



Town of Reading Meeting Posting with Agenda

RECEIVED
TOWN CLERK
READING, MASS.

2014 NOV 13 P 1:08

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2014-11-18

Time: 7:00 PM

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 – John Arena** **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. RMLD Presentation – LED Program and Organizational/Reliability Study 7:30
 - b. Discuss Birchmeadow Field Lighting Project 8:15
 - c. Request to Remove Restriction on Sale of Nips for Liquor Junction, 1 General Way 8:30
 - d. Approve Change in Sunday Hours for Liquor Stores 8:40
 - e. Approve Liquor Licenses 8:50
 - f. Hearing – Approve FY15 Classification Plan 9:00
 - g. Discuss Proposed Charter Changes 9:10
 - 6) **Approval of Minutes**
 - a. October 28, 2014
 - b. October 29, 2014
 - 7) **Licenses, Permits and Approvals**
 - 8) **Executive Session**
 - a. Discuss Strategy with Respect to Collective Bargaining 9:55

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



Town of Reading Meeting Posting with Agenda

9) Correspondence

- copy a. Email from Alyssa Scaparotti announcing her resignation from the West Street Historic District Commission and North Suburban Planning Council

DRAFT - BOARD OF SELECTMEN			
2014	AGENDAS		2014
<i>11/13/2014</i>		Responsibility	Start time
	Town Meeting November 13, 2014	Thursday	
	Town Meeting November 17, 2014	Monday	
	November 18, 2014		
Office Hour	John Arena		6:30
	RMLD Presentation - LED Program and Organizational/Reliability Study	Coleen O'Brien	7:30
	Discuss Birchmeadow field lighting project	Feudo	8:15
	Request to remove restriction on sale of nips for Liquor Junction	LeLacheur	8:30
	Approve change in Sunday hours for liquor stores	LeLacheur	8:40
	Approve Liquor licenses	LeLacheur	8:50
HEARING	Approve FY15 Classification Plan	LeLacheur	9:00
	Discuss proposed Charter changes	LeLacheur	9:10
Executive Session	To discuss strategy with respect to collective bargaining	LeLacheur	10:00
	Town Meeting November 20, 2014	Thursday	
	December 2, 2014		
Office Hour	John Halsey		6:30
HEARING	Close Warrant for January 5, 2015 Special Town Meeting	LeLacheur	7:30
	Enterprise Funds Workshop	LeLacheur	7:45
	December 9, 2014		
	Volunteer Appointments		7:20
	Approve licenses (revisit Cumberland Farms)	LeLacheur	7:25
HEARING	Approve FY15 Classification Plan (Pay & Class results)	LeLacheur	7:30
	Discuss change in Bylaw regarding Firearms	LeLacheur	8:00
	Vote on Special Town Meeting Articles	LeLacheur	9:00
Executive Session	To discuss strategy with respect to collective bargaining	LeLacheur	9:30
	December 23, 2014	If Needed	
Future Agendas			
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

DRAFT - BOARD OF SELECTMEN AGENDAS			
2015			2015
		Staff Responsibility	Estimated Start time
11/13/2014			
	January 13, 2015	WORKSHOP	
Office Hour	Dan Ensminger		6:30
	FY16 Town Budget		7:00
	Overview	LeLacheur	
	Administrative Services	LeLacheur	
	Community Services	Delios/various BCCs	
	Finance	Angstrom/BOA	
	Public Library	Urell/Trustees	
	Benefits, Miscellaneous	LeLacheur	
	Capital/Debt	LeLacheur	
	January 20, 2015	WORKSHOP	
	FY16 Town Budget		7:00
	Public Safety - Fire	Burns	
	Public Safety - Police	Cormier	
	Public Safety - Dispatch	Cormier	
	Public Works	Zager	
	Enterprise Funds	LeLacheur	
	Summary	LeLacheur	
	January 27, 2015		
	Private/Public Road discussion	Town Counsel	8:00
	Discuss Reading 2020 Working Groups		9:00
	Review FY15 Town Manager Goals		9:30
	January 28, 2015 - Financial Forum	Pleasant St Ctr	7:30
	February 10, 2015		
Office Hour	Marsie West		6:30
	Town Accountant Report		
	February 24, 2015		
	Close ATM Warrant by March 3		
	March 10, 2015		
Office Hour	John Arena		6:30
	Review FY16 Town Manager Goals		

	March 24, 2015		
	Vote Town Meeting Warrant Articles		
	Local elections April 7, 2014	Tuesday	
	April 14, 2015		
Office Hour	John Halsey		6:30
	Town Accountant Report		
	MAPC member Report		
	Reading Housing Authority Report		
	RCTV members Report		
	CAB (RMLD) member Report		
	Reading Ice Arena Report		
	Town Meeting April 27, 2015	Monday	
	Town Meeting April 30, 2015	Thursday	
	Town Meeting May 4, 2015	Monday	
	Town Meeting May 7, 2015	Thursday	
	April 28, 2015		
	May 12, 2015		
Office Hour	Kevin Sexton		6:30
	May 26, 2015		
	Approve Classification & Compensation		
	June 9, 2015		
Office Hour	Dan Ensminger		6:30
	Appoint Town Counsel		

	Appointments of BCCs		
	June 23, 2015		
Future Agendas			
	Reading 2020 Community Meeting		Spring '15
	Downtown Parking		Spring '15
	Multi BCC Summit		
	RMLD joint meeting		
	Strout Avenue Master Plan (after Town Forest planning work is done)	Feudo	
Recurring Items			
	Close 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		as needed
	Appointments of BCCs	June	Annual
	Approve Classification & Compensation	May/June	Annual
	Tax Classification Hearing	October	Annual
	Approve licenses	December	Annual
	Appoint Town Counsel	June	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	NEW	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: November 13, 2014
RE: November 18th BOS Meeting

After reviewing your agendas for the next two months and surveying your availability, here is your proposed schedule after tonight: December 2nd and 9th; January 13th; 20th; and 27th.

December 2nd – close January Warrant (should be fine) and Enterprise Fund discussion

December 9th – license approvals; Pay & Class results; Firearm bylaw; vote Warrant articles

January 13th & 20th – FY16 budgets

***January 27th** – private roads; Reading 2020; Town Manager goals

**note this is a new meeting added to your schedule*

November 18th

RMLD General Manager Coleen O'Brien will be in to give a 30-minute presentation on their LED pilot program that has been rolled out in their four service communities. We have given this very low publicity in Reading at my request, to see if the neighborhoods impacted would notice any change. As no one has called with any comments, now it is time to openly discuss this long-term improvement. Ms. O'Brien will also describe RMLD's upcoming organizational/reliability study.

John Feudo will follow with a brief discussion about proposed Birch Meadow Field lighting. At present we have about \$2.4 million of future BM improvements (including lighting) in the Capital Plan under a previously approved Master Plan. At your request, the Recreation Committee is looking at a new Master Plan and an early thought is not to make costly slight shifts to the softball fields. Therefore the list below does not rely on the final design of a specific new Master Plan. As our Free Cash position is strong, we could consider January 2015 Town Meeting funding of all or a portion of these areas:

- A) Softball fields \$175k to \$190k;
- B) *Street/Lot fields \$225k to \$300k;
- C) *Turf 2 field \$180k to \$280k;
- D) *Morton Field \$275k to \$345k.

**wide range of costs due to options available; economies of scale possible by combing projects*

Next you will be asked to review the restriction on the sale of nips at Liquor Junction; you must approve an early Sunday 10am openings thanks to a new state law; and then you will renew liquor licenses.

Next will be a brief Classification Hearing to only change the name of the Administrative Services department head position from "Assistant Town Manager, Administrative Services" to "Administrative Services Director". This request is driven by upcoming proposed Charter changes where this position will receive the Ombudsman responsibilities. We would like to advertise for this position immediately now that we understand the full scope of responsibilities.

November 18, 2014 Board of Selectmen

The Board will have an opportunity to discuss the proposed Charter changes. In October the Board had an extensive discussion, but wanted to wait for all five members to be present before concluding. The Charter Committee worked diligently for the last year. One simple measure of success is word count – the document has been shortened by 18.5% from 18,125 words to 14,783 words 😊. It is far easier to pick up and read and understand now – and a lot of historical transition language from the previous form of government has been largely removed.

Note the version of the Charter attached to your packet is the final one – it does not show changes. I will have that version available at your meeting, and also have included a brief translation guide of how we got from old version to new version.

Finally we will have a brief Executive Session to discuss collective bargaining.



Birch Meadow Park Fields
Reading, MA
Date: November 4, 2014
To: John Feudo

Budget Estimate

Musco's Light Structure Green™ as described below, delivered to the job site, and installed:

Table with 2 columns: Description and Price Range. Includes items like 'Lighted Softball Field', 'Street and Lot Fields', 'Turf 2', and 'Morton Field' with various lighting system estimates.

Equipment Description

Light-Structure Green™ System delivered to your site in Five Easy Pieces™

- Pre-cast concrete bases
• Galvanized steel poles
• UL Listed remote electrical component enclosures
• Pole length wire harnesses
• Factory-aimed and assembled luminaires

TOTAL FBSSK to \$1.15mi

Also Includes:

- Energy savings of more than 50% over a standard lighting system
• 50% less spill and glare light than Musco's prior industry leading technology
• Musco Constant 25™ warranty and maintenance program that eliminates 100% of your maintenance costs for 25 years, including labor and materials
• Guaranteed constant light levels for 25 years
• Group re-lamp(s) at the end of the lamps' rated life, 5000 hours
• Control Link® Control & Monitoring System for flexible control & solid management of your lighting system
• Lighting Contactor Cabinet sized for site voltage and phasing (assumes 480V 3P)
• Stamped structural drawing
• 1 Installation of foundations, poles, lighting equipment, and underground wiring to poles by contractor

Notes (continued on page 2)

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Notes (continued from page 1)

Estimates are based on:

- Assumes following field dimensions:
 - Lighting Softball Field - 60'/280'/275'/220'
 - Street Field - 60'/315'/305'/210'
 - Lot Field - 60'/325'/295'/205'
 - Turf 2 - 338'x188'
 - Morton Field (Baseball) - 90'/335'/350'/340'
 - Morton Field (Soccer) - 300'x170'
- 30fc/20fc/20fc or 50fc/30fc/30fc represents light levels in the infield, outfield, and multipurpose field
- 30fc/20fc/20fc is adequate and/or recommended for recreational play, practices, etc.
- 50fc/30fc/30fc is recommended for tournaments, chartered games (ie Little League, Cal Ripken/Babe Ruth, ASA/USSSA), High School use, etc.
- Assumes public bid, does not include any taxes, and is based on November 2014 pricing
- Confirmation of field dimensions, pole locations, and Musco lighting design prior to providing quote(s)
- Musco is a lighting manufacturer and not an electrical contractor - installation estimates are based upon projects similar in scope, and are intended for preliminary planning purposes only
- Getting electrical power to the site, coordination with the utility, and any power company fees are responsibility of the owner
- Assumes standard soil conditions - rock, bottomless, wet, or unsuitable soil may require additional engineering, special installation methods, and additional cost
- Assumes building code and wind speed IBC 2009 105mph

Thank you for considering Musco for your sports-lighting needs. Please contact me with any questions.

Mike Berry
Sales Representative
Musco Sports Lighting, LLC
Phone: 617-571-3714
Email: mike.berry@musco.com

Nathan Lindsay
Project Planning Specialist
Musco Sports Lighting, LLC
Phone: 800-825-6030
Email: nathan.lindsay@musco.com

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Birch Meadow School
Birch Meadow School
Street View

Lot Field (youth/rec slow-pitch softball with Pop Warner FB in outfield) 

Street Field (youth/rec slow-pitch softball with Pop Warner FB in outfield) 

Lighted Softball (mostly practice/youth, occasional HS varsity) 

Turf 2 (HS FHILAX misc rec MP) 

Morton Field (HS BB, BR, Tournament Field, etc) 

Sb3

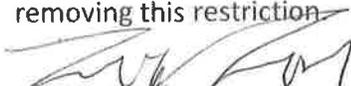
2014 NOV -6 PM 2: 13

Jasmin Patel
Kajal and Kevin LLC
1 General Way

Reading MA

November 4, 2014

I, Jasmin Patel, the president of Kajal and Kevin LLC, am requesting Board of Selectmen to consider removing restriction sale of nips by Liquor Junction located at 1 General way. There are number of customers everyday asking for nips. To provide all options to our customers, please consider removing this restriction


Jasmin Patel

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**THE LICENSING BOARD OF THE TOWN OF READING
HEREBY GRANTS A 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**

License No. 101600034

**TO: KAJAL AND KEVIN LLC d/b/a LIQUOR JUNCTION, 128 MARKET PLACE
SHOPPING CENTER, ONE GENERAL WAY, READING, MASS.**

on the following described premises: 7200 sqft premise with roughly 6700 sqft of retail space and roughly 500 sqft of storage on back of the store. The premise will be all on ground floor, there is no basement or second floor. There will be one entrance of the store front and one exit door will be at the rear end of the store. There will be 27 door display and beer cave for premium beers.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires December 31, 2014, unless earlier suspended, cancelled or revoked and is subject to the following conditions:

- ◆ Retail space will be limited to a total of 6,700 square feet as designated on the approved plan entitled "Floor Plans" 5a31 in the Selectmen's packet dated 11/5/13;
- ★ ◆ No nips will be sold;
- ◆ Deliveries from Route 128 will be via Walkers Brook Drive to General Way and deliveries from Route 28 will be via Goodall Sanford Road;
- ◆ All Bylaws, Rules, and Regulations of the Town of Reading and of the Commonwealth of Massachusetts shall be followed and also subject to a satisfactory inspection of the establishment by the Town Manager.

In Testimony Whereof, the undersigned have hereunto affixed their official signatures this 5th day of November, 2013.

**The hours during which
Alcoholic Beverages may be
sold are: Monday-Saturday
From 8:00 a.m. to 11:00 p.m.
except 8:00 a.m. to 11:30 p.m.
The day before a holiday.
Sunday: From 12:00 noon to 11:00 p.m.**

LICENSING BOARD

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

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

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro
Chairman

THE ALCOHOLIC BEVERAGES CONTROL COMMISSION ("ABCC") ADVISORY
M.G.L. c. 138, §15 OFF-PREMISES RETAIL LICENSEES SUNDAY OPENING TIME
ALLOWED AT 10:00 A.M.

Effective October 23, 2014¹, off-premises retail alcoholic beverages licensees (M.G.L. c. 138, §15) will be permitted to sell alcoholic beverages beginning at 10:00 a.m. on Sundays. Although under the law, these licensees are entitled as a matter of right to open at 10:00 a.m. and as such do not need the approval of the Local Licensing Authorities, licensees must notify the Local Licensing Authorities about the change of hours.

