



Town of Reading Meeting Posting with Agenda

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READING, MASS.

Board - Committee - Commission - Council:

2016 SEP 29 P 1:23

Board of Selectmen

Date: 2016-10-04

Time: 7:00 PM

Building: Pleasant Street Senior Center

Location: Great Room

Address: 49 Pleasant 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:

Selectmen Office ½ Hour – Daniel Ensminger

6:30 p.m.

- 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. Close Warrant for Presidential and State Elections 11-8-16 7:20
 - b. Vote Warrant Articles #14 – #23 (land use and General Bylaw) for Subsequent Town Meeting 11-14-16 7:30
 - c. Cemetery Building Project – Joint Meeting with the Permanent Building Committee, the Finance Committee and the Board of Cemetery Trustees 8:00
 - d. Vote Warrant Articles #3 - #13 for Subsequent Town Meeting 11/14/16 – joint meeting with the Finance Committee 9:30
- 6) **Approval of Minutes**
 - a. September 12, 2016
 - b. September 20, 2016
- 7) **Licenses, Permits and Approvals**
- 8) **Executive Session**
- 9) **Correspondence**

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

DRAFT - BOARD OF SELECTMEN AGENDAS			
2016			2016
9/29/2016		Staff Responsibility	Estimated Start time
	October 4, 2016	Center	
Office Hour	Dan Ensminger		6:30
	Close Warrant for Presidential and State Elections 11/8/16	Gemme	7:25
	Vote Warrant Articles #14-#23 (land use & general bylaw) for Subsequent Town Meeting 11/14/16	LeLacheur	7:30
	Cemetery Building project - joint meeting with the Permanent Building Committee, the Finance Committee and the Board of Cemetery Trustees	LeLacheur	8:00
	Vote Warrant Articles #3 - #13 for Subsequent Town Meeting 11/14/16 - joint meeting with the Finance Committee	LeLacheur	9:30
	Special Election October 18, 2016	Tuesday	
	October 25, 2016		
Hearing	Approve FY17 Classification and Compensation	LeLacheur	7:20
	Historical Commission	LeLacheur	7:30
	Town Manager Evaluation	Ensminger	8:00
	Financial Forum November 2, 2016	Pleasant St Ctr	7:00
	Presidential and State Elections Nov 8, 2016	Tuesday	
	Town Meeting November 14, 2016	Monday	
	November 15, 2016		
Office Hour	John Halsey		6:30
Hearing	Tax Classification	Santaniello	7:30
	Realistic Commercial Development in Reading: Joint Meeting with CPDC and commercial developers	Delios	8:30
	Update on 40B projects (Goal #23)	Delios	9:30
	Economic Development update	Delios	9:45
	Town Meeting November 17, 2016	Thursday	
	Town Meeting November 21, 2016	Monday	
	Town Meeting November 28, 2016	Monday	

	November 29, 2016		
Hearing	Board of Selectmen Policies: Article 3 Liquor Licenses (Goal #18)	Town Counsel	7:30
	Approve Licenses		7:20
	Town Meeting December 1, 2016	Thursday	
	Town Meeting December 5, 2016	Monday	
	Town Meeting December 8, 2016	Thursday	
	Town Meeting December 12, 2016	Monday	
	December 13, 2016		
Office Hour	John Arena		6:30
	Town Personnel Policies (draft version)	Perkins	7:30
	Request formation of an ad hoc Cable Advisory Committee (Goal #13)	Kraunelis	8:00
Future Agendas			
	Boards & Committees	Halsey	
	Board of Selectmen Policies: Article 1 General Operating Procedures	Burns	
	Board of Selectmen Policies: Article 2 Volunteer Boards/Committees/Commissions (Goals #11 and #12)	Kraunelis	
	Board of Selectmen Policies: Article 3 Licenses	Burns	
	Schoolhouse Commons - 40B project at 172 Woburn St (former St. Agnes school)		
Recurring Items			
	Review BOS/TM Goals	Mar & Sep	Semi-ann
	Appointments of Boards & Committees	June	Annual
Hearing	Approve Classification & Compensation	June	Annual
Hearing	Tax Classification	October	Annual
	Approve licenses	December	Annual
Reports to BOS	Town Accountant Report		Qtrly
	RCTV members Report		Semi-ann
	CAB (RMLD) member Report		Semi-ann
	MAPC member Report		Annual
	Reading Housing Authority Report		Annual
	Reading Ice Arena Report		Annual
	BOS Appointed Boards & Committees		Annual



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To: Board of Selectmen
From: Robert W. LeLacheur, Jr. CFA
Date: September 29, 2016
RE: BOS Agenda for October 4th

Your next meeting will be held at the Pleasant Street Center.

Town Clerk Laura Gemme will first ask you to close the Warrant for the Presidential and State elections on November 8th.

The Board will have an opportunity to hear the details on Town Meeting Warrant Articles and vote as they desire. We will begin with land use and general bylaw ones as follows:

- #14 – Abandoning drainage easements, the Board already approved this as an Article
- #15 – Abandoning the paper streets, correcting past incomplete Town Meeting action.
- #16 – Authorize the sale of the Oakland Road parcel, correcting past incomplete Town Meeting action.

- #17 – General Bylaw (GB) to allow the Town Clerk to make minor changes
- #18 – GB to authorize Revolving Funds (new state requirement)
- #19 – GB Stormwater (federal requirement – this article may be tabled until April '17)
- #20 – GB DPW defined (resulting from Charter changes)
- #21 – GB allow repairs on Private Roads
- #22 – GB Establish Stormwater utility (codify practices for the existing Storm Water enterprise fund)
- #23 – GB illicit connections (federal requirement)

#24 through #31 are zoning articles where the Board traditionally has deferred to CPDC

Then the Permanent Bylaw Committee, the Board of Cemetery Trustees and the Finance Committee will join the Board to discuss the Cemetery building process. Included in your packet is past PBC meeting Minutes. Chair Greg Stepler will describe how the PBC has set up a process to use for future projects, and some suggested changes to the bylaw that formed them, scheduled to go to April '17 Town Meeting. Two significant changes/clarifications are 1) that only the three elected boards have a right to propose building projects as the Sponsoring Agency to the PBC (I believe this was the intention all along as every other board is appointed by an elected board, who should serve as a gatekeeper); and 2) the definition of when a building project begins, which then allows members from the Sponsoring Agency to be appointed.

The current cemetery building process was begun from Town Meeting as follows: “ Instructional motion made by Mark Dockser, Precinct 1 that the appointing authority for the Permanent Building Committee immediately recruit members to the committee. Further move that the Permanent Building Committee

set their first priority to be a review of the needs and potential solutions to resolve the physical space needs of the cemetery department and bring back a recommendation or a report of the best solution and a capital request to be presented to Subsequent Town Meeting 2015.”

The current process that appointed two members from the Board of Cemetery Trustees with a focus on putting a building in a cemetery may have been too narrowly focused.

The Selectmen and FINCOM will have a discussion about the funds set aside for this process (\$50,000 carried over from FY16 and \$150,000 from FY17) and what is the best use of those funds given the language of the instructional motion from Town Meeting.

Finally the Selectmen and FINCOM will review Articles 3-13 which are financial ones at November Town Meeting, as follows:

- #3 – revise the capital plan
- #4 – surplus equipment disposal (routine)
- #5 – technical correction to the Library debt authorization, as was done once before (routine)
- #6 – rescind debt authorization (routine)
- #7 – move \$141,000+ of prior debt authorization to the library project (see below)
- #8 – move \$69,000+ of prior water debt to water main projects
- #9 – technical correction to Sewer I/I grant/loan program (routine)
- #10 – authorize additional debt for the library (if needed – see below)
- #11 – changes to the FY17 budget (lots of moving parts – might be a minimal use of Free Cash)
- #12 – prior year’s bills
- #13 – request from the Retirement Board

Background on Article 7 (Library project)

Debt had been authorized for the above projects, and the final costs were not known before the debt was sold. This Article moves \$141,224.72 in debt already sold for these four projects to the Library project as available additional funding. State finance law limits what projects may receive these types of transfers, and the Library building project is eligible, subject only to this Town Meeting approval.

If this transfer is not approved, by law the town must find another candidate project within the general fund. The West Street roadway project is the only other possibility, but as of this writing the local share is fully funded.

The Library building project as it comes down to the wire will need additional funding, which is described below. If this Article is approved, the project authorization and funding would change from that cited in Article 5 to be as follows:

- \$18,541,224.72 Authorized by Town Meeting
- \$ 141,224.72 Approved inside the tax levy
- \$18,400,000 Approved as debt exclusion by voters
- \$ 5,100,000 State grant from the Board of Library Commissioners
- \$13,300,000 Debt exclusion, already issued

Library Project – Summary

As of this writing in late September, the project is up to an estimated \$149,000 over budget for known costs. Additionally, in order to keep the project on schedule the Town Manager directed the contractor to do work valued as high as \$100,000 and acknowledged there was a dispute as to who was ultimately responsible for that cost. Thus right now the worst case is a \$250,000 over budget situation, but the final amount is expected to be lower, possibly within the bounds of this additional \$141,224.72 cited above.

Note that this project was established prior to the formation of the Permanent Building Committee (PBC). Instead this project has an ad-hoc Library Building Committee (LBC) which consists of three volunteers involved in design and construction from the community, two Library Trustees, one Library staff member appointed by the Library Director and one other member appointed by the Town Manager (as revised in June 2014). The LBC is advisory to the Facilities Director, who is in turn advisory along with the hired Owner's Project Manager (OPM) to the Town Manager. Therefore it is the Town Manager that takes full responsibility for any project cost overage.

Please note that two of the LBC community members (who are also fellow Town Meeting members) are part of the five-member PBC, so the ensuing dialogue on the most efficient and effective way to manage a future building project has been robust. The PBC expects to bring suggested General Bylaw changes to Town Meeting in April 2017 based on these discussions. The current bylaw suggests the PBC would serve as the final authority for building projects.

The Library building project had a traditional amount of contingency funds set aside at the beginning, meant to handle unexpected conditions (UC) and change orders (CO).

CO are typically driven by the imperfect coordination of project design and construction, and by the owner deciding on a different course of action as the project unfolds. Each of those types of CO have occurred in this project, resulting in a few months of additional time as well as additional costs. Experts cite this CO part of the project as being handled by the traditional contingency funding.

In contrast, UC have occurred at a cost above typical contingency funding levels. The two most significant types of UC involve: 1) site conditions – significant ledge under the rear parking lot, not revealed by early test borings; and 2) existing building conditions – poor quality work on previous construction projects not revealed by testing and only evident upon significant demolition.

Each of these facts has served as a lesson learned for project management and the PBC. Better pre-project initial funding and site exploration should have revealed the ledge condition. Instead, significant efforts to break up what was thought to be 'little bits of ledge' ultimately led instead to a mid-project re-design and relocation of the drainage and stormwater systems.

It is more difficult to determine if the relatively poor condition of the existing building could have been ascertained, but the lesson learned here has been to not repeat that mistake. This Library building project in 2016 could have been kept under budget had shortcuts been chosen, as they clearly had been in the past. However, the project management team consistently ordered that work done on the Library be completed to a 50-year construction standard. For example, significant water-proofing efforts were done and then redone on the foundation – it is clear that for the last significant building renovation that this cost was skipped, resulting in flooding of the basement on a regular occasion.

The Library Building Committee, meeting monthly with the project management team, has been aware of budget overages for several months, although as of this writing none of us know what the final outcome will be. Along the way, some project costs were absorbed outside the project by DPW, Facilities, the Library Trustees, Technology and the Town Manager's Office. Some costs outside the

original scope of the project were done as part of it, because labor and materials were handy and comparatively less expensive. For example, repairs to the retaining wall on Deering Street were budgeted, but the condition upon some excavation was far worse than imagined, so the entire wall was rebuilt, as it would need to be eventually.

In summary, given the design and location choice, Town Meeting should be confident that this project was done the right way. The collaboration, communication and cooperation between all the stakeholders has been excellent ... if exhausting at times. Under the design direction of the architect, Library staff and Trustees; the project oversight by the OPM and the Facilities Director; and with the hard work of the general contractor and all of the trades subcontractors, the community will have a building to be proud of for many years.

Background on Article 10 (Library project)

This Article is included in the event that the Library building project needs additional funds even beyond the \$141,224.72 that Town Meeting was asked to approve under Article 7. As of this writing in late September this Article will likely be tabled and brought back in April 2017 as/if needed. However the project management team is working diligently to wrap up the project financials as quickly as possible, and in the event we can confidently describe the project as complete to November 2016 Town Meeting, then this Article might go forward. If it does, the source of funds is expected to be from Free Cash.

Subsequent Town Meeting - November 2016				
Art. #	Article Description	Sponsor	Details	Notes
1	Reports	Board of Selectmen	375th Celebration - Moderator Alan Foulds Municipal Light Department - General Manager Coleen O'Brien School Department annual report - Superintendent Dr. John Doherty 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 - Town Manager Bob LeLacheur FINCOM Report -	
4	Dispose of Surplus	Board of Selectmen	Presentation - Bob LeLacheur FINCOM Report -	
5	Rescind Library Debt Authorization – Premium Received	Board of Selectmen	Presentation - Town Accountant Sharon Angstrom FINCOM Report -	
6	Rescind Debt Authorization	Board of Selectmen	Presentation - Sharon Angstrom FINCOM Report -	
7	Transferring Previous Debt Authorization - General Fund	Board of Selectmen	Presentation - Bob LeLacheur FINCOM Report -	
8	Transferring Previous Debt Authorization - Water Enterprise Fund	Board of Selectmen	Presentation - Bob LeLacheur FINCOM Report -	

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Subsequent Town Meeting - November 2016				
Art. #	Article Description	Sponsor	Details	Notes
9	Authorize debt/grants - Sewer Enterprise Fund	Board of Selectmen	Presentation - Bob LeLacheur FINCOM Report -	
10	Increase Library Debt - Cost of Project	Board of Selectmen	Presentation - Bob LeLacheur FINCOM Report -	
11	Amend the FY 2017 Budget	FINCOM	Presentation - Bob LeLacheur FINCOM Report -	
12	Approve Payment of Prior Year's Bills	Board of Selectmen	Presentation - Sharon Angstrom FINCOM Report -	9/10 vote
13	Increase Retirement Cost of Living Base	Retirement Board	Presentation - Tom Clough, Assistant Chair Reading Retirement Board FINCOM Report -	
14	Abandon Drainage Easements – 21 Hunt Street and 26 Lee Street	Board of Selectmen	Presentation - Bob LeLacheur	
15	Abandon Streets – Oakland Road	Board of Selectmen	Presentation - Bob LeLacheur	
16	Authorize Sale of Real Estate – Oakland Road	Board of Selectmen	Presentation - Bob LeLacheur FINCOM Report -	

56+d2

Subsequent Town Meeting - November 2016				
Art. #	Article Description	Sponsor	Details	Notes
17	General Bylaw - Authorize Town Clerk to make non-substantive corrections to bylaws (GBL 1.4)	Board of Selectmen	Presentation - Bob LeLacheur Bylaw Committee Report -	
18	General Bylaw - Authorize Revolving Funds (new GBL 6.6)	Board of Selectmen	Presentation - Bob LeLacheur Bylaw Committee Report -	
19	General Bylaw - Stormwater Management and Erosion Control (new GBL 7.9)	Board of Selectmen	Presentation - Town Counsel Ray Miyares Bylaw Committee Report -	
20	General Bylaw - Establish Department of Public Works (new GBL 8.5.1, renumber thereafter)	Board of Selectmen	Presentation - Bob LeLacheur Bylaw Committee Report -	
21	General Bylaw - Temporary Repairs on Private Ways (new GBL 8.5.3, renumber thereafter)	Board of Selectmen	Presentation - Bob LeLacheur Bylaw Committee Report -	
22	General Bylaw - Establish Stormwater Utility (new GBL 8.5.9)	Board of Selectmen	Presentation - Bob LeLacheur Bylaw Committee Report -	

56+d3

Subsequent Town Meeting - November 2016				
Art. #	Article Description	Sponsor	Details	Notes
23	General Bylaw - Illicit Connections and Discharges to Storm Drain System (new GBL 8.12)	Board of Selectmen	Presentation - Ray Miyares Bylaw Committee Report -	
24	Zoning Bylaw - Community Planning and Development Commission (ZBL 4.3)	CPDC	Presentation - CPDC Report - Bylaw Committee Report -	2/3 vote
25	Zoning Bylaw - Site Plan Review (ZBL 4.6)	CPDC	Presentation - CPDC Report - Bylaw Committee Report -	2/3 vote
26	Zoning Bylaw - Pet Grooming (ZBL 5.3.1 and associated definition)	CPDC	Presentation - CPDC Report - Bylaw Committee Report -	2/3 vote
27	Zoning Bylaw - Special Home Occupation (ZBL 5.3.2 and 5.6.7 and associated definition)	CPDC	Presentation - CPDC Report - Bylaw Committee Report -	2/3 vote
28	Zoning Bylaw - Accessory Apartments (ZBL 5.4.7.3(b))	CPDC	Presentation - CPDC Report - Bylaw Committee Report -	2/3 vote

56+d4

Subsequent Town Meeting - November 2016				
Art. #	Article Description	Sponsor	Details	Notes
29	Zoning Bylaw - Accessory Buildings or Structures (ZBL 5.5)	CPDC	Presentation - CPDC Report - Bylaw Committee Report -	2/3 vote
30	Zoning Bylaw - Lot Shape (ZBL 6.2.1)	CPDC	Presentation - CPDC Report - Bylaw Committee Report -	2/3 vote
31	Zoning Bylaw - Signs (ZBL 8.0)	CPDC	Presentation - CPDC Report - Bylaw Committee Report -	2/3 vote

5b+d5

TOWN WARRANT



COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

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

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Reading, qualified to vote in Town elections and Town affairs, to meet at the Reading Memorial High School Performing Arts Center, 62 Oakland Road, in said Reading, on Monday, November 14, 2016, at seven-thirty o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with the provisions of the Reading Home Rule Charter.

ARTICLE 1 To hear and act on the reports of the Board of Selectmen, School Committee, Library Trustees, Municipal Light Board, Finance Committee, Bylaw Committee, Town Manager, Town Accountant and any other Town Official, Board or Committee.

Board of Selectmen

Background: This article appears on the Warrant for all Town Meetings. At this Subsequent Town Meeting, the following reports are anticipated:

- Town Moderator "375th Celebration Committee"
- RMLD General Manager "Annual update"
- Superintendent of Schools and School Committee Chair "State of the Schools"

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

Board of Selectmen

Background: This Article appears on the Warrant of all Town Meetings. There are no known Instructional Motions at this time. The Town Moderator requires that all proposed Instructional Motions be submitted to the Town Clerk in advance so that Town Meeting Members may be "warned" as to the subject of an Instructional Motion in advance of the motion being made. Instructional Motions are normally held until the end of all other business at Town Meeting.

56+d6

Finance Committee Report: No report.

Bylaw Committee Report: No report.

ARTICLE 3 To see if the Town will vote to amend the FY 2017-27 Capital Improvements Program as provided for in Section 7.7 of the Reading Home Rule Charter and as previously amended, or take any other action with respect thereto.

Board of Selectmen

Background: This Article is included in every Town Meeting Warrant. The Reading General Bylaw (section 6.1.3) states "... No funds may be appropriated for any capital item unless such item is included in the Capital Improvements Program (CIP), and is scheduled for funding in the Fiscal Year in which the appropriation is to be made." Bond ratings agencies also want to ensure that changes to a long-term CIP are adequately described.

The following changes are proposed to the FY2017 – FY2027 CIP (current year plus ten years):

General Fund

FY17: +\$49,000

\$30,000 DPW/Engineering Scanner/Plotter (moved up from FY18)
+ \$19,000 School van (total now \$55,000)

FY18: -\$215,000

\$135,000 DPW Screener (replace 1994 equipment - moved up from FY20)
- \$350,000 RMHS Boilers (defer to FY18 as part of larger energy efficient review)

FY19+

Various other changes made

Enterprise Funds - Water

FY17: +\$300,000

\$320,000 water main work and related repairs
+\$15,000 unidirectional flushing program (now \$45,000)
- \$35,000 Car #2

Reduce debt service by \$300,000 in Article 11 – no net change in capital + debt; FY17 Debt service further reduced by \$23,947 due to refinancing

FY18: +\$135,000

\$150,000 Replace Truck #6 (move up from FY20 and increase by \$30k)
\$ 60,000 Emerald & Lothrop Booster station design
(\$75,000) SCADA Upgrade – not needed

Reduce debt service by \$499,300, combination of \$18,300 refinancing savings and delaying \$481,000 of debt issuance for water main repair projects

56+d7

FY19+

Various changes made

Enterprise Funds - Sewer

FY17: None

FY18: None

Reduce debt service by \$488,571 – Charles & Sturges sewer station debt issuance delayed

FY19+

Various changes made

Enterprise Funds – Storm Water

FY17: None

FY18: \$0

Reduce debt service by \$570,917 by delaying debt issuance for \$1.55 million for 3 drainage projects: Sturges (\$0.2mil) /Main (\$0.9mil) / Minot (\$0.45mil)

FY19+

Various changes made

Finance Committee Report: The Finance Committee recommends the proposed amendments to the FY 2017 – FY 2027 Capital Improvements Program by a vote of x-0-0 at their meeting on October 4, 2016. Placing items in the Capital Improvement Program is a prerequisite but in itself does not authorize spending funds towards these items.

Bylaw Committee Report: No report.

By Charter, both the Finance Committee and Bylaw Committee are advisory to Town Meeting and their votes must be reported to Town Meeting, preferably in writing in advance when possible. Other volunteer Boards and Committees also vote on Warrant Articles, and when possible those votes are noted herein with an asterisk () next to their name.*

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 4 To see if the Town will vote to authorize the Board of Selectmen to sell, exchange, or dispose of, various items of Town tangible property, upon such terms and conditions as they may determine; or take any other action with respect thereto.

Board of Selectmen

Background: The following equipment is scheduled for disposal:

56 + d8

Dept.	Item	Est. Value	Disposal Method
DPW	Front End loader	\$15,000	Trade-in
PS/Fire	GMC 4500 Horton Ambulance (2006)	\$10,000	Trade-in
PS/Fire	Lucas Device/EMS	\$4,000	Trade-in
DPW(w)	Ford F350-2WD Diesel (2004)	\$2,500	Auction
DPW	Engineering Plotter Cannon iPF810	\$2,000	Trade-in
DPW	Engineering Scanner KIP 7100	\$2,000	Trade-in
DPW	Utility Trailer (1989)	\$1,500	Auction
Schools	Comdial phone system (Coolidge)	\$575	Trade-in

Finance Committee Report: The Finance Committee recommends the proposed amendments to the FY 2017 – FY 2027 Capital Improvements Program by a vote of x-0-0 at their meeting on October 4, 2016. Placing items in the Capital Improvement Program is a prerequisite but in itself does not authorize spending funds towards these items.

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 5 To see if the Town will vote to appropriate the premium paid to the Town upon the sale of bonds issued for the purpose of constructing a new library, and for the payment of all costs incidental and related thereto, which bonds are the subject of a Proposition 2½ debt exclusion, to pay costs of the project being financed by such bonds, and to reduce the amount authorized to be borrowed for such project by the same amount, or take any other action with respect thereto.

Board of Selectmen

Background: This Article is for financial housekeeping only.

Recall that the approximate funding for the Library project is as follows:

\$18.4 million Total as authorized by Town Meeting and then approved by the voters

\$ 5.1 million State grant from the Board of Library Commissioners

\$13.3 million Expected local share, as a debt exclusion

On January 15, 2015 and then on June 21, 2016 the town sold a total of \$12.115 million par value of debt at a premium price (therefore with a higher interest cost) that covered the \$13.3 million local share. An Article at the Special Town Meeting in February 2015 made a technical correction for that first sale, and this Article requests the same for the most recent sale.

MA DOR requires that Town Meeting must vote to reduce the original authorization (as amended by Special Town Meeting in February 2015) by the amount of the \$230,000 premium received in June 2016. This is a technical correction only – it has no impact on the amount that taxpayers are being asked to pay.

5629

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016. This article is a financial technical correction only and is required by the auditors.

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 6 To see if the Town will vote to amend the votes taken under Articles 7 and 9 of the November 8, 2010 Subsequent Town Meeting to reduce the amounts authorized thereby for MWRA Water Bonds by \$235,000 and for the Killam School Remodeling Project by \$3,050 respectively; or take any other action with respect thereto.

Board of Selectmen

Background: This Article is also for financial housekeeping only.

Debt had been authorized for the above projects, and the final costs were known to be less by the amounts stated above before the debt was sold. This Article removes the excess debt authorized.

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016. This article is a financial clean-up only and is suggested by the auditors.

