

## ANNUAL TOWN MEETING

Reading Memorial High School

April 30, 2012

The meeting was called to order by the Moderator, Alan E. Foulds, at 7:36 PM, there being a quorum present. The meeting began with the Pledge of Allegiance to the Flag. All newly elected and appointed Town Meeting Members were sworn in by the Moderator.

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Motion made by Erin Calvo-Bacci to take Article 21 out of order

**Motion to move out of order Carried**

**ARTICLE 21** Erin Calvo-Bacci moved to Indefinitely Postpone Article 21

**Motion to Indefinitely Postpone Carried**

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**ARTICLE 14** James Bonazoli, Board of Selectmen moved to see what sum the Town will vote to appropriate by borrowing, whether in anticipation of reimbursement from the State under Chapter 44, Section 6, Massachusetts General Laws, or pursuant to any other enabling authority or from the tax levy, or transfer from available funds, or otherwise, for highway projects in accordance with Chapter 90, Massachusetts General Laws, or take any other action with respect thereto.

**Background:** The purpose of this Article is to make Chapter 90 funds for road improvements available to the Town for expenditure. The Article authorizes expenditures upon receipt of the grant. The FY 2013 Chapter 90 allocation is anticipated to be \$603,012, slightly more than the \$597,663 for FY 2012. At the time of printing of this warrant, the state was just beginning to approve a multi-year Chapter 90 bond authorization, and the total state-wide FY 2013 appropriation in the proposed bond bill is expected to be \$200 million, the same as for FY 2012.

**Finance Committee Report** - given by Mark Dockser: At its March 28, 2012 meeting, the Finance Committee voted to recommend the subject matter of Article 14 by a vote of 7-0-0. We vote at town meeting each year to approve the acceptance and use of these funds for road improvements from the State, the only issue being the precise sum of money available from the state. Though the final allocation for FY13 for Reading was not known as of this vote, barring any new or different contingencies placed by the State on the funds, the committee believes that that the town should accept whatever level of funding is offered. **On April 11, 2012 the Finance Committee voted 5-0-0 to recommend the House budget figure of \$603,012.**

**Bylaw Committee Report:** No report.

Presentation given by:

- George Zambouras - See Attached

After discussion among Town Meeting Members

**Motion Carried**

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**ARTICLE 15** Ben Tafoya, Board of Selectmen moved to Indefinitely Postpone Article 15

**Motion to Indefinitely Postpone Carried**

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**ARTICLE 16** John Arena, Board of Selectmen moved to see if the Town will vote to authorize the Board of Selectmen to grant an easement to Northern Bank and Trust for placement of an ATM machine in the Town owned parking area between Woburn Street and Haven Street in accordance with a plan titled "ATM Kiosk Easement Exhibit Plan", dated Feb, 24, 2012 prepared by Allen & Major Associates, Inc.; and, further, to see if the Town will vote to authorize the Board of Selectmen to acquire an easement for driveway purposes between Haven Street and the parking area from Northern Bank and Trust in accordance with a plan titled "Access Easement Exhibit Plan", dated Feb, 24, 2012 prepared by Allen & Major Associates, Inc.;

or take any other action related thereto.

**Background:** The CPDC is considering site plan approval for the renovations to the MF Charles building. At its meeting on April 2, 2012 the CPDC approved the site plan, leaving 2 options for the ATM kiosk depending upon Town Meeting action on this article.

The project to redevelop this property has been long awaited since the building was sold about five years ago. One of the opportunities which presents itself is the establishment of two way vehicular access from Haven Street, an improvement to the circulation to the municipal parking lot which has been envisioned in the Master Plan and parking studies for a number of years. This is a unique one time opportunity to establish that access as part of the planning approval for his project.

The renovation of the MF Charles building will include a new bank – the owner of the building also owns Northern Bank and Trust. In lieu of the drive through window that has existed along the driveway on the side of the MF Charles building for years, the owner is willing to give the Town an easement over the entire 24 foot driveway, and in exchange the bank would receive an access easement over the municipal parking lot and for the ATM kiosk.

The plan below shows both easements. This can be accomplished with no loss of parking, and with full use of the municipal parking lot (the bank drive-up kiosk has a "bypass" lane for through traffic). An added benefit to the project will be site lighting and some much needed landscaping within the municipal lot.



**Finance Committee Report:** No report.

**Bylaw Committee Report:** No report.

Bill Brown, Precinct 8 moved to Indefinitely Postpone Article 16

2/3 Vote required  
 Declared unanimous by Moderator  
 161 Town Meeting Members in Attendance

**Motion to Indefinitely Postpone Article 16 Carried**

**ARTICLE 17** Steve Goldy, Board of Selectmen moved to see if the Town will vote to authorize the Board of Selectmen, upon approval of the Conservation Commission, to obtain a utility easement for the construction, maintenance, repair and operation of utilities over, across and upon a certain portion of land in the Town of Reading held by it for conservation purposes pursuant to a plan entitled "Belmont Street to Ivy Street Utility Easement" prepared by the Department of Public Works Engineering Division and dated March 5, 2012;

James Bonazoli, Board of Selectmen moved to dispense with the reading of the motion

