

MOTIONS – 2022 SUBSEQUENT TOWN MEETING

MOTION UNDER ARTICLE 1 2022 SUBSEQUENT TOWN MEETING

Move to table the subject matter of Article 1.

Select Board

MOTION UNDER ARTICLE 2 2022 SUBSEQUENT TOWN MEETING

Move to table the subject matter of Article 2.

Select Board

MOTION UNDER ARTICLE 3 2022 SUBSEQUENT TOWN MEETING

Move that the Town amend the FY 2023-33 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended, by making these changes:

General Fund

FY23: +\$405,000 net changes

- +\$ 80,000 Firearms replacement
- +\$ 60,000 Sturges park tennis & basketball courts
- +\$ 65,000 Fire passenger car #1 (moved from FY24 increased from \$50k to \$65k)
- +\$200,000 RMHS glycol reclamation & installation (Apr TM funding request)

FY24: +\$247,000 net changes

- \$ 45,000 Carpenter's Ford F350 Pickup (2013) (moved to FY27)
- \$ 55,000 Schools - carpeting/flooring (moved to FY25)
- \$ 20,000 Schools - doors & windows (moved to FY25)
- \$ 30,000 Schools - Driver's Ed vehicle (moved to FY26)
- + 65,000 Schools – card readers
- \$ 50,000 Fire passenger car #1 moved up to FY23
- +\$ 12,000 Fire passenger car # 2 (increased from \$53k to \$65k)
- \$ 40,000 Police unmarked vehicle (moved to FY 26)
- +\$ 40,000 DPW truck#7 (2008) (increased from \$200k to \$240k)
- +\$ 40,000 DPW truck#11(2008) (increased from \$200k to \$240k)

- +\$ 40,000 Parks pickup truck #9 (2011) (increased from \$60k to \$100k)
- +\$ 25,000 Parks/Cemetery Supervisor pickup (increased from \$55k to \$80k)
- +\$ 55,000 Loader to replace Sicard (increased from \$225k to \$280k)
- +\$ 60,000 Blower unit for loader (increased from \$165k to \$225k)
- +\$175,000 Field, playground, court improvements (increased from \$25k to \$200k)
- \$ 25,000 General parking lot improvements (reduced from \$50k to \$25k)

FY25+

Various other changes made

Enterprise Funds – Water

FY23: None

FY24: \$5,000 net change

- +\$ 5,000 Engineering vehicle (increased from \$30k to \$35k)

FY25+

Various changes made

Enterprise Funds – Sewer

FY23: None

FY24: None

FY25+

Various changes made

Enterprise Funds – Storm Water

FY23: None

FY24: None

FY25+

Various changes made

Select Board

**MOTION UNDER ARTICLE 5
2022 SUBSEQUENT TOWN MEETING**

Move that the Town amend the Town's Operating Budget for the Fiscal Year commencing July 1, 2022, as adopted under Article 18 of the Annual Town Meeting of April 7, 2022; and to raise and appropriate or transfer from available funds a sum of money, to be added to the amounts appropriated under said Article, as amended, for the operation of the Town and its government, as provided in the below chart:

General Fund – Wages and Expenses

<u>Account Line</u>	<u>Description</u>	<u>Decrease</u>	<u>Increase</u>
B99 - Benefits	Retirement Assessment -\$145,000 Worker's Compensation -\$20,000 Health insurance -\$80,000	\$245,000	
C99 - Capital	As described in Article 3		\$205,000
E99 – Regional Vocational Education	Northeast Metro Regional Vocational +\$30,000		\$30,000
F99 – FINCOM Reserves	Veteran's Agent to full-time		\$30,000
G91 – Administrative Services Wages	Pay & Class Wage Adjustments +\$22,000		\$22,000
G92 – Administrative Services expenses	Property & Casualty Insurance +\$87,000 Pay & Class Expenses -\$85,000		\$2,000
H91 - Public Services Wages	Vacation buyback \$25,000 Sr. Center Receptionist to FT\$22,000 Pay & Class Adjustments \$43,000		\$90,000
J91- Public Safety Wages	Pay & Class Wage Adj. (Health) +\$15,000 Pay & Class Wage Adj. (Police) +\$ 5,000		\$20,000
I91 – Finance Wages	Vacation buyback +\$8,000 Treasurer transition (overlap) +\$9,000 Pay & Class Wage Adjustments +\$35,000		\$52,000
K91-Public Works Wages	Pay & Class Wage Adjustments +9,000		\$9,000
K92 – Public Works Expenses	Birch Meadow Complex Pedestrian, Traffic Improvements Study +\$40,000		\$40,000
L91- Library Wages	Pay & Class Wage Adjustments +\$23,000		\$23,000
M92 – Town Buildings - Fac)	Vacation/sick buyback +\$13,000		\$13,000
	Subtotals	\$245,000	\$536,000
	Net Operating Expenses		\$0
	From Free Cash		\$291,000

