Town Manager; and to see if the Town will authorize the 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 any part of, said water main improvements; and to authorize the Town Manager to enter into any and all contracts and agreements as may be necessary to carry out the purposes of this Article, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 8 To see if the Town will vote to amend one or more of the votes taken under Article 14 of the Warrant of the Annual Town Meeting of April 28, 2014; and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, 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 9: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 1 thereof in its entirety and replacing it with the following:

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1.0 AUTHORITY AND PURPOSE

1.1 This Bylaw shall be known and may be cited as the "Zoning Bylaw of the Town of Reading, Massachusetts"

1.2 The Zoning Bylaw is adopted pursuant to Chapter 40A and Chapter 40R of the General Laws of the Commonwealth of Massachusetts.

1.3 The purposes of the Zoning Bylaw include:

- a) To promote the public health, safety, welfare, and convenience of residents and property owners within the Town of Reading;
- b) To secure safety from fire, flood, panic, congestion and other dangers;
- c) To conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment;
- d) To encourage compatible development and appropriate use of the land and resources throughout the Town of Reading, including consideration of comprehensive plans adopted by the Town of Reading;
- e) To encourage an orderly expansion of the tax base by utilization, development, and redevelopment of land;
- f) To encourage increased housing production, including housing for persons of varying income levels and individual needs;
- g) To facilitate the adequate provision of transportation, water, water supply, drainage, sewerage, schools, parks, open space and other public infrastructure;
- h) To preserve natural conditions and historic sites and to enhance beauty and amenities;
- i) To establish a fair and reasonable set of standards for evaluating each development proposal impartially;
- j) To provide adequate light and air; and
- k) To encourage smart growth in the Town of Reading.

Or take any other action with respect thereto.

Community Planning & Development Commission

ARTICLE 10: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 3 thereof in its entirety and replacing it with the following:

3.0 ESTABLISHMENT OF DISTRICTS

3.1 Districts

The Town is hereby divided into the following zoning districts as shown on the Reading Zoning Map:

<u>Type</u>	<u>Full Name</u>	<u>Short Name</u>
Residence	Single Family 15 District	S-15
Residence	Single Family 20 District	S-20

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Residence	Single Family 40 District	S-40
Residence	Apartment 40 District	A-40
Residence	Apartment 80 District	A-80
Business	Business A District	Bus A
Business	Business B District	Bus B
Business	Business C District	Bus C
Industrial	Industrial	Ind
Overlay	Flood Plain District	F
Overlay	Municipal Building Reuse District	MR
Overlay	National Flood Insurance Flood Management District	NF
Overlay	Aquifer Protection District	AQ
Overlay	Planned Unit Development	PUD
Overlay	Planned Residential Development	PRD
Overlay	Gateway Smart Growth District	GSGD
Overlay	Downtown Smart Growth District	DSGD

3.2 Zoning Map

Districts are shown, defined and bounded on a map, dated April 8, 2013 and entitled "Reading Zoning Map," as amended, consisting of an index map and 61 detailed maps, prepared, signed and approved by the Community Planning and Development Commission (CPDC), which constitutes a part of the Zoning Bylaw.

Appended to the Reading Zoning Map and incorporated therein are:

- The "Flood Insurance Rate Map, Massachusetts Middlesex County, Massachusetts" consisting of 7 panels, dated June 4, 2010, which are appended to the Reading Zoning Map as Exhibit 1; and
- The map entitled "Aquifer Protection Overlay District Map, Town of Reading" dated September, 1985 consisting of 1 panel which is appended to the Reading Zoning Map as Exhibit 2.

The Reading Zoning Map shall be kept on file and current by the Town Engineer, who shall supply copies to the Town Clerk, the Town Planner, the Building Inspector, the Board of Appeals and the CPDC.

3.3 Boundaries of Districts

Boundaries of zoning districts shall be interpreted as follows:

3.3.1 Any boundary indicated on the Reading Zoning Map as being within a street or railroad right of way shall be interpreted to be along the center line of such street or right of way.

ses

3.3.2 Any boundary indicated on the Reading Zoning Map as being approximately parallel to a street or railroad right of way, with a single dimension noted, shall be interpreted to be parallel to, and located the noted distance from, the center line of such street or right of way.

3.3.3 Any boundary indicated on the Reading Zoning Map as being approximately parallel to the bank of a river, stream, lake, pond or other surface water body or watercourse, together with a single noted dimension, shall be interpreted to be parallel to, and located the noted distance from:

- The elevation, at the bank of a lake, pond or similar surface water body, where vegetation changes from predominately terrestrial to aquatic; or
- The elevation, along the bank of a river, stream or similar watercourse, where the annual high water has left a definite mark in the channel.

3.3.4 Any boundary indicated on the Reading Zoning Map together with two or more dimensions shall be interpreted to be located so as to be consistent with such dimensions.

3.3.5 Any boundary indicated on the Reading Zoning Map as approximately following property lines in existence at the time of the establishment of such boundary shall be interpreted to be along such property lines.

3.3.6 Any boundary of an Overlay District that is indicated on the Reading Zoning Map as a contour shall be interpreted to be along the noted contour, based on mean sea level lines.

3.3.7 Any boundary of an Overlay District that it indicated on the Reading Zoning Map as terminating at the end of drainage structures or other features, or extensions thereof, shall be interpreted to terminate at such location.

3.3.8 All other boundaries shall be as indicated on the Reading Zoning Map.

3.4 **Lots in Two Districts**

3.4.1 Where a district boundary line divides any lot existing at the time of the line's adoption, any provision of the Zoning Bylaw applicable to a district in which the lot has frontage on a street may be extended so as to be applicable to the portion of the lot that is not more than thirty (30) feet from the district boundary line; provided, however, that this provision shall not apply to any lot used for multi-family housing.

Or take any other action with respect thereto.

Community Planning & Development Commission

ARTICLE 11: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 4.5 thereof in its entirety, or to take any other action with respect thereto.

Community Planning and Development Committee

ARTICLE 12: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 4.6 thereof in its entirety, or to take any other action with respect thereto.

Community Planning and Development Committee

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ARTICLE 13: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 4.13 thereof in its entirety and replacing it with the following:

4.13 Special Requirements for Registered Medical Marijuana Dispensaries

4.13.1 Purpose

This section is intended to promote the purposes of the Zoning Bylaw, as set forth in Section 1.3, by:

- a) Providing for the establishment of Registered Medical Marijuana Dispensaries in appropriate places and under strict conditions, in accordance with the passage of Initiative Petition 11-11 (Question #3 on the November, 2012 state ballot);
- b) Minimizing the impacts of Registered Medical Marijuana Dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Dispensaries; and
- c) Regulating the siting, design, placement, security, safety, monitoring, modification, and removal of Registered Medical Marijuana Dispensaries.

4.13.2 Applicability

4.13.2.1 The commercial cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana is prohibited unless permitted as a Registered Medical Marijuana Dispensary under this Section.

4.13.2.2 No Registered Medical Marijuana Dispensary shall be established except in compliance with the provisions of this Section.

4.13.2.3 Nothing in this Bylaw shall be construed to supersede state laws governing the sale and distribution of narcotic drugs.

4.13.2.4 If any provision of this Section or its application to any person or circumstance shall be held invalid for any reason, such invalidity shall be construed as narrowly as possible, and the balance of the Section shall be deemed to be amended to the minimum extent necessary to allow it to be given effect or to be applied to persons or circumstances other than those to which it was held invalid, so as substantially to provide residents and property owners of the Town of Reading the benefits of such provision and to promote the purposes of the Zoning Bylaw as set forth in Section 1.3.

4.13.3 Definitions

Debilitating Medical Condition – Cancer, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, and multiple sclerosis (MS), when such diseases are debilitating, and other debilitating conditions as determined in writing by a qualifying patient's certifying physician.

Marijuana – All parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

Marijuana for Medical Use – Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions.

Qualifying Patient – A Massachusetts resident 18 years of age or older who has been diagnosed by a Massachusetts licensed certifying physician as having a debilitating medical condition, or a Massachusetts resident under 18 years of age who has been diagnosed by two Massachusetts licensed certifying physicians, at least one of whom is a board-certified pediatrician or board-certified pediatric subspecialist, as having a debilitating medical condition that is also a life-limiting illness, subject to 105 CMR 725.010(J).