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 7 To see if the Town will vote to appropriate, in accordance with Chapter 44, Section 10 of the Massachusetts General Laws, the sum of \$141,224.72, to be added to the amounts appropriated under Article 6 of the January 28, 2013 Special Town Meeting and Article 6 of the February 13, 2014 Special Town Meeting for the purpose of renovating and expanding the Reading Public Library located at 64 Middlesex Avenue, including the costs of consulting services, audits, plans, documents, cost estimates, bidding services, temporary relocation and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the Town Manager; and to see if the Town will authorize the Board of Library Trustees, Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants, to be used to defray the cost of all, or any part of, said improvements; and to authorize the Board of Library Trustees and/or the Town Manager to enter into any and all contracts and agreements as may be necessary to carry out the purposes of this Article from the following available funds:

- ◆ \$120,360.79 to be transferred from the unexpended proceeds of the Town's bonds, dated June 21, 2016, which were issued for RMHS Retaining Wall pursuant to the vote taken under Article 6 of the April 27, 2015 Special Town Meeting;

56+d/10

- ◆ \$13,130.86 to be transferred from the unexpended proceeds of Town's bonds dated June 21, 2016, which were issued for Modular Classrooms pursuant to the vote taken under Article 5 of the April 27, 2015 Special Town Meeting;
- ◆ \$7,728.07 to be transferred from the unexpended proceeds of the Town's bonds, dated November 1, 2007, which were issued for Downtown Improvements pursuant to the vote taken under Article 18 of the April 23, 2007 Annual Town Meeting; and
- ◆ \$5.00 to be transferred from the unexpended proceeds of the Town's bonds, dated August 1, 2009, which were issued for the purpose of Energy Improvements pursuant to the vote taken under Article 15 of the April 27, 2009 Annual Town Meeting;

and to authorize the Town Manager to take any action necessary or appropriate to carry out this project; provided, however that this vote shall not take effect until the Town Manager determines, in his sole discretion, that sufficient funds have been authorized to complete the project in a satisfactory manner; or take any other action with respect thereto.

Board of Selectmen

Background: This Article is also for financial housekeeping, but will need more discussion.

Debt had been authorized for the above projects, and the final costs were not known before the debt was sold. This Article moves \$141,224.72 in debt already sold for these four projects to the Library project as available additional funding. State finance law limits what projects may receive these types of transfers, and the Library building project is eligible, subject only to this Town Meeting approval.

If this transfer is not approved, by law the town must find another candidate project within the general fund. The West Street roadway project is the only other possibility, but as of this writing the local share is fully funded.

The Library building project as it comes down to the wire will need additional funding, which is described below. If this Article is approved, the project authorization and funding would change from that cited in Article 5 to be as follows:

\$18,541,224.72	Authorized by Town Meeting
<u>\$ 141,224.72</u>	Approved inside the tax levy
\$18,400,000	Approved as debt exclusion by voters
<u>\$ 5,100,000</u>	State grant from the Board of Library Commissioners
\$13,300,000	Debt exclusion, already issued

Library Project – Summary

As of this writing in late September, the project is up to an estimated \$149,000 over budget for known costs. Additionally, in order to keep the project on schedule the Town Manager directed the contractor to do work valued as high as \$100,000 and acknowledged there was a dispute as to who was ultimately responsible for that cost. Thus right now the worst case is a \$250,000 over budget situation, but the final amount is expected to be lower, possibly within the bounds of this additional \$141,224.72 cited above.

Note that this project was established prior to the formation of the Permanent Building Committee (PBC). Instead this project has an ad-hoc Library Building Committee (LBC) which consists of three volunteers involved in design and construction from the community, two Library

Sb+d11

Trustees, one Library staff member appointed by the Library Director and one other member appointed by the Town Manager (as revised in June 2014). The LBC is advisory to the Facilities Director, who is in turn advisory along with the hired Owner's Project Manager (OPM) to the Town Manager. Therefore it is the Town Manager that takes full responsibility for any project cost overage.

Please note that two of the LBC community members (who are also fellow Town Meeting members) are part of the five-member PBC, so the ensuing dialogue on the most efficient and effective way to manage a future building project has been robust. The PBC expects to bring suggested General Bylaw changes to Town Meeting in April 2017 based on these discussions. The current bylaw suggests the PBC would serve as the final authority for building projects.

The Library building project had a traditional amount of contingency funds set aside at the beginning, meant to handle unexpected conditions (UC) and change orders (CO).

CO are typically driven by the imperfect coordination of project design and construction, and by the owner deciding on a different course of action as the project unfolds. Each of those types of CO have occurred in this project, resulting in a few months of additional time as well as additional costs. Experts cite this CO part of the project as being handled by the traditional contingency funding.

In contrast, UC have occurred at a cost above typical contingency funding levels. The two most significant types of UC involve: 1) site conditions – significant ledge under the rear parking lot, not revealed by early test borings; and 2) existing building conditions – poor quality work on previous construction projects not revealed by testing and only evident upon significant demolition.

Each of these facts has served as a lesson learned for project management and the PBC. Better pre-project initial funding and site exploration should have revealed the ledge condition. Instead, significant efforts to break up what was thought to be 'little bits of ledge' ultimately led instead to a mid-project re-design and relocation of the drainage and stormwater systems.

It is more difficult to determine if the relatively poor condition of the existing building could have been ascertained, but the lesson learned here has been to not repeat that mistake. This Library building project in 2016 could have been kept under budget had shortcuts been chosen, as they clearly had been in the past. However, the project management team consistently ordered that work done on the Library be completed to a 50-year construction standard. For example, significant water-proofing efforts were done and then redone on the foundation – it is clear that for the last significant building renovation that this cost was skipped, resulting in flooding of the basement on a regular occasion.

The Library Building Committee, meeting monthly with the project management team, has been aware of budget overages for several months, although as of this writing none of us know what the final outcome will be. Along the way, some project costs were absorbed outside the project by DPW, Facilities, the Library Trustees, Technology and the Town Manager's Office. Some costs outside the original scope of the project were done as part of it, because labor and materials were handy and comparatively less expensive. For example, repairs to the retaining wall on Deering Street were budgeted, but the condition upon some excavation was far worse than imagined, so the entire wall was rebuilt, as it would need to be eventually.

SB+d/12

In summary, given the design and location choice, Town Meeting should be confident that this project was done the right way. The collaboration, communication and cooperation between all the stakeholders has been excellent ... if exhausting at times. Under the design direction of the architect, Library staff and Trustees; the project oversight by the OPM and the Facilities Director; and with the hard work of the general contractor and all of the trades subcontractors, the community will have a building to be proud of for many years.

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016.

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 8 To see if the Town will vote to appropriate, in accordance with Chapter 44, Section 10 of the Massachusetts General Laws, the sum of \$69,970.09, to be added to the amounts appropriated under Article 7 of the September 29, 2014 Special Town Meeting for the purpose of making water main improvements, including paying the costs of easements, consulting services, audits, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the Town Manager; and to see if the Town will authorize the Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants, to be used to defray the cost of all, or any part of, said water main improvements; and to authorize the Town Manager to enter into any and all contracts and agreements as may be necessary to carry out the purposes of this Article from the following available funds:

- ◆ \$42,868.89 to be transferred from the unexpended proceeds of the Town's bonds, dated January 1, 2005, which were issued for Water Treatment Plant design pursuant to the vote taken under Article 11 of the November 10, 2003 Subsequent Town Meeting;
- ◆ \$26,707.20 to be transferred from the unexpended proceeds of the Town's bonds, dated February 1, 2009, which were issued for Water Treatment Plant demolition pursuant to the vote taken under Article 9 of the June 30, 2008 Special Town Meeting; and
- ◆ \$394.00 to be transferred from the unexpended proceeds of the Town's bonds, dated November 1, 2007, which were issued for MWRA Buy pursuant to the vote taken under Article 4 of the June 12, 2006 Special Town Meeting;

and to authorize the Town Manager to take any action necessary or appropriate to carry out this project; provided, however that this vote shall not take effect until the Town Manager determines, in his sole discretion, that sufficient funds have been authorized to complete the project in a satisfactory manner; or take any other action with respect thereto.

Board of Selectmen

Background: This Article is also for the financial housekeeping done under Article 7, but for funds in the Water Enterprise Fund.

56+d13

Debt had been authorized for the above projects, and the final costs were not known before the debt was sold. This Article moves \$69,970.09 in debt already sold for these three projects to the \$3.45 million water main project as available additional funding. The first phase of this work was for the Salem Street project done this summer, for which \$1.115 million in debt has been sold. If approved, this \$69,970.09 in funding will be added to ongoing water main work. The remaining \$2.335 million in debt authorized is expected to be increased in April 2017 to \$3 million and then issued within one year.

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016.

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 9 To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the purpose of making extraordinary repairs to or replacement of sanitary sewer collection systems, including the costs of consulting services, audits, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the Town Manager; and to see if the Town will authorize the Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants, to be used to defray the cost of all, or any part of, said sanitary sewer improvements; and to authorize the Town Manager to enter into any and all contracts and agreements as may be necessary to carry out the purposes of this Article, or take any other action with respect thereto.

Board of Selectmen

Background: This Article and the Background below are identical to that shown to Annual Town Meeting in April 2015. However the motion approved by that Town Meeting on the floor only referenced the \$422,000 of low-interest loans highlighted below as debt authorization, when in fact it should have also authorized the Town to accept the \$1,266,000 in grant funding from the MWRA. We apologize for that oversight, but are encouraged that before we accepted that grant we have a good system of internal controls that uncovered this discrepancy.

The MWRA's Infiltration and Inflow (I/I) Local Financial Assistance Program provides support to MWRA member communities to perform sewer rehabilitation to minimize excess flows due to infiltration and inflow into the sewer system.

In previous years the Assistance Program provided financial assistance to member communities through a combination of a 45% grant and a 55% low-interest loan. MWRA has revised the program for the current Phase 9 and future Phase 10. The financial assistance for these two phases will be allocated to member communities in the form of a 75% grant and a 25% low-interest loan.

MWRA Assistance

- The assistance is provided through a combination grant and low-interest loan

56+d14

- Phase 8 Allocation balance \$71,000 (45% grant; 55% low-interest loan)
- Phase 9 Allocation is \$844,000 (**\$633,000 grant; \$211,000 low-interest loan**)
- Phase 10 Allocation is \$844,000 (**\$633,000 grant; \$211,000 low-interest loan**)
- Loan pay back to the MWRA - equal installments up to a ten year period beginning one year after distribution of the funds

Acceptance of the grant/loan offer will enable the Town to continue with its I/I removal program to remove unwanted sewage flows from the sewer system which reduces excess assessments from MWRA and decreases the excess demand on the sewer system. The anticipated project for this Phase will be to perform manhole rehabilitation, spot repairs, lining and replacement of sewers.

Infiltration occurs when surface water enters sewers through leaks, cracks and faulty joints in pipes and manholes. Inflow is caused from storm water runoff that enters the sewer system through improper connections such as cross connected drains, roof drains and sump pumps.

Since the inception of MWRA's Assistance Program the Town's I/I removal program has consisted of the following types of projects:

- House-to-house inspections
 - The house-to-house inspections identify inappropriate direct connections (inflow) to the Town's sewer system with the purpose of assisting residents with identifying methods to remove the connections. The Town also provides limited financial assistance to the homeowner.
- TV inspections, testing and sealing of manholes and sewer mains
 - TV inspections and the testing and sealing of manholes and sewer mains allows the Town to internally inspect sewer mains and manholes to with the purpose of identifying and eliminating points of infiltration into the sewer system.
- Sewer system smoke testing
 - Smoke testing of the sewer system is a method of identifying points of infiltration or inflow into the sewer system where visual or TV inspection access is not possible
- Spot repair, lining and replacement of sewers
 - Spot repairs, lining and replacement of sewers are performed when damage to the sewer system is not repairable or cost effective through internal sealing.
- Flow metering, spot gauging and dye testing
 - Flow metering, gauging and dye testing is performed to assist the Town in determining the areas of the sewer system that are experiencing the highest levels infiltration and inflow. Flow metering also assists in determining how affective the Town has been in mitigating I/I for the past several years.
- Sewer System Data management
 - Project updates the Town's GIS sewer database to incorporate historic closed circuit inspection data and enable future closed circuit inspection sewer system data. The resulting data will be used to assess future capital project needs and to perform asset management of the system.

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016.

Bylaw Committee Report: No report.

56+d15

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 10 To see if the Town will raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the purpose of renovating and expanding the Reading Public Library located at 64 Middlesex Avenue, including the costs of consulting services, audits, plans, documents, cost estimates, bidding services, moving, temporary relocation, and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the Town Manager and the Board of Library Trustees; and to see if the Town will authorize the Board of Library Trustees, Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants to be used to defray the cost of all, or any part of, said improvements; and to authorize the Board of Library Trustees and/or the Town Manager to enter into any and all contracts and agreements as may be necessary to carry out the purposes of this Article. These funds will be additional to the \$14.9 million previously approved by vote of Town Meeting on January 28, 2013 and a majority of the voters at a local election on April 2, 2013, and to the \$3.5 million previously approved by a vote of Town Meeting on February 13, 2014 and a majority of the voters at a local election on April 1, 2014, and by Town Meeting under Article 7 of this Town Meeting, or take any other action with respect thereto.

Board of Selectmen

Background: This Article is included in the event that the Library building project needs additional funds even beyond the \$141,224.72 that Town Meeting was asked to approve under Article 7. As of this writing in late September this Article will likely be tabled and brought back in April 2017 as/if needed. However the project management team is working diligently to wrap up the project financials as quickly as possible, and in the event we can confidently describe the project as complete to November 2016 Town Meeting, then this Article might go forward. If it does, the source of funds is expected to be from Free Cash.

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016.

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 11 To see if the Town will vote to amend the Town's Operating Budget for the Fiscal Year commencing July 1, 2016, as adopted under Article 12 of the Annual Town Meeting of March 1, 2016; and to see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money to be added to the amounts appropriated under said Article, as amended, for the operation of the Town and its government, or take any other action with respect thereto.

Finance Committee

56 + 16

Background:

General Fund – Wages and Expenses

<u>Account Line</u>	<u>Description</u>	<u>Decrease</u>	<u>Increase</u>
B99 – Benefits Expenses	Health Insurance Premiums -\$200,000 Worker Comp Premiums +\$20,000 Medicare +\$5,000	\$175,000	
C99 – Capital Expenses	<u>New CIP changes</u> DPW Plotter/Scanner \$30,000 School Van +\$19,000 (now \$55,000) <u>Approved in September CIP but not funded</u> DPW: Loader JD 624G (2007) \$210,000 FacCORE: reclassify Security Eval \$125,000 FacSchools: Furniture \$65,000 FacCORE: EMS upgrades to buildings \$50,000 FacCORE: Plumber's Van Ford E350 \$40,000		\$539,000
F99 – FINCOM Reserves	Replenish Reserves		\$26,000
G91 – Administrative Services Wages	Fund pay & class transfers (\$11,200) Pay & class funding \$8,200	\$3,000	
G92 – Administrative Services Expenses	Police assessment center \$7,500 Technology wireless phones \$4,000		\$11,500
H91 – Public Services Wages	Pay & class funding		\$3,000
J92 – Public Safety Expenses	Uniforms & gear for new firefighters \$10,500 Police ballistic vests and helmets \$9,800 Fire – ambulance billing \$3,000		\$23,300
K95 – Public Works Rubbish	Rubbish disposal		\$100,000
M91 – Core Facilities	reclassify Security Eval. to capital	\$125,000	
M92 – Facilities: Town buildings	Town building cleaning services		\$10,000
U99 – School Department	School building cleaning services		\$40,000
	Subtotals	\$303,000	\$752,800
	Net Operating Expenses		\$449,800
	From State Aid \$140,000 From New Growth TBA From Assessor's Overlay TBA From Free Cash TBA (if needed)		

564017

Enterprise Funds – Wages and Expenses

<u>Account Line</u>	<u>Description</u>	<u>Decrease</u>	<u>Increase</u>
W99 Water	Debt Service – water mains	\$300,000	
	Capital spending – water mains \$320,000; +\$15,000 for unidirectional flushing; -\$35,000 for Car #2		\$300,000
	Subtotals		\$0
	Net Operating Expenses		\$0
	From Water Reserves		\$0

The town saved about \$35,000 in FY17 debt service by refinancing the MWRA buy-in. The town also delayed using some debt for water main repairs, thereby avoiding \$265,000 debt service in FY17. The combined \$300,000 reduction would be useful to have as water main repair capital to complete projects this year. There is no net budget impact or change of water rates needed. If these funds are not used, they will close to Water Reserves at fiscal year-end.

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016.

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 12 To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money to pay bills remaining unpaid from prior fiscal years for goods and services actually rendered to the Town, or take any other action with respect thereto.

Board of Selectmen

Background: On May 20, 2016 the town received a demand notice from Direct Energy for \$2,420.68 for FY13 gas services that remained unpaid. Further review into the matter revealed that payments were improperly applied to the wrong school building accounts by Direct Energy, in some cases creating a credit balance on many accounts and an overdue balance on others. When credit balances exceeded the current month charges the bill was not paid and unfortunately not questioned by the secretary processing the bills. The \$2,420.68 represents the total of these unpaid invoices once the payments were properly allocated to the correct accounts.

The town has a licensing agreement with the MBTA to allow the town to cross under the railroad with a water main that was installed between Ash St. and Walker Brook Dr. The contract has been in place since 2004 however the MBTA failed to bill the town the licensing fees for 2010 through 2015. The total of unpaid licensing fees is \$3,578.66

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016.

5b + d 18

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 13 To see if the Town will vote, pursuant to Section 103(j) of Chapter 32 of the Massachusetts General Laws, to accept an increase in the maximum Retirement Cost of Living Base, from \$12,000 to \$14,000, as established by the Reading Retirement Board, such acceptance to be effective as of the date that a certification of the Town Meeting vote is filed with the Public Employee Retirement Administration Commission.

Reading Retirement Board

Background: Chapter 188 of the Acts of 2010, an Act Relative to Municipal Relief, contained a number of provisions pertaining to public pensions. It became effective on July 27, 2010. Pursuant to Section 19 of Chapter 188 of the Acts of 2010, subsection (j) was added to General Laws, Chapter 32, Section 103, which grants retirement systems the discretion, subject to local legislative approval, to increase the maximum base on which the COLA is calculated in multiples of \$1,000. Presently, the amount is \$12,000. If approved, the COLA Base Increase from \$12,000 to \$14,000 would be effective July 1, 2016. The maximum amount of any COLA is 3%, which means if approved the maximum annual COLA could increase from \$360 per year to \$420 per year.

On October 27, 2015, by unanimous vote and with all Board Members present, the Board voted to increase the COLA base from \$12,000 to \$14,000. Acceptance by Town Meeting is deemed to have occurred upon filing of a certification of the vote of the legislative body with PERAC (Public Employee Retirement Administration Commission). A decision to accept a COLA base increase cannot be revoked.

Reading Retirement Board

COLA base amounts for peer communities			
Name	Amount	Year	
Andover Retirement Board	\$12,000.00	2010	
Belmont Retirement Board	\$12,000.00	2010	
Danvers Retirement Board	\$13,000.00	2016	
Dedham Retirement Board	\$15,000.00	2016	
Milton Retirement Board	\$15,000.00	2012	
Natick Retirement Board	\$12,000.00	2010	
Shrewsbury Retirement Board	\$12,000.00	2010	
Stoneham Retirement Board	\$13,000.00	2012	
Wakefield Retirement Board	\$12,000.00	2010	
Winchester Retirement Board	\$12,000.00	2010	
Middlesex County Retirement Board	\$14,000.00	2013	
Bedford			
Burlington			
Tewksbury			
Westford			

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Wilmington		
North Reading		
Norfolk County Retirement Board	\$15,000.00	2012
Canton		
Walpole		
Essex Regional Retirement Board	\$13,000.00	2013
Lynnfield		
North Andover		
Bristol County Retirement Board	\$18,000.00	2016
Mansfield		

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016.

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 14 To hear the report of the Board of Selectmen that a portion of a drainage easement is no longer required for public purposes, and to see if the Town will vote, pursuant to Chapter 40, Section 15 of the *Massachusetts General Laws*, to authorize the Board of Selectmen to make the required declaration to abandon that portion of the drainage easement, crossing 21 Hunt Street, Reading, MA, as described herein, and retaining all rights in the remaining portion of the easement not described herein, without charge for said declaration. The portion of the drainage easement to be abandoned is more fully described as follows:

Beginning at a point on the easterly side line of Hunt Street, said point being at the intersection of the division property line of Lots 43 and 44 with the said easterly side line of Hunt Street;

Thence, N12° 30' 00"W, along said easterly side line of Hunt Street, a distance of 15.00 feet to a point;

Thence, N77° 26' 00"E, through lot 43, a distance of 85.00 feet to a point;

Thence, S12° 30' 00"E, a distance of 15.00 feet to a point on the division property line of Lots 43 and 44;

Thence, S77° 26' 00"W, along the division property line of Lots 43 and 44, a distance of 85.00 feet to the point of beginning of this description.

Said described abandonment being a portion of a taking shown on a plan entitled "Easement through Private Property for Drainage, Water and Sewerage Purposes, Lee Street, dated Sept., 1963, Engineering Division, Philip Welch Superintendent."

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or take any other action with respect thereto.

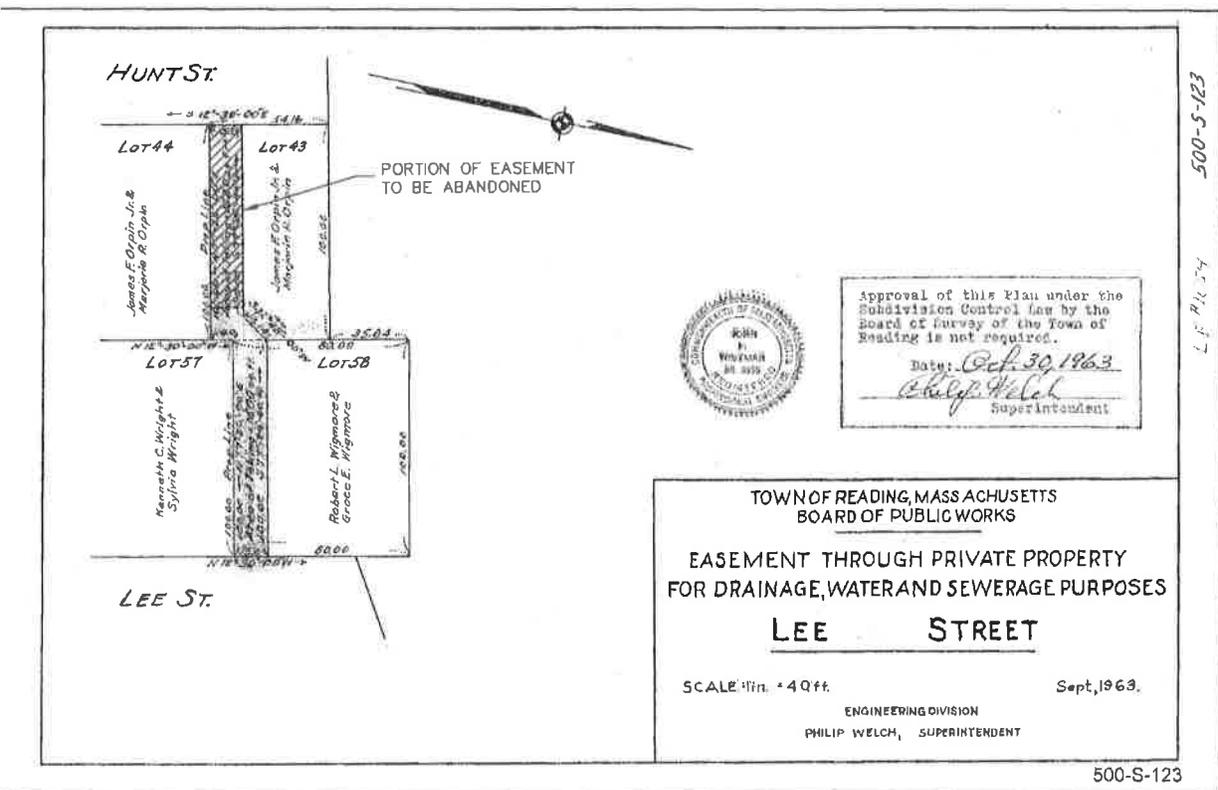
Board of Selectmen

Background: The Town currently has title and interest in an easement over the property located at 21 Hunt Street, Assessors Map 20, Parcel 253. The residents are proposing a new detached garage that will protrude into the existing easement.

In order for the residents to construct a new detached garage as planned, they have requested the abandonment of a portion of the easement.

The easement is occupied by an existing sewer main only, and if approved, the resulting easement area is of sufficient size to enable the Town to provide proper maintenance or repair of the sewer main. No additional utilities are proposed to occupy this easement in the future.

If approved the Town will release all right, title, and interest to approximately one thousand two hundred and seventy five (1275) square feet of the easement as depicted in the plan below.



Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016.

Bylaw Committee Report: No report.

56221

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 15 To see if the Town will vote, pursuant to Chapter 82, Section 21, of the *Massachusetts General Laws*, to discontinue the following portions of the private ways shown on a Plan of Land entitled "Plan of Chapman Park Situated in Reading Mass." prepared by James A. Bancroft, Surveyor, and dated November 1, 1911, recorded at the Middlesex Registry of Deeds Southern District as Plan 20 in Plan Book 206, to wit:

- Cold Spring Road from the easterly boundary line of Lot 46 to its intersection with Oakland Road, as shown on said Plan.
- Tower Road from Fair View Road (currently known as Grandview Road) to its intersection with Oakland Road, as shown on said Plan.
- Park Street from the southerly boundaries of Lots 9 and 10 to Tower Road, as shown on said Plan.
- Oakland Road from its intersection with Tower Road to its intersection with Cold Spring Road, as shown on said Plan.

or take any other action with respect thereto.

Board of Selectmen

Background: This Article is to discontinue portions of private ways which were originally laid out as part of the 1911 "Chapman Park" subdivision. Said portions of private ways have not been developed and the Town has no plan to develop a roadway in the future. Research has shown that the portions of private ways listed in the Article have no retained rights subsequently giving Town Meeting the power to discontinue under Massachusetts General Law. Town will assert ownership of the areas under the private ways upon their discontinuance. The referenced "Plan of Chapman Park" is below.