**Motion to Dispense Carried**

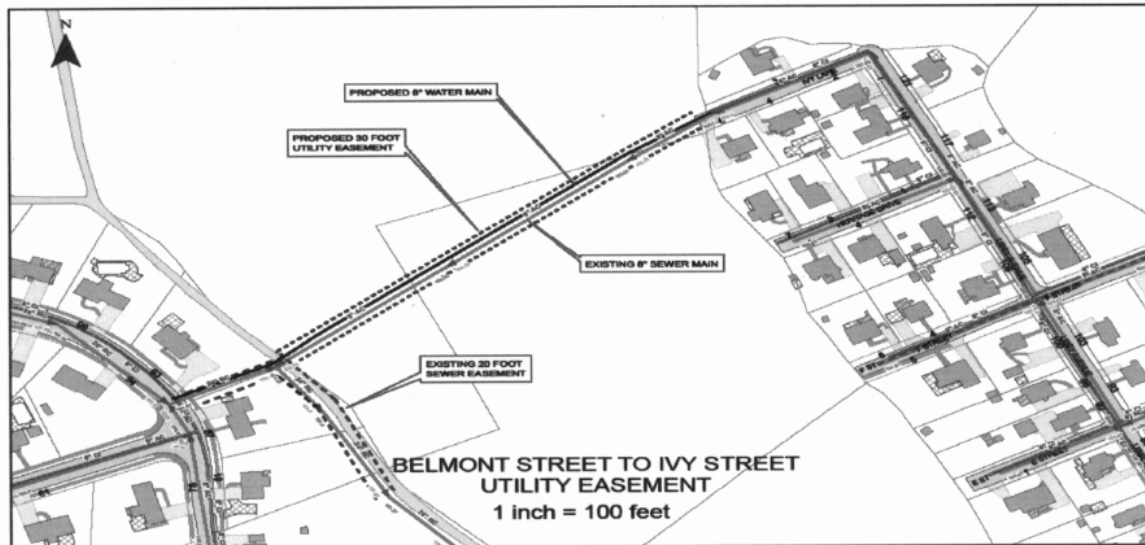
and, further, to see if the Town will authorize, empower and direct the Selectmen and the Conservation Commission, to execute, acknowledge and deliver in the name and on behalf of said Town such deeds or other instruments as may be necessary or proper in connection therewith, such deeds or other

instruments to be in such form and upon such terms as the Selectmen may deem proper; and, further, that the Town authorize the Selectmen and Conservation Commission to petition the General Court to adopt such legislation as may be necessary to carry out the purpose of this vote, or take any other action with respect thereto.

**Background:** Over the past several years the Town has continuously made strides to upgrade and rehabilitate the Town's water distribution system as recommended in the 2001 study, performed by Weston and Sampson Engineering. These upgrades help to address poor fire flows, water quality and pressure loss due to undersized or deteriorated mains. In the study the Libby Avenue area was found to have deficient fire flows, providing only 20% of the recommend fire flows. The installation of a new water main connecting the end of Ivy Street to Belmont Street will eliminate a major dead end in the water distribution system; and improve fire flows and water quality to the area.

The proposed 8" water main looping Ivy Street to Belmont Street will be cement lined ductile iron pipe approximately 850 feet in length. Approximately 700 feet of the proposed water main will be installed through Town property paralleling the current sewer main which was installed in 1976. The property through which the easement is needed consists of 2 parcels that were taken by the Town for conservation purposes in 1972 and 1974. During a deed research of the Town owned land it was determined that no rights have been reserved for a utility easement.

The purpose of this article is to authorize the Selectmen to create a thirty (30) foot wide utility easement to permit the proper installation, maintenance and repair of the Town's utilities over conservation controlled Town owned land. The Article will further authorize the Town to request the General Court to adopt legislation as may be necessary to carry out the authorization of the easement.



**Finance Committee Report:** No report.

**Bylaw Committee Report:** No report.

2/3 Counted Vote Required  
146 Voted in the affirmative  
0 Voted in the negative  
161 Town Meeting Members in Attendance

## Motion Carried

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**ARTICLE 18** Motion made by John Lippitt, Precinct 7 to see if the Town will adopt the following resolution:

*We, the voters at the 2012 Annual Town Meeting of the Town of Reading, affirm our belief that the First Amendment to the United States Constitution was designed to protect the free speech rights of people, not corporations.*

*The United States Supreme Court's 2010 decision in Citizens United v. Federal Election Commission overturned longstanding precedent prohibiting corporations and unions from spending their general treasury funds in public elections. We believe that the ruling created a serious and direct threat to our democracy and the conduct of free and fair elections, by permitting corporations and others to drown out the voices of ordinary persons. Already we have seen our political process flooded with newly unleashed corporate and other money, resulting in historically unprecedented campaign expenditures.*

*The people of the United States have previously used the Constitutional Amendment process to correct decisions of the United States Supreme Court that invade or invalidate democratic institutions, including elections.*

**NOW, THEREFORE, BE IT RESOLVED THAT WE, THE VOTERS AT THE 2012 ANNUAL TOWN MEETING OF THE TOWN OF READING, CALL UPON THE UNITED STATES CONGRESS TO PASS AND SEND TO THE STATES FOR RATIFICATION A CONSTITUTIONAL AMENDMENT TO RESTORE THE FIRST AMENDMENT AND FAIR ELECTIONS TO THE PEOPLE, AND FURTHER, WE CALL UPON THE MASSACHUSETTS GENERAL COURT TO PASS ONE OR MORE RESOLUTIONS ASKING FOR THOSE ACTIONS.**

The Town Clerk of the Town of Reading shall send a copy of this resolution to the state and federal representatives and senators serving the Town of Reading, and to the Governor of the Commonwealth of Massachusetts and the President of the United States, and take any other appropriate action relative thereto.