Registered Medical Marijuana Dispensary – A not-for-profit entity registered under 105 CMR 725.100 that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, the term refers to the sites of dispensing, cultivation and preparation of marijuana.

4.13.4 Eligible Locations for Registered Medical Marijuana Dispensaries.

4.13.4.1 Registered Medical Marijuana Dispensaries may be allowed by Special Permit from the Reading Community Planning and Development Commission in the Industrial Zoning District (Ind) in accordance with the requirements of this Section.

4.13.5 General Requirements and Conditions for all Registered Medical Marijuana Dispensaries.

4.13.5.1 A Registered Medical Marijuana Dispensary shall be in compliance with all applicable provisions of the regulations of the Massachusetts Department of Public Health for the Implementation of an Act for the Humanitarian Medical Use of Marijuana, set forth in 105 CMR 725.000.

4.13.5.2 All Registered Medical Marijuana Dispensaries shall be contained entirely within a Building.

4.13.5.3 A Registered Medical Marijuana Dispensary shall have a Gross Floor Area of at least 2,500 square feet, but not more than 10,000 square feet.

4.13.5.4 The hours of operation of Registered Medical Marijuana Dispensaries shall be set by the CPDC, but in no event shall such Dispensaries be open and/or operating between the hours of 9:00 PM and 8:00 AM.

4.13.5.5 No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Registered Medical Marijuana Dispensary.

4.13.5.6 No Registered Medical Marijuana Dispensary shall be located inside a Building containing Residential Dwelling Units, including transient housing such as motels and

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dormitories, or inside a movable or mobile Structure such as a van or truck.

4.13.6 Special Permit Requirements

4.13.6.1 A Registered Medical Marijuana Dispensary shall be allowed by Special Permit from the CPDC in accordance with G.L. c.40A, §9, and the requirements set forth in this Section.

4.13.6.2 A Special Permit for a Registered Medical Marijuana Dispensary shall be limited to one or more of the following uses as may be authorized by the CPDC:

- a) Cultivation of Marijuana for Medical Use (horticulture) except where Chapter 40A Section 3 applies, in which case a Special Permit shall not be required;
- b) Processing and packaging of Marijuana for Medical Use, including marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products; and
- c) Retail sale or distribution of Marijuana for Medical Use to Qualifying Patients.

4.13.6.3 Special Permit applications for a Registered Medical Marijuana Dispensary shall demonstrate compliance with and include the information required by the regulations set forth at 105 CMR 725.000.

4.13.6.4 Mandatory Findings. The CPDC may issue a Special Permit for a Registered Medical Marijuana Dispensary only if it finds that:

- a) The Dispensary is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c.40A, §11;
- b) The Dispensary is fully permitted by all applicable agencies of the Commonwealth of Massachusetts and is in compliance with the regulations set forth at 105 CMR 725.000; and
- c) The Applicant has demonstrated compliance with Sections 4.13.5 and 4.13.6.

4.13.6.5 Annual Reporting. Each holder of a Special Permit for a Registered Medical Marijuana Dispensary permitted under the Zoning Bylaw shall, as a condition of its Special Permit, file an annual report to and appear before the CPDC and the Town Clerk no later than January 31 of each year, providing a copy of all current applicable state licenses for the Dispensary and/or its owners and demonstrate continued compliance with the conditions of the Special Permit.

4.13.6.6 A Special Permit granted under this Section shall have a term limited to the duration of the Applicant's ownership of the premises as a Registered Medical Marijuana Dispensary. A special permit may be transferred only with the approval of the CPDC in the form of an amendment to the Special Permit with all information required in this Section.

4.13.7 Abandonment or Discontinuance of Use

4.13.7.1 Notwithstanding the provisions of the Zoning Bylaw generally applicable to Special Permits, a Special Permit for a Registered Medical Marijuana Dispensary shall lapse if not exercised within one year of its issuance.

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4.13.7.2 The owner of a Registered Medical Marijuana Dispensary shall be required to remove all material, plants equipment and other paraphernalia:

- a) prior to surrendering its state issued licenses or permits; or
- b) within six months of ceasing operations; whichever comes first.

Or take any other action with respect thereto.

Community Planning & Development Commission

ARTICLE 14 To see if the Town will vote to authorize and request the Finance Committee, pursuant to section 3.3.2.3 of the General Bylaws, to investigate at once the books, accounts, records and management of the Reading Municipal Light Department; to employ such expert and other assistance as it may deem advisable for that purpose; to make a report on its investigation setting forth its findings and recommendations, and to transmit such report to the Town Meeting prior to November 10, 2014;

Or take any other action with respect thereto.

Board of Selectmen

ARTICLE 15 To see if the Town will vote to amend Section 3.3.2 (Finance Committee) of the Town of Reading Bylaws as follows: (note – cross-through represents language to be eliminated and **bold** represents new language):

3.3.2 Finance Committee

3.3.2.3 Investigation

The Finance Committee, or its duly authorized agents, ~~shall have authority~~ at any time **may**, and **promptly** upon the petition of one hundred (100) inhabitants of the Town or a vote of Town Meeting, ~~to shall investigate at once the books, accounts, records and or management of any Town Board, Committee, Commission or Department. official body,~~ **The Finance Committee may call upon the assistance of any Town official, or employee and may to** employ such expert ~~and or~~ other assistance as it may deem advisable for that purpose. ~~;~~ ~~and~~ The books, records and accounts of any **Town Board, Committee, Commission or Department** ~~department and office of the Town~~ shall be open to the inspection of the **Finance Committee, its agents, assistants or employees upon request** ~~and any person employed by it for that purpose.~~ The Committee shall have no power to incur any expenses payable by the Town without authority for such expenses having first been obtained from the **Finance Committee Appointment Committee Moderator**, and such expenses shall be paid from the Finance Committee Reserve Fund.

The Finance Committee shall make a report on every **such** investigation, setting forth its findings and recommendations, and shall transmit **each** such report~~(s)~~ to Town Meeting **and to the Board of Selectmen.**

or to take any other action with respect thereto.

Board of Selectmen

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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 29, 2014, 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 ___th day of _____, 2014.

John Arena, Chairman

Marsie K. West, Vice Chairman

Daniel Ensminger, Secretary

John Halsey

Kevin Sexton

SELECTMEN OF READING

, Constable

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2014 Subsequent Town Meeting
Tuesday November 10, 2014
WARRANT OUTLINE REVISED 08/28/2014

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<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	<ul style="list-style-type: none"> ◆ RMLD – Chair David Talbot ◆ Schools – Superintendent Dr. John Doherty ◆ ad hoc Charter Review Committee – Chair Alan Foulds ◆ Motion to Table – John Arena 	
2	Instructions	Board of Selectmen	◆ Motion to Table –	
3	Amend the Capital Improvement Program FY 2015 - FY 2024	Board of Selectmen	<ul style="list-style-type: none"> ◆ Motion – ◆ Presentation – Bob LeLacheur ◆ FINCOM report – 	
4	Approve Payment of Prior Year's Bills	Board of Selectmen	◆ Motion Indefinitely Postpone –	Postpone?
5	Amend the FY 2015 Budget	FINCOM	<ul style="list-style-type: none"> ◆ Motion – Mark Dockser ◆ Presentation – Bob LeLacheur ◆ FINCOM report – Mark Dockser 	
6	General Bylaw Changes - Animal Control Bylaw		<ul style="list-style-type: none"> ◆ Motion - ◆ Presentation – ◆ Bylaw Committee report - 	
7	Set up permanent building committee	Bylaw Committee /Board of Selectmen	<ul style="list-style-type: none"> ◆ Motion - ◆ Presentation – ◆ Bylaw Committee report - 	
8	Zoning Bylaw Changes – Planned Residential Development (PRD) for 149 Van Norden Road	CPDC	<ul style="list-style-type: none"> ◆ Motion - ◆ Presentation – ◆ Bylaw Committee report - 	
9	Zoning Bylaw Changes	CPDC	<ul style="list-style-type: none"> ◆ Motion - ◆ Presentation – ◆ Bylaw Committee report - 	



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2014-06-10

Time: 7:00 PM

Building: Reading Town Hall

Location: Selectmen Meeting Room

Address: 16 Lowell Street

Purpose: General Business

Attendees: **Members - Present:**

Chairman John Arena, Vice Chairman Marsie West, Secretary Daniel Ensminger, Selectman Kevin Sexton

Members - Not Present:

Selectman John Halsey

Others Present:

Town Manager Bob LeLacheur, Office Manager Paula Schena, Nancy Dockser, Tim Kelley, Lyn Whyte, Kevin Mulvey, Karen Flammia, Madeline Hodgdon

Minutes Respectfully Submitted By: Secretary Daniel Ensminger

Topics of Discussion:

Reports and Comments

Selectmen's Liaison Reports and Comments – Daniel Ensminger noted that he and Kevin Sexton conducted Volunteer Appointment Subcommittee interviews of new applicants and the incumbents for the Historical Commission. The appointment to the North Suburban Planning Council is on tonight's agenda so the applicant can attend the meeting tomorrow.

