



Town of Reading Meeting Posting with Agenda

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2015-05-19

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 Daniel Ensminger

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:

- 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**
 - a. Certificate of Recognition – Eagle Scout Duncan Dietz 7:20
- 4) **Personnel & Appointments**
- 5) **Discussion/Action Items**
 - a. RMHS Robotics Team Follow-Up (outside in front of Town Hall) 7:30
 - b. Citizen Advisory Board (RMLD) Member Report 7:45
 - c. Solar Opportunities 7:55
 - d. Climate Advisory Committee Report 8:00
 - e. Walk Reading Weekend: Walkable Reading & Trails Committee 8:25
 - f. Hearing (continued) – Liquor License Transfer – Grumpy Doyles 8:30
 - g. Hearing (continued) – New Liquor License – Anthony's Coal 8:40
Fired Pizza, 48 Walkers Brook Drive
 - h. Lincoln Street 40B Project 9:00
 - i. Discuss Boards and Committees that "sunset" on June 30, 2015 9:30
- 6) **Approval of Minutes**
 - a. May 5, 2015
- 7) **Licenses, Permits and Approvals**
- 8) **Executive Session**
- 9) **Correspondence**
 - a. Email from Bryn Burkhart re: Purpose of Firearms Safety Committee
copy



Town of Reading Meeting Posting with Agenda

9) Correspondence (continued)

- copy b. Email from Bob LeLacheur to Law Office of Kenneth N. Margolin
re: Criterion Good Faith estimate
- copy c. Correspondence from William C. Brown regarding his occupation
in the Town's street list
- copy d. Correspondence from Robert LeLacheur to Jessica Malcolm, 40B
Program Specialist re: Review Comments – Lyle Estates (proposed 40B
project) at 364 Lowell Street, Reading

DRAFT - BOARD OF SELECTMEN AGENDAS			
2015			2015
	<i>5/12/2015</i>	Staff	Estimated
	May 19, 2015		
Certificate	Eagle Scout Duncan Dietz	Berman	7:20
	RMHS Robotics Team followup	LeLacheur	7:30
	CAB (RMLD) member Report	Mancuso	7:45
	Solar Opportunities	Wilson	7:55
	Climate Advisory Committee Report	D'Addario	8:00
	Walk Reading Weekend: Walkable Reading & Trails Committee	LeLacheur	8:25
Hearing (continued)	Liquor License Transfer - Grumpy Doyles	LeLacheur	8:30
Hearing (continued)	New Liquor License - Anthony's Coal Fired Pizza, 48 Walkers Brook Drive	LeLacheur	8:40
	Lincoln Street 40B project	LeLacheur	9:00
	Discuss Boards and Committees that 'sunset' on June 30, 2015	LeLacheur	9:30
	June 2, 2015		
Office Hour	Dan Ensminger		6:30
	Appoint Town Counsel	Ensminger	7:20
	Town Accountant Report	Angstrom	7:25
	RCTV members Report	Goldy, Walsh, Carpenter	7:45
HEARING	Approve Classification & Compensation	Perkins	7:55
	Second Driveway request - Salem Street	LeLacheur	8:00
	Birch Meadow Field Lighting	LeLacheur	8:15
	June 23, 2015		
	Appointments of BCCs	VASC	7:30
	Approve sale of BANs	LeLacheur	8:30
	Review FY16 Town Manager Goals	LeLacheur	8:45
	July 21, 2015		
Office Hour	Barry Berman		6:30
	August 11, 2015		
Office Hour	John Arena		6:30
	September 1, 2015		
Office Hour	John Halsey		6:30



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: May 12, 2015
RE: May 19th Agenda

First, thanks for your replies about BOS meeting dates. The result is a consolidation of two previously scheduled June dates to be one meeting. Here are your revised meeting dates for the next few months: **June 2nd & 23rd; July 21; August 11; September 1st & 15th** (note that the Jewish holiday Rosh Hashanah ends just prior to the start of the meeting on 9/15). In addition it is likely the Board will meet on two Saturday mornings, one in June and one in September, both TBA. Please note a list of amplified sound permits issued by the Recreation Committee after this memo in your packet.

Next Tuesday night Eagle Scout Duncan Dietz will be recognized by the Board, led by Barry Berman. Reading continues a long tradition of leading the league in Eagle Scouts and Gold Awards! Kristin Murray will be back with the RMHS Robockets. The Board will be asked to step outside to the front of Town Hall for about a 15 minute demonstration of their robotics endeavors. John Arena and I attended their competition last spring, and were most impressed with the level of enthusiasm and quality of work!

Board appointee Dave Mancuso will be in to provide a report from the Citizen's Advisory Board of RMLD: That will be followed by a brief update by Jessie Wilson and RMLD's Tom Ollila on a community solar project – please see a separate memo in this packet that has more details. The Climate Advisory Committee will be in to give their annual update, and both Walkable Reading and the Trails Committee will briefly describe a Walk Reading weekend they have planned.

Next, the Board will continue two public Hearings for liquor licenses: one for Grumpy Doyle's for a transfer request, and one for a new restaurant called Anthony's Coal Fired Pizza. Please note that each applicant has supplied additional material since your last meeting that is part of this packet.

After these two Hearings, a developer that we have been meeting with for several months will be in to describe their vision of Reading Village – a so-called "friendly 40B" housing development on the site of what used to be the Certainly Wood store and Doucette Storage, on Lincoln Street across from the train depot. I have invited the neighborhood (see memo) to this informal presentation, and the developer had a neighborhood meeting scheduled for before this meeting with the BOS.

Lastly the Board will have a discussion with the five boards and committees that are scheduled to sunset on June 30th. I have included all material provided by these boards or members to date.

On June 2nd the Board will appoint Town Counsel; hear a quarterly report from Town Accountant Sharon Angstrom; hear the RCTV members report from Goldy, Walsh & Carpenter; hold a Hearing to approve the FY16 classification and compensation plan for Town non-union staff; receive a second driveway request for a property on Salem Street (that already has two driveways); and lastly have a public discussion about the Birch Meadow Field Lighting project.

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Approved Permits for Amplified Sound in the Parks

Permits

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An Amplified Sound Permit Form can be obtained by clicking the link above.

Below are a listing of all permitted uses of Amplified Sound by the Recreation Committee and/or the Board of Selectmen. Please check back as this page will be updated on an as need basis.

Permits are in order in which they have been approved.

PERMITTED ORGANIZATION	DATE	LOCATION	TIME
Connect the Tot	5/29/15 w/6/5 RD	Memorial Park	3:30 - 5:30 PM
SNL Football	7/18/2015	T2 and Stadium Field	8:00 AM - 12:00 PM
Samantha's Harvest	6/14/15	Stadium Field	9:00 AM - 12:00 PM
Babe Ruth Baseball	5/23/15	Moscariello Ball Park	10:00 AM - 5:00 PM
PMC Klds Ride	6/20/15	Wood End Field	9:00 AM - 12:00 PM
Girls Scouts	6/6/15	Imagination Station Lot Area	9:00 AM - 11:00 AM
Friends of Reading Rec	6/13/15	Stadium Field	9:00 AM - 12:00 PM
Friends of Reading Rec	6/13/15	Softball Fields	7:00 PM - 10:00 PM
Reading Lions Club	6/13/15	Softball Fields	11:00 AM - 2:00 PM

*Approved by BOS

Town Hall
16 Lowell Street
Reading, MA 01867
781-942-9001

Town Hall Hours
Monday, Wednesday, Thursday
7:30AM - 5:30PM
Tuesday 7:30AM - 7:00PM
Closed on Friday

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Schena, Paula

From: Angela F. Binda
Sent: Thursday, April 23, 2015 10:40 AM
To: Schena, Paula
Cc: Dietz, Jeffrey
Subject: Eagle Scout certificate, BoS - Duncan Dietz

Dear Paula,

Thank you for providing me with the information needed to arrange for a Certificate of Recognition for my son's Eagle Scout Court of Honor. We would be very pleased for him to receive this recognition from the Reading Board of Selectmen.

My son, Duncan A. Dietz, is a member of Troop 728, sponsored by St. Agnes Parish. He passed his BSA Eagle Board of Review on November 3, 2014, and his Eagle Scout Court of Honor will be on May 31, 2015. A written invitation to the CoH has been sent to the members of the Board of Selectmen. As he is a family friend, we have asked Selectman Berman if he would be available to present the certificate on May 31, and he has told us he would be happy to do this. We would be honored if any other members of the board were able to attend also.

Duncan is a senior at St. John's Prep in Danvers, and will graduate on May 17. In addition to being an Eagle Scout, he is Sabre Captain of the Varsity Fencing Team, a member of the Campus Ministry Student Advisory Committee, a member of the Mock Trial Team and an officer of the Philosophy Club, is Chair of the Spire Society, which assists the Office of Admissions, and a member of the National Honor Society and the German language National Honor Society. He plays the French horn with the SJP Concert Band and Brass Spire Ensemble, and is an altar server and Eucharistic minister at St. Agnes Parish. In the fall he will study economics and environmental studies on a pre-law track at Binghamton University in Vestal, New York.

For his Eagle Scout Leadership project, Duncan wished to address the issue of homelessness in our greater community. Duncan worked with the Beverly Bootstraps Food Pantry in Beverly, Emmaus House in Haverhill, and Lazarus House in Lawrence. He created 300 personal hygiene kits for the homeless clients of these three charities. He advertised his project and coordinated his fundraising efforts at St. Agnes Parish and with the Reading Police Department, where he had drop box for donations. With help from his troop, he was able to meet his goal of creating 300 kits, which contained items such as combs, shampoo, soap, toothbrushes, toothpaste, floss, powder and deodorant. His fundraising was so successful that he was able to donate excess supplies and to make sizable monetary contributions to the organizations as well. He completed his project last summer when he distributed the hygiene kits to the organizations.

Please let me know if you need any more information. Thank you for your assistance with this.

Regards,
Angela Binda



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: May 7, 2015
RE: Solar Opportunities

In 2012 Reading applied for a regional grant in conjunction with North Reading, Wilmington, Lynnfield and RMLD for funding from the Metropolitan Area Planning Council (MAPC) to create a Local Energy Action Plan. That plan was vetted through the CPDC, the RMLD Board of Commissioners, the RMLD Citizen Advisory Board and the Board of Selectmen and it was finalized in May 2013. The plan (http://www.readingma.gov/sites/readingma/files/u281/rmlld_leap_plan_final.pdf) has a number of recommendations including investigating a community shared solar project.

While we were working on the Plan, RMLD led a first round of "group procurement" for solar projects and selected Broadway Electric in early 2013. The Town met with the vendor to start evaluating Town and School Buildings and Town land for municipal solar opportunities. Unfortunately that developer informed MAPC that they were going out of business in early 2014 and everything came to a halt.

Subsequently a second round of procurement in which Community Development Director Jessie Wilson participated, resulted in the selection of Blue Wave Capital by the Selection Committee last summer. In the meanwhile, the State was working on the SREC II Program which would dictate the solar development program in Massachusetts. Without this program, it is virtually impossible to determine a project's viability and cost-benefit.

Since the roll-out of SREC II and the selection of a new solar developer, we have again begun looking into municipal solar opportunities. Now with strong interest from RMLD and the Climate Advisory Committee on the idea of shared community solar, it seems to be a more viable solution to provide for an alternative energy project in Reading that would benefit residents who may otherwise not have opportunities to access solar energy.

We have recently met twice with Blue Wave, MAPC, RMLD and the Climate Advisory Committee on this concept. One of the key factors in making a project like this viable is the cost. There are many financial angles to consider, and I will admit the issue is very complex. Importantly any evaluation as to sustainability of the project depends heavily on financial choices and assumptions made.

At your BOS meeting you will see brief conceptual review of this issue that will include visual references as to types of solar technology. These will range from rooftop to carports. We are pleased that MAPC is assisting Reading as part of a 17-community effort. The next steps will be an evaluation of site(s) in Town that are financially feasible.

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Certificate of Recognition



This Certificate is hereby awarded to

Duncan Dietz

In recognition of his achieving the Eagle Scout Award for his service project in which he worked with the Beverly Bootstraps Food Pantry in Beverly, Emmaus House in Haverhill and Lazarus House in Lawrence to create 300 personal hygiene kits for the homeless clients of these three charities.

Given this 19th day of May, 2015 by the Reading Board of Selectmen

PROCLAMATION

Walk Reading Weekend

Whereas, Research shows that one in two men and one in three women are at risk for heart disease, with poor lifestyle as a major contributor, and

Whereas, adults may gain up to two hours of life expectancy for every hour of regular, vigorous exercise, and

Whereas, regular exercise has many proven benefits for an individual's overall health, in addition to increased life expectancy, and

Whereas, Walking, running and bicycling are all excellent forms of exercise that are accessible to most of our citizens, that help the environment by reducing the use of motorized transport, and that allow our citizens to appreciate and learn about our neighborhoods and the open spaces in our community, and

Whereas, The Reading Trails Committee, The Reading Open Land Trust, and Walkable Reading, encourage all Reading residents to participate in Walk Reading Weekend, on Saturday, May 30 and 31st, 2015, by getting outside and taking a walk, bike, hike, or run,

Now, therefore, we, The Selectmen of the Town of Reading, in recognition of the importance of regular physical activity to promote individual and community health and to reduce greenhouse emission, do hereby proclaim May 30 and 31, 2015 as "Walk Reading Weekend" and urge all citizens to show their support for this effort by walking, biking, running or hiking here in Town on at least one of those days.

THE BOARD OF SELECTMEN



READING POLICE DEPARTMENT

15 Union Street • Reading, Massachusetts 01867

Emergency Only: 911 • All Other Calls: (781) 944-1212 • Fax: (781) 944-2893

Web: www.ci.reading.ma.us/police/

EXECUTIVE SUMMARY

Transfer of Retail Alcoholic Beverages License and Change of Manager-Unagi Servicers Inc.

May 13, 2015

Chief James Cormier
Reading Police Department
15 Union Street
Reading, MA 01867

*det gub
5/13/2015*

Chief Cormier,

As directed by your Office and in accordance with Reading Police Department Policy and Procedures, I have placed together an executive summary of the application for a Transfer of Retail Alcoholic Beverage License and Change of Manager Application for the Liquor License #101600005.

The location of this license is 530 Main Street (dba "Grumpy Doyle's"). The current licensee is Phider Corp., and the proposed transferee is Unagi Servers Inc. This application will be going before the Board of Selectmen for a second review at their meeting on May 19, 2015.

Officers, directors, stockholders and manager:

- 1) President, Treasurer and Clerk: David M. Rosenberg
- 2) Manger of Record: Henry J. Pariseau IV

Ownership Interests:

- 1) David M. Rosenberg - 100% stock ownership

Pursuant to the Board of Selectmen's request, Mr. Henry J. Pariseau IV has submitted a revised Manager of Record's Personal Information Sheet with the correct information on it. He has also submitted a signed affidavit in regards to a prior out of state conviction. No other court documents or reports are currently available. I have also attached the ABCC's statutory reasons for license denial to this summary for the Boards review. I find no reason why the license application should not go forward.