Or take any other action with respect thereto

**Background:** A little more than two years ago, the U.S. Supreme Court made a precedent-breaking decision. In a five-to-four vote on a case called *Citizens United v. Federal Election Commission* (*Citizens United* for short), the court ruled that corporations and unions have the same rights to freedom of speech as U.S. citizens under the Bill of Rights. The court expanded on previous rulings that said that spending money to deliver a political message counts as speech. It held, for the first time, that corporations have the right to spend unlimited corporate funds to support or oppose candidates for elected office. This overturned the 1907 law banning corporate contributions signed by President Theodore Roosevelt, who said, "All contributions by corporations to any political committee or for any political purpose should be forbidden by law."

### **WHAT DOES THIS TOWN MEETING RESOLUTION DO?**

The resolution presented here to Town Meeting states that:

- Free speech rights belong to people not corporations or other organizations, and
- Unlimited spending by corporations and others in our elections presents a real danger to our democracy because corporations and others with wealth can drown out the voices and interests of all of us ordinary citizens.

This resolution calls:

- On Congress to pass an amendment to our Constitution to clearly establish that money is not the same as speech, and that human beings, not corporations, are entitled to constitutional rights such as free speech, and
- On our State Legislature to pass a resolution supporting a Constitutional amendment. Such a resolution, Senate Bill 772, is being considered by the Legislature. It had a hearing on February 28<sup>th</sup> and a committee vote is expected to have occurred by March 21.

#### **WHO ELSE SUPPORTS OVERTURNING CITIZENS UNITED?**

Fifteen cities or towns in Massachusetts, including Boston, and hundreds of communities across the United States have passed similar resolutions calling for a Constitutional amendment to overturn Citizens United, including Los Angeles, New York, and the 55 VT towns that passed resolutions on March 6. At least two state legislatures (HI & NM) have passed such resolutions and a number of state legislatures are considering them.

Citizens all across the country have concluded that unlimited campaign spending by corporations and wealthy individuals means that our elections will not be a fair fight. Democracy's foundation, *government of, by, and for the People*, is undermined by the influence of money on elections and government decision-making. If, as *Citizens United* asserts, money equals speech, then those with more money have louder voices and those with no money have no voice. This flies in the face of the principles of our democracy and the Constitution that our founders wrote.

Over 200 groups have formed a loose coalition working to overturn *Citizens United*, including Move to Amend, Common Cause, the National Lawyers Guild, the Unitarian Universalist Association, and Veterans for Peace. The Montana Supreme Court upheld the state's 1912 law limiting corporate spending in campaigns, despite a lower court ruling that *Citizens United* had invalidated the law in question. The 2nd U.S. Circuit Court of Appeals similarly upheld a New York City law that places limits on political contributions.

#### **WHY IS OVERTURNING THE CITIZENS UNITED DECISION SO IMPORTANT?**

With the 2012 election season underway, the consequences of the *Citizens United* decision are becoming clearer by the day. Some wealthy individuals and corporations are already contributing millions of dollars to Super PACs, which have already spent over \$40 million in the Republican presidential primaries. The amount spent to date is a drop in the bucket compared to the hundreds of millions of dollars that these Super PACs have stated they will raise and spend during the entire 2012 election period.

The unleashing of corporate funds has dramatically expanded possible election spending and, therefore, concerns that elected officials will be more responsive to contributors and their money than to constituents. The Open Secrets project at the Center for Responsive Politics calculated that even before *Citizens United* roughly 72% (\$3.4 billion) of all campaign contributions in 2007–2010 came from the business sector (individuals and organizations), with labor contributing 4% (\$172 million), ideological groups 7% (\$308 million), and others 17%. Now we can expect even greater business sector dominance.

**Finance Committee Report:** No report.

**Bylaw Committee Report:** No report.

Presentation given by:

- John Lippitt – See Attached

After extensive discussion a motion was made by Elaine Webb, Precinct 1 to move the question.

2/3 Vote Required  
130 Voted in the affirmative  
18 Voted in the negative  
161 Town Meeting Members in Attendance

**Motion to Move Question Carried**

Fred Van Magness, Precinct 8 moved to Indefinitely Postpone Article 18

2/3 Vote required  
Declared Unanimous by Moderator  
161 Town Meeting Members in Attendance

Question of count made by Thomas Ryan, Precinct 1

2/3 Counted Vote  
101 Voted in the affirmative  
41 Voted in the negative  
161 Town Meeting Members in Attendance

**Motion to Indefinitely Postpone Article 18 Does Not Carry**

**Main Motion Carried**

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**ARTICLE 19** Ben Tafoya, Board of Selectmen moved to see if the Town will vote to approve an Affordable Housing Trust Fund Allocation Plan pursuant to Chapter 140 of the Acts of 2001 entitled "AN ACT AUTHORIZING THE TOWN OF READING TO ESTABLISH AN AFFORDABLE HOUSING TRUST FUND", or take any other action with respect thereto.

**Background:** The purpose of this Article is to approve an Affordable Housing Trust Fund Allocation Plan approved by the Board of Selectmen. Chapter 140 of the Acts of 2001 authorized the Town of Reading to establish an Affordable Housing Trust Fund (AHTF).

- "The Town of Reading may establish a separate fund to be known as the Affordable Housing Trust Fund for the purpose of creating or preserving affordable housing ... for the purpose of creating, maintaining or operating affordable housing."
- The AHTF may "develop new or rehabilitate existing dwelling units for purchase or rental by low and moderate income housing purchasers or tenants;"
- "Expenditures shall follow an allocation plan submitted by the Board of Selectmen annually to Town Meeting at the Annual Town Meeting, and approved by Town Meeting."
- "all expenditures from the fund, . . . shall be in accordance with the allocation plan and approved by a majority vote of the full combined memberships of the Board of Selectmen and the Reading Housing Authority."

