



## Town of Reading Meeting Posting with Agenda

RECEIVED  
TOWN CLERK  
READING, MASS.

### Board - Committee - Commission - Council:

Board of Selectmen

Date: 2016-07-26

Time: 7:00 PM

016 JUL 21 P 12:58

Building: Reading Town Hall

Location: Selectmen Meeting Room

Address: 16 Lowell Street

Agenda:

Purpose: General Business

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

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**
- 4) **Personnel & Appointments**
- 5) **Discussion/Action Items**
  - a. Approve Town Manager's Contract 7:15
  - b. Birch Road Utility Easements 7:20
  - c. Abandon Drainage Easements – 21 Hunt Street and 26 Lee Street 7:25
  - d. Hearing – Driveway Waiver – 43 Track Road 7:30
  - e. Preview of September 12<sup>th</sup> Special Town Meeting Warrant 7:45
  - f. Senior Tax Relief 8:00
- 6) **Approval of Minutes**
  - a. June 21, 2016
  - b. July 12, 2016
- 7) **Licenses, Permits and Approvals**
- 8) **Executive Session**
- 9) **Correspondence**
  - copy a. Correspondence from Sally M. Hoyt re: Reading DPW and Reading Municipal Light Department
  - copy b. Memo from Julie Mercier regarding Reading Village 40B Status Update

<b>DRAFT - BOARD OF SELECTMEN</b>			
<b>2016</b>	<b>AGENDAS</b>		<b>2016</b>
<i>7/21/2016</i>		<b>Staff</b>	<b>Estimated</b>
	<b>July 19, 2016</b>	<b>Pleasant St Ctr</b>	<b>6:00pm</b>
	<b>Zoning Charette with CPDC</b>		
	<b>July 26, 2016</b>		
	<b>Approve Town Manager's Contract</b>	<b>Angstrom</b>	<b>7:15</b>
	<b>Birch Road Utility Easements</b>	<b>LeLacheur</b>	<b>7:20</b>
	<b>Abandon Drainage Easements - 21 Hunt Street and 26 Lee Street</b>	<b>LeLacheur</b>	<b>7:25</b>
<b>Hearing</b>	<b>Driveway Waiver - 43 Track Road</b>	<b>LeLacheur</b>	<b>7:30</b>
	<b>Preview of September 12th Special Town Meeting Warrant</b>	<b>LeLacheur</b>	<b>7:45</b>
	<b>Senior Tax Relief</b>	<b>Board of Assessors</b>	<b>8:00</b>
	<b>August 9, 2016</b>		
	<b>Tax Classification discussion</b>	<b>LeLacheur</b>	<b>7:30</b>
	<b>Senior Tax Relief Discussion</b>	<b>LeLacheur</b>	<b>8:00</b>
	<b>Proposition 2-1/2 discussion</b>	<b>LeLacheur</b>	<b>8:30</b>
	<b>August 16, 2016</b>		
<b>Office Hour</b>	<b>Berman</b>		
	<b>Amend license for underground storage tank at 83 - 85 Main Street to change one tank from gasoline to diesel</b>		
<b>Hearing</b>	<b>Transfer Liquor License from Brooks Brew and Fine Wines, 676 Main Street, to Anastasi Brookline, 25 Walkers Brook Drive</b>		<b>7:30</b>
<b>Hold</b>	<b>Fusilli's Alteration of Premises</b>		
	<b>Trust Fund Commissioners</b>	<b>Cohen</b>	<b>8:30</b>
	<b>Close Warrant for September 12th Special Town Meeting</b>	<b>LeLacheur</b>	
	<b>September 6, 2016</b>		
<b>Office Hour</b>	<b>Sexton</b>		
	<b>Fire Badge Pinnings</b>		

	<b>Preview Warrant for November Subsequent Town Meeting (begins 11/14)</b>	<b>LeLacheur</b>	
	<b>State Election September 8, 2016</b>	<b>Thursday</b>	
	<b>Special Town Meeting September 12, 2016 (?)</b>	<b>Monday</b>	
	<b>Call for Special Election on October 18, 2016 (formal notification to Town Clerk)</b>		
	<b>September 20, 2016</b>		
	<b>Close Warrant for November Subsequent Town Meeting (begins 11/14)</b>	<b>LeLacheur</b>	
	<b>October 4, 2016</b>		
<b>Office Hour</b>	<b>Ensminger</b>		
	<b>Close Warrant for October 18, 2016 Special</b>	<b>LeLacheur</b>	
	<b>Vote Warrant Articles for Subsequent Town Meeting 11/14/16</b>	<b>LeLacheur</b>	
	<b>Special Election October 18, 2016 (?)</b>	<b>Tuesday</b>	
	<b>October 25, 2016</b>		
	<b>Close Warrant for Presidential and State Elections 11/8/16</b>		
	<b>Presidential and State Elections November 8, 2016</b>	<b>Tuesday</b>	
	<b>Town Meeting November 14, 2016</b>	<b>Monday</b>	
	<b>November 15, 2016</b>		
<b>Office Hour</b>	<b>Halsey</b>		
	<b>Town Meeting November 17, 2016</b>	<b>Thursday</b>	
	<b>Town Meeting November 21, 2016</b>	<b>Monday</b>	
	<b>Town Meeting November 28, 2016</b>	<b>Monday</b>	
	<b>November 29, 2016</b>		
	<b>Town Meeting December 1, 2016</b>	<b>Thursday</b>	
	<b>December 13, 2016</b>		
<b>Office Hour</b>	<b>Arena</b>		
<b>Future Agendas</b>			

	<b>Board of Selectmen Policies: Article 1 General Operating Procedures</b>	<b>LeLacheur</b>	
	<b>Board of Selectmen Policies: Article 2 Volunteer Boards/Committees/Commissions</b>	<b>LeLacheur</b>	
	<b>Board of Selectmen Policies: Article 3 Licenses</b>	<b>LeLacheur</b>	
	<b>Review Inflow &amp; Infiltration policy</b>	<b>Percival</b>	
	<b>Oakland Road status &amp; plans</b>	<b>LeLacheur</b>	
	<b>Strout Avenue Master Plan</b>	<b>Delios</b>	
	<b>Multi Board/Committee Summit</b>	<b>Halsey</b>	
	<b>Downtown Parking</b>	<b>Segalla</b>	
<b>Recurring Items</b>			
	<b>Close Warrant: Nov TM by 9/27</b>		
	<b>Close Warrant: Presidential &amp; State Elections by 11/1 (Elections are 11/8)</b>		
	<b>Review BOS/TM Goals</b>	<b>Mar &amp; Sep</b>	<b>Semi-ann</b>
	<b>Appointments of Boards &amp; Committees</b>	<b>June</b>	<b>Annual</b>
<b>Hearing</b>	<b>Approve Classification &amp; Compensation</b>	<b>June</b>	<b>Annual</b>
<b>Hearing</b>	<b>Tax Classification</b>	<b>October</b>	<b>Annual</b>
	<b>Approve licenses</b>	<b>December</b>	<b>Annual</b>
<b>Reports to BOS</b>	<b>Town Accountant Report</b>		<b>Qtrly</b>
	<b>RCTV members Report</b>		<b>Semi-ann</b>
	<b>CAB (RMLD) member Report</b>		<b>Semi-ann</b>
	<b>MAPC member Report</b>		<b>Annual</b>
	<b>Reading Housing Authority Report</b>		<b>Annual</b>
	<b>Reading Ice Arena Report</b>		<b>Annual</b>
	<b>BOS Appointed Boards &amp; Committees</b>		<b>Annual</b>

**EMPLOYMENT AGREEMENT  
BETWEEN  
TOWN OF READING  
AND  
ROBERT LELACHEUR  
FOR SERVICES AS  
TOWN MANAGER**

THIS AGREEMENT, pursuant to Chapter 41, Section 108N of the Massachusetts General Laws, made and entered into this \_\_\_ day of July, 2016, by and between the Town of Reading, a municipal corporation having a principal place of business at Town Hall, 16 Lowell Street, Reading, Massachusetts, 01867, hereinafter called the "Town," acting by and through its Board of Selectmen, hereinafter called "Board" and Robert LeLacheur of 47 County Road, Reading, Massachusetts, 01867, hereinafter called "Town Manager", as follows:

WITNESSETH:

WHEREAS, the Town desires to retain the services of said Robert LeLacheur as Town Manager of the Town of Reading;

WHEREAS, the Board, under Chapter 41, Section 108N of the General Laws, may contract with the Town Manager for such services;

WHEREAS, it is the desire of the Board to contract for the salary and benefits of said Town Manager;

and

WHEREAS, Robert LeLacheur, agrees to accept employment as Town Manager of said Town.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

**Section I, Functions and Duties of the Town Manager.**

The Town hereby employs said Robert LeLacheur as Town Manager of said Town, and Robert LeLacheur accepts said offer. As Town Manager, he shall perform the duties as defined in Town of Reading Home Rule Charter Article 5.

501

**Section II, Term.**

This Agreement shall become effective August 1, 2016, and shall be in full force and effect until July 31, 2018. This Agreement replaces all prior contracts between the parties.

**Section III, Termination and Severance Pay.**

- A. If the Board of Selectmen wishes to terminate the services of the Town Manager prior to the expiration of this Agreement, the provisions of the Town of Reading Home Rule Charter, Section 5-5, shall be used.
- B. In the event the Town Manager is terminated by the Town without cause prior to the expiration of the term of this Agreement, the Town agrees that it shall pay to the Town Manager a lump sum cash payment equal to six (6) months aggregate salary, which amount shall be paid to the Town Manager at the next regular pay period after the effective date of termination of his employment. This benefit shall not be available if the Town Manager is terminated for negligence, malfeasance, gross misconduct in office or for a reason that interferes with the effective administration of the duties of the Town Manager.
- C. In the event the Town Manager voluntarily terminates his position with the Town before the expiration of the term of this Agreement, the Town Manager shall give the Town was 2 months six (6) months written notice in advance. A copy of the resignation shall be filed with the Town Clerk.

**Section IV, Salary.**

- A. The Town agrees to pay the Town Manager for services rendered under this Agreement (a) effective August 1, 2016 and continuing through July 31, 2017, a \$165,672 salary which is \$79.65/hour and based on a forty (40) hour workweek; and (b) effective August 1, 2017 and continuing through July 31, 2018, a \$170,560 salary which is \$82.00/hour and based on a forty (40) hour workweek and (c) subject to applicable withholdings and deductions, payable in installments at the same time as other non-union employees of the Town are paid.
- B. The Salaries set forth in this Section are conditioned upon and subject to adequate appropriation by Town Meeting and a satisfactory evaluation pursuant to Section V.

**Section V, Town Manager Evaluation.**

- A. The Board shall review and evaluate the Town Manager no later than September 30 of each year, with the first evaluation taking place in September 30, 2016. Said review and evaluation shall be based on the goals and objectives developed jointly by the Board and

the Town Manager. Further, the Chairman of the Board shall provide the Town Manager with a summary written statement of the evaluation findings of the Board and shall provide an adequate opportunity for the Town Manager to discuss his evaluation with the Board.

- B. Annually the Board and the Town Manager shall define the goals and objectives which they determine necessary for the proper operation of the Town and the attainment of the Board's policy objectives, and shall further establish a general priority among those various goals and objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limits specified and within the annual operating and capital budgets and appropriations provided by the Town and the events that have occurred during the year.

**Section VI, Hours of Work.**

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

It is recognized that the Town Manager must devote a great deal of time outside of normal office hours to the business of the Town, and that, as a result, the Town Manager may adjust his normal office hours accordingly as he deems appropriate.

**Section VII, Health Insurance, Vacation, Holidays, Sick Leave, Funeral Leave, Jury Duty and Disability Insurance.**

- A. The Town shall provide the Town Manager a health insurance policy identical to other Town employees. The Town's contribution toward such health insurance policy shall be the same as that made to other non-union Town employees in a similar plan.
- B. The Town will provide to the Town Manager the same disability and life insurance policies as it does to other non-union Town employees.
- C. The Town shall provide the Town Manager with the vacation, sick leave, holiday leave, personal leave, bereavement leave and jury duty in accordance with the Town's personnel policies and procedures which apply to other non-union employees.
- D. Should the Town Manager attend the International City Management Association's (I.C.M.A.) Annual Conference or other professional conferences, time spent at such

conferences shall not be deducted from his vacation leave and shall be considered as compensated leave for professional development.

- E. The Town Manager shall have the ability to sell back a week (40 hours) of vacation each year without Board of Selectman approval subject to the availability of funds within the budget.

**Section VIII, Professional Development.**

- A. The Town will pay for the registration, travel and subsistence expenses of the Town Manager for short courses, institutes and seminars that are necessary for his professional development and jointly agreed to by the Board and the Town Manager.
- B. The Town shall pay the Town Manager's registration fees(s), travel and subsistence expenses to and from the I.C.M.A. Annual Conference, Massachusetts Municipal Association Annual Conference, and the Massachusetts Municipal Management Association Annual Spring Conference.

**Section IX, Dues and Subscriptions.**

The Town agrees to pay for the professional dues and subscriptions of the Town Manager necessary for his membership in the International City/ County Management Association (I.C.M.A.) and the Massachusetts Municipal Management Association. The Town will also pay for the professional dues and subscriptions of the Town Manager for any other professional organizations both deemed necessary and desirable for the Town Manager's continued professional participation, growth and advancement and for the good of the Town and jointly agreed to by the Board and the Town Manager.

**Section X, Expenses.**

- A. The Town Manager shall be reimbursed for any expenses incurred in the performance of his duties, or as an official representative of the Town, including attendance by him at civic or social events, including mileage, in accordance with the Town's policies and procedures which apply to other non-union employees.

was quarterly

**Section XI, Indemnification.**

Subject to the terms and provisions of *M.G.L. c. 258, § 13* and all other applicable law, the Town shall defend, save harmless and indemnify the Town Manager against any tort, professional liability, claim or demand, or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of his duties as Town Manager, even if said claim has been made following his termination

504

from employment, provided that the Town Manager acted within the scope of his duties. Subject to the provisions of said statute, the Town shall pay the amount of any settlement or judgment rendered thereon. The Town may compromise and settle any such claim or suit and will pay the amount of any settlement or judgment rendered thereon without recourse to the Town Manager.

The Town shall reimburse the Town Manager for any reasonable attorneys' fees and costs incurred by the Town Manager in connection with such claims or suits involving the Town Manager in his professional capacity.

This section shall survive the termination of this Agreement.