The simplest way for licensees to effectuate this change is to follow the process outlined in the CHANGE OF HOURS Application which may be found on our website at <http://www.mass.gov/abcc/pdf/forms/nofeetransmittal.pdf>. Licensees should use this form to notify the Local Licensing Authority of the change in hours and attach a corporate vote authorizing the change. Upon receipt of this request, the Local Licensing Authority must approve it. The Local Licensing Authority should forward an approved "Form 43" with the additional Sunday hours of sale to the ABCC for each licensee affected.

As mentioned above, this law does not go into effect until October 23, 2014. All licensees should ensure that sales of alcoholic beverages take place only on the days and hours approved by the Local Licensing Authority. Licensees who fail to notify the Local Licensing Authority about the change to their hours are prohibited from making sales at an earlier time than those permitted on the face of their license.

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

(Issued: September 8, 2014)

¹ The Massachusetts Legislature amended M.G.L. c 136, §6(52) which allow off-premises M.G.L. c. 138, §15 or so called "package store" license holders to sell alcoholic beverages, beginning at 10 A.M. on Sundays.

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

101600011

LICENSEE NAME:

ATHENS LIQOURS INC DBA SQUARE LIQOURS

ADDRESS:

12 HIGH ST

CITY/TOWN:

READING

STATE MA

ZIP CODE

01867

TRANSACTION TYPE (Please check all relevant transactions):

- Change of Hours
- Change of DBA
- Charity Wine License

2014 NOV 13 AM 10:51

ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396

562

10. The following other business was transacted:

MOTION TO PETITION LOCAL LICENCING
FOR SUNDAY OPENING OF 10:00AM

11. The directors ratified and approved all documents presented.

There was no further business, and upon motion made, seconded, and unanimously carried, it was

RESOLVED, that all the items and documents have been examined by all directors, and are approved and adopted, and that all actions taken thus far have been ratified and approved by the directors of the Corporation.

There being no further business, upon motion made and carried, the meeting was adjourned.

Dated: 10/17/24

Secretary [Signature]
Signature

CHRIST SHOMOS
Printed Name

Witness:
[Signature]
Signature

JAMES F BURNS
Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

5 d 3

Athens Liquors Inc

dba Square Liquors

13 High St

Reading MA 01867

781-942-9965

October 20, 2014

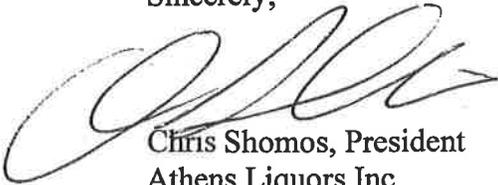
Athens Liquors Inc
dba Square Liquors
13 High St
Reading MA 01867

To Board of Selectmen:

I respectfully request that you grant the early Sunday opening as the new State law allows that will go into effect on October 23, 2014.

Thank you for your time and consideration.

Sincerely;



Chris Shomos, President
Athens Liquors Inc

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Print Form

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission 2014 NOV -5 PM 4: 22
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA: NO FEE

IF USED EPAY, CONFIRMATION NUMBER:

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

CHARITY NAME: JAY AND RICKY INC d/b/a RICKY'S LIQUOR

ADDRESS: 214 MAIN STREET

CITY/TOWN: READING STATE MA ZIP CODE 01867

TRANSACTION TYPE (Please check all relevant transactions):

- Change of Hours
- Change of DBA
- Charity Wine License

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396**

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Ricky's Liquor

214 Main Street

Reading MA, 01867

781-248-6186

To whom it Concerns:

Jay and Ricky Inc. d/b/a Ricky's Liquor would like to inform the Town of Reading that it is interested in opening for business at 10AM on Sundays.

526

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

101600034

LICENSEE NAME:

Kajal and Kevin LLC dba Liquor Junction

ADDRESS:

1 General Way

CITY/TOWN:

Reading

STATE MA

ZIP CODE

01867

TRANSACTION TYPE (Please check all relevant transactions):

- Change of Hours
- Change of DBA
- Charity Wine License

2014 NOV -4 PM 2:06

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396**

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Change of Hours Checklist

This application will be returned if the following documentation is not submitted:

- Vote of Corporate Board or LLC

Note: No fee is required for this transaction as formal ABCC approval is not necessary

Jasmin Patel
Kajal and Kevin LLC
1 General Way

Reading MA

November 3, 2014

I, Jasmin Patel, the president of Kajal and Kevin LLC ,hereby authorize the LLC to apply for a change of hours for Liquor Junction located at 1 General Way, Reading MA 01867 to open at 10am on Sundays and close at 8pm.



Jasmin Patel

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

101600009

LICENSEE NAME:

Busa's Reading Liquors Inc.

ADDRESS:

345 Main St.

CITY/TOWN:

Reading

STATE MA

ZIP CODE

01867

TRANSACTION TYPE (Please check all relevant transactions):

- Change of Hours
- Change of DBA
- Charity Wine License

2014 OCT 20 PM 4: 02

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:

ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396

5210

Change of Hours Checklist

This application will be returned if the following documentation is not submitted:

- Vote of Corporate Board or LLC

Note: No fee is required for this transaction as formal ABCC approval is not necessary

5/11

BUSA READING LIQUORS, INC.

Written Consent of the Directors

October 17, 2014

The undersigned, being the Directors of Busa Reading Liquors, Inc., a Massachusetts corporation d/b/a Busa's Reading Liquors (the "Corporation"), do hereby take the following action by written consent in lieu of the holding of the Meeting of the Directors:

WHEREAS, the Corporation currently has a License (the "License") issued by the Liquor Licensing Board of the Town of Reading, Massachusetts (the "Licensing Board");

WHEREAS, the Corporation wishes to renew the License for the year 2015;

NOW THEREFORE, BE IT

Renew License

VOTED: That the Corporation be and hereby is authorized and empowered to apply for and/or renew the License issued by the Licensing Board for the year 2015, and that the President, Treasurer, Manager or any other officer or agent of Corporation (the "Authorized Officer(s)"), each acting singly hereby is, authorized, empowered and directed to execute the Licensing Board Renewal Forms (the "Forms") in substantially the form presented to the Board and to extend the Store Sunday hours from 12 p.m.-6 p.m. to 10 a.m. to 6 p.m..

VOTED: That the Authorized Officer(s) be and hereby are authorized, empowered and directed to take all such further actions, and to execute, deliver and file all such further documents, instruments and agreements in the name and on behalf of the Corporation, as in his/their judgment shall be necessary, proper and advisable to fully carry out the intent and accomplish the purposes of the foregoing vote.

VOTED: That any and all actions heretofore taken on behalf of the Corporation by the Authorized Officers(s) in connection with the transactions contemplated by the foregoing resolutions, and all acts of the Authorized Officer(s) that are in conformity with the purposes and intent of such votes, be and hereby are approved, ratified and confirmed in all respects.

General

VOTED: That this Written Consent shall take effect immediately as of the date first above written and shall be filed in the minute book of the Corporation with the minutes of the meetings of the Directors.

5d/2

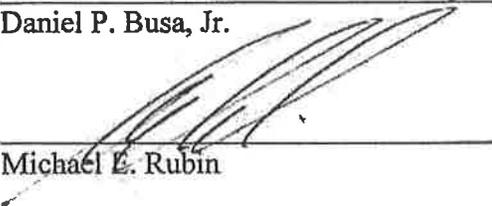
VOTED: That this Written Consent may be signed in multiple counterparts and that each of these counterparts collectively shall be deemed to be one and the same document.

IN WITNESS WHEREOF, the undersigned has executed this instrument to be effective as of the day and year first written above.

DIRECTORS:



Daniel P. Busa, Jr.



Michael E. Rubin

*[Signature Page to Directors' Consent of
Busa Reading Liquors, a Massachusetts corporation d/b/a Busa's Reading Liquors]*

List of Liquor of Licenses – 2014

All Alcoholic – Restaurants

Bertucci's Italian Restaurant – 45 Walkers Brook Drive
Café Capri – 355 Main Street
Chili's Grill & Bar – 70 Walkers Brook Drive
Fuddruckers – 50 Walkers Brook Drive
Grumpy Doyle's – 530 Main Street
Longhorn Steak House – 39 Walkers Brook Drive
Mandarin Reading Restaurant – 296 Salem Street
Oye's – 26 Walkers Brook Drive
Ristorante Pavarotti – 601 Main Street
Sam's Bistro – 107 Main Street
Venetian Moon Restaurant – 680 Main Street
Portland Pie Company – 54 Haven Street
Bunratty Tavern – 622 Main Street

Wine & Malt – Restaurants

Bangkok Spice Thai Restaurant, 76 Haven Street

All Alcoholic – Package Stores

Busa's Reading Liquors – 345 Main Street
Jay and Ricky Inc. – 212 Main Street
Square Liquors – 11 High Street
The Wine Shop & More – 676 Main Street
The Liquor Junction – One General Way
Pamplemousse Inc. – 26 Haven Street

All Alcoholic – Clubs

Knights of Columbus – 11 Sanborn Street
Meadow Brook Golf Club – 292 Grove Street
Reading Overseas Veteran's, Inc. - 575 Main Street
Reading Veteran's Association/American Legion – 37 Ash Street



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

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

TO: Local Licensing Authorities

FROM: Ralph Sacramone, Executive Director

RE: Population Estimates for Seasonal Licenses in 2015

DATE: October 14, 2014

Your attention is directed to M.G.L. Ch. 138 §17, which provides that an estimate of temporary increased resident population shall be made prior to March first, in any year. This population estimate is used to establish a quota of seasonal package goods stores licensed under M.G.L. c. 138 §15. Enclosed is a form to be used for this purpose.

Please complete and return the enclosed form to this office by March 31, 2015. You should be aware that in the absence of this estimate, no seasonal package store license may be granted.

If you have any questions regarding this information or process, please contact Ryan Melville at ext. 718 or Ralph Sacramone at ext. 731.

502



2015

CITY/TOWN:

DATE:

Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114

To the members of the Alcoholic Beverages Control Commission:

Acting under the authority contained in M.G.L. Ch. 138, §17, as amended the undersigned local licensing authority at a meeting held:

estimated that the

Date of Meeting

Temporary increased resident population of

City/Town

As of July 10, 2015 will be

Estimate Resident Population

This estimate was made and voted upon by the undersigned at a meeting called for the purpose, after due notice to each of the members of the time, place, and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief.

THE ABOVE STATEMENTS ARE MADE UNDER THE PENALTIES OF PERJURY

Very Truly Yours,
Local Licensing Authorities

THIS CERTIFICATION MUST BE SIGNED BY A MAJORITY OF THE MEMBERS OF THE LOCAL LICENSING AUTHORITIES.

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LEGAL NOTICE



**TOWN OF READING
NOTICE OF PUBLIC
HEARING**

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 November 18, 2014 at 9:00 p.m. in the Selectmen's Meeting Room, 16 Lowell Street, Reading, Massachusetts on approving the FY15 Classification Plan.

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 November 18, 2014 to townmanager@ci.reading.ma.us

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By order of
Robert W. LeLacheur
Town Manager

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2015 Special Town Meeting
Monday January 5, 2015
WARRANT OUTLINE REVISED 11/13/2014

<u>Art.</u> #	<u>Article Description</u>	<u>Sponsor</u>	<u>Mover/</u> <u>Comment</u>	<u>Moderator</u> <u>Notes</u>
1	Reports	Board of Selectmen	◆ Motion to Table – John Arena	
2	Instructions	Board of Selectmen	◆ Motion to Table – Marsie West	
3	Amend the Capital Improvement Program FY 2015 - FY 2024	Board of Selectmen	◆ Motion – John Halsey ◆ Presentation – Bob LeLacheur ◆ FINCOM report – Mark Dockser	
4	Amend the FY 2015 Budget	FINCOM	◆ Motion – Mark Dockser ◆ Presentation – Bob LeLacheur ◆ FINCOM report – Mark Dockser	
5	Set up Permanent Building Committee	Bylaw Committee	◆ Motion – Dan Ensminger ◆ Presentation – Steve Crook ◆ Bylaw Committee report – Steve Crook ◆ Finance Committee Report – Mark Dockser	
6	Revise Town Charter	Town Charter Review Committee	◆ Motion – Alan Foulds ◆ Presentation – Bob LeLacheur ◆ Bylaw Committee report –	

Reading Home Rule Charter
Translation Guide

<u>Section</u>	<u>New</u>	<u>Wording</u>	<u>Rearranging</u>	<u>Changes</u>
<u>Preamble</u>		yes		
<u>Article 1 - Existence and Authority</u>				
		yes		clarify BOS role in 1.6
<u>Article 2 - Representative Town Meeting</u>				
	2-1	yes		
SPECIAL	2-2	yes		clarify map; clarify polling location
SPECIAL	2-3	yes	yes	change tie-breaker to Precinct vote
	2-4	yes		
SPECIAL	2-5	yes		change days from 28 to 35
SPECIAL	2-6	yes	yes	delete section about tie votes
	2-7	YES		NEW SECTION - add Chair & Clerk positions
	2-8			
	2-9	yes		
old 2.10				section deleted Gen'l Powers & Duties not needed
	2-10	yes		
	2-11	yes		clarify
	2-12			change FINCOM term limit 9+ years
				Bylaw Comm to review Gen; Bylaws, not Zoning bylaws
	2-13	yes	yes	
	2-14	yes		remove 'bulletin board' reference
	2-15	yes	yes	
	2-16	yes		clarify language

**Reading Home Rule Charter
Translation Guide**

Article 3 - Elected Officers and Boards		
3-1	yes	
3-2	yes	remove 'administer' section and simplify BCC appts
3-3	yes	
3-4	yes	
3-5	yes	
old 3-6		<u>remove Assessors - to be appointed</u>
3-6	yes	
Article 4 - Appointed Boards and Committees (should add Commissions?)		
		entire section re-arranged
4-1	yes	yes new - was elected
4-2	yes	
4-3	yes	
4-4	yes	
4-5	yes	yes
4-6	yes	
4-7	yes	
4-8	YES	yes newly codified
4-9	yes	
4-10	yes	yes
4-11	YES	yes newly codified
4-12	yes	
4-13	YES	new
4-14	yes	yes
4-15		allow Associates if there is a Bylaw
Article 5 - Town Manager		
5-1	yes	yes note 3yr contract limit (Town Mtg approves over 3yrs)
5-2	yes	yes add TMgr in removal process; state Procurement facts
5-3	yes	remove unneeded 'historical' appts
5-4	yes	change to TM appoint this position
5-5	yes	powers/process Acting TM
SPECIAL		

Reading Home Rule Charter
Translation Guide

Article 6 - Administrative Organization			
6-1	yes	simplify!	
6-2		eliminate confusing section	
6-3		eliminate DPW as historical	
6-2	yes	simplify & add vacancy clause	
6-3	yes	streamline vacancy	
6-4	yes	allow split Treasurer; Collector; streamline vacancy	
6-5	yes	allow split Treasurer; Collector; streamline vacancy	
6-6	YES	new section added; streamline vacancy	
Article 7 - Budget and Capital Improvements Program			
7-1			
7-2	yes		
7-3	yes	state deadline for submission	
7-4		move Table of Organization to budget from Charter	
7-5	yes	clearly state that budget must be balanced	
7-6	yes	remove reference to T Mgr budget - incorrect otherwise	
7-7	yes		
7-8		deleted	
7-9		moved to TMgr section	

Reading Home Rule Charter
Translation Guide

	Article 8 - General Provisions			
	8-1	yes		remove excess language
	8-2	yes		reworded
	8-3			
	8-4	yes		
	8-5			clarify days = Town Hall open to public
	8-6			
	8-7	yes		several reworded and added/deleted definitions
	8-8	yes		
	8-9			deleted
	8-9	yes		greatly simplify
	SPECIAL	8-10	yes	
		8-11	yes	
	SPECIAL	8-12		
		8-13	yes	
		8-14		
		8-15		
	Article 9			deleted as historical
	Table of Organization			moved to Budget
	Index			deleted



Town of Reading Massachusetts

Home Rule Charter

5.4 Acting Town Manager
 5.5 Removal Procedures.....

ARTICLE 6 ADMINISTRATIVE ORGANIZATION

6.1 Organization of Town Agencies
 6.2 Town Counsel.....
 6.3 Town Accountant.....
 6.4 Town Treasurer
 6.5 Town Collector.....
 6.6 Town Clerk

ARTICLE 6 BUDGET AND CAPITAL IMPROVEMENTS PROGRAM

7.1 Fiscal Year.....
 7.2 Submission of Proposed Budget.....
 7.3 School Committee Budget.....
 7.4 Budget Message.....
 7.5 The Proposed Budget
 7.6 Action on the Budget.....
 7.7 Capital Improvements Program.....