The purpose of the Affordable Housing Allocation Plan is to provide a framework for the Town to expend funds on affordable housing. The current balance is \$259,077. Funds have been accumulated over the years as funds were secured for the purpose by the CPDC, and funds deposited in one instance when an existing affordable unit was no longer able to be kept affordable after efforts were made to do so. There are no Town tax generated funds in the AHTF. The only expenditure to date from the AHTF is an amount of \$200,000 for Oaktree development to provide an additional 3 affordable housing units. That sum is in escrow and by the fall of 2012 the Town will know whether any or all of it has been utilized. Pending that information, the Board of Selectmen has indicated that it may ask to transfer funds from the 40R payments to the Affordable Housing Trust Fund next fall.

Under Article 6 of this Annual Town Meeting, approval was received for hiring a consultant to update the Town's Housing Plan, including the 5 year "Housing Production Plan". This effort is important as a

defense against unfriendly 40B developments in the community, and requires the Town to develop a phased plan to produce housing to reach the 10% threshold as required by the 40B statute. As part of these planning efforts, the Town will evaluate how the AHTF can best be used to support the "Planned Production" goals of the Housing Plan, and it is expected that at the 2013 Annual Town Meeting the Affordable Housing Allocation Plan will be fleshed out in better detail, although it is important that the plan remain as flexible as possible to enable the Town to respond to opportunities as they arise.

An additional initiative that is being considered is to join a regional consortium which would assist the member communities in monitoring and administering the Town's responsibilities for the various affordable housing developments that exist and will be developed in the future, to maintain the affordable units that the Town has worked so hard to create. This would be a potential use of the "Administrative" monies designated by the Affordable Housing Allocation Plan.

At its meeting on March 27, 2012, the Board of Selectmen voted to approve the following as the FY 2013 Affordable Housing Trust Fund Allocation Plan:

**Affordable Housing Trust Fund Allocation Plan  
March 27, 2012**

Pursuant to Article 19 of the 2012 Annual Town Meeting, an Affordable Housing Trust Fund Allocation Plan for the Fiscal Year 2013 in accordance with the provisions of Chapter 140 of the Acts of 2001 is as follows:

Available Balance – <u>Unrestricted Funds</u> :	\$ 259,077
Available Balance – <u>Restricted Funds</u>	\$ 0

Unrestricted funds shall be used for the following purposes:

\$5,000 or a maximum of 2%	for administration of Affordable Housing
Remainder	for constructing affordable housing (including loan and grant programs); or for maintaining and improving affordability of existing housing stock; or for the purchase of existing housing stock to add it to or maintain it as a part of the existing affordable housing inventory

**Finance Committee Report** - given by Mark Dockser: At its March 14, 2012 meeting, the Finance Committee voted to recommend the subject matter of Article 19 by a vote of 7-0. The allocation plan though sparse in detail will be more fully developed in the upcoming fiscal year with the assistance of a consultant hired by the Board of Selectmen and the Reading Housing Authority to develop a more complete Housing Plan for the town. We believe that in order to support the goals of the Affordable Housing Trust Fund, the allocation plan must be flexible and allow for entering into agreements during the upcoming fiscal year as opportunities arise. We believe that the provisions of the AHTF provide a fiscally responsible mechanism for approving the use of funds, with a majority vote of the combined memberships of the Board of Selectmen and Reading Housing Authority required for all expenditures.

**Bylaw Committee Report:** No report.

**Motion Carried**

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**ARTICLE 20** John Arena, Board of Selectmen moved to see if the Town will vote to add section 5.4 to the Town of Reading General Bylaw as follows

Steve Goldy, Board of Selectmen moved to dispense with the reading of the motion



## Motion to Dispense Carried

### 5.4 Criminal History Check Authorization

5.4.1 Fingerprint Based Criminal History checks The Police Department shall, as authorized by Massachusetts General Laws Chapter 6, Section 172 B 1/2, conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for the following licenses:

- Hawking and Peddling or other Door-to- Door Salespeople, (Police Chief)
- Manager of Alcoholic Beverage License (Board of Selectmen)
- Owner or Operator of Public Conveyance (Board of Selectmen)
- Dealer of Second-hand Articles (Board of Selectmen)
- Hackney Drivers, (Board of Selectmen)
- Ice Cream Truck Vendors (Board of Health)

5.4.1.1 Notification At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's criminal history records. The Police Chief shall periodically check with the Executive Office of Public Safety and Security ("EOPSS") which has issued an Informational Bulletin which explains the requirements for town by-laws and the procedures for obtaining criminal history information, to see if there have been any updates to be sure the Town remains in compliance.

5.4.1.2 State and national criminal records background checks Upon receipt of the fingerprints and the appropriate fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in this by-law.

5.4.1.3 Authorization to conduct fingerprint-based state and national criminal record background checks The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI), and their successors, as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including of FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize State and FBI records in connection with such background checks, consistent with this by-law. The State and FBI criminal history will not be disseminated to unauthorized entities. Upon receipt of a report from the FBI or other appropriate criminal justice agency, a record subject may request and receive a copy of his/her criminal history record from the Police Department. Should the record subject seek to amend or correct his/her record, he/she must take appropriate action to correct said record, which action currently includes contacting the Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or the FBI for records from other jurisdictions maintained in its file. An applicant that wants to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34. The Police Department shall not utilize and/or transmit the results of the fingerprint-based criminal record background check to any licensing authority pursuant to this by-law until it has taken the steps detailed in this paragraph.