**Section XII, Non-Renewal of Agreement.**

*was  
3 months*

If the Board decides not to renew this Agreement, the Board shall give the Town Manager written notice at least six (6) months in advance of its intent not to renew this Agreement. If the Board fails to give such written notice, this Agreement shall be extended for an additional year period, but in no circumstance shall this Agreement extend the term beyond three (3) years from date set forth in the opening paragraph.

**Section XIII, Other Terms and Conditions of Employment.**

- A. All provisions of law of the Commonwealth of Massachusetts relating to retirement, health insurance and other fringe benefits shall apply to the Town Manager as they generally apply to other employees of the Town, in addition to said benefits enumerated herein specifically for the benefit of the Town Manager, except as otherwise provided in this Agreement.
- B. All other general provisions of the Town's Bylaws or Personnel Rules and Regulations relating to fringe benefits shall also apply to the Town Manager as they apply to other employees of the Town, in addition to the benefits enumerated specifically for the benefit of the Town Manager, except as otherwise provided in this Agreement.
- C. This Agreement shall prevail over any conflicting personnel provisions of the Town Bylaws or Rules and Regulations.

**Section XIV, No Reduction in Benefits.**

The Town shall not at any time during the term of the Agreement reduce the salary, compensation or other benefits of the Town Manager, except to the degree such a reduction is across the board for all other non-union employees of the Town.

*505*

**Section XV, Notices.**

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

1. TOWN: Chairman of Board of Selectmen  
16 Lowell Street  
Reading, MA 01867
  
2. TOWN MANAGER: Robert LeLacheur  
47 County Road  
Reading, MA 01867

Alternatively, notices required pursuant to this Agreement may be personally served. Notice shall be deemed as given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

**General Provisions.**

- A. The text herein shall constitute the entire Agreement between the parties.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Town Manager.
- C. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.
- D. For the purposes of the federal Fair Labor Standards Act and the Massachusetts Wage and Hour Law, the Town Manager is designated as an "exempt employee."
- E. This Agreement may be amended at any time by written amendment executed by both parties.

526

IN WITNESS WHEREOF, the Town of Reading, Massachusetts, has caused this Agreement to be signed and executed in its behalf by its Board of Selectmen and duly attested by its Town Clerk, and the Town Manager has signed and executed this Agreement, both in duplicate.

TOWN OF READING  
Acting by and through  
Its Board of Selectmen

TOWN MANAGER

\_\_\_\_\_  
Robert LeLacheur

\_\_\_\_\_  
Chairman, Board of Selectmen

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

Attest to Signature:

\_\_\_\_\_  
Town Clerk

DATE: \_\_\_\_\_

I certify there is an appropriation in an amount sufficient to fund this contract.

\_\_\_\_\_  
Town Accountant

DATE: \_\_\_\_\_

January 2016 survey by Town Accountant & Human Resources  
Peer Community Town Managers

	Base salary	Total compensation	
Bedford	\$ 180,422	\$ 212,084	
Burlington	\$ 184,182	\$ 193,382	
Concord	\$ 189,000	\$ 189,000	
Andover	\$ 170,000	\$ 183,000	
Lexington	\$ 180,573	\$ 180,573	
Lynnfield	\$ 178,500	\$ 178,500	
Dedham	\$ 170,000	\$ 176,000	
Belmont	\$ 175,688	\$ 175,688	
North Andover	\$ 166,026	\$ 171,885	
Danvers	\$ 169,000	\$ 169,000	
<i>Winchester</i>			<i>FY14 base \$160k</i>
Mansfield	\$ 156,165	\$ 162,665	
<i>Westford</i>			<i>FY14 base \$152</i>
Tewksbury	\$ 153,979	\$ 153,979	
Westborough	\$ 149,958	\$ 149,958	
Shrewsbury	\$ 145,525	\$ 145,525	
Wilmington	\$ 139,443	\$ 139,443	
<b>AVERAGE</b>	<b>\$167,231</b>	<b>\$172,045</b>	
<b>READING</b>	<b>\$ 149,276</b>	<b>\$ 149,276</b>	
diff vs AVERAGE	<del>-10.74%</del>	<del>-13.23%</del>	
Hourly rate	\$ 76.5517		
52 weeks x 37.5 hours	\$ 149,276		

508

January 2016 survey by Town Accountant & Human Resources  
Peer Community Town Managers  
assume FY17 compensation is FY16 +2.5% for Peers

	Base salary*	Total compensation*
Bedford	\$ 184,933	\$ 217,386
Burlington	\$ 188,787	\$ 198,217
Concord	\$ 193,725	\$ 193,725
Andover	\$ 174,250	\$ 187,575
Lexington	\$ 185,087	\$ 185,087
Lynnfield	\$ 182,963	\$ 182,963
Dedham	\$ 174,250	\$ 180,400
Belmont	\$ 180,080	\$ 180,080
North Andover	\$ 170,177	\$ 176,182
Danvers	\$ 173,225	\$ 173,225
Winchester		
Mansfield	\$ 160,069	\$ 166,732
Westford		
Tewksbury	\$ 157,828	\$ 157,828
Westborough	\$ 153,707	\$ 153,707
Shrewsbury	\$ 149,163	\$ 149,163
Wilmington	\$ 142,929	\$ 142,929
<b>AVERAGE</b>	<b>\$171,412</b>	<b>\$176,347</b>

<b>READING</b>	\$ 164,411	\$ 167,597
diff vs AVERAGE	-4.08%	-4.96%

<u>FY17 budget</u>	<u>Salary Rate</u>	<u>Actual</u>
July	\$ 149,276	\$ 11,483
Aug-June	\$ 165,672	\$ 152,928
		\$ 164,411
one-week vacation buyback <i>subject to funds being available</i>		\$ 3,186
Total compensation		\$ 167,597
	<b>FY16</b>	<b>FY17</b>
Hourly rate	\$ 76.5517	\$ 79.650
at 37.5 hours/week	\$ 149,276	
at 40 hours/week	\$ 159,228	\$ 76.5517
plus non-union steps + COLA	\$ 165,597	\$ 79.6500

509

## Schena, Paula

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**From:** Blake Mensing <bmensing@miyares-harrington.com>  
**Sent:** Monday, July 11, 2016 4:07 PM  
**To:** LeLacheur, Bob; Schena, Paula  
**Subject:** Birch Road Utility Easement to Town: Plan for Board of Selectmen Approval  
**Attachments:** Birch Road Utility Easement-BoS Motion.docx; Executed Birch Road Utility Easement.pdf; Birch\_Draft Utility Easement Plan.pdf

Dear Bob and Paula,

I wanted you both to be aware that I'm mailing you the Mylar of the attached Plan for the Birch Road utility easement from Sage Development to the Town. The easement and Plan are required prerequisites for an upcoming DPW water main/sewer project.

Please have the Board of Selectmen review the Plan at their next meeting, and once they have signed it indicating their approval, please file an executed copy with the Town Clerk (and including the Town Clerk's signature) and mail the fully executed original Mylar back to my attention at your earliest convenience after the next available Board of Selectmen meeting.

I have also attached the executed Easement for reference as well as draft motion language for the Board's use.

Please let me know if you have any questions.

Thanks,

Blake

**Blake M. Mensing**

**MIYARES AND HARRINGTON LLP**

40 Grove Street • Suite 190 • Wellesley, MA 02482

Tel 617-489-1600 Ext. 426 • Fax 617-489-1630

[www.miyares-harrington.com](http://www.miyares-harrington.com)

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MOVE that the Board of Selectmen vote to approve the plan of land entitled "Easement Plan of Land located in Reading, Massachusetts (Middlesex County-Southern District) prepared for Sage Development scale 1"=20' Date May 1, 2016 prepared by Sullivan Engineering Group. LLC, P.O. Box 2004, Woburn, MA 01888" to be recorded at the Middlesex South Registry of Deeds with a grant of a water and sewer easement to the Town of Reading, said easement and plan are required in order for the commencement of a Reading Department of Public Works' utility project.

WATER AND SEWER EASEMENT TO TOWN OF READING, MASS

Sage Development Corp. ("Grantor") of 26 Fairchild Drive, Reading, Massachusetts, for good and adequate consideration paid of One Dollar (\$1.00), grants to the Town of Reading ("Grantee"), a municipal corporation in Middlesex County, Massachusetts, with QUITCLAIM COVENANTS, the perpetual right and easement to construct, inspect, repair, renew, replace, operate and maintain, a water main, drain, and sanitary sewer with manholes, pipes, conduits, and other appurtenances thereto, and all rights of passage, travel, and access in common with others, and to do all acts incidental thereto in, through and under so much of the property located on a portion of Birch Road, a private way, the location of which is shown on the attached plan, by Sage Development Corp., as the successor Grantee of an access easement of ingress and egress over Birch Road, being the same access easement conveyed to Jean R. Berger-Rex a/k/a Jean F. Rex, and recorded in the Middlesex South Registry of Deeds, Book 66893, Page 519, and as the owner of 11 Birch Road, Reading, Massachusetts, being the same premises conveyed to Sage Development Corp. by deed of Jean f. Berger-Rex a/k/a Jean R. Berger-Rex of Derry, New Hampshire being married to Robert Gaffney dated February 29, 2016, and recorded in the Middlesex South Registry of Deeds, Book 66893, Page 523, and as is designated as an easement for such purposes as shown on an "Easement Plan of Land located in Reading, Massachusetts (Middlesex County-Southern District) prepared for Sage Development scale 1"=20' Date May 1, 2016 prepared by Sullivan Engineering Group. LLC, P.O. Box 2004, Woburn, MA 01888" recorded at the Middlesex South Registry of Deeds herewith. The Grantor hereby gives, grants, sells, transfers and delivers unto said Grantee and its successors and assigns forever, all water, drain, and sewer pipes, manholes, conduits, and all appurtenances thereto that are now or hereafter constructed or installed in, through, or under the above-described portion of Birch Road and easements by the Grantor's successors or assigns. This easement may be subject to further restrictions from the Reading Conservation Commission.

IN WITNESS WHEREOF,

Sage Development Corp. has caused in its presence to be signed, acknowledged, and delivered in its name this 30<sup>th</sup> day of June, 2016.

Signed and sealed this date.

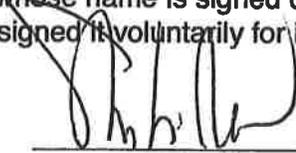
Sage Development Corp.

  
James Lordan, as President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 30<sup>th</sup> day of June, 2016 the undersigned notary public, personally appeared James Lordan, proved to me through satisfactory evidence of identification, which was a Massachusetts Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public:

My Commission Expires: 4/15/22



SPRUCE ROAD  
(50' WDF)

L=158.97'  
R=447.35'

END OF APRIL 1969  
STREET ACCEPTANCE

#34 SPRUCE ROAD  
TAX MAP 38 LOT 17  
N/F STEVEN & NANETTE MATRULLA  
DEED: 36901/349

CH ROAD  
38 LOT 9  
ELOPMENT CORP.  
6893/523

10"E  
33'

S04°42'10"E  
84.04'

N88°52'50"E  
3.13'

10.02'

S04°42'10"E  
((50.10'))

40.08'

238.57'  
S04°42'10"E

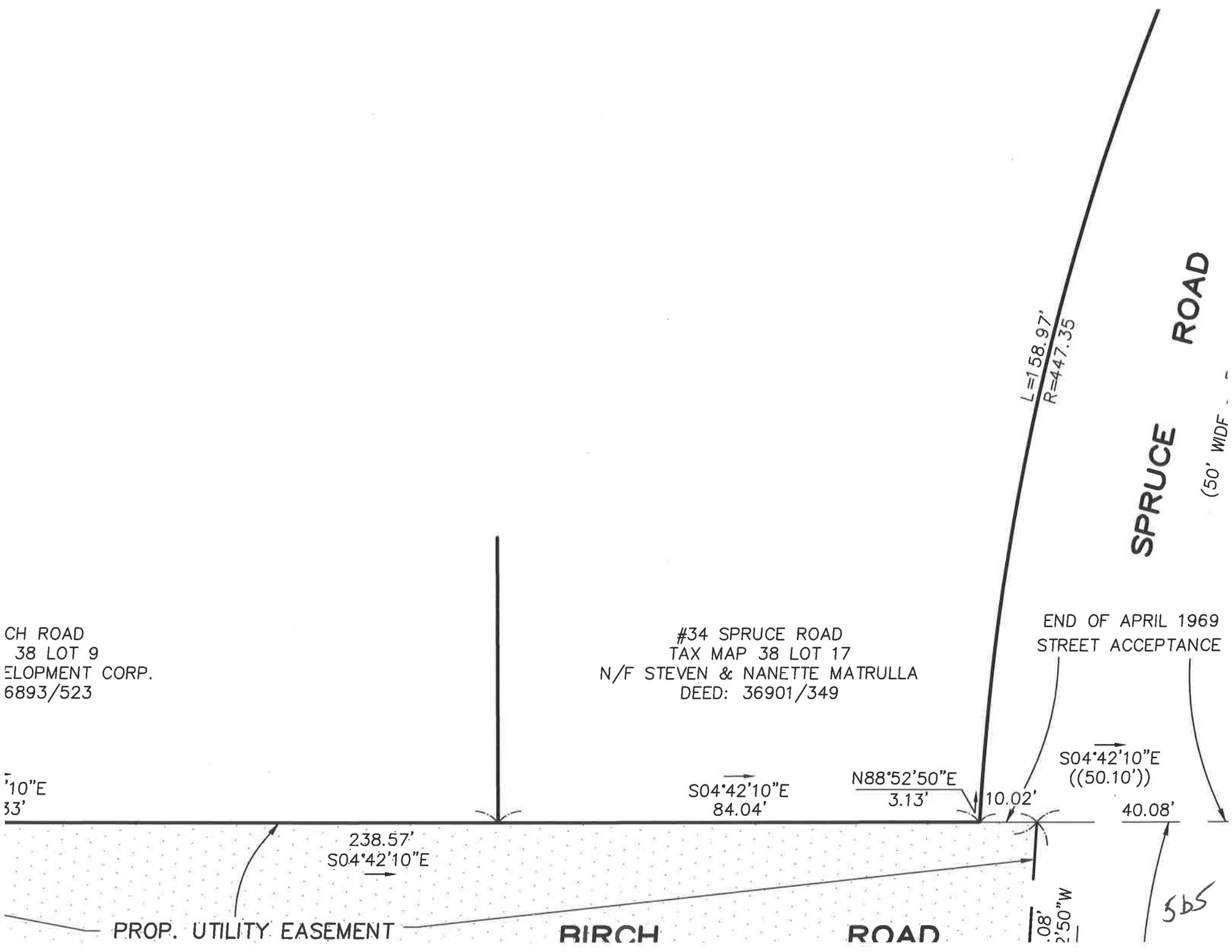
08'  
2'50"W

565

PROP. UTILITY EASEMENT

BIRCH ROAD

ROAD



## Schena, Paula

---

**From:** Blake Mensing <bmensing@miyares-harrington.com>  
**Sent:** Friday, July 15, 2016 9:01 AM  
**To:** LeLacheur, Bob; Schena, Paula  
**Cc:** J Raymond Miyares  
**Subject:** 21 Hunt/26 Lee St: Easement Abandonment  
**Attachments:** BoS Motion to abandon 21 Hunt Street Easement v4.docx; 21 Hunt Street Deed.pdf; 26 Lee Street Deed.pdf; 21 Hunt Street Easement Plan 2.pdf; 21 Hunt Street Easement Plan.pdf

Dear Bob and Paula,

Please add the abandonment of the drainage easement crossing the properties at 21 Hunt Street and 26 Lee Street to the Board of Selectmen's 7/26/16 meeting agenda. Here is motion language for the Board of Selectmen's use at the meeting. I have also included the referenced Plans and Deeds for the Board's convenience. This vote by the Board of Selectmen is the first step in the process to abandon this easement and we will be sure to keep things moving forward to get this on the Subsequent Town Meeting Warrant.