Daniel Ensminger noted that there is material in tonight's packet regarding the Oakland Road site. The School Department is continuing with geotech at the Oakland Road site but Town Meeting transferred this land to the Board of Selectmen for economic development.

A motion by Ensminger seconded by West that the Board of Selectmen direct the Town Manager and Selectman Chairman to write a letter to the School Committee and Superintendent of Schools clarifying the status of this land and the Selectmen's desire that the intentions of Town Meeting be respected by removing this parcel from the list of candidate areas for any school facility or parking area was approved by a vote of 4-0-0.

Marsie West indicated we need to make it clear to the School Committee that the property belongs to the Board of Selectmen and the disposition of this property is the Selectmen's decision.

Marsie West noted that she met with the Library Building Committee. She attended a meeting of the Audit Committee and it was a good audit. She attended a gubernatorial forum on transportation and smart growth. She attended a joint meeting of the Zoning Advisory Committee, CPDC and the Zoning Board of Appeals. She also noted that CPDC voted to advise the Board of Selectmen to adopt the Complete Streets Plan and use it as a basis.

Marsie West noted that there is a letter in the packet from the Pepperell Town Administrator regarding participating in a municipal coalition regarding the Tennessee Gas Pipeline proposal. She noted this should be brought to the attention of the RMLD. The Town Manager noted that North Reading is discussing new gas lines and the latest update he received from the Tennessee Gas Line is that it will be going through southern North Reading and may even include Reading. He will bring Coleen O'Brien in to discuss this with the Board.

John Arena noted that he and Daniel Ensminger attended the June 2nd School Committee meeting when they created a School Space Needs Committee. He asked them if they did a gap analysis and they indicated they concluded they didn't communicate well enough so they added two Selectmen to the committee. Marsie West noted that she would like them to identify each big issue and what the priority is for each.

Town Manager's Report – The Town Manager noted that the Library Building Committee is meeting tomorrow. There were a lot of concerns at the CPDC meeting regarding public safety and the egress. He had a good meeting today and the entrance will remain the same with the second egress going around the building and using the same egress. We even picked up 6 – 7 parking spaces and there is almost no additional cost.

The Town Manager noted that the Treasurer sold BANS for West Street and the Board needs to approve it. He also noted that the Town's rating was upgraded to AAA.

A motion by Ensminger seconded by West that all action taken by the Town Treasurer in advertising for public sale of the \$1,000,000 Bond Anticipation Notes, (the "Note") of the Town authorized pursuant to Chapter 44, Section 7 of the Mass General Laws, as amended and supplemented, and by votes of the Town duly adopted, be and hereby is ratified, approved and adopted;

That the Note shall be dated as of June 19, 2014, shall mature on September 26, 2014, shall bear interest due at maturity, and shall not be subject to redemption prior to its stated maturity;

That the Note shall bear interest and is hereby sold and awarded as follows:

<u>Purchaser</u>	<u>Amount</u>	<u>Rate</u>	<u>Premium</u>
Century Bank	\$1,000,000	0.40%	\$0.00

That the Town Treasurer is authorized to deliver the Note to purchaser and that the Board of Selectmen, the Treasurer and the Town Clerk be and hereby are authorized to take action to execute and deliver all documents related to the Sale. The motion was approved by a vote of 4-0-0.

Proclamations/Certificates of Appreciation

Certificate of Recognition – Josephine Milano – John Arena noted that this certificate is in recognition of Josephine Milano's 100th birthday.

A motion by Ensminger seconded by West to approve the certificate of recognition for Josephine Milano was approved by a vote of 4-0-0.

Personnel and Appointments

North Suburban Planning Council – **A motion by Ensminger seconded by West that the Board of Selectmen confirm the recommendation of the Volunteer Appointment Subcommittee and appoint Alyssa Scaparotti to a position on the North Suburban Planning Council with a term expiring June 30, 2016 was approved by a vote of 4-0-0.**

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Discussion/Action Items

Town Accountant Report – Town Accountant Sharon Angstrom noted that the PCard started a couple of years ago with the School Department and there were never any problems. Right before you left for maternity leave, the Library contacted her to use the PCard. She did not have a chance to review the procedures with Ruth Urell. Ruth Urell used it for something not approved which was travel. She returned the card to the Town Accountant and she was very apologetic. She wants to know if she should reissue the card back to the Library.

Marsie West asked if she has reviewed the procedures with Ruth Urell yet and Sharon Angstrom indicated no because she doesn't have the card. Marsie West noted that if they didn't need the card until now maybe they don't need it anyway.

The Town Manager noted this was an error and the card should be reissued so the Library can take advantage of good prices.

John Arena noted that in reading the policy he came to the conclusion that the procurement card and PCard are the same – that should be clarified in the policy. He also noted that there were two issues of compliance, the use and the recording of the invoice. Sharon Angstrom noted that she feels somewhat responsible because she didn't review the procedure with her. It was an innocent mistake. The card could have been used to pay for the conference that she went to, but not the travel expenses.

Marsie West noted that the auditors are aware of the situation.

The Town Manager noted that the Library Trustees are also aware of the situation.

John Arena indicated it was the consensus of the Board of Selectmen to reissue the card to the Library.

Sharon Angstrom continued on with her quarterly report. She noted that the ambulance bills are a little behind and she is expecting Medicare payments in the amount of \$100,000 by the end of June. The lag time in payment was a transitional piece of changing to a third party biller.

Sharon Angstrom noted that the Audit Committee discussed next year's audit and determined it will probably be on the schools. On another note, she received her Certified Accountant License and will be required to attend the conference every three years.

Approve Regional Health Agreement (1 year) – A motion by Ensminger seconded by West that the Board of Selectmen approve the Inter-Municipal Agreement between the City of Melrose and the Town of Reading for Shared Public Health Services for a term expiring June 30, 2015 was approved by a vote of 4-0-0.

Library Building Committee – A motion by Ensminger seconded by West that the Board of Selectmen approve the revised ad hoc Library Building Committee, including a change from Facilities Director to the Assistant DPW Director, and a reduction from two to one members appointed by the Library Director and an increase from none to one member appointed by the Town Manager, as requested by the Board of Library Trustees was approved by a vote of 4-0-0.

Joint Meeting with Reading Housing Authority Re: Request for Expenditure from the Affordable Housing Trust Fund – Housing Authority Executive Director Lyn Whyte and Housing Authority members Tim Kelley, Kevin Mulvey, Karen Flammia and Madeline Hodgdon were present.

Lyn Whyte noted that their initial intent is to buy down Gazebo Circle units. An email from Attorney Brad Latham indicates that the Town needs to do a LIP application to proceed. The Town would make the application and send to DHCD. They had a buyer but if it has to go into a lottery, they probably won't get selected. She noted that there are 10 affordable units at Gazebo Circle and if the Board gets a LIP in place then the units can be added to the plan.

The Town Manager suggested they bring the LIP request to the Board in July.

Town Counsel Interviews – Miyares and Harrington – Ray Miyares introduced the firm as having an exclusive municipal law focus. He added that all lawyers in the firm by policy serve on a local volunteer Board in their home community. Tom Harrington added that as his town was just about to hire their firm this would be a possible conflict so that might change. Ray Miyares said that two questions the Board should ask themselves during the selection process included 'can you find Town Counsel' and 'will they return timely answers'. He listed clients Hopkinton and Stockbridge and added that Reading would therefore be his third community as lead counsel – he would be easy to find. In addition Reading would be able to use other lawyers in the firm, and that Tom Harrington and Chris Heep would serve as his backups. He stated that the firm had no conflicts of interest that would be a concern for Reading, and that they would not accept any neighboring communities as clients.