Enterprise Funds

<u>Account Line</u>	<u>Description</u>	<u>Decrease</u>	<u>Increase</u>
W99 Water EF	Pay & Class Wage Adjustments		\$4,000
S99 Sewer EF	Pay & Class Wage Adjustments		\$4,000
	Subtotals		\$8,000
	Net Operating Expenses		\$8,000
	From Water EF Reserves		\$4,000
	From Sewer EF Reserves		\$4,000

MOTION UNDER ARTICLE 5 2022 SUBSEQUENT TOWN MEETING

Move to table the subject matter of Article 5.

Select Board

MOTION UNDER ARTICLE 6 2022 SUBSEQUENT TOWN MEETING

Move that the Town:

(1) Authorize the Select Board, on behalf of the Town, to petition the General Court for passage of a special law to dissolve its existing affordable housing trust created by Chapter 140 of the Acts of 2001 and transfer all funds to the trust fund established pursuant to G.L. c.44, §55C at this Subsequent Town Meeting as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition;

An act authorizing the Town of Reading to dissolve its
Affordable Housing Trust Fund

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

Whereas, Chapter 140 of the Acts of 2001 authorized the Town of Reading to establish an Affordable Housing Trust Fund;

Whereas, in 2005, the legislature enacted Section 55C of Chapter 44 of the Massachusetts General Laws (the "Municipal Affordable Housing Trust Fund Law"), which empowers municipalities to establish a local affordable housing trust, managed by a Board of Trustees;

Whereas, the Municipal Affordable Housing Trust Fund Law presents significant and important opportunities for the creation and maintenance of affordable housing stock;

Whereas, Reading Town Meeting voted to accept the Municipal Affordable Housing Trust Fund Law and adopt a bylaw establishing Board of Trustees at its meeting on November 14, 2022;

And whereas, the Town of Reading hereby seeks to dissolve its existing affordable housing trust created by Chapter 140 of the Acts of 2001 and transfer all funds to the trust fund established pursuant to the Municipal Affordable Housing Trust Fund Law.

SECTION 1. Chapter 140 of the Acts of 2001, An Act Authorizing the Town of Reading to Establish an Affordable Housing Trust Fund, is hereby repealed.

SECTION 2. All properties and funds held by the Reading Affordable Housing Trust previously established under Chapter 140 of the Acts of 2001 is hereby transferred to the Reading Affordable Housing Trust established pursuant to G.L. c. 44, s. 55C and shall only be managed, disposed of, or expended in accordance with said Section 55C.

SECTION 3. This act shall take effect upon the posting or publication, by the Town Clerk in accordance with G.L. c. 40, s. 32, an amendment to the Reading General Bylaws to establish an affordable housing trust for the Town of Reading under the authority of G.L. c. 44, s. 55C.

(2) Accept G.L. c.44, §55C, to establish a trust to be known as the Reading Affordable Housing Trust Fund, whose purpose shall be to provide for the creation and preservation of housing that is affordable in the Town of Reading for the benefit of low and moderate income households;

(3) Insert a new Section 3.3.7, Affordable Housing Trust, in the General Bylaws, as follows;

3.3.7 Affordable Housing Trust

3.3.7.1 Purpose. Pursuant to the authority of Chapter 44, Section 55C of the Massachusetts General Laws, there is hereby created a local municipal affordable housing trust to be known as the Reading Affordable Housing Trust, hereinafter the "Trust", whose purpose shall be to provide for the creation and preservation of housing that is affordable in the Town of Reading for the benefit of low and moderate income households.

