

**MINUTES OF BOARD OF SELECTMEN MEETING  
MONDAY SEPTEMBER 6, 2005**

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Chairman Mauceri called the meeting to order at 7:30 p.m. in Room 14 at Town Hall in the presence of members Mr. Veno, Mr. O'Leary, Mrs. Bailey and Town Administrator Greg Balukonis.

**1. MINUTES: AUGUST 22, 2005 REGULAR AND EXECUTIVE SESSIONS  
AUGUST 25, 2005 SPECIAL SESSION**

MR. CHAIRMAN, I MR. VENO MOVE TO APPROVE THE AUGUST 22, 2005 REGULAR MEETING MINUTES AS WRITTEN.

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (4-0)

MR. CHAIRMAN, I MR. VENO MOVE TO APPROVE THE AUGUST 22, 2005 EXECUTIVE SESSION MINUTES AS WRITTEN.

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (4-0)

MR. CHAIRMAN, I MR. VENO MOVE TO APPROVE THE AUGUST 25, 2005 SPECIAL SESSION MEETING MINUTES AS WRITTEN.

SECONDED BY: MR. O'LEARY  
VOTED: 3-0-1 WITH MR. VENO ABSTAINING

**2. CORRESPONDENCE**

No correspondence was requested.

**3. PUBLIC COMMENT**

None.

**7:35 p.m. Mr. Dardeno Arrived**

**4. CERTIFICATE OF APPRECIATION – WILLIAM BERRY**

Mr. Berry was present. Mr. Dardeno presented him with a certificate for his work on the Cable Advisory Committee.

**5. COMMON VICTUALLER LICENSE – SUBWAY (WAL-MART)**

Mr. Mukesh Bhalani was present. The board reviewed the license application.

MR. CHAIRMAN, I MR. VENO MOVE TO GRANT A COMMON VITUALLER LICENSE TO MIIT, INC. D/B/A SUBWAY, 72 MAIN STREET, TO EXPIRE DECEMBER 31, 2005 SUBJECT TO ALL REGULATORY DEPARTMENT REQUIREMENTS.

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SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

**6. APPROVE LEGAL BILLS FOR JULY 2005**

MR. CHAIRMAN, I MR. VENO MOVE TO APPROVE LEGAL BILLS FOR JULY 2005 IN THE AMOUNT OF \$17,441.68 AS FOLLOWS:

KOPELMAN AND PAIGE, P.C. (GENERAL)	\$10,074.68
KOPELMAN AND PAIGE, P.C. (LABOR)	6,342.00
AMERICAL ARBITRATION ASSOCIATION	250.00
ROBERT B. MC KERSIE (ARBITRATOR)	<u>775.00</u>
TOTAL:	\$17,441.68

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

Mrs. Bailey stated that she had met with the Town Administrator regarding her concerns with the high level of legal bills and he has agreed to keep a close eye on them. Mr. Mauceri stated that he had also asked Mr. Balukonis to watch for reimbursements on 40B developments and Eisenhaure Pond Park.

**7. APPOINTMENTS – POLICE STATION BUILDING COMMITTEE**

MR. CHAIRMAN, I MR. VENO MOVE TO PLACE IN NOMINATION THE FOLLOWING NAMES FOR APPOINTMENT AS MEMBERS OF THE POLICE STATION BUILDING COMMITTEE FOR AN INDEFINITE TERM:

JOE THIBODEAU

RICHARD HARRIS

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

**8. OCTOBER TOWN MEETING**

**Street Acceptance – Vote of Intention**

**Cobblers Lane**

MR. CHAIRMAN, I MR. VENO MOVE TO PROCEED WITH THE STEPS REQUIRED TO LAY OUT COBBLERS LANE (FORM 1) AND SIGN THE ORDER OF NOTICE (FORM 2).

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SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

**Furbish Pond Lane**

MR. CHAIRMAN, I MR. VENO MOVE TO PROCEED WITH THE STEPS REQUIRED TO LAY OUT FURBISH POND LANE (FORM 1) AND SIGN THE ORDER OF NOTICE (FORM 2).

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

**Deer Run Drive**

MR. CHAIRMAN, I MR. VENO MOVE TO PROCEED WITH THE STEPS REQUIRED TO LAY OUT DEER RUN DRIVE (FORM 1) AND SIGN THE ORDER OF NOTICE (FORM 2).