John Arena asked about Wellesley, Carlyle and Littleton, and Tom Harrington replied that he serves as their backup, with a background in school construction. John Arena asked about the transition process from our current Town Counsel, and Ray Miyares replied that he knew Judy Pickett well, and that in combination with some fresh eyes should make the transition smooth over a couple of months. Tom Harrington mentioned that they were taking on Wellesley as a client as their Town Counsel retired after 37 years, and were working with staff and the volunteer Boards. He described this transition as a learning curve eased into over a few months, whereas their assignment in Hopkinton was very fast due to some land use and zoning issues.

Mr. Sexton asked if they reviewed past legal decisions, and Ray Miyares replied that it was more of a catch-as-you-can approach usually. He said some of the material needs to be a systematic approach, for example zoning needs to be easy to use and understand, and zoning continuity is helpful. He stated that the Town Charter should be viewed as a document available to be redone as needed.

John Arena asked if they had any specific questions about Reading, and Ray Miyares listed many topics currently in front of the town, and said he specifically would be every excited to participate in the Zoning Bylaw overhaul. Mr. Ensminger asked about the litigation experience at the firm, and Mr. Harrington replied that they were about evenly split between land court and superior court. Mr. Arena thanked Miyares and Harrington for their comprehensive presentation and responses to the Board's questions.

Deutsche Williams – Paul DeRensis introduced the firm stating that they had common sense yet uncommon skills, and would keep the town out of trouble. He said that he would be lead counsel and introduced Kim Saillant and Rich Huxson who both would be backups as needed.

Paul DeRensis explained his background as Town Counsel for over 30 years, and lead in Cohasset, Canton, Wilmington, Mansfield and Templeton. He also has been appointed by the Governor to a medical oversight board, and voted a Super Lawyer for several years. He is serving his 7th term as a Selectmen and has also been on a planning board and a finance committee in the past.

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Kim Saillant stated that she has been a trial lawyer for 27 years and served as special counsel in about 50 communities. She said she is known as the Summary Judgment Queen. She joined the firm 17 years ago and enjoys the medium size as a perfect fit. She handed out examples of newsletters and gave an example of a dispute over the lowest qualified bidder. She mentioned that litigation is not always the best route and alternative dispute resolution is helpful.

Rich Huxson said he has been in land use and municipal law for about 25 years. He has served on a local Conservation Committee, and also heard property tax appeals.

Paul deRensis said that Reading would be an important client for the firm, and not simply 'one of a hundred'. He said he believes in a proactive approach.

John Arena asked about the transition process for the initial 3 to 6 months. Paul DeRensis said they would review the Bylaws and Zoning, as well as visit with volunteer Boards. He said they would evaluate the town as a baseline and then compare it versus the state of the art community benchmarks. Kim Saillant noted that Reading enjoyed very low litigation.

Kevin Sexton asked about Paul DeRensis' availability, given his role as a Selectman and as lead Counsel for five other communities, to a reply that he can't remember missing a meeting due to a conflict. John Arena asked if there were other questions from the Board and there were none. The Town Manager described the selection timeline, and Paul DeRensis expressed his interest in being a team member to help the Board. Kim Saillant noted that Rich has done Zoning rewrites. Mr. Arena thanked the firm for their presentation.

Kopelman and Paige – Lauren Goldberg gave a quick overview of the firm as a municipal finance specialist. She introduced herself as the lead counsel of a small team that would serve the town, as well as Mark Reich and Darren Klein. Mark specializes in procurement and environmental law, and Darren covers school and labor law.

Lauren Goldberg described the firm as having many resources with 40 lawyers available to help out as needed. The firm responds quickly, and do not generally have hectic schedules and are often found in the office. She emphasized that good communication helps them prioritize, and she deals with Town Managers and Town Department Heads daily. She noted the firm does training and issues legislative updates frequently. She described her background as from the Secretary of State's Office working in the Elections division, and as such has a good working relationship with the Attorney General's office. She knows how state government works, and has been at her firm for 14 years.

Mark Reich described his background as an Assistant City Solicitor in the City of Everett, where he had enforcement and drafting of legislative issues. When the Mayor's office changed he joined his current firm. Darren Klein said that he worked for a public sector union from 1995 to 1997 and has since spent 18 years at his current firm. His specialty is labor relations, where he described the need to work together and that relationships are the key. His recent experience includes Burlington and Swampscott where he represents both school and the town sides.

John Arena asked about the integration into Reading process. Lauren Goldberg described free of charge initial startup meetings where they would learn what has worked well and not as well in the past. She wants to make sure we spend our legal budget on issues that really matter. Mark Reich said they could jump in very quickly if there are current litigation issues. Darren Klein mentioned the need to sit down and discuss how things work within the structure of Reading's government as no two communities are alike. Lauren Goldberg mentioned experiences in Burlington, Chelmsford and Dedham and thought Reading would be a similar community. Mark Reich said they needed to balance the needs of residential

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and commercial, and noted the revenue differences from Dedham and Burlington due to malls.

Marsie West asked about their experience with Zoning Bylaw, and how they would plug in to the current re-write process. Lauren Goldberg said a fourth member of the firm would need to pick that up. Marsie West asked how many communities she served as lead Counsel, and she replied approximately seven although she couldn't name them off the top of her head. She noted that the firm is rarely not available when there are time conflicts because of the many resources at the firm. Mr. Arena thanked them for their presentation.

The Town Manager asked Board members to send him any outstanding questions to be answered by the candidate firms before their next meeting, when a selection would be made.

Approval of Minutes

A motion by Ensminger seconded by West that the Board of Selectmen approve the minutes of May 10, 2014 as amended was approved by a vote of 4-0-0.

A motion by Ensminger seconded by West that the Board of Selectmen approve the minutes of May 27, 2014 as amended was approved by a vote of 4-0-0.

A motion by Ensminger seconded by West that the Board of Selectmen approve the Executive Session minutes of May 27, 2014 as written was approved on a roll call vote with all four members voting in the affirmative.

A motion by West seconded by Arena that the Board of Selectmen adjourn the meeting at 10:20 p.m. was approved by a vote of 4-0-0.

Respectfully submitted,

Secretary

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Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2014-07-30

Time: 6:30 PM

Building: Pleasant Street Senior Center

Location: Great Room

Address: 49 Pleasant Street

Purpose: Interview applicants for School Committee

Attendees: **Members - Present:**

Board of Selectmen Chairman John Arena, Vice Chair Marsie West, and Board of Selectmen members Dan Ensminger, John Halsey, and Kevin Sexton.

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur, Assistant Town Manager Jean Delios, Superintendent of Schools John Doherty, School Committee Chairman Chris Caruso, Vice Chair Chuck Robinson, and School Committee members Linda Snow Dockser, Jeanne Borawski, and Elaine Webb; Amy Koehler, Gary Nihan, Robert Gibbs, and Administrative Secretary Caitlin Saunders.

Minutes Respectfully Submitted By:

Topics of Discussion:

Mr. Caruso called the meeting to order at 6:30pm.

He stated the reason for this meeting is to interview and vote on the best candidate to fill the vacant school committee position that is open until April 2015. After the candidates are interviewed both the Board of Selectmen and School committee will vote and the candidate with the majority votes will be elected.

The first candidate to be interviewed was Amy Koehler. Ms. Koehler opened telling the committee she has been in Reading for four years now and has worked in public schools almost her whole professional career. She has been a teacher, on the administrative side of schools and a parent. She stated her different roles make her a good candidate for the School Committee. She is currently the Director of Events at Connect the Tots here in town and wants to be more involved.

Ms. Dockser asked Ms. Koehler how she would transition from an administrative role to the role of being on a committee with five other members.

Ms. Koehler replied she is new to committees however she has switched roles many times in her career going from teacher to administrator and feels she knows how to navigate through changes with her experience. She stated she understands she has a lot to learn but she is willing and eager to. She told the committee if she were elected she would talk to the current members to try and help make the transition easier.