ARTICLE 8 GENERAL PROVISIONS

8.1 Charter Changes
 8.2 Severability
 8.3 Specific Provisions Prevail
 8.4 References to Massachusetts General Laws.....
 8.5 Computation of Time
 8.6 Number and Gender.....
 8.7 Definitions.....
 8.8 Rules and Regulations
 8.9 Procedures of Boards or Committees
 8.10 Elections.....
 8.11 Vacancies on Boards or Committees.....
 8.12 Recall Procedures.....
 8.13 Removal of Appointees.....
 8.14 Resignation of Town Officers.....
 8.15 Town Seal.....

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Preamble

We, the people of Reading, in order to re-establish our individual sovereignty with respect to the conduct of our local government and to take the fullest advantages inherent in the Home Rule Amendment to the Constitution of the Commonwealth of Massachusetts, do hereby adopt the following Home Rule Charter for the Town of Reading.

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ARTICLE 1 EXISTENCE AND AUTHORITY

1.1 **Incorporation**

The inhabitants of the Town of Reading, within the territorial limits established by law, shall continue to be a body corporate and politic under the name "Town of Reading."

1.2 **Short Title**

This document shall be known and may be cited as the Reading Home Rule Charter.

1.3 **Division of Powers**

The administration of all the fiscal, prudential and municipal affairs of the Town shall be vested in an executive branch headed by a Board of Selectmen and a Town Manager. A representative Town Meeting shall exercise all legislative powers of the Town.

1.4 **Powers of the Town - Intent of the Voters**

It is the intent and the purpose of the voters of the Town of Reading, through the adoption of the Charter, to secure for the Town all of the powers possible to secure under the Constitution and statutes of the Commonwealth of Massachusetts, as fully and as completely as though each such power were specifically and individually enumerated herein.

1.5 **Interpretation of Powers**

The powers of the Town under the Charter shall be construed and interpreted liberally in favor of the Town, and the specific mention of any particular power is not intended to limit in any way the general powers of the Town as set forth in Section 1.4.

1.6 **Intergovernmental Relations**

The Town, acting by and through its Board of Selectmen, may enter into agreements with any other unit of government to perform jointly or in cooperation, by contract or otherwise, any of its powers or functions.

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ARTICLE 2 REPRESENTATIVE TOWN MEETING

2.1 Composition

The legislative body of the Town shall be a representative Town Meeting consisting of one hundred ninety-two (192) members from eight (8) precincts who shall be elected by the voters in each precinct in accordance with all applicable elections laws.

Each precinct shall be equally represented in Town Meetings by members elected so that the term of office of one-third of the members shall expire each year.

2.2 Realignment of Precincts

When required by law or every ten (10) years, the Selectmen shall review and, if necessary, re-divide the territory of the Town into eight (8) plainly designated precincts. The precincts shall be divided into as nearly an equal number of inhabitants as possible. The territory of each precinct shall be continuous and as compact as possible. The territory of each precinct shall be defined as near as possible by the center line of known streets or other well-defined limits.

Within ten (10) days of any precinct revision, the Selectmen shall file a report on the revisions with the Town Clerk, the Registrars of Voters and the Assessors. The report shall include a map(s) and a list of the inhabitants' names and addresses. The Selectmen shall also post the map and list in the Town Hall and in at least one public place in each precinct.

The revision shall be effective on the date it is filed with the Town Clerk, and the Clerk shall notify the Secretary of State of the revision in writing.

Any town wide election shall be held at the same time for each precinct at a place or places designated by the Selectmen.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.3 Town Meeting Membership

The registered voters in every precinct shall elect Town Meeting Members in accordance with all applicable election laws. Whenever any precincts are revised, the registered voters shall elect twenty-four (24) Town Meeting Members to represent the precinct. Terms of office shall be determined by the number of votes received. The eight (8) candidates receiving the highest number of votes shall serve for three (3) years, the eight (8) receiving the next highest number of votes shall serve for two (2) years, and the next eight (8) candidates receiving the next highest number of votes shall serve for one (1) year from the day of election.

In the event of a tie, ballot position shall determine the order of finish. At each Annual Election thereafter, the registered voters in each precinct shall elect eight (8) Town Meeting Members to represent the precinct, and shall also elect Town Meeting Members to fill any vacant terms.

After the revision of precincts, the term of office of all Town Meeting Members from the revised precincts shall cease upon the election of their successors. After each election of Town Meeting Members, the Town Clerk shall notify each Town Meeting Member of his election by mail.

In the event of a tie write-in vote for a vacant Town Meeting position, the position shall be filled by a vote of the remaining Town Meeting Members of the precinct, from the write-in candidates whose write-in votes were tied. The Town Clerk shall give notice of the tie vote to the remaining Town Meeting Members of the precinct. The Town Clerk shall set a time and place for a precinct meeting for the purpose of filling the vacancy. The Town Clerk shall give notice of the meeting to precinct Town Meeting Members at least seven (7) days in advance and shall publish legal notice in a newspaper of general circulation in the community. A vacant position filled in this manner shall be filled for the entire remainder of the term.

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[Special Legislation adopted as Chapter 57 of the Acts of 2002 on March 14, 2002]
[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.4 Town Meeting Sessions

All representative Town Meeting sessions shall be limited to the Town Meeting Members elected pursuant to Section 2.3, together with the duly elected Moderator. The Town Clerk shall notify the Town Meeting Members of the time and place at which representative Town Meeting sessions are to be held, the notices to be sent at least seven (7) days before the meeting. The Town Meeting Members shall be the judges of the election and qualification of their members. A majority of the Town Meeting Members shall constitute a quorum for doing business. However, a smaller number may organize temporarily and may adjourn from time to time, but no Town Meeting shall adjourn over the date of an election of Town Meeting Members. All Town Meeting sessions shall be public.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.5 Nomination Procedures

Nomination of candidates for Town Meeting Member to be elected under this Charter shall only be made by nomination papers bearing no political designation and signed by not less than ten (10) registered voters from the candidate's precinct. Nomination papers must be filed with the Town Clerk at least twenty-eight (28) days before the election and must be signed by the candidate to be valid.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.6 Vacancies

A Town Meeting Member may resign by filing a written notice with the Town Clerk which shall take effect on the date filed. A Town Meeting Member who moves from the Town shall cease to be a Town Meeting Member. A Town Meeting Member who moves from the precinct from which he was elected to another precinct, may serve only until the next Annual Town Election.

If any person elected as a Town Meeting Member fails to take his oath of office within thirty (30) days following his notice of election, or fails to attend one-half or more of the total Town Meeting sessions within one year preceding the most recent Annual Town Election, his seat may be declared vacant by a majority vote of Town Meeting.

The Selectmen shall place an Article in the Annual Town Meeting Warrant to remove any such person. The Town Clerk must notify any such person that he may be removed under this section at least seven (7) days in advance of the Annual Town Meeting. Notice shall be mailed to his last known address.

In the event of a tie write-in vote for a vacant Town Meeting position, the position shall be filled by a vote of the remaining members of the precinct from the write-in candidates whose write-in votes were tied. The Town Clerk shall give notice of the tie vote to the remaining Town Meeting members of the precinct. The Town Clerk shall set a time and place for a precinct meeting for the purpose of filling the vacancy. The Town Clerk shall give notice to precinct Town Meeting members at least 7 days in advance of the meeting, and shall also publish notice of the meeting in a newspaper of general circulation in the community. A vacant position filled in this manner shall be filled for the remainder of the term Chapter 57 of the Acts of 2002.

Any vacancy of a Town Meeting position may be filled until the next Annual Town Election by a vote of the remaining members of the precinct. The balance of any unexpired term shall be filled at the next Annual Town Election. The Town Clerk shall give notice of any vacancy to the remaining Town Meeting Members of the precinct. The Town Clerk shall set a time and place for a precinct meeting for the purpose of temporarily filling any vacancies. The Town Clerk shall give notice of the meeting to precinct Town Meeting Members at least seven (7) days in advance and shall publish legal notice in a community newspaper of general circulation.

At any precinct meeting, a majority shall constitute a quorum. A majority of votes cast at precinct meetings shall be sufficient to fill vacancies, elect a Chairman and a Clerk or conduct any order of

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business. The Chairman and Precinct Clerk shall certify any election of the precinct and transmit written acceptance of any person elected Town Meeting Member to the Town Clerk.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.7 Precinct Meetings

Each precinct shall meet at least annually and shall elect a Chair and a Clerk. At any precinct meeting, a majority of the Town Meeting Members of the precinct shall constitute a quorum. A majority of votes cast at precinct meetings shall be sufficient to fill vacancies, elect a Chair or Clerk, or conduct other business. The Chair or Clerk shall certify any vote taken at a precinct meeting to the Town Clerk.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.8 Compensation

Town Meeting Members shall serve without compensation.

2.9 Presiding Officer

A Moderator, chosen in accordance with the provisions of Section 3.6, shall preside at all sessions of the Town Meeting. The Moderator shall regulate the proceedings of all Town Meeting sessions, decide all questions of order and make public declaration of all votes. He may also administer the oath of office to any Town Officer and to Town Meeting Members and shall perform other functions as provided by the Charter, the laws of the Commonwealth of Massachusetts, Town Bylaws, any Town Meeting vote or applicable laws. In the absence of the Moderator, the Town Meeting shall elect a Moderator *pro tempore*.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.10 Clerk of the Town Meeting

The Town Clerk shall serve as the Clerk of the Town Meeting. In the event of his unavoidable absence, the Town Clerk may designate a substitute; otherwise, the Moderator shall appoint a Clerk *pro tempore*. The Clerk shall give notice of all Town Meetings to Town Meeting Members and to the public, keep the journal of Town Meeting proceedings, and perform such other functions as may be provided by the Charter, the laws of the Commonwealth of Massachusetts, Town Bylaws, any Town Meeting vote or other applicable laws.

2.11 Participation by Non-Town Meeting Members

Subject to conditions that may be determined from time to time by Town Meeting Members, any person who is not a Town Meeting Member may be allowed to speak at any Town Meeting but shall not vote.

At the request of the Moderator or Town Meeting, any Town Officer or Department Head or his designee shall be present at any session of Town Meeting for the purpose of responding to questions of Town Meeting Members.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.12 Establishment of Boards or Committees

The Town Meeting may, by Bylaw, establish boards or committees to which may be referred Warrant Articles for study, review and report in advance of the sessions of the Town Meeting.

In establishing boards or committees, the Town Meeting shall provide for the appointment of members either by an appointment committee established for that purpose or by an existing board or committee.

[Amended November 19, 2001 - Article 12]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

Finance Committee

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There shall be a Finance Committee consisting of nine (9) voters of the Town, appointed for three year staggered terms so arranged that three (3) terms expire on June 30 each year. No Finance Committee Member shall serve for more than three (3) consecutive terms; provided, however, that an appointment to the Finance Committee to fill an unexpired term that has less than two (2) years remaining shall not be counted towards the three (3) consecutive terms.

No Finance Committee Member shall be an elected or appointed Town Officer or an employee of the Town. A Finance Committee Member may be an elected Town Meeting Member but shall serve on no other standing committee.

Finance Committee members shall be appointed by an Appointment Committee chaired by the Moderator, consisting of the Moderator who shall have one (1) vote, the Chairman of the Board of Selectmen who shall have one (1) vote, and the Chairman of the Finance Committee who shall have one (1) vote. Any vacancy on the Finance Committee shall be filled by the Appointment Committee.

The Finance Committee shall have all the powers and duties granted to Finance Committees under the laws of the Commonwealth of Massachusetts, Town Bylaw, any Town Meeting vote and other applicable laws. In addition to these powers, the Finance Committee shall have the power to investigate the books, accounts, records and management of any office, board or committee in Town, and may use agents in carrying out such investigations. The Finance Committee shall report its findings, approval or disapproval on all Articles that involve the expenditure of funds in the Warrant in writing to Town Meeting. Such a report shall not preclude further action or reconsideration by the Finance Committee. The Finance Committee shall take reasonable action to provide its findings to Town Meeting in writing at least seven (7) days before Town Meeting.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

Bylaw Committee

There shall be a Bylaw Committee consisting of five (5) voters of the Town, appointed for three (3) year staggered terms expiring on June 30.

Bylaw Committee members shall be appointed by an Appointment Committee chaired by the Moderator, consisting of the Moderator who shall have one (1) vote, the Chair of the Board of Selectmen who shall have one (1) vote, and the Chair of the Bylaw Committee who shall have one (1) vote. The Appointment Committee shall fill any vacancy on the Bylaw Committee.

The Bylaw Committee may propose and shall consider Town Meeting Warrant articles offering changes in the Bylaws or Charter, petitions for special acts, or local acceptance of State Statutes that are subject to Town Meeting acceptance; and shall report its findings on all such Articles in writing to Town Meeting. Such a report shall not preclude further action or reconsideration by the Bylaw Committee. The Bylaw Committee shall take reasonable action to provide its findings to Town Meeting in writing at least seven (7) days before Town Meeting.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

Rules Committee

There shall be a Rules Committee, chaired by the Moderator who shall be a non-voting member, and consisting of the Precinct Chairs. The Rules Committee may, from time to time, review all aspects of the operation of Town Meeting, and make a Report in writing to Town Meeting setting forth its findings, recommendations, and proposals for rules governing the conduct of Town Meeting.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

2.13 Warrant Articles

Except for procedural matters, all subjects to be acted upon by the Town Meeting shall be placed on a Warrant therefor issued by the Board of Selectmen. The Board of Selectmen shall place on such Warrants all subjects submitted by:

- a) any two (2) or more members of the Board of Selectmen;

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- b) any elected or appointed Town board or committee;
- c) any ten (10) or more voters for the Annual or Subsequent Town Meeting as defined in Section 2.15;
- d) any one hundred (100) or more voters for a Special Town Meeting; or
- e) any other person or entity as may be authorized by Bylaw or otherwise.