As always, please do not hesitate to ask any questions that may arise.

Thanks,

Blake

**Blake M. Mensing**

**MIYARES AND HARRINGTON LLP**

40 Grove Street • Suite 190 • Wellesley, MA 02482

Tel 617-489-1600 Ext. 426 • Fax 617-489-1630

[www.miyares-harrington.com](http://www.miyares-harrington.com)

Use of e-mail is inherently insecure. However, this e-mail and any attachments contain attorney-client privileged material and are not subject to disclosure pursuant to the *Public Records Law, M.G.L. c.4, §7, cl. 26th and c.66, §10*. If you are not the intended recipient, please note that any review, disclosure, distribution, use or duplication of this message and its attachments is prohibited. Please notify the sender immediately if you have received this e-mail in error. Thank you for your cooperation.

MOVE, that the Board of Selectmen vote, pursuant to its powers as Road Commissioners under Section 3.2 of the Reading Home Rule Charter, and the procedures required by *M.G.L. c.40, §15*, that the drainage easement crossing a lot located at 21 Hunt Street, Reading, MA, currently owned by Andrea L. Madden and Neil A. Madden, as shown on a Deed recorded at the Middlesex South District Registry of Deeds at Book 64621, Page 89, and a lot located at 26 Lee Street, Reading, MA, currently owned by Ryan C. Morgan and Maria C. Morgan as shown on a Deed being recorded at the Middlesex South District Registry of Deeds at Book 59389, Page 457, is no longer required for public purposes, said easement appearing and described in an Order of Taking issued by the Board of Public Works of the Town of Reading pursuant to its statutory authority under Statute 1909, Chapter 314, recorded in the Middlesex South District Registry of Deeds at Book 10392, Page 573, and shown on two plans of land: the first plan of land entitled "Easement Through Private Property for Drainage and Sewerage Purposes, Hunt Street" prepared by the Town of Reading, Board of Public Works, Philip Welch, Superintendent, Engineering Division, dated May, 1964, said plan being recorded at the Middlesex South District Registry of Deeds as Plan Number 711 of 1964; and the second plan of land entitled "Easement Through Private Property for Drainage and Sewerage Purposes, Lee Street" prepared by the Town of Reading, Board of Public Works, Philip Welch, Superintendent, Engineering Division, dated September, 1963, said plan being recorded at the Middlesex South District Registry of Deeds as Plan Number 1513 of 1963.

Middlesex South Registry of Deeds  
Electronically Recorded Document

This is the first page of the document - Do not remove

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Recording Information

Document Number : 187870  
Document Type : DEED  
Recorded Date : December 08, 2014  
Recorded Time : 12:18:59 PM  
  
Recorded Book and Page : 64621 / 89  
Number of Pages(including cover sheet) : 5  
Receipt Number : 1761553  
Recording Fee (including excise) : \$125.00

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Southern Middlesex District ROD # 001  
Date: 12/08/2014 12:18 PM  
Ctrl# Doc# 00187870  
Fee: \$.00 Cons: \$1.00  
\*\*\*\*\*

Middlesex South Registry of Deeds  
Maria C. Curtatone, Register  
208 Cambridge Street  
Cambridge, MA 02141  
617-679-6300  
[www.cambridgedeeds.com](http://www.cambridgedeeds.com)

503

Andrea Madden also known as Andrea L. Madden, a married woman, and Richard DeMarco, a married man, both of Reading, Middlesex County, Massachusetts

*for consideration paid, and in full consideration of One dollar (\$1.00) and other valuable consideration,*

*grants to Andrea L. Madden and Neil A. Madden, tenants by the entirety, of 21 Hunt Street, Reading, Massachusetts*

*with Quitclaim Covenants*

**PARCEL I:**

The land in Reading, Middlesex County, Massachusetts, with all buildings thereon and being shown as Lot 4 on a entitled "Plan of Lots situated in Reading, Mass., Surveyed for Frank M. Merrill, August 1929, Scale 1 in. = 40 ft., Davis and Abbot, Civil Engineers" recorded with Middlesex South Registry of Deeds at the end of Book 5402, and further described as follows:

**WESTERLY** by Hunt Street is shown on said plan, seventy (70) feet;

**SOUTHERLY** by Lot 3 as shown on said plan, one hundred (100) feet;

**EASTERLY** by land now or formerly of Martin B. Hartshorn, as shown on said plan, seventy (70) feet;

**NORTHERLY** by Lot 5 as shown on said plan, one hundred (100) feet.

Containing 7000 square feet of land according, to said plan.

**PARCEL II:**

504

A certain parcel of land situated in Reading, Middlesex County, Massachusetts, and being shown as Lot 5 on a entitled "Plan of Lots situated in Reading, Mass., Surveyed for Frank M. Merrill, August 1929, Davis and Abbot, Civil Engineers", recorded with Middlesex South Registry of Deeds at the end of Book 5402, and further described as follows:

- WESTERLY** by Hunt Street, as shown on said plan fifty-four and 16/100 (54.16) feet;
- SOUTHERLY** by Lot 4 as shown on said plan one hundred (100) feet;
- EASTERLY** by land of Martin B. Hartshorn, as shown on said plan fifty-four and 16/100 (54.16) feet; and
- NORTHERLY** by land of said Hartshorn as shown on said plan one hundred (100) feet.

Containing 5416 square feet of land, according to said plan, be any or all of said measurements more or less.

Being the same premises conveyed to us by virtue of two Deeds, the first from James F. Orpin, and Marjorie R. Orpin, Trustees of 21 Hunt Street Nominee Trust, u/d/t 10/1/1997, recorded with the Middlesex County Southern District Registry of Deeds in Book 63662, Page 7, and the second from James F. Orpin, Jr. and Marjorie R. Orpin, dated October 1, 1997 and recorded with the Middlesex County Southern District Registry of Deeds in Book 63662, Page 10.

Executed as a sealed instrument this 25<sup>th</sup> day of November, 2014



Richard DeMarco

505

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. November <sup>4th</sup> 25, 2014

On this <sup>4th</sup> 25 day of November, 2014 before me, the undersigned notary public, personally appeared Richard DeMarco, proved to me through satisfactory evidence of identification, which was driver's licenses to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



*Stephanie DeRosa*  
Notary Public

Executed as a sealed instrument this 25 day of November, 2014

*Andrea L. Madden*

Andrea Madden also known as

Andrea L. Madden

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. November 25 2014

On this 25 day of November, 2014 before me, the undersigned notary public, personally appeared Andrea Madden also known as Andrea L. Madden, proved to me through satisfactory evidence of identification, which was driver's licenses to be the person whose name is signed on

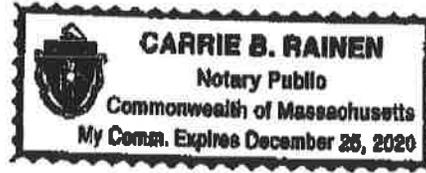
506

the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.



Notary Public

*Carrie Rainen*



507

A 2



2012 00130749

Bk: 59389 Pg: 457 Doc: DEED  
Page: 1 of 2 08/27/2012 12:15 PM

**QUITCLAIM DEED**

We, **KRISTINE E. ANDERSON** and **KAREN L. CURRAN**, Trustees of the **G. VETTER REALTY TRUST** u/d/t dated December 17, 2001, recorded with Middlesex South District Registry of Deeds in Book 34486, Page 471, as amended of record, with a mailing address of 26 Lee Street, Reading, Middlesex County, Massachusetts 01867-2439.

for consideration paid, and in full consideration of Four Hundred Twenty One Thousand 00/100 (\$421,000.00) Dollars

grant to **RYAN C. MORGAN** and **MARIA C. MORGAN**, husband and wife tenants by the entirety

of 26 Lee Street, Reading, Middlesex County, Massachusetts,

with *Quitclaim Covenants*

A certain parcel of land in said Reading, shown as Lot 4 and a portion of Lot 5 on a plan by Davis & Abbott, C. E., dated January 1939, and filed with Middlesex South District Deeds at the end of Book 6293, bounded and described as follows:

- NORTHEASTERLY** by Lee Street, eighty (80) feet;
- SOUTHEASTERLY** by land now or formerly of K. C. Wright, one hundred (100) feet;
- SOUTHWESTERLY** by land now or formerly of F. M. Merrill and of M. B. Hartshorn, eighty (80) feet and
- NORTHWESTERLY** by the remaining portion of Lot 5, one hundred (100) feet.

Containing 8,000 square feet of land.

The premises are conveyed subject to an Easement of fifteen (15) feet in width for the purpose of maintaining, repairing, reconstructing, laying constructing and re-locating drains and sewers along the Southerly boundary of the above-described premises as described in an instrument of Taking dated October 28, 1963, and recorded with said Deeds, Book 10392, Page 573 and as shown on a plan recorded with said Deeds, Book 10392, Page 570.

*O'Connell & Rudolph  
100 Cummings Ct Ste 426H  
Beverly MA 01915*

508  
MASSACHUSETTS EXCISE TAX  
Southern Middlesex District FOL # 001  
Date: 08/27/2012 12:15 PM  
Ctrl# 170124 05936 Doc# 00130749  
Fee: \$1,919.78 Cons: \$421,000.00

Locus: 26 Lee Street, Reading, Massachusetts

For grantor's title see deed of George A. Vetter dated December 17, 2001 and recorded with Middlesex South Registry of Deeds in Book 34486, Page 474. See also Death Certificate of George A. Vetter recorded with said Registry in Book 56758, Page 571, and Trustees Certificate recorded herewith.

Witness our hands and seal this 15<sup>th</sup> day of June, 2012.

  
\_\_\_\_\_  
KRISTINE E. ANDERSON, Trustee  
  
\_\_\_\_\_  
KAREN L. CURRAN, Trustee

**The Commonwealth of Massachusetts**

\_\_\_\_\_, ss.

June 15, 2012

On this 15 day of June, 2012, before me, the undersigned notary public, personally appeared KRISTINE E. ANDERSON, proved to me through satisfactory evidence of identification, which was NC Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose as Trustee.



Debora L. Davis  
Notary Public:  
My Commission Expires: 3/25/2014

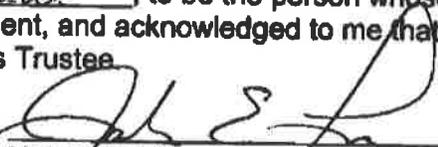
**The Commonwealth of Massachusetts**

MIDDLESEX, ss.

JUNE 27, 2012

On this 27<sup>th</sup> day of JUNE, 2012, before me, the undersigned notary public, personally appeared KAREN L. CURRAN, proved to me through satisfactory evidence of identification, which was MA DRIVER LICENSE PERSONAL KNOWLEDGE, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose as Trustee.



  
\_\_\_\_\_  
Notary Public:  
My Commission Expires:



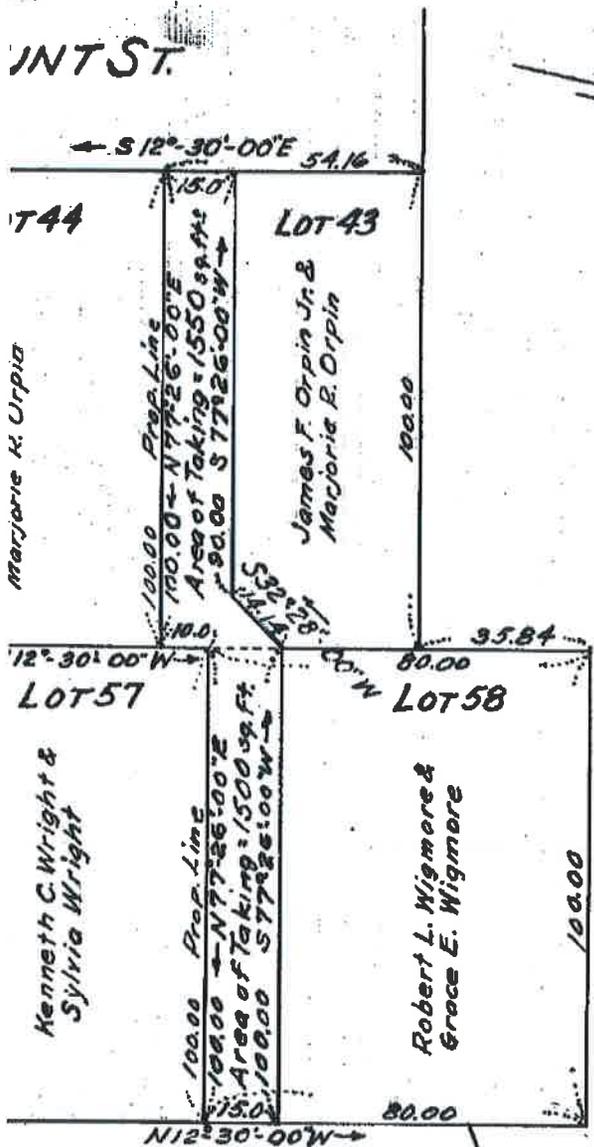
JNT ST.

T44

LOT 57

Kenneth C. Wright &  
Sylvia Wright

EE ST.