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

**Deerfield Place**

MR. CHAIRMAN, I MR. VENO MOVE TO PROCEED WITH THE STEPS REQUIRED TO LAY OUT DEERFIELD PLACE (FORM 1) AND SIGN THE ORDER OF NOTICE (FORM 2).

SECONDED BY: MR. O'LEARY  
VOTED: UNANIMOUS (5-0)

**Discuss Charter Changes**

The board discussed the language in the proposed charter change. Mr. Veno stated that he is not in favor of the charter change. Although he supports moving the October Town Meeting date to accommodate town citizens, he does not feel that a charter change is in order. Mr. Dardeno was also not in support of the charter change, stating that the town meeting date can be changed without a change to the charter.

Mr. O'Leary stated that he does not see it as a significant change to the charter. Additionally, he suggested that the language be amended to include the April town meeting. Mrs. Bailey stated that she would like the opportunity to speak with the Town Clerk on this subject.

Mr. Mauceri stated that he agreed with the article but not as it is currently written. Mr. Mauceri felt that the language should state that town meeting would be on the first Monday of October and April and then provide a list of exceptions to this rule. Mr. Mauceri will have the language amended and added to a future agenda.

**Warrant Articles**

The board discussed the articles and placed them in numerical order.

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**9. TOWN ADMINISTRATOR'S REPORT**

- Mr. Balukonis described the events surrounding the power failure which took place earlier in the evening.
- Mr. Balukonis updated the board on the development of the town website, stating that the goal is to go live on October 5, 2005.
- Mr. Balukonis informed the board that the town will not be receiving any reimbursement from the state to cover expenses incurred from the microburst on August 5, 2005.
- Mr. Balukonis informed the board that the Finance Department has prepared a preliminary report on funding for the 2007 operating budget.

**9. OLD AND NEW BUSINESS**

**Mr. O'Leary**

- Mr. O'Leary congratulated the North Reading Youth Soccer Program which hosted eighty-five teams in town over Labor Day weekend.
- Mr. O'Leary updated the board on the 40B developments on Elm Street and Pilgrim Road.
- Mr. O'Leary stated that local youth sports organizations are looking into the possibility of an artificial turf field at Ipswich River Park. Since the Police Station Building Committee is also looking to place temporary buildings at the same location, he was asking for the consent of the board to allow these two parties to talk. Mr. Dardeno and Mr. Veno were opposed, stating that it would cloud the issue over the police department. Although they supported the overall concept, they felt it would be detrimental to have the two sides talk before a decision on the police station was made. Mr. Mauceri and Mrs. Bailey were in support.

**Mr. Dardeno**

- Mr. Dardeno updated the board on the efforts of the Cable Advisory Committee.

**Mr. Mauceri**

- Mr. Mauceri informed the board of an upcoming MMA meeting.
- Mr. Mauceri informed the board that he had received a letter from the Association of Town Finance Committees inviting the board to their meeting on November 5, 2005.
- Mr. Mauceri read a letter he had received from the DEP.
- Mr. Mauceri read a letter he had received from the Metropolitan Area Planning Council.
- Mr. Mauceri stated that at the last PSBC meeting he had brought up the issue that the committee should be working on keeping the project visible to the citizens of the town, including possibly setting up a booth at the upcoming apple festival.

**Mr. Veno**

- Mr. Veno asked about information he had heard regarding a recent court decision that would cause the town's double pole by-law to be null and void. Mr. Balukonis confirmed his beliefs, stating that the by-law cannot legally be enforced.
- Mr. Veno expressed his heartfelt sympathies to the victims of Hurricane Katrina.

**Mrs. Bailey**

- Mrs. Bailey also expressed her sympathies to those victims of the hurricane.

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- Mrs. Bailey informed the board that the Infrastructure Committee will have its inaugural meeting on September 17, 2005
- Mrs. Bailey wished the town a safe and happy start to the school year.

**ADJOURN (9:45 PM)**

I MR. VENO MOVE TO ADJOURN.

SECONDED BY: MR. O'LEARY

VOTED: UNANIMOUS (5-0)

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Date

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Joseph Veno, Clerk