All subjects timely submitted to the Board of Selectmen under this section shall be placed on a Warrant for the next scheduled Annual, Subsequent or Special Town Meeting.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

Promptly upon receipt by the Board of Selectmen of any subject for a Town Meeting Warrant Article, a copy of the Article shall be available for inspection and distributed as may be required by Bylaw. Additional copies shall be made available for inspection in the Office of the Town Clerk.

2.14 Meetings

The Town Meeting shall meet at least twice in each calendar year. The Annual Town Meeting shall be held during the first six calendar months at a time fixed by Bylaw, and shall be primarily concerned with the determination of matters that have a fiscal impact on the Town including the adoption of an annual operating budget for all Town Agencies (excluding the Reading Municipal Light Department). A Subsequent Town Meeting shall be held during the last three calendar months at a time fixed by Bylaw. In addition to the two meetings required by this section, the Board of Selectmen may call a Special Town Meeting into session at other times by the issuance of a Warrant therefor as it deems necessary or appropriate for the purpose of acting upon the legislative business of the Town in an orderly and expeditious manner.

2.15 Referendum Procedures

No final affirmative vote of a Town Meeting on any Warrant Article shall be effective until after the expiration of seven (7) days following the dissolution of the Town Meeting except:

- (a) a vote to adjourn or dissolve;
- (b) votes appropriating money for the payment of notes or bonds of the Town and interest becoming due within the then current fiscal year;
- (c) votes for the temporary borrowing of money in anticipation of revenue; or
- (d) a vote declared by a preamble, and adopted by a two-thirds (2/3) vote of the Town Meeting to be an emergency measure necessary for the immediate preservation of the peace, health, safety or convenience of the Town.

If a referendum petition is not filed within the said seven (7) days, the remaining votes of the Town Meeting shall then become effective.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

(a) Referendum Petition – If, within said seven (7) days, a referendum petition signed by not less than three percent (3%) of the voters certified by the Registrars of Voters containing their names and addresses is filed with the Board of Selectmen requesting that any of the remaining affirmative votes of Town Meeting be submitted to the voters in the form of a ballot question, then the effectiveness of such Town Meeting vote shall be further suspended pending its determination as provided herein. The Board of Selectmen shall, within ten (10) days after the filing of such referendum petition, call a Special Election to be held within thirty (30) days or such longer period as may be required by law after issuing the call, for the purpose of presenting such ballot question to the voters; provided, however, that if a regular or Special Election is to be held not more than sixty (60) days following the date the referendum petition is filed, the Board of Selectmen may provide that such ballot question be presented to the voters at that Election.

(b) Form of Referendum Petition/Ballot Question - Each ballot question submitted shall appear at the top of each referendum petition and shall be presented in the following form which shall be placed on the official ballot: "Shall the Town vote to approve the action of the representative Town Meeting whereby it was voted on (insert date of Town Meeting) to (insert complete

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language of the vote in the same form in which it was stated when presented by the Moderator to the Town Meeting, and as it appears in the records of the Clerk of the meeting)”?

The circulator(s) of the referendum petition may make multiple copies of the petition form, but such copies must be exact duplicates thereof, and the petition form may not be altered in any way. No extraneous markings, such as underlines, highlighting, erasures, marking out or insertion of words or other information, shall be allowed on any area of the petition form or any copy thereof. Any such extraneous markings on, or alterations of the petition form or any copy thereof, and any copies of the petition form that are not exact duplicates shall be invalid and no signatures contained thereon shall be counted toward the required number. For the purpose of this prohibition, the term “extraneous markings” shall not include signatures, names or addresses.

Each petition form shall include language informing voters that additional markings will disqualify the signatures on the petition form; that for their signature to be counted, they must be a registered voter of the Town of Reading; that their signature shall be written in the same form as they are registered; that they should not sign the petition and any copy thereof more than once; and that, if they are prevented by physical disability from writing, they may authorize some person to write their name and address in their presence. The back of each petition form where signature lines appear shall include the following instruction: “ATTENTION VOTERS: Before signing, read signer information on the other side.”

Upon request, the Town Clerk shall provide a Town referendum petition/ballot question form with the final article language voted at Town Meeting. The Town Clerk shall deliver sufficient copies according to the laws of the Commonwealth of Massachusetts.

In addition to the certification of signatures on the petition form, the Board of Registrars of Voters shall examine the petition forms for extraneous markings, and determine whether they are exact copies.

(c) Election - Any ballot question submitted in accordance with the procedure set forth herein shall be determined by a majority vote thereon ~~of the voters voting in said election~~, but no action of the Town Meeting shall be reversed unless at least twenty percent (20%) of the ~~eligible voters cast ballots vote in such election~~ on the ballot question.

[Amended November 15, 2010 - Article 16]

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ARTICLE 3 ELECTED OFFICERS AND BOARDS OR COMMITTEES

3.1 General Provisions

The offices to be filled by the voters shall be the Board of Selectmen, School Committee, Board of Library Trustees, Municipal Light Board of Commissioners, Moderator, and such members of regional authorities or districts as may be established by statute, intergovernmental agreement executed pursuant to Section 1.6 or otherwise.

Only a registered voter of the Town shall be eligible to hold any elective town office, but no person holding any elective Town office shall simultaneously hold any other elective Town office except that of Town Meeting Member.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

Elected Town Officers shall receive no compensation unless specifically voted by Town Meeting.

The Town Officers named in this Article shall be subject to the call of the Board of Selectmen at all reasonable times for consultation, conference and discussion on any matter relating to their respective offices.

3.2 Board of Selectmen

There shall be a Board of Selectmen consisting of five (5) members elected for three (3) year terms so arranged that as nearly an equal number of terms as possible shall expire each year.

The executive powers of the Town shall be vested in the Board of Selectmen. The Board of Selectmen shall have all of the powers and duties given to Boards of Selectmen under the Constitution and General Laws of the Commonwealth of Massachusetts, and such additional powers and duties as may be provided by the Charter, by Bylaw, or by Town Meeting vote.

The Board of Selectmen shall cause the laws and orders for the government of the Town to be enforced and shall cause a record of all its official acts to be kept.

The Board of Selectmen shall appoint the Town Manager, Town Counsel, Town Accountant, not more than five (5) Constables, and any other appointed board or committee member whom no other method of selection is provided by the Charter or by Bylaw.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

The Board of Selectmen or its designee shall be the Licensing Board of the Town and shall have the power to issue licenses, to make all necessary rules and regulations regarding the issuance of such licenses, and to attach such conditions and restrictions thereto as it deems to be in the public interest, and to enforce the laws relating to all businesses for which it issues licenses.

3.3 School Committee

There shall be a School Committee consisting of six (6) members elected for three (3) year terms so arranged that two (2) terms shall expire each year.

The School Committee shall have all of the powers and duties given to School Committees under the Constitution and General Laws of the Commonwealth of Massachusetts and such additional powers and duties as provided by the Charter, by Bylaw, or by Town Meeting vote.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

The School Committee shall make all reasonable rules and regulations, consistent with law, for the administration and management of the public schools of the Town. The School Committee shall also appoint a Superintendent of Schools and shall define his duties and terms of employment.

3.4 Board of Library Trustees

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There shall be a Board of Library Trustees consisting of six (6) members elected for three (3) year terms so arranged that two (2) terms shall expire each year.

The Board of Library Trustees shall have all of the powers and duties given to Board of Library Trustees under the Massachusetts General Laws, and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by Town Meeting vote.

The Board of Library Trustees shall have control over the selection of Library materials, and shall have custody and management of the Library and of all property of the Town related thereto; provided, however, that the Town Manager or his designee shall have responsibility for the maintenance of the Library building and grounds. The Board of Library Trustees shall also appoint a Library Director and shall define his duties and terms of employment, subject to the personnel policies and classification and compensation plans established by the Board of Selectmen.

The Board of Library Trustees shall administer all money or property that the Town may receive on behalf of the Library by gift or bequest in accordance with the provisions of such gift or bequest.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

3.5 Municipal Light Board of Commissioners

There shall be a Municipal Light Board of Commissioners consisting of five (5) members elected for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The Municipal Light Board of Commissioners shall have all the powers and duties given to cities and towns in respect to municipal lighting plants under Massachusetts General Laws Chapter 164 Section 34 et seq. and other general and special acts pertaining thereto, together with such further powers and duties assigned to them by the Charter, by Bylaw, or by Town of Reading Town Meeting vote.

The Municipal Light Board of Commissioners shall hire the General Manager of the Municipal Light Department and set his duties and terms of employment.

The Municipal Light Board of Commissioners shall appoint the Accounting Manager or Chief Accountant of the Municipal Light Department and appoint Counsel to the Municipal Light Department.

The Accounting Manager or Chief Accountant, as the case may be, and Counsel shall be subject to the supervision of the General Manager.

The Municipal Light Board of Commissioners shall approve warrants for payments of all bills and payroll of the Municipal Light Department and shall approve all contracts which are at or above the competitive sealed bid procedures level as stated in Massachusetts General Laws Chapter 30B Section 5 and, further, all contracts shall be made in accordance with Massachusetts General Laws Chapter 30B. Contracts for purchasing of power shall not be subject to Massachusetts General Laws Chapter 30B but shall be approved by the Municipal Light Board of Commissioners.

The Municipal Light Board of Commissioners shall employ the Auditor appointed by the Town of Reading Audit Committee.

The Municipal Light Board of Commissioners shall annually set electric rates and approve an annual operating budget and Capital Improvements Program each fiscal year. Such approval will be done by a majority vote of the Municipal Light Board of Commissioners. After the Municipal Light Board of Commissioners has approved an annual operating budget and Capital Improvements Program, it will present them to the Town of Reading Finance Committee and Town of Reading Town Meeting. Upon request of any of the other towns served by the Reading Municipal Light Department, the Municipal Light Board of Commissioners shall make a presentation to the Finance Committee and/or Town Meeting of any such town(s).

[Amended April 28, 2003 - Article 7]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

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3.6 Moderator

There shall be a Moderator elected for a one (1) year term.

The Moderator shall have all of the powers and duties given to Moderators under the Constitution and General Laws of the Commonwealth of Massachusetts, and such additional powers and duties as provided by the Charter, by Bylaw, or by Town Meeting vote. The Moderator shall not simultaneously serve as an elected Town Meeting Member or in any other elected Town office.

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ARTICLE 4 APPOINTED BOARDS OR COMMITTEES

4.1 Board of Assessors

There shall be a Board of Assessors consisting of three (3) members appointed by the Board of Selectmen for three (3) year terms so arranged that one (1) term shall expire each year.

The Board of Assessors shall have all the powers and duties given to Boards of Assessors by Massachusetts General Laws, and such additional powers and duties as provided by the Charter, by Bylaw or by Town Meeting vote.

The elected members of the Board of Assessors serving at the time this section first becomes effective may continue to serve in office until their elected terms expire, unless reappointed for an additional term or terms pursuant to this section.

[Amended November 30, 1989 - Article 36 and approved by vote of the Town on March 19, 1990]

4.2 Board of Cemetery Trustees

There shall be a Board of Cemetery Trustees consisting of six (6) members appointed by the Board of Selectmen for three (3) year terms so arranged that two (2) terms shall expire each year.

The Board of Cemetery Trustees shall have the powers and duties given to Boards of Cemetery Trustees under the Massachusetts General Laws, and such additional powers and duties as provided by the Charter, by Bylaw, or by Town Meeting vote.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

4.3 Board of Commissioners of Trust Funds

There shall be a Board of Commissioners of Trust Funds consisting of five (5) members. Three (3) shall be appointed by the Board of Selectmen for three (3) year terms so arranged that one (1) term shall expire each year. In addition, the Board of Selectmen shall appoint one of its members to serve as a full voting member *ex officio*, and the Town Treasurer shall serve as a full voting member *ex officio*.

The Board of Commissioners of Trust Funds shall have all the powers and duties given to them by the Board of Selectmen.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

4.4 Board of Health

There shall be a Board of Health consisting of three (3) members appointed by the Board of Selectmen for three (3) year terms so arranged that one (1) term shall expire each year.

The Board of Health shall have all of the powers and duties given to Boards of Health under the Massachusetts General Laws, and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by Town Meeting vote.

4.5 Community Planning and Development Commission

There shall be a Community Planning and Development Commission consisting of five (5) members appointed by the Board of Selectmen for three (3) year terms so arranged that as nearly an equal number of terms as possible shall expire each year.

The Community Planning and Development Commission shall have all of the powers and duties given to Planning Boards, Boards of Survey and Industrial Development Commissions under the Massachusetts General Laws, and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by Town Meeting vote. The Community Planning and Development Commission shall have the power to regulate the subdivision of land within the Town by the adoption of Rules and Regulations pertaining thereto.

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The Community Planning and Development Commission shall make studies and prepare plans concerning the resources, developmental potential and needs of the Town; and shall report annually to the Town giving information regarding the physical condition of the Town, and any plans or proposals known to it affecting the resources, physical development and needs of the Town.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

4.6 Conservation Commission

There shall be a Conservation Commission consisting of seven (7) members appointed by the Board of Selectmen for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The Conservation Commission shall have all the powers and duties given to Conservation Commissions by the Massachusetts General Laws, and such additional powers and duties as provided by the Charter, by Bylaw, or by Town Meeting vote.

4.7 Council on Aging

There shall be a Council on Aging consisting of ten (10) members appointed by the Board of Selectmen for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The Council on Aging shall have all the powers and duties given to Councils on Aging by the Massachusetts General Laws, and such additional powers and duties as provided by the Charter, by Bylaw, or by Town Meeting vote.

4.8 Historical Commission

The Board of Selectmen shall appoint the Historical Commission and determine the number of members and their term of appointment, not to exceed three (3) years

The Historical Commission shall have all the powers and duties given to Historical Commission by Massachusetts General Laws, and such additional powers and duties as provided by the Charter, by Bylaw, or by Town Meeting vote.

4.9 Housing Authority

There shall be a Housing Authority consisting of five (5) members. Four (4) members shall be appointed by the Board of Selectmen, and the fifth (5th) member shall be a resident of the Town, appointed by the Commonwealth of Massachusetts or as otherwise provided by law. Housing Authority Members shall serve for five (5) year terms so arranged that one (1) term shall expire each year.

The Housing Authority shall have all of the powers and duties given to housing authorities under the Massachusetts General Laws, and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by ~~other~~ Town Meeting vote.

4.10 Recreation Committee

There shall be a Recreation Committee consisting of nine (9) members, eight (8) appointed by the Board of Selectmen, and one (1) appointed by the School Committee for three (3) year terms so arranged that three (3) terms shall expire each year.