Mr. Arena asked Ms. Koehler if she was familiar with Reading's challenges within the schools today?

Ms. Koehler indicated she is aware that free full day kindergarten is the town's current struggle. She said she also knows the school committee decided to use the PARCC testing system and she said she knows all this because of her involvement with the town already.

Mr. Arena asked her how she felt about PARCC.

Ms. Koehler said it's a different way of teaching and learning and it will be a big transition for the town to implement.

Ms. Borawski asked if Ms. Koehler if she had any experience with working on budgets.

Ms. Koehler explained when she was involved on a leadership team with Boston Public Schools she did deal with budgets. She stated she is pretty well versed on how school budgets work and how to plan the budget so the town understands what is needed.

Mr. Ensminger stated that Reading's per pupil expenditure is very low however Reading Schools are one of the best around; he then asked Ms. Koehler what she thinks that means?

Ms. Koehler responded, it means money doesn't always buy quality of teachers, education, and learning experiences.

Ms. Webb asked Ms. Koehler how she made budget decisions knowing it would affect people you know/ work with.

Ms. Koehler explained she personally had to evaluate teachers in Charlestown that she knew for a long time. She said it was very difficult and had many conversations but what it came down to was her thinking about the students sitting in these teachers classrooms and making a decision based on what is best for these kids because they deserve the best education.

Ms. West asked Ms. Koehler if she had any ideas that the town could do to somehow fund full day kindergarten but not ask the community for more money.

Ms. Koehler said she would listen, do lots of research and collect data and ultimately decide based on the town's best interest in having a great education system.

Ms. West asked, financially, how would Ms. Koehler bring balance for the all the school issues that the town will never have enough money for.

Ms. Koehler said her answer is basically the same in that she would pick the best options to fund based on what is good for the students to receive the best education they can get.

Mr. Robinson asked if Ms. Koehler had any role in collective bargaining throughout her career.

Ms. Koehler said no, that is not something she has taken part in.

Mr. Halsey explained to Ms. Koehler the great relationship/partnership that the town has with the schools, community and police. He stated there is a big problem right now with substance abuse in the schools and asked her if she has ever dealt with that and what she believes the schools role in helping with this problem is.

Ms. Koehler told us she once felt the school wasn't responsible for this type of abuse and that they were limited to what they could do, but after working in schools for a long period

of time she now sees the school plays a huge role in substance abuse. She stated sometimes families aren't involved and the school can be there to provide counselling to students that need it, and believes the police are also very good extra help.

Mr. Caruso asked Ms. Koehler if she had considered running in April.

She indicated no because she hadn't thought about it because she was wrapped up with her children at home.

Mr. Caruso then asked her if she has thought past April if she does get elected tonight.

She indicated she would gladly be interested in continuing in April.

Mr. Sexton asked Ms. Koehler what her factor in deciding to get involved was after leaving teaching.

Ms. Koehler said she believes the kindergarten issue is critical right now in Reading and wants to be a part of that. She also said she still greatly cares about students and the educations they are receiving and that's why she would like to stay involved somehow with the school system.

Ms. Koehler then gave her closing statement Thanking the Board of Selectmen and the School Committee for their time and stated she understands she has a lot to learn but is willing to do everything she can to get up to speed and is eager to get involved.

Mr. Arena told Ms. Koehler that if she does not get selected tonight to please remember all the other opportunities still available in the town for her to get involved in and to feel free to continue to follow the School Committees proceedings and attend meetings to stay connected.

Mr. Caruso called the next Candidate Gary Nihan and asked him to give his opening statement.

Mr. Nihan indicated he is a lifelong resident of Reading and has been very involved in Reading schools as a teacher and administrator. He now works in colleges supervising teacher assistants. He said he has done a lot of work with grants and has been a grant manager before. Mr. Nihan explained he taught physical education and health in Reading schools and is very involved in substance abuse prevention. He mentioned how he had been an interim principal at Joshua Eaton and an assistant principal at Barrows. Mr. Nihan was a budget director for public safety grants and is thankful for all the opportunities and experience he has had. He said after he retired from Reading Public Schools he started working towards his Doctor of Education and will hopefully be receiving that after the first of the year. He said he loved working on both sides of the school system and has worked with other districts on their physical education grants. Mr. Nihan said being a part of the School Committee would just be another way he can help enhance and support Reading's school district.

Mr. Arena noted that it has been made known that his wife currently works in the school department as a teacher and wants to know if Mr. Nihan would be willing to file a disclosure statement with the Town Clerk if selected.

Mr. Nihan said absolutely.

Mr. Robinson asked Mr. Nihan since he is well-known in town from his many years in the school department, how would he handle a friend or someone asking him for special treatment or for a favor.

Mr. Nihan said it is important to listen to people and make decisions with the most information you can get and to not make promises but just listen to them.

Mr. Sexton asked Mr. Nihan why he wants to be on the School Committee.

Mr. Nihan replied he had wanted to join for a while but his course load at Northeastern was a lot and he did not have the amount of time needed to be a member. His course load has now lightened as he is finishing up and he has been very interested after last Town Meeting. The full day kindergarten is also a really important issue to him and he wants to be able to contribute to helping solve that problem.

Ms. Dockser asked Mr. Nihan how he will balance his knowledge with what he can or can't discuss with the committee and other people.

Mr. Nihan said again he will listen to everybody but keep confidentiality when responding.

Ms. Dockser followed up with how he will deal with having to work with a committee and not always being the only person with all the answers.

Mr. Nihan said he will control his responses to people even if he has an answer and will work with the committee as a team.

Mr. Halsey asked Mr. Nihan what his experience with budgets has been.

Mr. Nihan stated he has been at Town Meeting for 20 years and has sat through and heard about the budgets every year. He understands all the questions and concerns that go into making a budget and is familiar with the process. He also stated he has prepared the budget for his department when he was an administrator. Mr. Nihan said he recognizes priorities and thinks it is a give/take approach.

Ms. Borawski asked Mr. Nihan how he sees himself working closely with all the boards in town but strongly advocating for the schools.

Mr. Nihan said he will listen to everyone and all boards but the schools priorities will always be on the top.

Ms. West asked Mr. Nihan what he thinks the role of the School Committee is in terms of doing the school budget.

Mr. Nihan stated the School Committee should be listening to the Superintendent but keeping in mind what the school has for funds. He thinks the 3 C's, critical thinking, communication, and creativity play a great role in doing the school budget.

Ms. Webb asked Mr. Nihan his take on the per pupil expenditure in Reading.

Mr. Nihan agreed with Ms. Koehler's answer that money can do a lot of great things but doesn't always reflect the work put forth. He stated the teachers we have in Reading are very willing teachers and tend to go above and beyond for their students. Money still reflects what we need to get done, like full day kindergarten. Mr. Nihan also stated that the technological world we live in today is expensive and it is hard to keep up.

Mr. Ensminger asked Mr. Nihan what his thesis topic was out of curiosity.

Mr. Nihan explained it is about teacher evaluations and the "race to the top" to be the best teacher. His thesis will explore whether it is actually making teachers change.

Mr. Halsey said he had one more question for Mr. Nihan and that was what is the schools role in substance abuse prevention?

Mr. Nihan said he believes everyone has a role in it and he is a strong advocate for prevention. He believes the schools can help give kids the skills they need to make better decision and also help their friends make better decisions. He believes the schools need to educate because parents don't always know what is going on.

Mr. Nihan then thanked the boards for their time and stated he would like to take his experiences to the next level in education with this opportunity.

Mr. Caruso called the third and final candidate Robert Gibbs to deliver his opening statement.

Mr. Gibbs started off thanking the boards for their time. He said he moved to Reading 20 years ago because of the great things he had heard about Reading and their school system. He noted he currently has three children enrolled in the Reading Public Schools and he himself is a teacher in Woburn. He taught in Lexington before switching over to Woburn and is also the co-founder of a nonprofit organization for people with Down-syndrome and disabilities. Mr. Gibbs stated he wants to be a part of continuing Readings amazing school system. He thinks his special-ed background gives him a good insight to be a contributing member on the School Committee. Mr. Gibbs stated he became interested in joining after attending the Blue Ribbon Conference and was inspired by the amazing teachers and it made him want to get more involved.