In November 2011 Town Meeting approved Article 17 with the same general intention by a 94-12 vote. However upon detailed legal review by current Town Counsel, the previous action by Town Meeting was incomplete. This Article will fully complete all steps needed to clear the paper roads from this parcel of land, in preparation for the next Article.

56+d 22



Finance Committee Report: No report.

Bylaw Committee Report: No report.

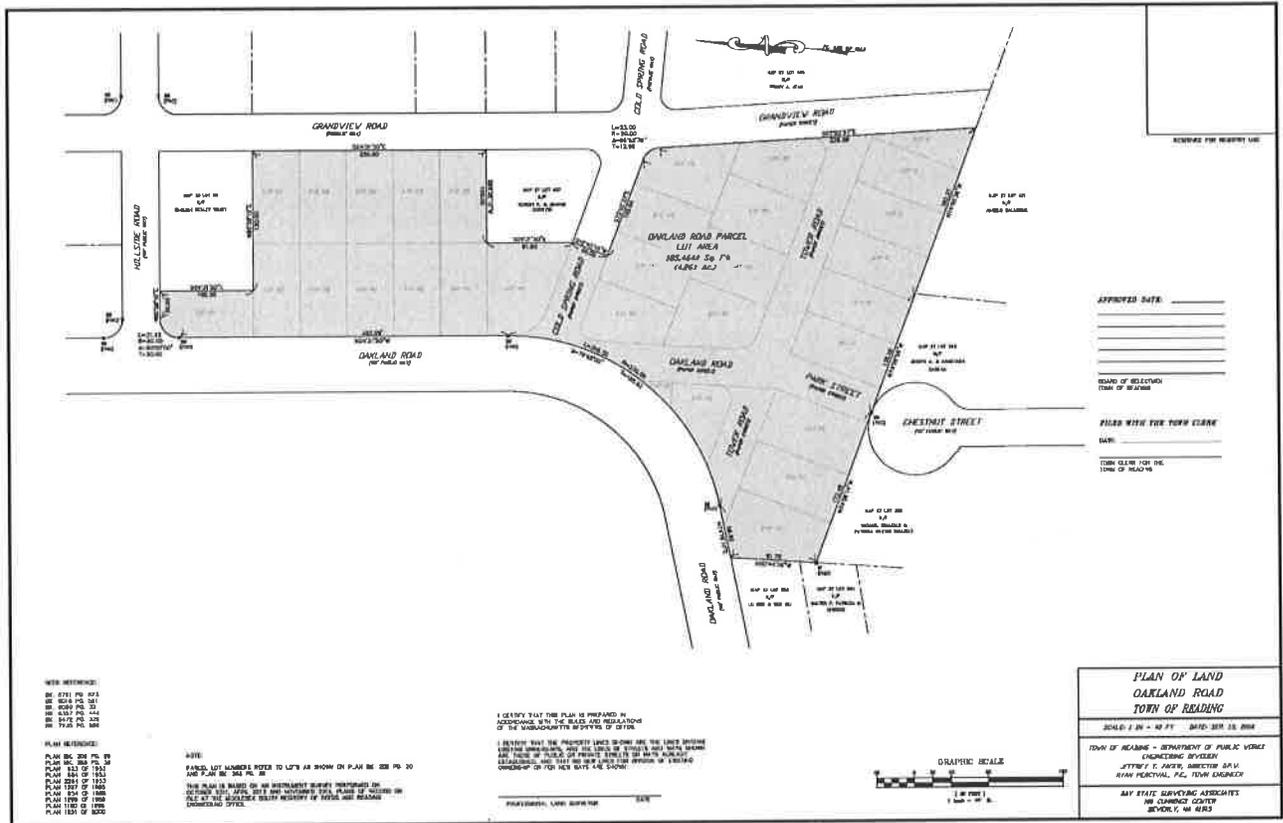
***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

ARTICLE 16 To hear the report of the School Committee or any other public body that the real property shown as "Oakland Road Parcel" on a plan of land entitled "Plan of Land Oakland Road Town of Reading," prepared by Town of Reading – Department of Public Works, Engineering Division, Jeffrey T. Zager, Director D.P.W., Ryan Percival, P.E., Town Engineer, dated September 13, 2016, is no longer required for public purposes; to see if the Town will vote, pursuant to Chapter 40, Section 15A, of the *Massachusetts General Laws*, to transfer the care, custody, management and control of said Oakland Road Parcel to the Board of Selectmen; and to see if the Town will vote, pursuant to Chapter 40, Section 3, of the *Massachusetts General Laws*, to authorize the Board of Selectmen, on behalf of the Town, to sell or otherwise dispose of said Oakland Road Parcel, under such terms as it may determine, or take any other action with respect thereto.

Board of Selectmen

56 + d 23

Background: This Article will authorize the Board of Selectmen to 'sell or otherwise dispose of' the town owned land on Oakland Road, as shown by the shaded portion of the following map:



In November 2011 Town Meeting approved Article 16 with the same general intention by a vote of 92-17 vote to transfer some of the land shown above from the Schools to the Town and also to authorize the Board of Selectmen to sell the land. Action by the Selectmen was delayed when the Schools indicated some interest in an Early Education facility two years ago, but after that the Selectmen indicated their desire to restart this process. Upon detailed legal review by current Town Counsel, the previous action by Town Meeting was also incomplete. This Article will fully complete all steps needed to allow the Selectmen to 'sell or otherwise dispose of' the land as had been intended five years ago.

The Board will establish a fully public process to allow the abutters, neighbors and other residents to express their views and follow a fully transparent process. Some local organizations have approached the Town Manager with some exciting ideas that may appear in front of the Board and the general public in the next few months.

Finance Committee Report: The Finance Committee recommends this Article by a vote of x-0-0 at their meeting on October 4, 2016.

Bylaw Committee Report: No report.

***Board of Selectmen Report:** The Board of Selectmen on October 4, 2016 voted x-0-0 to support this Article.

56+d24

ARTICLE 17 To see if the Town will vote to amend Article 1 of the General Bylaw by deleting section 1.4 therefrom in its entirety and inserting, in place thereof, the following:

1.4 Non-Substantive Alphanumeric Changes

With the concurrence of the Bylaw Committee, the Town Clerk shall be authorized to make non-substantive alphanumeric changes to the component provisions of this bylaw; provided, however, that each such change shall be identified by a footnote or other convention.

or take any other action with respect thereto.

Board of Selectmen

Background: The Town attempted to make this change in the Charter, but the Attorney General suggested that a general bylaw was the correct solution. This Article inserts the above language in place of existing language shown below, adds the 'alpha' component and removes archaic language referring to 'the Code'.

~~1.4 Renumbering of the General Bylaw
Non-substantive changes to the numbering of the various bylaws within the Code of the Town of Reading shall be permitted in order that the numbering of amendments thereto and other consequent renumbering changes resulting there from be in compliance with the numbering format of said Code.~~

Finance Committee Report: No report.

Bylaw Committee Report: The Bylaw Committee recommends this Article by a vote of 4-0-0 at their meeting on September 14, 2016.

ARTICLE 18 To see if the Town will vote to amend Article 6 of the General Bylaw by inserting a new Section 6.6 as follows:

6.6 Establishment of Revolving Funds

Pursuant to MGL Chapter 44 Section 53E1/2, the following individual revolving funds shall be authorized:

6.6.1 Conservation Commission Consulting Fee Revolving Fund

Funds held in the Conservation Commission Consulting Fee Revolving Fund shall be used for consulting and engineering services for the review of designs and engineering work for the protection of wetlands and shall be expended by the Conservation Commission. Receipts credited to this fund shall include fees collected pursuant to Section 7.1.14 of this Bylaw.

6.6.2 Inspection Revolving Fund

Funds held in the Inspection Revolving Fund shall be used for legal costs, oversight and inspection, plan review, property appraisals and appeals, public services general management, pedestrian safety improvements,

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records archiving, and other costs related to building, plumbing, wiring, gas and other permits required for large construction projects and shall be expended by the Town Manager. Receipts credited to this fund shall include building, plumbing, wiring, and gas fees.

6.6.3 Public Health Clinics and Services Revolving Fund

Funds held in the Public Health Clinics and Services Revolving Fund shall be used for materials and costs associated with clinics and public health programs and shall be expended by the Board of Health. Receipts credited to this fund shall include clinic fees, charges and third party reimbursements received from the operation of such public health clinics and services.

6.6.4 Library Materials Replacement Revolving Fund

Funds held in the Library Materials Replacement Revolving Fund shall be used for the acquisition of library materials to replace lost and damaged materials and shall be expended by the Library Director under the supervision of the Library Trustees. Receipts credited to this fund shall include charges for lost and damaged library materials.

6.6.5 Mattera Cabin Revolving Fund

Funds held in the Matera Cabin Revolving Fund shall be used for utilities, maintenance and operate expenses for the Mattera Cabin and shall be expended by the Public Services department head. Receipts credited to this fund shall include rental fees received from the operation of the Mattera Cabin.

6.6.6 Town Forest Revolving Fund

Funds held in the Town Forest Revolving Fund shall be used for planning and improvements to the Town Forest and shall be expended by the Director of Public Works upon the recommendation of the Town Forest Committee. Receipts credited to this fund shall include fees for use of the Town Forest and income from the sale of timber.

or take any other action with respect thereto.

Board of Selectmen

Background: On August 9, 2016 Governor Charlie Baker signed the "municipal modernization" bill into law. Last winter, the Baker Administration had proposed a wide-ranging set of changes which received broad support from state cities and towns. The Legislature eventually passed a compromise bill that retained many of the beneficial components in the final 253 sections of the legislation.

Under this legislation, the town is obliged to create a general bylaw that cites the revolving funds established under MGL Chapter 44 Section 53E1/2 as shown above. Town Meeting members may be familiar with this list as the Town has previously requested re-approval annually for these funds, their spending purposes, limits and authority.

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This portion of the legislation appears to be neither beneficial nor modern, as Town Meeting in April 2017 and annually thereafter will still need to grant such approval.

Finance Committee Report: No report.

Bylaw Committee Report: The Bylaw Committee recommends this Article by a vote of 4-0-0 at their meeting on September 14, 2016.

Board of Selectmen

ARTICLE 19 To see if the Town will vote to amend the General Bylaw by:

(1) Inserting a new row into the table in Section 1.8, to read as follows:

Bylaw Section:	7.9
Bylaw Title:	Stormwater Management and Erosion Control
Enforcing Person:	Planning Division Building Inspector
Penalty – First Offense:	\$100
Penalty – Second Offense:	\$300
Penalty – Additional Offenses:	\$300

and

(2) Inserting a new Section 7.9 into Article 7, to read as follows:

7.9 Stormwater Management and Erosion Control

7.9.1 Purpose

The harmful impacts of soil erosion and sedimentation include impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and overloading or clogging of municipal catch basins and storm drainage systems. Stormwater runoff from developed land uses can have these harmful impacts; it can also increase flooding and decrease groundwater recharge. The purpose of Section 7.9 is to provide for the health, safety and welfare of the citizens of the Town of Reading through the regulation of stormwater runoff from land disturbance and developed and redeveloped land uses.

The provisions of Section 7.9 shall be administered so as to:

- Require practices that reduce soil erosion and sedimentation, and control the volume and rate of stormwater runoff, resulting from land disturbance activities and developed land uses;
- Promote infiltration and the recharge of groundwater;
- Ensure that adequate soil erosion and sedimentation control measures and stormwater runoff control practices are incorporated into the site planning and design process and are implemented and maintained;

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- Require practices to control waste associated with construction activities, such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary wastes;
- Ensure adequate long-term operation and maintenance of stormwater management structures;
- Comply with the requirements of the Town of Reading's National Pollutant Discharge Elimination System (NPDES) permit for discharges from the municipal storm drain system; and
- Ensure compliance through inspection, monitoring, and enforcement.

7.9.2 Definitions

Unless the context clearly indicates otherwise, the following words and terms, as used in Section 7.9, shall have the following meanings:

7.9.2.1 Applicant

Any person requesting a Stormwater Permit.

7.9.2.2 Best Management Practice (BMP)

An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

7.9.2.3 Common Plan of Development (or Common Plan)

Any announcement or documentation (including a contract, public notice or hearing, advertisement, drawing, plan, or permit application) or physical demarcation (including boundary signs, lot stakes, survey or marking) indicating imminent or future plans to disturb earth, regardless of how long the plans will take to complete.

7.9.2.4 Construction and Waste Materials

Excess or discarded building or site materials at a construction site, including concrete truck washout, chemicals, litter and sanitary waste, that may adversely impact water quality.

7.9.2.5 Erosion

The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

7.9.2.6 Erosion and Sedimentation Control Plan

A document prepared by a qualified professional engineer or a Certified Professional in Erosion and Sedimentation Control, that specifies best management practices designed to control surface runoff, erosion and sedimentation during land-disturbing activities prior to or during construction.

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- 7.9.2.7 Grading**
Changing the level or shape of the ground surface.
- 7.9.2.8 Impervious Surface**
Any man-made material or structure on or above the ground that prevents water from infiltrating the underlying soil. Impervious Surfaces may include roads, paved parking lots, sidewalks, and rooftops.
- 7.9.2.9 Land-Disturbing Activity (or Disturbance of Land)**
Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.
- 7.9.2.10 Massachusetts Stormwater Management Standards**
The Stormwater Management Standards issued by the Massachusetts Department of Environmental Protection, aimed at encouraging recharge and preventing stormwater discharges from causing or contributing to the pollution of the surface waters or groundwater of the Commonwealth.
- 7.9.2.11 Municipal Storm Drain System (or Storm Drain System)**
The system of conveyances owned by the Town (including roads, catch basins, curbs, gutters, ditches, man-made channels, pipes, and outfalls) by which stormwater is collected or conveyed.
- 7.9.2.12 New Development**
Any construction activities or land alteration that disturbs one or more acres of land, on an area that does not contain Impervious Surfaces.
- 7.9.2.13 Operation and Maintenance Plan (O&M Plan)**
A plan establishing the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a Stormwater Management System.
- 7.9.2.14 Owner**
A Person with a legal or equitable interest in property.
- 7.9.2.15 Pollutant**
Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)), heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, and agricultural waste, and any other material that may cause or contribute to exceedance of

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water quality standards in the waters to which the Storm Drain System discharges.

7.9.2.16 Redevelopment

Any construction, land alteration or improvement of Impervious Surfaces that disturbs one or more acres of land, on an area that already contains Impervious Surfaces.

7.9.2.17 Runoff

Rainfall, snowmelt, or irrigation water flowing over the ground surface.

7.9.2.18 Sediment

Mineral or organic soil material that is transported, by wind or water, from its origin to another location.

7.9.2.19 Sedimentation

The process or act of deposition of sediment.

7.9.2.20 Site

Any parcel of land or area of property where land-disturbing activities are, were, or will be performed.

7.9.2.21 Soil

Any earth, sand, loam, clay, rock, gravel, or similar material.

7.9.2.22 Stabilization

The use, singly or in combination, of mechanical, structural, or vegetative methods, to prevent, reduce or slow erosion.

7.9.2.23 Stormwater

Any surface flow, runoff or drainage resulting entirely from any form of natural precipitation.

7.9.2.24 Stormwater Management Plan

A document containing sufficient information for the CPDC to evaluate the environmental impact, effectiveness and acceptability of the measures proposed by the applicant for reducing adverse post-construction impacts from stormwater, including controlling stormwater runoff and promoting infiltration.

7.9.3 Responsibility for Administration

The Community Planning and Development Commission (CPDC) shall administer, implement and enforce Section 7.9, with assistance from the Building Inspector. Any powers granted to or duties imposed upon the CPDC, except the power to hear appeals, may be delegated in writing by the CPDC to other employees or agents of the Town.

7.9.3.1 Rules and Regulations

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The CPDC may adopt, and periodically amend, rules and regulations to effectuate the purposes of Section 7.9 or to implement any post-construction design requirements of the Town's NPDES stormwater discharge permit. Failure by the CPDC to promulgate such rules and regulations shall not have the effect of suspending or invalidating the requirements of Section 7.9.

7.9.3.2 Waiver

The CPDC may waive strict compliance with any requirement of Section 7.9 or the rules and regulations promulgated hereunder, where such action is in the public interest and is not inconsistent with the purpose and intent of Section 7.9. In making this determination, the CPDC shall consider whether:

- The public health, safety, and the environment will be protected;
- Strict application of the requirement to be waived would undermine the public interest;
- Specific substitute requirements can be adopted that will result in the substantial protection of the Municipal Storm Drain System, and the rights of persons affected by the waiver; and
- The action made possible by the waiver will not violate the provisions of federal or state law, other applicable provisions of local bylaws or regulations, or the Town's NPDES stormwater discharge permit.

7.9.4 Applicability

7.9.4.1 Regulated Activities

Except as authorized by the CPDC in a stormwater permit or as provided in Section 7.9.4.2, no person shall perform any activity that results in disturbance of one or more acres of land or is part of a larger Common Plan of Development or sale that will ultimately disturb one or more acres of land.

7.9.4.2 Exempt Activities

The following activities are exempt from the requirements of Section 7.9:

- Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by MGL Chapter 131 Section 40 and 310 CMR 10.04;
- Normal maintenance of lawns and landscaping; and
- Activities that are subject to the jurisdiction of the Conservation Commission under Section 7.1 or MGL Chapter 131 Section 40 and its implementing regulations; demonstrate compliance with the Massachusetts Stormwater Management Standards, as reflected in an

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Order of Conditions; and are in compliance with the requirements of that Order of Conditions.

7.9.5 Permits and Procedure

7.9.5.1 Stormwater Permit Application

Prior to the commencement of any activity regulated by Section 7.9, a stormwater permit application shall be filed with the CPDC, including:

- A completed stormwater permit application Form with original signatures of all owners;
- An Erosion and Sediment Control Plan satisfying the requirements of Section 7.9.6;
- A Stormwater Management Plan satisfying the requirements of Section 7.9.7;
- An Operation and Maintenance Plan satisfying the requirements of Section 7.9.8; and
- Payment of any application fee established by the CPDC pursuant to Section 7.9.5.6.

7.9.5.2 Entry

Filing a stormwater permit application shall be deemed to grant the CPDC or its agent permission to enter the site to verify the information contained in the application.

7.9.5.3 Public Hearing

The CPDC shall hold a public hearing on each stormwater permit application that satisfies the requirements of Section 7.9.5.1. The hearing may be combined with the hearing for any other permit or approval for the same project that is within the jurisdiction of the CPDC. The CPDC shall accept comments on the application submitted by any person in writing or at the public hearing.

7.9.5.4 Information Requests

At any time after submission of the stormwater permit application, the CPDC or its designee may request additional information from the Applicant on the proposed activity. The CPDC shall not be required to act on the stormwater permit application until the requested information has been provided.

7.9.5.5 Action by the CPDC

After the close of the public hearing on the application, the CPDC may:

- Approve the stormwater permit application and issue a permit if it finds that the proposed activity will protect water resources and meet the objectives and requirements of Section 7.9;
- Approve the stormwater permit application and issue a permit with conditions, modifications or restrictions that the CPDC determines are required to ensure that the

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proposed activity will protect water resources and meet the objectives and requirements of Section 7.9; or

- Disapprove the stormwater permit application and deny the permit if it finds that the proposed activity will not protect water resources or will fail to meet the objectives and requirements of Section 7.9.
- Require the permittee to post, before the start of land disturbance activity, a surety bond, irrevocable letter of credit, cash, or other acceptable form of security. The bond shall be in a form acceptable to Town Counsel, and shall be in an amount deemed sufficient by the CPDC to ensure that the work will be completed in accordance with the permit.

7.9.5.6 Fee Structure

Each stormwater permit application shall be accompanied by the appropriate application fee established by the CPDC. In addition, the CPDC may retain a Registered Professional Engineer or other professional consultant to advise it on any aspects of the stormwater permit application. The CPDC may require the applicant to pay the reasonable costs of such engineer or consultant pursuant to rules promulgated by the CPDC pursuant to Section 7.9.3.1 and MGL Chapter 44 Section 53G. The CPDC shall not be required to act on the stormwater permit application until the costs of such engineer or consultant have been paid.

7.9.5.7 Project Changes

The permittee, or the permittee's agent, shall notify the CPDC in writing prior to any change or alteration of an activity authorized in a stormwater permit. If the CPDC determines that the change or alteration is significant, the permittee shall obtain an amended stormwater permit prior to implementation of the change or alteration.

7.9.6 Erosion and Sediment Control Plan

The Erosion and Sediment Control Plan shall contain sufficient information to describe the nature and purpose of the proposed activity, pertinent conditions of the site and adjacent areas, proposed erosion and sedimentation controls, and any other proposed pollution prevention measures.

7.9.6.1 Design Standards

The erosion and sediment control and pollution prevention measures set forth in the Erosion and Sediment Control Plan shall be designed to meet Standard 8 of the Massachusetts Stormwater Management Standards, minimize the total area of disturbance, and properly manage construction and waste materials.

7.9.6.2 Site Plan

The Erosion and Sediment Control Plan shall include a site plan, stamped and certified by a qualified Professional Engineer

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registered in Massachusetts or a Certified Professional in Erosion and Sediment Control, containing the following information:

- The names, addresses, and telephone numbers of the owner, the applicant, and the persons or firms who prepared the plan;
- Title, date, north arrow, scale, legend, and locus map;
- Locations of watercourses and water bodies;
- Lines of existing abutting streets showing drainage (including catch basins), driveway locations and curb cuts;
- Property lines showing the size of the entire site, and a delineation and number of square feet of the land area to be disturbed;
- Drainage patterns and approximate slopes anticipated after major grading activities (construction phase grading plans);
- The location and details of erosion and sediment control measures, including both structural and non-structural measures, interim grading, and material stockpiling areas;
- The location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other stabilization measures; and
- Such other information as is required by the CPDC.

7.9.7 Stormwater Management Plan

The Stormwater Management Plan shall contain sufficient information for the CPDC to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse post-construction impacts from stormwater. The Stormwater Management Plan shall fully describe the proposed activity in drawings and narrative.

7.9.7.1 Design Standards

The stormwater management measures set forth in the Stormwater Management Plan shall be designed to meet Standards 1-6 (for New Development) or Standard 7 (for Redevelopment) of the Massachusetts Stormwater Management Standards, as well as any post-construction design requirements adopted under Section 7.9.3.1.

7.9.7.2 Site Plan

The Stormwater Management Plan shall include a site plan, stamped and certified by a qualified Professional Engineer registered in Massachusetts, containing the following information:

- The names, addresses, and telephone numbers of the owner, the applicant, and the persons or firms who prepared the plan;
- Title, date, north arrow, scale, legend, and locus map;
- The site's existing and proposed topography with contours at 2-foot intervals;

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- Existing site hydrology, including any existing stormwater conveyances or impoundments;
- Estimated seasonal high groundwater elevation (November to April) in areas to be used for stormwater retention, detention, or infiltration;
- The existing and proposed vegetation and ground surfaces with runoff coefficient for each;
- A drainage area map showing pre- and post-construction watershed boundaries, drainage area and stormwater flow paths;
- Drawings of all components of the proposed drainage system; and
- Such other information as is required by the CPDC.

7.9.8 Operation and Maintenance Plan

Each parcel shall have its own O&M Plan, setting forth operation and maintenance measures designed to ensure that all aspects of the stormwater management system operate as designed throughout the life of the system. The O&M Plan shall remain on file with the CPDC and shall be an ongoing requirement, enforceable against the owner of the parcel to which it applies, pursuant to the provisions of Section 7.9.11.

7.9.8.1 Contents

The O&M Plan shall include:

- The name of each owner of the parcel for which the O&M Plan is being submitted;
- Maintenance specifications, including a schedule, for all drainage structures, including swales and ponds, and any other component of the stormwater system that requires maintenance; and
- The signature of each owner.

7.9.8.2 BMPs Serving More Than One Lot

In the case of stormwater BMPs that are serving more than one parcel, the applicant shall include a mechanism to ensure that those BMPs are properly operated and maintained. The applicant shall identify the lots or units that will be serviced by the proposed stormwater BMPs. The applicant shall also provide a copy of the legal instrument (deed, declaration of trust, articles of incorporation, etc.) that establishes the terms of and legal responsibility for the operation and maintenance of stormwater BMPs. In the event that the stormwater BMPs will be operated and maintained by an entity or person other than the sole owner of the lot upon which the BMPs are placed, the applicant shall provide a plan and easement deed that provides a right of access for the entity or person to be able to perform said operation and maintenance functions.

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7.9.8.3 Recording

The CPDC shall, as a condition of any Stormwater Permit, require that notice of the associated O&M Plan be recorded with the Registry of Deeds (for recorded land) or filed with the Registry District of the Land Court (for registered land).

7.9.8.4 Annual Report

The CPDC may, as a condition of any Stormwater Permit, require that the property owner submit an annual report documenting maintenance activities.

7.9.8.5 Changes to Operation and Maintenance Plans

7.9.8.5.1 The owner of a parcel to which an O&M Plan applies shall notify the CPDC prior to any proposed change in ownership of the parcel.

7.9.8.5.2 In the case of a stormwater BMP that serves more than one lot, the owners of the parcels served by the BMP must obtain CPDC approval for any change to the entity or person operating or maintaining the BMP or the legal instrument that establishes terms and legal responsibility for the operation and maintenance of the BMP.