5.4.1.4 Municipal officials should not deny an applicant the license based on information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so. The Police Department shall communicate the results of fingerprint-based criminal record background checks to the appropriate governmental licensing authority within the Town as listed. The Police Department shall indicate whether the applicant has been convicted of, or is awaiting final adjudication for, a crime that bears upon

his or her suitability or any felony or misdemeanor that involved force or threat of force, controlled substances or a sex-related offense.

5.4.1.5 Regulations The Board of Selectmen, is authorized to promulgate regulations for the implementation of the proposed by-law, but in doing so it is recommended that they consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to ensure that such regulations are consistent with the statute, the FBI's requirements for access to the national database, and other applicable state laws.

5.4.2 Use of Criminal Record by Licensing Authorities Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in this by-law. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination.

The Town or any of its officers, departments, boards, committees or other licensing authorities is hereby authorized to deny any application for, including renewals and transfers thereof, for any person who is determined unfit for the license, as determined by the licensing authority, due to information obtained pursuant to this by-law.

5.4.3 Fees the fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be determined by the Board of Selectmen and shall not exceed one hundred dollars (\$100). The Town Treasurer shall periodically consult with Town Counsel and the Department of Revenue, Division of Local Services regarding the proper municipal accounting of those fees. A portion of the fee, as specified in Mass. Gen. Laws Chapter 6, Section 172B 1/2, shall be deposited into the Firearms' Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of the fingerprinting system.

5.4.4 Effective Date This by-law shall take effect May 4, 2012, so long as the requirements if G.L. c. 40 sec. 32 are satisfied.

or take any other action with respect thereto

**Background:** In 2010 the Massachusetts Legislature incorporated language within the Criminal Offender Record Information (CORI) Reform Law that adds Massachusetts General Law (MGL) Chapter 6, Section 172 ½ which becomes effective May 4, 2012. This new section allows municipal officials to enact by-laws that require fingerprint-based state and national criminal history checks of applicants for licenses in specified occupations. Currently the Police Department is unable to conduct fingerprint-based record checks and cannot use the multi-state criminal offender check system on vendors who often travel door to door within our community. Many of these transient vendors are from out-of-state and a local Massachusetts record check fails to reveal any previous criminal history, while the subject may have extensive violent out-of-state criminal history. The passing of this by-law is the first step in a multi-step process. The bylaw will need to be reviewed by the Attorney General's Office, the Massachusetts State Police State ID Section and the MA Department of Criminal Justice Information Services (DCJIS). Following their reviews, the bylaw will then be reviewed by the FBI Access Integrity Unit. Finally, the Board of Selectmen is authorized by the Bylaw to develop regulations to implement it, and the Board must consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security on these regulations.

There are clear guidelines within the Bylaw as to how the fingerprint based checks are to be used as well as an appeal process for the applicant to correct or complete information on the record check. The record check also cannot be disseminated to anyone who is not authorized to receive it.

The Massachusetts Police Chief's Association General Counsel, worked with the Attorney General's Office, in consultation with the staff of the EOPSS/CHSB (DCJIS) and FBI, to reach a consensus on the wording of the sample by-law that a community might adopt that would meet with everyone's approval.

The following is an Informational Bulletin from the Commonwealth of Massachusetts Department of Public Safety on this matter:



**THE COMMONWEALTH OF MASSACHUSETTS**  
**EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY**  
**Department of Criminal Justice Information Services**  
200 ARLINGTON STREET, SUITE 2200 CHELSEA, MASSACHUSETTS 02150  
WWW.MASS.GOV/CHSB  
THE COMMONWEALTH'S PROVIDER OF CRIMINAL JUSTICE INFORMATION  
SERVICES  
TEL: 617-660-4600 • TTY: 617-660-4606 • FAX: 617-660-4613

**Deval L. Patrick** Governor  
**Timothy P. Murray** Lieutenant Governor

**Mary Elizabeth Heffernan** Secretary of Public Safety and Security  
**James F. Slater, III** Acting Commissioner

**Informational Bulletin**  
**Civil Fingerprinting – Chapter 256 of the Acts of 2010**  
**Effective May 4, 2012**

**What is the new law that permits municipal officials to conduct fingerprint based state and national criminal history records checks on license applicants?**

On August 6, 2010, the Governor signed into law Chapter 256 of the Acts of 2010, "An Act Reforming the Administrative Procedures Relative to Criminal Offender Record Information and Pre- and Post-Trial Supervised Release." Section 23 of this new law, *which takes effect on May 4, 2012, adds c. 6, §172B ½ to the Massachusetts General Laws and creates an umbrella statute under which municipal officials may enact ordinances to require state and national criminal history record checks of applicants for licenses in specified occupations.*

**This new section provides:**

Municipalities may, by local ordinance, require applicants for licenses in specified occupations to submit a full set of fingerprints for the purpose of conducting a state and national criminal history records check pursuant to sections 168 and 172 and 28 U.S.C. §534. Fingerprint submissions may be submitted by the licensing authority to the identification unit within the department of state police through the criminal history systems board, or its successor, for a state criminal records check and to the Federal Bureau of Investigation for a state and national criminal records check.