Respectfully Submitted,

Lt. Det. Richard Abate
Criminal Division Commander

3F1



ALCOHOLIC BEVERAGES CONTROL COMMISSION
MOST FREQUENTLY ASKED QUESTIONS

whatsoever shall be granted, in the aggregate, more than five¹ such licenses in the commonwealth, or be granted more than one such license in a town or two in a city.”

c. **"Special License" under Section 14**

A "Special License" to pour liquor at an indoor or outdoor activity or enterprise may be issued to the responsible manager of any indoor or outdoor activity or enterprise. Such a license is issued by the LLA in the city or town in which the activity or enterprise will be conducted. This type of license may be issued only to a natural person, although this natural person may be a person acting on behalf of a corporation, partnership, or other entity. No person may be granted such licenses permitting sales on an aggregate of more than 30 days in any calendar year. No special license, with only one very limited exception (i.e. a special license for a dining hall maintained by an incorporated educational institution authorized to grant degrees) shall permit sales on more than 30 days. A special license for a municipal golf course may permit sales on an aggregate of not more than 245 days in any calendar year, in or from any municipally owned building that is operated in conjunction with an 18-hole regulation golf course.

i. **Special License under Section 14 for All Alcoholic Beverages**

Special licenses for the sale of all alcoholic beverages, wine, or malt beverages, or any of these beverages, may be issued by the local licensing authorities only to a person at least twenty-one years of age acting on behalf of a nonprofit organization. No other person may be issued a special license to sell all alcoholic beverages.

ii. **Special License under Section 14 for Wine and/or Malt Beverages, or Both**

Special licenses for the sale of wine, malt beverages, or both, may be issued by the local licensing authorities to any person. This type of special license may be issued to a person at least twenty-one years of age who is conducting an activity or enterprise for profit. No special license under Section 14 shall be granted to any person while his or her application for an annual and or a seasonal license under Section 12 is pending before the licensing authorities.

9. Are license applicants barred from holding a liquor license if they have been convicted of a crime?

Yes. An on-premises license (which includes the categories of restaurants, hotels, bars, taverns and clubs) may not be issued to a person "who has been convicted of a violation of a federal or state narcotic drug law." *MGL ch 138 s 12*

An off-premises license (package store) may not be issued "to any applicant who has been convicted of a felony." *MGL ch 138 s 15*

¹ As of January 1, 2016, this maximum number of licenses increases from five to seven, and as of January 1, 2020, the maximum number of licenses increases from seven to nine.

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May 11, 2015

Daniel Ensminger, Chairman
Board of Selectmen Town of Reading
Reading Town Hall
16 Lowell Street
Reading MA 01867

Re: *transfer of 7 Day All Alcohol Beverages License
from Phider Corp. d/b/a Grumpy Doyle
to Unagi Servers Inc.
at 530 Main Street Reading 01867*

Dear Mr. Ensminger:

I am submitting this AFFIDAVIT in connection with my Personal Information Form filed with this application.

With respect to the response to Question #3 on the form, I had initially checked "No" since I had understood that was the correct response due to legal advice I had received from counsel to a prior employer. My prior employer had appointed me as manager on its license and in the application process, that attorney had told me that an OUI I had in 2002 in California did not apply to this question. I don't remember asking at that time why not, but assume it was either because the arrest was years prior or because it was not in Massachusetts. In any event, when I was appointed manager by my current employer, I simply filled out the forms the same way. I never intended to hide or not truthfully respond to this Question #3. When the attorney for my current employer called and told me the Reading Police had identified an incident, I immediately provided an amended Personal Information Form.

With respect to the amended Personal Information Form response "yes", I was arrested in 2002 in San Diego, California for an OUI. I was proceeding through an intersection of Ingraham St and Chalcedony St in the San Diego neighborhood of Pacific Beach when another car came through the intersection at the same time. My car and the other car were the only two vehicles involved. There were no personal injuries. At the scene, I believe the police were required to investigate whether myself or the other driver had been drinking. I did not agree to blow in the breathalyzer.

5F3

I was arrested and pleaded no contest. I received a mandatory one year loss of license because I did not blow in breathalyzer. I completed 16 hours of community service and 3 months OUI training course. All requirements were completed and my license was reinstated at the end of the year. I certainly learned from this incident and have never had anything happen since.

Over this past week I have diligently tried to obtain written documents concerning the OUI. I was represented by Attorney Kerry Steigerwalt at the Pacific Law Center for the OUI. I tried but was not able to get any information regarding the case from my attorney because his law office has been closed. I was told that in California all records for OUI violations are destroyed after 10 years. I also contacted the Superior Court of San Diego and was told there is a finger print policy in California that does not allow for any records to be transferred to any individual without finger prints being certified and delivered to the County records department and that the return time is four to six weeks. In addition, the application to obtain a copy of the record states that the application cannot be used to obtain a record to furnish to another person or agency for immigration, visa, employment, licensing or certification purposes.

SIGNED UNDER PAINS AND PENALTIES OF PERJURY.



Henry J. Pariseau IV

Date of Birth:

Social Security Number:

5F4



APPLICATION TO OBTAIN COPY OF STATE SUMMARY CRIMINAL HISTORY RECORD

Print Form

California Penal Code sections 11120 through 11127 (see reverse side) afford persons an opportunity to obtain a copy of their record, if any, contained in the files of the California Department of Justice, Bureau of Criminal Information and Analysis, and refute any erroneous or inaccurate information contained therein.

This application is not to be used to obtain a copy of your record to furnish to another person or agency for immigration, visa, employment, licensing, or certification purposes (refer to Penal Code section 11125 on the reverse). Please show the reason for your request in the space provided below.

A standard 10-print fingerprint card with the applicant's fingerprints imprinted thereon, containing the name, descriptive data, and mailing address of the applicant and a fee of twenty-five dollars (\$25) in the form of a personal check drawn on a U.S. bank, money order, certified check, or cashier's check made payable to the California Department of Justice **must accompany this application.**

A fee waiver may be obtained if a claim, signed under penalty of perjury, and proof of indigence is submitted, pursuant to Penal Code section 11123.

The undersigned hereby applies to obtain a copy of his/her State Criminal History Record:

TYPE OR PRINT

NAME

_____ Last

_____ First

_____ Middle

MAILING ADDRESS

_____ Number and Street

_____ City

_____ State

_____ Zip Code

_____ Date of Birth

_____ Telephone Number (DAY TIME)

REASON FOR APPLICATION:

_____ Signature of Applicant

_____ Date

MAIL COMPLETED FORM TO:

California Department of Justice
Bureau of Criminal Information and Analysis
Record Review Unit
P.O. Box 903417
Sacramento, CA 94203-4170

If you have questions regarding completion of this form, contact the Record Review Unit at (916) 227-3835.

For inquiries regarding the status of your record review request, please call (916) 227-3849.

SFS



APPLICATION TO OBTAIN COPY OF STATE SUMMARY CRIMINAL HISTORY RECORD

CALIFORNIA PENAL CODE Article 5. Examination of Records

- 11120.** As used in this Article, "record" with respect to any person means the state summary criminal history information as defined in subdivision (a) of Section 11105, maintained under such person's name by the Department of Justice.
- 11121.** It is the function and intent of this article to afford persons concerning whom a record is maintained in the files of the bureau an opportunity to obtain a copy of the record compiled from such files, and to refute any erroneous or inaccurate information contained therein.
- 11122.** Any person desiring a copy of the record relating to himself shall obtain an application form furnished by the department which shall require his fingerprints in addition to such other information as the department shall specify. Applications may be obtained from police departments, sheriff departments, or the Department of Justice. The fingerprinting agency may fix a reasonable fee for affixing the applicant's fingerprints to the form, and shall retain such fee.
- 11123.** The applicant shall submit the completed application directly to the department. The application shall be accompanied by a fee not to exceed twenty-five dollars (\$25) that the department determines equals the cost of processing the application and providing a copy of the record to the applicant. All fees received by the department under this section are hereby appropriated without regard to fiscal years for the support of the Department of Justice in addition to such other funds as may be appropriated therefor by the Legislature. Any request for waiver of fee shall accompany the original request for the record and shall include a claim and proof of indigency.
- 11124.** When an application is received by the department, the department shall determine whether a record pertaining to the applicant is maintained. If such record is maintained, the department shall furnish a copy of the record to the applicant or to an individual designated by the applicant. If no such record is maintained, the department shall so notify the applicant or an individual designated by the applicant. Delivery of the copy of the record, or notice of no record, may be by mail or other appropriate means agreed to by the applicant and the department.
- 11125.** No person or agency shall require or request another person to furnish a copy of a record or notification that a record exists or does not exist, as provided in Section 11124. A violation of this section is a misdemeanor.
- 11126.** (a) If the applicant desires to question the accuracy or completeness of any material matter contained in the record, he or she may submit a written request to the department in a form established by it. The request shall include a statement of the alleged inaccuracy or incompleteness in the record, and its materiality, and shall specify any proof or corroboration available. Upon receipt of the request, the department shall review the record to determine if the information correctly reflects the source documents, and if it does not, the department shall make the necessary corrections and shall provide the applicant with a corrected copy of the record. If the accuracy of the source documents is questioned, the department shall forward it to the person or agency which furnished the questioned information. This person or agency shall, within 30 days of receipt of the written request for clarification, review its information and forward to the department the results of the review.
- (b) If the agency concurs in the allegations of inaccuracy or incompleteness of the record, and finds that the error is material, it shall correct its record and shall so inform the department, which shall correct the record accordingly. The department shall inform the applicant of its correction of the record under this subdivision within 30 days. The department and the agency shall notify all persons and agencies to which they have disseminated the incorrect record in the past 90 days of the correction of the record, and the applicant shall be informed that the notification has been given. The department and the agency shall also notify those persons or agencies to which the incorrect record has been disseminated which have been specifically requested by the applicant to receive notification of the correction of the record, and the applicant shall be informed that the notification has been given.
- (c) If the department or the agency denies the allegations of inaccuracy or incompleteness in the record, the matter shall be referred for administrative adjudication in accordance with Chapter 5 (commencing with Section 11500) of Part 1, Division 3, Title 2 of the Government Code for determination of whether material inaccuracy or incompleteness exists in the record. The department shall be the respondent in the hearing. If a material inaccuracy or incompleteness is found in any record, the department and the agency in charge of that record shall be directed to correct it accordingly. The department and the agency shall notify all persons and agencies to which they have disseminated the incorrect record in the past 90 days of the correction of the record, and the applicant shall be informed that notification has been given. The department and the agency shall also notify those persons or agencies to which the incorrect record has been disseminated which have been specifically requested by the applicant to receive notification of the correction of the record, and the applicant shall be informed that the notification has been given. Judicial review of the decision shall be governed by Section 11523 of the Government Code. The applicant shall be informed of the decision within 30 days of its issuance in accordance with Section 11518 of the Government Code.
- 11127.** The department shall adopt all regulations necessary to carry out the provisions of this article.

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LEGAL NOTICE



TOWN OF READING

To the Inhabitants of the
Town of Reading:

Please take notice that the Board of Selectmen of the Town of Reading will hold a public hearing on May 19, 2015 at 8:40 p.m. in the Selectmen's Meeting Room, 16 Lowell Street, Reading, Massachusetts on an application for an all alcohol restaurant liquor license for Anthony's Coal Fired Pizza of Reading LLC d/b/a Anthony's Coal Fired Pizza at 48 Walkers Brook Drive, Reading.

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 May 19, 2015 to townmanager@ci.reading.ma.us

By order of
Robert W. LeLacheur
Town Manager

5.6.15

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READING POLICE DEPARTMENT

15 Union Street • Reading, Massachusetts 01867

Emergency Only: 911 • All Other Calls: (781) 944-1212 • Fax: (781) 944-2893

Web: www.ci.reading.ma.us/police/

EXECUTIVE SUMMARY

New Liquor License-Anthony's Coal Fired Pizza of Reading, LLC d/b/a Anthony's Coal Fired Pizza

May 13, 2015

Chief James Cormier
Reading Police Department
15 Union Street
Reading, MA 01867

Chief James Cormier
5/13/2015

Chief Cormier,

As directed by your Office and in accordance with Reading Police Department Policy and Procedures, I have placed together an executive summary of the application for a New Liquor License for Anthony's Coal Fired Pizza of Reading, LLC d/b/a Anthony's Coal Fired Pizza which will be located at 48 Walkers Brook Drive. This application will be going before the Board of Selectmen at their meeting on May 19, 2015.

Officers, directors, stockholders and manager:

- 1) This LLC has numerous LLC members, Members of Board of Managers, and Stockholders (see application).
- 2) Manager of Record: Cody A. Foote

Ownership Interests:

- 1) See extensive list included with application

A discrepancy was discovered on question #3 of the Manager of Record's Personal Information Sheet. An explanation for this discrepancy, along with a revised Manager of Record Personal Information sheet and supporting documentation has been added to the application package. I have also attached the ABCC's statutory reasons for license denial to this summary for the Boards review. I find no reason why the license application should not go forward.

Respectfully Submitted,

Lt. Det. Richard Abate
Criminal Division Commander

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ALCOHOLIC BEVERAGES CONTROL COMMISSION
MOST FREQUENTLY ASKED QUESTIONS

whatsoever shall be granted, in the aggregate, more than five¹ such licenses in the commonwealth, or be granted more than one such license in a town or two in a city.”

c. “Special License” under Section 14

A “Special License” to pour liquor at an indoor or outdoor activity or enterprise may be issued to the responsible manager of any indoor or outdoor activity or enterprise. Such a license is issued by the LLA in the city or town in which the activity or enterprise will be conducted. This type of license may be issued only to a natural person, although this natural person may be a person acting on behalf of a corporation, partnership, or other entity. No person may be granted such licenses permitting sales on an aggregate of more than 30 days in any calendar year. No special license, with only one very limited exception (i.e. a special license for a dining hall maintained by an incorporated educational institution authorized to grant degrees) shall permit sales on more than 30 days. A special license for a municipal golf course may permit sales on an aggregate of not more than 245 days in any calendar year, in or from any municipally owned building that is operated in conjunction with an 18-hole regulation golf course.

i. Special License under Section 14 for All Alcoholic Beverages

Special licenses for the sale of all alcoholic beverages, wine, or malt beverages, or any of these beverages, may be issued by the local licensing authorities only to a person at least twenty-one years of age acting on behalf of a nonprofit organization. No other person may be issued a special license to sell all alcoholic beverages.

ii. Special License under Section 14 for Wine and/or Malt Beverages, or Both

Special licenses for the sale of wine, malt beverages, or both, may be issued by the local licensing authorities to any person. This type of special license may be issued to a person at least twenty-one years of age who is conducting an activity or enterprise for profit. No special license under Section 14 shall be granted to any person while his or her application for an annual and or a seasonal license under Section 12 is pending before the licensing authorities.

9. Are license applicants barred from holding a liquor license if they have been convicted of a crime?

Yes. An on-premises license (which includes the categories of restaurants, hotels, bars, taverns and clubs) may not be issued to a person “who has been convicted of a violation of a federal or state narcotic drug law.” *MOL ch 138 512*

An off-premises license (package store) may not be issued “to any applicant who has been convicted of a felony.” *MOL ch 138 515*

¹ As of January 1, 2016, this maximum number of licenses increases from five to seven, and as of January 1, 2020, the maximum number of licenses increases from seven to nine.