7.9.8.5.3 The O&M Plan may be amended to achieve the purposes of Section 7.9 by mutual agreement of the CPDC and the parcel owners; provided, however, that all such amendments shall be in writing and signed by all owners and the CPDC.

7.9.9 Inspections, As-Built Plan and Access

7.9.9.1 CPDC Inspection

The CPDC or its designated agent may make inspections to assess compliance with the Stormwater Permit. The CPDC may require the applicant to notify the CPDC before significant site milestones, such as installation of erosion and sediment control measures or completion of site clearing.

7.9.9.2 Permittee Inspections

The CPDC may require the permittee or an agent thereof to conduct and document periodic inspections of all control measures before, during or after construction and to submit reports of the results of such inspections to the CPDC.

7.9.9.3 As-Built Plan

After the stormwater management system has been constructed and before the surety has been released, the applicant must submit to the CPDC a record plan detailing the actual stormwater management system as installed.

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7.9.10 Surety

Upon receipt of an As-Built Plan demonstrating compliance with the terms and conditions of the stormwater permit, the CPDC may release any surety required pursuant to Section 7.9.5.5. If the project is phased, the CPDC may release part of such surety as each phase is completed in compliance with the stormwater permit.

7.9.11 Enforcement

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of Section 7.9. The CPDC and its authorized agents shall enforce Section 7.9 and may pursue all civil and criminal remedies for violations.

7.9.11.1 Enforcement Orders

If any person violates or fails to comply with any of the requirements of Section 7.9, the CPDC may order compliance by written notice to the responsible person via certified mail or hand delivery. The order shall include the name and address of the alleged violator, the address at which the violation is occurring or has occurred, a statement specifying the nature of the violation, a description of the actions needed to resolve the violation and come into compliance, the deadline within which such actions must be completed, and a statement that, if the violator fails to come into compliance by the specified deadline, the Town may do the work necessary to resolve the violation at the expense of the violator. In addition, said order may require:

- Cessation of regulated activity until compliance is achieved;
- Maintenance, installation or performance of additional erosion and sediment control measures;
- Repair, maintenance or replacement of the stormwater management system or portions thereof in accordance with the stormwater permit and/or the O&M Plan;
- Monitoring, analyses, and reporting; and
- Remediation of erosion, sedimentation, or any other adverse impact resulting directly or indirectly from failure to comply with the Erosion and Sediment Control Plan, the Stormwater Management Plan, the O&M Plan, or any other terms or conditions of a stormwater permit or Section 7.9.

7.9.11.2 Appeals

Any person aggrieved by an enforcement order issued pursuant to Section 7.9.11.1 may request a hearing before the CPDC by submitting to the CPDC, within 30 days of such order, a letter explaining why the order was not justified. The CPDC shall thereupon schedule and hold a hearing regarding such request and, upon the close of such hearing, may uphold, modify or rescind the order as the facts and applicable law may require. The CPDC's decision shall be deemed its final action with respect

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to the matters determined, and any further appeal shall be to a court of competent jurisdiction.

7.9.11.3 Action by the Town to Remedy a Violation

If a violator fails to come into compliance by the deadline specified in an enforcement order, the CPDC may undertake the work necessary to resolve the violation at the joint and several expense of the violator and property owner. For situations involving an immediate threat, the CPDC may immediately take such action as is necessary to protect public health, safety or the environment, without first issuing an enforcement order. Written notice of any remediation action undertaken by the CPDC shall be provided to the property owner within 24 hours of the commencement thereof.

7.9.11.4 Recovery of Costs

If the CPDC undertakes remediation work pursuant to Section 7.9.11.3, it shall, within 30 days after completing the work, notify the violator and the property owner in writing of the costs incurred by the Town, including administrative costs, associated with that work. The violator and the property owner shall be jointly and severally liable to repay the Town for those costs within 30 days of receipt of that notice; provided, however, that the violator or the property owner may file a written protest objecting to the amount or basis of costs with the CPDC within such 30 days. The CPDC shall schedule and hold a hearing regarding such protests and, upon the close of such hearing, may uphold, modify or rescind the costs required to be repaid, as the facts and applicable law may require.

If the amount due is not received by the Town by the expiration of the time in which to file such a protest, or within 60 after the final decision of the CPDC or, if appealed to court, a court of competent jurisdiction resolving that protest, the amount of the Town's costs shall constitute a lien on the property pursuant to MGL Chapter 40 Section 58. Interest shall accrue on any unpaid costs at the statutory rate, as provided in MGL Chapter 59 Section 57.

7.9.11.5 Civil Relief

If a person violates any provision of Section 7.9 or an order issued thereunder, the Board of Selectmen may seek injunctive relief in a court of competent jurisdiction restraining the person from activities that would create further violations or compelling the person to abate or remedy the violation.

7.9.11.6 Criminal Penalty

Any person who violates any provision of Section 7.9 or any order issued thereunder may be punished by a fine of not more than \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. A criminal

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complaint may be filed by the CPDC, with the authorization of the Board of Selectmen.

7.9.11.7 Non-Criminal Disposition (Ticketing)

As an alternative to criminal prosecution, the employees of the Planning Division or the Building Inspector may elect to utilize the non-criminal disposition procedure set forth in Section 1.8. The penalty for the first violation shall be \$100.00. The penalty for each subsequent violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

7.9.11.8 Entry to Perform Duties Under this Bylaw

To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Town and its agents, officers and employees may enter privately owned property for the purpose of performing their duties under this Bylaw and may make or cause to be made such examinations, surveys, sampling, or remedial activities as the Town deems reasonably necessary.

7.9.11.9 Remedies Not Exclusive

The remedies listed in Section 7.9 are not exclusive of any other remedies available under any applicable federal, state or local law.

or take any other action with respect thereto.

Board of Selectmen

Background: CPDC at their meeting on October 17, 2016 will discuss this Article, and decide if they wish to request a postponement to Annual Town Meeting in April 2017. Taking up this Article at that Town Meeting will allow the Town to be in compliance with an important September 2017 federal deadline.

Finance Committee Report: No report.

Bylaw Committee Report: Action pending.

ARTICLE 20 To see if the Town will vote to amend Article 8 of the General Bylaw by inserting a new Section 8.5.1 as follows:

8.5.1 Department of Public Works

There shall be a Department of Public Works responsible for the performance of all public works activities of the Town placed under its control by statute, bylaw, or otherwise, including the protection of natural resources, water supply and distribution, sanitary sewers and sewerage systems, stormwater drains and sewers, streets and roads, public off-street parking facilities as well as parking lots for municipal buildings, parks and playgrounds, refuse collection and disposal, forestry services, and cemetery services.

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8.5.1.1 Director of Public Works

The Department of Public Works shall be under the direct control of a Director of Public Works, who shall be appointed by, and directly responsible to the Town Manager. The Director of Public Works shall serve at the pleasure of the Town Manager and shall be a professionally qualified person of proven ability, especially fitted by education, training, and previous experience to perform the duties of the office. The Director of Public Works shall be responsible for the supervision and coordination of all divisions within the Department of Public Works.

8.5.1.2 Policy Formation

The Board of Selectmen, acting through the Town Manager, shall be responsible for the establishment of policies and priorities to govern the operation of the Department of Public Works. The Board of Selectmen may adopt rules and regulations setting fees and establishing procedures for the performance of public works activities, as it deems necessary or appropriate.

and by renumbering subsequent provisions of Section 8.5 accordingly; or take any other action with respect thereto.

Board of Selectmen

Background: As part of the recent Charter changes, the town removed historic references to the Public Works department, which was the only town department explicitly mentioned in the document. This reference had served as a transition from the former Board of Survey from what is now almost 30 years ago.

The former Charter language, which is shown below in italics, has been modernized but otherwise closely replicated as the suggested general bylaw in this Article.

6-3 Department of Public Works

- (a) *Establishment and Scope – There shall be a Department of Public Works responsible for the performance of all public works activities of the Town placed under its control by the Charter, by bylaw, by administrative code or otherwise including, but not limited to, protection of natural resources, maintenance of all municipal buildings and grounds except those of the School and Municipal Light Departments, water supply and distribution, sewers and sewerage systems, streets and roads, parks and playgrounds, refuse collection and disposal, forestry services, and cemetery services.*

The Department of Public Works shall assume all of the duties and responsibilities in the performance of public works functions including, but not limited to, those performed prior to the adoption of the Charter by or under the authority of the Department of Public Works.

- (b) *Director of Public Works – The Department of Public Works shall be under the direct control of a Director of Public Works who shall be appointed by and who shall be directly responsible to the Town Manager. The Director of Public Works shall serve at the pleasure of the Town Manager. He shall be a person especially fitted by education, training and previous experience to perform the duties of the office.*

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The Director of Public Works shall be responsible for the supervision and coordination of all divisions within the department in accordance with State statutes, Town bylaws, administrative code and directives of the Town Manager.

- (c) **Policy Formulation** – *The Board of Selectmen, acting through the Town Manager, shall be responsible for the overall supervision of the Department of Public Works and for the establishment of policies and priorities to govern the operation of the department.*

The Board of Selectmen shall have the same power to adopt rules and regulations and grant licenses previously given by law to the Department of Public Works and its predecessor water, sewer and park commissions.

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

Finance Committee Report: No report.

Bylaw Committee Report: The Bylaw Committee recommends this Article by a vote of 4-0-0 at their meeting on September 14, 2016.

ARTICLE 21 To see if the Town will vote to amend Article 8 of the General Bylaw by inserting a new Section 8.5.3 as follows:

8.5.3 Temporary Repairs on Private Ways

The Town may make temporary repairs to private ways that have been open to the public for at least the previous ten years, as required for the public health or safety, the protection of the environment, or the public convenience and necessity. As used in Section 8.5.3, the term “private way” shall not include driveways, common driveways, parking lots, and ways to which the public does not have access.

8.5.3.1 Type and Extent of Repair

Temporary repairs made pursuant to Section 8.5.3 may include

- Filling or patching of potholes or cracks;
- Grading and leveling of surfaces;
- Oiling and tarring of road surfaces and the covering of the oil or tar with sand or gravel;
- Installation of guardrails or other infrastructure;
- Installation of stormwater drainage infrastructure;
- Cleaning of catch basins and drainage structures;
- Skimcoating or armor coating of road surfaces;
- Reconstructing a way, including the removal of roadway surface and the regrading and installation of fill and roadway surface materials, including asphalt and concrete; and
- Any other temporary repair deemed necessary to protect public safety.

8.5.3.2 Minor Repairs

The Department of Public Works may make minor temporary repairs to eligible private ways; provided, however, that all minor repairs made to a single private way shall be subject to prior approval of the Town Manager.

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8.5.3.3 Petition

Except as provided in Section 8.5.3.2, the Town may make temporary repairs to eligible private ways only if:

- CPDC or the Director of Public Works petitions the Board of Selectmen to make repairs, and the record owners of at least two-thirds of the lots abutting the portion of the private way to be repaired have assented in writing to the repairs; or
- The record owners of at least two-thirds of the lots abutting the portion of the private way to be repaired petition the Board of Selectmen to make repairs.

Upon receipt of a petition submitted pursuant to Section 8.5.3.3, the Board of Selectmen shall request that the Director of Public Works make an investigation of the condition of the private way and report the results of that investigation to the Board of Selectmen.

8.5.3.4 Hearing

Upon receipt of the report of the Director of Public Works pursuant to Section 8.5.3.3, the Board of Selectmen shall hold a public hearing on the petition. The record owners of all lots abutting the portion of the private way to be repaired shall be given written notice of the hearing not less than seven days prior thereto.

8.5.3.5 Public Convenience and Necessity

Following the public hearing held pursuant to Section 8.5.3.4, the Board of Selectmen may authorize temporary repairs to an eligible private way upon a finding that the requested repairs are required for the public health or safety, the protection of the environment, or the public convenience and necessity. In making this determination the Board shall consider:

- The accessibility of the properties abutting the private way to emergency vehicles such as police, fire, ambulance, or other rescue vehicles;
- The volume of traffic that utilizes the private way;
- Any other factors deemed appropriate by the Board.

8.5.3.6 Repair Costs

The Board of Selectmen may authorize repairs pursuant to Section 8.5.3.5 only if the necessary funds therefor have been appropriated or otherwise made available to the Town. If a Town Meeting has made an appropriation specifically for temporary repairs of a specified private way, the Town shall assess betterments pursuant to MGL Chapter 80 to recover the entire direct and indirect costs of such repairs from the record owners of all lots abutting the portion of the private way to be repaired, with all such owners sharing equally. Payment of said betterment may be made in not more than 20 equal annual installments.

8.5.3.7 Easements

If any easement is necessary for the completion of temporary repairs authorized pursuant to Section 8.5.3.6, the record owners of all lots abutting the portion of the private way to be repaired and the owners of

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any land or interest in land upon which such easement would be required, shall be jointly and severally responsible for the cost of the preparation and the grant of such easement to the Town.

8.5.3.8 Standard of Work and Maintenance

All temporary repairs to private ways made pursuant to Section 8.5.3 shall be performed in accordance with standards established by the Department of Public Works. No such temporary repair shall be deemed to impose a duty or obligation on the Town to maintain or further repair the private way thereafter.

8.5.3.9 Acceptance of Private Ways

No temporary repair to a private way made pursuant to Section 8.5.3 shall be deemed to constitute an acceptance by the Town of the way as a public way.

8.5.3.10 Liability of Town

There shall be a \$500 limitation per occurrence on the Town's liability for any damages arising from any negligent repair of a private way pursuant to Section 8.5.3.

and by renumbering subsequent provisions of Section 8.5 accordingly; or take any other action with respect thereto.

Board of Selectmen

Background: At a recent Town Meeting, some private ways were accepted as public roads. In doing the research needed for this relatively straightforward action by Town Meeting, Town Counsel discovered that the town had never adopted a general bylaw to allow it to make repairs to private roads, as it has for hundreds of years. In general, these repairs done previously allowed safe access by emergency vehicles, such as ambulance, police and fire equipment.

Minor repairs require approval by the Town Manager, and their costs may be absorbed by the existing annual budget of the DPW. More extensive repairs have a process described beginning in Section 8.5.3.3. The betterment process cited is similar as is currently used by the Board of Selectmen to accept a private road as public, after making improvements. However in this case, the betterments will only make the road safe for emergency vehicle passage, and the road will remain private.

Finance Committee Report: No report.

Bylaw Committee Report: The Bylaw Committee recommends this Article by a vote of 4-0-0 at their meeting on September 14, 2016.

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ARTICLE 22 To see if the Town will vote to amend Article 8 of the General Bylaw by inserting a new Section 8.5.9 as follows:

8.5.9 Stormwater Utility

Pursuant to MGL Chapter 83 Section 16, the Board of Selectmen shall establish annual stormwater utility fees for the use of main drains and related stormwater facilities.

8.5.9.1 Establishing the Stormwater Utility Fee

The Board of Selectmen shall, from time to time, establish procedures for the calculation of the stormwater utility fee, which shall be calculated to supplement other available funds as may be necessary to plan, construct, operate and maintain stormwater facilities and to conduct stormwater programs. The Board of Selectmen may also establish a grant credit program for those property owners who maintain on-site functioning retention and detention basins or other filtration structures. Any stormwater utility fee shall be assessed in a fair and equitable manner.

8.5.9.2 Stormwater Enterprise Fund

All stormwater utility fees received shall be deposited into a Stormwater Enterprise Fund, and may be applied to the payment of the cost of maintenance and repairs of such main drains and related stormwater facilities or of any debt contracted for such facilities.

or take any other action with respect thereto.

Board of Selectmen

Background: This general bylaw adds language that exactly describes the current practices used under the existing Storm Water Enterprise Fund (SWEF), and indeed no changes to those practices are anticipated. Those practices are exactly as described to Town Meeting when the SWEF was established.

Other communities that have since adopted SWEFs use a wide variety of fee calculations. Codifying the town's current practices into a general bylaw seemed appropriate, whereas previously they had only been described to Town Meeting when the SWEF was formed,

Finance Committee Report: No report.

Bylaw Committee Report: The Bylaw Committee recommends this Article by a vote of 4-0-0 at their meeting on September 14, 2016.

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ARTICLE 23 To see if the Town will vote to amend the General Bylaw by:

(1) Inserting a new row into the table in Section 1.8 of Article 1, to read as follows:

Bylaw Section:	8.12
Bylaw Title:	Illicit Connections and Discharges into Municipal Storm Drain System
Enforcing Person:	Department of Public Works Board of Selectmen
Penalty – First Offense:	\$100
Penalty – Second Offense:	\$300
Penalty – Additional Offenses:	\$300

and

(2) Inserting a new Section 8.12 in Article 8, to read as follows:

8.12 Illicit Connections and Discharges into Municipal Storm Drain System

8.12.1 Purpose

Non-stormwater discharges into the Municipal Storm Drain System can harm water quality and create public health hazards. The purpose of Section 8.12 is to provide for the health, safety, and welfare of the citizens of the Town of Reading through the regulation of non-stormwater discharges into the Municipal Storm Drain System.

The provisions of Section 8.12 shall be administered so as to:

- Prevent pollutants from entering the Municipal Storm Drain System;
- Prohibit illicit connections and illicit discharges into the storm drain system;
- Comply with the requirements of the Town's National Pollutant Discharge Elimination System (NPDES) permit for discharges from the municipal storm drain system; and
- Ensure compliance through inspection, monitoring, and enforcement.

8.12.2 Definitions

Unless the context clearly indicates otherwise, the following words and terms, as used in Section 8.12, shall have the following meanings:

8.12.2.1 Hazardous Material

Any solid or liquid substance or combination of substances, including any liquid petroleum products that, because of quantity, concentration or physical, chemical or infectious characteristics, poses a significant present or potential hazard to water supplies or to human health if disposed of into or on any land or water. Any substance deemed to be a "hazardous waste" pursuant to MGL Chapter 21C, or deemed to be a toxic or hazardous substance

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pursuant to MGL Chapter 94B shall be deemed to be a hazardous material.

8.12.2.2 Illicit Connection

Any drain or conveyance, whether on the surface or subsurface, that allows an Illicit Discharge into enter the Municipal Storm Drain System, regardless of whether the drain or connection was previously allowed, permitted or approved before the effective date of Section 8.12. An Illicit Connection shall include:

- Any conveyance that allows sewage, process wastewater, wash water or other non-stormwater discharge into the Storm Drain System; and
- Any connection to the Storm Drain System from indoor drains and sinks.

8.12.2.3 Illicit Discharge

Any direct or indirect non-stormwater discharge, including dumping, into the Municipal Storm Drain System. The following non-stormwater discharges shall not be considered Illicit Discharges:

- Water line flushing; landscape irrigation; diverted stream flows; rising ground waters; uncontaminated groundwater infiltration (as defined by 40 CFR 35.2005(20)); uncontaminated pumped groundwater; discharges from potable water sources; foundation drains; air conditioning condensation; irrigation water; springs; water from crawl space pumps; footing drains; lawn watering; individual resident car washing; flows from riparian habitats and wetlands; dechlorinated swimming pool discharges; street wash water; residential building wash waters without detergents; and discharges or flow from firefighting; unless the DPW or the Board of Selectmen determines that the discharge is a significant contributor of pollutants to the Municipal Storm Drain System;
- Discharges associated with dye testing, provided, however, that the discharger shall notify the DPW before any such test; and
- Discharges permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger under the authority of the U.S. Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and that written approval has been granted by the DPW for any discharge to the Municipal Storm Drain System.

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8.12.2.4 Municipal Storm Drain System (or Storm Drain System)

The system of conveyances owned by the Town (including roads, catch basins, curbs, gutters, ditches, man-made channels, pipes, and outfalls) by which stormwater is collected or conveyed.

8.12.2.6 Pollutant

Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§2011 *et seq.*), heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, and agricultural waste, and any other material that may cause or contribute to exceedance of water quality standards in the waters to which the Storm Drain System discharges.

8.12.2.7 Stormwater

Any surface flow, runoff or drainage resulting entirely from any form of natural precipitation.

8.12.3 Responsibility for Administration

The Department of Public Works (DPW) and Board of Selectmen shall administer, implement, and enforce the provisions of Section 8.12. Any powers granted to the DPW or the Board of Selectmen, except the power to hear appeals, may be delegated in writing in writing by (respectively) the DPW Director or the Board of Selectmen to other employees or agents of the Town.

8.12.4 Prohibitions

8.12.4.1 Prohibition of Illicit Discharges

No person shall commence, allow, conduct or continue any Illicit Discharge.

8.12.4.2 Prohibition of Illicit Connections

No person shall construct, use, allow, maintain or continue any Illicit Connection, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

8.12.4.3 Prohibition of Obstruction of Municipal Storm Drain System

No person shall obstruct or interfere with the normal flow of stormwater into or out of the Municipal Storm Drain System without prior written approval from the DPW.

8.12.5 Notification of Releases

Any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, who has information of

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any known or suspected release of materials at that facility or operation that are resulting or may result in Illicit Discharges shall take all necessary steps to ensure the discovery, containment and cleanup of such release. In the event of a release of Hazardous Material, that person shall immediately notify the Reading Fire Department and shall notify the DPW within two hours. In the event of a release not involving Hazardous Material, that person shall notify the DPW no later than the next business day. For all releases, the initial notification shall be confirmed by written notice addressed and mailed to the DPW within two business days.

8.12.6 Enforcement

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of Section 8.12. The DPW, the Board of Selectmen, and their authorized agents, shall enforce Section 8.12 and may pursue all civil and criminal remedies for violations.

8.12.6.1 Enforcement Orders

If any person violates or fails to comply with any of the requirements of Section 8.12, the CPDC may order compliance by written notice to the responsible person via certified mail or hand delivery. The order shall include the name and address of the alleged violator, the address at which the violation is occurring or has occurred, a statement specifying the nature of the violation, a description of the actions needed to resolve the violation and come into compliance, the deadline within which such actions must be completed, and a statement that, if the violator fails to come into compliance by the specified deadline, the Town may do the work necessary to resolve the violation at the expense of the violator. In addition, said order may require:

- Elimination of Illicit Connections or Illicit Discharges;
- Performance of monitoring, analyses and reporting;
- Remediation of contamination caused by the Illicit Connection or Illicit Discharge; and
- The implementation of source control or treatment measures.

8.12.6.2 Appeals

Any person aggrieved by an enforcement order issued pursuant to Section 8.12.6.1 may request a hearing before the Board of Selectmen by submitting to the DPW and Board of Selectmen, within 30 days of such order, a letter explaining why the order was not justified. The Board of Selectmen shall thereupon schedule and hold a hearing regarding such request and, upon the close of such hearing, may uphold, modify or rescind the order as the facts and applicable law may require. The Board of Selectmen's decision shall be deemed its final action with respect to the matters determined, and any further appeal shall be to a court of competent jurisdiction.

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8.12.6.3 Action by the Town to Remedy a Violation

If a violator fails to come into compliance by the deadline specified in an enforcement order, the DPW may do the work necessary to resolve the violation at the joint and several expense of the violator and property owner. For situations involving an immediate threat, the DPW may remove an Illicit Connection immediately and take such other action as is necessary to protect public health, safety or the environment. Written notice of any remediation action undertaken by the DPW shall be provided to the property owner by hand within 48 hours of the commencement thereof or by certified mail postmarked no later than the next business day.

8.12.6.4 Recovery of Costs

If the DPW undertakes remediation work pursuant to Section 8.12.6.3, it shall, within 30 days after completing the work, notify the violator and the property owner in writing of the costs incurred by the Town, including administrative costs, associated with that work. The violator and the property owner shall be jointly and severally liable to repay the Town for those costs within 30 days of receipt of that notice; provided, however, that the violator or the property owner may file a written protest objecting to the amount or basis of costs with the DPW and Board of Selectmen within such 30 days. The Board of Selectmen shall schedule and hold a hearing regarding such protests and, upon the close of such hearing, may uphold, modify or rescind the costs required to be repaid, as the facts and applicable law may require.

If the amount due is not received by the Town by the expiration of the time in which to file such a protest, or within 60 after the final decision of the Board of Selectmen or, if appealed to court, a court of competent jurisdiction resolving that protest, the amount of the Town's costs shall constitute a lien on the property pursuant to MGL Chapter 40 Section 58. Interest shall accrue on any unpaid costs at the statutory rate, as provided in MGL Chapter 59 Section 57.

8.12.6.5 Civil Relief

If a person violates any provision of Section 8.12 or an order issued thereunder, the Board of Selectmen may seek injunctive relief in a court of competent jurisdiction restraining the person from activities that would create further violations or compelling the person to abate or remedy the violation.

8.12.6.6 Criminal Penalty

Any person who violates any provision of Section 8.12 or any order issued thereunder may be punished by a fine of not more than \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. A criminal complaint may be filed by the DPW or Board of Selectmen, with the authorization of the Board of Selectmen.

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3.3.6 Permanent Building Committee

There shall be a Permanent Building Committee consisting of five (5) Permanent Members and, except as otherwise provided herein, up to two (2) Temporary Members for each project that the Permanent Building Committee undertakes. Permanent and Temporary Members of the Permanent Building Committee shall be appointed by an Appointment Committee consisting of the Chair of the Board of Selectmen, the Chair of the School Committee and the Town Moderator.

Permanent Members shall be volunteers having practical experience and skills in professions that concentrate on the design, construction, management and/or financing of commercial / institutional buildings such as architects; civil engineers; structural engineers; mechanical, electrical and plumbing engineers, building contractors, project managers, property managers, attorneys and building tradespersons. The terms shall be so arranged that as nearly an equal number of terms as possible shall expire each year.