The Recreation Committee shall have all the powers and duties given to them by the Board of Selectmen, and such additional powers and duties as provided by the Charter, by Bylaw, or by Town Meeting vote.

The Recreation Committee shall be responsible for the evaluation of recreational program activities, formulation of overall plans for the recreational program development, and for the scheduling of Town parks and recreational facilities when not in use by the School Department.

4.11 Town Forest Committee

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The Board of Selectmen shall appoint the Town Forest Committee and determine the number of members and their term of appointment, not to exceed three (3) years.

The Town Forest Committee shall have all the powers and duties given to Town Forest Committees by the Massachusetts General Laws, and such additional powers and duties as provided by the Charter, by Bylaw, by the Board of Selectmen or by Town Meeting vote.

4.12 Zoning Board of Appeals

There shall be a Zoning Board of Appeals consisting of five (5) members and two (2) associate members appointed by the Board of Selectmen for three (3) year terms so arranged that as near an equal number of terms as possible shall expire each year.

The Zoning Board of Appeals shall have the powers and duties of Zoning Boards of Appeal under the Massachusetts General Laws and such additional powers and duties as may be authorized by the Charter, by Bylaw, or by Town Meeting vote.

[Amended November 17, 2005 - Article 22 and approved by vote of the Town on April 4, 2006]

4.13 Charter Review Committee

At least every ten (10) years a special Committee consisting of nine (9) members shall be established for the purpose of reviewing the Charter and to making a report, with recommendations to the Town Meeting concerning any proposed amendments that said Committee may determine to be necessary or desirable. The Committee shall consist of one (1) member of the Board of Selectmen or designee, one (1) member of the School Committee or designee, one (1) member of the Board of Library Trustees or designee, one (1) member of the Municipal Light Board of Commissioners or designee, the Moderator, one (1) member of the Bylaw Committee and three (3) Town Meeting members to be appointed by the Moderator.

4.14 Other Boards or Committees

Any of the elected boards or committees as listed in Article 3 of the Charter may establish and appoint or dissolve boards or committees from time to time for a specific purpose. Such boards or committees shall be appointed in accordance with the process detailed in Section 8.11, and members shall physically reside in the Town of Reading at the time of their appointment and during their term of office.

The appointing authority shall report the purpose, membership and contact information of said board or committee to the Town Clerk in advance of the first meeting of said board or committee.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

[Amended November 15, 2010 - Article 15 and approved by vote of the Town on April 6, 2010]

4.15 Associate Membership

All appointed boards or committees under Article 4 may have Associate Members if specified in the Bylaw or Charter provision defining the membership of such bodies. Associate Members are to be appointed to the various appointed boards or committees by the appointing authority responsible for appointing individuals to the particular boards or committees.

All rules and regulations relating to Associate Membership on an appointed boards or committees shall be set forth in the Bylaw or a Charter provision defining the conduct of such bodies. Associate Members cannot vote on any issue to be decided by the board or committee to which the individual is appointed as an Associate Member except as allowed by Massachusetts General Laws or by rules and regulations set by the Appointing Authority.

In no case shall an Associate Member vote on any issue if he has served as an Associate Member for less than one hundred and eighty days (180) prior to the taking of the vote except as allowed by Massachusetts General Laws.

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ARTICLE 5 TOWN MANAGER

5.1 Appointment, Qualifications, and Term

The Board of Selectmen shall appoint a Town Manager, who shall be appointed solely on the basis of his executive and administrative qualifications. He shall be a professionally qualified person of proven ability, especially fitted by education, training and previous experience. He shall have had at least five (5) years of full-time paid experience as a City or Town Manager or Assistant City or Town Manager or the equivalent level public or private sector experience.

The terms of the Town Manager's employment shall be the subject of a written contract, for a term not to exceed three (3) years, setting forth his tenure, compensation, vacation, sick leave, benefits, and such other matters as are customarily included in an employment contract. The Town Manager's employment contract shall be in accordance with and subject to the provisions of the Charter and shall prevail over any conflicting provision of any personnel bylaw, rule, or regulation. The Town Manager's compensation shall not exceed the amount annually appropriated for that purpose.

The Town Manager shall devote full time to his office and, except as expressly authorized by the Board of Selectmen, shall not engage in any other business or occupation, except as expressly provided in the Charter, shall not hold any other public elective or appointive office in the Town; provided, however, that, with the approval of the Board of Selectmen, the Town Manager may serve as the Town's representative to regional boards or commissions, or similar entities, but shall not receive any additional salary from the Town for such services.

Upon the termination of the Town Manager's appointment, whether voluntary or otherwise, he may receive termination pay as determined by the Board of Selectmen, not to exceed twelve (12) month's salary in total. To be eligible for this benefit upon voluntary termination, the Town Manager shall provide the Board of Selectmen a minimum of sixty (60) days written notice of intent to leave. This benefit will not be available if the Town Manager is terminated for cause.

[Amended November 10, 1997 - Article 7 and approved by vote of the Town on March 24, 1998]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

[Amended November 21, 2011 - Article 28 and approved by vote of the Town on March 6, 2012]

5.2 Powers and Duties

The Town Manager shall be the Chief Administrative Officer of the Town and shall be responsible to the Board of Selectmen for the proper administration of all Town affairs placed in his charge by or under the Charter. The Town Manager's powers and duties shall include:

- 5.2.1 To supervise and be responsible for the efficient administration of all functions under his control, as may be authorized by the Charter, by Bylaw, by Town Meeting vote, or by the Board of Selectmen, including all officers appointed by him and their respective departments.
- 5.2.2 To appoint, and remove, subject to the civil service laws where applicable, the Police Chief, Fire Chief, Appraiser and all employees for whom no other method of appointment is provided in the Charter, except persons serving under the School Committee, Municipal Light Board of Commissioners or Board of Library Trustees, and appointments made by the representatives of the Commonwealth of Massachusetts. The Town Manager's appointment of the Police Chief and Fire Chief shall be subject to confirmation by the Board of Selectmen. The Town Manager's appointment of the Appraiser shall be subject to confirmation by the Board of Assessors.
- 5.2.3 To administer all personnel policies, practices and related matters for all municipal employees as established by any compensation plan, personnel policy guide or Bylaw, and all collective bargaining agreements entered into by the Board of Selectmen on behalf of the Town.
- 5.2.4 To fix the compensation of all Town officers and employees appointed by him within the limits established by applicable appropriations, and any compensation plan adopted by the Town Meeting.

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- 5.2.5 To attend all regular and special meetings of the Board of Selectmen, unless excused at his own request, and to have a voice, but no vote, in all discussions.
- 5.2.6 To attend all sessions of the Town Meetings and to answer all questions directed to him that are related to his office.
- 5.2.7 To see that all of the provisions of the Massachusetts General Laws, of the Charter, of the Bylaw of Town Meeting votes, and of votes of the Board of Selectmen that require enforcement by him or Town Officers and employees subject to his direction and supervision, are faithfully carried out.
- 5.2.8 To prepare and submit a proposed Annual Operating Budget and a proposed Capital Improvements Program as provided in Article 7.
- 5.2.9 To ensure that a full and complete record of the financial and administrative activities of the Town is kept and to render a full report to the Board of Selectmen at the end of each fiscal year and at such other times as may be required by the Board of Selectmen.
- 5.2.10 To keep the Board of Selectmen fully informed as to the financial condition and needs of the Town and to make such recommendations to the Board of Selectmen as he may deem necessary or appropriate.
- 5.2.11 To have full responsibility for the rental and use of all Town facilities, except those under the care, custody, management and control of the School Committee, the Board of Library Trustees, the Municipal Light Board of Commissioners, or other boards or committees specified by Bylaw or Town Meeting vote. He or his designee shall be responsible for the maintenance and repair of all Town property under his control.
- 5.2.12 To inquire into the conduct of any Town Officer, employee or department under his control.
- 5.2.13 To keep a full and complete inventory of all real and personal property of substantial value belonging to the Town.
- 5.2.14 To serve as Chief Procurement Officer pursuant to the provisions of Chapter 30B of the Massachusetts General Laws and to be responsible for purchasing all supplies, materials, equipment, goods and services, except those of the School Committee and the Municipal Light Board of Commissioners; to negotiate and approve the award of all contracts for all departments and activities of the Town except those of the School Committee and Municipal Light Board of Commissioners; to examine the services performed for any Town Agency pursuant to any such contract; and to examine and inspect, or cause to be examined and inspected, the quality, quantity and conditions of materials, supplies, equipment or goods delivered to or received by any Town Agency.
- 5.2.15 To approve any warrants for the payment of Town funds prepared by the Accountant in accordance with the provisions of the Massachusetts General Laws; provided, however, that the approval of any such warrant by the Town Manager shall be sufficient authority to authorize payment by the Town Treasurer, and provided further that the Board of Selectmen shall approve such warrants in the event of a vacancy in the office of Town Manager.
- 5.2.16 To serve as the Executive Officer of the Town for the purposes of Chapter 258 of the Massachusetts General Laws.
- 5.2.17 To perform any other duties required of him by the Charter, by Bylaw, by Town Meeting vote, or by the Board of Selectmen.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

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5.3 Ombudsman

The Town Manager shall appoint a Town employee to act as an Ombudsman to all citizens in their day-to-day contacts and dealings with the Town, its officials, and boards. The function of the Ombudsman shall be:

- (a) to direct the citizens to the proper Town Officer, board or committee to deal with the issue or concern of the citizen;
- (b) to set up appointments for citizens to meet with directors, department heads and boards as appropriate;
- (c) to provide citizens with access to public information within the Town and;
- (d) to otherwise serve the public in connection with their dealings with the Town.

The office of the Town Ombudsman shall be clearly and conspicuously marked within the Town Hall.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

5.4 Acting Town Manager

- (a) **Temporary Absence** - By letter filed with the Town Clerk and the Board of Selectmen, the Town Manager shall designate a qualified Town officer or employee to serve as acting Town Manager during any temporary absence anticipated not to exceed ten (10) working days.
- (b) **Long-Term Absence** - In the event of the absence, incapacity or illness of the Town Manager in excess of ten (10) working days, the Board of Selectmen shall appoint a qualified Town officer or employee to serve as Acting Town Manager until the Town Manager returns.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

- (c) **Vacancy** - When the office of Town Manager is vacant, or the Town Manager is under suspension as provided in Section 5-5, the Board of Selectmen shall appoint a qualified Town officer or employee to serve as Acting Town Manager until the vacancy is filled or the suspension has been terminated. In the event of vacancy, the Board of Selectmen shall initiate recruitment for a new Town Manager without delay and shall appoint a new Town Manager within one hundred twenty (120) days.
- (d) **Term** - No appointment of an Acting Town Manager may exceed ten (10) working days whereupon the appointment may be renewed or another Acting Town Manager appointed.
- (e) **Powers** - The powers of an Acting Town Manager are limited to routine matters requiring immediate action and to making emergency temporary appointments to any Town office or employment within the scope of the Town Manager's responsibilities.

5.5 Removal Procedures

The Board of Selectmen may remove the Town Manager from office as follows:

- 5.5.1 **Notice** - By affirmative vote of a majority of its members, the Board of Selectmen may adopt a preliminary resolution of removal setting forth in reasonable detail the reason or reasons for the proposed removal. The preliminary resolution may suspend the Town Manager for a period not to exceed forty-five (45) days. A copy of the resolution shall be delivered to the Town Manager forthwith following its adoption.
- 5.5.2 **Public Hearing** - Within five (5) days after the delivery of the preliminary resolution of removal, the Town Manager may request a public hearing on the reasons cited for removal by filing a written request therefor with the Board of Selectmen. The hearing shall be convened by the Board of Selectmen not less than twenty (20) nor more than thirty (30) days after a request is filed. Not less than five (5) days prior to such hearing, written notice thereof shall be given to the Town Manager at his last known address. The time limitations set forth herein may be waived in writing by the Town Manager. The Town Manager shall be entitled to file a written statement with the Board of Selectmen responding to the reasons cited for the proposed removal, provided the same is received by the Board of Selectmen not less than forty-eight (48) hours in advance of the time set for the commencement of the public hearing. The Town Manager may be represented by counsel at the public hearing. He shall be entitled to present evidence, call witnesses and, personally or through counsel, question any witnesses appearing at the hearing.

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[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

5.5.3 Removal - If the Town Manager does not request a public hearing, then upon the expiration of ten (10) days from the date of delivery to him of the preliminary resolution of removal, or if the Town Manager does request a public hearing, then five (5) days from the completion of the public hearing or forty-five (45) days from the date of the adoption of the preliminary resolution, whichever occurs later, the Board of Selectmen may by a vote of a majority of its members adopt a final resolution of removal that shall be effective upon adoption. Failure to adopt a final resolution of removal within the time limitations provided in this section shall nullify the preliminary resolution of removal. The action of the Board of Selectmen in suspending or removing the Town Manager shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such suspension or removal in the Board of Selectmen. The Town Manager shall continue to receive his salary until a final resolution of removal has become effective.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

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ARTICLE 6 ADMINISTRATIVE ORGANIZATION

6.1 Organization of Departments, Agencies and Offices

The organization of the Town into operating Town Agencies shall be accomplished through the establishment of a Table of Organization that presents the organization of all Town Agencies. Such table shall be prepared by the Town Manager in consultation with the Board of Selectmen and may be revised from time to time.

[Amended November 17, 2011 - Article 20 and approved by vote of the Town on April 5, 2011]

For the convenience of the public, the Table of Organization shall be printed as an appendix to, but not as part of, the Bylaws of the Town. The Table of Organization shall also be published annually in the Town Report.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

[Amended November 17, 2011 - Article 20 and approved by vote of the Town on April 5, 2011]

6.2 Town Counsel

Appointment and Qualifications – The Board of Selectmen shall appoint a Town Counsel and fix his compensation within the amount annually appropriated for that purpose. The person appointed and employed by the Board of Selectmen as Town Counsel shall be a member in good standing of the bar of the Supreme Judicial Court of Massachusetts and of all other courts before which he has been admitted to practice. Any Special Counsel employed by the Board of Selectmen shall be a member in good standing of the bar of all courts before which he has been admitted to practice.

Powers and Duties – The Town Counsel shall provide legal advice, representation and litigation services to the Town, Town Agencies and Town Officers, as the Board of Selectmen or Town Manager may request or authorize.

Vacancy – If the Town Counsel is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Board of Selectmen may appoint a temporary Town Counsel to hold such office and exercise the powers and perform the duties until the Town Counsel can resume his duties, or until another Town Counsel is duly appointed.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

6.3 Town Accountant

Appointment, Qualification and Term of Office – There shall be a Town Accountant, appointed by the Board of Selectmen. The Town Accountant shall be qualified in accordance with State law, and shall have appropriate prior full time accounting experience as determined by the Board of Selectmen.