Re: Anthony's Coal Fired - Liquor License Application

O'Connell, Caroline [coconnell@lawson-weitzen.com]

Sent: Friday, May 08, 2015 11:26 AM

To: Abate, Richard

Attachments: affidavit Foote.jpeg (2 MB) ; Liquor License CFoote.pdf (1 MB)

Rich - attached is a scan of the updated forms for Cody Foote along with the required affidavit. I will have the originals sent directly to the licensing board.

Caroline A. O'Connell
Partner | Lawson & Weitzen, LLP
88 Black Falcon Avenue | Suite 345 | Boston MA 02210
t: (617) 439-4990 | f: (617) 439-3987
e: coconnell@lawson-weitzen.com

THE INFORMATION CONTAINED IN THIS EMAIL IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT. IF YOU ARE NOT THE INTENDED RECIPIENT, ANY DISCLOSURE, COPYING AND/OR DISTRIBUTION OR USE OF THE CONTENTS OF THE EMAIL MESSAGE AND/OR ATTACHMENTS IS PROHIBITED. IF YOU HAVE RECEIVED THIS EMAIL IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE OR BY EMAIL. THANK YOU.

On 5/6/15, 10:02 AM, "Abate, Richard" <rabate@ci.reading.ma.us> wrote:

>Caroline,
>
>Thank you for the update. I will forward this message to the Local
>Licensing Authority. When you submit the description and affidavit could
>you also please submit an amended personal information sheet for the
>manager of record that reflects the updated answer on question 3. If you
>have any questions please let me know.
>
>Thank you,
>Rich
>
>
>Richard P. Abate
>
>Lieutenant Detective
>
>Reading Police Department
>
>15 Union Street
>
>Reading, Ma 01867
>
>781-942-6728
>
>
>From: O'Connell, Caroline [coconnell@lawson-weitzen.com]

564

>Sent: Tuesday, May 05, 2015 4:11 PM

>To: Abate, Richard

>Subject: Anthony's Coal Fired - Liquor License Application

>

>Rich I spoke to the manager, Cody Foote. There was an old matter for
>which I will send you a revised CORI for with the description and
>affidavit as required by MA law. Apologies for the discrepancy on the
>CORI, the manager has disclosed the issue to counsel but when the
>documents were prepared an assistant typing in the form checked the no
>box out of habit rather than the yes. I understand that we need to
>ensure the documents submitted to the selectmen are correct, but please
>be assured that this error was not intentional on Anthony's or the
>managers part. I will get you the updated documents asap.

>

>

>Caroline A. O'Connell

>Partner | Lawson & Weitzen, LLP

>88 Black Falcon Avenue | Suite 345 | Boston MA 02210

>t: (617) 439-4990 | f: (617) 439-3987

>e: coconnell@lawson-weitzen.com<<mailto:coconnell@lawson-weitzen.com>>

>

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>TELEPHONE OR BY EMAIL. THANK YOU.

>

565



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

Revised

2015 MAY 12 AM 10:41

PERSONAL INFORMATION FORM

Each individual listed in Section 10 of this application must complete this form.

1. LICENSEE INFORMATION:

A. Legal Name of Licensee B. Business Name (dba)
 C. Address D. ABCC License Number (if existing licensee)
 E. City/Town State Zip Code
 F. Phone Number of Premise G. EIN of License

2. PERSONAL INFORMATION:

A. Individual Name B. Home Phone Number
 C. Address
 D. City/Town State Zip Code
 E. Social Security Number F. Date of Birth
 G. Place of Employment

3. BACKGROUND INFORMATION:

Have you ever been convicted of a state, federal or military crime? Yes No
 If yes, as part of the application process, the individual must attach an affidavit as to any and all convictions. The affidavit must include the city and state where the charges occurred as well as the disposition of the convictions.

4. FINANCIAL INTEREST:

Provide a detailed description of your direct or indirect, beneficial or financial interest in this license.

IMPORTANT ATTACHMENTS (8): For all cash contributions, attach last (3) months of bank statements for the source(s) of this cash.
 *If additional space is needed, please use the last page

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Signature Date

Title (If Corporation/LLC Representative)

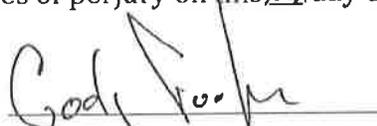
566

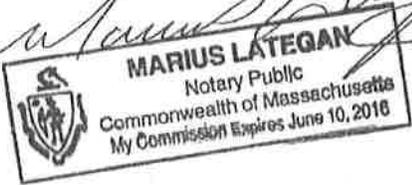
AFFIDAVIT OF CODY FOOTE

I, Cody Foote, am providing this affidavit in connection with an application for an all alcoholic beverage Section 12 license for Anthony's Coal Fired Pizza of Reading, LLC. I hereby state as follows:

On March 30, 2004, I was arrested and charged in the Guilderland Town Court, County of Albany, State of New York, with Petit Larceny in violation of New York PL 155.35. I was placed on probation for two years served, my time and completed the requirement. In addition, I was ordered to pay restitution. To the best of my knowledge the amount was \$2000.00, which I paid.

Signed under the pains and penalties of perjury on this ~~24~~ day of May, 2015.


Cody Foote



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: Neighbors near Prescott & Lincoln
Date: May 12, 2015
RE: Invitation for May 19th presentation at 9pm at Town Hall

On behalf of the Board of Selectmen I would like to advise you of and invite you to a presentation about a proposed development in your neighborhood called 'Reading Village'. This informal presentation will be a part of the Selectmen's regular meeting at Town Hall (16 Lowell Street) and should begin approximately at 9pm. In case you have already attended a neighborhood meeting sponsored by the developer, the content should be quite similar. The proposed development will replace the 'Doucette Storage' and 'Certainly Wood' buildings.

Under Massachusetts law, this proposed development filed as a so-called 40-B project will allow very limited involvement and oversight by the Town, and bypasses all local zoning in place. However the developer approached the town months ago and has been working collaboratively to achieve a good outcome for everyone. The presentation at the Selectman's meeting is neither required nor formal, but another good-faith effort by the developer towards this end.

We welcome your comments in advance or following the meeting – please send them to me at the addresses listed below.

Thanks,

Robert W. LeLacheur, Jr. CFA
Town Manager, Town of Reading
16 Lowell Street, Reading, MA 01867
townmanager@ci.reading.ma.us
(P) 781-942-9043; (F) 781-942-9037

AVTGES PETER J
JOLEEN JAMES AVTGES
42 WASHINGTON ST
READING, MA 01867

THOMASES JEANNE B
21 ARLINGTON ST
READING, MA 01867

TORPEY DENNIS JR
MICHELLE M DASILVA
17 ARLINGTON ST
READING, MA 01867

MCDONALD DAVID J
EDNA I MCDONALD
11 ARLINGTON ST
READING, MA 01867

FENNELLY PATRICK M
SARAH B FENNELLY
9 ARLINGTON ST
READING, MA 01867

MANUEL EDWARD S ETUX
MCGUIGGIN JOHN P ETUX
597 MAIN STREET
STONEHAM, MA 02180

RAMSDELL NANCY
134 WOBURN ST
READING, MA 01867

LOEWS JOHN H ETAL (50%)
CATHERINE L CAPOZZA TRUSTEE
(50%)
15 LAWRENCE ST
WAKEFIELD, MA 01880

KURKER PAUL K
LYNN E O'BRIEN
34 WASHINGTON ST
READING, MA 01867

LARSON NANCY P ETAL TRUSTEES
LARSON FAMILY TRUST OF 2009
38 WASHINGTON ST
READING, MA 01867

AVTGES JOLEEN
PETER AVTGES
42 WASHINGTON ST
READING, MA 01867

AYLWARD JAMES
JULIE AYLWARD
25 PRESCOTT ST
READING, MA 01867

LUSK DAMON P
CHRISTINE E TIGHE
52 WASHINGTON ST
READING, MA 01867

PALMER JAMES A
28 PRESCOTT ST
READING, MA 01867

GRANT ELEANOR L
68 WASHINGTON ST
READING, MA 01867

GIAKOU MIDIS ELIAS
HARIKLA SPEROS
22 PRESCOTT ST
READING, MA 01867

PIERRO JOAN M
9 ELVIRE RD
NORTH READING, MA 01864

2-12 PRESCOTT ST LLC
56 RED GATE LN
READING, MA 01867

BROWN KEVIN M
35 LINCOLN ST
READING, MA 01867

39-41 LINCOLN ST LLC
56 RED GATE LN
READING, MA 01867

BARLETTA JOSEPH
28 FOX RUN LN
READING, MA 01867

PRINCE DIANE M
100 WASHINGTON ST
READING, MA 01867

DOUCETTE PETER D
SHIRLEY J DOUCETTE
108 WASHINGTON ST
READING, MA 01867

STODDARD LIANNE J
PAUL STODDARD
96 WASHINGTON ST
READING, MA 01867

AIELLO R NICHOLAS
JESSICA AIELLO
44 VINE ST
READING, MA 01867

KEEGAN THOMAS J
90 WASHINGTON ST
READING, MA 01867

MITCHELL WILLIAM B
GERALDINE F MITCHELL
80 WASHINGTON ST
READING, MA 01867

GAGNON JEAN NICOLAS
CAROLINE GAUTHIER
76 WASHINGTON ST
READING, MA 01867

MCKENNA JOHN T
61 WASHINGTON ST
READING, MA 01867

TOWN OF READING
PARK
16 LOWELL ST
READING, MA 01867

5h2

CRONIN JOHN J
ANNE T CRONIN
38 MARION ST
WILMINGTON, MA 01887-3149

MUISE CANDACE M
WAYNE P MUISE
93 WASHINGTON ST
READING, MA 01867

READING ANTIQUARIAN SOCIETY
PO BOX 842
READING, MA 01867

READING ANTIQUARIAN SOCIETY
PO BOX 842
READING, MA 01867

DRISCOLL EDWARD F
PATRICIA A DRISCOLL
105 WASHINGTON ST
READING, MA 01867

BOUCHER MARK E
LAURIE REILLY
109 WASHINGTON ST
READING, MA 01867

KILBAN JOHN J JR
113 WASHINGTON ST
READING, MA 01867

SULLIVAN RICHARD L
ROBERTA M SULLIVAN
76 MINOT ST
READING, MA 01867

BENT ROBERT G
BENT SUZANNE M
7 SWEETSER AVE
READING, MA 01867

MCKENNA KATHLEEN M (MEDLIN)
11 SWEETSER AVE
READING, MA 01867

DAVIS JOHN
DAVIS SHIRLEY
7 MICHELINI LN
READING, MA 01867

CINCOTTA MARILYN I
97 ELM ST
STONEHAM, MA 02180

WILSON JOHN L
LORRAINE WILSON
31 JASPER ST
SAUGUS, MA 01906

CINCOTTA MARILYN I
97 ELM ST
STONEHAM, MA 02180

CROWLEY KEVIN J
21 LINCOLN ST
READING, MA 01867

THOMASZEWSKI JAMES J
TERESA M THOMASZEWSKI
17-19 LINCOLN ST
READING, MA 01867

SPENCER III JOHN V
DEBORAH Q SPENCER
78 NORTH STREET
NORTH READING, MA 01864

KATONG, AGACHAI
8 ARLINGTON ST
READING, MA 01867

TOWN OF READING
BOSTON & MAINE RR
16 LOWELL ST
READING, MA 01867

DAMICO JAMES V JR TRUSTEE
RAILROAD REALTY TRUST
473 BROADWAY
CHELSEA, MA 02150

CARROLL MARY ELLEN
GOODSIR ROHAN C
67 WASHINGTON ST
READING, MA 01867

NEWELL JAMES E
NEWELL SUZANNE P
32 PRESCOTT STREET
READING, MA 01867

DECICCO MATTHEW
VOZZELLA JENNA
16 ARLINGTON ST
READING, MA 01867

OLIPHANT DANIEL
OLIPHANT ELIZABETH
22 ARLINGTON ST
READING, MA 01867

STROMAN KAREN G
46 WASHINGTON ST
READING, MA 01867

SHAKIR KHOZAIMA
MONGKOLPORNCHAI PORNTHIP
79 MONTVALE AVE APT 2
WOBURN, MA 01801

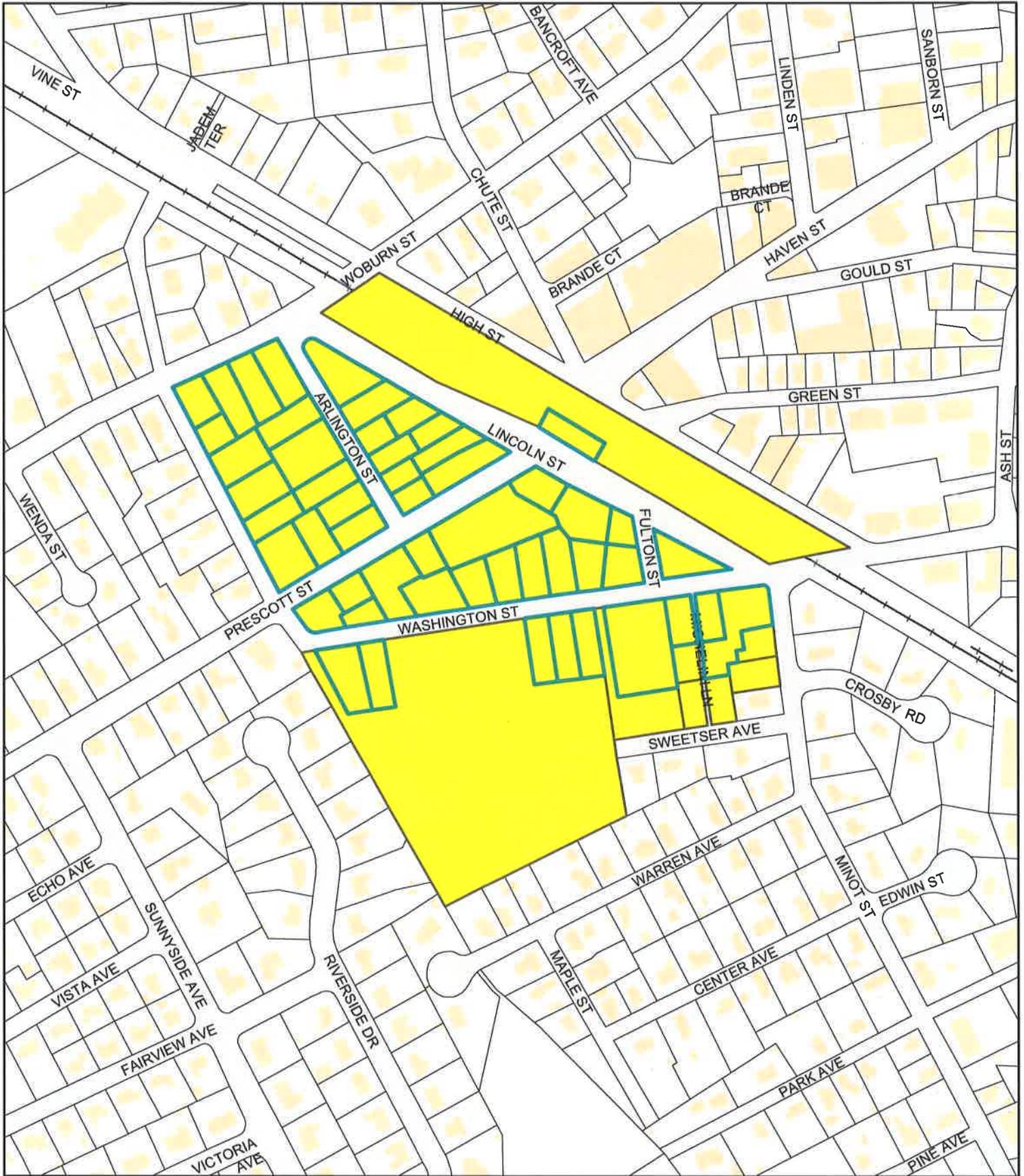
RICHARDS MATTHEW
RICHARDS LYSANDRA
89 WASHINGTON ST
READING, MA 01867

COPPOLA RUTH M (L E)
COPPOLA SUSAN E TRUSTEE
128 WOBURN ST
READING, MA 01867

MANGANIELLO GAETANO
MANGANIELLO MELISSA M
18-20 ARLINGTON ST
READING, MA 01867

REN MINZHEN
80 MINOT ST
READING, MA 01867

5h3



Town of Reading Parcel Map FY16

5h4





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: Climate Advisory Committee
Economic Development Committee
Fall Street Faire Committee
Human Relations Advisory Committee
Trails Committee

From: Robert W. LeLacheur, Jr. CFA

Date: May 6, 2015

RE: Boards and Committees that 'sunset' on June 30, 2015

CC: Board of Selectmen

On behalf of the Board of Selectmen, please allow me to invite you to attend their meeting on May 19th to discuss the sunset clause that will become effective on June 30, 2015 for your Board or Committee unless the Board takes further action. An agenda item for this discussion is scheduled for 9:30pm in what is a busy meeting. If you are interested in attending I would suggest a 9:15 pm arrival time.