Temporary Members may be appointed for each individual project that the Permanent Building Committee undertakes. Temporary Members shall have the same participation and voting rights as Permanent Members on matters affecting the particular project for which they were appointed. Temporary Members shall be registered voters of the Town, selected by the Board or Committee that proposes a particular building or renovation project (the "Sponsoring Agency") and shall serve only for the time during which the Permanent Building Committee is exercising its functions with respect to such project. In the event that a particular project is subject to participant requirements of a state funding authority, the Appointment Committee may appoint additional members to the Permanent Building Committee for that particular project; provided, however, that, in no event, shall the aggregate number of Permanent and Temporary Members with full voting rights for a particular project exceed nine (9). Quorum requirements for the Permanent Building Committee shall be the majority of the Permanent and Temporary Members for a particular project.

The Permanent Building Committee shall be responsible for the oversight and management of all major municipal and school building design studies and construction projects having expected aggregate costs exceeding two million dollars (\$2,000,000). The Permanent Building Committee's jurisdiction shall not extend to projects of the Reading Municipal Light Department. The Permanent Building Committee shall present all such projects to the Finance Committee for consideration of funding options and shall sponsor and present all such projects to Town Meeting for its consideration and approval of funding.

The Permanent Building Committee shall work with the School Committee, the Board of Selectmen and any other Sponsoring Agency. The Sponsoring Agency shall notify the Permanent Building Committee of its intention to undertake any such projects within eight (8) calendar days of a positive vote or general affirmation to do so.

The Permanent Building Committee shall work with the Director of Facilities to compile an inventory of the physical condition and anticipated repairs and renovations of all existing municipal buildings and will summarize its findings in an annual report to Town Meeting.

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3.3.6 **Permanent Building Committee**

[1] There shall be a Permanent Building Committee consisting of five (5) Permanent Members and Associate Members as allowed by the General Bylaws and, except as otherwise provided herein, up to two (2) Temporary Members for each Project that the Permanent Building Committee undertakes.

Permanent and Associate Temporary Members of the Permanent Building Committee shall be appointed by an Appointment Committee consisting of the Chair of the Board of Selectmen, the Chair of the School Committee and chaired by the Town Moderator.

[2] Permanent and Associate Members shall be volunteers having practical experience and skills in professions that concentrate on the design, construction, management and/or financing of commercial / institutional buildings such as architects; civil engineers; structural engineers; mechanical, electrical and plumbing engineers; building contractors; project managers; property managers; attorneys and building tradespersons. The terms shall be so arranged that as nearly an equal number of terms as possible shall expire each year.

Temporary Members may be appointed for each individual project that the Permanent Building Committee undertakes. Temporary Members shall have the same participation and voting rights as Permanent Members on matters affecting the particular project for which they were appointed. Temporary Members shall be registered voters of the Town, selected by the Board or Committee that proposes a particular building or renovation project (the "Sponsoring Agency") and shall serve only for the time during which the Permanent Building Committee is exercising its functions with respect to such project. In the event that a particular project is subject to participant requirements of a state funding authority, the Appointment Committee may appoint additional members to the Permanent Building Committee for that particular project; provided, however, that, in no event, shall the aggregate number of Permanent and Temporary Members with full voting rights for a particular project exceed nine (9). Quorum requirements for the Permanent Building Committee shall be the majority of the Permanent and Temporary Members for a particular project.

[6] The Permanent Building Committee shall work with the Director of Facilities to compile an inventory of the physical condition and anticipated repairs and renovations of all existing municipal buildings and will summarize its findings in an annual report to Town Meeting.

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[4] The Permanent Building Committee shall evaluate project applications forwarded by the School Committee, the Board of Selectmen and the Library Board of Trustees ("Sponsoring Agency"). The Permanent Building Committee shall be responsible for the oversight and management of review and administer all major municipal and school building design studies and construction projects having expected anticipated aggregate costs exceeding two million dollars (\$2,000,000) \$1.5MM or more, but may decline consideration of Projects with little or no actual building construction. The Permanent Building Committee's jurisdiction shall not extend to projects of the Reading Municipal Light Department. The Permanent Building Committee shall present all such projects to the Finance Committee for consideration of funding options and shall sponsor and present all such projects to Town Meeting, on behalf of the Sponsoring Agency, for its consideration and approval of funding.

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[3] Temporary Members may be appointed for each individual project that the Permanent Building Committee undertakes. Temporary Members shall have the same participation and voting rights as Permanent Members on matters affecting the particular project for which they were appointed. Temporary Members shall be registered voters of the Town, selected by the Board or Committee that proposes a particular building or renovation project (the "Sponsoring Agency") and shall serve only for the time during which the Permanent Building Committee is exercising its functions with respect to such project. In the event that a particular project is subject to participant requirements of a state funding authority, the Appointment Committee may appoint additional members to the Permanent Building Committee for that particular project; provided, however, that, in no event, shall the aggregate number of Permanent and Temporary Members with full voting rights for a particular project exceed nine (9). Quorum requirements for the Permanent Building Committee shall be the majority of the Permanent and Temporary Members for a particular project.

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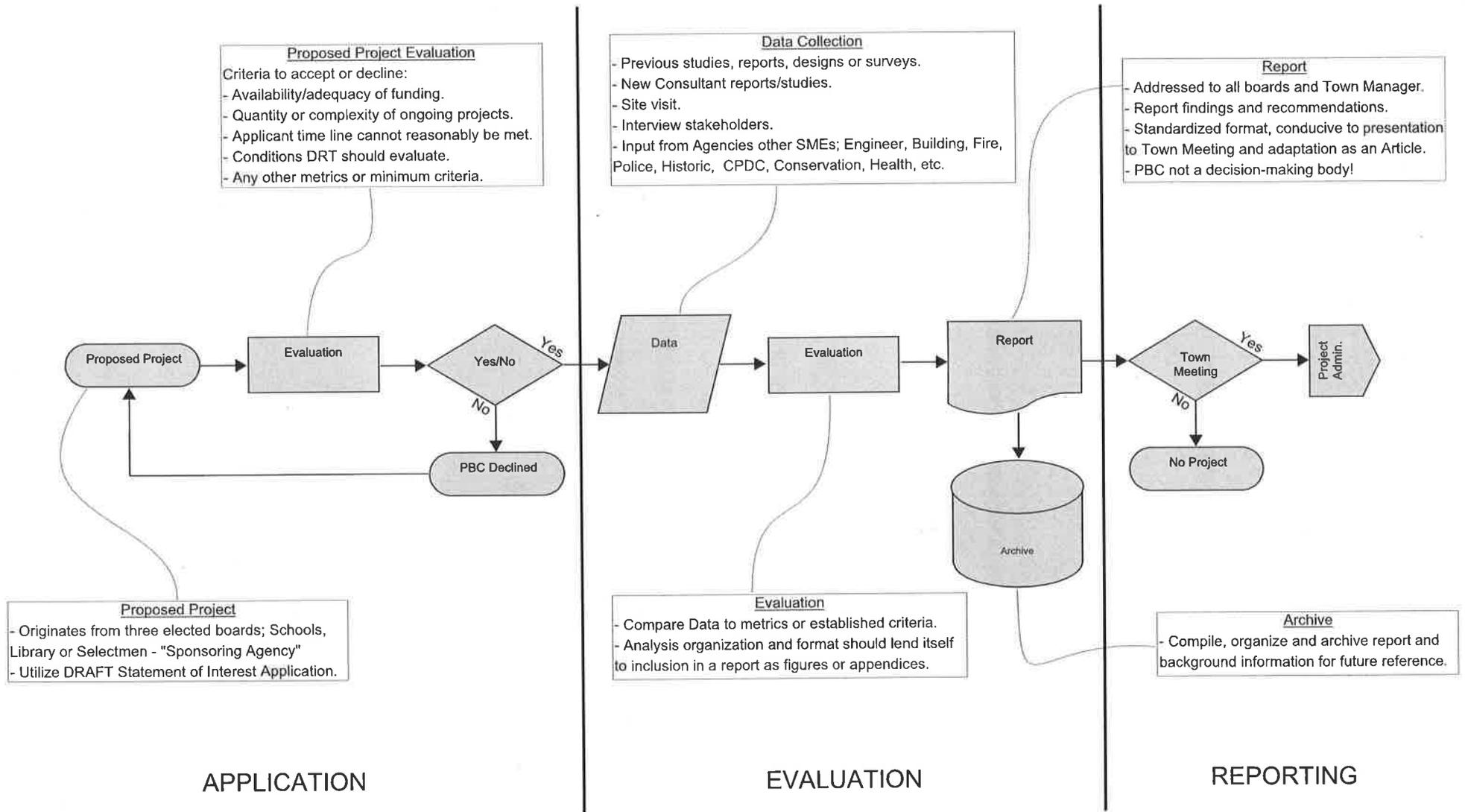
The Permanent Building Committee shall work with the Director of Facilities to compile an inventory of the physical condition and anticipated repairs and renovations of all existing municipal buildings and will summarize its findings in an annual report to Town Meeting. Temporary Members may be appointed for each individual project that the Permanent Building Committee undertakes once the Permanent Building Committee determines there is a viable project. Temporary Members shall have the same participation and voting rights as Permanent Members on matters affecting the particular project for which they were appointed. Temporary Members shall be registered voters of the Town, **nominated by the Board or Committee that proposes a particular building or renovation project (the "Sponsoring Agency") and appointed by the Appointment Committee.** Temporary Members shall serve only for the time during which the Permanent Building Committee is exercising its functions with respect to such project. In the event that a particular project is subject to participant requirements of a state funding authority, the Appointment Committee may appoint additional members to the Permanent Building Committee for that particular project; provided, however, that, in no event, shall the aggregate number of Permanent and Temporary Members with full voting rights for a particular project exceed nine (9). Quorum requirements for the Permanent Building Committee shall be the majority of the Permanent and Temporary Members for a particular project.



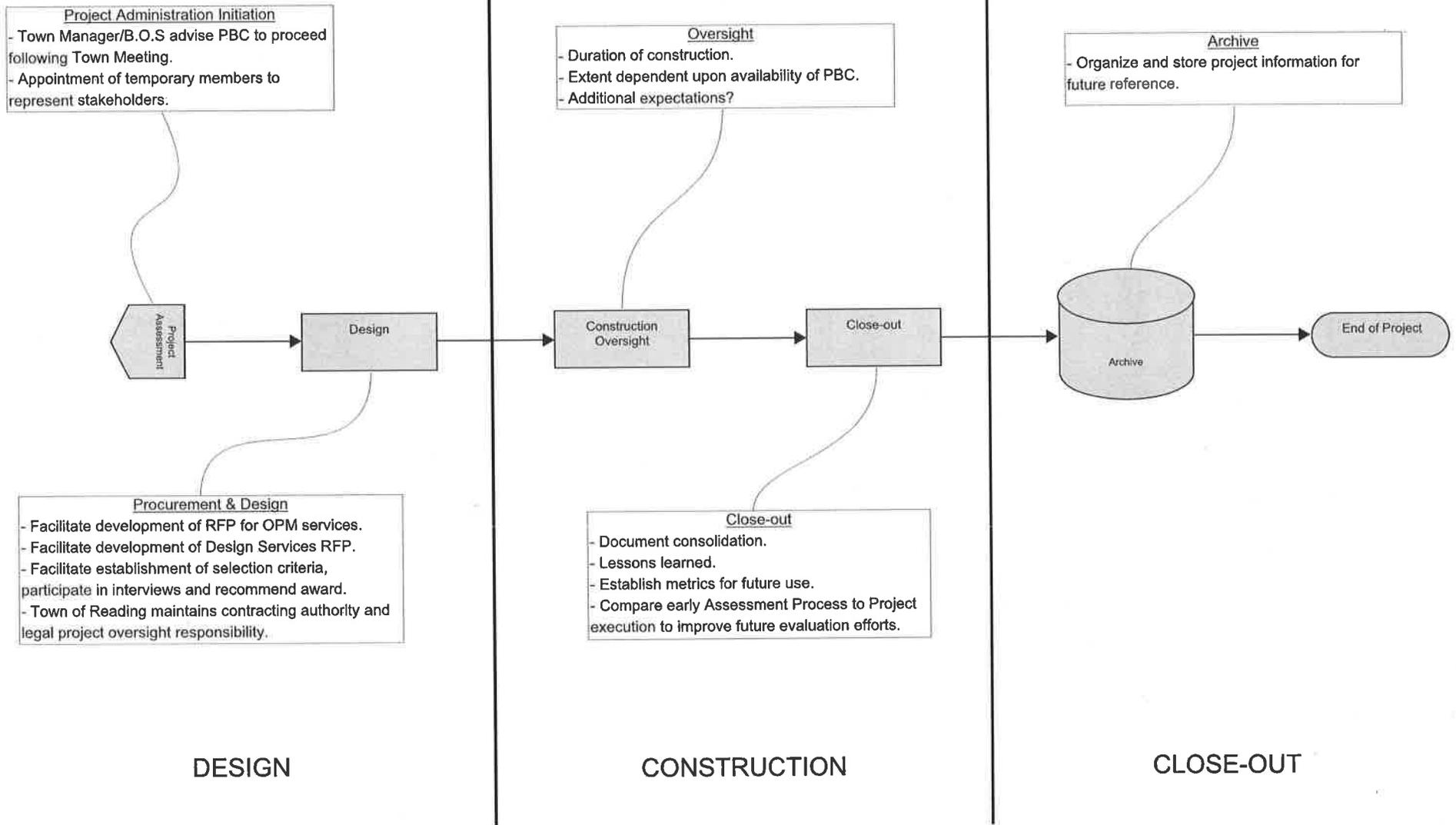
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Permanent Building Committee Project Assessment Process



Permanent Building Committee Project Administration



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Town of Reading - Permanent Building Committee

Cemetery Building OPM Interview Scoring

August 8, 2016

<u>Evaluation Criteria Scoring:</u>	
Highly Advantageous =	3
Advantageous =	2
Less Advantageous =	1
Does Not Meet =	0

				Question #1
MB	2.00	2.00	2.00	Address to Principal: Discuss expected personnel assignments, their availability (if awarded), and anticipated time commitment for each for this project?
BC	3.00	3.00	1.00	
JC	1.00	2.00	2.00	
GS	2.50	2.50	1.00	
PT	Not present for interviews or scoring.			
DT				
NT				
Avg.	2.13	2.38	1.50	
				Question #2
MB	1.00	2.00	2.00	Address to Project Manager: Discuss your approach to community outreach in general, and specifically address evaluating and mitigating impacts to immediate abutters from the site selection through construction, as well as long term operational impacts of the new facility?
BC	2.00	3.00	2.00	
JC	1.00	1.00	3.00	
GS	2.50	2.50	1.00	
PT	Not present for interviews or scoring.			
DT				
NT				
Avg.	1.63	2.13	2.00	
				Question #3
MB	1.00	3.00	2.00	Address to Project Manager: Discuss your approach to team building between the various parties - Owner, OPM, Architect, GC - and how it relates to problem solving, quality, cost and schedule?
BC	2.00	3.00	2.00	
JC	1.00	2.00	3.00	
GS	2.00	3.00	1.00	
PT	Not present for interviews or scoring.			
DT				
NT				
Avg.	1.50	2.75	2.00	
				Question #4
MB	2.00	2.00	2.00	Address to Project Manager: Discuss Project Management approach, resources and processes relative to document review and constructability, cost estimating, change management, schedule management, etc.?
BC	2.00	2.00	2.00	
JC	1.00	2.00	2.00	
GS	2.00	3.00	2.00	
PT	Not present for interviews or scoring.			
DT				
NT				
Avg.	1.75	2.25	2.00	
				Question #5
MB	1.00	2.00	2.00	Overall Quality of Presentation?
BC	1.00	3.00	2.00	
JC	0.00	3.00	3.00	
GS	2.00	2.50	1.00	
PT	Not present for interviews or scoring.			
DT				
NT				
Avg.	1.00	2.63	2.00	
8.00	12.13	9.50	Interview Total Score	
CBI	STV	Atlantic		

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LeLacheur, Bob

From: Gemme, Laura
Sent: Monday, September 26, 2016 1:57 PM
To: LeLacheur, Bob; Schena, Paula; Saunders, Caitlin
Subject: RE: Meeting next Tuesday night 8pm for Cemetery building discussion

There have been several IMs for Cemetery Buildings:

April 2015 TM

Instructional motion made by William C Brown, Precinct 8 that the facilities department take over the repairs of the Cemetery building in the Laurel Hill Cemetery as of July 1, 2015

Instructional motion made by Mark Dockser, Precinct 1 that the appointing authority for the Permanent Building Committee immediately recruit members to the committee. Further move that the Permanent Building Committee set their first priority to be a review of the needs and potential solutions to resolve the physical space needs of the cemetery department and bring back a recommendation or a report of the best solution and a capital request to be presented to Subsequent Town Meeting 2015.

Is one of these the one you are looking for

Laura A Gemme, CMMC
Town Clerk
Town of Reading
16 Lowell Street
Reading, MA 01867
(P) 781-942-6647
(F) 781-942-9070
(E) lgemme@ci.reading.ma.us
(W) <http://www.readingma.gov>

Town Hall Hours:
Monday, Wednesday and Thursday - 7:30 AM to 5:30 PM
Tuesday - 7:30 AM to 7:00 PM
Friday - CLOSED

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From: LeLacheur, Bob
Sent: Monday, September 26, 2016 1:27 PM
To: Schena, Paula; Saunders, Caitlin; Gemme, Laura
Subject: FW: Meeting next Tuesday night 8pm for Cemtery building discussion



Town of Reading Meeting Minutes

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READING, MASS.

2015 SEP 28 P 1:19

Board - Committee - Commission - Council:

Appointment Committee -Permanent Building

Date: 2015-09-23

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Purpose: General Business

Session: General Session

Attendees: **Members - Present:**

Town Moderator Alan Foulds, Selectmen Chairman Daniel Ensminger and School Committee Chairman Chuck Robinson

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur, Facilities Director Joe Huggins, Selectman Barry Berman, and Bylaw Committee Chairman Stephen Crook

Minutes Respectfully Submitted By: Secretary

Topics of Discussion:

The Town Manager called the first meeting of the Permanent Building Committee to order at 7:00 pm and asked for nominations for the position of Chair. Mr. Ensminger nominated Mr. Foulds, and there were no more nominations. **On a motion by Mr. Ensminger seconded by Mr. Robinson nominations for Chair were closed by a vote of 3-0-0. On a motion by Mr. Ensminger seconded by Mr. Robinson, Mr. Foulds was appointed Chair by a vote of 3-0-0.**

Mr. Foulds turned to the list of applicants and began the interview process.

Michael Bean

Mr. Foulds asked Mr. Bean to describe his background and interest in the committee. Mr. Bean has been in commercial construction at Bond Brothers in Everett as a project manager for 15 years. A former CPDC member suggested he volunteer for the town, and this committee seemed like a good fit. Mr. Ensminger asked if he had any municipal clients, or could see any potential conflicts. Mr. Bean said it was unlikely, although they had done some work in the Wakefield school system in the past. Currently their focus is on universities and health care, but he understood that he might need to recuse himself in the event of a conflict. Mr. Ensminger outlined the five-member committee plus an additional two to four additional project-specific members. He mentioned the cemetery garage Warrant Article coming in front of November Town Meeting and first PBC meeting on October 6. Mr. Robinson asked if he would be comfortable presenting in front of Town Meeting and Mr. Bean said he would. Mr. Foulds asked if he were a Town Meeting member, and he is not. Mr. Ensminger asked if he had questions, and he did not. Mr. Ensminger asked if he had any interest in volunteer positions, and Mr. Bean indicated he would consider CPDC.

Brad Congdon

Mr. Foulds asked Mr. Congdon to describe his background and interest in the committee. Mr. Congdon is in construction management design/build primarily for smaller \$1 - 4 million

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projects. Mr. Robinson asked if he had any municipal clients, and he does not and could not see any conflicts of interest. Mr. Ensminger asked about the time commitment and he replied that he was available as he works from home. He would consider becoming a Town Meeting member down the road. Mr. Foulds asked if he would be comfortable presenting to Town Meeting and he replied that he would, and he'd be comfortable in a leadership role eventually. Mr. Robinson asked if he had interest in other committees and there none specifically. Mr. Huggins asked about his design build work and Mr. Congdon described a fire suppression system for the Department of Defense as an example.

John Coote

Mr. Foulds asked Mr. Coote to describe his background and interest in the committee. Mr. Coote is a retired civil engineer by training and a structural engineer by trade. He has previously served on the ZBA and Housing Authority, and in the distant past on an ad hoc Landfill committee. Mr. Ensminger asked about the time commitment and he replied that he was available as he is retired. Mr. Robinson asked if he were a Town Meeting member and he is not. Mr. Foulds asked about speaking at Town Meeting and he is fine with that however he believes a leadership role should be passed to a younger member. Mr. LeLacheur asked if he had any conflicts, and he replied that he does consulting work as a forensic engineer to see why things went wrong, so he doesn't think so. Mr. Huggins mentioned the Reading fire station flooring work needed due to heavier equipment over the years, and asked about work on the Ipswich Fire station floor and he replied that was due to deterioration, but he had seen the equipment issue with the MBTA. Mr. Foulds asked if he had any questions and he asked about the scope of work of the PBC in terms of project management and liability. Mr. LeLacheur replied that the PBC would be covered by the town's Board liability insurance and for PBC projects the town would be hiring full-time project managers.

Karen Goncalves-Dolan

Not present

Greg Stepler

Mr. Foulds asked Mr. Stepler to describe his background and interest in the committee. Mr. Stepler is a construction manager at Turner Construction, and currently serves on the Reading Library Building Committee. His expertise is in mechanical-electrical-plumbing and he has worked on projects ranging from \$0.5 million to \$1 billion. Mr. Foulds asked about municipal work and he rarely does any so there should be no conflicts and he is now a Town Meeting member. Mr. Ensminger asked about the time commitment, and he replied that he has only missed a couple of LBC meetings in 1-1/2 years so that should be fine. Mr. Robinson asked about his LBC experience and he replied that the project is being very well managed. He said it was good to use volunteer expertise, as the past projects in Reading have not always gone so well. Mr. Foulds asked if he had any questions, and he did not.

Patrick Tompkins

Mr. Foulds asked Mr. Tompkins to describe his background and interest in the committee. Mr. Tompkins owns CTA construction and for 15 years has been in the municipal building marketplace. His projects range from \$0.5 million to \$70 million, and he mentioned that he did bid on the Reading Library project. He is very familiar with the MSNA and Chapter 149A. His wife is a Town Meeting member, and she and his neighbor Barry Berman asked him to consider volunteering for the town. He would enjoy donating his time, and has a lot of experience and knowledge to offer. He knows many architects, owner's project managers, and other tradespeople in the area. He has been critical of some of the past Reading projects so by volunteering he is stepping up to help change that past. Mr. Foulds asked if he would consider being a Town Meeting member, and he replied that he considered it about ten years ago, but he decided against it. He would be willing to speak at Town Meeting and assume a leadership role if needed. Mr. Ensminger asked if he understood the time commitment of one or two meetings per month, and he replied that would not pose a problem. Mr. Ensminger asked about conflicts of interest, and Mr. Tompkins knew that both

for a conflict and the appearance of a conflict he would need to step aside. He said they rarely bid on projects less than \$10 million, and there seem to be no larger projects in the near term so that should not pose a problem. He assured everyone that he had no interest in any angle other than bettering the community by his service. Mr. Foulds asked if he had any questions, and he asked about upcoming work for the PDB. Mr. LeLacheur mentioned the \$2 million cemetery garage and in the future a DPW facility. Mr. Ensminger also mentioned the responsibility that the PBC provide Town Meeting an inventory of building conditions and future needs.

Nancy Twomey

Mr. Foulds asked Ms. Twomey to describe her background and interest in the committee. Ms. Twomey replied that she was on the LBC currently and a Town Meeting member. Mr. Foulds said she was well known to all present, and did she have any questions? She asked what type of candidates they were looking for, and had applied to be considered. Mr. Foulds replied there were very strong applicants and Mr. Huggins concurred, with a wide mix of experience and backgrounds. Mr. Ensminger asked if she had any conflicts and she did not, her work as an architect is primarily residential. She would be willing to take a leadership role but might be time constrained because of the LBC through next summer.

Mr. Ensminger moved to nominate Michael Bean, Bradford Congdon, John Coote, Gregory Stepler, Patrick Tompkins and Nancy Twomey for a three year term ending June 30, 2018, seconded by Mr. Robinson. All three PBC appointment committee members cast their two votes for Greg Stepler and Patrick Tompkins.

Mr. Ensminger moved to nominate Michael Bean, Bradford Congdon, John Coote and Nancy Twomey for a two year term ending June 30, 2017, seconded by Mr. Robinson. All three PBC appointment committee members cast their two votes for John Coote and Nancy Twomey.

Mr. Ensminger moved to nominate Michael Bean and Bradford Congdon for a one year term ending June 30, 2016, seconded by Mr. Robinson. All three PBC appointment committee members cast their vote for Bradford Congdon.

Mr. Ensminger moved to nominate Michael Bean for an Associate membership with a two-year term ending June 30, 2017, seconded by Mr. Robinson, and approved by a 3-0-0 vote.

Mr. Ensminger moved to adjourn at 8:45pm, seconded by Mr. Robinson, and approved by a 3-0-0 vote.

Respectfully submitted,

Secretary





Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2015-10-06

Time: 6:45 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Purpose: General Business

Session: General Session

Attendees: **Members - Present:**

John Coote, Michael Bean, Bradford Congdon, Gregory Stepler, Nancy Twomey, Patrick Tompkins (arrive at 7:20 p.m.)