Municipalities may, by local ordinance, establish the appropriate fee charged to applicants for administering a fingerprinting system. For the purposes of section 2LLL of chapter 29, \$30 of the fee shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund and the remainder of the fee may be retained by the licensing authority for costs associated with the administration of the system.<sup>1</sup>

<sup>1</sup> While Chapter 256 of the Acts of 2010 refers only to "ordinances," the Massachusetts General Laws define "ordinance" as a term synonymous with "bylaw." G.L. c. 4, §7, cl. Twenty second. Thus, for the purposes of M.G.L. c. 6, §172B ½, both cities and towns may avail themselves of these statutory provisions to establish a state and nation criminal history records check for civil fingerprinting for designated municipal licenses.

**What are the requirements for a municipal ordinance that authorizes fingerprint based state and national criminal history records checks on municipal license applicants?**

The FBI will not permit municipalities access to the national criminal history records database unless the municipality has an ordinance or by-law that meets the following requirements:

- The ordinance must reference the authorizing statute, Mass. Gen. Laws c. 6, § 172B½.
- The ordinance must require fingerprinting of a licensing applicant.
- The ordinance must authorize the use of FBI records to conduct state and national criminal history records checks.
- The ordinance must identify specific categories of licensing applicants to be screened and may not be overly broad in its scope.
- The ordinance must clearly state that FBI criminal history will not be disseminated to unauthorized entities.

**Once the FBI AIU has approved a municipal ordinance, how does a municipality conduct fingerprint based state and national criminal history records checks on license applicants?**

- The ordinance must be forwarded to the State Identification Section of the Massachusetts State Police (SIS) and copied to the Massachusetts Department of Criminal Justice Information Services Office of the General Counsel (DCJIS OGC). SIS will submit the ordinance for approval by the FBI Access Integrity Unit (AIU). Once approved, the FBI will add the ordinance to the FBI Massachusetts Approved Statute List. SIS will also maintain a Massachusetts Approved Ordinance List.
- Once the municipal ordinance has been approved by the FBI AIU, the municipality must contact both the SIS and DCJIS OGC to establish the business processes required for the implementation of a state and national criminal records check system, including the assignment of an Originating Agency Identifier (ORI). Contact information for both agencies appears below.
- Once these business processes have been established, a licensing applicant may be fingerprinted at the police department of the municipality in which he or she is seeking a municipal license.
- The police department will forward the applicant's fingerprints either electronically or manually to the SIS which will submit them to the FBI. All fingerprint submissions must contain the ordinance number or correct city code citation in the "Reason Fingerprinted" block of the fingerprint submission form.
- The results of the state and national criminal history records will be returned directly to the live scan fingerprint device of the submitting department and/or a designated secure website managed by DCJIS.
- It is the responsibility of the submitting department to review the results of the criminal history check and determine suitability of the license applicant. For results that are returned without a disposition to a charge, the submitting department is responsible for gathering the missing disposition(s). The CJIS may be used to contact out-of-state agencies using the International Justice and Public Safety (NIets) message keys.

**Once the municipal licensing authorities receive the state and national criminal history records check results, what are their responsibilities?**

- Any non-law enforcement municipal employee who as a result of this process receives and reviews, or maintains state and national criminal history records check results must first complete DCJIS's information security/identification verification training, as well as DCJIS CORI training.
- Municipal officials responsible for determining suitability for licensing must provide the applicant with the opportunity to challenge the accuracy or completeness of the FBI criminal history.
- Municipal officials should not deny an applicant the license based on information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so.

- If the applicant wants to challenge the accuracy or completeness of the record, municipal officials must advise the applicant that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34.

**How much will obtaining a fingerprint based state and national criminal history records check cost?**

- Pursuant to M.G.L. c. 6, §172B½, each municipality can set its own state and national criminal records check fee structure by ordinance. The new law requires that municipalities deposit \$30.00 of this fee into the Commonwealth's Firearms Fingerprint Identity Verification Trust Fund. DCJIS and the SIS will establish a payment system through which police departments make these deposits. Municipal licensing authorities may keep the remainder of the fees for costs associated with the administration of its state and national criminal history records check system.

**What other requirements for conducting fingerprint based state and national criminal history records check do municipalities need to know about?**

- The state and national criminal history check results may only be used for the purpose requested, that is, screening for specific licenses.
- A state and national criminal history records background check for civil licensing purposes may only be conducted based on a fingerprint check as authorized by a municipal ordinance and may not be conducted based on name and date of birth.
- A federal background check may not be conducted for municipal employment applicants unless such employment involves a position requiring a license issued by the municipality.
- All municipal entities that conduct fingerprint based state and national criminal history checks will be subject to audit by the DCJIS.
- Each municipal entity will be required to develop and maintain written policies and procedures for its fingerprint based national criminal history records check system.

**Once an ordinance for civil fingerprinting has passed, who should a municipality contact?**

Once a municipality passes a civil fingerprinting ordinance, it should contact the following:

Commanding Officer  
Massachusetts State Police  
State Identification Section  
59 Horse Pond Rd.  
Sudbury, Ma 01776.  
(508) 358-3170

Additionally, a copy of the ordinance or by law must be sent to the DCJIS OGC by email at [dcjisprints@state.ma.us](mailto:dcjisprints@state.ma.us). The State Identification Section will respond with detailed instructions and the next steps required for implementing a state and nation criminal history record check system.<sup>2</sup>

<sup>2</sup> Please note, all proposed by-laws or ordinances must still be approved by the Massachusetts Attorney General's Office Municipal Law Division.

**NOTE:**

Municipalities are not allowed to submit any state or national fingerprint checks until authorized by the DCJIS and the SIS. The DCJIS and the SIS will publish guidelines and detailed processes prior to commencement of this program.

Federal law prohibits police departments from conducting name and date of birth national criminal history records check for non-criminal justice purposes (i.e., licensing).