The Board also welcomes your thoughts in writing in advance, as some of you have already done.

Below, please find the Minutes from a meeting on April 10, 2012 when the Selectmen last discussed this issue, and why it is in front of the current Board:

Hearing - Boards, Committees and Commissions and Sunset Clauses - The Secretary read the hearing notice. The Town Manager reviewed the proposed changes. There are five Boards, Committees and Commissions and some had sunset clauses and some didn't. The Human Relations Advisory Committee did not have a sunset clause so that will be 2015. The Advisory Committee on the Cities for Climate Protection Program is changing their name to Reading Climate Advisory Committee and changing the sunset to 2015. The Trails Committee is changing from 2013 to 2015. The Economic Development Committee and Fall Street Faire will be 2015.

Richard Schubert asked when members are reappointed if it will remain staggered or all expire in 2015. The Town Manager indicated it will continue to be staggered.

A motion by Tafoya seconded by Bonazoli that the Board of Selectmen close the hearing on sunset clauses for Boards, Committees and Commissions was approved by a vote of 5-0-0.

A motion by Tafoya seconded by Bonazoli that the Board of Selectmen approve amendments to the policies establishing the Human Relations Advisory Committee, the Reading Climate Advisory Committee, the Economic Development Committee, the Reading Trails Committee and the Fall Street Faire Committee with sunset clauses expiring June 30, 2015 and changing the name of the Advisory Committee on the Cities for Climate Protection Program to Reading Climate Advisory Committee as presented was approved by a vote of 5-0-0.

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plant and Bob Keating noted it would have to be the right tree in the right location. The lower flowering trees are less intrusive.

Richard Schubert noted that the trees on that street are all the same age and this is an opportunity to work with the homeowner to get new trees.

A motion by Tafoya seconded by Bonazoli to close the hearing for removal of a shade tree at 10 Parkview Road was approved by a vote of 5-0-0.

A motion by Bonazoli seconded by Arena to approve the removal of a shade tree at 10 Parkview Road, subject to the condition that two trees be planted with the species and location to be determined by the Tree Warden was approved by a vote of 5-0-0.

Hearing – Boards, Committees and Commissions and Sunset Clauses – The Secretary read the hearing notice. The Town Manager reviewed the proposed changes. There are five Boards, Committees and Commissions and some had sunset clauses and some didn't. The Human Relations Advisory Committee did not have a sunset clause so that will be 2015. The Advisory Committee on the Cities for Climate Protection Program is changing their name to Reading Climate Advisory Committee and changing the sunset to 2015. The Trails Committee is changing from 2013 to 2015. The Economic Development Committee and Fall Street Faire will be 2015.

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A motion by Tafoya seconded by Bonazoli that the Board of Selectmen approve amendments to the policies establishing the Human Relations Advisory Committee, the Reading Climate Advisory Committee, the Economic Development Committee, the Reading Trails Committee and the Fall Street Faire Committee with sunset clauses expiring June 30, 2015 and changing the name of the Advisory Committee on the Cities for Climate Protection Program to Reading Climate Advisory Committee as presented was approved by a vote of 5-0-0.

Economic Development Committee Presentation of Downtown Improvements and Events Trust Program for 2012 – Economic Development Committee members Sheila Clarke, Ben Yoder, Michele Williams, Jack Russell, Karl Weld and Meaghan Young Tafoya were present.

Ben Yoder noted that this is the 5th Anniversary of the Economic Development Committee. They have implemented phase one of the wayfinding and branding strategy; established the building façade improvement program and implemented the streetscape improvement projects including the baskets, banners and bows.

2.3.2 Reading Climate Advisory Committee

The International Council for Local Environmental Initiatives (ICLEI) has established a "Cities for Climate Protection" program, which works with cities, towns, and counties to reduce the pollution that causes global warming.

There is hereby established a five (5) member Reading Climate Advisory Committee to advise the Board of Selectmen on implementation of the Program. The purpose of the Committee is to:

- ◆ Advise the Board of Selectmen on matters of policy related but not limited to the "Cities for Climate Protection" Program for use within the Town of Reading. In doing this work, the Committee will:
 - ◆ Conduct a local emissions inventory of greenhouse gas emission.
 - ◆ Recommend an emissions reduction target.
 - ◆ Identify local actions that achieve the target.
 - ◆ Develop a proposed implementation action plan identifying policies and actions.
 - ◆ Quantify and report benefits created.
- ◆ Make recommendations to the Board of Selectmen, the Town Manager, and other bodies of the Town on measures appropriate to implement such a program.

The Committee will be made up of five (5) members appointed for 3 year terms, so appointed that as even a number of terms shall expire in each year. In selecting the Committee membership of 5 members, the Board of Selectmen shall appoint all members and shall give consideration to members representing the following interests within the community:

- Residents of the community who have expertise or interest in conservation, environmental affairs, energy, or other areas of expertise which, in the opinion of the Board would be helpful in meeting the Committee's mission.

Subcommittees may be created by a vote of the Committee. Members of Subcommittees do not necessarily have to be members of the Committee.

The Committee shall be advisory in all matters. Decisions as to whether or not to implement measures shall rest with the Town Manager, the Board of Selectmen, or other body having jurisdiction in the matter.

This Committee shall administratively fall within the Department of Community Services. Staff as available will be assigned by the Town Manager to work with the Committee.

This committee shall sunset on June 30, 2015 unless renewed by the Board of Selectmen.

Adopted 11-22-05, Revised 4/10/12

LeLacheur, Bob

From: LeLacheur, Bob
Sent: Friday, May 08, 2015 11:59 AM
To: Joan Boegel (joan.boegel@gmail.com) (joan.boegel@gmail.com); 'Ronald D'Addario'
Cc: Forwarding Account for Dan Ensminger; Forwarding Account for John Halsey
Subject: FW: Regular Session Agenda - RMLD Board Meeting May 14, 2015
Attachments: 5-14-2015 Regular Session Agenda.pdf

To: Climate Advisory Committee Chair Boegel & member D'Addario
Copy: Selectmen Chair Ensminger & Vice Chair Halsey

Good morning Joan & Ron,

I hope by now you both all received an invitation to meet with the Board of Selectmen on May 19th in order to discuss the sunset provision for the Climate Advisory Committee that is effective on June 30, 2015. Note that I am only including two CAC members on this email in order to comply with Open Meeting Laws.

One of the many benefits of the new Home Rule Charter is that other elected Boards and Committees may now establish their own boards and committees, which was a right previously reserved to the Board of Selectmen.

Once the Charter was signed by the Governor, I reached out to RMLD as it seems logical to me that the CAC 'belongs' there. For example, I know the CAC has spent most of their time working with RMLD on various initiatives.

A couple of days ago I had a brief meeting with RMLD Commissioner Chair Dave Talbot, who personally was very enthused at the prospect of having the CAC brought closer to RMLD! He scheduled an agenda item (#15) on the attached for the Commissioners to discuss at their next meeting on Thursday May 14th. I would suggest that the CAC send one or more representatives to this meeting to listen and to add your views.

Should this transition be made, please know that town staff will not change in their relationship with the CAC. For example, Jessie Wilson will continue to be a point person on the ongoing community solar initiative with Blue Wave Capital.

Please remember that for Open Meeting Law purposes I ask you not to forward this email to the rest of the CAC. If you wish to discuss as a group, you should do so at a posted meeting.

Please let me know if you have any questions or comments prior to your May 19th meeting with the Selectmen.

Thanks,
Bob

Robert W. LeLacheur, Jr. CFA

Town Manager, Town of Reading

16 Lowell Street, Reading, MA 01867

townmanager@ci.reading.ma.us

(P) 781-942-9043; (F) 781-942-9037

www.readingma.gov; Please fill out our brief customer service survey at:

<http://readingma-survey.virtualltownhall.net/survey/sid/ff5d3a5f03e8eb60/>

Town Hall Hours:

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

From: Jeanne Foti [<mailto:jfoti@RMLD.com>]

Sent: Friday, May 08, 2015 11:37 AM

To: LeLacheur, Bob; Kathleen Rybak; Paula O'Leary; Priscilla Gottwald; Dave Hennessy; David Talbot; John Stempeck; Phil Pacino; Tom O'Rourke

Subject: Regular Session Agenda - RMLD Board Meeting May 14, 2015

Good morning.

Attached is the Regular Session Agenda for the RMLD Board Meeting May 14, 2015.

Thanks.

Jeanne

Jeanne Foti
Reading Municipal Light Department
Executive Assistant
230 Ash Street
Reading, MA 01867

781-942-6434 Phone

781-942-2409 Fax

Please consider the environment before printing this e-mail.

READING MUNICIPAL LIGHT DEPARTMENT
BOARD OF COMMISSIONERS MEETING

230 Ash Street
Reading, MA 01867
May 14, 2015
6:30 p.m.

1. Call Meeting to Order
2. Opening Remarks
3. Introductions
4. Public Comment
 - RMLD Citizens' Advisory Board
 - Liaisons to RMLD Board
 - Public Comment
5. Review of RMLD's Fiscal Year 2016 Capital Budget (Attachment 1) ACTION ITEM
6. Report of the Chairman of the Board – Chairman Talbot ACTION ITEM
 - a. Broadband Study Committee
 - Suggested Motion:
Move that the RMLD Board of Commissioners suggests that a four-town Broadband Study Committee be formed, with input from RMLD Citizens' Advisory Board and the four Boards of Selectmen, to investigate potential municipal and school savings, economic development opportunities as well as other market needs that could be served by a RMLD Internet or telecom offering.

Note: About ten other municipal entities in Massachusetts already provide such services.
7. Reorganization of RMLD Board of Commissioners (Attachment 2) ACTION ITEM
8. Presentation ACTION ITEM
 - a. Organizational and Reliability Study Presentation
 - i. Steve Rupp, Vice President, Engineering Solutions, Leidos will present the Organizational Study results
 - ii. Ken McNeil, Operations Manager, Booth & Associates will present the Reliability Study results
9. Report of the Committee – Vice Chair Pacino (Attachment 3) ACTION ITEM
 - a. Policy Committee
 - i. RMLD's Surplus Material Policy 2, Revision 5
 - ii. RMLD's Procurement Policy 9, Revision 4
 - iii. Fiber Optic Update
Note: Presentation on RMLD's fiber will presented at RMLD Board meeting on May 28.

10. General Manager's Report – Ms. O'Brien – General Manager

ACTION ITEM

- a. Report on RMLD's Surplus Property
- b. 2015 Northeast Public Power Association (NEPPA) Annual Conference August 23 to August 26, 2015 Mount Washington Resort, Bretton Woods, New Hampshire

Note: Per the General Manager's Agreement overnight travel is approved by the Board.

11. Power Supply Report – March 2015– Ms. Parenteau (Attachment 4)

12. Engineering and Operations Report – March 2015 – Mr. Jaffari (Attachment 5)

13. Financial Report – March 2015 – Mr. Fournier (Attachment 6)

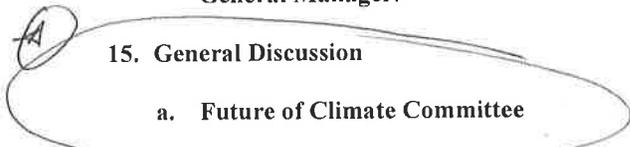
14. MGL Chapter 30B Bid (Attachment 7)

ACTION ITEM

- a. IFB 2015-24 for One (1) Digger Derrick with Trade-In

Suggested Motion:

Move that bid 2015-24 for one Digger Derrick be awarded to: James A. Kiley Co. for \$253,550.00 as the lowest, qualified and responsive bidder on the recommendation of the General Manager.



15. General Discussion

ACTION ITEM

- a. Future of Climate Committee

~~BOARD MATERIAL AVAILABLE BUT NOT DISCUSSED~~

E-Mail responses to Account Payable/Payroll Questions

Rate Comparisons, April and May 2015

RMLD Board Meetings

Thursday, May 28, 2015

Thursday, June 25, 2015

Thursday, July 30, 2015

Policy Committee Meeting

Tuesday, June 2, 2015

CAB Meeting

Wednesday, May 20, 2015

16. Executive Session

ACTION ITEM

Suggested Motion:

Move that the Board go into Executive Session based on Chapter 164 Section 47D Exemption from public records and open meeting requirements in certain instances and return to the Regular Session for the sole purpose of adjournment.

17. Adjournment

ACTION ITEM

Suggested Motion:

Move to adjourn the Regular Session.

517

2.3.3 Policy Establishing an Economic Development Committee

There is hereby established a five (5) member Economic Development (Committee) to advise the Community Planning and Development Commission (CPDC) and the Board of Selectmen on matters related to current and future economic development in the community. The purposes of the Committee are to advise the Board of Selectmen, the CPDC, and the Town Manager on matters of policy related but not limited to:

- Develop a work program including the frequency of reporting to the Board of Selectmen and the CPDC;
- Develop an Economic Development Strategy consistent with the Master Plan and goals and objectives established periodically by the Board of Selectmen;
- Within the Economic Development Strategy, work with staff to obtain additional State and Federal economic developmental grants;
- Explore the need for and legality of forming a “property based” and/or “business based” Business Improvement District(s) funded by assessments on all businesses within the individual district(s);
- To the extent feasible, encourage commercial development and office leases of downtown space consistent with the traditional atmosphere of a New England Village Center;
- Advise the Board of Selectmen, CPDC, and any other Town agency or official as appropriate, on matters related to economic development in the community;
- Maintain an ongoing dialogue with business owners and owners of major properties on a pro-active basis to understand how the Town can work with them to achieve their plans;
- In order to achieve the above, review options to funding economic development activities in cooperation with other civic organizations.