3.3.7.2 Membership. There shall be a Board of Trustees of the Reading Affordable Housing Trust, hereinafter the "Board of Trustees", consisting of five voting members. The voting members shall be appointed by the Select Board and shall include a member of the Select Board, a member of the Reading Housing Authority, and three other members, each of whom, to the extent possible, shall have a background or interest in affordable housing, finance, law, including land use and zoning law, real estate, or real estate development.

3.3.7.3 Term. The Select Board shall appoint the Trustees for a term of two years, except that three of the initial trustee appointments shall be for a term of one year, provided said Trustees may be re-appointed at the discretion of the Select Board. Vacancies shall be filled by the Select Board for the remainder of the unexpired term. Any member of the Board of Trustees may be removed by the Select Board for cause after the opportunity of a hearing.

3.3.7.4 Declaration of Trust. The Board of Trustees is hereby authorized to execute a Declaration of Trust and Certificate of Trust for the Reading Affordable Housing Trust to be recorded with the Middlesex Registry of Deeds and filed with the Middlesex Registry District of the Land Court.

3.3.7.5 General Duties. The Board of Trustees shall have the following powers, all of which shall be carried on in furtherance of the purposes set forth in G.L. c.44, §55C, except that the Board of Trustees shall obtain prior approval of the Select Board to borrow money, mortgage or pledge trust assets, or purchase, accept, sell, lease, exchange, transfer, abandon, or convey any interest in real or personal property:

- a. To accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with any by-law or any general or special law or any other source;
- b. To purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;
- c. To sell, lease, exchange, transfer, or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust property as the Board of Trustees deems advisable notwithstanding the length of any such lease or contract;
- d. To execute, acknowledge, and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements, and other instruments sealed or unsealed, necessary, proper, or incident to any transaction in which the Board of Trustees engages for the accomplishment of the purposes of the Trust;
- e. To employ advisors, consultants, and agents, including, but not limited to accountants, appraisers, and lawyers as the Board of Trustees deems necessary;
- f. To pay reasonable compensation and expenses to all advisors, consultants, and agents and to apportion such compensation between income and principal as the Board of Trustees deems advisable;
- g. To apportion receipts and charges between incomes and principal as the Board of Trustees deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
- h. To participate in any reorganization, recapitalization, merger, or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
- i. To deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board of Trustees may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such

committee as the Board of Trustees may deem necessary and appropriate;

- j. To carry property for accounting purposes other than acquisition date values;
- k. To borrow money on such terms and conditions and from such sources as the Board of Trustees deems advisable, to mortgage and pledge Trust assets as collateral; any debt incurred by the Board of Trustees shall not constitute a pledge of the full faith and credit of the Town of Reading and all documents related to any debt shall contain a statement that the holder of any such debt shall have no recourse against the Town of Reading with an acknowledgement of said statement by the holder;
- l. To make distributions or divisions of principal in kind;
- m. To comprise, attribute, defend, enforce, release, settle, or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of G.L. c. 44, §55C, to continue to hold the same for such period of time as the Board of Trustees may deem appropriate;
- n. To manage or improve real property;
- o. To abandon any property which the Board of Trustees determines not to be worth retaining;
- p. To hold all or part of the Trust property uninvested for such purposes and for such time as the Board of Trustees may deem appropriate;
- q. To make recommendations on proposals to Town Meeting, subject to approval by the Select Board, when such proposals create or support affordable housing for low- and moderate-income households; and
- r. To extend the time for payment of any obligation to the Trust.

3.3.7.6 Custodian of funds. The Town of Reading Treasurer shall be the custodian of the funds of the Trust. Any income or proceeds received from the investment of funds shall be credited to and become part of the fund. The Board of Trustees shall provide for an annual audit of the books and records of the Trust. Such audit shall be performed by an independent auditor in accordance with accepted accounting practices and may be part of the Town's annual financial audit. Upon receipt of the audit by the Board of Trustees, a copy shall be provided forthwith to the Select Board.