Marjorie E. Orpin

LOT 43

James F. Orpin Jr. &  
Marjorie E. Orpin

LOT 58

Robert L. Wigmore &  
Grace E. Wigmore

Recorded, Book 10392 Page 570  
 Attest: *[Signature]*  
 REGISTER

Middlesex Registry of Deeds, So. Dist.  
 CAMBRIDGE, MASS.  
 Plan Number 1513 of 1963  
 Rec'd OCT. 31, 1963 at 10:41 A.M.  
 WITH ORDER Doc. No. 75  
 TOWN OF READING

REG. FEE \$3.00  
 BY C



Approval of this Plan under  
 Subdivision Control Law by  
 Board of Survey of the Town  
 Reading is not required.  
 Date: Oct. 30, 1963  
*Philip Welch*  
 Superintendent

TOWN OF READING, MASSACHUSETTS  
 BOARD OF PUBLIC WORKS  
 EASEMENT THROUGH PRIVATE PROPERTY  
 FOR DRAINAGE, WATER AND SEWERAGE PLANS  
 LEE STREET  
 SCALE: 1 in. = 40 ft.  
 ENGINEERING DIVISION  
 PHILIP WELCH, SUPERINTENDENT

Set

501

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 July 26, 2016 at 7:30 p.m. in the Selectmen's Meeting Room, 16 Lowell Street, Reading, Massachusetts on a driveway waiver for 43 Track Road.

A copy of the proposed document regarding this topic is available in the Town Manager's office, 16 Lowell Street, Reading, MA, M-W-Thurs from 7:30 a.m. - 5:30 p.m., Tues from 7:30 a.m. - 7:00 p.m. and is attached to the hearing notice on the website at [www.readingma.gov](http://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 July 26, 2016 to [townmanager@ci.reading.ma.us](mailto:townmanager@ci.reading.ma.us)

By order of  
Robert W. LeLacheur  
Town Manager

7.19.16

5dl

CAPOMACCIO CAMILLE  
25 HARVEST RD  
READING, MA 01867

LEAHY MATTHEW J  
40 TORRE ST  
READING, MA 01867

SHARMA SHRADHA VENKATESH RAJAPPA  
26 HARVEST RD  
READING, MA 01867

SILVA MILTON P RUTH A SILVA  
45 TRACK RD  
READING, MA 01867

WANG JING WENTAO WANG  
40 HARVEST RD  
READING, MA 01867

HOLLINGSWORTH, RUTH  
43 TRACK ROAD  
READING, MA 01867

522



TO: **Chief Mark D. Segalla**

FR: **Traffic and Safety Officer  
David V. Savio**

RE: 43 Track Road Driveway Relocation

Date: July 5<sup>th</sup>, 2016

*Sir,*

MJP Properties is proposing a driveway plan for 43 Track Road. The proposal would require a BOS waiver on the current driveway policy. The current BOS driveway policy requires a 50 foot offset from an intersection, however the proposed driveway only has a 30 foot offset.

This matter was recently discussed at the Parking, Traffic, Transportation, Task Force meeting. The group agreed to approve the request. Simply, the area in question has minimal traffic volume and the proposed driveway relocation would have no safety ramification.

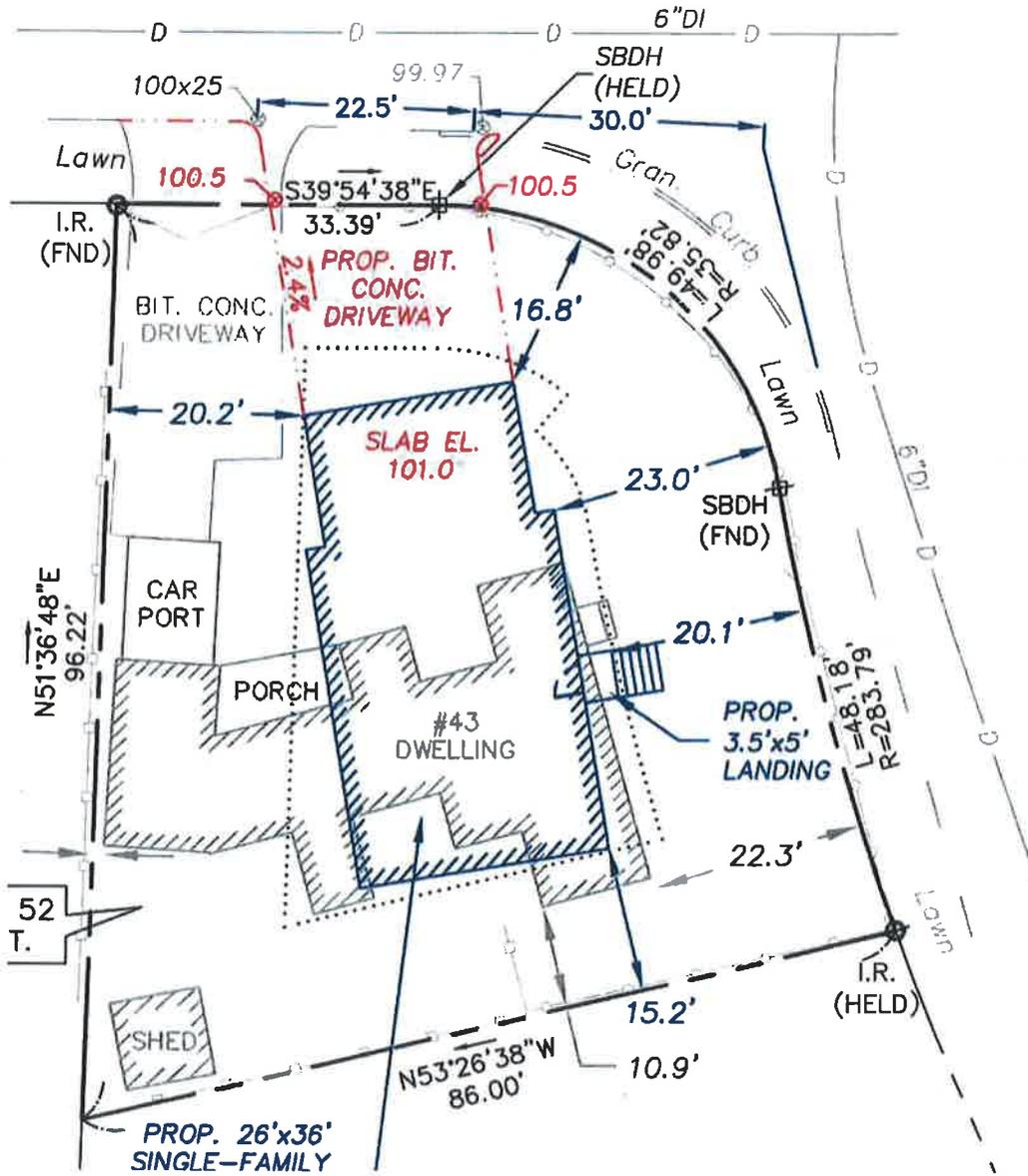
In addition to low traffic volumes, I also conducted a (5) year crash audit for 43 Track Road. The result was (0) crashes.

**Respectfully Submitted,**  
Traffic and Safety Officer  
*David V. Savio*

524

**HARVEST ROAD  
(40' WIDE)**

CB  
□



MIN. FRONTAGE, FT.	100	73.17(1)(2)	73.17
FRONT SETBACK, FT.	20	22.3	22.1
SIDE SETBACK, FT.	15	10.9 (1)	15.2
REAR SETBACK, FT.	20	1.1 (1)	20.2
HEIGHT, FT.	35	17±	30±
MAX. COVERAGE % OF LOT	25%	19.1%	20.3

- (1) EXISTING NON-CONFORMITY.
- (2) PER BUILDING DEPT., TRACK RD. PLUS 1/2 OF ARC.

**PLAN REFERENCES & NOTES:**

- 1) MSRD DEED BK. 32161, PG. 405
- 2) MSRD PLANS:
  - PLAN BK. 295, PLAN 46
  - PLAN #1108 OF 2003
  - PLAN 1140 OF 1975
  - PLAN 340 OF 1968
  - PLAN 341 OF 1968
- 3) ZONING DISTRICT: S15
- 4) EXISTING CONDITIONS SURVEY PERFORMED BY LEBLANC SURVEY MARCH 28, 2016.
- 5) TOWN OF READING FEMA FLOOD INSURANCE RATE MAP (MAP # INDICATES THAT THE SITE IS LOCATED WITHIN A ZONE X, WHICH IS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- 6) THIS PLAN IS NOT SUITABLE FOR FILING IN THE REGISTRY OF D

**L·E·G·E·N·D**

- — — — — PROPERTY LINE
- - - - - EOP
- ////// BUILDING
- ..... ZONING SETBACK LINE
- ○ ○ ○ ○ STOCKADE FENCE
- ○ ○ ○ ○ CHAINLINK FENCE
- ////// PROP. BUILDING
- · - · - · PROP. DRIVEWAY

RE/

GRIF  
49:

525

**REVISIONS**

## Schena, Paula

---

**From:** LeLacheur, Bob  
**Sent:** Tuesday, July 05, 2016 12:47 PM  
**To:** Schena, Paula  
**Cc:** Percival, Ryan; Segalla, Mark; Zager, Jeff  
**Subject:** FW: 43 Track Road Driveway Approval  
**Attachments:** MJP-Properties-43TrackRd-PlotPlan-060616.pdf

Thanks – the BOS will take this up on July 26<sup>th</sup>. Please write a brief memo to me summarizing the request and any conditions or concerns you might have in advance.

Bob

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

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

*[www.readingma.gov](http://www.readingma.gov); Please fill out our brief customer service survey at:  
<http://readingma-survey.virtualtownhall.net/survey/sid/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:** Percival, Ryan  
**Sent:** Tuesday, July 05, 2016 12:29 PM  
**To:** LeLacheur, Bob  
**Subject:** 43 Track Road Driveway Approval

Bob,

Please see the attached driveway plan for 43 Track Road, to be placed on the BOS agenda. As discussed at PTTTF the owner is looking for a waiver on the BOS driveway policy regarding the required 50 foot offset from an intersecting street. The proposed driveway only has a 30 foot offset from the intersection. PTTTF reviewed the driveway and recommends the approval of the applicant's request.

Thank you,

Ryan Percival, P.E.  
Town Engineer  
Town of Reading, Engineering Division  
16 Lowell Street  
Reading, MA 01844  
Phone: 781-942-6690

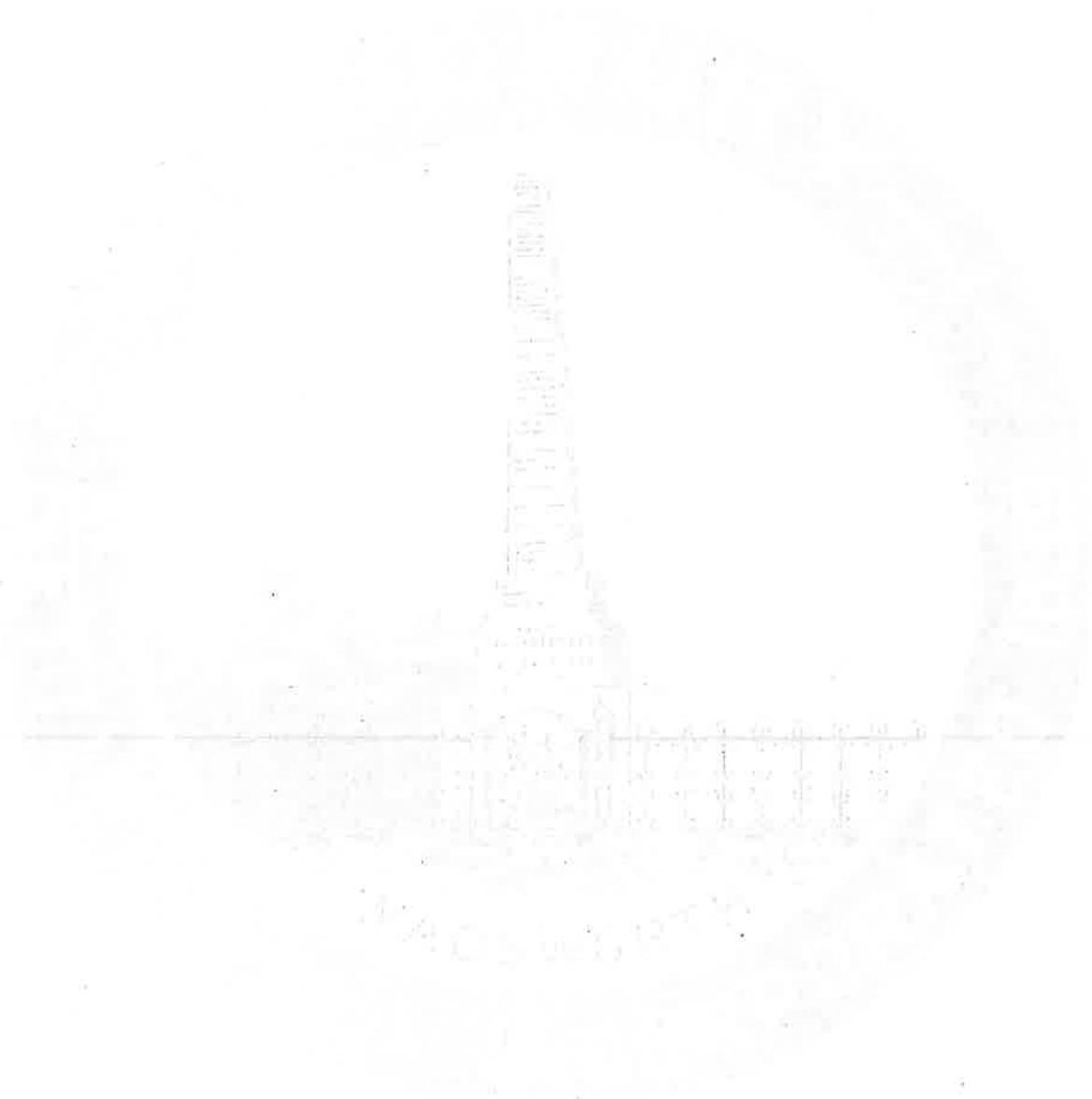
5d6

**2016 Special Town Meeting**  
**Monday September 12, 2016**  
**WARRANT OUTLINE REVISED 07/21/2016**

1

<u>Art.</u> <u>#</u>	<u>Article Description</u>	<u>Sponsor</u>	<u>Mover/ Comment</u>	<u>Moderator Notes</u>
1	Reports	Board of Selectmen	◆ Motion to Table –	
2	Instructions	Board of Selectmen	◆ Motion to Table –	
3	Amend the Capital Improvement Program FY 2017 - FY 2027	Board of Selectmen	◆ Presentation – ◆ FINCOM report –	
4	Increase Senior Exemption from \$750 to \$1,000	Board of Selectmen	◆ Presentation – Assessor Victor Santaniello ◆ Board of Assessors Report – Chair Frank Golden	
5	Accept Optional Cost of Living Increases for Seniors and Surviving Spouses	Board of Selectmen	◆ Presentation – Santaniello ◆ Board of Assessors Report - Golden	
6	Lower Interest Rate on Tax Deferrals	Board of Selectmen	◆ Presentation – Santaniello ◆ Board of Assessors Report – Golden	
7	Home Rule Petition – Tax Relief for State Senior Circuit Breaker filers	Board of Selectmen	◆ Presentation – LeLacheur & Santaniello ◆ Board of Assessors Report – Golden ◆ Board of Selectmen Report - Halsey	
8	Proposition 2-1/2 Override Ballot Question	Board of Selectmen	◆ Presentation – LeLacheur & Doherty ◆ Board of Selectmen Report - Halsey ◆ School Committee Report - Borawski ◆ Board of Library Trustees Report - Brzezinski ◆ FINCOM Report - Dockser	<b>MUST finish on Monday 9/12</b>

# SUDBURY MEANS TESTED SENIOR EXEMPTION REPORT



**Board of Assessors**  
**Trevor A. Haydon, Chair**  
**Joshua M. Fox**  
**Liam J. Vesely**  
**March 19, 2015**

SFI

# Table of Contents

EXECUTIVE SUMMARY .....	1-2
I. INTRODUCTION .....	3-6
II. THE PROCESS .....	7-8
III. PROGRAM RESULTS .....	9-10
IV. CONSIDERATIONS .....	11-12
V. CONCLUSION .....	13
APPLICATION MATERIAL .....	14-17

582

Executive Summary

Sudbury's innovative Means Tested Senior Property Tax Exemption (Chapter 169 of the Acts of 2012) ("Program" or "SMTE") has been monitored with keen interest by many Massachusetts Communities since its approval on July 27, 2012. This report provides The Board of Assessors' insight into the implementation of the Program, and raises several issues which requires further consideration.