The Committee will be made up of five (5) members appointed for 3 year terms, so appointed that as even a number of terms shall expire in each year. In selecting the Committee membership of 5 members, the Board of Selectmen shall appoint all members and shall give consideration to members representing the following interests within the community:

- Member or designee of the Reading/North Reading Chamber of Commerce;
- Member or designee from the utilities serving the community, including electric, gas, internet access, cable TV, or others;
- Merchants or businesses from the downtown area of Reading;
- Residents of the community who do not represent the above groups, and who have expertise in planning, economic development, finance, business management, construction, training and education, marketing, or other areas of expertise and experience which would assist the community in attracting appropriate businesses to the community and otherwise carrying out the mission of the Committee.

Subcommittees may be created by a vote of the Committee. Members of Subcommittees do not necessarily have to be members of the Committee.

The Committee shall be advisory in all matters. Decisions as to whether or not to implement measures shall rest as appropriate with the Town Manager, the Board of Selectmen, the CPDC, or other body having jurisdiction in the matter.

This Committee shall administratively fall within the Department of Community Services. Staff as available will be assigned by the Town Manager to work with the Committee.

This committee shall sunset on June 30, 2015 unless renewed by the Board of Selectmen.

Adopted 3-7-06, Revised 4/10/12

LeLacheur, Bob

From: Russell, John
Sent: Saturday, April 25, 2015 10:48 PM
To: LeLacheur, Bob
Cc: Selectmen@ci.reading.ma.us; Rio, George; Maria Higgins; Weld, Karl; Popaja Sandra; Tafoya, Meghan Young
Subject: Economic Development Committee

Hi Bob:

I'm not able to make your scheduled meeting with the EDC but it is rumored that you are considering making major changes to the EDC. This letter is just some of my individual thoughts as what should be done. I think the EDC should be re-structured (but not eliminated) to provide more expertise in specific areas of economic development. I would suggest a total of 5 members:

1. A Commercial Real Estate Broker,
2. A Developer,
3. A Selectman (Kevin Sexton would be good with his residential real estate experience)
4. An interested and dedicated citizen
5. The Director of the R/NR Chamber of Commerce ideally, or an active local merchant.

Notes: The selectmen should be very selective to insure the best people are appointed. Associate members should be encouraged.

The EDC at this point does not suffer from lack of interest but from lack of time and/or talent to effectively market available properties and initiate development of new ones, and from lack of budget to aggressively move forward in these areas.

If at all possible, I recommend an experienced Director of Development (ala Adam Baacke in Lowell) be added to staff whose sole responsibility is commercial marketing and development of Reading's PDAs. This could be part time but should be his/hers sole responsibility so the position does not get sucked into other duties and so his/hers effectiveness can be easily evaluated.

The committee, with or without a Director of Development, should have an adequate budget to accomplish their goals. Establishing the budget should be the new EDC's first job.

There are many good programs and practices which the EDC initiated and which have done much to revitalize downtown and should be continued and maintained. These include:

- The hanging flower baskets throughout downtown in summer and fall
- The Building Facade and Signage Improvement Program
- The Christmas greenery & lights on the light poles
- Maintenance of the Alleyway with Mural
- The Best Retail Practices program
- Advising CPDC on signage, zoning and other economic development issues.

The above programs are currently primarily funded from the Downtown Improvement and Events Trust (DIET) into which the EDC morphed the funds from the Downtown Steering Committee. The DIET is supported by the profits from the Fall Street Faire. The EDC "controls" the expenditures from the DIET and such "control" should continue.

Bob, these are my personal thoughts and may not be those of the EDC. I hope they prove useful.

Jack Russell

519

2.3.6 Reading Fall Street Faire Committee

There is hereby created as a standing committee of the Town pursuant to Section 2.3 of the Board of Selectmen policies, the Reading Fall Street Faire Committee, herein called "the Committee." The expectation is that, by creating a standing committee, the leadership and workload in carrying out the Fall Street Faire may be spread among a number of individuals, and that the leadership of this event will rotate among members of the Committee.

The purpose of the Committee is to:

- Plan, organize, and carry out an annual celebration known as the Reading Fall Street Faire, on a date annually to be recommended by the Committee and approved by the Board of Selectmen
- Expend funds allocated by the EDC from the Downtown Improvement and Events Trust (DIET) and from other sources as available, to operate a high quality Faire; and return funds remaining at the completion of the Faire to the DIET. Accounting of all funds for the event will go through the Town's accounting system. A report will be submitted to the EDC monthly, or more frequently if needed, detailing the expenditures from the DIET for the Fall Street Faire.
- Immediately following the event, solicit feedback from participants and attendees and utilize that feedback in planning the next year's event.
- Not later than December 31 of each year, report to the Board of Selectmen on the activities, evaluation, and finances of the event for that year.

The Committee will be made up of five (5) members. If possible, at least one member will be a Selectman or designee and one member will represent the interests of the Reading business community.

Subcommittees may be created by a vote of the Committee. Members of Subcommittees do not necessarily have to be members of the Committee.

The Committee shall meet as needed, with meetings of the Committee and Subcommittee(s) held in accordance with the Open Meeting Law.

The Committee shall administratively fall within the Department of Community Services. Staff support for the direct work of the Committee, and for the Reading Fall Street Faire, shall be assigned by the Town Manager as needs and available resources dictate.

This Committee shall sunset on June 30, 2015 unless renewed by the Board of Selectmen.
Adopted 2-15-201, Revised 4/10/12

5110



Town of Reading Meeting Minutes

RECEIVED
TOWN CLERK
READING, MASS.

Board - Committee - Commission - Council:

2014 OCT 30 P 4: 58

Fall Street Faire Committee

Date: 2014-01-25

Time: 0630 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Purpose: General Business

Attendees: **Members - Present:**

Sheila Mulroy, Brian Snell, Leslie Leahy, Denise Eaton, Denise Bedard, Alison Ullman

Members - Not Present:

Bob Beckman, Patti Beckman

Others Present:

John Feudo

Minutes Respectfully Submitted By: John Feudo

Topics of Discussion:

J. Feudo welcomed everyone back.

The committee discussed the budget and what the faire made. J. Feudo stated he would find out and present at the next meeting.

The committee talked about where the proceeds of the faire end up.

The committee discussed some items for the 2014 Faire. Items such as:

- Charging extra for booths with electricity
- Doing the map as folks register
- 1st come, 1st serve basis on locations

The committee also discussed the possibility of disbanding as a formal BOS appointed committee to become a simple volunteer group. It was noted that operating under the formal committee status made things difficult in terms of communication for the committee, particularly as the Faire drew closer.

S. Mulroy made a motion to recommend that the Board of Selectmen disband the current FSF committee and reestablish the street faire committee as a volunteer group under the direction of the Town. D. Eaton seconded the motion. Motion carried by a vote of 5-0-0.

J. Feudo and S. Goldy would be talking more with the EDC and Town Management.

J. Feudo said the Rec Database could serve as a place for the funding for the faire to be accounted. However, he was unsure if that would impact the overall revolving fund allowance.

The committee also discussed the possibility of using Main Street as part of the faire. J. Feudo mentioned he would try to find out what process would be needed to seek permission and what costs are associate with it in terms of police detail etc.

511

Town of Reading - Meeting Minutes

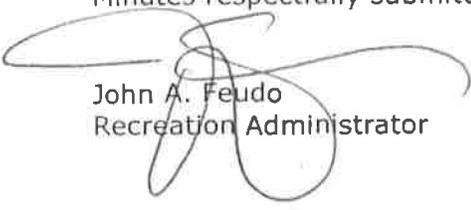
Justin Martel will no longer be able to do the road race. The hopes are that Lori Haverty from the Reading Athletic Club will continue that tradition as it has become a larger part of the day with over 200 participants.

Next meeting is tentatively scheduled for April 15th or April 22nd.

In the meantime, J. Feudo will work with S. Goldy to get the website updated and prepared for a May registration opening.

Meeting adjourned at 7:45 PM.

Minutes respectfully submitted by,



John A. Feudo
Recreation Administrator

5:12

2.3.1 Human Relations Advisory Committee

There is hereby established by the Board of Selectmen a Human Relations Advisory Committee.

The Human Relations Advisory Committee shall provide advice to the Board of Selectmen on how the community can encourage an environment of tolerance, understanding and harmonious racial, ethnic, religious, cultural and gender relations within the Town and among its citizens, prevent discrimination or the perception of discrimination on the basis of color, age, gender, religion, disability, culture, national origin, ancestry or sexual orientation within the Town or among its inhabitants, and enhance its ability to mediate differences arising from the aforesaid relations.

The Human Relations Advisory Committee shall:

- ◆ Engage in out-reach to such groups which may have suffered from or been the object of such discrimination, or may perceive themselves to have been the object of the same;
- ◆ Provide a safe place where individuals or groups may air their concerns or complaints as to the existence of such discrimination, or where concerns as to the potential existence of such discrimination within the Town or community at large or the perception thereof may be discussed;
- ◆ Identify perceived problems of such discrimination or human relations conflicts within the Town, and be a resource or referral agency to assist the parties or mediate among the parties so as, to the extent possible, permit the resolution of the same at the local level;
- ◆ Promote and encourage understanding, tolerance and diversity and the recognition of human and civil rights in the Town and community, and sponsor educational programs and the celebrations of events for that purpose.

The Human Relations Advisory Committee shall consist of seven (7) members appointed by the Board of Selectmen, unless another means of appointment is indicated. Members shall reside in the Town or have their place of business in the Town. Membership on the Human Relations Advisory Committee shall include the following:

- ◆ One member shall be a member of the Board of Selectmen or its designee,
- ◆ One member shall be the Chief of Police or his/her designee,
- ◆ One member shall be designated by the School Committee,
- ◆ The remaining four members shall be appointed by the Board of Selectmen and, to the extent possible, shall be a diverse group which may include representatives from the following fields:
 - ◆ A business owner other than the real estate business or a business association;
 - ◆ A representative of a real estate business or association;
 - ◆ A representative of the Reading Clergy Association.

The Committee may invite to serve as non-voting members such voluntary consultants in the field of human relations or human rights as it may choose from time to time. The Town Manager may assign a staff liaison representative to the Human Relations Advisory Committee and arrange for staff support.

The Committee shall be advisory to the Board of Selectmen and shall report at least annually to the Board of Selectmen on policy issues. The Committee shall administratively fall within the Police Department.

This Committee shall sunset on June 30, 2015 unless renewed by the Board of Selectmen.
Adopted 2-13-01, Revised 7-22-0, Revised 12/14/04, Revised 4/10/12



Reading Board of Selectmen
Chair Dan Ensminger
Town Hall
Reading, MA 01867

May 12, 2015

Dear Chairman Ensminger and Selectmen:

As the Human Relations Advisory Committee (HRAC) approaches its sunset deadline, we write to request a renewal of the Committee for at least two years beyond June 2015.

It is clear from current events around the country that promoting diversity awareness and standing together for justice for all people is crucial to the social and emotional health of all communities, including Reading. The Board recognized this need in the late 1960s, and made clear that diversity awareness and inclusion was an important goal for the residents, schools, police, and town government. This includes racial and religious diversity, but also age, gender, ability, marriage, socio-economic, and so much more. As part of Reading's commitment to diversity and fairness, we believe the HRAC plays an important role. By naming and addressing acts of discrimination or hate; encouraging bystanders to stop injustice; and recognizing and celebrating difference; the Committee works to promote respect and a sense of belonging for all community members.

Over time working with the schools and police department, we have educated the public about what to do if they witness a hate crime and run diversity art contests. We have created multi-community Martin Luther King Day Celebrations and brought together community groups all striving to stand together for justice. We have plans in place to collaborate with the library, as well as to continue with the clergy council and other organizations to promote our mission and raise our visibility as a resource. We have been recognized and funded by local foundations, and have made lasting contributions to the town and schools. We have worked with the Gay Straight Alliance and "A World of Difference" Clubs across the schools, and have engaged many community groups in our mission.

As travel, technology, and immigration shrink the globe, and diversity becomes more prevalent in our lives, the role of the HRAC has become even more important. Diversity can challenge assumptions, is a catalyst for growth, and can enrich our lives. Diversity, however, can also take people outside their comfort zones, raise anxiety, and challenge the status quo. The HRAC aspires to help our town sustain a culture that celebrates diversity, while acknowledging and learning from mistakes. The HRAC operates both proactively and in reaction to manifestations of discrimination and hate.

5:14

If renewed, the HRAC will continue its mission to listen to citizen concerns, provide forums for dialogue, and organize educational and cultural celebrations of diversity. In order to expand the scope of our current work, future goals for the HRAC include: 1) increasing visibility through more effective communication and marketing; 2) building coalitions and connections with other groups that share similar missions; and 3) researching other organizational frameworks for the HRAC.

Thank you for your past support of the HRAC. We believe the HRAC plays a vital role in Reading's future, and trust that you do too.

Respectfully Submitted by:

Linda Snow Dockser and Lynn Dornink

For The Human Relations Advisory Committee

Camille Anthony, Co-Chair

Sandra Popaja, Co-Chair

Mark Segalla, Deputy Chief of Police

Linda Snow Dockser, Member & Liaison from School Committee

Lori Hodin

Kyung Lyul Yu

Lynn Dornink

5, 15

2.3.4 Policy Establishing a Reading Trails Committee (RTC)

Based on the recommendation of the Northern Area Greenway Committee, there is hereby established a five (5) member Reading Trail Committee (RTC) which will assume the responsibilities of planning, developing, and maintaining present and future trails in the Town of Reading. The goal is for the Town to create and maintain a connected, well coordinated system of trails to serve the residents of the community. The RTC will undertake the following responsibilities.

- ◆ Make recommendations to the Conservation Commission, Town Forest Committee, and Recreation Committee regarding development, operation, use, and maintenance of trails crossing lands under the jurisdiction of these bodies. The RTC shall have no rule-making authority itself.
- ◆ Act as a liaison between the Town of Reading and the Reading Open Land Trust, Friends of Reading Recreation, Walkable Reading, Scout groups, and other youth and community groups with respect to development, operation, use, and maintenance of trails.
- ◆ Coordinate and manage an Adopt-a-Trail program, if appropriate, for the maintenance of trails or portions there-of.
- ◆ Set trail construction, maintenance, use, accessibility, and signage standards.
- ◆ Oversee production of trail maps and guides.
- ◆ Provide advice and recommendations on the development of the Ipswich River Greenway and other trail initiatives arising from Town reports and studies.
- ◆ Approve volunteer trail projects before the volunteers seek approval for projects from the Conservation Commission, Town Forest Committee, or other Town or other cooperating organizations.
- ◆ Organize training, hikes, trail maintenance days, and trail construction projects.
- ◆ Foster working relationships with DPW, Police, Fire, Schools, or other agencies to carry out the mission of the RTC.
- ◆ Encourage cooperation and address problems and conflicts in trail areas.
- ◆ Identify grant opportunities to support trail initiatives.
- ◆ Make recommendations to the Board of Selectmen, the Town Manager, and other bodies of the Town on measures necessary and appropriate to implement the trails program.