Ms. Dockser asked Mr. Gibbs how he will deal with coming from being an "expert", so to speak, in special education to not being on the front lines per say?

Mr. Gibbs said he would be excited to be behind the scenes because he knows the Town can use money for programs better than they are doing now and he wants to be involved in moving that money around to the right places.

Mr. Arena asked how Mr. Gibbs would prioritize resources and if he has any experience with doing that?

Mr. Gibbs responded with his experience with his non-profit organization has him working on a board where he has to sit down with friends and make decisions about where to put money so that it is best used. He understands everyone must work cooperatively and value everyone's opinions on the board. He explained he has no real output in the budget for his organization but he definitely has a say and he thinks the best thing to do is look at the big picture.

Ms. Webb asked Mr. Gibbs what his thoughts on the early childhood issue are.

Mr. Gibbs said there is a huge need for space and that seems like an issue for everyone here and in town. He said we need to figure out how to do it efficiently and effectively but also think about the scarce funds we have and everyone in town without young children. He stated he thinks it will be difficult to ask the town for money and that we must continue to be efficient and use the money we have wisely.

Mr. Halsey asked his question of what role does the school play in substance abuse?

Mr. Gibbs stated schools are one piece of the pie. He also explained he has had a lot of experience dealing with this being a coach. He agrees with the zero tolerance policy Reading has in place and thinks it is very effective and always on student's minds. Mr. Gibbs said the educators are with the students most of the day and thinks they play a huge role. The

best thing the schools can do is set its priority to focus on how we can do better educating the students about substance abuse.

Mr. Robinson asked Mr. Gibbs why he wants to be on the School Committee.

Mr. Gibbs said he believes in the school system and the direction it is going and he wants to be a part of that as it continues and help make big upcoming decisions the board will soon be facing. He explained that Reading school system is one that surrounding towns try to be like and he thinks he will be a helpful addition to the committee.

Mr. Sexton asked Mr. Gibbs what his goals would be if he were selected.

Mr. Gibbs indicated he would first get up to speed about all the issues within the schools and figure out exactly how the committee works. He said since the budget is coming up he would then start working on prioritizing the wants vs. needs of the town. Mr. Gibbs said he would listen to the people in town and work on the communication issues. He thanked the committee again for their time and explained he understands they have a hard decision with three outstanding candidates with strong educational backgrounds and that he would be very excited to put his experience to work on the committee.

Mr. Caruso thanked all the applicants and explained it is a very hard vote to make tonight and urges all candidates to stay involved whether selected or not and to please consider applying again in April.

The Board of Selectmen and School Committee then took a roll call vote and the results were as follows:

Ms. Webb – Ms. Koehler
Ms. West – Mr. Nihan
Mr. Sexton – Mr. Nihan
Mr. Halsey – Mr. Nihan
Ms. Dockser – Mr. Gibbs
Mr. Ensminger – Mr. Nihan
Mr. Arena – Mr. Nihan
Mr. Caruso – Mr. Nihan
Mr. Borawski – Mr. Nihan
Mr. Robinson – Mr. Nihan

Mr. Nihan was selected for School Committee with 8 votes.

With the interviews being complete the Finance Committee joined the Board of Selectmen and School Committee.

Financial Forum

Finance Committee Chairman Mark Dockser called the meeting to order around 8:00 pm.

Mr. Dockser explained the reason the town started doing financial forums was to get all the boards involved and working together. He also informed everyone that our state legislatures will be at the next financial forum in September.

Mr. LeLacheur explained to the other boards about the EDSAT, or the Economic Development Self Assessment Tool that was used to assess Reading. One of the big things that stood out when the results came back was the towns' poor marketing. Mr. LeLacheur said we need to stop doing so many things and tell people what we are doing so they know

they are happening. He stated the town does a lot of amazing things but we fail to tell people about them.

Mr. Dockser explained even if the town wanted to maintain the services we already provide, we need more revenue. He noted the town has a lot of Capital projects going on and they should take a look at all the accounts to get a solid total number in reserves. He also mentioned taking a look at a level of capital spending that will be required going forward. Mr. Dockser stated that he thinks it would be beneficial to start looking at budgets in a two year time frame and that might help set the towns priorities looking at the bigger picture.

Mr. LeLacheur asked the boards to start thinking about how much money can the town use in the budget process as a neutral number that we know will be regenerated. He stated last year's 1.7M figure is just not sustainable. He then went on to explain to the other boards about the "Reading 2020" working groups that were formed. These four working groups that were created with the Board of Selectmen and the Town Department Heads and will focus on looking into the future to push Reading towards a better future. Mr. LeLacheur said communication is very important but we want to be able to control it. The Town Manager then invited the other boards to join the working groups if they would like to help out. He then informed the boards that the September Town Meeting will have the marijuana zoning change on the agenda and will also attempt to resolve the Summer Ave issue.

Mr. Dockser stated he would like the next financial forum to be a working session while the legislatures are there so that the town can get their input as well. He wanted to use tonight's forum to brainstorm a list of service priorities and then vote on them.

He also asked the boards to start brainstorming how to get the word out to the community and get more people involved. Mr. Dockser said he thinks bringing a neighbor to the next meeting will be a good start.

The boards and committees then got into discussion and came up with a list of services separated into these categories:

1. Services provided today, needs being met
2. Services provided today, needs not being met
3. Services not provided today but should be
4. Services provided today but getting more funding than they should
5. Services provided today that should not be funded at all

After they created the lists, each person was asked to vote for their top 3 choices per category if they had to pick.

The results were as followed:

1) Services provided today, needs being met

- Trash/recycling pick up
- Police and fire
- Town hall
- Library
- DPW – streets
- Youth activities
- Schools
- RMLD
- Capital
- Cultural opportunities

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2) Services provided today, needs not being met

- Athletics – field space, lights, surfaces, revenues (10 votes)
- Youth activities (3 votes)
- Safe places for youths – informal and academic clubs
- RISE preschool – room/space, revenues (8 votes)
- RMHS programs (1 vote)
- K-12 Special Ed space (5 votes)
- Full day K (11 votes)
- Health programs
- Art/Music space (1 vote)
- Cultural space (2 votes)
- Student social services
- Senior housing/transportation (5 votes)
- Elder services (2 votes)
- Affordable housing – workforce, youth (3 votes)
- Website (1 vote)
- Parking
- Signage for activities
- Effective communication to community (13 votes)
- Diversity
- Student counselling – anxiety prevention (4 votes)
- Cross generation activities
- Institute tech specialists (3 votes)
- Measure performance
- Grant funding – matching

3) Services not provided today but should be

- Small business
- Active economic development (7 votes)
- RAD (2 votes)
- Community policing – funding (1 vote)
- Improve solar incentives – stretch code (3 votes)
- Infrastructure planning (1 vote)
- Fund innovative ideas toward 2020 (13 votes)
- Technology proactive planning (6 votes)
- Free full day K (7 votes)
- Retain staff (6 votes)

**4) Services provided today but getting more funding than they should/
services that should not be funded at all**

- Veterans services – full funding State
- Some capital expenses at the margin in projects
- Plant watering (4 votes)
- More grant funding from outside sources (3 votes)
- Private – Public partnerships (12 votes)
- Outsource student health and social issues – insurance funded (5 votes)
- Collaboration with other organizations (11 votes)
- Shift in library programming (10 votes)

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- Pruning philosophy (8 votes)
- Snow plowing

Mr. Dockser then asked for ideas to get people to come to the next meeting and the group came up with: tell neighbors, send out a notice on next RMLD/ water bill, put on the front page of the towns' website, place an ad in the community connection, and put a notice on the Chamber of Commerce website. Mr. LeLacheur also mentioned we can use Town Meeting to engage them in the discussion of town priorities as well.

Mr. Dockser then reminded everyone to try and bring a neighbor or friend to the next financial forum.

Mr. McNeice made a motion to adjourn at 10pm, second by Mr. Moll and approved with an 8-0-0 vote.

The Board of Selectmen voted to adjourn at 10 p.m. by a vote of 5-0-0.