The Sudbury Means Tested Senior Exemption Program reduces real property taxes for certain low to moderate Income seniors through a redistribution of the property tax burden within the residential class. Therefore, there is a residential tax rate increase associated with the implementation of the Program (any exemption is shifted to the non-qualifying residential real property owners in Town). It does not impact the Commercial, Industrial or Personal Property classes.

Unless extended, Chapter 169 of the Acts of 2012 (Act) expires on June 30, 2016.

The exemption is means based, and thus is not universally available to all senior residential property owners. Section 2 of the Act states that the Board of Assessors may deny an application if it finds that the applicant has "excessive assets" that places the applicant outside of the intended recipients of the senior exemption created by the Act. The exemption amount is capped at 50% of the applicant's residential tax bill, and is further limited as set forth below.

The Program benefit is limited to those seniors who meet all of the following criteria:

- The residence must be owned and occupied by an age 65 (or older) senior whose prior year's income would make the person eligible for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws.
- If there is a joint owner, the joint owner must be at least 60 years of age.
- The applicant or joint owner must have resided in the Town of Sudbury for ten consecutive years.
- The assessed value of the domicile is no greater than the prior year's average assessed value of a Sudbury single family residence plus 10 per cent.
- The application must be timely filed and complete.

The results from the first two years of implementation of this Program are included in this report. The statistics reported are based upon actual data filed for the application years FY 2014 and FY 2015.

During FY 2014, the Board received 124 applications by the August 29, 2013 filing deadline. The Board approved 118 applications, disqualified two applications for failure to meet Program criteria, and denied four applications because the applicants were deemed by the Board to have "excessive assets."

During FY 2015, the Board received 132 applications by the August 28, 2014 filing deadline. The Board approved 124 applications and denied eight applications because the applicants were deemed by the Board to have "excessive assets."

A review of the Program for the first two years shows that those qualifying seniors with lower incomes and higher assessments received the greatest exemption amount and percentage of tax bill reduction. Conversely, those qualifying seniors with higher incomes and lower assessments received a lower dollar benefit, exempting a smaller percentage of their tax bill.

The Program is currently set to expire at the end of FY 2016. To afford the Town with an opportunity to continue to Implement the Program, the Town must take affirmative measures to extend the Act.

While it is not unusual for new initiatives to reveal unintended consequences as well as unexpected benefits, it is important to examine whether the intent of the Program was realized.

With the Program now in place for two years, the Board and Assessor's Office staff have discovered several areas of the Program which may require additional consideration, if the Program is extended.

The Board respectfully submits this report for your consideration.

SFY

## I. Introduction

On January 9, 2011 petition article 2, placed on Sudbury's Special Town Meeting Warrant by Sudbury residents and senior tax relief advocates Dave Levington and Ralph Tyler, was overwhelmingly approved. This laid the groundwork for House Bill 3435. However, Sudbury's petition and H.3435 differed somewhat in content and context.

On April 12, 2012 the Board of Selectmen appointed a committee to review House Bill 3435. The committee became known as the H.3435 Review Committee. At that time, this committee was charged with developing recommended modifications to H.3435 to reflect the intent of the Special Town Meeting vote of January 2011. The January 2011 vote was to establish a means tested senior property tax exemption (SMTE) program capable of implementation by the Town of Sudbury. The Committee submitted its findings and recommendations in the form of a report to the Board of Selectmen on May 1, 2012.

The Committee's suggested modifications to refine and clarify the following concerns:

- Income (defined for the purpose of the program).
- Burden shift vs. traditional abatement/exemption.
- Broad spectrum program flexibility by the Town.

The recommendations of the Committee resulted in what is currently known as Chapter 169 of the Acts of 2012.

5F5

Chapter 169 of the Acts of 2012

Acts

2012

Chapter 169 AN ACT AUTHORIZING THE TOWN OF SUDBURY TO ESTABLISH A MEANS TESTED SENIOR CITIZEN PROPERTY TAX EXEMPTION.

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

SECTION 1. With respect to each qualifying parcel of real property classified as Class one, residential in the town of Sudbury there shall be an exemption from the property tax equal to the total amount of tax that would otherwise be assessed without this exemption less the sum of (i) 10 per cent of the total annual qualifying income for purposes of the states "circuit breaker" income tax credit, and (ii) the amount of the state's "circuit breaker" credit the applicant was eligible to receive in the year prior to the application being filed. The percentage of total annual qualifying income may be raised by section 3. In no event shall property taxes be reduced by more than 50 per cent by this exemption. The exemption shall be applied to the domicile of the taxpayer only. For the purposes of this act, "parcel" shall be a unit of real property as defined by the assessors under the deed for the property and shall include a condominium unit.

SECTION 2. The board of assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption under section 1 if all of the following criteria are met:

- (a) the qualifying real property is owned and occupied by a person whose prior year's income would make the person eligible for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws;
- (b) the qualifying real property is owned by a single applicant age 65 or older at the close of the previous year or jointly by persons either of whom is age 65 or above at the close of the previous year and if the joint applicant is 60 years of age or older;
- (c) the qualifying real property is owned and occupied by the applicant or joint applicants as their domicile;

586

- (d) the applicant or at least 1 of the joint applicants has been domiciled in the town of Sudbury for at least 10 consecutive years before filing an application for the exemption;
- (e) the maximum assessed value of the domicile is no greater than the prior year's average assessed value of a Sudbury single family residence plus 10 per cent; and
- (f) the board of assessors has approved the application.

SECTION 3. The exemption under section 1 shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap on all the exemptions granted by this act equal to .5 per cent of the fiscal year's total residential property tax levy for the town of Sudbury, including the levy for the regional high school if not included in the town of Sudbury's tax levy at some subsequent date with the total exemption amount granted by this act allocated proportionally within the tax levy on all residential taxpayers. After the first year of such exemption, the total cap on the exemptions granted by this act shall be set annually by the board of selectmen within a range of .5 to 1 per cent of the residential property tax levy for the town of Sudbury, including the levy for the regional high school. In the event that benefits to the applicants may be limited because the percentage established annually by the selectmen would otherwise be exceeded, the benefits shall be allocated by raising the total annual qualifying income percentage as required in section 1 as necessary to not exceed the cap. In the event the cap exceeds the need for the exemption, the total cap on the exemptions granted by this act shall be reduced to meet the need.

SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. Acceptance of this act by the town of Sudbury shall be by an affirmative vote of a majority of the voters at any regular or special election at which the question of acceptance is placed on the ballot.

Sections 1 to 4, inclusive, and sections 7 and 8 shall take effect 30 days after an affirmative vote by the town.

SECTION 6. This act may be revoked by an affirmative vote of a majority of the voters at any regular or special town election at which the question of revocation

587

is placed on the ballot. Revocation of sections 1 to 4, inclusive, and sections 7 and 8 shall take effect 30 days after an affirmative vote by the town.

SECTION 7. No exemption shall be granted under this act until the Department of Revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

SECTION 8. This act shall expire after 3 years of implementation of the exemption.

Approved, July 27, 2012.



addresses and asset information safeguarded. The Assessors developed a protocol whereby one staff person was assigned to receive and oversee all incoming applications. Once the applications were processed, the relevant financial information was entered on a spreadsheet. Applicants' names and addresses were expunged from the Board's spreadsheet. The Board of Assessors application review consisted of a "blind application" review. The applications were approved or denied based on a review of program eligibility and a review of personal assets.

With the assistance of Budget Analyst Peter Anderson and Collector/Treasurer Andrea Terkelsen, a specialized exemption code was added to the MUNIS tax billing software and the mechanism for converting the reduction in taxable assessed value to tax dollars was finalized. The FY 2014 Senior Means Tested Exemption benefit was applied directly to the actual FY 2014 tax bills. The 3<sup>rd</sup> and 4<sup>th</sup> quarter actual bill installments were reduced proportionally by the total exemption amount each applicant was eligible to receive. In some instances where the exemption benefit was 50% of the total tax, the final two quarterly installments (3<sup>rd</sup> and 4<sup>th</sup> quarters) were either eliminated entirely, or reduced to a very low balance.

SFD

III. Program Results

FY 2014 PROGRAM BENEFIT

<u>BENEFIT RANGE</u>	<u>COUNT</u>
<u>Up to \$499</u>	<u>19</u>
<u>\$500 - \$999</u>	<u>5</u>
<u>\$1,000 - \$1,999</u>	<u>23</u>
<u>\$2,000 - \$2,999</u>	<u>26</u>
<u>\$3,000 - \$3,999</u>	<u>28</u>
<u>\$4,000 - \$4,999</u>	<u>9</u>
<u>\$5,000 - \$5,999</u>	<u>5</u>
<u>\$6,000 - \$6,140</u>	<u>3</u>

The average tax savings for qualifying applicants in FY 2014 was \$2,450. The exemptions ranged from a nominal \$17 to a high of approximately \$6,100.

The FY 2014 average single family residential tax increase attributable to the program was \$45.

SF11

FY 2015 PROGRAM BENEFIT

<u>BENEFIT RANGE</u>	<u>COUNT</u>
<u>Up to \$499</u>	<u>16</u>
<u>\$500 - \$999</u>	<u>4</u>
<u>\$1,000 - \$1,999</u>	<u>21</u>
<u>\$2,000 - \$2,999</u>	<u>27</u>
<u>\$3,000 - \$3,999</u>	<u>34</u>
<u>\$4,000 - \$4,999</u>	<u>13</u>
<u>\$5,000 - \$5,999</u>	<u>6</u>
<u>\$6,000 - \$6,140</u>	<u>3</u>

The average tax savings for qualifying applicants in FY 2015 was \$2,664. The exemptions ranged from a nominal \$23 to a high of approximately \$6,140.

The FY 2015 average single family residential tax increase attributable to the program was \$60.

The Board of Assessors spent considerable time each year reviewing asset information for the applicant pool, since the Board has the authority to determine that an applicant has excessive assets that place the applicant "outside of the intended recipients of the senior exemption." For the FY 2014 applicants, no exemptions were granted to applicants with reported assets (excluding the Sudbury domicile) in excess of \$1,000,000. For FY 2015 applicants, no exemptions were granted to applicants with reported assets (excluding the Sudbury domicile) in excess of \$850,000.

5F12

#### IV. Considerations

The procedural implementation of the Program in years one and two exceeded the Board's expectation. However, the Board expressed concerns regarding the following two issues: (a) how to appropriately factor tax deferrals into the exemption formula, and (b) the threshold of "excessive assets" which would place an applicant outside of the intended recipient pool. The Board of Assessors believes that these issues require further evaluation by the Board of Selectmen, and would value the Board of Selectmen's input.

Senior Tax Deferrers: The Board has been informed that the Article's authors intended that senior taxpayers who defer their real estate taxes should also be able to qualify for the SMTE program. Notably a tax deferrer may meet the financial criteria for a Circuit Breaker credit, but does not actually receive the credit because he/she is deferring payment of the real estate tax. The Board has found that the Act does not provide unambiguous guidance as to how to calculate the exemption for a qualifying applicant who also defers real estate tax payments.

The SMTE exemption can be calculated two different ways in this situation, with two somewhat counter-intuitive results.

Note that non-deferrers receiving the Circuit Breaker tax credit are paying a "target" real estate tax equal to 10% of their income plus the amount of the Circuit Breaker credit they receive. The question that arises when an applicant is deferring taxes is: Should the "target" real estate tax for this taxpayer include or exclude the Circuit Breaker credit?

If the Circuit Breaker credit is included for the tax deferrer (even though the credit is not actually received), the "target" tax bill is higher and the SMTE exemption is lower. If, however, the Circuit Breaker credit is excluded (since this credit is not actually received by the tax deferrer), the "target" tax bill is lower and the SMTE exemption is higher.

The following table shows a hypothetical example in which the credit is assumed to be the maximum Circuit Breaker credit for 2013, \$1,030. The first scenario assumes that the applicant qualifies for the Circuit Breaker credit.

5F13

Sudbury Means Tested Senior Exemption Report FY 14 & 15

Hypothetical Applicant deferring 100% of tax								
Apli. No.	Assessed Value	CY13 Income schedule line 9 of CB	CY13 CB Credit	10% of CY13 Income plus CB Credit	Original FY15 Tax	Tax Savings	FY15 Tax/ Sr. Exemption	Tax Savings/ Sr. Exemption
1	560,000	50,000	1,030	6,030	9,856	3,826	6,030	4,530
1	560,000	50,000	0	5,000	9,856	4,856	5,000	5,280

Determining excessive assets: Chapter 169 Section 2 states: "The board of assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act." That statement infers that the Board should consider an applicant's assets, and Section 4 of the act requires the Board to adopt an application that requires an applicant to submit income and asset information.