The Committee will be made up of five (5) members appointed for 3 year terms, so appointed that as even a number of terms shall expire in each year. Associate members may also be appointed. In selecting the Committee membership of 5 members, the Board of Selectmen shall appoint all members and shall give consideration to members representing the following interests within the community:

- Recommendation of the Conservation Commission;
- Recommendation of the Town Forest Committee;
- Recommendation of the Recreation Committee;
- one or more residents of the community who do not represent the above groups, and who has expertise in, conservation, environmental affairs, trails operation and maintenance, or other areas of expertise which, in the opinion of the Board would be helpful in meeting the Committee's mission.

Subcommittees may be created by a vote of the Committee. Members of Subcommittee members do not necessarily have to be members of the Committee.

This Committee shall administratively fall within the Department of Community Services. Staff as available will be assigned by the Town Manager to work with the Committee.

This Committee shall sunset on June 30, 2015 unless renewed by the Board of Selectmen.
Adopted 3-25-08, Revised 4/10/12

Dear Reading Board of Selectmen,

Thursday, April 30, 2015

The Reading Trails Committee is an active group that provides valuable services to the town's green spaces and to the residents that want to enjoy them. We have had many volunteers join us on projects to improve the trails and these volunteers have donated hundreds of hours.

Here are a few of the projects that we have accomplished in the last few years:

- Built a 380 foot long boardwalk in the Kurchian Woods replacing a deteriorating boardwalk that allows access to the trails from Franklin Street.
- Cleared and blazed trails in Pinevale, including repairing some boardwalks and regrading a bridge.
- Built a bridge in the Sledge Woods area and cleared and blazed a trail to connect it to the Kurchian Woods trails.
- Sponsored or co-sponsored several walks including bird walks, winter walks, and the first annual Walk Reading Weekend.
- Fortified the Cranberry Dam Trail in the Town Forest to allow safer foot traffic.
- Advised, reviewed, and approved several Boy Scout projects that improved trail use.
- Donated money to help Girl Scout Grace Stroman produce the "Get to Know Your Backyard" guide to the Reading trails.

Since the group's inception, we have secured \$38,000 in grants that have been put toward various trail projects.

We have several projects that we plan to tackle over the next several months:

- Fortifying trails in Bare Meadow that became very wet and difficult to navigate after the past winter.
- Building a boardwalk to the Ipswich River in the Town Forest that may lead to a dock on the river in the future.
- Rebuilding the bridge in the Higgins conservation area. The bridge is deteriorating and is a high volume area for kids walking to school.
- Clearing and blazing a trail in the Johnson Woods/Boyd lot.

According to our mission statement:

The mission of the Reading Trail Committee is to plan, develop, and maintain present and future trails in the Town of Reading. The goal is for the Town to create and maintain a connected, well coordinated system of trails to serve the residents of the community.

We feel that we are still fulfilling our mission and would like to remain as a committee of the town of Reading.

Sincerely,

The Reading Trails Committee

5:18



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2015-05-05

Time: 7:00 PM

Building: Reading Town Hall

Location: Selectmen Meeting Room

Address: 16 Lowell Street

Purpose: General Business

Attendees: **Members - Present:**

Chairman Daniel Ensminger, Vice Chairman John Halsey, Secretary Kevin Sexton, Barry Berman

Members - Not Present:

John Arena

Others Present:

Town Manager Bob LeLacheur, Paula Schena, Tim Kelley, Lyn Whyte, Madeline Hodgdon, Bryn Burkhart, Donna Beaulieu, Paula Simart, Annika Scanlon, Robert Kajanor, Scott Reinold, Ron D'Addario, David L. Williams, Jessie Wilson, Gil Congdon, David Zoya, Rob Haley, Steve Geth, Scotte Ferris, Jeff Pierce, Kevin Cignetti, John Barrett, James Lucci, Mark DeMasse, Tom Crowley, Phil Vaccaro, Lick Caster, Ken Hollingsworth, Chuck Tirone

Minutes Respectfully Submitted By: Secretary Kevin Sexton

Topics of Discussion:

Reports and Comments

Selectmen's Liaison Reports and Comments – Barry Berman noted that the results of the survey done show that the overall majority are satisfied with the Town services and agree we need a sustainable monetary resource. In addition, he attended the Reading Education Fundraiser and he was amazed at how hard the volunteers work.

Kevin Sexton noted that the Reading Education Fundraiser was outstanding. Also, he noted that Comcast employees cleaned up the areas at the Burbank YMCA as part of the Comcast Cares Day event.

John Halsey noted that the Recreation Committee has begun a mobilization program regarding an operational plan for the lighting which will be tied to public hearings and a survey. Mr. Halsey also noted that there was a dinner to honor volunteers at the Pleasant Street Center and it was heartwarming to see what the volunteers do. He noted that Jane Burns does a great job.

Daniel Ensminger noted that the Boy Scout Troop 702 will host a reception after the Laurel Hill ceremony on Memorial Day. He attended the Outstanding Citizen ceremony at which Camille Anthony was honored. He also noted that Justin Martel received the Police Officer of the Year award and Joseph Lappola received the Fire Fighter of the Year Award. Daniel Ensminger noted that he distributed the liaison assignments and asked for a motion to approve them.

A motion by Sexton seconded by Berman to approve the 2015 – 2016 Board of Selectmen liaison assignments was approved by a vote of 4-0-0.

601

Daniel Ensminger also noted that the Historic District Commission voted to deny a certificate of appropriateness to Criterion.

Public Comment – Bill Brown, 28 Martin Road, noted that he and Tom Ryan left letters as a handout at Town Meeting in regards to the Town Clerk having to approve all handouts. They feel this violates their First Amendment Right. He feels there is an enemy at the Town Clerk's office.

The Town Manager noted that he spoke with Town Moderator Alan Foulds, Town Clerk Laura Gemme and Town Counsel about this. The previous Town Manager gave instructions to the Town Clerk to approve all handouts and make sure there was contact information on them. This was in an effort to eliminate anonymous handouts being given out at Town Meeting even when they did not relate to Town Meeting. Bill Brown noted that was fine and he will apologize to the Town Clerk.

Town Manager's Report – The Town Manager asked that the Board make a motion on the Treasurer/Collector per the Charter change.

A motion by Sexton seconded by Berman that the Board of Selectmen, upon the recommendation of the Town Manager, 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 was approved by a vote of 4-0-0.

The Town Manager also asked the Board to approve a motion for internal borrowing. **A motion by Halsey seconded by Sexton to approve borrowing internally for two water main projects, the modular classrooms and retaining walls as outlined but not the lighting project was approved by a vote of 4-0-0.**

Barry Berman asked how much was being borrowed and the Town Manager noted a total of \$2.365 million.

Proclamations/Certificates of Appreciation

National Public Works Week – Public Works Director Jeff Zager was present to receive the proclamation.

A motion by Sexton seconded by Berman to proclaim the week of May 17 – May 23, 2015 as Public Works Week in the Town of Reading was approved by a vote of 4-0-0.

Women's Lung Health Week – **A motion by Sexton seconded by Halsey to proclaim May 11 – 17, 2015 as Women's Lung Health Week in the Town of Reading was approved by a vote of 4-0-0.**

Discussion/Action Items

Administrative Services Director/Ombudsman – The Town Manager introduced Matt Kraunelis to the Board of Selectmen and noted that he worked at the State as the Deputy Chief of Staff to the Undersecretary in the Massachusetts Office of Consumer Affairs and Business Regulation. He also served as the Chief of Staff to the Mayor of Methuen, Massachusetts for six years and held an elected position as a City Councilor for six years. Matt also served as Assistant General Counsel to the Massachusetts Department of Mental Health.

Town Accountant Report – The Town Manager noted that the Town Accountant was unable to be present tonight so this will be rescheduled.

6a2

The Town Manager took this opportunity to introduce Kevin Bohmiller as the Town's full time Veteran's Agent. He noted that Mr. Bohmiller will be arranging the Memorial Day event.

Reading Housing Authority Report – Housing Authority Executive Director Lyn Whyte and Housing Authority members Tim Kelley and Madeline Hodgdon were present.

Lyn Whyte noted that they are working on their website to make it more user friendly and it is filled with lots of information on current income levels, landlord information and tenant information. The website will also be translated in 50 different languages.

Barry Berman asked if they have a wish list for the Affordable Housing Trust Fund and Ms. Whyte noted that they are always on the lookout to acquire property. They had a recent opportunity to add to the reserves and there is more demand for two bedroom units. Barry Berman asked if the demand is more senior or family. Ms. Whyte noted that they tend to purchase for families because the seniors have more available to them. She also noted that family waits are extensive -10 years.

The Board thanked the Housing Authority for the update.

Update on Timberneck Swamp – Conservation Administrator Chuck Tirone and Conservation Commission Chairman Anika Scanlon were present.

Chuck Tirone noted they are requesting money for signs. The tree stands and cameras are proof that hunting was going on. Both the Conservation Commission and neighbors do not want any hunting in Timberneck Swamp.

John Halsey noted that we have the cooperation of the private property owner. He also noted that he thinks there are regulations about how many signs have to be posted. Chuck Tirone noted that to post every 20 feet is a lot of signs.

Daniel Ensminger asked if the tree stands are supposed to be taken down and Chuck Tirone indicated he did not know but they are usually territory markers and people leave them up. He suggests putting the signs at the public access and each homeowner can put up a sign on their property.

Anika Scanlon noted that the Conservation Commission voted to approve the sign. They must be located on Town property. She has not been able to find an accessible trail, but the evidence supports what the residents are saying.

John Halsey noted that the owner gives us permission to go on the property.

Kevin Sexton asked if there has to be specific language on the sign and Ms. Scanlon indicated she has not contacted Town Counsel. John Halsey suggested contacting the Fish and Game Commission.

Chuck Tirone noted that the cost for 19 signs is \$456 for the non-reflected and \$655.50 for the reflected signs. The Town Manager noted he has an account that will cover this.

Barry Berman suggested ordering spares.

Bryn Burkhart noted that there is a three to five day turnaround on the signs. She suggests going with the reflected due to the claim of hunting at night. John Halsey noted that if the neighbors are more comfortable with that then do it.

6a3

Daniel Ensminger asked if there has been any more incidents and Dorothy Marshall noted not since March. She noted that it seems to coincide with day light savings time.

Bryn Burkhart asked if DPW could put up the signs and the Town Manager noted they will and Chuck Tirone will have to go with them.

Ad Hoc Reading Firearms Safety Committee – Daniel Ensminger noted that the committee extends through the end of the year and consists of two Selectmen, the Deputy Chief Segalla, one Town Meeting member, three residents at large with at least one living in the Timberneck Swamp area. The Volunteer Appointment Subcommittee met tonight and interviewed six of seven candidates.

A motion by Sexton seconded by Halsey that the Board of Selectmen confirm the Volunteer Appointment Subcommittee's recommendation to appoint the following to the ad hoc Reading Firearms Safety Committee with terms expiring December 31, 2015:

Jonathan Scully as the Town Meeting member;

Bryn Burkhart as a resident at large;

David Pinette as a resident at large;

Kenneth Lafferty as a resident at large;

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

A motion by Sexton seconded by Berman that the Board of Selectmen appoint Kevin Sexton and John Halsey as the Selectmen representatives on the ad hoc Reading Firearms Safety Committee was approved by a vote of 4-0-0.

Daniel Ensminger noted that the committee will meet once or twice a month before summer and then pick back up in September. They will report back to the Selectmen in August.

Dorothy Marshall asked how many hunters were appointed to the committee and Kevin Sexton noted two hunters and one gun owner who doesn't hunt.

Daniel Ensminger noted it was an open process and he was surprised there were not more applicants from the neighborhood.

John Halsey echoed the Chairman's response and noted we have responsible people looking out for the best interest of the Town. He also noted that Town Meeting rejected the warrant article and gave an instructional motion to accomplish certain things. There will also be a public comment process.

Dorothy Marshall asked if the Board received her email regarding fines and John Halsey noted they did and the committee will look at updating that.

Hearing – Liquor License Transfer – Grumpy Doyles – The Secretary read the hearing notice. Attorney Trish Farnsworth, Henry Pariseau and Scott Cantor.

Daniel Ensminger asked why the applicant revised question #3. Attorney Farnsworth noted that question was not clear if it applied to in state or out of state. She sent two pages with information. Daniel Ensminger asked Police Chief James Cormier if he has enough information and Chief Cormier indicated he does not, he has not seen page 2.

Daniel Ensminger asked what date the incident happened and Attorney Farnsworth noted 2002.

Barry Berman indicated he wants to understand more of what happened. Attorney Farnsworth noted that Mr. Pariseau has been working as a manager at another location.

John Halsey asked if he always checked no on question 3 and Attorney Farnsworth indicated yes and it was never questioned.

Mr. Pariseau noted that he explained what happened to other licensing authorities and they had no problem with it. A previous attorney told him to answer no because the arrest was out of state.

Mr. Cantor noted that the Unagi Servers Inc. is part of a neighborhood group. It is all about who you hire and he has been through several managers to find the right person. They will be a good neighbor and there will be no violence or situations with the police. He noted that we all make mistakes and he can appreciate the Board's concern. He noted that Henry is a formidable operator and they are looking forward to coming to Reading.

John Halsey noted that people make mistakes but don't lie about it. He suggested that he get a new attorney or stop listening to that attorney who told him to answer no. He noted that he trusts the judgement of the Police Chief and staff. Mr. Pariseau answered wrong and the Police Chief has not reviewed the information provided. He recommends continuing the hearing to give the Police a chance to process the information.

Daniel Ensminger noted that question #3 asks if he has ever been convicted of a state, federal or military crime and he could see how that could create some confusion. He also noted that the applicant needs to supply a full affidavit as it says in the fine print.

Barry Berman noted he feels there is a lapse in judgement in not being forthcoming.

Kevin Sexton noted that the Board's comfort level is to have full disclosure.

A motion by Sexton seconded by Halsey to continue the hearing on the liquor license transfer from Phider Corp. d/b/a Grumpy Doyles to Unagi Servers Inc. d/b/a as Biltmore and Main at 530 Main Street to May 19, 2015 at 8:30 p.m. was approved by a vote of 4-0-0.

Hearing – New Liquor License – Anthony's Coal Fired Pizza, 48 Walkers Brook Drive – The Secretary read the hearing notice. Daniel Ensminger noted that the applicant is not available so we need to continue the hearing.

A motion by Sexton seconded by Berman to continue the hearing for the new liquor license for Anthony's Coal Fired Pizza at 48 Walkers Brook Drive to May 19, 2015 at 8:40 p.m. was approved by a vote of 4-0-0.

Naming of Fields – Phil Vaccaro and John Feudo were present.

Phil Vaccaro indicated he recommends honoring Pete Moscariello and name Pete Moscariello Park at Morton Field. He reviewed a long list of Pete's accomplishments and noted that he used his knowledge and wisdom of family values to coach.