**Finance Committee Report:** No report.

**Bylaw Committee Report** - given by Phil Pacino: The Bylaw Committee recommends the subject matter of this Article by a vote of 4-0-0.

Presentation given by:

- James Cormier – See Attached

David Talbot, Precinct 5 moved to amend \$ 100 maximum to \$ 50

**Motion to Amend Does Not Carry**

After extensive discussion a motion was made by a Town Meeting Member to move the question.

2/3 Vote Required  
125 Voted in the affirmative  
10 Voted in the negative  
161 Town Meeting Members in Attendance

**Motion to Move Question Carried**

**Main Motion Carried as Presented**

---

On motion by Ronald O'Keefe Jr, Precinct 1, it was voted that this Annual Town Meeting stand adjourned to meet at 7:30 PM at the Reading Memorial High School Auditorium, on Thursday, May 3, 2012.

Meeting adjourned at 11:09 PM with 161 Town Meeting Members in attendance.

Counted Vote  
75 Voted in the affirmative  
63 Voted in the negative  
161 Town Meeting Members in Attendance

**Motion Carried**

A true copy Attest:

Laura A Gemme  
Town Clerk



# 2012 Annual Town Meeting

## Article 14

### Authorize Chapter 90 expenditures

- Statewide Chapter 90 funding is level funded compared to last year;
- Reading's share of the Chapter 90 local transportation aid funding for FY13 will be **\$603,012** (up from \$597,663 in FY12);
- Reading will spend over \$1.4 million on Road improvements when the \$800,000+ allocation from the General Fund and 40R Smart Growth Stabilization Fund are also considered.
- The CIP plans for increased funding over the next few years that should allow the current Pavement Condition Index of 73 to be approximately 75 within the next few years, depending on prices.



# **2012 Annual Town Meeting**

## **Article 15**

**Indefinitely Postpone Debt Authorization**





# 2012 Annual Town Meeting

## Article 16

- Presentation: [Article 16 Presentation.ppt](#)
- Reading Co-Operative Bank Presentation: [ARTICLE 16-  
Reading Cooperative Bank Presentation.pptx](#)