Since the asset test is presently part of the Program, there should be some general guidance as to the intended recipient pool. There is no such guidance. The Board of Selectmen should decide whether an asset test should be included in the Program going forward, and if so, should provide some general guidance.

The Board of Assessors respectfully requests that the Board of Selectmen consider and then determine the appropriate mechanism to address the issues discussed above.

SP.4

V. Conclusion

A lot of hard work, time, diligence, analysis and enthusiasm went into launching the Program. Two years is not enough time to prognosticate the long-term impact of the Program, or to accurately measure its overall success. However, since the Board of Selectmen has sponsored a Town Meeting Warrant Article regarding the Program, the Board of Assessors believes that this would be an opportune time to fine tune the Program.

SF15

**MEANS TESTED SENIOR EXEMPTION TOWN OF SUDBURY  
COMMONWEALTH OF MASSACHUSETTS CHAPTER 169 OF THE ACTS OF 2012**  
Instructions for Filing:

Fiscal Year 2014 Town of Sudbury  
Completed Application and all documentation must be submitted to the Board of Assessors no later than  
**August 29, 2013**

Instructions for Filing:  
Fiscal Year 2014 Town of Sudbury  
**MEANS TESTED SENIOR CITIZEN PROPERTY EXEMPTION**

It is very important to read the Taxpayer Information about Sudbury Means Tested Senior Exemption below, prior to filling out the application. If anything is unclear to you or if you have any questions or concerns, please contact the Assessor's Office at 978-639-3395 or [gerryc@sudbury.ma.us](mailto:gerryc@sudbury.ma.us).

**The following documentation must accompany the filing of your application for exemption:**

- 1. A complete executed copy of Schedule CB Circuit Breaker Credit 2012 from your Massachusetts State Income Tax Return. If you did not file a Massachusetts State Income Tax Return for 2012, you must still complete, execute and submit a copy of Schedule CB Circuit Breaker Credit 2012. If you need a blank Schedule CB Circuit Breaker Credit 2012, please contact our office.
- 2. A complete executed copy of pages 1 & 2 of your 2012 Federal Income Tax Form 1040.

The completed application and documentation must be returned to the Assessor's Office: 278 Old Sudbury Rd. Sudbury, MA. 01776. 1<sup>st</sup> Floor Flynn Building on or before August 29, 2013

**TAXPAYER INFORMATION  
SUDBURY MEANS TESTED SENIOR EXEMPTION**

You may be eligible to reduce a portion of the taxes assessed on your domicile if you meet all of the following conditions, in addition to qualifying for the 2012 Circuit Breaker State Income Tax Credit.

Property Assessment (FY 2013) must not exceed \$685,148.	Property Co-owner is at least 60 years of age.	Residency Requirement <u>10 consecutive years</u> in Sudbury.
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**WHEN AND WHERE MUST THE APPLICATION BE FILED?** A person who seeks to qualify for property tax relief under the provisions of this exemption shall, before the deadline of August 29, 2013, file an application on the approved form with all supporting documentation of the applicant's income and assets. The application and supporting documentation shall be submitted to the Sudbury Assessor's Office, 278 Old Sudbury Rd. Sudbury, MA. 01776. **THE DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED OR IS INCOMPLETE BY THE DEADLINE FOR SUBMISSION YOU LOSE ALL RIGHTS TO THIS EXEMPTION AND THE ASSESSORS BY LAW CANNOT GRANT THIS EXEMPTION.**

**HOW WILL MY EXEMPTION AMOUNT BE DETERMINED?** This innovative exemption program is intended to help qualifying seniors reduce their real estate tax burden. In some instances there may be seniors whose tax bill will be reduced to be no more than 10% of their income. We will not know the actual amount you will be paying until all applications have been analyzed and the January tax bills are calculated. However, if you would like detail on the calculation methodology please contact the Assessors Office, and we will gladly provide the program detail.

**WHEN SHOULD I EXPECT TO SEE THE REDUCTION IN MY TAX BILL?** Filing of the application will not stay the collection of your taxes. Taxes should be paid as assessed. Should your application meet all requirements of the exemption, your actual FY 2014 tax bill is expected to reflect the valuation reduction caused by implementation of this exemption. In other words, the exemption allowance will be directly applied to your actual tax bill for the year (i.e., the tax bill normally issued January 1<sup>st</sup>). If that does not happen for any reason, you will be notified.

**ASSESSORS APPLICATION REVIEW AND PROCESS**

**It is important that applicants have an understanding of the application review process, and how their personal information will be treated:**

5/16

## Sudbury Means Tested Senior Exemption Report FY 14 & 15

1. The application will be reviewed by the Board of Assessors along with a designated Assessor's staff member.
2. The pertinent data from the application (i.e. qualifying income, age, assessed value) will be entered onto a worksheet. The applicant will not be identifiable on the worksheet. Each application and worksheet will be coordinated by an application numbering system. The verified information from the numbered worksheet will be used to determine eligibility and benefit.
3. Those applicants determined to be ineligible will receive written notification as to their ineligibility. The eligible applicant pool is expected to vary from year to year. Eligibility in one year does not guarantee eligibility the following year. Applicants should understand that each year's qualification is subject to Circuit Breaker eligibility during the prior calendar year. In other words, in order to qualify for the program this year (FY 2014) the applicant must have met the criteria of the 2012 Circuit Breaker State Income Tax Credit. To qualify for FY 2015 the applicant will need to meet the criteria of the 2013 Circuit Breaker State Income Tax Credit and so on.
4. Once eligibility has been determined, the quantifiable data will be used to calculate the exemption benefit.
5. The Means Tested Senior Exemption Program (Chapter 169 of the Acts of 2012) is unlike any other property tax exemption/deferral program with which you may be familiar. If you normally file for the Veteran's, Blind, Surviving Spouse, Senior over the age of 65, Senior Tax Deferral (Clause 41A) etc. do not let the filing of this new application deter you from applying for the traditional programs.  
The Board of Assessors may deny an application if it finds that the applicant has excessive assets that places the applicant and any co-owners outside of the intended recipients of the Exemption.

SF17

**Sudbury Means Tested Senior Exemption Report FY 14 & 15**

APPLICATION FOR MEANS TESTED SENIOR EXEMPTION TOWN OF SUDBURY  
 APPLICATION FOR EXEMPTION General Court of the  
 Commonwealth of Massachusetts Chapter 169 Acts of 2012  
 THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION

**OWNER/APPLICANT SECTION**

A. Name of assessed owner(s): \_\_\_\_\_

B. Date of Birth: _____	C. Marital Status: _____	D. Phone: _____
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E. Legal Residence: \_\_\_\_\_

F. Mailing Address if Different: _____	G. Did you own the property identified in § E. above on December 31, 2012? _____  If yes, were you:  Sole Owner _____ Co-owner with spouse only _____ Co-owner with other(s) _____
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H. Was the title to the property held in a trust as of December 31, 2012?  
 If yes, please attach all trust instruments including schedules.

**CO-OWNER AGE ELIGIBILITY & RESIDENCY SECTION**

I. Were all co-owners at least 60 years of age on or before December 31, 2012? \_\_\_\_\_

J. If yes, please state the full name and date of birth for all co-owners:  Co-owner 1 Name: _____ Co-owner 1 D.O.B. ____/____/____  Co-owner 2 Name: _____ Co-owner 2 D.O.B. ____/____/____  Co-owner 3 Name: _____ Co-owner 3 D.O.B. ____/____/____	K. Have you or a co-owner owned and occupied property in Sudbury as your primary domicile for at least 10 consecutive years prior to December 31, 2012?  _____  If no, please tell us the years you have lived consecutively in Sudbury: From: _____ Through: _____
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**REQUIRED DOCUMENTATION**

L. The following documentation is required as part of your application and must be submitted by application filing deadline:

- Pages 1 & 2 of 2012 Federal Income Tax 1040, 1040A, 1040 EZ etc.
- 2012 Schedule CB Circuit Breaker

- Trust documentation (if applicable, see § H. above)

Please note: Even if you did not file a Massachusetts State Income Tax Return, you must complete, execute and submit a copy of Schedule CB Circuit Breaker 2012.

**ASSETS/VALUE OF PROPERTY OWNED**

**M. Real Estate (List Below)**

	Assessed Value FY 2013	Amount on Mortgage(s)
Primary Domicile Address:	\$	\$
Other Real Estate Address(es):	\$	\$
	\$	\$
<b>Total</b>	\$	\$

**N. Personal Property (List Below)**

Bank Accounts:	Total Value of all bank accounts	\$
Stocks, Bonds, Securities:	Total Value of all stock, bonds, securities	\$
Any other personal property including cash value of life Insurance policies, retirement accounts:	Total Value of other personal property	\$

**DEBTS/LIABILITIES**

O. Please describe with specificity your debts other than the mortgages listed above, if any:

	Amount
	\$
	\$

**Signatures**

P. **BY SIGNING BELOW I REPRESENT THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION CONTAINED IN THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS AND STATEMENTS ARE TRUE, ACCURATE AND COMPLETE.** If signed by agent, attach copy of written authorization to sign on behalf of taxpayer. By the execution hereof, any such agent represents to the best of his/her knowledge after due inquiry, that the information contained in this application and all accompanying documents and statements are true, accurate and complete

Signature of applicant: \_\_\_\_\_

Signature of agent: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

5F19



## Town of Reading Meeting Minutes

### Board - Committee - Commission - Council:

Board of Selectmen

Date: 2016-06-21

Time: 7:00 PM

Building: Reading Town Hall

Location: Selectmen Meeting Room

Address: 16 Lowell Street

Session:

Purpose: General Business

Version:

Attendees: **Members - Present:**

Chair John Halsey, Kevin Sexton, John Arena, Barry Berman and Dan Ensminger

**Members - Not Present:**

**Others Present:**

Town Manager Bob LeLacheur, Police Chief Segalla, Town Accountant Sharon Angstrom, HR Director Judi Perkins, Conservation Administrator Chuck Tirone, CPDC Chair Jeff Hansen, CPDC members David Tuttle, Nick Safina and John Weston, Annika Scanlon, William and Debra Dalton, George Katsoufis, Tony D'Arezzo, Brad Latham, Administrative Assistant Caitlin Saunders

**Minutes Respectfully Submitted By:** Secretary

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### Topics of Discussion:

#### Selectmen's Liaison Reports and Comments

Mr. Arena noted he has nothing to report except he did witness that accident on Main Street last night and would like to say how wonderful our emergency personnel are.

Mr. Sexton commented the good turnout at the community listening meeting. He noted it was good to see a lot of new faces. Mr. Berman and Mr. Ensminger agreed with Mr. Sexton also noting the presentation was very well done.

#### Public Comment

Brian Omara of 12 Batchelder Road voiced his concerns about the cemetery garage. Not only because he is an abutter but as a taxpayer he does not believe the town should be doing a cemetery garage when we are making cuts. He noted it would make more sense to tie this in with the DPW project down the road.

Larry Gilson of 70 Pearl Street voiced his objection to the parking ban. He noted when events are going on everyone parks on the sidewalks making it very difficult for residents to safely back out of their driveways.

#### Town Manager's Comment

Mr. LeLacheur addressed Mr. Omara's concerns about the cemetery building. The way the town is set up, if a capital project gets cancelled, another one just moves into its place. He noted they are doing a lot of studies to make sure this project, if it goes forward, gets done correctly and at a good location.

601

Mr. Halsey reassured Mr. Omara that the Board of Selectmen are looking at everything – concerns/comments/locations. All aspects of this to make sure it is a good project to put through.

Mr. LeLacheur noted on Father’s Day, himself, Chief Segalla and Dr. Doherty went to the congregation for a working group.

At the end of the day he received updated plans for the 40B project at the corner of Lincoln and Prescott. He noted the new plans are much improved.

Appoint Boards and Committees

**Dan Ensminger second by Mr. Arena moved that the Board of Selectmen accept the recommendations of the Volunteer Appointment Committee as follows:**

**Annika Scanlon to the Conservation Commission with a term ending June 30, 2019.**

**David Pinette to the Conservation Commission with a term ending June 30, 2019.**

**Dan Ensminger moved that the Board of Selectmen reconsider the previous Associate member votes, second by Mr. Arena and approved with a 5-0-0 vote.**

**Dan Ensminger, second by Mr. Arena moved that the Board of Selectmen accept the recommendations of the Volunteer Appointment Committee for the Associate members as follows:**

Animal Control (Associate)	Joyce Gould	6-30-18
Board of Health (Associate)	Nancy Docktor	6-30-18
Climate Adv. Com. (Associates)	Jeffrey Everson Gina Snyder	6-30-17 6-30-18
Comm. of Trust Funds (Associate)	Richard Holmes	6-30-18
Council on Aging (Associate)	Pooja Parsons	6-30-18
Fall Street Faire Committee (Associate)	Allison Ullman	6-30-18
Historic District (Associates)	Jack Williams	6-30-18
Historical Commission (Associate)	Virginia Adams	6-30-18
Recreation Committee (Associate)	Mary Ellen Stolecki Catherine Kaminer Gill Congdon	6-30-18 6-30-18 6-30-17
Town Forest Committee (Associate)	Michael Bourque Daniel Ford Nancy Docktor	6-30-18 6-30-18 6-30-17
Trails Committee (Associate)	John Parsons	6-30-18

**The motion was approved by a vote of 5-0-0.**

602

**Discussion/Action Items**

Hearing – Approval of the FY17 Non Union Classification and Compensation Plans - Human Resources Director Judi Perkins noted nothing is really changing from the spring. A few positions are now vacant but there are no changes to the schedule.

**Mr. Berman moved that the Board of Selectmen close the hearing on the approval of the FY17 Non Union Classification and Compensation Plans, seconded by Mr. Ensminger and approved with a 5-0-0 vote.**

**Mr. Berman moved that the Board of Selectmen approve the FY17 Non Union Classification and Compensation Plans, seconded by Mr. Arena and approved with a 5-0-0 vote.**

Town Accountant Quarterly Report - Ms. Angstrom noted that the Finance Director position at the School Department will be vacant and she will help out until it is filled. Mr. LeLacheur also added the School's Human Resources Director also resigned.

Ms. Angstrom noted we are in good shape for FY16 and they are only 16% short of 100% of collection taxes. We are still maintaining our triple A bond rating. Mr. LeLacheur stated we refinanced our water debt and saved \$.5 Million.

The audit committee met and had no concerns. They also believe the corrections being made to correct the revolving funds are working.