Rick Carter, 15 Pondview Lane noted that his son's jersey was retired at RMHS. His son did not have the stats but he had heart. He is proud of Pete Moscariello.

Ken Hollingsworth from New Hampshire noted that he lived in Reading and loves Reading. When his father had a field named after him, he was thrilled. He feels Pete Moscariello is the greatest figure we could ever have.

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Scott Ferris noted he played for Pete Moscariello from 1984 – 1985. His passion for baseball is great. Pete loves to hear stories of successes off the field. His loyalty and integrity led him to be his son's godfather. He noted that Pete spent 45 years on Morton Field.

Jeff Pierce, 12 Pearl Street, noted he has been involved with the baseball community for 30 years. He is fully in support of the naming. He noted that Nute Morton was the founder and Morton Field is now a ball park.

John Feudo noted that he played for Pete in 1995 and he even had him at his wedding. He noted that Pete ran clinics for Reading Recreation for 35 years. He is a local icon no matter where you go. He estimates that approximately 25,000 kids went through his program.

Phil Vaccaro noted that there is a letter from Tom Crowley which notes that the moments that stand out has nothing to do with baseball, it is about how Pete handled success and defeat.

John Halsey noted that Pete Moscariello was a great baseball coach and a great person who made a huge impact on the residents. Mr. Halsey noted that it is the Selectmen's job to recognize when something special happens. It's a ballpark now and he led the way. He feels obligated to act on the request.

Barry Berman noted that he grew up in New York and then came to Reading. His son attended the clinics and he attended the coaching clinics and that was a whole new realm. He feels this is great to do before he passes.

Daniel Ensminger noted that there are four fathers – the Father Almighty, our Founding Fathers, Biological Father and coaches.

Kevin Sexton thanked everyone for coming out tonight. He noted he didn't know Pete Moscariello but this was a really impressive tribute.

A motion by Halsey seconded by Sexton that the baseball complex on and around Morton Field be known as Moscariello Ballpark was approved by a vote of 4-0-0.

Recycle Container for Lot Behind CVS – Climate Advisory Committee – Community Services Director Jessie Wilson, Climate Advisory Committee members Ron Daddario and David Williams were present.

Jessie Wilson noted that the proposal is to have a recycle bin in the CVS lot to encourage recycling. The Community Planning and Development Commission had concerns about trash being left outside the bin.

Ron Daddario noted that they have been working on this for a long time. The recycling container will be totally free from JRM and will be only for paper and cardboard. They tried to put it on private property but that didn't work. This will be good for businesses to save on trash disposal costs. The Climate Advisory Committee took a survey and received 12 good responses. People are willing to walk across the parking lot. When they were asked if they were willing to give up a parking space for it, they all said yes except for one. Mr. Daddario noted that it is possible the container will not take up a parking space. The bin will have openings on the side to prevent large trash from being put in. This will be on a trial basis and is a win for the businesses, the environment and the Town.

The Town Manager noted the Selectmen need to realize a parking space will be lost. It would be nice if all of the businesses worked together on trash and recycling. He is in favor of this.

606

Ron Daddario noted if this is approved, the Committee will work with the businesses.

Kevin Sexton noted he thinks this is a homerun and if it doesn't work then we'll take it back.

Barry Berman indicated this is a great idea and the design should be so trash cannot be thrown in it.

The Town Manager noted that the spot near the telephone pole is the best place.

A motion by Ensminger seconded by Sexton to approve the Climate Advisory Committee's proposal for a cardboard/paper recycling bin to be furnished and installed by JRM hauling on the Town owned lot behind CVS was approved by a vote of 4-0-0.

Sign Order of Taking – 25 Walkers Brook Drive – The Board signed the paperwork to finalize the order of taking.

Approve Change of D/B/A Sam's Bistro to Fusilli's Cucina – The Town Manager noted this is just a change of d/b/a.

A motion by Sexton seconded by Berman to approve the change of d/b/a from Sam's Bistro to Fusilli's Cucina at 107 Main Street was approved by a vote of 4-0-0.

Approval of Minutes

A motion by Sexton seconded by Halsey to approve the minutes of April 1, 2015 was approved by a vote of 3-0-1 with Berman abstaining.

A motion by Sexton seconded by Halsey to approve the minutes of April 14, 2015 as amended was approved by a vote of 4-0-0.

A motion by Sexton seconded by Halsey to approve the Executive Session minutes of April 14, 2015 as written was approved on a roll call vote with all four members voting in the affirmative.

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

Respectfully submitted,

Secretary

627

Schena, Paula

From: LeLacheur, Bob
Sent: Monday, May 11, 2015 11:43 AM
To: Schena, Paula
Subject: FW: purpose of Firearms Safety Committee

For BOS 5/19 packet

Robert W. LeLacheur, Jr. CFA

Town Manager, Town of Reading
 16 Lowell Street, Reading, MA 01867
townmanager@ci.reading.ma.us
 (P) 781-942-9043; (F) 781-942-9037

www.readingma.gov; Please fill out our brief customer service survey at:
<http://readingma-survey.virtualtownhall.net/survey/sid/ff5d3a5f03e8eb60/>

Town Hall Hours:

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

From: Bryn Panee Burkhardt [<mailto:>]
Sent: Friday, May 08, 2015 9:14 PM
To: Reading - Selectmen; LeLacheur, Bob
Cc: Bryn Panee Burkhardt
Subject: purpose of Firearms Safety Committee

Dear Mr. Ensminger, Mr. Halsey, Mr. Sexton, Mr. Berman, Mr. Arena and Mr. LeLacheur,

I'm looking forward to working with Mr. Halsey and Mr. Sexton on this newly established committee. It occurred to me at Tuesday's BOS meeting that there was some concern about why more Timberneck Swamp area residents had not applied.

My understanding is that the purpose of this committee is to address only the last bullet point in the Instructional Motion (*appoint a working group to draft a revision of Bylaw 8.9.1*). At the March 24th BOS meeting when the Firearms Safety Committee was introduced, Mr. LeLacheur stated that the other items on the instructional motion could be managed/investigated by the town, or were already being addressed by the Conservation Committee.

A core group of neighbors discussed applying to the committee when it was announced in early April and I reiterated my understanding that the focus of the committee would be to revise the Town Firearms Bylaw. In the end, I believe I was the only applicant for the following reasons:

1. The concerns regarding the safety of TS are being addressed and there's no longer a looming concern about someone legally discharging a firearm in the area since the landowner revoked hunting privileges;
2. There was an assumption from the way the motion was written that only 1 person from the Timberneck Swamp area would be on the committee;
3. The committee requires meeting 2x a month over the summer - not convenient for parents with young children, which constitutes the bulk of the supporters I've garnered;
4. Neighbors know they are able to attend the open public meetings if needed.

I hope this helps explain the lack of applicants. I am also hopeful our committee can work productively and respectfully in the coming months to revise the current bylaw for clarity and safety of all residents. Look forward to seeing you on Monday.

Thank you and have a good weekend,
Bryn

4c B05

LeLacheur, Bob

From: LeLacheur, Bob
Sent: Tuesday, May 12, 2015 3:27 PM
To: 'Law Office of Kenneth N. Margolin, P.C.'
Cc: J. Raymond Miyares; Delios, Jean
Subject: Criterion Child Enrichment, Inc./186 Summer Ave., Reading
Attachments: Criterion - good faith estimate.pdf

Attorney Margolin,

Good afternoon - please find attached our good faith estimate of the costs related to your request for information. These costs reflect an estimate based on the lowest paid employee able to perform various tasks associated with that request.

Please let me know how I may be of further assistance.

Thanks,
Bob

Robert W. LeLacheur, Jr. CFA

*Town Manager, Town of Reading
16 Lowell Street, Reading, MA 01867
townmanager@ci.reading.ma.us
(P) 781-942-9043; (F) 781-942-9037*

*www.readingma.gov; Please fill out our brief customer service survey at:
<http://readingma-survey.virtualtownhall.net/survey/sid/ff5d3a5f03e8eb60/>*

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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: Law Office of Kenneth N. Margolin, P.C.
 246 Walnut Street, Suite 101
 Newton, MA 02460

From: Robert W. LeLacheur, Jr. CFA
Date: May 12, 2015
RE: Public Records Request dated May 3, 2015
 186-190 Summer Ave, Reading, MA
 Criterion Child Enrichment

Dear Mr. Margolin,

I am writing in response to your letters dated May 3, 2015 to Everett Blodgett, Chairman of the West Street Historic District Commission (HDC) and to J. Raymond Miyares, Esq., Town Counsel. I have prepared the following good faith cost estimate in accordance with the Massachusetts Public Records Act, G.L. c 66 §1, et seq.

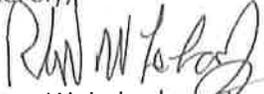
Town of Reading
Research Information Request
Good Faith Cost Estimate

	pages	minutes		Unit Fee	Total Fee
Estimated File Search Time (Basic)		240	KF	\$ 0.82	\$ 195.84
Estimated File Search Time (Advanced)		1800	KF	\$ 0.82	\$ 1,468.80
		900	JD/BL	\$ 0.99	\$ 888.75
		3600	JW	\$ 0.65	\$ 2,325.00
Estimated Segregation Time		90	Admin	\$ 0.42	\$ 37.55
Estimated Copy Time		60	Admin	\$ 0.42	\$ 25.03
Standard Copies	5000			\$ 0.20	\$ 1,000.00
Plan Copies	25			\$ 4.50	\$ 112.50
Review and Check		1200	Admin	\$ 0.42	\$ 500.60
Total Cost Est.					\$ 6,053.47

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At your earliest convenience, please advise us on how you wish to proceed. If you elect to proceed with your request, we will notify you of the actual costs of production when the work is complete, and payment will be due upon your receipt of the records.

Sincerely,



Robert W. LeLacheur, Jr.
Town Manager

- c: Board of Selectmen
- Town Counsel
- Assistant Town Manager
- Community Development Director

4C BOS

Office of Town Clerk

2015 MAY 13 AM 10:19

Town of Reading

16 Lowell Street

Reading, MA. 01867

Subject: Census Information

For the last several years your office has taken upon its self to change the occupation that I sign under PENALTIES of PERURY from AGGITATOR to RETIRED.

Unless your office can prove to me in writing that you have the authority to do so I feel that you are violating my FIRST AMMENDMENT RIGHTS GARANTEED me by the UNITED STATES CONSITUTION.

Please note that in a reply letter from the Secretary of the Commonwealths Office they stated that agitator was not an occupation. Webster's Dictionary states that retired is a withdrawal from an occupation, so therefore listing me as retired is not correct .

Sincerely Yours

William C. Brown

28 Martin Rd Reading MA 01867

CC: Reading Board of Selectmen

9C1



Town of Reading
16 Lowell Street
Reading MA 01867

Town Clerk
781-942-9050

fax: 781-942-9070
website: www.readingma.gov

May 13, 2015

William C. Brown
28 Martin Road
Reading MA 01867

Dear Mr. Brown:

Thank you for your letter received May 13th in which you addressed your concerns about the way the town lists your occupation in the yearly street list. While I certainly respect your First Amendment rights, state law requires the town to make true lists containing only valid occupations. What I have said in the past, and what you say in your letter that you have confirmed with the Secretary of the Commonwealth, is that the term "agitator" is not a valid occupation.

The last time we spoke you stated that you were going to provide me with a valid occupation to be listed in the street list. Since you have objected to the term "retired" being listed next to your name, the town currently lists your occupation as "unknown." I am happy to change that designation to any occupation that you wish, providing it is valid. I hope this addresses your concerns.

Sincerely,

Laura Gemme, CMMC
Town Clerk

CC: Board of Selectmen

902

4CB05



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: Jessica Malcolm
40B Program Specialist
One Beacon Street
Boston, MA 02108

From: Robert W. LeLacheur, Jr. CFA

Date: April 27, 2015

RE: Review Comments – Lyle Estates (proposed 40B project)
364 Lowell Street, Reading MA

Dear Jessica,

The following constitutes the Town of Reading's comments which have been developed in response to the application for Site Approval submitted to MassHousing by Reading Townhouse Development, LLC for the above named property.

I strongly recommend denial of the Site Approval request. The rationale for denial is based on our review of the plans which concludes that this proposal does not fit with the neighborhood. Further, the Town of Reading has undertaken an extensive amount of proactive work to rezone areas for dense development, with an emphasis on an affordable housing component. As part of this work, we have formed two 40R Smart Growth Districts: one in is the downtown area, where there is public transportation including a heavily used commuter rail station.

This proposed site on Lowell Street is not located in the areas that we have identified for this type of development. This proposal is located in the wrong location and conflicts with our zoning, land use, and long-term strategic plans. In contrast, please note that presently MassHousing is in receipt of an additional unrelated 40B application for another dense housing project in Reading that is adjacent to our downtown 40R Smart Growth District.

The long narrow site on Lowell Street is heavily constrained and includes extensive wetland areas (see attached comments from the Town Staff and the Reading Conservation Commission). The approximate 2.75 acre site currently includes one existing home that fits in well with the pattern of development in the surrounding neighborhood. Access is limited, with only one way in and one way out, of a 24 foot wide road extending 430 feet with a cul de sac with no sidewalks.

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The proposed Lyle Estates is out of character with this established single family neighborhood. Replacing an existing single family home with 16 new units of townhouse style duplex housing will double the allowed density of this single-family home district which requires 15,000 square foot lots.

Background

The Town of Reading has aggressively executed planning and zoning strategies that support affordable housing creation. This includes:

- **Efforts to Adopt the Community Preservation Act (CPA)** – Narrowly defeated by the voters, but under review for possible future action.
- **State Approved Housing Production Plan (HPP)** - adopted in 2013 guides strategies for housing development, especially for special populations like older adults and low/moderate income households.
- **Two 40R Smart Growth Overlay Zoning Districts that permit 458 new units “by right”** - adopted under MGL Chapter 40R.
- **Regional Housing Services Office** – developed by Reading planning staff, based in Reading Town Hall. The regional housing office serves the Towns of Wilmington, North Reading, Saugus and Reading with a shared housing coordinator that proactively promotes creation and retention of affordable housing monitors existing affordable housing, and maintains records related to a community’s SHI including expiring use agreements.
- **Regional Priority Development Plan** – developed in collaboration with the Metropolitan Area Planning Council and the North Suburban Planning Council. Reading’s Priority Development Plan identifies opportunities for both housing and economic development, including expansion of the existing Downtown Smart Growth 40R District. The implementation phase of this plan is underway and includes a community visioning process. A community forum was held on April 1, 2015 to get input on preliminary plans. A follow up forum with details on massing and number of units to be created will be held on June 3, 2015.
- **Comprehensive Update of the Reading Zoning Bylaw** – clarified, simplified, and modernized zoning which is a key to encouraging development. A major change was made to the “Accessory Dwelling Units” regulations such that they are now allowed “by-right” (instead of by special permit from the zoning board of appeals) provided they meet stated performance standards and they are located in an existing structure. This will foster multigenerational living and create many new opportunities for affordable housing.
- **Reading 2020 Board of Selectmen Strategic Plan** – A dialogue with the community about long term housing production plans including affordable and age restricted units in the downtown area.