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur, Facilities Director Joe Huggins

Minutes Respectfully Submitted By:

Topics of Discussion:

Introduction and Organization

This being the first meeting of the Permanent Building Committee, each member introduced themselves.

Nancy Twomey moved to nominate Gregory Stepler as Chairman. Bradford Congdon moved to nominate Patrick Tompkins as Chairman. On a motion by John Coote the nominations were closed by a vote of 5-0-0. Gregory Stepler received three votes and Patrick Tompkins received zero. Mr. Stepler was appointed Chairman.

A motion by Stepler seconded by Twomey to go into Executive Session to consider the purchase, exchange, lease or value or real property and the Chair declared that an open meeting may have a detrimental effect on the negotiating position of the body and to reconvene in Open Session at approximately 7:20 p.m. was approved by a vote of 5-0-0.

The Committee reconvened in open session at 7:20 p.m.

Cemetery Garage

The Board of Cemetery Trustees has put an Article on the Town Meeting Warrant for \$2 million to bond for a new facility.

Greg Stepler noted that there are three options on the table for the cemetery garage: replace or repair the building; fund a study; look at new locations.

Nancy Twomey noted that Bill Brown is concerned about the need for a new building. Bill's idea has no study and therefore the process is not complete. She asked what are the code requirements to build this building? Ms. Twomey noted that a study needs to be done.

John Coote recommended interviewing the stakeholders and find out what the future needs are. Then determine what site works best.

Patrick Tompkins asked if a programming or a feasibility study been done for this location?

Greg Stepler indicated they need to establish what the mission and future needs are, then determine how to execute the mission.

Joe Huggins suggested contacting Town Engineer George Zambouras and DPW Director Jeff Zager to get information from Weston and Sampson regarding the sites and costs.

Greg Stepler stressed that the Building Committee can help. He asked if the garage is in a central location. Greg Stepler requested Joe Huggins to get the reports from Weston and Sampson, the MIIA report, the letter from the Fire Chief, assessed values and information on all buildings. Joe Huggins will send all the information to Greg Stepler and the Committee can digest the information and then do a walk through.

Greg Stepler indicated we need to have some professional firms on "retainer" to put good studies in place.

Joe Huggins suggested hiring a "house doctor" on staff.

John Coote asked what other towns are doing and what is the Building Committee's responsibility.

Greg Stepler will announce at Town Meeting that they are analyzing the information and will report once they get a good look at all sources.

Nancy Twomey suggested asking for money in the facilities budget for studies to be done such as the cemetery garage.

Greg Stepler noted that we need to clarify what the actual responsibilities of the committee are and if they are managing projects or offering oversight.

Patrick Tompkins mentioned that in Weston they have a Building Committee member at the construction meetings. Do the Selectmen want this committee to do this also?

Nany Twomey spoke about her experience with the Library Building Committee and they are a more advisory group.

Greg Stepler summarized what is needed on the Cemetery Garage:

- Collect data
- Analyze data
- Stakeholder interviews
- Tour of the building
- Update Mission Statement for the Building Committee

Bradford Congdon was nominated and appointed Vice Chairman of the Permanent Building Committee.

The meeting adjourned at 8:59 p.m.

Respectfully submitted,
Secretary



Town of Reading Meeting Minutes

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Board - Committee - Commission - Council:

Permanent Building Committee

NOV 26 P 2:45

Date: 2015-10-13

Time: 7:30 PM

Building: Reading Town Hall

Location: Selectmen Meeting Room

Address: 16 Lowell Street

Purpose: General Business

Session: General Session

Attendees: **Members - Present:**

Gregory Stepler, Bradford Congdon, John Coote, Patrick Tompkins, Michael Bean

Members - Not Present:

Nancy Twomey

Others Present:

Selectmen Daniel Ensminger and Barry Berman, Town Manager Robert LeLacheur, Facilities Director Joe Huggins, Cemetery Trustee Bill Brown

Minutes Respectfully Submitted By: Bradford Congdon

Topics of Discussion:

Cemetery Garage

This was the initial meeting of the Cemetery Trustees and newly formed Permanent Building Committee (PBC). Various documents were distributed in advance of the meeting for PBC members to review and gain an understanding of the current status of the Cemetery Garage located at Laurel Hill Cemetery, some of those documents are referenced below.

Bill Brown represented the Board of Cemetery Trustees. During the meeting, he presented the following key points:

- The current garage is approximately 100 years old, the division has outgrown the facility, and the building is nearing the end of its useful life.
- They cannot wait another 5 to 10 years for a new facility.
- The existing site is not ideal due to grading; trailer storage and parking are issues. If Laurel Hill facility is renovated/replaced, the staff would need to be temporarily displaced; recommended new location be at Forest Glen.
- There is a tentative meeting for the Cemetery Committee and Board of Selectmen scheduled for October 20, 2015 to update Article 13 for Town Meeting consideration.
- Offered site visit for PBC members to visit Laurel Hill Cemetery Garage and all 4 cemeteries in town on October 24, 2015 for those available; and he would accommodate alternate dates for those not available.
- Most surrounding towns have storage/maintenance garages on cemetery grounds.
- The town has the most grave lots available at Wood End then Charles Lawn; not many left at Laurel Hill or Forest Glen
- The Division supports approximately 125 burials a year, of which 40% are cremations
- Board of Cemetery Trustees is willing to fund further studies if necessary.

Tompkins noted that Weston & Sampson (W&S) performed an extensive study for the DPW in December 2014. The Cemetery Garage was only briefly mentioned in this study. Stepler and Congdon concurred. Tompkins recommended a comparable study be performed

specific to the Cemetery Division to ensure current needs are fully understood and the new building suits the long-term need. Brown supported this suggestion. Congdon later suggested finding out cost for the W&S report, Huggins indicated he would.

A discussion of the Cemetery Division's equipment and logistics ensued; i.e. loading and unloading of mowing equipment takes 30 to 45 minutes each morning and afternoon; some mowing equipment is only used at Laurel Hill due to spacing between headstones; the fueling of the larger mobile equipment is done solely at New Crossing Road; the DPW performs maintenance on the heavy equipment while they maintain their own smaller equipment; the cemetery division supports DPW in the winter with snow plowing and snow removal. Coote suggested equipment utilization and logistics might play a role in evaluation of a new facility. Tompkins and Stepler suggested consideration of smaller storage facilities at all of the cemeteries, instead of one large centralized facility.

Stepler identified the list of Cemetery Division equipment in the Engineering Department's 2010 Cemetery Garage Site Selection report, and asked if the list was current. Brown indicated it is, but one truck or trailer bed may be longer now. Stepler identified a property included in the 2010 report on Pearl Street at Audubon Road that was considered for the new garage. Brown noted that this property was sold by the town and no longer an option.

Tomkins recommended the committee consider the growing needs of the DPW facility in conjunction with the Cemetery Division's needs, identified that the W&S report appeared cut short due to the identification of possible wetland areas, and suggested this be confirmed by an expert so that the New Crossing Road location could be further assessed.

Laurel Hill Cemetery is on the National Historic Register; Brown indicated that the cemetery is historic, the building is not. This should be confirmed for any consideration of renovation or new construction in existing location.

Huggins noted that Facilities has addressed most hazards identified in the MIAA inspection dated September 10, 2015 including installation of CO2 and smoke detectors, hand railings, and planned installation of fire board and replacement of the heating system to improve the overall safety of the building for its occupants.

Selectman Ensminger suggested that the PBC be prepared to make a recommendation on the Cemetery Garage at November 9th Town Meeting.

Selectman Berman suggested the PBC target April 2016 Town Meeting for requesting a budget to support independent studies for their evaluation process.

RCTV Drone

John Coote announced that he has a relationship with RCTV and that they recently purchased a drone and have a pilot. RCTV is currently lacking projects for which the drone is needed, and it may be available for our use to perform aerial building assessments. The committee and Selectmen were open to the idea, but the consensus was that this new technology would require further research to determine use guidelines for Town purposes. Stepler suggested obtaining more information and pushing further drone discussions until after November 9th Town Meeting.

PBC October 6 Meeting Minutes

Stepler motioned to review meeting minutes from October 6th. Tompkins proposed approval of the minutes, Congdon seconded, all five members voted in the affirmative.

PBC Contact List

Stepler inquired if anyone had comments with the contact list he distributed; none noted.

PBC Charter Review

Congdon noted the committee identified a need to revisit the PBC Charter in previous meeting, and whether this should be on the agenda for next meeting. Committee acknowledged that updating the charter may need to wait until we have further developed the process for the committee to review projects brought to their attention. Stepler and Tompkins discussed the importance of the committee to develop a fair and consistent approach, so that favoritism would not be present for this committee or future members.

PBC Next Meeting

Next meeting for the PBC scheduled for October 22 at 7:00 pm to further discuss all information provided to date on the Cemetery Garage.

A motion by Coote seconded by Tompkins to adjourn the meeting at 9:15 p.m. was approved on a roll call vote with all five members voting in the affirmative.

Respectfully submitted,
Secretary

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Town of Reading Meeting Minutes

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Board - Committee - Commission - Council:

Appointment Committee -Permanent Building

2015 OCT 21 P 3 41

Date: 2015-10-19

Time: 7:00 PM

Building: Reading Town Hall

Location: Berger Room

Address: 16 Lowell Street

Purpose: General Business

Session: Open Session

Attendees: **Members - Present:**

Chairman Alan Foulds and Daniel Ensminger

Members - Not Present:

Chuck Robinson

Others Present:

Town Manager Bob LeLacheur, resident George Katsoufis, applicants Karen Goncalves-Dolan and David Traniello

Minutes Respectfully Submitted By: Secretary

Topics of Discussion:

Both candidates were present for the entire interview process and questions sometimes overlapped into each other's allotted time. For simplicity of the record their responses below are arranged by candidate and not chronological.

Karen Goncalves-Dolan

Mr. Ensminger asked why she was interested in the PBC, and she replied by describing with her background in commercial property management, and explained her interest in town building projects.

Mr. Foulds asked how long she had been on CPDC and she replied less than one year. He asked if she was a Town Meeting member and she replied that she was not. He asked if she saw any professional conflicts and she replied that her company does not do any work in Reading. Mr. LeLacheur asked if she saw any conflicts with her role as a CPDC member since town building projects have appeared at that Board and she said she wasn't sure but she might need to recuse herself.

Mr. Ensminger described the role of an Associate member and the circumstances under which they may be called on to participate and vote. He asked about the time commitment and she explained that only CPDC meetings twice each month might pose a conflict. Mr. Foulds asked if she would be interested in a leadership role on the PBC and she responded that she would be.

David Traniello

Mr. Ensminger asked why he was interested in the PBC, and he replied that he thought his background as a real estate attorney could be helpful to the committee. He described his background as a Town Meeting member, the Vice Chair on the ZBA, and past Vice Chair of the Zoning Advisory Committee. He said he was always looking for opportunities to use his expertise in land use and development projects.

Mr. Foulds asked if he had any professional conflicts, and he replied that as part of his job he was always looking out for that issue, that municipal projects were very rare in his experience, but if something

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arose then he would recuse himself and abstain from any participation. Reading. Mr. LeLacheur asked if he saw any conflicts with his role as a ZBA member since town building projects have appeared at that Board and he said if so he would also step aside.

Mr. Ensminger asked about the time commitment and he replied that he was fine with that. Mr. Foulds asked if he would be interested in a leadership role on the PBC and he responded that he would be.

Mr. Ensminger thanked both applicants and remarked that it was a difficult decision with two highly qualified candidates and only one Associates member opening in the PBC. He explained that the deciding factor for him was Mr. Traniello's background as an attorney and how that would complement the existing PBC that had a lot of professional experience but no member with a legal background. Mr. Foulds concurred with that observation and said he had reached the same conclusion.

Mr. Ensminger moved to nominate David Traniello for an Associates membership with a term ending June 30, 2016, seconded by Mr. Foulds, and approved by a 2-0-0 vote.

Mr. LeLacheur told Mr. Traniello that he would receive an appointment letter and need to see the Town Clerk to be sworn in.

Mr. Ensminger moved to adjourn at 7:20pm, seconded by Mr. Foulds, and approved by a 2-0-0 vote.

Respectfully submitted,
Secretary



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2015-10-22

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Purpose: General Business

Session: Open Session

Attendees: **Members - Present:**

Chair Greg Stepler, Michael Bean, Brad Congdon, John Coote, Patrick Tompkins and Nancy Twomey

Members - Not Present:

David Traniello

Others Present:

Town Manager Bob LeLacheur, DPW Supervisor of Parks, Forestry and Cemeteries Bob Keating, Facilities Director Joe Huggins, Board of Cemeteries Trustee Bill Brown

Minutes Respectfully Submitted By: Secretary

Topics of Discussion:

Mr. Keating gave a history of Reading cemeteries, and responded to some questions from the Permanent Building Committee. He followed that with an overview of vehicles that include two dump trucks, one pickup truck and a large back hoe. They also have lots of smaller equipment classified as either burial or grounds keeping in nature. He noted that their business is labor intense.

Ms. Twomey asked if the equipment was getting larger, and he replied that it was. Another change is that the crews are now a travelling landscaping show of sorts, with much of the equipment carried on vehicles requiring that larger size.

Mr. Tompkins asked which cemetery required the most work, including both burials and landscaping, and Mr. Keating replied that it was Laurel Hill. At 20 acres it was much larger than other cemeteries, even though there were less burials there. He added that most communities have alternative to public cemeteries (such as private or religious) but Reading does not.

Mr. Coote asked if all cemeteries could have a garage except for land constraints, and Mr. Keating said that they could. However conservation and other limitations narrow the practical choices to Laurel Hill and Forest Glen. Mr. Coote asked how large a facility should be and Mr. Keating replied 4,000 square feet. Mr. Coote asked about heated space and Mr. Keating replied that was needed only for the diesel (larger) vehicles.

Mr. Stepler asked about seasonal equipment and Mr. Keating replied that leaf blowing equipment was stored December through March, depending on the weather.

Mr. Coote said that Forest Glen would be the least attractive location because placed on a high rise would dominate the view. From his experience the best place is the old place, where something is already and Mr. Keating agreed. Mr. Brown said that Medford had an 80 acre cemetery with a maintenance garage front and center in that location, and Mr. Coote replied that the example didn't mean we should copy it.

Ms. Twomey said the PBC should first determine what are trying to achieve on the location, and to certainly consider the neighborhood impact. She encouraged creative thinking on the multiple sites.

Mr. Stepler asked about open trailers and Mr. Keating described the current use, where they must load and unload every day because of space constraints, but at the DPW garage some equipment may stay on the trailers for overnight storage.

Mr. Congdon asked if a closed trailer would be better, and Mr. Keating replied that travel was not a big deal as the cemeteries are closer together, and the security is better in one location. Mr. Congdon asked about staffing and Mr. Keating replied that there are four full-time and two seasonal employees in the division.

Mr. Stepler asked about the need for ADA compliance in a new building, and Mr. Huggins replied that it would need to be fully compliant. Mr. Tompkins asked if Mr. Keating should move his office there from Town Hall, and he replied that it was best kept at Town Hall because he sat with multiple other DPW divisions that he interacted with daily. Mr. Stepler said the goal would be to optimize the footprint of a facility for the equipment and easy access to it. Mr. Keating said they had not previously studied that aspect of the issue.

Mr. Brown reminded the Permanent Building Committee about the tour offer on 10/31 at 11am, and members indicated they would attend. Mr. LeLacheur suggested they park and meet at Town Hall.

Mr. Keating left the meeting at 8:00 p.m. thanked by the Permanent Building Committee.

Mr. Tompkins said that Weston and Sampson had suggested design funding would be in the area of \$136k to \$150k for a building project. Mr. LeLacheur said that Town Meeting would strongly prefer that a thorough job was done up front and that amount should be increased to \$200k, and Ms. Twomey agreed. This would allow construction documents to be completed. Mr. LeLacheur gave a brief financial overview and how this idea would fit into the upcoming Town Meeting.

Ms. Twomey moved to request \$200,000 at November Town Meeting to fund a design study and construction documents so that the Permanent Building Committee could make an informed decision on the feasibility and location of a new cemetery facility, seconded by Mr. Tompkins and approved by a 5-0-0 vote. (Associate member Bean was also in favor)

Mr. Brown suggested he would move to indefinitely postpone Article 13 at November Town Meeting.

Mr. Tompkins left the meeting at 8:15 p.m.

Ms. Twomey described the process of CPDC Public Hearings, and what type of information would be discussed about a proposed building, and how the neighborhood impact would be considered.

Mr. Brown left the meeting at 8:25 p.m.

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Mr. Stepler went to the white board and began outlining the following processes for the Permanent Building Committee:

Project Development

1. Need/issue identified – who has the right to do this? What criteria are used, may the Permanent Building Committee decline to consider the request? The Permanent Building Committee would like to standardize the format for input here.
2. Data collection – clarify the roles and responsibilities of the parties at this step
3. Evaluation – request funding
4. Report – deliver to whom? Selectmen, Town Meeting ...

Project Management

1. Project approval – Town Meeting, possibly the voters
2. Procurement – RFP, OPM, design consultant
3. Oversight – define PBC role
4. Post mortem – lessons learned, changes needed. Consider bylaw revision Nov. 2016 as needed

Ms. Twomey thought the Library Building Committee experience has been generally positive, although she had a concern that in the early stages they were very much left out of the loop, when the architect and the Library seemed to be in charge. The Town Manager agreed with her observation and that he often felt the same way. Ms. Twomey would have liked to be included more in design questions and the upfront work, but said the monitoring of the project and the OPM are going very well.

Mr. Stepler agreed with her observations and said the Permanent Building Committee should use a process whereby all Town staff should work together early on to avoid Library Building Committee mistakes, such as the design before consulting with the Police and Fire Chiefs.

Ms. Twomey moved to accept the Executive Session Minutes of October 6th as written, seconded by Mr. Coote and approved by a roll call vote Twomey – yes; Coote – yes; Congdon – yes; Stepler – yes. (Associate member Bean was also in favor)

Mr. Coote moved to accept the Minutes of October 13th as written, seconded by Ms. Twomey and approved by a 4-0-0 vote. (Associate member Bean was also in favor)

Mr. Coote moved to adjourn at 9:35pm, seconded by Ms. Twomey and approved by a 4-0-0 vote.

Respectfully submitted,
Secretary

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

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www.readingma.gov/town-manager

PBC December 21st

Members present: Chair Greg Stepler, Michael Bean (Assoc), Brad Congdon, John Coote and Nancy Twomey

Member absent: Patrick Tompkins and David Traniello (Assoc)

Others present: Town Manager Bob LeLacheur

Mr. Stepler reviewed handouts on proposed PBS process reviews. Following is the discussion by the committee:

Project Proposals

Who proposes a project? The expectation going forward is only one of the three elected Boards (BOS, SC, LIB) or Town Meeting.

Some sort of form will be needed. MSBA for example has one they require. Committee members agreed to this as a draft:

Project Application Form (Brad will do more work)

- a. What is the problem to be solved?
- b. What financial information is available (grants?)
- c. What is the time frame, and why?

Bob will research what other communities do in regards to a formal start for an application this process.

Proposed Project Evaluations

Criteria to use to either accept or decline? Consider PBC workload, time line requirements, and other metrics or minimum criteria? Need realistic cost estimates

Proposed Project Assessments

Data collection – previous studies, reports, designs; Site visit; interviews with stakeholders; input from agencies (town staff, volunteer boards).

Consultant engaged? Compare data to metrics or established criteria. Ideally PBC would eventually have a budget of \$25-50k annually.

Proposed Project Reporting

Who gets the report – Town Manager with a copy to the other groups involved. Report has findings and recommendations. Use a standardized format that will lead to a Town Meeting presentation. Note that PBC is NOT a decision making body.

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Project Administration (after approval from Town Meeting)

Town Manager advises as to next steps, with the boards as needed. Appoint temporary PBC members if required for project.

Design

Facilitate RFP for OPM services and Design services. Establish selection criteria, conduct interviews, recommend an award. Filed Sub bid process – PBC role to be clarified.

PBC Bylaw may need to be changed/clarified - suggested for November 2015 Town Meeting. PBC members prefer that the responsibility for project oversight and management which should remain with the Town not the PBC.

Construction

Oversight; award through Substantial Completion; additional expectations?

Close Out

Document consolidation; lessons learned; establish metrics for future use; compare early evaluation process to project execution in order to improve future evaluation efforts.

Archive

Store project information.

Next meeting will be on January 11, 2016 and include the Cemetery reps. Pat will produce a scorecard for their project. Nancy and John will report on their interviews. The PBC will then process a follow up.

Ms. Twomey moved to adjourn at 9:10pm, seconded by Mr. Coote and approved by a 4-0-0 vote.



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-01-11

Time: 7:00 PM

Building: Reading Town Hall

Location: Berger Room

Address: 16 Lowell Street

Purpose: General Business

Session: Open Session

Attendees: **Members - Present:**

Chairman Greg Stepler, Michael Bean, Pat Tompkins, Nancy Twomey, John Coote, David Traniello, Brad Congdon, Bill Brown and Janet Baronian

Members - Not Present:

Others Present:

Facilities Director Joe Huggins

Minutes Respectfully Submitted By:

Topics of Discussion:

Chairman Greg Stepler called the meeting to order.

Bill Brown provided a handout explaining the erection of the building and suggested legal review this.

Pat Tompkins asked for an interpretation by legal as to can we build in a cemetery.

Mr. Brown felt Wood End would be off limits since it's designated all as burial space.

Discussion about sub-committee that looked at the existing site.

Joe Huggins, Nancy Twomey and John Coote met with Bob Keating and staff at Laurel Hill.

Discussion at tour for programming:

- 4 bays for trucks and backhoe
- Floor drains in bays
- Good access
- Safe exit and entering
- Additional 2 bays for trailers
- Burial equipment/ lumber storage
- Chemical storage room area
- Eye wash station
- Fuel storage
- Lockable storage case
- Tool bench
- Office area
- Lunch room/conference room
- Lockers
- Shower/bathroom

5C24

Outdoor Storage required

- Grave boxes
- Fenced in yard
- Parking for 7-10 people

Mr. Stepler asked Ms. Twomey and Mr. Coote what the next steps are.

Ms. Twomey is trying to determine the actual size needed for each bay and how much square footage is needed for the remainder of the building.

Mr. Stepler suggested we use this information to help the designer narrow down a schematic and develop a project.

Mr. Brown suggested calling Medfield who went through a similar project.

Mr. Huggins suggested going to our DPW facility and checking out the size of the individual bays.

Mr. Tompkins mentioned the new Light Department facility in Wakefield that had a drive through capability.

Mr. Stepler is looking for a narrative by next meeting for a design narrative.

Next meetings will be Monday, February 8th and Monday, March 14th.

Mr. Tompkins went through his site selection checklist and asked for suggestions and/or comments. He also asked everyone to fill out the checklist and bring it to the next meeting.

Mr. Stepler mentioned getting Conservation here for the February meeting as it would be a good idea to discuss conservation issues.

Mr. Tompkins suggests Wood End and Charles Lawn made the most sense for logistics.

Mr. Congdon mentioned that we may want to start talking about a two story building and everyone agreed.

Mr. Coote suggested that Mr. Tompkins rate the sheet and everyone debates it.

Mr. Stepler thought we should all rate the sites and Mr. Tompkins would crunch the numbers. All agreed.

Mr. Stepler also suggested if additional criteria are needed to be added then we should.

Mr. Congdon asked if the percentage spent on operations was correct.

Discussion continued regarding percentage of time spent for maintenance and internments.

Mr. Coote brought up the impact on lost revenue on using one site or another when displacing graves.

Mr. Stepler asked if the building is on the historic registrar. Mr. Brown replied only the cemetery is on it.

Mr. Stepler then mentioned again that conservation should be at the next meeting.

Mr. Tompkins asked about when the draft RFP would be ready. Mr. Stepler was going to touch base with Bob LeLacheur about getting one from another community.

Mr. Huggins sent a similar RFP to Mr. Stepler at the meeting.

SC25

Meeting adjourned at 8:27 PM.

5C26



Town of Reading Meeting Minutes

RECEIVED
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Board - Committee - Commission - Council:

Permanent Building Committee

2016 MAR 15 A 9 52 I

Date: 2016-02-23

Time: 7:00 PM

Building: Reading Town Hall

Location: Berger Room

Address: 16 Lowell Street

Session: Open Session

Purpose: General Business

Version:

Attendees: **Members - Present:**

Chairman Greg Stepler, Brad Congdon, Patrick Tompkins, John Coote, Michael Bean, Bill Brown

Members - Not Present:

Nancy Twomey and David Traniello

Others Present:

Joe Huggins

Minutes Respectfully Submitted By: Secretary

Topics of Discussion:

It was noted that the next meeting will be February 29th at 7:00 p.m. to prepare for the March 8th presentation to the Selectmen.

Greg Stepler reviewed notes for the last meeting. He noted there was a question of legality of erecting structures on cemetery property but the Town Manager found it doesn't apply to towns, only cities.

Patrick Tompkins went through the cemetery site selectmen matrix. He noted that managing the abutters and conservation were weighted highly. Utilities and site prep at Laurel Hill and Wood End carried the highest cost. Conclusions are we need to find out if Conservation is an issue. Charles Lawn may be out and if so should be dropped from the list. Bill Brown noted that Laurel Hill has parking issues.