The Town Accountant shall be appointed in March of every year for a one (1) year term to run from the first day of the following July and shall serve until the qualification of his successor. Should the Town Accountant position become vacant, the Board of Selectmen shall fill the vacancy in the same manner as an original appointment for the remainder of the unexpired term.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

Powers and Duties – The Town Accountant shall be subject to the supervision of the Town Manager. In addition to the powers and duties conferred and imposed upon Town Accountants by the Massachusetts General Laws, his powers and duties shall include:

- (a) To prescribe the methods of installation and exercise supervision of all accounting records of Town Agencies and Town Officers; provided, however, that any change in the system of accounts shall be made only after consultation with the Town Manager and the Town agencies affected.

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- (b) To establish standard practices relating to all accounting matters and procedures and the coordination of systems throughout the Town, including clerical and office methods, records, reports and procedures as they relate to accounting matters; and to prepare and issue rules, regulations and instructions relating thereto that, when approved by the Town Manager, shall be binding upon all Town Agencies and employees.
- (c) To draw all warrants upon the Town Treasurer for the payment of bills, drafts and orders chargeable to the appropriations of the Town Meeting and other accounts.
- (d) Prior to submitting any Warrant to the Town Manager, to examine and approve as not being fraudulent, unlawful or excessive, all bills, drafts and orders covered thereby. In connection with any such examinations, he may make inspection as to the quality, quantity and condition of any materials, supplies or equipment delivered to or received by any Town Agency or Town Officer. If, upon examination, it appears to the Town Accountant that any such bill, draft or order is fraudulent, unlawful or excessive, he shall immediately file with the Town Manager and Town Treasurer and Chairman of the Finance Committee a written report of his findings.
- (e) To be responsible for a continuous audit of all accounts and records of the Town wherever located.

Vacancy – If the Town Accountant is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Board of Selectmen may appoint a temporary Town Accountant to hold such office and exercise the powers and perform the duties until the Town Accountant can resume his duties, or until another Town Accountant is duly appointed.

6.4 Town Treasurer

Appointment and Qualifications – There shall be a Town Treasurer, appointed by the Town Manager. The Town Treasurer shall be qualified in accordance with the Massachusetts General Laws.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

The Board of Selectmen, upon the recommendation of the Town Manager, may combine the powers and duties of the Town Treasurer with those of the Town Collector, and the Town Manager may then appoint a Town Treasurer-Collector.

Powers and Duties – In addition to the powers and duties conferred and imposed upon Town Treasurers by the Massachusetts General Laws, the powers and duties of the Town Treasurer include:

- (a) To supervise and be responsible for the prompt deposit, safekeeping and management of all monies collected or received by the Town.
- (b) To be the custodian of all funds, moneys, securities or other things of value which are or have been given, bequeathed or deposited in trust with the Town for any purpose, including the preservation, care, improvement or embellishment of any of the Town's cemeteries or burial lots therein; to invest all sums held in trust as he determines to be appropriate after consultation with the Board of Commissioners of Trust Funds; and to distribute the income therefrom on the order of said Board.

Vacancy – If the Town Treasurer is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Town Manager may appoint a temporary Town Treasurer to hold such office and exercise the powers and perform the duties until the Town Treasurer can resume his duties, or until another Town Treasurer is duly appointed.

6.5 Town Collector

Appointment and Qualifications – There shall be a Town Collector, appointed by the Town Manager. The Town Collector shall be qualified in accordance with the Massachusetts General Laws.

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The Board of Selectmen, upon the recommendation of the Town Manager, may combine the powers and duties of the Town Collector with those of the Town Treasurer, and the Town Manager may then appoint a Town Treasurer-Collector.

Powers and Duties – In addition to the powers and duties conferred and imposed upon Town Collectors by the Massachusetts General Laws, the powers and duties of the Town Collector shall include:

- (a) To be responsible for the collection and receipt of all sums and accounts due, owing or paid to the Town including taxes and fees, and shall act as the Town Collector of Taxes.
- (b) To report to the Town Manager at such times as he may direct or as he may deem appropriate, but at least semi-annually, as to all uncollected claims or accounts due or owing to the Town. Such reports shall include the Town Collector's recommendations as to whether suit should be instituted on behalf of the Town for the establishment or collection of any claim or account for the benefit of the Town.

Vacancy – If the Town Collector is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Town Manager may appoint a temporary Town Collector to hold such office and exercise the powers and perform the duties until the Town Collector can resume his duties, or until another Town Collector is duly appointed.

6.6 Town Clerk

Appointment, Qualifications, Term of Office – There shall be a Town Clerk, appointed by the Town Manager. The Town Clerk shall be qualified in accordance with the Massachusetts General Laws.

Powers and Duties – The Town Clerk shall have all the powers and duties conferred and imposed upon Town Clerks by the Massachusetts General Laws or by the Bylaws of the Town of Reading.

Vacancy – If the Town Clerk is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, dismissal or death, the Town Manager may appoint a temporary Town Clerk to hold such office and exercise the powers and perform the duties until the Town Clerk can resume his duties, or until another Town Clerk is duly appointed.

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ARTICLE 7 BUDGET AND CAPITAL IMPROVEMENTS PROGRAM

7.1 Fiscal Year

The fiscal year of the Town shall begin on July first (1st) and end on June thirtieth (30th), unless another provision is made by the Massachusetts General Laws.

7.2 Submission of Proposed Budget

At least four (4) months before the start of the fiscal year, and following consultation with the Board of Selectmen on the Municipal Government portions of the budget, the Town Manager shall submit to the Finance Committee a proposed budget for the ensuing fiscal year with an accompanying budget message and supporting documents. He shall simultaneously provide for the publication in a local news medium of a general summary of the proposed budget, and a notice stating the times and places where complete copies of his proposed budget shall be available for examination by the public.

[Amended November 21, 2011 - Article 29 and approved by vote of the Town on March 6, 2012]

7.3 School Committee Budget

The budget requested by the School Committee shall be submitted to the Town Manager at least five (5) months before the start of the fiscal year to enable him to prepare the total Town budget pursuant to Section 7.2.

Public Hearing – At least fourteen (14) days before the meeting at which the School Committee is to vote on its budget request, the School Committee shall cause to be published in a local news medium a general summary of such budget request. The summary shall indicate specifically any major variations from the current year's budget and the reasons for such variations and a notice stating (1) the times and places where complete copies of the budget shall be available for examination by the public, and (2) the date, time and place, not less than seven (7) nor more than fifteen (15) days following such publication, when a public hearing shall be held by the School Committee on the budget request.

7.4 Budget Message

The Budget Message submitted by the Town Manager shall explain the proposed budget for all Town agencies, both in fiscal terms and in terms of work programs and shall include a Table of Organization, as set forth in Section 6.1, that presents the organization of all Town Agencies at the time of submission of the Budget Message.

7.5 The Proposed Budget

The proposed budget shall provide a complete financial plan for all Town funds and activities; shall be balanced to the funds available; and shall present the budget as requested by the School Committee for the ensuing year. Except as may otherwise be required by the Massachusetts General Laws or by the Charter, the proposed budget shall be in the form that the Town Manager deems desirable. In his presentation of the budget, the Town Manager shall make use of modern concepts of fiscal presentation so as to furnish a high level of information and maximum financial control. The proposed budget shall show the actual and estimated income and expenditures for the previous, current and ensuing fiscal years and shall indicate in separate sections:

- (a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by Town Agency, function and work programs, and the proposed methods of financing such expenditures.
- (b) Proposed capital expenditures during the ensuing fiscal year, detailed by Town Agency, and the proposed method of financing each such capital expenditure.
- (c) Estimated surplus revenue and free cash at the end of the current fiscal year, including estimated balances in any special accounts established for specific purposes.
- (d) All encumbered funds from prior fiscal years.

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7.6 Action on the Budget

- 7.6.1 Public Hearing** – The Finance Committee shall, forthwith upon receipt of the proposed budget, provide for publication in a local news medium of a notice stating the date, time and place, not less than five (5) nor more than fourteen (14) days following such publication, when a public hearing shall be held by the Finance Committee on the proposed budget.
- 7.6.2 Finance Committee Meetings** – The Finance Committee shall consider in public meetings the detailed expenditures for each Town Agency proposed by the Town Manager, and may confer with representatives of any such Town Agency in connection such considerations. The Finance Committee may require the Town Manager or any other Town Agency to provide such additional information as it deems necessary or desirable in furtherance of its responsibility.
- 7.6.3 Presentation to the Town Meeting** – The Finance Committee shall file a report of its recommendations with the Town Clerk in sufficient time to be distributed to all Town Meeting Members at least fourteen (14) days before action on the budget Warrant Article is to begin. The budget to be acted upon by the Town Meeting shall be the budget as proposed by the Finance Committee; provided, however, that such budget may be amended by the Town Meeting.
- 7.6.4** All Warrant Articles requiring an appropriation shall be considered and reported thereon by the Finance Committee.

7.7 Capital Improvements Program

The Town Manager shall submit a Capital Improvements Program to the Board of Selectmen and the Finance Committee at least thirty (30) days before the date fixed for submission of his proposed budget. Such Capital Improvements Program shall contain:

- (a) A general summary of its contents;
- (b) A list of all capital improvements proposed to be undertaken during the ensuing five (5) years, with supporting information as to the need for each capital improvement and
- (c) Cost estimates, methods of financing and recommended time schedules for each such capital improvement.

The Capital Improvements Program may further contain the estimated annual cost of operating and maintaining each such capital improvement. This information may be annually revised with regard to the capital improvements still pending or in the process of being acquired, improved or constructed.

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ARTICLE 8

GENERAL PROVISIONS

8.1 Charter Changes

This Charter may be replaced, revised or amended in accordance with the procedures made available by Article LXXXIX of the amendments to the Constitution of the Commonwealth of Massachusetts and Chapter 43B of the Massachusetts General Laws.

Non-substantive changes to the numbering of the various Articles within the Charter shall be permitted in order that the numbering due to amendments thereto and other consequent renumbering changes resulting therefrom are in compliance with the numbering format of the Charter.

[Amended November 19, 2001 - Article 11]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.2 Severability

If any provision of the Charter shall be found invalid for any reason in a court of competent jurisdiction, such invalidity shall be construed as narrowly as possible, and the balance of the Charter shall be deemed to be amended to the minimum extent necessary, so as to secure the purposes thereof, as set forth in Section 1.4.

8.3 Specific Provisions Prevail

To the extent that any specific provision of the Charter shall conflict with any provision expressed in general terms, the specific provision shall prevail.

8.4 References to Massachusetts General Laws

All references to the Massachusetts General Laws contained in the Charter refer to the General Laws of the Commonwealth of Massachusetts and are intended to include any amendments or revisions to such chapters and sections or to the corresponding chapters and sections of any rearrangement of the Massachusetts General Laws enacted subsequent to the adoption of the Charter.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.5 Computation of Time

In computing time under the Charter, if seven (7) days or less is specified, only days that Town Hall is open to the general public shall be counted; if more than seven (7) days is specified, every calendar day shall be counted.

8.6 Number and Gender

Words importing the singular number may extend and be applied to several persons or things, words importing the plural number may include the singular, and words importing the masculine gender shall include the feminine gender.

8.7 Definitions

Unless another meaning is clearly apparent from the manner in which the word is used, the following words as used in the Charter shall have the following meanings:

Board or Committee – The term “board or committee” shall mean any board, committee, commission or council of the Town however created, elected, appointed or otherwise constituted.

Charter – The term “Charter” shall mean the Reading Home Rule Charter.

Ex officio - The term “Ex officio” shall refer to a member of any board or committee who serves, by virtue of his office or position. A person serving as an ex officio member of more than one board or committee shall not be required to take an additional oath of office to serve in such capacity.

Library – The term “Library” shall mean the Reading Public Library and any branch or branches that may be established thereof.

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Local News Medium – The term "local news medium" shall mean a newspaper or other means or channel of information communication to which the general public has access within the Town.

Majority Vote - *The word "majority vote" shall mean as applied to the Town Meeting the term "majority vote" shall mean and Committees thereof a majority of those present and voting provided that a quorum of the body is present. As to all multiple-member bodies, the affirmative vote of a majority of all its members shall be necessary to adopt any motion, order, appointment or approval to take any action not entirely procedural in nature.*

Precinct – The term "precinct" shall mean the areas into which the Town is divided for the purpose of electing Town Meeting Members.

Town - The term "Town" shall mean the Town of Reading.

Town Agency - The term "Town Agency" shall mean any board or committee, department or office of the Town however created, elected, appointed or otherwise constituted.

Town Meeting - The term "Town Meeting" shall mean the representative Town Meeting of the Town, established by Article 2.

Town Officer - The term "Town Officer" shall mean an elected or appointed official of the Town who, in the performance of his duties of office, exercises some portion of the sovereign power of the Town, whether great or small; provided, however, that the term shall not include a Town Meeting Member; and provided further that a person may be a Town Officer whether or not he receives any compensation for his services.

Voters - The term "Voters" shall mean registered voters of the Town.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.8 Rules and Regulations

A copy of all Rules and Regulations adopted by any Town Agency shall be filed in the Office of the Town Clerk and made available for review by any person upon request, provided, however, that such Rules and Regulations shall become effective ten (10) days following their adoption, whether or not they are so filed.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.9 Procedures of Boards or Committees

8.9.1 Meetings – All boards or committees shall meet at such times and places in accordance with the Open Meeting Law and as they may, by their own rules, prescribe. Additional meetings of any board or committee shall be held on the call of the respective chair or by a majority of the members thereof.

8.9.2 Rules and Minutes - Each board or committee shall determine its own rules and order of business unless otherwise provided by the Charter or by Bylaw and shall provide for keeping minutes of its proceedings. Copies of these rules and minutes shall be publicly available in the Office of the Town Clerk and in the Library.

8.9.3 Voting - *Except on procedural matters, all votes of all boards or committees multiple-member bodies shall be taken by a show of hands, or roll call vote, the results of which shall be recorded in the minutes. The affirmative vote of a majority of the number of members specified in the Charter or other action creating such board or committee shall be necessary to adopt any motion, order, appointment or approval to take any action not entirely procedural in nature.*

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8.9.4 Quorum - A majority of the number of members of a boards or committees specified in the Charter or other action creating such board or committee shall constitute a quorum thereof, but a smaller number may adjourn a board or committee meeting from time to time.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.10 Elections

- (a) **Annual Town Elections** - The election of Town Officers and Town Meeting Members, and referenda questions shall be acted upon and determined by voters on official ballots without party or other designation on the date fixed in the bylaws of the Town.
- (b) **Procedures** - All elections conducted pursuant to this Charter shall be conducted in accordance with the election laws of the Commonwealth of Massachusetts.
- (c) Any town-wide election shall be held at the same time in each precinct at the place designated by the Selectmen.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.11 Vacancies on Boards or Committees

Whenever a new board or committee is established, or a vacancy occurs on any existing board or committee the appointing authority shall forthwith cause notice of the vacancy to be publicly available for not less than fifteen (15) days. Any person who desires to be considered for appointment to the position may, prior to the time the position is actually filled, file with the Town Clerk a statement setting forth his interest in and qualifications for the position.