(4) Amend Section 3.3.1.5 of the Town's General Bylaws by adding the bold and italicized language, as follows:

3.3.1.5 Term of Office

The term of office of each member of boards, committees and commissions shall commence on July 1 in the year of appointment, and shall expire on June 30 in the third following calendar year, except the terms of the members of the Reading Housing Authority are for five (5) years ***and the members of the Reading Affordable Housing Trust are for two (2) years.***

(5) authorize the Reading Affordable Housing Trust Fund Board of Trustees to file a declaration and certification of trust with the registry, which it may amend on its own initiative.

or take any other action with respect thereto.

Select Board

MOTION UNDER ARTICLE 7 2022 SUBSEQUENT TOWN MEETING

Move that the Town appropriate the amount of Two Million Two Hundred Thousand (\$2,200,000) Dollars from Certified Free Cash for the purpose of paying costs of a feasibility study to consider a repair, addition, and renovation, or replacement of the J. Warren Killam Elementary School, located at 333 Charles Street, assessors' parcel 41-19, including the payment of all costs incidental or related thereto, and for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Killam School Building Committee, and further, the Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

Select Board/School Committee

MOTION UNDER ARTICLE 8 2022 SUBSEQUENT TOWN MEETING

Move that Town Meeting authorize the Select Board to execute one or more leases of space on the water tank located on Town-owned property located at 0 Auburn Street, and shown as Assessor's Map Parcel 27-362, for the purpose constructing, installing, maintaining and operating wireless telecommunication facilities thereon for a term not to exceed twenty years on such terms and conditions as the Select Board deem appropriate, and further, to authorize the Select Board to relocate the Town's emergency communications equipment from the temporary tower located on said Town-owned property to the water tank.

Select Board

MOTION UNDER ARTICLE 9 2022 SUBSEQUENT TOWN MEETING

Move that the Town authorize the Select Board, on behalf of the Town, to petition the General Court for passage of a special law, as set forth below; provided, however, that the General Court may make clerical or editorial changes in form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and provided further

that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

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

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

SECTION 1. There shall be an exemption from the property tax for each qualifying parcel of real property classified as class 1 residential in the town of Reading in an amount to be set annually by the select board as provided in section 3. The exemption shall be applied only to the domicile of the taxpayer; provided, however, that for the purposes of this act, "parcel" shall mean a unit of real property as defined by the board of assessors under the deed for the property and shall include a condominium unit. The exemption provided for in this act shall be in addition to any and all other exemptions allowed by the General Laws.

SECTION 2. The board of assessors in the town of Reading may deny an application if they find the applicant has excessive assets that place the applicant outside of the intended recipients of the exemption under this act. Real property shall qualify for the exemption under section 1 if:

- (i) the qualifying real property is owned and occupied by a person whose prior year's income would make the person eligible for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws;
- (ii) the qualifying real property is owned by a single applicant not less than 65 years old at the close of the previous year or jointly by persons either of whom is not less than 65 years old at the close of the previous year and the other joint applicant is not less than 60 years old;
- (iii) the qualifying real property is owned and occupied by the applicant or joint applicants as their domicile;
- (iv) the applicant or at least 1 of the joint applicants has been domiciled and owned a home in the town for not less than 10 consecutive years before filing an application for the exemption;
- (v) the maximum assessed value of the qualifying real property is no greater than the prior year's maximum assessed value for qualification for the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws as adjusted annually by the department of revenue; and
- (vi) the board of assessors has approved the application.

SECTION 3. The select board of the town of Reading, shall annually set the exemption amount under section 1 between 100 per cent and 150 per cent of the amount of the circuit breaker income tax credit under subsection (k) of section 6 of chapter 62 of the General Laws for which the applicant qualified in the previous year, set annually by the Board of Assessors. The total amount exempted by this act shall be allocated proportionally within the tax levy on all residential taxpayers.