Patrick Tompkins noted that the benefits of Laurel Hill will be a building remaining or land to use. He went through his calculations at the back of the packet that covered relocation costs, utility costs and cost for utility tie-ins. Brad Congdon asked if septic was allowed on site.

Brad Congdon went through his reasoning for scoring. He talked about the future of utilizing the space for the building and displacement of graves. The discussion continued on about displacing the operation while the building is built.

Again the question came up what Conservation will allow. Patrick Tompkins suggested that once Conservation weighs in we should put out an RFP.

Greg Stepler read an email from Nancy Twomey that said that Charles Lawn was not going to work due to Conservation issues. He noted that abutters weighted very highly along with Conservation. The plan is to present the information to a selected designer and let him come to his conclusion based on our findings and offer solutions.

Brad Congdon suggested we get a conceptual design.

John Coote suggested we come up with two locations and focus things down to a few sites.

Greg Stepler suggested we have some amount of feasibility done to back up what the committee has researched.

Brad Congdon noted that he will reach out to Engineering to confirm utilities. The two take aways are: 1) what is the building size; and 2) constraints of wetlands and Conservation for siting.

The RFP/RFQ process was discussed. The goal is to put together an overview for qualifications and scope that can be put into an RFP.

Patrick Tompkin noted is it important to develop a timeline for RFQ development.

Greg Stepler suggested giving the Purchasing person the following information to develop an RFQ:

- Background
- Project Description
- Scope of Services
- Work to be done
- Qualifications
- Evaluation Criteria
- Selection Criteria

The question now is can the new person begin to draw up the RFQ and leave the above areas blank for the Permanent Building Committee to fill out.

Greg Stepler talked about his process roadmap. He is looking at developing a shell of a document that they can give the Purchasing person to develop an RFP. The goal is to have a draft RFP for mid-April advertising; evaluate the RFP's early June and the first award of RFQ in August.

The Committee will meet on February 29th to bring point to include in the RFQ to get the ball rolling in developing an RFP.

The meeting adjourned at 9:00 p.m.

Respectfully submitted,
Secretary



Town of Reading Meeting Minutes

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2016 MAR 29 P 3:24

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-03-14

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session: Open Session

Purpose: General Business

Version:

Attendees: **Members - Present:**

Chair Greg Stepler, Nancy Twomey, Brad Congdon, John Coote, Patrick Thompkins; Associate members Michael Bean and David Traniello; Cemetery Trustees Chair Janet Baronian and Secretary Bill Brown.

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur, Facilities Director Joe Huggins, Conservation Administrator Chuck Tirone, FINCOM member Paula Perry

Minutes Respectfully Submitted By:

Topics of Discussion:

Conservation Administrator Chuck Tirone reviewed the setbacks. Within 100 feet of wetlands is under Conservation Commission jurisdiction. The absolute closest we could build a building is 35 feet, while 50 feet is the optimal range.

At 50 feet a Notice of Intent would need to be filed with CONSCOM and a wetlands scientist might be needed. Both Wood End and Charles Lawn cemeteries are likely to involve CONSCOM. They are unlikely to require a full survey, but may want to flag the wetlands. He thought that CONSCOM would prefer Wood End over Charles Lawn, and noted that a storm water plan would also be needed.

In 1990 CONSCOM and the Cemetery Trustees went to Town Meeting and did a land swap at Wood End according to Mr. Brown.

At Charles Lawn there may be sewer issues with the change in grade.

The team agreed that Charles Lawn and Wood End are possibilities.

Brad Congdon noted utilities are available on Parson's Lane. A significant elevation exists at Wood End in the rear area which may require a pump station.

Natural gas is still a question in the Charles Lawn location.

Mr. Tirone noted septic would require a notice of intent to the Conservation Commission. 80-90 feet away the commission would be okay. Wood End makes more sense due to proximity to the wetlands.

If another site such as Charles Lawn makes more sense due to utilities, a write up should be done stating the challenges and cost benefits.

John Coote asked what our next steps are.

Laurel Hill and Forest Glen are not impacted by Conservation.

Patrick Thompkins noted Charles Lawn appears to make the most sense at this point.

The rankings were reviewed on the projector and the team discussed how each fared.

Mr. Thompkins said Laurel Hill's cost will be higher due to relocation costs.

Mr. Stepler noted Laurel Hill presents demo costs and possibly relocation costs.

Mr. Tirone said if we can justify having a building at the 35 foot mark, the Conservation Commission will consider it. His advice is to bring in one site and bring it in for review. Whatever we choose, a limit of work/activity needs to be well thought out.

Mr. Tirone left at 7:42 PM.

Mr. Stepler is talking about narrowing down the field of choices for next steps. He suggested that we give an engineering firm only those cemeteries that are best suited by priority ranking. From the work done by members of the committee it appeared that Forest Glen could be removed from consideration immediately. At Laurel Hill there is not much space, at Wood End the cost of utilities might be high.

Mr. Coote suggested putting 2 sites forward and not paying them to choose from the four and do a lot of work the team has already done.

Mr. Thompkins suggested moving forward with Wood End and Charles Lawn as the two sites for the study.

Mr. Brown made a motion to move forward for Wood End as first choice and Charles Lawn as a second choice, seconded by Mr. Congdon and approved unanimously 5-0.

Mr. Stepler suggested the engineering firm verify the findings. The RFP process was also discussed. The language would be married into our boiler plate done by Town Counsel.

Mr. LeLacheur mentioned the process of developing the RFP. He also mentioned the possibility if the project doesn't go to build on a totally new site.

The team looked at a schedule and agreed that qualifications should be reviewed first then pricing is evaluated second.

Mr. Stepler noted the target is to have the RFP start in June by the first week. This will enable us to carry over the money.

Mr. LeLacheur will contact legal counsel on getting the boiler plate together.

Mr. Stepler suggested that Michael modify the schedule to meet the June 1st timeline.

Mr. Congdon reviewed the Weston + Sampson RFP as a possible template.

This will be used as a basis for all documents.

5C30

The next task is to modify the document and tailor it to the project.

Mr. Stepler spoke about the process involved from conceptual to schematic decision for the project.

The next meetings will be March 28th, April 11th, May 2nd and May 16th.

On a motion by Mr. Brown seconded by Ms. Twomey, the committee adjourned at 9:08pm by a vote of 5-0.

Respectfully submitted,
Secretary



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-03-28

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session:

Purpose: General Business

Version:

Attendees: **Members - Present:**

Chair Greg Stepler, Nancy Twomey, Brad Congdon, Michael Bean, John Coote, Patrick Thompkins(arrived 7:45pm); Associate members Michael Bean and David Traniello; Cemetery Trustees Bill Brown and Janet Baronian

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur, FINCOM member Paula Perry

Minutes Respectfully Submitted By:

Topics of Discussion:

Chair Greg Stepler called the meeting to order at 7:05pm.

On a motion by John Coote seconded by Bill Brown, the PBC unanimously approved the Minutes from March 14 as amended.

Brad Congdon reviewed the utilities easement for Parsons Lane at the Wood End Cemetery location. He has the utilities easement documents and noted a wider drainage easement. He asked the PBC to reflect these changes on the site evaluation chart as this reduces possible utilities costs for the Wood End location.

Greg Stepler reviewed the idea of an RFP and the various sectors and descriptors. He also reviewed a 200 page document from the IG's office dated August 2014. One specific caution was that for projects at or above \$1.5 million, an Owner's Project Manager must be hired before (or concurrent with) the solicitation of design services. This information was both a surprise to the PBC members and counterintuitive, as the design work will determine whether a project is viable or not. The PBC discussed the issue at length, and the Town Manager said he would clarify the issue with Town Counsel. One issue is the unknown cost of the yet-to-be-defined project, compared to the \$1.5 million benchmark set by the IG.

David Traniello asked if there were jurisdictional issues and we would or would not need an OPM regardless of the legal criteria. The PBC debated this issue at length as well as there were arguments to be made on both sides of the question. If there was any doubt, hiring an OPM seemed to be the consensus of the group.

Pat Thompkins arrived to the meeting.

5032

Greg Stepler reviewed a document that compared several RFPs, including the town's Woburn Street School, Public Library, and DPW garage projects, as well as a building project in Scituate. He asked members how best to capture ideas and concepts from these RFPs?

Nancy Twomey said she would review the project description and objectives section. This would include the scope of services and the phasing or the work plan. Pat Tompkins said to start with a template, for example: Invitation; Introduction; Background; Description and Objectives; Scope; Phasing; Minimum Qualifications; Selection Criteria; and Evaluation Criteria.

John Coote discussed the federal government's request for hours and ranges of hourly rates (\$) and then audited overhead costs that are not negotiated. The PBC discussed the preferred approach and decided against the one used by the federal government.

The PBC discussed the need for geotechnical work, and if the DPW could dig test pits? They also may ask employees of a local firm for some free advice as to the preferred location.

The Town Manager reminded the PBC that regardless of the facts of this project, they were setting a precedent for future projects in terms of their decision on using an OPM and Design Services.

On a motion by Nancy Twomey seconded by Bill Brown, the PBC unanimously voted to adjourn at 8:33pm.

Respectfully,

Secretary

5033



Town of Reading Meeting Minutes

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2016 MAY 17 A 8:25

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-04-11

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session:

Purpose: General Business

Version:

Attendees: **Members - Present:**

Greg Stepler, Michael Bean, Nancy Twomey, John Coote, Brad Congdon, Patrick Thomkins, Cemetery Trustee Chair Janet Baronian, Cemetery Trustee member Bill Brown

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur, Facilities Director Joe Huggins

Minutes Respectfully Submitted By:

Topics of Discussion:

Mr. Stepler called the meeting to order at 7:05 PM.

Mr. Stepler made a motion to approve the minutes from March 28, 2016, second by Mr. Coote and unanimously approved.

GeoTech Update

Mr. Stepler suggested we have test bores done at the 2 cemetery sites by the DPW while the consultant observes. Dig Safe will be notified. Photos will be taken and samples saved.

Mr. Stepler will coordinate through Joe Huggins and Bob LeLacheur.

Mr. LeLacheur announced that we have to hire an OPM due to the 1.5 Million threshold.

Mr. Thomkins did an estimate for construction and came to 1.476 Million for a new building and agreed an OPM was still needed.

Mr. Thomkins passed out his cost estimate to build at Wood End.

His estimate was \$302/square feet for a 4864 square foot building for a total of \$1,470,550.

Mr. Stepler noted the next step is an OPM RFP. Mr. Thomkins asked if the OPM RFP be put together using Town Counsel.

Mr. Stepler suggested we utilize the library RFP as a basis.

Mr. Congdon and Mr. Stepler agreed the OPM should be hired first then help develop the RFQ for designer services.

5034

Ms. Twomey went through her draft RFQ and talked about its development. The RFQ includes two sites, Charles Lawn and Wood End.

Response time for the RFQ was discussed and all agreed that a 2 week turn around was acceptable.

Ms. Twomey noted scoring criteria and ranking of all companies must be well documented.

Mr. Coote suggested a smaller subcommittee be formed then bring finalists to the full group for a decision.

Mr. Stepler suggested Ms. Twomey be in charge of the subcommittee along with Mr. Coote.

The next meeting is scheduled for May 2, 2016 at 7 PM.

Mr. LeLacheur and Mr. Stepler talked about the schedule and thought a draft could be ready for May 2nd after Town Counsel review for RFQ.

The central register ad will run May 11th through May 25th.

The RFQ will be due May 29th – May 30th.

They will hold interviews the second week of June and the OPM would be hired in June.

Mr. LeLacheur noted an OPM firm would need to be hired by the end of June and a dollar amount would need to be negotiated.

Mr. LeLacheur suggested we put money in capital each year for studies.

Mr. LeLacheur suggested Bill Brown amend the FY17 Capital Plan for \$200,000 to fund design.

Mr. Coote suggested we update Mr. Stepler's chart that speaks more to the design phase and OPM.

Mr. LeLacheur will obtain the OPM RFP from the Library.

Ms. Twomey will send the draft RFQ as a word document to the group for review and editing.

Ms. Twomey questioned what we are asking the designer to do. Are we asking them to validate our findings and give us schematics on 2 sites? The group agreed that was the best course of action.

Ms. Twomey noted the designer should look at all the information the group has put together and run with it. All the information will be given to them which will include the four sites. How we got to the two sites will be validated by them.

The next step will be the schematic design.

Mr. LeLacheur talked about the \$125,000 in the capital plan to hire an independent consultant for a town wide security upgrade.

The group agreed they could help evaluate the RFP.

On a motion by Ms. Twomey seconded by Mr. Tompkins, the meeting adjourned at 8:43 PM.

5C35



Town of Reading Meeting Minutes

RECEIVED
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Board - Committee - Commission - Council:

Permanent Building Committee

2016 MAY 17 A 8:26

Date: 2016-05-02

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session:

Purpose: General Business

Version:

Attendees: **Members - Present:**

Greg Stepler, Nancy Twomey, John Coote, Brad Congdon, Patrick Tomkins, Cemetery Trustees Chair Janet Baronian

Members - Not Present:

Michael Bean, David Traniello, Cemetery Trustee member Bill Brown

Others Present:

Town Manager Bob LeLacheur; FINCOM member Paula Perry; residents from Batchelder Road Bob Farrar, Dave Hartford, Michelle Mini, Brian O'Mara and Ron O'Keefe; and Patridge Road resident Joe Zucchero.

Minutes Respectfully Submitted By:

Topics of Discussion:

Mr. Stepler called the meeting to order at 7:05 PM.

Mr. LeLacheur gave a quick update of actions by Town Meeting during the previous week. That included a well-received project update by Greg Stepler under Article 2 and approval of \$150,000 in the FY17 budget for continued work on the cemetery building project. The assumption is that \$50,000 or less of the \$200,000 approved FY16 funds will be used in the Owner's Project Manager (OPM) portion of the process, and therefore unused FY16 funds will effectively be the source of the FY17 funding.

In response to the neighbors of the Wood End cemetery being present, Mr. Stepler and Mr. LeLacheur gave a project review and update.

Mr. Hartford voiced a concern about the following topics: the location of a DPW building, the available public information, the fact that an RFP has been limited to two locations, and information about the total cost of the project. Mr. Farrar also expressed displeasure at the lack of public involvement thus far.

Mr. Stepler mentioned the preliminary nature of the PBC's work thus far, and the plan to hold formal neighborhood meetings according to a rough timeline for the project that pointed to the fall of 2016. Mr. LeLacheur noted that aside from the Walker's Brook area, nearly every commercial property has residential abutters, so the town has a good and well-used process to communicate with neighborhoods for situations like this one. Mr. Tompkins noted that all locations had an impact on some neighborhood.

Mr. O'Mara wondered if there were other options, and Mr. LeLacheur said the town was studying a central location for the cemetery division as well as the rest of Public Works, but

no single site had been identified. He expressed the hope that one location might become available before a final decision about construction for a cemetery building was made.

Mr. Zucchero noted that it would be a DPW building, and the residents present expressed concern about noise, litter and impact on the neighborhood. Members of the PBC reminded the neighbors that this was not a DPW yard, but a cemetery that demanded two things – a building design that would fit the location, and behavior by all parties present that was respectful for the purpose of the location.

Mr. Hartford asked about the choice of only two locations, and Mr. Stepler described the evaluation process the PBC used to rank possible sites, noting that impact on abutters was a key concern. He described the scope of the work that an OPM would conduct. After more discussion about the possible impact in terms of noise, loading and unloading of equipment every morning, and daily operations the residents expressed a hope that the town could locate the facility somewhere that would not impact abutters, such as a central location with a DPW garage. They thanked the PBC for their time and explanation, and all but one left at approximately 8:30pm.

Janet Baronian left the meeting at approximately 8:45pm.

Mr. Stepler then produced an electronic copy of a draft RFP/RFS for an OPM. The committee reviewed in detail many of the sections of the document, with a lot of discussion. One central theme was that this document would serve as a template for future work by the committee.

The following milestones were established:

May 16th – next PBC meeting to approve final draft RFP/RFS – therefore staff and legal counsel had the intervening time to review and make changes; May 18th – add to the central registry so that it could run the weeks of May 25, June 1 and June 8; Thursday June 2nd at 1pm to hold an optional pre-bid meeting at Town Hall where staff and PBC members would be present; RFP bids due Monday June 13th at 3pm; PBC meeting that night on June 13th to review bids.

On a motion by Tomkins seconded by Coote, the PBC adjourned at 9:40pm by a vote of 5-0-0.

5037



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-05-16

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session:

Purpose: General Business

Version:

Attendees: **Members - Present:**

John Coote, Brad Congdon, Nancy Twomey, Michael Bean, Greg Stepler,
Janet Baronian, Bill Brown

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur and Facilities Director Joe Huggins

Minutes Respectfully Submitted By:

Topics of Discussion:

Mr. Stepler called the meeting to order at 7:05 PM.

The group made corrections to the minutes.

The minutes from April 11, 2016 were approved as amended.

The minutes from May 2, 2016 were approved as amended.

Mr. Stepler reviewed the final draft of OPM R.F.S with the team.

RFS will be in the central register tomorrow and be advertised on the 25th.

Mr. LeLacheur noted they may need to add language for Phase II construction. Pricing will be available if project is funded.

Mr. Coote and Mr. Stepler felt the \$50,000 would carry us through design.

Mr. LeLacheur will make sure language is added for Phase II services.

Mr. Stepler indicated design documents would be available for April Town Meeting.

Mr. Coote asked how many filed sub-bids are in this type of project. Items such as masonry, MEP's, glass/glazing, waterproofing, elevators. The state website will have a complete listing.

Mr. Stepler reviewed the attachments to the R.F.S. Some adjustments were noted by Mr. Stepler and Mr. LeLacheur.

5c38

The group discussed the timeline for the cemetery building project RFS. June 2nd will be the pre-bid meeting. June 13th will be the bid opening and the next meeting.

The next step is to locate scoring sheets.

OPM and designer services will be used in this process.

Mr. Stepler noted on the 13th the group will plan to look at the bidders and begin ranking.

Mr. Coote spoke about the globe article that talked about cremation and how it is more popular than conventional.

Mr. Stepler made a motion to adjourn at 8:00 PM.

5C39



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-06-13

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session:

Purpose: General Business

Version:

Attendees: **Members - Present:**

Gregory Stepler, Patrick Tomkins, John Coote, Nancy Twomey, Mike Bean, David Traniello

Members - Not Present:

Brad Condgon

Others Present:

Town Manager Bob LeLacheur, Facilities Director Joe Huggins, Bill Brown, Janet Baronian, Paula Perry

Minutes Respectfully Submitted By:

Topics of Discussion:

The meeting called to order.

The following were the respondents of the RFS for OPM:

- CBI Consulting – Boston, MA
- CDR Maguire – Milton, MA
- Vertex Inc. – Weymouth, MA
- STV Inc. – Newton, MA
- Gienapp Design – Danvers, MA
- Atlantic Construction – Concord, MA

The group began going through which proposals meet the minimum criteria. They will rank the proposals.

CDR Maguire did not include a thumb drive but they did meet the minimum requirements.

Gienapp Design was more on the architectural experience than OPM. They did meet the minimum requirements.

STV met the minimum requirements.

CBI met the minimum requirements.

Vertex met the minimum requirements.

Atlantic Construction met the minimum requirements.

All six met the minimum requirements.

5040

Mr. Bean, Mr. Coote, Mr. Stepler, Ms. Twomey, Mr. Tomkins and Mr. Traniello will go home and rank the proposals.

At the next meeting three companies will hopefully be brought forward.

The next meeting will be June 28th, at 7PM.

The summer meeting dates will be as followed:

- July 11th
- July 18th – tentative
- August 8th
- August 29th

Mr. Stepler mentioned that Mr. Traniello is working on the language in the Bylaw for PBC. He has tapped into other communities bylaws.

Mr. LeLacheur asked Mr. Huggins to comment on the status of the town wide security/access control RFS.

The meeting adjourned at 9:00 PM.

5041



Town of Reading Meeting Minutes

RECEIVED
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2016 AUG -9 A 10:43

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-06-28

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session:

Purpose: General Business

Version:

Attendees: **Members - Present:**

Chair Greg Stepler, Nancy Twomey, David Traniello(Assoc), John Coote, Brad Congdon, Patrick Tompkins, Bill Brown (Cem.)

Members - Not Present:

Michael Bean (Assoc)

Others Present:

Town Manager Bob LeLacheur

Minutes Respectfully Submitted By:

Topics of Discussion:

Chairman Greg Stepler called the meeting to order.

Nancy Twomey made a motion to accept the May 16, 2016 minutes as amended, second by Mr. Brown and approved unanimously.

Each member of the committee went thru and rated each OPM that responded.

Mr. Congdon noted some catered to our questions more specifically than others but generally they were all put together nicely.

The committee discussed the OPM's tenures with their respected companies.

Mr. Stepler suggested short listing three then asking those three to come in for interviews.

Mr. Tompkins also suggested coming up with a list of topics/questions we want to address in the interviews. He also noted he liked the respondents that included samples of previous work.

Atlantic, CBI and STV scored the highest.

Mr. Coote noted he felt that being geographically remote is a disadvantage.

All the respondents were qualified making it difficult to score.

Mr. Stepler noted he looked at the types of buildings they've done before.

The group then discussed the respondents' availabilities.

5642

Mr. Stepler said it is important to have the people they are proposing as the ones that show up to the interview so they can meet the people they will be interacting with.

Mr. Brown made a motion to accept the top three, second by Mr. Coote and approved unanimously.

The group then discussed how they would score the interviews and came up with discussion topics.

Mr. LeLacheur will reach out and do peer to peer reference checks while Mr. Tompkins will check their other references.

Mr. Tompkins made a motion to adjourn at 9:12 PM, second by Mr. Traniello and approved unanimously.



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-08-08

Time: 6:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session: Open Session

Purpose: General Business

Version:

Attendees: **Members - Present:**

Chairman Gregory Stepler, John Coote, Brad Congdon, Bill Brown (Cemetery Trustees), Michael Bean (Associate - appointed as full for meeting); Patrick Tompkins (arrived 7:45pm)

Members - Not Present:

Nancy Twomey, David Traniello (Associate) and Jan Baronian (Cemetery Trustees)

Others Present:

Town Manager Bob LeLacheur, Facilities Director Joe Huggins, Jane Farrar, Michael Mini, Jon and June Weing (arrive 7pm), Ron O'Keefe (arrive 7:15pm)

Minutes Respectfully Submitted By: Secretary

Topics of Discussion:

Gregory Stepler made Michael Bean a full member due to the vacancies on the committee. Pat Tompkins relayed his background checks through the Town Manager, and all three OPM candidates are qualified. Bob LeLacheur concurred from his discussions with references on past projects as well. Joe Huggins mentioned that Suresh Bhatia (now Atlantic) was part of the TLT team that worked on the RMHS project a decade ago, which was a poor experience. Joe started in January 2006.

6:30pm - STV

The Committee interviewed Bob Labrecque from STV. He noted that Jim Kolb was unable to attend. He noted their engineers and architects focus on the public sector and their organization has 100 years of experience and 35 years in Massachusetts. STV is currently the OPM for the Reading library building project.

Bob Labrecque went on to talk about: abutter outreach; mitigation plan; sensitive to the public process; RFP Designer selection – outreach first to design candidates; geotech; conservation; storm water management; schedule and budget – develop early; updates of website; good package to Town Meeting; meet with team - define roles & responsibilities via matrix, with timelines/deliverables; at 90% design – rescope the project for cost estimates; bidder outreach for contractors – short list of sub-bidders; keep an eye on the change orders, budget, schedule and monitor the quality; critical factors here: project team, site design, quality/value and cemetery operations.

Greg Stepler noted the OPM was to assist in creating the Designer RFP, and then the process would be expected to narrow the project choices to a maximum of two for the PBC to examine, with the goal of sending only one option to Town Meeting.

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Brad Congdon asked about community outreach and Bob Labrecque mentioned plan monitor and listen to the neighbors.

Michael Bean asked about team building and the quality of cost scheduling. Bob Labrecque noted you need to know the tasks (the role and who is responsible) and then collaborate. They can use their architects for ideas, build a consensus with the best interest of the owner at hand.

Greg Stepler asked about project management and cost estimate change management. Bob Labrecque noted this will not be a complex building. He would use the cost estimator as needed to check the architects work. He estimated about 25% of his time would be spent on this project, with Jim Kolb as needed.

John Coote asked about the impact of the building on abutters. Bob Labrecque noted you have to look at the design. What happens in the building versus a central DPW Garage. Also, the location of garage bays and whether it fits into the neighborhood.

Discussion - STV

Greg Stepler noted that STV was very well prepared and researched, and Bob's answers were thorough. John Coote agreed and added that he gave very direct and honest answers. Mr. Bean agreed that it was a strong presentation.

7:15pm - CBI

The Committee interviewed Wayne Lawson and Jen Santos. Jen Santos gave an overview of the company, mentioned she would be the project manager and spend 15-20 hours/week. Wayne Lawson would round out the project team and spend 10-15 hours/week.

Wayne Lawson commented on communication and noted it is best to flush out everything up front and to understand the Permanent Building committee work to date. Bob LeLacheur clarified that only the best site would be brought to Town Meeting. Phase I would be design. Phase II would be complete design, bidding and construction. Jen Santos noted the conservation land, geotech work, and abutters. Wayne Lawson gave examples including a salt shed in Tewksbury, a town garage in Dover, various projects in Wellesley and a Tewksbury Town Hall project.

Greg Stepler asked if all staff will be available to answer questions and it was noted they would. They are primarily a design firm with a selective approach as an OPM.