[Amended November 13, 1986 - Article 17 and approved by vote of the Town on March 23, 1987]

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

8.12 Recall Procedures

- (a) **Application** - Any holder of an elective office, other than a Town Meeting Member, with more than six (6) months remaining in the term for which he was elected, may be recalled therefrom by the voters in the manner provided in this section.
- (b) **Recall Petition** - Two hundred and fifty (250) or more voters may file with the Town Clerk an affidavit containing the name of the officer whose recall is sought and a sworn statement of the grounds upon which the petition is based. At least twenty-five (25) names of voters shall be from each of the eight precincts into which the Town is divided. The Town Clerk shall, within twenty-four (24) hours of receipt, submit the petitions to the Registrars of Voters who shall forthwith certify thereon the number of signatures that are names of voters.

If the petitions contain sufficient signatures, the Town Clerk shall thereupon deliver to the first ten voters listed upon the affidavit, petition blanks in such number as requested demanding such recall, printed forms of which he shall keep available. The blanks shall be issued by the Town Clerk with his signature and official seal attached thereto. They shall be dated, shall be addressed to the Board of Selectmen, shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought, the grounds for recall as stated in the affidavit, and shall demand the election of a successor to the said office. A copy of the affidavit shall be entered in a record book to be kept in the office of the Town Clerk. The recall petitions shall be returned and filed with the Town Clerk within twenty-one (21) days following the date of the filing of the affidavit, signed by at least ten percent (10%) of the voters and containing their names and addresses. However, not more than twenty-five percent (25%) of the total number shall be from any one precinct.

[Amended November 15, 2004 - Article 16 and approved by vote of the Town on April 5, 2005]

- (c) **Recall Election** - If the petition shall be certified by the Town Clerk to be sufficient, he shall forthwith submit the same with his certificate to the Board of Selectmen. Upon its receipt of the certificate, the

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Board of Selectmen shall forthwith give written notice of such petition and certificate to the officer whose recall is sought by mailing the same postage prepaid to his address as shown on the most recent voting list and posting such notice on one or more of the Town Bulletin Boards. If said officer does not resign his office within five (5) days after the date of such notice, the Board of Selectmen shall order an election to be held not less than thirty-five (35) nor more than sixty (60) days after the date of the Town Clerk's certificate of the sufficient petition. If, however, any other Town Election is to occur not less than thirty-five (35) nor more than sixty (60) days after the date of the certificate, the Board of Selectmen shall hold the recall election on the date of such other election.

If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section, and the ballots for candidates shall, notwithstanding a recall provision to the contrary, be counted to determine a successor in office.

- (d) **Nomination of Candidates** - Any officer whose recall is sought may not be a candidate to succeed himself in the recall election. The nomination of candidates, the publication of the Warrant for the recall election, and the conduct of same shall all be in accordance with the provisions of law relating to elections.
- (e) **Propositions on Ballot** - Ballots used in a recall election shall state the following propositions in the order indicated:

For the recall of (name of officer)
Against the recall of (name of officer)

Adjacent to each proposition, there shall be a place to vote for either of the said propositions. After the proposition shall appear the word "candidates" and the names of candidates nominated as required in Section 42 of Chapter 54 of the General Laws. If a majority of the votes cast upon the question of recall is in the affirmative, the candidate receiving the highest number of votes shall be declared elected. If a majority of votes on the question is in the negative, the ballots for candidates need not be counted except as provided in (c) above.

- (f) **Office Holder** - The incumbent shall continue to perform the duties of his office until the recall election. If he is not recalled in the election, he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in this section.

If he is recalled in the election, he shall be deemed removed upon the qualification of his successor who shall hold office during the unexpired term. If the successor fails to qualify within five days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

- (g) **Repeat of Recall Petition** - No recall petition shall be filed against an officer within three (3) months after he takes office, or in the case of an officer subjected to a recall election and not recalled thereby, until at least six (6) months after the election at which his recall was submitted to the voters.

8.13 Removal of an Appointed Board or Committee Member

8.13.1 The appointing authority may remove an appointed member of a board or committee, provided that more than six (6) months remain in the member's term. The process for such removal may be initiated in any of three methods:

- (a) The appointing authority may, by majority vote, cause a notice of removal to be filed with the Town Clerk;
- (b) A board or committee may, by majority vote, submit a written request that the appointing authority remove one of its members, and specifying the grounds for such removal request in writing and causing a notice of removal to be filed with the Town Clerk;
- (c) One hundred (100) or more voters may file with the Town Clerk a petition requesting the removal of a member of a board or committee, specifying the grounds for such removal; provided, however, that, upon certification of sufficient valid signatures, the Town Clerk shall immediately notify the appointing authority thereof.

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8.13.2 Public Hearing – A hearing shall be convened by the appointing authority not less than twenty (20) nor more than thirty (30) days after a notice or petition for removal is filed with the Town Clerk. Not less than five (5) days prior to such hearing, written notice thereof shall be given by the Town Clerk to the board or committee member at his last known address. The board or committee member shall be entitled to file a written statement with the appointing authority responding to the reasons cited for the proposed removal, not less than forty-eight (48) hours in advance of the time set for the commencement of the public hearing. The board or committee member may be represented by counsel at the public hearing. He shall be entitled to present evidence, call witnesses and, personally or through counsel, question any witnesses appearing at the hearing.

8.13.3 Removal - The appointing authority may by majority vote, adopt a final resolution of removal that shall be effective upon adoption. Failure to adopt a final resolution of removal within thirty (30) days of the public hearing shall be deemed as no action taken. The action of the appointing authority in removing the board or committee member shall be final, it being the intention of this provision to vest all authority and fix all responsibility for such removal in the appointing authority. The board or committee member shall continue to serve on the board or committee until a final resolution of removal has become effective.

8.14 Resignation of Town Officers

Any person holding an elective or appointive office may resign his office by filing a resignation with the Town Clerk, and such resignation shall be effective immediately, unless a time certain is specified therein when it shall take effect.

8.15 Town Seal

The Town Seal in existence at the time of adoption of this Charter shall continue to be the Town Seal and shall be kept in the custody of the Town Clerk. Papers or documents issued from any office or board or committee of the Town may be attested by use of the Town Seal.

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Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2014-10-28

Time: 7:00 PM

Building: Reading Town Hall

Location: Selectmen Meeting Room

Address: 16 Lowell Street

Purpose: General Business

Attendees: **Members - Present:**

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

Members - Not Present:

Chairman John Arena

Others Present:

Town Manager Robert LeLacheur, Assistant Town Manager Jean Delios, Elders Services Administrator Jane Burns, Assessor Victor Santaniello, Robert Marshall and Robert Quinn, Pat Sullivan, Office Manager Paula Schena, Cynda Rohmen, Bob Drake, Robert Corwin, Everett and Virginia Blodgett, Jonathan Barnes, Virginia Adams, Sharlene Reynolds Santo, Ronald Weston

Minutes Respectfully Submitted By: Secretary Daniel Ensminger

Topics of Discussion:

Reports and Comments

Selectmen's Liaison Reports and Comments – Daniel Ensminger noted that he attended the Zoning Advisory Committee Public Forum and that was a clear presentation. He and John Halsey attended the October 22nd meeting of the Early Childhood Space Needs Committee. They are looking at all options and wide open to suggestions and new ideas. He attended the meeting of the West Street Historic District Committee last night. It was a very well run meeting and the Selectmen need to take a position on Article 9 tonight.

Kevin Sexton noted that he, John Arena and the Town Manager attended the RCASA Annual Meeting. There were 70 – 80 people in attendance and many were from other towns. The presentation was eye opening and RCASA is doing a great job. Kevin Sexton asked who responds to citizens' emails when they are sent directly to the Selectmen. The Town Manager noted that he usually responds and copies the Chairman. Kevin Sexton asked if the Selectmen can respond and it was noted they could not. Marsie West asked the Town Manager to check with Town Counsel because they would just be responding, there will be no deliberation. Daniel Ensminger noted that serial emails are considered deliberations.

Marsie West noted that she gave the presentation at the Zoning Advisory Committee meeting. She also noted that John Arena who is not present tonight indicated that he attended the World Café and it was well attended.

Town Manager's Report – The Town Manager noted that the Town Meeting Warrants are available at the Police Station and people should pick them up as soon as possible because there is a lot of material to cover. The first night of Town Meeting will cover Article 9 and zoning will begin on November 13th. One thing that came out of the World Café was the

crying need for social services help. Nobody knows where to go or what to do. The question is what is the role of public government? Do we point people to services or provide the services. General Contractor bids for the Library are due tomorrow. The subcontractor bids were opened and went well. The temp library space build out should be complete in a couple of weeks.

Article 9 Discussion - Daniel Ensminger noted that the West Street Historic District Commission meeting went well. There was compelling public interest and an issue of equity for both sides. His concern is whether everyone has been given a say and all contacted. Everett Blodgett, Chairman of the West Street Historic District Commission, noted that all were notified by email and one paper copy. Two responded with concerns that this will create more work for them. All abutters were notified of the public hearing and they received extremely positive comments. The rules have been tested on West Street for nine years so this should work.

Marsie West asked about bumps in the road and Everett Blodgett noted that types of roofs, change of windows, etc. He noted the real bump in the road is what they don't want to do which includes applying and going through the process.

John Halsey noted that a thorough presentation was made last night and he commended them. He noted that a homeowner in the proposed district asked the other owners to stand up and there were about 19 – 20 of 25 property owners. He noted that not all spoke in favor, but there was no opposition. He noted that the people who are most affected are the ones who live there.

Daniel Ensminger noted that this is almost like a home rule petition from the neighborhood and he feels it should be approved.

The Town Manager noted that the Bylaw Committee grilled them for about one hour and they were extremely complimentary of the process.

Kevin Sexton noted that Virginia Adams indicated she had never seen so many people in one room.

A motion by Ensminger seconded by Sexton that the Board of Selectmen support the subject matter of Article 9 of the 2014 Subsequent Town Meeting Warrant was approved by a vote 4-0-0.

Hearing – Tax Classification FY15 – The secretary read the hearing notice. Assessor Victor Santaniello, Robert Marshall, Robert Quinn and Assistant Assessor Pat Sullivan were present.

Victor Santaniello noted that with a residential factor of 1 the anticipated tax rate will be \$14.71/\$1000. The average home value is \$464,200 and the average tax bill is \$6828. In 2012 the average sale price of a home in Reading was \$440,000 and in 2013 it was \$492,000. The result is a 3.8% increase in this year's residential tax rate and about .50% for the commercial tax bills.

The open space exemption of 25% could be adopted but never has by Reading.

The residential exemption for owner occupied would raise the tax rate to \$17.82. The higher value homes pay for lower value homes.

The small commercial exemption would benefit only a handful of businesses.

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Marsie West noted that Winchester has a split tax rate but the commercial is lower. Pat Sullivan noted that she spoke with Winchester about that and their commercial is lower because they are trying to attract businesses.

The Town Manager noted that the Library project is not in the tax rate yet.

Daniel Ensminger asked if we collect more taxes if the tax factor is above 1 and Victor Santaniello noted that we do not collect more, if the tax factor is above 1 it makes the residential tax higher and lowers the commercial tax. Daniel Ensminger noted that \$1 in tax relief to residents would require \$10 tax increase in commercial. John Halsey noted that is a small amount of relief for the residential that would deter commercial. Marsie West noted that businesses are still going to other towns and this is not the time to change that. Kevin Sexton agreed with Marsie West.

Daniel Ensminger asked about the open space exemption and Victor Santaniello noted there are no properties in Reading that would qualify.

Daniel Ensminger asked about the residential exemption and Mr. Santaniello noted that is more appropriate for a Town where a lot of the residential is not owner occupied.

Marsie West noted that John Arena had asked her to pass along that he is not in favor of a split rate because it puts residential and businesses against each other.

A resident noted that the Chronicle says the taxes are going up 3.7% and he asked if that was true. Victor Santaniello noted that the assessment value is increasing 3.7% - 3.8%. The resident noted that he works 60 – 70 hours per week to support his family and his electric bill alone is over \$300 per month. The Selectmen noted that \$300 per month for electricity is out of the norm and urged him to contact RMLD. Marsie West noted that she is the liaison to RMLD and she would like to know the results of his contacting the RMLD.

A motion by Ensminger seconded by Halsey that the Board of Selectmen close the hearing establishing the FY15 tax rate was approved by a vote of 4-0-0.

A motion by Ensminger seconded by Halsey that the Board of Selectmen not grant an open space discount for Fiscal Year 2015 was approved by a vote of 4-0-0.

A motion by Ensminger seconded by Halsey that the Board of Selectmen not adopt a residential exemption for Fiscal Year 2015 was approved by a vote of 4-0-0.

A motion by Ensminger seconded by Halsey that the Board of Selectmen adopt a residential factor of 1 for Fiscal Year 2015 was approved by a vote of 4-0-0.

A motion by Ensminger seconded by Halsey that the Board of Selectmen not grant a commercial exemption for Fiscal Year 2015 was approved by a vote of 4-0-0.

Mystic Valley Elder Services – Assistant Town Manager Jean Delios, Elder Services Administrator Jane Burns and Mystic Valley Elder Services Executive Director Dan O’Leary were present.

Mr. O’Leary noted that the Town of Reading contributes to Mystic Valley Elder Services and he handed out a packet with the breakdown of services. He noted that in FY14 they served 508 residents at a value of \$2.6 million. They help people understand their options and offer Meals

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on Wheels, SHINE Health Benefits counseling, etc. The Board of Selectmen appoints a member to the Board of Directors who was Rheta McKinley and that seat is now vacant. Jane Burns is appointed by the Council on Aging.

John Halsey asked what is involved on serving on the Board of Directors and he noted that the Board meets 10 times a year on the last Tuesday of the month from 10:00 – 11:30 a.m. They also hope that Board members will join one committee which meets monthly or less. They have an interest in helping people stay at home.

Daniel Ensminger asked if they offer legal assistance and Mr. O’Leary indicated they help with tenant landlord disputes and public benefits.

John Halsey asked how people qualify for these benefits and Mr. O’Leary noted that there is no cost to have someone come out and sit and talk. They don’t ask people about their income unless they are asking for help to qualify for fuel assistance.

Daniel Ensminger noted that he belongs to Saint Vincent DePaul and he asked what else they needed. Mr. O’Leary noted that transportation is always an issue. They are trying out a new model which is a scholarship and allows the patron to get wherever they want to go. They are also creating mini food pantries at Senior Housing complexes.

Daniel Ensminger asked if there is an age limit and Mr. O’Leary noted primarily 60 years but not exclusively. If a person is disabled then they qualify.

Financial Forum III Preview – The Town Manager noted that revenues last year were approximately \$2 million above estimates. The excise taxes were artificially low so it looks artificially high. About one half of that amount is sustainable. He will use \$3.15 million for FY15. New growth is \$343,905 and Pulte is a big part of that. The FY14 budget came in \$1.8 million under budget. Reserves in October 2014 are \$9.95 million. New growth in FY16 and FY17 is predicted at \$500k. The Finance Committee will guarantee 2.50% in state aid so if we don’t get that, then it will come out of free cash.