SECTION 4. A person who seeks to qualify for the exemption under section 1 shall, before the deadline established by the board of assessors of the town of Reading, file an application, on a

form to be adopted by the board, with supporting documentation relative to the applicant's income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. No exemption shall be granted under this act until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by a burden shift within the residential tax levy.

SECTION 6. This act shall expire 3 years after implementation of the exemption under this act.

Select Board

MOTION UNDER ARTICLE 10 2022 SUBSEQUENT TOWN MEETING

Move that the Town accept the provisions of Clause 56 of Section 5 of Chapter 59 of the Massachusetts General Laws, which authorizes the Board of Assessors to grant, real and personal property tax abatements up to 100 per cent of the total tax assessed to members of the Massachusetts National Guard and to reservists on active duty in foreign countries for the fiscal year they performed such service subject to eligibility criteria to be established by the Board.

Select Board

MOTION UNDER ARTICLE 11 2022 SUBSEQUENT TOWN MEETING

Move that the Town authorize the Select Board, on behalf of the Town, to petition the General Court for passage of a special law, as set forth below; provided, however, that the General Court may make clerical or editorial changes in form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO THE BOARD OF HEALTH IN THE TOWN OF READING

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

Section 1. Article 4.4 of the town of Reading home rule charter is hereby amended by striking out the first paragraph and inserting, in place thereof, the following:

There shall be a Board of Health consisting of five (5) members appointed by the Board of Selectmen for three (3) year terms so arranged that at least one (1) term shall expire each year.

Section 2. Within 30 days of passage of this act, the Board of Selectmen shall appoint two individuals to the Board of Health in accordance with Article 4.4 of the Charter and Section 1 of this act, provided, however, that one (1) member shall have an initial term of two (2) years. After that initial two (2) year term, all terms shall be for three (3) years.

Section 3. This act shall take effect immediately upon its passage.

Select Board

MOTION UNDER ARTICLE 12 2022 SUBSEQUENT TOWN MEETING

Move that the Town vote to amend Section 8.8.3.2 of the Town's General Bylaws by:

(1) inserting a new Section 8.8.3.2.3, as follows:

Cemetery Grounds

Except with the permission of the Board of Cemetery Trustees or its designee, no dog may be on the grounds of Charles Lawn, Forest Glen, Laurel Hill, or Wood End cemeteries.

and

(2) Renumbering the remaining sections accordingly.

Select Board

MOTION UNDER ARTICLE 13 2022 SUBSEQUENT TOWN MEETING

Move that the Town vote to authorize the Select Board, on behalf of the Town, to petition the General Court for passage of a special law, as set forth below; provided, however, that the General Court may make clerical or editorial changes in form only to the bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and provided further that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING THE CONTINUED EMPLOYMENT OF ANTHONY DEL SIGNORE,
THE ASSISTANT FIRE CHIEF OF THE TOWN OF READING

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

SECTION 1. (a) Notwithstanding chapter 32 of the General Laws or any other general or special law to the contrary, Anthony Del Signore, Assistant Chief of the Fire Department of the town of

Reading, may continue in service beyond the age of 65; provided, however, that Anthony Del Signore is mentally and physically capable of performing the duties of his office. The town may, at its own expense, require that Anthony Del Signore be examined by an impartial physician designated by the town to determine such capability. In no case, shall Anthony Del Signore remain in service as the Assistant Chief of the Fire Department past the date of February 29, 2024. This act shall not entitle Anthony Del Signore to remain in service to the town of Reading if otherwise removed or suspended from office in accordance with applicable laws, rules and regulations.

(b) No further deductions shall be made from Anthony Del Signore's regular compensation under chapter 32 of the General Laws for any service performed subsequent to reaching the age of 65. Upon his retirement, he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired upon reaching age 65, if any.

SECTION 2. This act shall take effect upon its passage.

Select Board

MOTION UNDER ARTICLE 14 2022 SUBSEQUENT TOWN MEETING

Move that the Town appropriates the sum of one million five hundred forty three thousand and eight hundred dollars (\$1,543,800) to pay costs of the construction and reconstruction of the water distribution system, including the payment of all incidental or related costs, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said sum pursuant to G.L. c. 44, §8 or any other enabling authority and to issue bonds or notes of the Town therefor, all or any portion of such borrowing may be issued through the Massachusetts Water Resources Authority's Local Financial Assistance Program or through any other federal or state loan programs, and that the Town is authorized to apply for, accept and expend any federal or state grants or loans that may be available for the project. or take any other action with respect thereto.