Hearing – Increase the No Parking on the easterly side in front of 75 Pearl Street from 100 feet to 285 feet - Chief Segalla noted he receives several complaints on Pearl Street for sporting events at the field so he would like to extend the restricted parking.

Mr. Arena asked where those cars can park and Chief Segalla noted Belmont Street would be a great substitute.

Mr. Sexton asked why it never got extended in the first place and Chief Segalla said they looked into it but could not find the history of why it was only restricted to 100 feet.

Bill Dalton of 91 Pearl Street noted that the bend in the road makes cars drive on the wrong side of the road to get around cars. This has been a long standing problem.

Larry Gilson of 70 Pearl Street agreed with Mr. Dalton about traffic driving on the wrong side of the road because the street is so narrow however if they restrict this further, the cars are going to be parking on the other side of the road up on the sidewalk making it hard for residents to get out. He thinks this will further cluster the other part of the road.

Chief Segalla noted if anyone is parking on the sidewalks to call the station and a cruiser will come and tag those cars. You are not allowed to park on sidewalks.

Jeff Hansen noted he is a soccer coach that uses that field and there definitely is a safety issue over there. It's impossible to park and he does not want to use that field anymore.

Mr. Sexton agreed with Mr. Hansen and noted that maybe this field isn't a good use for kids recreation.

603

Mr. Halsey noted they can bring that up to the Recreation Committee since they rent that field.

Mr. Berman moved that the Board of Selectmen close the hearing on increasing the No Parking on the easterly side in front of 75 Pearl Street from 100 feet to 285 feet, seconded by Mr. Sexton and approved with a 5-0-0 vote.

Mr. Berman moved that the Board of Selectmen approve amending Article 12.1 of the Town Of Reading Traffic and Parking Regulations to prohibit parking on the easterly side in front of 75 Pearl Street for approximately 285 feet, seconded by Mr. Arena and approved with a 5-0-0 vote.

Hearing – No bus access beyond house number 230 on Bancroft Avenue - Chief Segalla noted this is just a safety issue so the bus does not have to back out.

Mr. Berman moved that the Board of Selectmen close the hearing restricting bus access beyond house number 230 on Bancroft Avenue, seconded by Mr. Sexton and approved with a 5-0-0 vote.

Mr. Berman moved that the Board of Selectmen amend Article 12.1 of the Town of Reading Traffic and Parking Regulations to prevent bus access beyond 230 Bancroft Avenue, seconded by Mr. Arena and approved with a 5-0-0 vote.

Hearing – No Parking on the northerly side of Charles Street between Dana Road and Boswell Road between 8:00 am and 3:30 pm on Monday – Friday and enact Article 5.4.4K Additional Time Restriction on Charles Street - Chief Segalla noted it is currently restricted in the morning and the afternoon. It is hard when there are half days so he just wants to extend it to the whole day.

Mr. Berman moved to close the hearing on additional time restrictions on parking on Charles Street between Dana Road and Boswell Road between the hours of 8:00 a.m. and 3:30 pm. on Monday – Friday; and enacting Article 5.4.4K of the Town of Reading Traffic Rules and Regulations, seconded by Mr. Ensminger and approved with a 5-0-0 vote.

Mr. Berman moved and Mr. Arena seconded that the Board of Selectmen amend Article 12 of the Town of Reading Traffic and Parking Regulations to replace 5.4.4D to 5.4.4K by adding the following:

Pursuant to Article 5.4.4K, parking shall be prohibited on the northerly side of Charles Street between Dana Road and Boswell Road between the hours of 8:00 a.m. and 3:30 p.m. on Monday through Friday.

The motion was approved with a 5-0-0 vote.

Mr. Berman moved and Mr. Arena seconded that the Board of Selectmen enact Article 5.4.4K Additional Time Restriction to include: No Person shall park a vehicle from 8:00 a.m. to 3:30 p.m. on Monday through Friday on any of the streets or parts of the streets to which this Article has been applied as listed under Article 12 of the Town of Reading Traffic and Parking Regulations; approved with a 5-0-0 vote.

Hearing – Application for an All Alcohol Restaurant Liquor License for Chipotle Mexican Grill, 46 Walkers Brook Drive - Attorney Matt Fogelman and General Manager Shane Wilson were present.

604

Mr. Arena asked how they decide which locations will serve alcohol or not. Mr. Fogelman noted every location wants a license but some towns they are just not able to acquire them in because there are none left, too expensive, etc.

Mr. Arena asked about the types of alcohol being served. Mr. Fogelman noted they are asking for an all alcohol license but will only be selling beer and margaritas and only to people purchasing food.

Mr. Berman asked Mr. Wilson who he reports to and Mr. Wilson noted he reports to an area manager who reports to a regional manager. Mr. Arena asked if they would deny someone who just wanted a drink and Mr. Wilson said yes they would.

Mr. Berman asked if the store would close if they did not get this license. Mr. Fogelman noted no, it is not crucial; it is just something they like to have to offer their customers.

Mr. Sexton asked Mr. Wilson if he has prior experience with all alcohol licenses and Mr. Wilson noted yes he has worked for Chipotle for three years and has managed other locations with liquor licenses.

Dave Tuttle commented that Chipotle frequently does catering and asked how the liquor license would affect that. Mr. Wilson noted no alcohol will leave the building including on the patio.

Nick Safina asked the size of the beverages and if there was a limit. Mr. Wilson noted there is a two drink max per customer. The beers are bottles and the margaritas are premixed and poured into 16 oz cups.

**Mr. Berman moved that the Board of Selectmen close the hearing on the application for an All Alcohol Restaurant Liquor License for Chipotle Mexican Grill, 46 Walkers Brook Drive, seconded by Mr. Arena and approved with a 5-0-0 vote.**

**Mr. Berman moved and Mr. Arena seconded that the Board of Selectmen approve the application for an All Alcohol Restaurant Liquor License for Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, 46 Walkers Brook Drive, Reading for a term expiring December 31, 2016 subject to the following conditions:**

**All Bylaws, Rules and Regulations of the Town of Reading and of the Commonwealth of Massachusetts shall be followed, and subject to a satisfactory inspection of the establishment by the Town Manager or his designee.**

**The motion was approved with a 5-0-0 vote.**

Community Zoning; Joint Meeting with CPDC - The CPDC called to order at 8:40.

Chairman Jeff Hanson gave a presentation updating the Board of Selectmen on zoning. There has been a lot done since November 2013 but there are still some big items that need to be addressed. The release of the economic plan changed our focus a little on the priorities. Town Counsel strongly advised us to change our sign bylaw after the Supreme Court ruling. The proposed zoning amendments now are: site plan review, other amendments, sign bylaw and downtown zoning.

Mr. Arena asked what some examples of home occupations are and Ms. Mercier noted someone giving music lessons out of their house.

Mr. Berman asked about a home daycare and Ms. Mercier noted that is regulated differently.

Regarding the sign bylaw, Mr. Safina noted they looked at models, our current bylaw and then took into consideration all of Town Counsel's recommendations.

Mr. Halsey asked if this was mostly a compliance change and the board indicated yes it was changed to bring into compliance with the new ruling.

Mr. Hanson noted they held public forums regarding downtown zoning and people seemed to favor the area down by the depot. However, he thinks that may be the case because we now have a 40B going in there.

Mr. Halsey commented people do not understand that an overlay will not force them out of their homes but rather creates potential opportunities for the future.

Mr. Arena noted people need to be presented with correct information on what would/could/could not happen.

Mr. Hansen suggested another combined meeting to show the public what the possibilities are.

Mr. Halsey noted they need to explain to homeowners that this is just another option they have not a requirement.

Mr. Sexton noted this would actually bring up the value of their homes.

Mr. Berman suggested spending some time putting together a simple presentation for Town Meeting in November.

Mr. Sexton thanked the CPDC for all their hard work.

CPDC adjourned at 9:20 PM.

172 Woburn Street 40B Project (former St. Agnes School) - Mr. Latham noted they went to the neighbors and talked to them, they had an abutters meeting. The product now is amended with all those comments and concerns. They are still trying to address water concerns. They are putting windows and landscaping in the front of the building.

Mr. Berman asked about snow and the Mr. Latham noted the applicant will have it removed when large amounts fall.

Mr. Arena asked if this building is currently three stories and it was noted it is.

They plan to reverse the traffic flow and have assigned parking spaces for the tenants.

The applicant Mike Sullivan plans on being the building manager when complete.

626

Mr. Arena asked what the biggest issue was for the neighbors and it was noted they are nervous about drainage issues.

The next step is to apply to MassHousing and get a site/eligibility letter. They are probably about three months away from needing to meet with the ZBA. They are going through Mass Housing and not a LIP because Mass Housing works better with smaller developments.

Mr. Halsey asked Mr. Latham what they are looking for from the Board at this time and Mr. Latham noted they just wanted to know they liked the project and are not against it.

Mr. Arena noted it looks good however they are not the important people; the neighbors are during the ZBA process.

Mr. Halsey thanked them for coming to see them but noted their opinions really do not matter. The general consensus is we like the progress and glad you are communicating with the neighbors.

**Approve Debt Sale - Mr. Berman moved and Mr. Ensminger seconded that in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all or a portion of the Town's \$9,535,000 General Obligation Municipal Purpose Loan of 2007 Bonds dated November 1, 2007 maturing on and after November 1, 2018 (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium, if any, and interest on the Refunded Bonds and to pay costs of issuance of the refunding bonds.**

**Further move that the sale of the \$8,680,000 General Obligation Municipal Purpose Loan of 2016 Bonds of the Town dated June 28, 2016 (the "Bonds"), to FTN Financial Capital Markets at the price of \$9,785,514.62 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on November 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:**

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2016	\$705,000	3.00%	2022	\$860,000	4.00%
2017	605,000	4.00	2023	860,000	4.00
2018	970,000	4.00	2024	710,000	4.00
2019	965,000	4.00	2025	475,000	4.00
2020	965,000	4.00	2026	355,000	3.00
2021	860,000	4.00	2027	350,000	3.00

**Further move that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 14, 2016, and a final Official Statement dated June 21, 2016 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.**

607

Further move to authorize the execution and delivery of a Refunding Escrow Agreement to be dated June 28, 2016, between the Town and U.S. Bank National Association, as Refunding Escrow Agent and Paying Agent.

Further move that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further move that we authorize and direct the Treasurer to review and update the Town's post-issuance federal tax compliance procedures with such changes, if any, as the Treasurer and bond counsel deem necessary in order to monitor and maintain the tax-exempt status of the Bonds.

Further move that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes. The motion carried with a 5-0-0 vote.

FY17 Goals Update and Draft FY18 Goals - Mr. LeLacheur noted that the state is looking at Council on Aging so we may not have to do that. We are keeping our 911 system for another year. We are going to wait on the AdHoc Master Planning committee because we are not quite ready for that. Parking is a continuous work in progress. The lighting project is on hold. The library project is moving along slowly. Oakland Road really needs to be discussed with Town Counsel.

Mr. Halsey suggested looking at a policy about what can be said as a committee/town/individual. The FY18 goals will be done after reviews.

Appoint Town Manager - This is an extension to finalize Mr. LeLacheur's contract.

Mr. LeLacheur noted this new Town Counsel should look at the agreement because our previous Town Counsel created the last one.

Mr. Berman moved to approve the Amendment to the May 21, 2013 Employment Agreement between Town of Reading and Robert LeLacheur for Services as Town Manager as presented, seconded by Mr. Arena and approved with a 5-0-0 vote.

Mr. Berman moved that the Board of Selectmen adjourn the meeting at 10:34 PM, seconded by Mr. Arena and approved with a 5-0-0 vote.

Respectfully submitted,

Secretary

608



## Town of Reading Meeting Minutes

### Board - Committee - Commission - Council:

Board of Selectmen

Date: 2016-07-12

Time: 7:00 PM

Building: Reading Town Hall

Location: Selectmen Meeting Room

Address: 16 Lowell Street

Session: Open Session

Purpose: General Business

Version:

Attendees: **Members - Present:**

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

**Members - Not Present:**

**Others Present:**

Town Manager Bob LeLacheur, Assistant Town Manager Jean Delios, Public Works Director Jeff Zager, Police Chief Mark Segalla, Fire Chief Greg Burns, Town Accountant Sharon Angstrom, Executive Assistant Paula Schena, Bill Brown, Zachary Camenker, Stephen Crook, Kate Grant, Erin Griffen

**Minutes Respectfully Submitted By:** Secretary

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### Topics of Discussion:

#### Reports and Comments

Selectmen's Reports and Comments – In light of the recent Police Officer slayings Daniel Ensminger read Paul Harvey's narration of "A Police Officer." Chief Segalla thanked Daniel Ensminger and noted that he has three Police Officers going to Dallas to pay their respects to the fallen officers.

Barry Berman noted that the Trust Fund Commissioners are coming in to meet with the Board of Selectmen and they will present some opportunities. He noted that he and Kevin Sexton attended a Human Relations Advisory subcommittee meeting to figure out the right format. They had members of the Wakefield HRAC there. They will be meeting with the Town Manager.

Barry Berman noted that the contractor for the MWRA is using Lynch Park as a staging area and he asked if they will put up a flagpole when they redo it. John Halsey noted he will talk to the MWRA about that.

Kevin Sexton noted regarding HRAC it was a false expectation that night at the Selectmen's meeting. They were looking for action and the Selectmen were looking for what they found. He and Barry Berman will work with them to bring something back to the Selectmen. In addition, he attended the last CPDC meeting and Reading Village brought the preliminary plans including Brown's Auto Body property. The project has been stepped down and the numbers of units have been reduced from 77 to 72. They changed a lot of the two bedroom units to one bedroom units and they still have a long way to go. John Halsey asked about the affordable concept and Jean Delios indicated 25%.

Daniel Ensminger asked if there have been changes to the Woburn Street project and Jean Delios noted there has been a change in the composition of the units to 20% at 50% of the median. The consultant told her it is a new finance program. Daniel Ensminger asked about the time table for ZBA and she noted that there has been no filing yet and they have not received any communication from the state.

Public Comment – Bill Brown, 28 Martin Road, noted that the High School was dedicated to veterans and there is a plaque missing for William Hanson. He is looking for people to sponsor a plaque for him. John Arena asked if he is the only Reading casualty from Desert Storm and Bill Brown noted that as far as he knows he is.

Town Manager's Report – The Town Manager noted that the annual legal budget is on page 5 of the handout. He is expecting two smaller bills to be paid. He is meeting with Town Counsel tomorrow and he asked all of the department heads if there were any issues with Town Counsel and they are all happy with his services.