The Town Manager noted that the RMLD wishes to reduce or eliminate the \$2.3 million payment to the Town. They have made threats of litigation in public and votes have been taken to reduce the amount but Town Counsel says they can’t do that. Marsie West noted that Board is elected but is not representing us. John Halsey noted that the Town owns the RMLD and we accept their liabilities. He feels the public needs to be aware of what is going on. The Town Manager noted that the Charter Committee is passing the RMLD into the future. One would suggest a Board to study this issue and avoid litigation. This is an emotional issue and there has been talk about recalling the whole Reading Municipal Light Board. John Halsey noted that the thought of the Town and an asset battling in court is unthinkable and the public should be aware.

The Town Manager noted that the Finance Committee guarantees no higher than 8% for health insurance increase. Energy costs are okay for FY16 but not in FY17. The Finance Committee agreed to reduce capital approximately \$200,000/year in FY16 and FY17.

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Preview January 15 Special Town Meeting Warrant – The Town Manager noted there are 12 Articles. If Town Meeting approves the Charter changes then it will go to the legislator as a special act. Red shows changes that the Charter Committee made; blue indicates what will be deleted and green has not been voted yet. The changes are a lot of word smoothing. Section 2.2 and 2.3 special acts – there is no intent or meaning change. Section 2.3 redistricting – it suggests that all ties go to the precinct meeting to be decided. Section 2.6 vacancies – residency is essential for Town Meeting members but residency for Board, Committee and Commission members has not been decided. Town Counsel added a precinct meeting section.

The Town Manager noted there was discussion about majority votes and whether a majority is of those present or of the total number of members. The Charter Committee discussed a Board of Selectmen majority quorum so there could be 2 – 1 votes. In addition, under types of groups, the Charter Review Committee recommends no ad hoc committees, subcommittees, etc. When a Board is created a sunset clause should be defined. Town Counsel recommends sunset clauses for all Boards. The Finance Committee has a nine year term limit which is three full terms after a partial.

Marsie West noted that direction needs to be provided to the Bylaw Committee. The Town Manager noted that they should state if they are speaking as a Bylaw Committee member or a Town Meeting member.

Daniel Ensminger noted that Section 2.13 paragraph a) should be a majority instead of two members. Marsie West indicated it should be kept at two members. Daniel Ensminger disagreed because a petitioned can be used to put an article on the Warrant. He feels that if the Board of Selectmen sponsor an Article it is presumed that the Board of Selectmen support it. Marsie West suggested discussing this when they have a full board. The Town Manager noted that Section 2.13 says the Board of Selectmen shall place on the Warrant. John Halsey noted that the point is not being able to close the Warrant if the vote fails.

The Town Manager noted that Town Counsel has some changes under referendum procedures.

Under Committees the Charter Committee is recommending the Board of Assessors be appointed by the Board of Selectmen. Section 3.2 the Executive Powers of the Town shall be vested in the Board of Selectmen is being deleted because some towns are moving away from that. They also added delegating licensing.

Kevin Sexton asked if there was any discussion about the School Committee being an odd number and the Town Manager noted that they were asked and they preferred to leave it as is.

Daniel Ensminger asked if making the Library Board appointed was discussed and the Town Manager noted that they did discuss it but didn't revisit it because it would be a big battle.

The language has been cleaned up in Article 4. They have added the Board of Assessors, Town Forest Committee, Historical Commission, and Charter Review Committee. They feel all essential Boards should be listed. They also added that any elected Board, Committee or Commission can establish, appoint or dissolve committees.

Section 4.14 regarding Associate members indicates which Boards have associates and the appointing authority appoints the Associates.

Article 5 the Town Manager section has been rearranged. Under appointment we could all Library Director confirmed by the Library Trustees. At this time the Library Trustees hire all Library employees. The Town Manager is being added as the Chief Procurement Officer and the Charter Committee recommends that the Town Manager appoint the Ombudsman. When the Town Manager position is vacant they recommend changing 120 days to 180 days and he is not sure why they recommend appointing the Acting Town Manager within 30 days. Daniel Ensminger suggested adding not to exceed 90 days for the Acting Town Manager.

The Town Manager noted that everything in Article 6 that couldn't be understood will be deleted. We will keep the organizational chart including the Schools and RMLD but it will just be published in the budget and the Board of Selectmen can approve the changes. We have added a vacancy clause for Town Counsel and changed the terms for the Town Accountant and Treasurer/Collector to July from April. They are also separating the Treasurer and Collector positions and added the Town Clerk.

In the Finance and Fiscal Procedures section they added a deadline of February 1 for the budget to be submitted to the Town Manager.

The Town Manager noted that Article 8 has not been voted on yet by the Charter Review Committee but it clarifies the computation of time has been clarified/ The section on elections will be a special act on recalls. There is also a section on removal of appointees which would allow for removal by the appointing authority by majority vote; a Board can request removal or 100 voters can request removal.

The Town Manager noted that there will be an update at Town Meeting on the Permanent Building Committee. They are at odds over the schools. They agreed to a \$2 million threshold and there are concerns that this will cut into the Finance Committee's recommendations to Town Meeting.

John Halsey asked if the Permanent Building Committee will cut in on the working group that the schools established. The Town Manager indicated it will and the suggested bylaw will be brought to that group once Town Counsel approves it.

Request Authorization for Internal Borrowing for the Public Library Project – The Town Manager noted that the Library bids will be opened tomorrow. We will borrow on February 1 for some amount. We may run short on state funding before then so we are asking for authorization to borrow \$2 million internally.

A motion by Ensminger seconded by Sexton that the Board of Selectmen authorize the Treasurer to borrow internal funds for the Library Building project up to a maximum of \$2 million, in order to temporarily bridge any funding gaps between permanent borrowing for the project and project costs incurred was approved by a vote of 4-0-0.

Approval of Minutes

A motion by Ensminger seconded by Halsey to approve the minutes of October 14, 2014 was approved by a vote of 4-0-0.

A motion by Ensminger seconded by Sexton to approve the minutes of October 20, 2014 was approved by a vote of 4-0-0.

A motion by Ensminger seconded by Sexton to approve the Executive Session minutes of October 14, 2014 as written were approved on a roll call vote with all four members voting in the affirmative.

A motion by Sexton seconded by Ensminger to adjourn the meeting at 10:15 p.m. was approved by a vote of 4-0-0.

Respectfully submitted,

Secretary



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2014-10-29

Time: 7:30 PM

Building: Pleasant Street Senior Center

Location: Great Room

Address: 49 Pleasant Street

Purpose: General Business

Attendees: **Members - Present:**

Secretary Daniel Ensminger, John Halsey and Kevin Sexton

Members - Not Present:

John Arena and Marsie West

Others Present:

Town Manager Bob LeLacheur, Finance Committee Chairman Mark Dockser, Vice Chairman Paula Perry, Craig Merry, Peter Lydecker, Paul McNeice, Anne Landry, Marc Moll, and Karen Herrick; School Committee members Jean Borawski, Chuck Robinson, Chris Caruso, Linda Snow Dockser, Gary Nihan and Elaine Webb; Library Trustees Cherrie Dubois, Vicki Yablonsky, Alice Collins and Andrew Grimes; Library Director Ruth Urell, Assistant Town Manager Ruth Urell, Assistant Public Works Director Joe Huggins, Community Services Administrator Jessie Wilson, Martha Moore, Martha Sybert, Public Works Director Jeff Zager, Craig Martin, Jessica Kaufman, Nancy Dorr, Christine Lusk, Town Accountant Sharon Angstrom, David Zeek, Jane Kinsella and Office Manager Paula Schena

Minutes Respectfully Submitted By: Secretary

Topics of Discussion:

Discussion/Action Items

Mr. Dockser reviewed the meeting schedule. He noted that the general economy is doing pretty well; the State is okay with revenues; and the Town budgets are more favorable. He feels we need to highlight what is not being done. Unmet needs include 2020, funding full day kindergarten, etc. Revenue enhancements include a proposition 2 ½ and economic new growth.

Mr. Dockser noted that the goal is to look out two years in advance; set rates for healthcare and state aid and decrease capital slightly.

Ms. Angstrom noted that revenues are \$1.8 million over budget including excise taxes, property taxes and delinquent taxes. She noted that \$1.3 of that was one time payments. Motor vehicle excise increased 11% which is up to \$3.15 for FY15. New growth has increased \$343,905. The expenses were \$1.8 million under budget and cash reserves are \$8.5 million for a total cash reserve of \$9.95 million. She noted that from FY10 to FY14 we were generating \$1 million in reserves each year. The general stabilization fund is \$1,552,950.

The Town Manager noted that new growth is hard to predict. The Library debt exclusion will increase taxes 3%. The Finance Committee agreed to use 2.50% for state aid and if we don't get that from the state we will use reserves. We will also use \$1.70 in free cash to balance the FY15 budget. Surprises would include an increase in state aid, new growth as a result in good planning and development efforts; and the RMLD is threatening to eliminate our yearly payment. Health insurance is increasing nationally from 8% - 14%. The Town is in health insurance negotiations right now and we will know mid-December what the rates will be. The Finance Committee has agreed to an 8% increase and use free cash if it is more than that. Energy costs are increasing 5% and out of district special ed will increase 4% - 5%.

The Town Manager noted that if no free cash is used in FY16 then there will be cuts. If we use free cash then the operating budget will be hostage to accommodated costs. Revenues will increase 3% and accommodated costs will be 5% increase. We are not providing the services that the community wants. The state is doing well but they are not interested in increasing state aid because they have other things to do. The Town Manager noted that it takes \$70 million of new development to yield \$1 million in property tax revenues. He noted that the Finance Committee started talking override last year. It is no easy to get an override and he suggests if we go for an override to go for the large amount. He also noted that we won't get an override with \$8 - \$10 million in the bank. The Finance Committee has agreed to cut \$200,000 out of capital.

Mr. Dockser asked for questions or comments.

Ms. Webb asked how we communicate this. We need to figure out an approach. Mr. Dockser indicated we need to get the word out to the residents and Town Meeting. He noted that we've been using \$1.7 and \$1.9 million in free cash and we are still generating \$1 million in free cash each year. He suggests using 2.50% as a guideline by using \$1.7 million per year.

Ms. Landry noted that state aid is unknown so we should be conservative based on what happened last year. The Governor's budget will come out in March due to a new Governor.

Ms. Perry noted that she likes the approach we are taking in using free case as a buffer for health and state aid. If we see a double digit increase in health premiums we should be outraged. The Town Manager noted that the Town's consultant said to budget 14%. One carrier will give us a two year rate. We are a tough demographic pool.

Ms. Webb asked if the 8% is built into the \$1.7 million in free cash and it was noted that is additional.

Ms. Landry asked if we can raise the numbers after the health insurance number come in and Mr. Dockser indicated no, that we are trying to help the departments build their balanced budgets now.

Mr. Robinson asked if the consultant use our loss experience or MIIA's experience in getting the 14% but that is not consistent with what is out there. The Town Manager noted that where we are today is very low and in fact we should be 10% higher. We are in negotiations and he can't say much more on the issue.

Mr. McNeice noted that \$1.7 million is a realistic number because each year we regenerate. We are leaving ourselves enough runway to react.

The Town Manager noted that the operating budget over the past three years has increased 3% - 3.50%.

Ms. Webb noted that there will be cuts and people will not be happy. She doesn't want to start something we can't finish. Some programs are three years. The Governor's late budget won't help. She feels this is the beginning of a much faster course of destruction.

Bill Brown noted that in 1915 there was the same problem with the schools. They weren't spending enough on education. There are lots of things he needs and can't afford because he has to pay his tax bill. When will it ever end? Mr. Dockser noted that the Town needs to speak about what we need.

The Town Manager noted that last year we discussed adding two Dispatchers at \$80,000. We decided to wait to see if it was sustainable so the money was taken away. The Finance Committee needs to be careful of the message they are sending. Recklessness is not what we want. Mr. Dockser noted that if the Dispatchers were not hired then they were not as high a priority as indicated.

Ms. Webb noted that there is even less money to work with in year two and that affects this year's decisions. This is even more difficult because it won't be sufficient. She won't make cuts to get attention. Mr. Dockser noted that unmet needs need to be communicated.

Linda Snow Dockser asked how we proceed to find revenue raisers. She noted that an override won't go if we have money in the bank.

The Town Manager noted that many elderly residents have stronger feelings than Bill Brown. The Library project – absent free cash scenario is not good. The outlook looks poor.

Mr. Dockser suggested looking at the Community Preservation Act and Mr. Ensminger noted that the Community Preservation Act will not do what we need. Mr. Lydecker agreed that if you add it all up it's not a lot of money – maybe \$1 million.

Bill Brown noted that consolidation doesn't always save money. Consolidating the cemetery department with DPW will cost us money. Many towns have separate cemetery departments.

Mr. Halsey noted that a resident read in the Chronicle that his taxes were going to increase 3.50% so he came to the tax classification hearing and found out that the tax rate actually went down, but his house value increased. Mr. Halsey responded to Bill Brown's remark that if we want what Lexington has then we have to pay the higher taxes.

Mr. Grimes noted that he was on the Finance Committee during the last override. The Town had spent all of its free cash and didn't do capital. The Finance Committee's policy is to have 5% free cash and to fund capital. He strongly suggested that the Town note wait until we are at zero. We have lived 10 years within the proposition 2 ½ and there are a couple of things driving the budget that are out of our control. He suggested looking at databases and see what other towns are doing.

A resident noted that if we talk override then we do need to talk cuts. She suggested having a trash fee or cutting back to trash pick-up two times a month. The Town Manager noted that will never work. We squeezed that issue already. A trash fee is a different story though.

Ms. Webb noted that "free cash" is a bad name and we should re-label it. The Town Manager noted that other communities have less free cash but have a lot of separate funds to disguise the free cash. Ms. Herrick noted that we have a AAA bond rating due to the amount of free cash we have.

A motion by Perry seconded by Herrick to sue \$1.7 million in free cash to balance the FY16 budget was approved by a vote of 8-0-0.

Linda Snow Dockser suggested that the leadership send messages to the press to have more control over what is being printed.

The Board of Selectmen, School Committee and Library Board of Trustees adjourned at 9:17 p.m.

Respectfully submitted,

Secretary

L/C BOS

Schena, Paula

From: Scaparotti, Alyssa
Sent: Thursday, October 30, 2014 12:47 PM
To: Schena, Paula
Subject: Resignation from Town Government

Paula,

Effectively immediately, I resign from my positions on the West Street Historic District Commission and the North Suburban Planning Council.

While you were at lunch, I ran into Jean and she thought I could email you to resign from a town government position. Please let me know if you need anything further from me to make the resignation official.

Thank you,
Alyssa Scaparotti
10 Middlesex Ave
617-529-9728

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