Respectfully submitted,

Secretary



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2014-08-12

Time: 7:00 PM

Building: Reading Town Hall

Location: Selectmen Meeting Room

Address: 16 Lowell Street

Purpose: General Business

Attendees: **Members - Present:**

Chairman John Arena, Vice Chairman Marsie West, Secretary Daniel Ensminger, Selectmen John Halsey and Kevin Sexton

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur, Nancy Docktor, Business Administrator Jane Kinsella, Assistant Public Works Director Joe Huggins, Office Manager Paula Schena, Town Engineer George Zambouras, Chris and Sue D'Ambrosio

Minutes Respectfully Submitted By: Secretary Daniel Ensminger

Topics of Discussion:

Reports and Comments

Selectmen's Liaison Reports and Comments – Marsie West indicated that she forwarded the email regarding the Tennessee Gas Pipeline to the RMLD Citizen's Advisory Board representative Dave Mancuso and asked him to attend the meeting. She feels the RMLD and residents will be interested in this project. The Town Manager noted that Town Counsel is looking into this and the latest plan shows a pipeline in the wetlands in the northeast corner of Reading.

John Arena noted that Daniel Ensminger and John Halsey developed a draft form for the Town Manager evaluation and asked the Board to review it. The Town Manager suggested that the Selectmen do individual evaluations and then compile a summary.

Discussion/Action Items

See-Click-Fix – Jane Kinsella and Joe Huggins were present. Jane Kinsella noted that the Town received a two year grant. The program started in Boston and then expanded. Public Works previously had a request for services form on the website and she used that as a guideline. It takes about 15 seconds to record a request. Ms. Kinsella then reviewed the date report in metrics. She noted that they don't offer a work order system yet, but are working on it.

Joe Huggins noted that facilities use the School Dude system and he trained everyone to put in work orders and it was a great tool.

A resident suggested having a kiosk at the Town Clerk's office and the Fall Street Faire to educate people.

Hearing – Request for Second Driveway – 420 Franklin Street – The Secretary read the hearing notice. Homeowners Chris and Sue D'Ambrosio were present.

Town Engineer George Zambouras noted that the request is from the homeowners. There was a barn which was removed when the property was subdivided. They are proposing to install a garage at the rear of the building and turn the grass area into a driveway. He has no problem with that.

John Halsey asked if there is curbing there now and George Zambouras indicated there is no curb, it is all grass. He noted that the existing driveway is more of a pull off.

Kevin Sexton asked if they plan on continuing to use their current driveway and they indicated no.

A motion by Ensminger seconded by Halsey to close the hearing for a second driveway at 420 Franklin Street was approved by a vote of 5-0-0.

A motion by Ensminger seconded by West to approve the request for a second driveway with a reduced separation at 420 Franklin Street was approved by a vote of 5-0-0.

Preview Warrant for Special Town Meeting – The Town Manager reviewed the draft Warrant. He noted the articles are mostly budget articles and zoning articles.

Marsie West noted that one zoning article is to delete the mixed use overlay and another is to delete wetlands section because they are redundant. She noted that RCASA is involved with the medical marijuana Article and hopefully they will support it. Daniel Ensminger asked what the medical marijuana bylaw regulates and Marsie West indicated it does not affect personal care givers, it regulates the dispensary. The Town Manager noted that Town Counsel will advise on this.

The Town Manager noted that there is a place holder in the draft Warrant for the Summer Avenue property. He noted that the Charter changes will probably be in January. He will speak with the Town Moderator and suggest he deals with Town Counsel directly.

Marsie West noted that the Finance Committee is proposing an amendment to Section 3.3.2 on page 21 of tonight's handout. They want to add a sentence under duties that gives them the authority to investigate and they want to add a sentence under investigation indicating they will transmit such reports of investigations to Town Meeting and the Board of Selectmen.

John Halsey noted that they have the right to incur expenses but need the authority of the Town Moderator. He feels having the sole authority rest on one person not to be best practice and suggests having the Finance Committee Appointment Committee consisting of the Town Moderator, Chairman of the Finance Committee and Chairman of the Board of Selectmen as the authority to approve the expenses. The Town Manager noted he will ask Town Counsel what the options are. The consensus of the Board was that these changes are reasonable but the question is who sponsors it.

Discuss the Remote Participation Policy – The Town Manager noted that he asked all Department Heads for feedback and got very little. He suggests not adding video.

John Arena noted there is a technical issue of calling in with these phones. The Town Manager indicated that won't be an issue after Town Meeting. He recommends revising the policy to cross out that this is trial.

A motion by West seconded by Ensminger to approve the language as in the packet was approved by a vote of 5-0-0.

Preview FY15 Town Manager Goals – The Town Manager noted this is a work in progress and he will send it to the Board to prioritize.

Daniel Ensminger asked if the Town Manager's evaluation is based on goals and performance and Marsie West noted it is based on goals and competency.

The Town Manager review Administration and noted that 1a will be a communications position. Human Resources is updating the pay and classification plan and they are identifying professional development needs.

The Town Manager noted that communication needs to be improved among all boards. The Selectmen need to review their policies and John Halsey recommended assigning this out to two Selectmen to report back to all. The Town Manager noted that Paula Schena will be available to assist with the licensing section of the policies.

John Arena noted that he wants to see the reasoning behind the proposed edits to the Charter. It was recommended this be done with footnotes because the minutes are not detailed enough. The Town Manager noted that he needs to find out if the Charter recodification will be broken up into sections or if it is an all or nothing deal.

The Town Manager noted we need to make it easier for residents to communicate but we also need to make it easier to respond to them. He also wants to review regionalization for animal control and DPW procurement.

Under public safety and health the Town Manager indicated the RCASA model should be reviewed. Marsie West indicated we need to measure RCASA and the Town Manager noted that the amount of kids in intervention and relapse level was very low. There were 80 kids in intervention and 76 of them did not relapse. John Halsey indicated this is an excellent program that has done innovated things.

The Town Manager noted that the Fire Chief can do a presentation on Emergency Management non-Executive Session information. He noted that the Fire Chief is doing 1 ½ jobs as head of Emergency Management.

Under Community Development the Town Manager noted that there is a need to examine the role of volunteer boards in Community Development. John Arena noted the boards need to get redirected and this should be done sooner rather than later. He also noted that he is more interested in pruning of things we don't need to do to free up time to do what we want.

The Town Manager suggested exploring and recommending a path on the Community Preservation Act and to continue to strive for 10% affordable housing. He also noted that the Board needs to decide if they want to plan out the use of Industrial Zone properties because there are people there now who are willing to listen.

Under Facilities and Infrastructure it is time to review recreation. He will have John Feudo come in to make a presentation. The Board also needs to find a place for the DPW facility.

Daniel Ensminger noted that Library programming needs to be listed under the Library building project.

Under Finance is long term liability planning. The Town Manager noted that health insurance is increase 8 – 11% nationally plus we have 6% local mandates so he is putting in a 14% increase for health insurance. He also wants to review bill printing and mailing policy. He will discuss reviewing fees with the Department Heads. John Halsey noted that we need to communicate what people are getting for their money.

6c3

Manager noted he will put the goals in a matrix format and send out to the Board for rankings.

Approval of Minutes

A motion by Ensminger seconded by Halsey to approve the minutes of July 29, 2014 as amended was approved by a vote of 5-0-0.

A motion by Ensminger seconded by Halsey to go into Executive Session to consider the purchase, exchange, lease or value of real property, and that the chair declares that an open meeting may have a detrimental effect on the negotiating position of the body and not to reconvene in Open Session was approved on a roll call vote with all five members voting in the affirmative.

Respectfully submitted,

Secretary

4c BOS

Schena, Paula

From: LeLacheur, Bob
Sent: Tuesday, August 26, 2014 9:01 PM
To: Schena, Paula
Subject: FW: Verizon Good News - August 2014

BOS packet

From: Lee, Stephanie S [stephanie.s.lee@verizon.com]
Sent: Tuesday, August 26, 2014 3:48 PM
Subject: Verizon Good News - August 2014



Verizon Good News –

August 2014

Massachusetts

We look forward to summer in New England for months on end, and before we know it, we are preparing for back to school and storm season! At Verizon, we have been focused on innovation in education and making sure our customers are prepared for whatever Mother Nature has in store. We are rolling out Verizon Foundation programs that provide teachers and students with opportunities to become more tech savvy. We also continue to participate in discussions with the Mass Tech Caucus around how the tech sector can fuel economic growth, and are helping Deaf senior citizens stay in touch with family and friends through broadband technology. And, of course, we are making sure that our customers and communities are ready for tropical storm season.