**Discussion/Action Items**

Close Warrant for September 8, 2016 State Primary – Daniel Ensminger noted that this is for everyone above State Representatives except Presidential.

**A motion by Berman seconded by Sexton to close the Warrant for the September 8, 2016 State Primary was approved by a vote of 5-0-0.**

Review Proposed 2020 Working Groups and Draft FY18 Goals – The Town Manager noted that he listed five sets of goals: 1) Financial Sustainability; 2) Operational Efficiency; 3) Communication; 4) Policy; and 5) Long Term Planning.

Goal 1 – Financial Sustainability FY2025 – FY2030 – The Town Manager noted that in 2025, the Library debt comes off the roll and the High School debt comes off the year before. He is meeting with staff tomorrow to discuss local real estate tax policy. The objective is to keep seniors in their homes. He warns that DOR will not like us setting tax policy. In addition there will discussion about projects outside the tax levy and gather feedback from the community on the balance of resources and services.

The Town Manager noted that information needs to be provided to the community. The September 1, 2016 Financial Forum will be led by the Selectmen and it will be a dry run for Town Meeting. He is concerned about the projects outside the levy. John Arena noted that those need to be covered when we talk about an override.

John Halsey noted that we need to find ways to get information out to everyone. Daniel Ensminger asked if we could do a mass mailing and the Town Manager noted we could. Matt Kraunelis noted we can use social media i.e. Facebook and Twitter.

Amy Lannon noted we have to be careful what information we are giving. John Halsey agreed and noted we cannot advocate, we can only provide facts.

John Arena noted we need a consistent story line that hits all media. The Town Manager noted that we have nothing to say yet until the decision is made. John Arena noted that was correct but we can start preparing fact based information now. John Arena suggested asking RCTV to figure out how to capture the September 1 Financial Forum to put up on You Tube with good audio and video.

Goal 2 – Operational Efficiency – The Town Manager noted that this includes such things as resource sharing with other communities and organizations. Updating the Master Plan for Elder/Human Services. John Halsey asked if we have one and Jean Delios noted that we have one that was done 12 years ago.

662

The Town Manager noted that we need to gather internal operational data and conduct peer comparisons as warranted and relevant. Daniel Ensminger noted that Reading maintains water and sewer up to the foundation and we plow downtown. None of our peers do that.

In addition, we will continue to integrate and leverage technology though the Town Manager noted that we've tried to integrate things and it's impossible. The salespeople promise everything and give us nothing.

Goal 3 – Communication – The Town Manager noted that the Board needs to update its policy on appointed Boards. They need to improve communication with Boards, Committees and Commissions. This has been achieved internally by making part time staff full time. The Board needs to discuss how appointed Boards and Committees provide community information and we need to let the Boards and Committees know what they can and cannot do. Website improvements are being done continuously. Matt Kraunelis noted that the Reading Post is pretty good but nobody knows who is running it. Daniel Ensminger noted that the quality of reporting in the Chronicle has improved.

The Town Manager noted that once the Library building project is complete we will assess the staffing and communication needs.

Goal 4 – Policy – The Town Manager noted that a targeted review of the Bylaws is ongoing. The Board needs to review their operating procedures and the policy on licenses. A review of all union contracts is being done with labor counsel and the Town's Personnel Policies are being updated.

Goal 5 – Long Term Planning – The Town Manager noted that economic development in downtown, other priority development areas and housing are key issues. In addition, it is important that we assess the condition of Town buildings and space needs including schools. Daniel Ensminger noted that roads and pipes need to be planned also. Assessment of the status of Town owned land including Oakland Road will be done. Daniel Ensminger asked if that will include tax title and the Town Manager noted it will.

Daniel Ensminger requested that we add 24a – assess the condition of utility and infrastructure including the street inventory. The Town Manager noted it has been a long time since DPW came before the Board with the pavement management index. Jeff Zager noted they are in the process of updating that now and they use the pavement management as a guide. Daniel Ensminger requested that be made available to the public. John Halsey commented that the residents want to see how their money is being spent.

Financial Overview – The Town Manager asked what the Board's take away was from the Listening Sessions.

Daniel Ensminger noted that nobody would say what they would give up.

Barry Berman noted that one person said don't pave his street.

The Town Manager noted the problem is that nobody knows what we do. There are constituents for all of the services and they all feel very strong about them. John Arena suggested showing the residents what government should do as a core and then show what we are actually doing.

Barry Berman noted that everyone seems satisfied with the level of service that is being provided and most seem willing to pay. A lot of people want to look at the structure of taxes for fairness issues and most people are open to hearing what we have to say.

John Halsey noted that the Board needs to decide how much, for how long and determine what will be gained. Most people think of debt exclusion and override as the same but they

663

are not. An override is permanent. The Town Manager noted that he suggests it last until 2025 as a minimum. This is when the High School and Library are repaid from outside the levy. The last override was suggested for 8 years but lasted 13 years.

The Town Manager noted that if we do a percentage override then we would never need to ask again but the amount grows like a runaway train. It is a mathematical equation that is impossible to solve.

John Arena noted that 8 years of 8% increases in health insurance will blow everything up too.

The Town Manager noted that an override should sustain the Town and School operating budgets at historic levels of 3.25%. We can add things that were removed in past years but everything that gets added makes the problem worse. We could build in an override list.

John Halsey noted that Boston is implementing cameras for the Police Officers and that could add \$1 million. Chief Segalla noted that would require an additional person to manage the data.

Daniel Ensminger noted that we could do a class action lawsuit against state government regarding unfunded mandates.

The Town Manager offered some suggestions. He noted that we could reduce the annual use of free cash to balance the budgets to \$1 million – he needs to speak with the Finance Committee about that. John Halsey asked how we could roll back when the appetite has been \$2 million. The Town Manager noted that we could get the override or cut \$1 million. The DPW and Facilities are the two biggest users of capital and we are in good shape. We could trim them down by doing \$1.5 million instead of \$2 million.

In addition, the Town Manager suggested funding the pension more with a onetime bump up and that would lower the yearly rate. Sharon Angstrom agreed, she feels 4% is a lot to fund every year. The year 2029 is the target year to fully fund. John Arena asked how much the bump up would be and the Town Manager noted maybe \$300,000 - \$400,000 and then 3% each year after.

The Town Manager noted we need a reserve for TLT litigation and that was all he could say about that at this time. He noted that he would continue a blend of conservative and realistic budgeting and forecasting. Any override will require a savings in the beginning. He needs to leave a policy that can be explained easily and establish a stabilization to cover expenses.

The Town Manager noted that the Board is meeting next Tuesday at 6:00 p.m. with CPDC to review planning efforts at the Zoning Charrette.

Daniel Ensminger asked the Town Manager to add to the August 16<sup>th</sup> Agenda the form to take for asking for an override i.e. the pyramid approach or itemize. He noted that they also need to discuss what the money will be spent on. The Town Manager noted that Town Meeting doesn't have to have exact language, but it would be nice. Daniel Ensminger indicated he thought they were taking a number to Town Meeting, not an instructional motion.

John Halsey asked if the articles to protect the seniors will be on the warrant and it was noted that they will.

John Arena noted that the override vote is for the people who pay the bills. Town Meeting can approve but it is still up to all of the voting residents in Town to decide. The Town Manager noted that some Town Meeting members don't want it to go to Town Meeting

664

because it is not the role of Town Meeting. If we are not asking for a vote then we are just giving a report. He asked when the language needs to be done for the ballot and Matt Kraunelis noted he wasn't sure.

Barry Berman noted he wasn't sure bringing this to Town Meeting is the best thing.

Daniel Ensminger noted that they need to talk about the language and the Town Manager noted that they need an objective for the number and the School Committee should be engaged in that conversation.

Barry Berman asked about the correspondence in the packet from Demetra Tseckares and the Town Manager noted that there was a lapse in communication and she is being reimbursed.

**Approval of Minutes**

**A motion by Berman seconded by Ensminger to approve the minutes of May 17, 2016 was approved by a vote of 4-0-1 with Arena abstaining.**

**A motion by Berman seconded by Sexton to approve the minutes of June 1, 2016 Community Listening session as amended was approved by a vote of 4-0-1 with Arena abstaining.**

**A motion by Berman seconded by Sexton to approve the minutes of the June 7, 2016 Community Listening session as amended was approved by a vote of 5-0-0.**

**A motion by Berman seconded by Ensminger to approve the minutes of June 7, 2016 was approved by a vote of 5-0-0.**

**A motion by Ensminger seconded by Berman to adjourn the meeting at 9:55 p.m. was approved by a vote of 5-0-0.**

Respectfully submitted,

Secretary

HCBOS

MRS. SALLY M. HOYT

221 WEST STREET, READING, MA 01867

TELEPHONE: 781-944-1191 - EMAIL: sallyhoyt@hotmail.com

Mr. Robert LeLacheur, Jr., Reading Town Manager

RE: READING DPW AND READING MUNICIPAL LIGHT DEPT.

Dear Bob,

My family and I patiently watched the difficult work and great efforts made by the Town of Reading, Department of Public Works, and the Municipal Light Department, on the West Street Project.

Please know that the improvements were greatly appreciated and we thank you all for a job well done. We realize the project is ongoing for its completion, however, you should be aware that the work was much less an inconvenience than anticipated.

Sincerely,



Sally M. Hoyt

cc: Department of Public Works

Reading Municipal Light Dept.

2016 JUL -5 AM 10: 57



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

4CB05

**JULIE D. MERCIER**  
**Community Development Director**  
**Phone: (781) 942-6648**  
**Fax: (781) 942-9071**  
**jmercier@ci.reading.ma.us**

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**To:** Zoning Board of Appeals / Board of Selectmen / Community Planning and Development Commission / Development Review Team staff  
**CC:** Matt Zuker & Ken Chase, MKM Reading / Geoff Engler, consultant  
**From:** Julie Mercier, Community Development Director  
**Date:** July 21, 2016  
**Re:** Reading Village 40B – Status Update

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This memo is intended as an update to the ZBA from staff on progress made since June 23<sup>rd</sup>.

New Information from the Applicant

The Applicant has provided the following new information, which has been posted to the website:

- Revised Presentation, dated 6/27, including Ground Floor dimensions, new elevations, and a revised Shadow Study.
- Parking Waiver Summary & Parking Inventory/Regulatory map of project area.
- In-line responses, prepared by Vanasse & Associates Inc., to the 7/13 Traffic Peer Review.
- Supplemental Response, prepared by Vanasse & Associates Inc., to the 7/13 Traffic Peer Review.
- Revised List of Requested Waivers.

Peer Review Reports

The following peer review reports have been received and posted to the website:

- Architectural Peer Review Phase 2, prepared by TBA Architects, Inc., dated 7/15/16, revised 7/20/16 to include comments on materials from Applicant dated 6/27.
- Traffic & Parking Peer Review, prepared by Green International Affiliates Inc, dated 7/13/16.

The Town has not received an Engineering Peer Review for the new design. It is anticipated that the Applicant will be providing revised Site Plans to the Town that incorporate the feedback from the Architecture and Traffic/Parking Peer Review reports. At that time, the revised plans will be sent to Nitsch Engineering for review. The Water/Sewer Capacity review will be provided at a later date as well.

Planning staff were involved in conversations between the development team and the peer review consultants on July 18<sup>th</sup> and 20<sup>th</sup>. Town staff also met with the Applicant on July 19<sup>th</sup> to discuss potential ways to address the need for visitor parking. Though there is still outstanding information needed, these conversations were productive.

Feedback from Staff

The revised plan submission was forwarded to Town staff on June 23<sup>rd</sup>. Town staff had an internal meeting to discuss the new plans on July 20<sup>th</sup>. The following comments were made:

Fire Department:

- The building will need to be sprinklered.
- EMS vehicles do not have to access the parking podium; street access is sufficient.
- Building height is no longer an issue.

- Building Permit plans will be reviewed by Fire Plan Reviewer for compliance with Fire Code – 70% design plans should be provided as soon as possible to get this review under way.

DPW / Engineering:

- Developer will be required to pay I&I Fee as well as costs to upgrade utilities as needed.
- Utility information is needed to determine service extensions (i.e. high pressure gas).
- Vertical curbing along Prescott Street as provided is preferred; no parking should be allowed on public sidewalk.

Planning / Town Manager:

- Landscape Plan should show public sidewalks.
- Applicant should consider revising landscaping at edge of building – perhaps pavers with groundcover could be provided instead of sod and bushes.
- Benches, bike racks, and other public amenities should be added to site where possible.
- Entrances/Exits could be challenging for vehicles pulling out if sight lines are blocked.
- Applicant should clarify loading/unloading and trash removal operations.
- How many existing on-street parking spaces will be lost?
- Construction staging should be discussed; will be important to manage properly.

Recommended Process for ZBA Meeting on July 21<sup>st</sup>

- Call to Order
- Chair – read Legal Ad and Ground Rules for Public Meetings
- Chair – give brief overview of Board process with this Application
- Applicant – provide update of progress since June 23<sup>rd</sup>
- Peer Review Consultants – present findings
- Applicant – opportunity to respond
- Board – discussion and questions
- Public Comment
- Board – determine next steps, date of continued hearing on this Application
  - August 4<sup>th</sup> – likely too soon for turn-around on civil peer review
  - August 18<sup>th</sup> – recommended, though 2 members will not be present
  - September 1<sup>st</sup> – not recommended, conflicts with important community meeting
  - September 15<sup>th</sup> – still open
- Adjourn

Outstanding Information

The following information has been requested and should be provided by the Applicant:

- Revised Site Plans that depict grading, utilities, drainage, bike racks, setback dimensions, etc.
- Additional data to justify the parking ratio
- Strategy for visitor parking & how it will be managed
- 3D graphics of the building in its neighborhood context
- Dimensioned elevations
- Landscaping – additional information regarding screening, public amenities & lighting
- Operations & Maintenance Plans that address snow removal, trash pick-up, loading/unloading, management of common areas, landscape maintenance, EMS protocols, etc.

962

### Timeline

- Hearing Opened: February 4<sup>th</sup>
- Halfway Point (90 Days): May 3<sup>rd</sup>
- 180 Days: August 1<sup>st</sup>
- Extension of Time of 91 days: October 31<sup>st</sup>
- Today: July 21<sup>st</sup> (102 days left)
- Next Hearing: Draft Decision will be prepared

### Ongoing Staff Efforts

- Coordination between and phone calls with the peer reviewers and the Applicant.
- Continued documentation of correspondence from abutters.
- Maintenance of a spreadsheet to track the Applicant's responses to concerns.
- Uploading of documentation to Town website: <http://www.readingma.gov/planning-division/pages/reading-village>