Brad Congdon asked about community outreach and the response included; public meetings as needed; talk about hours of construction; communicate from all angles – no "blindsiding."

Michel Bean asked about the team building approach and it was noted they are respectful of roles; tough as needed; cost and schedule.....

John Coote asked about the impact of the building on abutters, and the response was that design would be done with abutters in mind.

Greg Stepler asked about project management document review and it was noted they give lots of attention to cost estimates and scheduling.

8:00pm - Atlantic

Suresh Bhatia, President and Ron Votta, Vice President were present. They noted they have built schools, fire stations and police stations. Site investigation is key. Abutter impact.....

5045

they will help pick the designer and makes sure it fits into the neighborhood and town. They do value engineering and look at the current construction prices. They have a good background in cost estimates.

Greg Stepler asked about the project team and they noted that Suresh would be the prime contact, Richard would be the assistant and onsite would be four to five part time people.

Brad Congdon asked about community outreach. They noted the location of building, fencing, landscaping, lights.

Michael Bean asked about team building. They noted team work is a constant tug of war; contractor – fair treatment – can't get rich on one job

Greg Stepler asked about project management tools and it was noted that they prefer Excel – the MSBA is very detailed.

John Coote asked about ownership. Suresh owns 100% - wife can assume control.

Discussion – CBI and Atlantic

CBI – Brad Congdon noted they had a good written proposal but less substance in the presentation

John Coote noted that they were ill prepared and it was a poor presentation.

Patrick Tompkins commented on youth – get more attention on a small job.

Michael Bean noted it was a poor presentation – they should have prepared better.

Brad Congdon noted that even for directed questions – Wayne stepped in.

Greg Stepler – presentation material

Bob LeLacheur – indecisive

Atlantic – Brad Congdon had concerns about staffing.

John Coote noted they are very seasoned and will watch out for the Town and abutters. Very good presentation.

Pat Tompkins noted they did their homework but he has concerns they have a lot on their plate.

Michael Bean – experience.

Public Comment – June Ewing – good process and questions.

Jane Farrar – concern of abutters.

Michael Mini – OPM roles is less important than designer.

A motion by Tompkins seconded by Congdon that STV is 12.13, Atlantic 9.5 and CBI 8.0 was approved by a vote of 6-0-0.

A motion by Tompkins seconded by Congdon to adjourn at 10:20 p.m. was approved by a vote of 6-0-0.

Respectfully submitted,
Secretary

5C 46



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-08-29

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session:

Purpose: General Business

Version:

Attendees: **Members - Present:**

Greg Stepler, Brad Congdon, Nancy Twomey, David Traniello, Pat Tompkins, John Coote, Bill Brown,

Members - Not Present:

Others Present:

Facilities Director Joe Huggins, Carla Boschetti D'Agostino, John Gottwald, David Pearson, Thomas Pearson, Paul Clapp Jr, Karen Trifone, Kathleen Connors, Helen Murphy Connors, Anne Marie O'Brien, Rick Nazzaro, Louis Maffei, Noreen Ryan, Colleen Lacey, Tom Doherty, Don Gray, Tim Connors, Bobby Coppins, Stephen Crook, Karen Higgins, Bob Farrar, Brian O'Mara, Thomas Boyle, Paula Boyle, Dave Hartford, Imad Qawi,

Minutes Respectfully Submitted By:

Topics of Discussion:

The meeting was called to order.

The meeting had a large resident presence.

The residents asked questions regarding the process of the project.

Tom Doherty of 464 Summer Ave asked about the need for a new building.

Rick Nazzaro of 11 Partridge Road asked about the different options for site selection.

Mr. Brown gave a background on the process and how the sites were chosen. He spoke about the Weston and Sampson report and the study the DPW has done.

John Gotwald asked about utilizing the town forest land and Mr. Brown noted that land is not buildable.

Kathy Holt of 34 Batchelder Rd asked why a new DPW facility costs \$18 Million to build.

Mr. Stepler explained that this was for a new DPW facility not a garage for the cemetery.

Brian O'Mara of 12 Batchelder Road asked why they were only looking at two sites. He then asked if Wood End was the actual choice. He noted many people do not want it at Wood End.

5C47

Mr. Stepler explained that the OPM will examine the feasibility study and look at the best location that fits the criteria.

Town Meeting will approve the money if they project is to move forward.

Helen Connors of 65 Lowell Street asked if a firm exists that can examine operational efficiencies and that can build a building in an area other than a cemetery.

Rick Nazzaro spoke about the impact that a building on Wood End would create.

Mr. Thomkins explained the building would not be placed on lots.

Mr. Stepler explained the PBC role and how they were formed.

Anne Marie O'Brien from 8 Grove Street asked if this is part of the override and Mr. Brown noted this is Capital.

Bob Farrar of 16 Batchelder Road spoke about how the Wood End became a cemetery. He feels that the cemetery garage should be a part of a larger DPW project and go with them.

Mr. Brown spoke more about the process.

Rick Nazzaro asked who makes the decision to move forward.

Mr. Stepler told the group that the Town will make the final decision on a project.

The group wants other sites to be looked at not just the cemeteries.

Paula Boyle of 64 Batchelder Road asked why Laurel Hill doesn't work as a site.

Mr. Brown mentioned the site constraints and the safety issues at Laurel Hill.

Tom Boyle asked if the Town has ever thought about contracting out the work.

Mr. Brown mentioned the problems with contracting out this type of service.

A question was asked about expanding the scope of work to include benchmarking and looking at other sites.

Another resident asked about outsourcing.

Mr. Brown mentioned that the Cemetery Trustees have the ability under Chapter 114 to choose who does the work.

A resident asked about bulk storage of fuel at Wood End and Mr. Stepler along with Mr. Brown explained that the storage of fuel would not be allowed.

The residents all agreed that they need to be one voice.

Mr. Brown spoke about the rumor of utilizing Camp Curtis.

Rick Nazzaro asked about getting a sign placed at Wood End Cemetery mentioning that this is the future site of the cemetery garage.

The residents want a list of everyone who owns the lots at the cemetery so they can notify them of the project and gain some consensus.

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Another resident asked about putting the use of storage trailers at each location for the OPM to look at.

Pat Tompkins spoke about the charge of the PBC and how they weighted and ranked each site.

Tom Pearson asked about leasing space from Camp Curtis.

Mr. Brown mentioned it was the rumor mill regarding Camp Curtis.

Bob Farrar asked about the notification of abutters and Nancy Twomey mentioned that the fact finding process and having an actual project to bring forward would be next.

Rick Nazzaro spoke about the impact of traffic on the neighborhood.

The residents asked to have notices mailed to everyone at the meeting.

Another resident asked about the combining of the DPW's at Camp Curtis.

The following meeting dates were set:

September 19th

October 3rd

November 7th

December 5th

January 9th

Bylaw Review

The group discussed the question of project oversight/day to day supervision and when does a project become a project.

The committee began going through the bylaw.

Mr. Stepler will track the changes and send it to the group.

They discussed whether members of other committees can be allowed on the PBC.

The meeting adjourned at 10:45 PM.

Respectfully submitted,
Secretary

5C49



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Permanent Building Committee

Date: 2016-09-19

Time: 7:00 PM

Building: Reading Town Hall

Location: Conference Room

Address: 16 Lowell Street

Session:

Purpose: General Business

Version:

Attendees: **Members - Present:**

Chair Greg Stepler, David Traniello, Mike Bean, Pat Tompkins, Nancy Twomey, John Coote.

Members - Not Present:

Brad Congdon

Others Present:

Town Manager Bob LeLacheur, Facilities Director Joe Huggins, Janet Baronian, Paula Perry, Bill Brown,

Minutes Respectfully Submitted By:

Topics of Discussion:

Chairman Greg Stepler called the meeting to order.

Mr. Stepler spoke about the process up until this point.

A resident spoke about the neighbors being heard.

Mr. Stepler acknowledged that the PBC heard all of their concerns from the last meeting.

The resident feels that both the Cemetery Board and the PBC are passing the issues back and forth.

Mr. LeLacheur explained that the PBC will help the Town make good choices on building projects.

The neighbors wanted direction on what the signs proposed in the cemetery should say.

Mr. LeLacheur reminded them this is not a PBC action item.

Another resident spoke about the fact that the people have loved ones in the cemetery and have no voice.

Mr. LeLacheur explained how we got to this point and gave a background.

Approval of Minutes

Mr. Stepler went through the August 8th meeting minutes.

John Coote thought attaching the spreadsheet that ranked the finalists for OPM would be a good idea. PBC scored each candidate's submission.

The group changed a few grammatical/spelling errors.

Mr. Stepler went through the August 29th meeting minutes.
Bob added himself as an attendee.
The group corrected a location error in one statement.

The minutes were approved as amended.

Mr. Stepler went through the Bylaw with the changes.

Mr. LeLacheur asked if projects should only be brought forward from the Board of Selectmen, School Committee and Library Trustees.

Mr. LeLacheur asked when do temporary members exist and what body can bring a project forward.

Mr. Stepler reminded everyone that the PBC does not originate or decide on projects; they advise.

Mr. Stepler and Mr. Tompkins asked that the application process should lay out what a project is and what parameters it needs to meet to go forward.

They group then discussed the need for a strong application process.

The group finished modifying the Bylaw.

Mr. LeLacheur will send it to Legal Counsel then it will go to the Bylaw Committee.

The meeting adjourned at 9:19 PM.

Respectfully submitted,
Secretary

5651



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2016-09-12

Time: 7:15 PM

Building: School - Memorial High

Location: Performing Arts Center

Address: 62 Oakland Road

Session: Open Session

Purpose: General Business

Version:

Attendees: **Members - Present:**

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

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur and Jeff Pierce

Minutes Respectfully Submitted By: Secretary Barry Berman

Topics of Discussion:

Chair Halsey called the meeting to order and then recused himself, Vice Chair Sexton leads the meeting.

Jeff Pierce hands out pictures of a Steve Sample plaque, proposed to be hung on a Morton Field dugout. Steve played baseball for years in town, and his father Dave is a past president of Babe Ruth. Steve passed away at a young age from the effects of substance abuse.

John Arena notes there is a precedent in town as such a plaque exists on the Hunt Field. Barry Berman says the tribute for Sample is most appropriate. Dan Ensminger stated that he has wrestled with this idea and while he has great respect for the family, he cannot support the plaque. Kevin Sexton notes that the plaque would serve as a teachable moment for future youth involved in the sport. Berman notes that substance abuse is now viewed more as a public health epidemic and no longer has a stigma.

Bob LeLacheur notes that Erica McNamara and Chief Mark Segalla do not object to the plaque, as Steve Sample had no negative interactions with the Police or the community. John Arena asks if Babe Ruth intends to use the plaque as a teachable moment, and Jeff Pierce said that was a good suggestion that he will bring forward to the league.

Berman moves to accept the Steve Sample plaque as presented, seconded by Arena, and approved with a 3-1-0 vote, Ensminger in opposition.

Arena moves to recess the Board at 7:25pm until such time as Town Meeting adjourns, seconded by Ensminger and approved by a vote of 4-0-0.

At 9:56 PM Chair John Halsey called the Board of Selectmen back into session to present information to Town Meeting Members of the Proposition 2½ Override called by the Board of Selectmen. After giving a few remarks John Halsey asked Alan Foulds the Town Moderator

6a1

to moderate the meeting. A Presentation was given by Robert LeLacheur and John Doherty. There was some discussion among Town Meeting Members with comments from the following:

Paul Sylvester, Precinct 3
Thomas O'Rourke, Precinct 2
Mark Dockser, Finance Committee
Erin K Calvo-Bacci, Precinct 5
Gary Phillips, Precinct 7
Kendra JG Cooper, Precinct 8

After closing comments by John Halsey a motion was made by John Arena to adjourn Board of Selectmen at 11:20 PM

Arena moves to adjourn at 11:20 pm, seconded by Ensminger and approved by a vote of 5-0-0.

Respectfully submitted,

Secretary



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

Board of Selectmen

Date: 2016-09-20

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 (remotely), John Arena and Daniel Ensminger

Members - Not Present:

Others Present:

Town Manager Bob LeLacheur, Nancy Heffernan, John Daly, Beth Klepeis, Paula Schena, Bill Brown, Stephen crook, Al Sylvia, David Tuttle, Brian O'Mara and Jeff Hansen

Minutes Respectfully Submitted By: Secretary Barry Berman

Topics of Discussion:

Reports and Comments

Selectmen's Liaison Reports and Comments – Daniel Ensminger noted that Town Meeting passed the senior tax relief and the Home Rule Petition will be effective FY18. He also reminded the public that there is a special election on October 18 regarding an override request for \$7.5 million.

John Halsey echoed Daniel Ensminger's comments regarding Town Meeting and noted that it was long overdue. He noted that the questions were good and it came to a good conclusion.

Public Comment – Bill Brown noted that he received a phone call regarding children playing soccer in Memorial Park and that is not allowed according to Town Meeting action in 1917. John Halsey noted that Memorial Park was the subject of much discussion and there was a more recent court decision on Memorial Park. John Arena referred to the paragraph above the highlighted section and asked who is the object – the Town or the individual. John Halsey thanked Mr. Brown and noted that the Board will take this under advisement.

Town Manager's Report – The Town Manager noted that he went to a Police Accreditation ceremony and he noted that accreditation is a very rigorous review. This was our re-accreditation. The Police Department recently did liquor compliance checks and all were 100% compliant. In the Board's packet is a thank you letter regarding gas leaks; a thank you letter from Mr. and Mrs. Latham to the MWRA and an invitation from the Cardinal to attend a Mass for Public Safety Personnel and families.

Town Clerk Laura Gemme was present to review early voting. She noted that the new law starts with the November election and the dates for early voting are October 24 – November 4th. She is required to be open regular hours and two days that are not regular hours. We

will do Saturday, October 29 and Friday, November 4th. The ballots will be sealed and put into a locked container. Early voters cannot make a change on the ballot but absentee can make changes.

John Arena noted that his son voted absentee but when he went to vote his son's name was not checked off. Laura Gemme noted that it will get checked off when the ballot is run through the machine. If someone votes early their name will be checked, just not with the absentee.

John Halsey asked how much the early voting will cost us and Laura Gemme noted the room has to be manned by two staff and we have the two additional off days to pay for. Laura Gemme noted that the Town Clerks' Association is trying to get funding for it. The Town Manager noted that only one of the surrounding towns is doing Saturday because it is an unfunded mandate.

John Halsey asked if the ballots will be removed from the room or locked in. Laura Gemme noted that everything will stay in the room and the room will be locked. The ballots will be put in the safe at the end of the day.

John Arena asked about the RCTV cameras that are in the room and John Halsey suggested that a hood be put on the cameras.

Discussion/Action Items

Trust Fund Commissioners – Trust Fund Commissioners Nancy Heffernan, Beth Klepeis, Barry Berman (remotely) and John Daly were present. The Trust Fund Commissioners called to order at 7:15 p.m.

Beth Klepeis noted that the Act of Mass Legislation in 1926 requires the Trust Fund Commissioners to manage, invest and distribute the income of Reading Trust Funds. In 1986 a Charter study restated the mission of the Trust Fund Commissioners. In 2004 it was updated so that the Selectmen can appoint an ex-officio member.

Beth Klepeis noted that in 1925 Gilman Parker willed to the Town \$35,000 as a Hospital Trust Fund to build a hospital. In 1947 Stephen Foster willed to the Town \$3872 and in 1952 Anne Grouard willed \$75,000 to the Town to be used to pay hospital bills of needy people until that hospital was built. In 1988 the probate court judged that the money could be used for in-home health care and for transportation to hospitals since there is no probability of being able to build a hospital. The transportation program is very popular but the taxi people cannot sign people out from the hospital when someone is having tests done so the Homecare aids from Hallmark are covered for that. Reading Response was set up and it pays for 140+ clients for Lifeline, homecare aide escort service, homecare aide respite care. In addition, RCASA needed money for the William James College interface which helps people find the help they need. The Trust pays for 900 – 1000 rides yearly through Mass Tran.

John Arena asked if there is any sense of the number using the escort service and Beth Klepeis noted it is a fairly new program and we need to advertise it better.

Beth Klepeis noted that other trust funds include Cemetery, Library, Scholarships, Veterans Memorial, Celebration and Historical Preservation, Downtown Improvements and Events, Historical Commission Trust and Elder Services.

Beth Klepeis noted that the investment policies of the Trust Fund Commissioners is no more than 25% of portfolio will be invested in equities and the remainder will be invested in bonds or CD's. Beth Klepeis reviewed the balances in the trust funds as of June 30, 2016.

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Daniel Ensminger asked what the \$7,700 Historical Preservation was spent on and Beth Klepeis noted she will find out and get back to him.

The Trust Fund Commissioners adjourned at 8:10 p.m.

Board of Selectmen Policies: Update on Article 3 Class II Licenses – The Town Manager noted that this is an introduction of Town policies and no decisions will be made tonight.

Police Chief Mark Segalla noted that the CORI Fingerprint Criminal History Checks Bylaw has not been enacted yet. Town Meeting enacted it but the Selectmen did not move forward with this. Chief Segalla noted that Class I goes through a rigorous investigation by the State. We currently have eight or nine Class II licenses and we only do an in-house check for them because we would need to fingerprint to do a CORI. The Mass General Law allows the Police Department to do fingerprint background check for Hawking, Peddlers, Door to Door Sales People, Manager of Alcohol beverage license, Owner or Operator of public conveyance, dealer of second hand articles, hackney drivers and ice cream truck vendors. The Board can charge up to \$100 fee.

John Arena noted that he a member of a large nonprofit and he does a CORI without fingerprints or a charge. He asked who the report gets sent back to and Chief Segalla noted it goes to the State Police, then to the FBI and then back to the State Police.

The Town Manager noted that the Town doesn't have to charge but can. He also noted that the fingerprinting has to be done for all in a certain line of business i.e. we can't pick just one Class II license holder – we have to do all Class II license holders.

Chief Segalla noted that the Board needs to define second hand articles in Section 7.6.3.2 of the General Bylaws.

John Arena requested that Chief Segalla and the Town Manager put together a chart with columns showing the licenses and where it is on the list and then bring it back to the Board of Selectmen.

Town Manager Performance Evaluation Process – The Town Manager noted that he filled out the form that all employees use. The consensus of the Board was they like the form.

The Town Manager noted that the Department Heads thought about evaluating volunteers and Barry Berman noted that we have a process through the Volunteer Appointment Subcommittee when some don't get reappointed. John Halsey agreed that is a good way to evaluate individuals but it would be helpful to evaluate as a whole. He suggested perhaps using the liaison to give feedback. He feels it would be nice to give guidance instead of waiting until the term expires.

The Town Manager noted that he will send the performance evaluation form out to the Board this weekend.

Close Warrant for November Subsequent Town Meeting – Town Counsel Ray Miyares noted that Article 14 is a request to abandon a drainage easement so the property owner can build a garage.

Ray Miyares noted that Articles 15 and 16 are regarding Oakland Road. In 2011 there was an effort to discontinue roads and transfer to the Board of Selectmen to put up for sale but the description of the roads were not entirely accurate. A portion under control of the School Committee was originally acquired in 1937.

Bill Brown noted that the land was changed over to the School Committee in 1954 but the other portion never went to them. In 1946 the School Committee was told to take a portion or all of plot 23.

Ray Miyares noted that the correct process is to discontinue as private ways but Town Meeting discontinued as public ways. In addition, the School Committee land has grown and shrunk over the years so it is best to pretend none of that happened. So, Article 15 will be to discontinue as private ways. Article 16 will be to hear the report of the School Committee or any other public body so if the School Committee or Board of Selectmen need to take a vote they can.

Ray Miyares noted that Article 17 is for non-substantive alphanumeric changes. The Town Clerk currently has authority to make number changes and this will allow her to make non-substantive alphanumeric changes and she will make sure the change is noted.

Article 18 is part of the Municipal Modernization Act to amend Section 6.6 Revolving Funds. This requires showing where receipts come from and being spent and it will set a limit of how much is spent yearly. Daniel Ensminger asked if this is for the School Committee also and Ray Miyares responded no, their funds are under a different law. John Arena asked if this means that if someone wants to create a revolving fund we will have to change the Bylaw and Ray Miyares responded yes.

Article 19 – MS4 Permit – Storm Water Management – Ray Miyares noted that the Federal law was recently modernized. Under the new MS4 Permit we will need to make a report saying we are in compliance with the permit so we will need to adapt so we are in compliance. This will require developers to submit three plans. Daniel Ensminger asked when this kicks in and it was noted for one acre or more – agriculture is exempt, anyone already in process is exempt and lawn care is exempt. John Halsey asked if this is costly and it was noted that developers are used to this – it pertains to drainage.

Article 20 – DPW – Ray Miyares noted that when the Charter was revised it addressed Boards, Committees and Commissions but not departments so we need to add that the Department of Public Works exists (that was in the old Charter). We gave them control of water and sewer.

Article 21 – Temporary Repairs on Private Ways – Ray Miyares noted that the current practice is if the road is in a bad way then the DPW repairs to allow public safety vehicles access to the road. The importance of this article is that it enables the Town to protect itself from liabilities. Section 8.5.3.10 is a \$500 limitation per occurrence for liability of any damages arising from negligent repair. Barry Berman asked if we had that now and Ray Miyares noted we don't because it is not a public way. John Arena asked if we work on the water system and flood someone how are we covered. Ray Miyares noted that this is only for repairs to roads. If it was water it would be a tort claim.

Article 22 establishes a storm water utility which the Town already does; this puts it into a Bylaw. Article 23 – illicit connections and discharging – prevents people from discharging into the storm drain. It gives the DPW authority to demand the connection be removed. Article 24 corrects errors in numbering.

Article 25 Site Plan Review – Makes a distinction between major and minor and a bunch of small changes. John Arena asked if this is a before and after candidate and Jeff Hansen noted that CPDC will do a presentation with bold and cross out.

Ray Miyares noted that Article 26 add a new use to the Zoning Bylaw for pet grooming.

Jeff Hansen called CPDC to order at 9:35 p.m.

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Article 27 covers special home occupation allows to employee one person. Daniel Ensminger noted this adds to the homeowner right it does not take away and Ray Miyares noted that was correct. Jean Delios noted this is for someone who has a small food service and wants to hire a person during the holidays to come in to work to help out.

Article 28 increases the size of an accessory apartment because the existing restrictions are too restrictive. Jean Delios noted that the size is now 750 square feet and it is being changed to 1000 square feet. It is simple and easy for the Building Department.

Article 29 is for Permitted Accessory Buildings and Structures – there are a lot of small changes.

Article 30 revised provisions governing lot space. The attempt is to limit lots that have really strange angles. John Arena noted Town Meeting will want drawings for this one.

Article 31 is the Sign Bylaw. Ray Miyares noted that CPDC decided to do this in two steps. He noted that the Supreme Court invalidated most everyone's sign regulations because if they are regulated by function then they are regulating by content and that's against the 1st amendment. So, 60 days before the election they can have unlimited number of lawn signs. This will just bring into line with the constitution, this is not the final version. David Tuttle noted that almost every definition was based on content and that was a challenge. Ray Miyares noted that other towns have shorter regulations that are three pages. John Halsey noted that he is stunned by the insatiable need to make things harder and he asked CPDC to economize. John Arena asked if we are creating any new classes that weren't there before.

CPDC adjourned at 10:00 p.m.

The Town Manager went on to review the remainder of the Warrant Articles. He noted that Articles 1 – 3 are by Charter. Article 4 disposes of surplus property. Article 5 is the Library project debt. Article 6 rescinds debt that was authorized. Article 7 moves existing debt which is mostly the RMHS wall in the amount of \$141,000 which has already been issued. He recommends transferring to the Library project and if we don't need it all we will move it elsewhere. He noted that the Library changes weekly. Kevin Sexton asked how long the warranties are and the Town Manager noted it goes by product. The Town Manager noted that he told everyone he needs paperwork by October 10th if they want to be paid in November versus next spring. Article 9 is a grant/loan program for sewers – we are correcting a previous vote.

Article 10 allows us to ask for more funds for the Library if need be to wrap up finances. Article 11 is amending the current budget. Someone needs to make a motion to take the money for the cemetery garage out to stop the project. Daniel Ensminger noted that the Selectmen should just do this instead of an instructional motion. The Town Manager noted that the Permanent Building Committee would like to come in to speak with the Selectmen about this whole process. Also, if \$2.5 million is needed for the cemetery garage it has to go to the voters. John Halsey noted that residents are questioning why we are doing this now in light of finances and they are getting the run around. The Town Manager noted that Cemetery Trustees and Bill Brown took a run at this a couple of times. In addition, Facilities has made the building safe. Town Meeting needs to rely on professionals and not instructional motions. The Town Manager noted that at one time both the Finance Committee and Board of Selectmen were opposed to this project. John Halsey noted that residents need to know that.

The Town Manager noted that Article 12 is to pay prior year bills and Article 13 is the Retirement Board request for COLA for retirees.

GBS

A motion by Ensminger seconded by Arena to close the Warrant for the 2016 November Subsequent Town Meeting consisting of 31 Articles to take place on November 14, 2016 at the Reading Memorial High School Performing Arts Center, 62 Oakland Road at 7:30 p.m. was approved on a roll call vote with all five members voting in the affirmative.

Approval of Minutes

A motion by Ensminger seconded by Arena to approve the minutes of September 6, 2016 was approved on a roll call vote with all five members voting in the affirmative.

A motion by Ensminger seconded by Arena to adjourn the meeting at 10:29 p.m. was approved on a roll call vote with all five members voting in the affirmative.

Respectfully submitted,

Secretary

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