Select Board

MOTION UNDER ARTICLE 15 2022 SUBSEQUENT TOWN MEETING

Move that the Town appropriates the sum of one million dollars (\$1,000,000) to pay costs of constructing and improving the Maillet, Sommes, and Morgan stormwater systems, which will restore wetlands on Town-owned conservation land, provide significant new stormwater storage capacity, protect habitat for native species, and create walking trails, including the payment of any and all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said sum pursuant to G.L. c. 44, §7(1) or any other enabling authority and to issue bonds or notes of the Town therefor, and that the Town is authorized to apply for, accept and expend any federal or state grants or loans that may be available for the project.

Select Board

**MOTION UNDER ARTICLE 16
2022 SUBSEQUENT TOWN MEETING**

Move that the Town appropriates the sum of seven hundred fifty thousand dollars (\$750,000) to pay costs of Haven Street Roadway Design, including the payment of any and all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said sum pursuant to G.L. c. 44, §7(7) or any other enabling authority and to issue bonds or notes of the Town therefor, and that the Town is authorized to apply for, accept and expend any federal or state grants or loans that may be available for the project.

Select Board

**MOTION UNDER ARTICLE 17
2022 SUBSEQUENT TOWN MEETING**

Move to indefinitely postpone Article 17.

Select Board

**MOTION UNDER ARTICLE 18
2022 SUBSEQUENT TOWN MEETING**

Move that the Town:

- (1) Amend, pursuant to G.L. c.40, §5B, the purpose of the Smart Growth Stabilization Fund, so that the fund may hold all payments received from the Commonwealth of Massachusetts under Chapter 40R of the General Laws, including incentive and density bonus payments, said funds to be expended in accordance with said Chapter;

And

- (2) Transfer \$414,000 or any other sum from Free Cash into the Smart Growth Stabilization Fund, which funds the Town received from the Commonwealth of Massachusetts in payment for development within the Town's 40R Smart Growth Zoning Districts;

or take any other action with respect thereto.

Select Board

MOTION UNDER ARTICLE 19 2022 SUBSEQUENT TOWN MEETING

Move to indefinitely postpone Article 19. The Select Board is negotiating with the property owner. The Select Board intends to call a Special Town Meeting to review this article, when it is appropriate to do so.

Select Board

MOTION UNDER ARTICLE 20 2022 SUBSEQUENT TOWN MEETING

Move that the Town:

- (1) Add a new Section 8.14 to the Town's General Bylaws, as follows:

8.14 Regulation of polystyrene & disposable food service containers

8.14.1 Purpose

The purpose of this bylaw is to limit the distribution of polystyrene food service containers and utensils by food establishments in the Town and to encourage establishments to switch to similar items made of healthier and more environmentally friendly materials, or to switch to reusable food service items, or to adopt other approaches that do not require such containers or utensils.

8.14.2 Definitions

The following words shall, unless the context clearly requires otherwise, have the following meanings:

8.14.2.1 "Director" shall mean the Public Health Director or the Public Health Director's designee.

8.14.2.2 "Disposable Food Service Containers" shall mean single-use disposable products used for serving, consuming or transporting food or beverages, including, but not limited to take-out foods or leftovers from partially consumed meals prepared by a restaurant or other food establishment. This includes, but is not limited to, plates, cups, bowls, trays, hinged or lidded containers, straws, cup lids, and cutlery. It shall also include single-use disposable packaging for uncooked foods prepared on the premises, as well as disposable catering trays.

8.14.2.3 "Food Establishments" shall mean operations that store, prepare, package, serve, vend or otherwise provide food for human consumption as further defined in 105 CMR 590.002, including, but not limited to, restaurants, mobile food vendors, caterers, public and private schools,

farmers markets, civic or religious centers or facilities, any building owned by the Town of Reading, and any establishment requiring a permit to operate in accordance with the State Food Code.