Calling All Whiz Kids: Verizon Foundation Launches Third Annual Verizon Innovative App Challenge

Verizon Foundation and Technology Student Association have launched the third annual Verizon Innovative App Challenge, calling on middle and high school students to create mobile app concepts that could solve problems in their schools and communities. Teams of five to seven students and a faculty advisor have until November 24 to enter their app

concepts for a chance to be one of eight teams named 'Best in nation'. Each winning team will receive up to \$20,000 in cash and a Samsung tablet for each team member. More information can be found at

<http://appchallenge.tsaweb.org/>

Educators Study Mobile Learning Best Practices at Verizon Mobile Learning Academy

The Verizon Foundation, ISTE and the Johns Hopkins University's Center for Technology in Education are teaming up to offer a free, moderated five-module Academy designed to bring teams of administrators, technology coaches and teachers up to speed on best practices and principles guiding today's most effective mobile learning classrooms/environments. Educators can sign up for the training at

<http://www.iste.org/lead/verizon-mobile-learning-academy>



Lawrence High School 9th Graders will Soon Have Access to New After-School STEM Program

Northern Essex Community College, Boys and Girls Club of Lawrence and Lawrence High School join forces to offer 9th graders a new after-school

9a1

STEM Mentoring Program. The Verizon Foundation is proud to support this program with a \$15,000 grant.

<http://www.necc.mass.edu/newsroom/2014/08/04/lawrence-high-school-9th-graders-will-soon-have-access-to-new-after-school-stem-program-supported-by-the-verizon-foundation/>



MA Tech Caucus Event at PayPal's 'Start Tank' Incubator Highlights Partnerships Between Large and Small Companies to Drive Economic Growth

In July, the Massachusetts Tech Hub Legislative Caucus, led by Senator Karen Spilka and Rep. Ann-Margaret Ferrante, hosted a group of more than 80 technology entrepreneurs, business leaders and state legislators at an event at PayPal's headquarters in Boston's Financial District. The meeting focused on the significant private sector investment that is boosting the technology ecosystem in

Massachusetts, with a particular focus on larger companies that support the growth of tech startups through entrepreneur incubator programs and small business accelerators. Verizon and many other tech companies, both large and small, were part of the discussion. For a recap, visit [Senator Karen Spilka's website](#).

Deaf Senior Citizens Stay Connected Through Technology

Inside the doors the New England Homes for the Deaf, you can find some of the most caring and inspirational people around. It is the only facility in the Northeast area of the United States that takes care senior citizens that are deaf, deaf-blind, and hard of hearing. Residents rely on video phones for staying connected with loved ones, and the caring staff utilizes video phone and Internet connected devices day and night. Watch the video: <http://youtu.be/FQfaxoTWwYQ>

Honoring Winners of Verizon Foundation New England Domestic Violence Solutions Awards

Thank you to all the nonprofits in New England that provide prevention programs and help survivors of domestic violence. The response to the Verizon Foundation New England Domestic Violence Solutions Awards RFP was amazing with more than 70 nonprofits applying for funds to support a wide range of programs. Stay tuned as we will be announcing the winners at the end of September.

Verizon storm emergency reminder



In the aftermath of a storm, Verizon works 24 x 7 to restore service to customers impacted by the weather. We work closely with local and state emergency services and other utilities to ensure customers are back in service as quickly as possible.

The following helpful information and Verizon contact numbers will help residents and your municipality deal with telecommunications related issues due to the storm. Verizon's toll free number **1-800-VERIZON (1-800-837-4966)** and website www.Verizon.com/support may be posted to your Municipal website and public access channels. Customers can contact Verizon at **1-800-VERIZON (1-800-837-4966)**.

For more about storm preparedness check out: <http://newscenter.verizon.com/corporate/news-articles/2014/05-28-hurricane-season-prep/#sthash.CvPkf8U4.dpuf>



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

Economic Development Committee (EDC)

25 August 2014

TO: Bob LeLacheur, Town Manager

RE: Alleyway Maintenance – Confirmation of Maintenance Schedule and Ownership

One of the first major initiatives of the EDC was the renovated Town alleyway between Reading Trophy and the Middlesex Animal Hospital. This project proved to be a strong collaboration between the property owner of the 668 Main Street, the Town and our angel contributor, Nelson Burbank. The lovely result of this project (mural, lighting, new paving) has created a well-traveled path between Main Street and the parking lot area behind CVS.

Throughout the original project, including the ribbon-cutting (2009,) the Alleyway Subcommittee (Michele Williams, Sheila Clarke and Meghan Young) worked closely with the Town Manger to ensure that the timelines and communications of all parties were met. Though Ms. Williams is no longer a member of the EDC, she has faithfully maintained the stewardship of this space, and has personally tended to the care of the plants in the alleyway on a weekly basis during the summer. During her weekly visits, she has duly noted the changing conditions of the alleyway (ranging from trash, graffiti on the mural, posts being knocked down, gum, and weeds in the brick way.) When these situations have been noted, the Town has responded to the individual condition and taken care of the situation.

As these conditions occur on a consistent basis and some issues still need to addressed (currently the post and chains have been knocked down to the ground,) the EDC recently inquired about the scheduled maintenance of the alleyway. For your information, the current alleyway maintenance is on an "as needed" basis. Our recommendation is that a more formal maintenance schedule be maintained to ensure pro-active maintenance – perhaps on a weekly basis, as the trash receptacles are emptied the alleyway can be surveyed and if work needs to be done it is scheduled as soon as possible.

On another note, there was a verbal agreement with Pete Hechenbleikner that after this project's completion the Town would be responsible for the maintenance and upkeep of the alleyway including the maintenance of the plantings. However, the EDC recently paid \$650 to cover the cost of plant replacement. At this point in time, the EDC thought that it would be appropriate to have you formalize this agreement in writing to insure the going forward maintenance responsibility is that of the Town's.

Thank you very much for your help and attention to this matter; our shared goal is the preservation of this gateway to our Downtown.

George Rio, Vice-Chair
Economic Development Committee

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**Town of Reading
Engineering Division**

Memo

To: Robert W. LeLacheur, Jr., Town Manager
From: George J. Zambouras, Town Engineer
CC: Board of Selectman
Date: August 20, 2014
Re: Oakland Road – Town Owned Properties

In my review of the recorded deeds, gifts and Town takings of the parcels along and adjacent to Oakland Road, it is my opinion that the Town owns approximately 4.5 acres of land which is depicted as the shaded area on the attached plan.

However prior to the Town transferring ownership of this property there are three matters that must be resolved, two of which are legal matters regarding clear title that require the advice of Town Counsel

- The first title matter is the ownership of the paper streets. This property contains several so called "paper streets" at which ascertaining clear ownership is frequently problematic. In my review of the deeded property rights from the original owner Chapman who sold numerous parcels to Landers, they included the rights and interest to the roadways as identified on the recorded subdivision plan. In subsequent years the Town then took certain parcels within the Oakland Road area from Landers for non-payment of taxes. The taking included all his rights and interest in the property including the roadways. While, in my opinion we own the roadways the matter should be reviewed by Counsel.
- The second title matter for review is if all the necessary steps required by law for the taking of property for non-payment of taxes were properly executed. This is well beyond my expertise and a matter for Town Counsel.

If either of the above are determined to have flaws and presents a cloud in the title it may be necessary for the Town to file with Land Court for clear title.

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- The final matter is to complete the development of a final plan suitable for recording at the registry of deeds which must be prepared prior to any transfer of the property.

In addition to the division's extensive survey and research at the registry, the area has also been researched by the surveyor working for the school department. In my conversations with him they have completed an existing conditions plan which could, with further development be modified into a recordable plan. He has also indicated that the registered surveyor has questions regarding the ownership of some parcels taken by the Town. I will have further discussions with the firms PLS next week to discuss and hopefully clarify this matter.

In summary the following matters need to be addressed before the Town could transfer ownership of the property:

- Town Counsel review of clear ownership
- Town Counsel review of tax taking procedures
- Preparation of recordable plan