Application Comments

The application has missing elements as follows:

9d2

- Location Map showing surrounding land uses
- No Figure 5 which is referenced several times throughout the application
- The site visit confirmed that there are structures encroaching onto the site which is not depicted on the site plan (Sheet C1)
- Tax Map is missing
- Photographs are missing – note says they are located in Section 1.1 (not there)
- Lack of communication and coordination with the Town (#3, p. 16 of permit application)
- Zoning Analysis – missing – should be in tab 13

There are inaccuracies as follows:

- It states that a subdivision plan was filed with the planning board and then formally withdrawn, however, it was not. The planning board never received a formal filing.
- Sustainable Development Principles –
 - No. 1 – Concentrate Development & Mix Uses – create pedestrian friendly neighborhoods – this development will not have any sidewalks which will impede its ability to meet this criteria. This also conflicts with the Town’s Complete Streets Policy.
 - No. 2 – Advance Equity – equitable sharing of benefits/burdens will be difficult to meet since the redevelopment will affect wetland areas. The application notes that this will be a rental project to benefit the community where this type of housing is lacking. The Application is for ownership units – not rental.
 - No. 3 – Make Efficient Decisions – there has been no communication with neighbors or the Town on this proposal.
 - No. 4 – Protect Land and Ecosystems – This development will significantly alter a forested natural area with wetlands. Trees and other resource areas will be destroyed or removed.
 - No. 5 – “Use Natural Resources Wisely” the natural resources will be disturbed and altered.
 - No. 6 – “Expand Housing Opportunities” refers to rental in “Rockland” and indicates the units are accessible to the disabled – this is a Townhouse development (presumably with stairs) located in Reading.
 - No. 7 – “Provide Transportation Choice” – In this section the site is stated to be 0.66 miles from the Reading MBTA Commuter Rail Station. The application (page 7) states this distance as 1.2. The discrepancy needs to be verified and clarified. Transit Oriented Development must be within a ¼ mile of transportation to be considered a viable development that reduces reliance on automobiles. Furthermore, it is made clear in the application that the surrounding land uses/amenities are not available by Public Transportation and many are outside the 15 minute walkshed.
 - No. 8 – “Increase Job and Business Opportunities” – This housing development is not located near businesses/jobs or near public transportation.

- No. 9 – “Promote Clean Energy” – automobile dependency will remain as this is not in a location that is proximate to transportation and other attractions and does not encourage pedestrian activity with lack of sidewalks.
- No. 10 – “Plan Regionally” – This proposal is not part of any regional priority development sites, alternative sites have been identified in the regional priority development plan.

Plan Review

- Sheet C2, Proposed Layout
 - Details on landscaping are limited and no screening is identified. Some of the structures will be within 20-feet of existing properties and there is concern for lack of mitigation measures to those abutters.
 - The proposed roadway width is 24-feet with no sidewalks. There is concern for safety and access on this road.
 - The plan does not identify the stormwater management system.
 - The plan does not identify lighting for the proposed development.
 - This property is located within Reading’s Aquifer Protection District. DEP limits the amount of impervious surface for properties within this district and there is no information regarding the total impervious area on the site.
 - Previous preliminary development plans, of a much lower density, filed with the Conservation Commission revealed serious concerns with impacts to the wetland areas.
- Architectural Plans (Sheet A.1-A.3)
 - No dimensions are included on these drawings.
 - The Plans have not been stamped by a registered architect.
 - The units will be subject to review under the Building and Energy Codes.
 - It appears there are egresses proposed at the rear of the units. It is unclear if these are to be accessed via decks/patios? If so, those should be identified.
 - No illustrative rendering was provided.
- Adverse Possession
 - It appears that several abutting structures are located on the subject property. It is unclear how these situations will be remedied and whether or not adverse possession would be applicable.
- Condo Association
 - No documentation was provided for a condominium or homeowners association. Since the road is to remain private, it is imperative to understand how the roadway, landscaping, stormwater management system and other features will be maintained.
 - How will trash and recycling be handled for the site?
- Parking
 - It appears the length of the parking space does not meet the standard required under the zoning bylaw. This is a concern as inadequate parking will only pose safety and access issues for the site.

Waivers

- There are a number of waivers from the Subdivision Rules and Regulations in Reading being requested, including a waiver from cul-de-sac radius. Reducing the cul-de-sac radii will make it challenging for fire truck apparatus to have access to the site.

Summary

Lyle Estates is proposed in an area heavily surrounded by environmental resources and proposed at a density (5.81 units per acre) that is much too high for the S-15 zoned single-family residence district which is comprised of predominantly single family homes on 15,000 (or more) square foot lots. This site is not proximate to the downtown and therefore the doubling of the density cannot be justified.

To reiterate, Reading proactively plans for affordable housing, by:

1. Modifying zoning to allow:
 - Clearer, simpler, modern zoning
 - Accessory apartments "by right";
 - Two 40R Smart Growth Districts (Downtown adjacent to the Commuter Rail Station and near the Stoneham line) that allow 458 new units of housing "by right"
2. Creating a State approved Housing Production Plan – identifying a production plan to achieve the required 10% affordable housing.
3. Developing a Priority Development Plan – highlighting areas that could be used for affordable housing, including expansion of the existing 40R Downtown Smart Growth District. Three priority development areas are currently being examined including identifying how many units of housing could be developed. A community engagement component will be included as well to develop consensus and community support.
4. Reading Selectmen's 2020 Strategic Plan – community based effort to identify housing opportunities for age restricted and affordable housing.
5. Regional Housing Services Office – based in Reading serving the region in supporting affordable housing.

In general, the Town has made significant progress in the past 5 years to achieve significant milestones in affordable housing. The proposed Lyle Estates is not consistent with existing affordable housing plans. Specifically, we have focused many efforts on improving alternative forms of transportation including the adoption of a Bicycle and Pedestrian Plan and Complete Streets Policy. Lyle Estates conflicts with the goals included in the Bicycle and Pedestrian Plan. Likewise, Lyle Estates but is not a Complete Street. Additionally, this project has been described as Transit Oriented and within close proximity of local amenities and shopping centers. However, it is much too far from the Downtown and public transportation to be considered a

Transit Oriented design and is located out of the 15 minute walkshed to really encourage a reduction in automobile reliance.

Reading has also focused efforts on planning for future development through participating in a Priority Mapping Project with our regional planning agency. This site was not identified as a local OR regional priority for development. However, the Downtown area and South Main Street were identified for future housing opportunities due to their access to municipal services, walkability, impact to the watersheds and open spaces. **This project does not align with that priority plan.**

This application is lacking some important information to be considered eligible for site approval. Items listed on the required checklist, such as the Tabular Zoning Analysis, are a major deficiency in the application. Lacking the Tabular Zoning Analysis is critical, without it a reviewer can not clearly see how inconsistent the proposed development is with Reading zoning. The Tabular Zoning Analysis would clearly illustrate how Lyle Estates does not fit within the characteristics of this single-family residential neighborhood.

Thank you for the opportunity to review this application for MassHousing Comprehensive Permit Site Approval. I hope our comments and feedback will assist you in your decision not to approve the project proposed at 364 Lowell Street.

Sincerely,

Robert W. LeLacheur Jr.

Town Manager

Attachments: Development Review Team (DRT) Notes

Email correspondence from Police Chief James Cormier

Letter from Conservation Administrator Charles Tirone

CC: Board of Selectmen

Zoning Board of Appeals

Community Planning and Development Commission

Assistant Town Manager

Community Development Director

9d6

Development Review Team Meeting
 Thursday, April 23, 2015
 364 Lowell Street

Staff Present (see attached sign in sheet for contact info): Town Manager Bob LeLacheur, Assistant Town Manager Jean Delios, Community Development Administrator Jesse Wilson, Fire Chief Greg Burns, Assistant DPW Director Joe Huggins, Town Engineer Peter Reinhart, Conservation Administrator Chuck Tirone.

Applicant: Reading Town House Development, LLC

Material Reviewed: Notice of Application for Chapter 40B Site Eligibility Letter – Masshousing New England Fund Project: “Lyle Estates” 364 Lowell Street, Reading MA

The proposed project is to develop 2.75 Acres in a residential neighborhood at 364 Lowell Street into an 8 duplex, 16 unit homeownership development under Chapter 40B. All units will be 3 bedrooms with 2 parking spaces. The site is presently wooded with a single family house located in the front northeast corner of the property. A 430’ long, 24’ wide roadway will provide access from Lowell Street (Route 129) to the proposed development. The development will be serviced by town water and sewer. An Existing wetland parallels the easterly conditions property line. The existing structure will be demolished as part of the proposed project. Communication, electric and gas are located within Lowell Street.

The following is a list of comments from the DRT. These comments are based on the Application for Site Eligibility and material submitted therein.

DRT Comments		
Planning	Comment	Policy/Regulation
1.General	The project is double the proposed density of this residential district. It does not fit the character of the neighborhood.	Zoning Bylaw Table 6.3 Table of Dimensional Controls
2.Aquifer Protection	Located in Aquifer Protection District and clarification is needed for compliance with this regulation.	Town of Reading Zoning Map
3. Egress door	There is an egress door on plans but unsure what it leads to; i.e. deck, patio, walkout basement?	NA
4. Lighting	No lighting shown on plans.	NA
5. Rain Garden	Proposed rain garden is written in application but not shown on plans.	NA

9d7

Fire		
	Comment	Policy/Regulation
1.Road Width	The cul-de-sac is not wide enough for fire trucks to fit through.	Reading Subdivision Rules and Regulations Section 7.1.5.a
2. Landscaped Island	This may be challenging for the truck movements.	Reading Subdivision Rules and Regulations Section 6.1.5.a
Conservation		
	Comment	Policy/Regulation
1.Vernal Pool	Potential vernal pool in the back of the property.	State Wetlands Protection Act
2.Wetlands	Wetlands are prominent on the site and many of the structures are within the 25'-35' buffer zone.	State and Local Wetlands Protection Act
3.Trees	Many of the existing trees are proposed to be removed.	State and Local Wetlands Protection Act
Police		
	Comment	Policy/Regulation
1.Parking	No street parking and no room for visitor parking.	
2.Sidewalks	No sidewalks pose safety issue.	
SEE ATTACHED EMAIL		
Building		
	Comment	Policy/Regulation
1. Building Code	All structures will be required to meet applicable building and energy codes.	Massachusetts State Building Code
2. Zoning Tabulation	There is no indication on the nonconformity of the zoning requirements.	NA
3. Parking	The parking stalls appear to not meet the requirement under zoning and could pose to be an access issue.	Reading Zoning Bylaw Section 9.1.2.2
DPW/Engineering		
	Comment	Policy/Regulation
1. Snow removal	There are limited snow storage areas. Plowing operations would be done by the condo association and not the Town of Reading.	NA
2. Trash	Not sure if trash trucks will be able to maneuver the roadway and cu de sac.	NA
3. Sewer	It is unknown whether the existing sewer system on Lowell Street could accommodate another 16 units. This project would be subject to the Town of Reading's I/I Fee	Board of Selectmen's Policies
4. Paper Street	The property is accessed by an existing paper street. The developer should identify the owners who have rights of access.	NA

LeLacheur, Bob

From: Cormier, James
Sent: Tuesday, April 14, 2015 2:07 PM
To: Wilson, Jessie
Cc: Zambouras, George; Zager, Jeff; Segalla, Mark; Delios, Jean; LeLacheur, Bob
Subject: FW: 364 Lowell Street - 40B
Attachments: 364 Lowell Street_40B Application.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Jessie,

In response to your request for review of the proposed 40b development at 364 Lowell St. I have had a chance to review the proposal and have a few comments:

- It seems to be a very dense proposal
- With the density and the fact that they are 3 bedroom units and would lend themselves to families, I would strongly recommend sidewalks be mandated for the safe travel of pedestrians.
- Also, with the density I would also recommend that on street parking be regulated so as to not allow parking other than in garages or parking spots.
- I would also request that the developers grant permission for the Police Department to enforce the parking regulations on the property and make that part of the condominium documents when they transfer responsibility to the condominium association.
- Although not my purview I am confident the Fire Chief will have concerns with the ability to get his equipment in and out of the property especially the cul-de-sac.

Thank you for inquiring, if you have any further questions please don't hesitate to touch base.

Jim

Chief James W. Cormier
Chief of Police
Reading Police Department
15 Union St.
Reading, MA 01867
781-944-1212
Fax 781-944-2893
Jcormier@ci.reading.ma.us
FBINAA 233

From: <Wilson>, Jessie <jwilson@ci.reading.ma.us>
Date: Tuesday, April 14, 2015 at 12:13 PM
To: James Cormier <jcormier@ci.reading.ma.us>
Subject: 364 Lowell Street - 40B



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

CONSERVATION COMMISSION
Phone (781) 942-6616
Fax (781) 942-9071
ctirone@ci.reading.ma.us

April 23, 2015

Jessie Wilson
Community Development Administrator
16 Lowell Street
Reading, MA 01867

RE: 364 Lowell Street, 40B Development Site Eligibility Comments

Dear Ms. Wilson:

The Reading Conservation office and the Conservation Commission have discussed the conceptual plan for site eligibility for a proposed 40B development off Lowell Street in the Town of Reading. We offer the following comments and observations:

1. The Site is located in a critical Area (Zone II).
2. On July 25, 2013 the Commission reviewed and approved an Order of Resource Area Delineation for only the wetland line of a Bordering Vegetated Wetland located on the site. Additional resource area boundaries may exist on the site and the adjacent properties outside the limits of the delineation, DEP File # 270-0616.
3. The project site contains a protected wetland and potential vernal pool not certified with Natural Heritage. In early April 2014 several commission members recorded chorusing spring peepers and "quacking" of the wood frog also a dead wood frog was found at the site during an approved site inspection.
4. The jurisdiction of the Town of Reading Conservation Commission under the State Wetland Protection Act extends 100-feet from the edge of bordering vegetated wetlands. The Town of Reading Conservation Commission will exercise its jurisdiction to impose conditions upon the construction of site amenities within this 100-foot area, including proposed structures, detention basin, wells, and roadway.
5. A 40B designation on the 364 Lowell Street site frees the developer from many of the local environmental ordinances that apply to other developments in town; a structure is not acceptable within 35' of the Resource Area, Reading Wetland Protection Regulations 7.1 section 3, D (2) & (3). Reading Conservation Commission has determined and permitted projects that protect the Resource Area by maintaining a vegetated natural buffer strip for all projects in Reading with a 35 foot No Structure Zone and 25 foot Zone of Natural

9d10

Vegetation. The project design does not appear to reflect consideration for this environmentally sensitive area.

6. The applicant should be encouraged to preserve as much existing 100 foot Buffer Zone upland habitat and vegetation as possible.
7. Sufficient hydrologic testing should be conducted to ensure that this project will not adversely impact water levels and or create flooding in the adjacent neighborhoods and wetland area.
8. More comprehensive environmental studies should be done before the project is considered.
9. The applicant should be encouraged to utilize "low impact development" techniques to maximize infiltration and detention of runoff close to the source, rather than relying upon a centralized detention basin to control peak flows. Information on such techniques is readily available from a variety of sources and can be made available upon request.

Charles Tirone
Conservation Administrator

cc: RCC file
Town Planner
Town Engineer

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