8.14.2.4 “Polystyrene” shall mean and includes:

- Blown polystyrene and expanded and extruded foams (sometimes called “Styrofoam,” a Dow Chemical Co. trademarked form of insulation) also referred to as expanded polystyrene (EPS), which is herein referenced in this bylaw as “Foam Polystyrene.” Foam Polystyrene is generally used to make opaque cups, bowls, plates, trays, clamshell containers, meat trays, and egg cartons; and
- Clear or solid polystyrene which is also known as “oriented,” which is herein referenced in this bylaw as “Rigid Polystyrene.” Rigid Polystyrene is generally used to make clear clamshell containers, and clear or colored cups, plates, straws, lids, and utensils.
- Polystyrene may be labeled with the recycling number “6” or “PS 6”.

8.14.3 Regulation

8.14.3.1 Food establishments within the Town shall be prohibited from using or distributing disposable food service containers made from foam polystyrene or rigid polystyrene, or polystyrene cutlery or other polystyrene single-use disposable products.

8.14.3.2 The following are exempt and not subject to the provisions of this bylaw:

- Prepackaged meat and produce trays, egg cartons, and other food or beverage products bought from or packaged by a supplier other than the Food Establishment.
- Any Polystyrene Disposable Food Service Containers or other food service items, such as picnic supplies, purchased by an individual for private use or for use at a private function held on property owned by the individual or any Polystyrene items unrelated to food service such as packaging peanuts or freezer chests.

8.14.4 Administration and Enforcement

8.14.4.1 The Director shall have the authority to administer and enforce this bylaw. In addition to any other means of enforcement, the provision of this bylaw and any regulations adopted pursuant thereto may be enforced by non-criminal disposition in accordance with the provisions of Section 1.8 of the Town’s General Bylaw and MGL Chapter 40 Section 21D.

8.14.4.2 Food Establishments shall have fifteen (15) calendar days, after the date that a notice of violation is issued, to pay the penalty or request a hearing in writing to the Director. No more than one (1) penalty shall be imposed upon a Food Establishment within a fifteen (15) calendar-day period.

8.14.4.3 In the event that compliance with this bylaw is not feasible for a Food Establishment because of either unavailability of suitable alternative containers or economic hardship, the Director may grant a waiver of not more than six (6) months upon application of the owner or owner’s

representative. The Director may provide one (1) additional six-month waiver upon showing of continued infeasibility or hardship, as set forth above.

8.14.4.4 The Director may promulgate rules and regulations to implement this bylaw.

8.14.4.5 This bylaw shall take effect six months after it is posted by the Town Clerk in accordance with G.L. c.40, §32.

And

(2) Amend the Table set forth in Section 1.8 (Non-Criminal Civil Disposition of Certain Violations of the Bylaw and any Rule or Regulation of a Town Officer, Board or Department) of the General Bylaws, by adding, after line 8.13, a new line as follows:

Section	Bylaw Title	Enforcing Person	Penalty – First Offense	Penalty – Second Offense	Penalty – Additional Offenses
8.14	Regulation of Polystyrene & Disposable Food Service Containers	Public Health Director	Warning	\$50	\$200

Reading Climate Advisory Committee

MOTION UNDER ARTICLE 21 2022 SUBSEQUENT TOWN MEETING

Move to the Town create a Laura S. Parson's Trust to be administered by the Commissioners of Trust Funds, under the direction of the Council on Aging, and in accordance with the wishes of the donor, as outlined in the Gift Agreement dated 1st day of June 2022; or take any other action in relation thereto.

Select Board

MOTION UNDER ARTICLE 22 2022 SUBSEQUENT TOWN MEETING

Move to indefinitely postpone Article 22.

Select Board

**MOTION UNDER ARTICLE 23
2022 SUBSEQUENT TOWN MEETING**

Move that the Town vote to require that owners of all commercial buildings, owners of residences having 3 or more units and owners of Parking lots in the Downtown Walking District shovel public sidewalks down to the hard pavement and prevent or remove icy conditions in the entire width of the sidewalk by 9:00 AM after any snowstorm.

By Petition