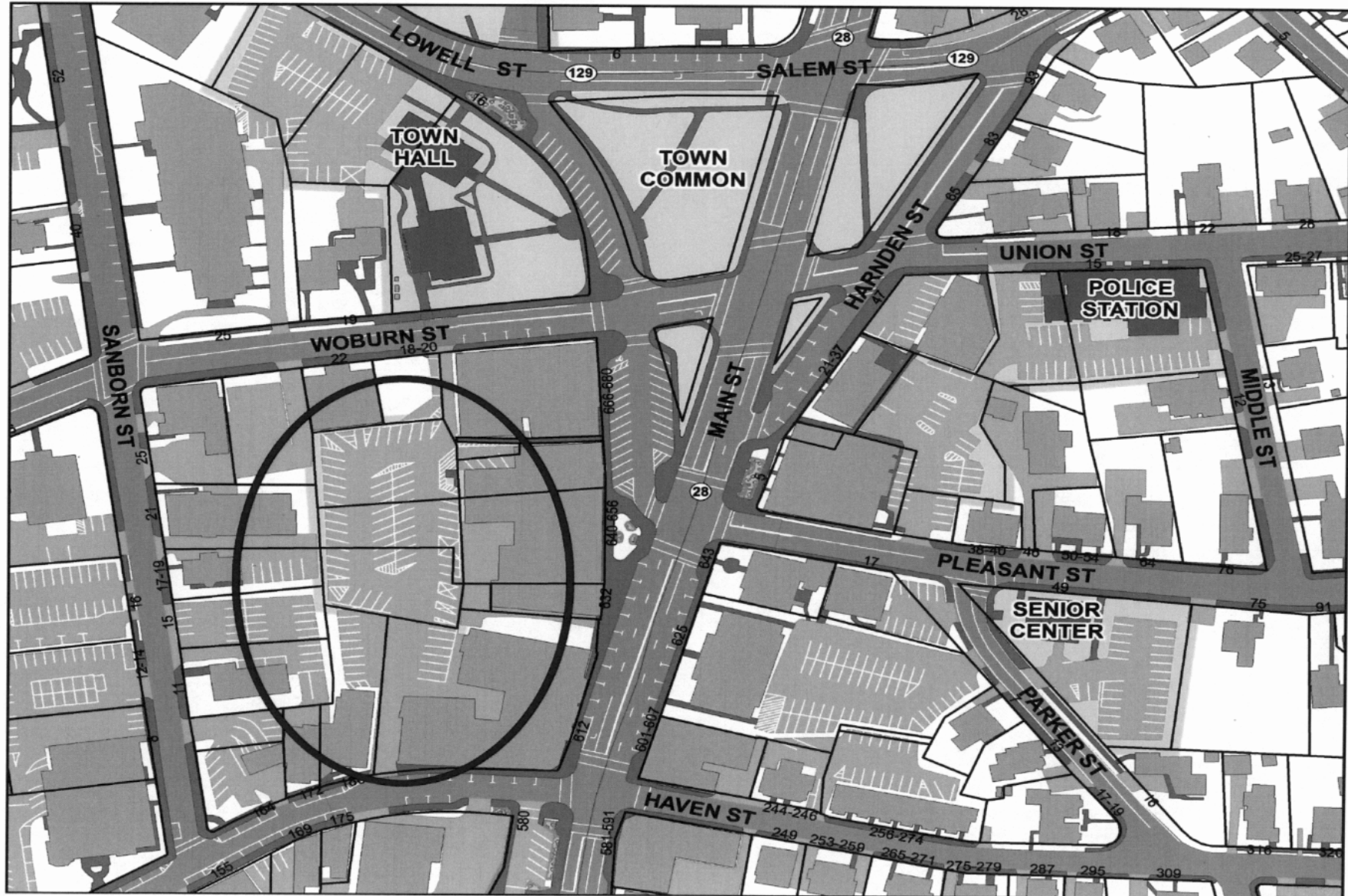


## Article 16

- **Authorizes the Board of Selectmen to enter into reciprocal easements;**
  - **An access easement to the Town over the entire (privately owned) Haven Street driveway to allow for 2 way access from Haven Street to the Municipal Parking Lot**
  - **In exchange an easement from the Town within the Municipal Parking Lot is proposed for a free standing ATM for Northern Bank and Trust**

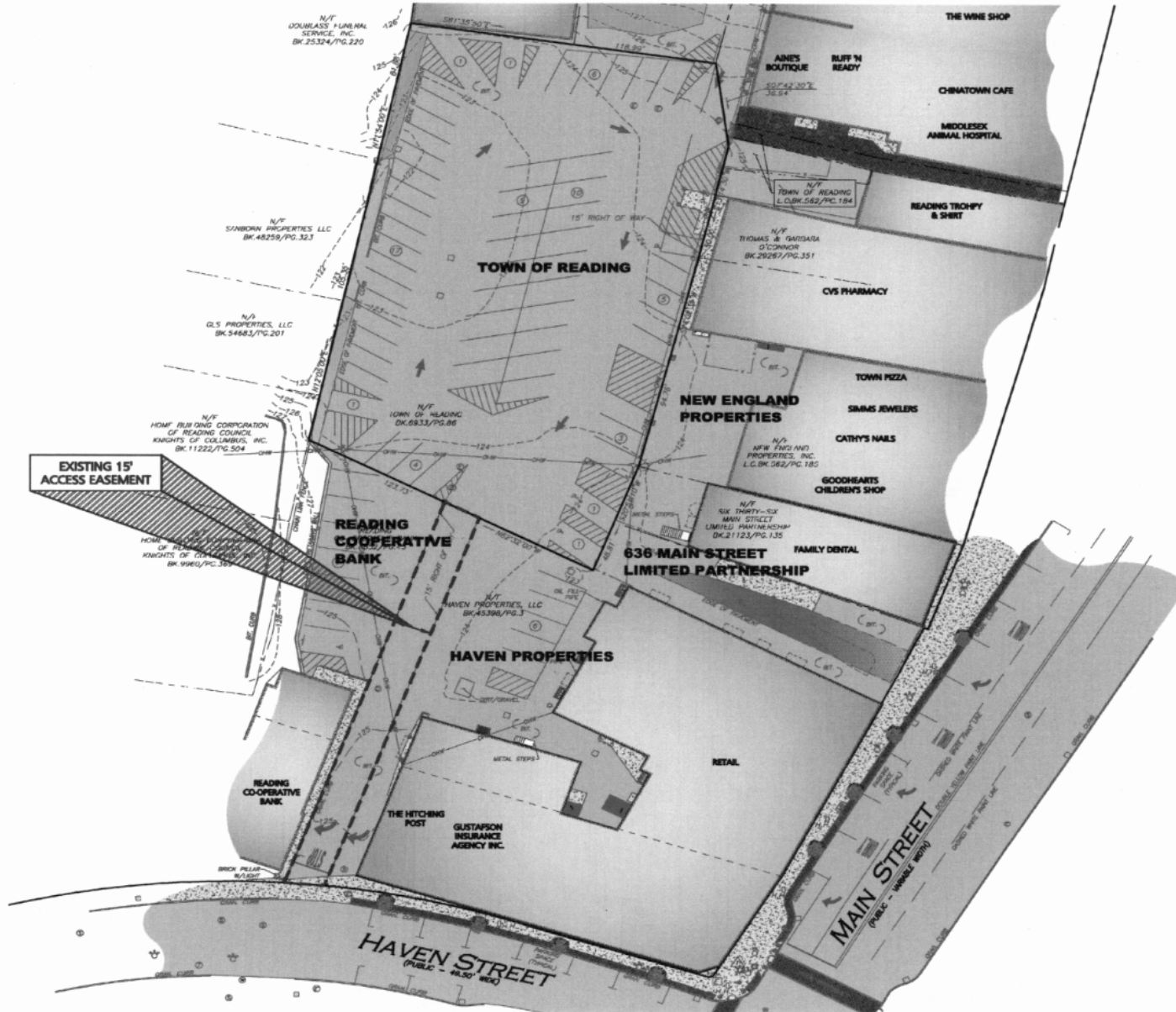


# Map of Area

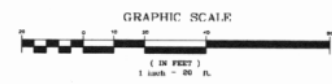




# Existing Ownership



COLOR CHART:	
BUILDING	[Solid grey box]
CONCRETE	[Horizontal line pattern box]
GRASS	[Vertical line pattern box]
PAVEMENT	[Diagonal line pattern box]
BRICK PAVERS	[Cross-hatch pattern box]
LANDSCAPED AREA	[Stippled pattern box]
DECIDUOUS TREES	[Large solid circles]
SHRUBS	[Small solid circles]
EVERGREEN/FLOWERING	[Sunburst pattern circles]





# Existing Vehicular Access





# View From Haven Street





# Existing Drive Up





# 2012 Annual Town Meeting – Article 16

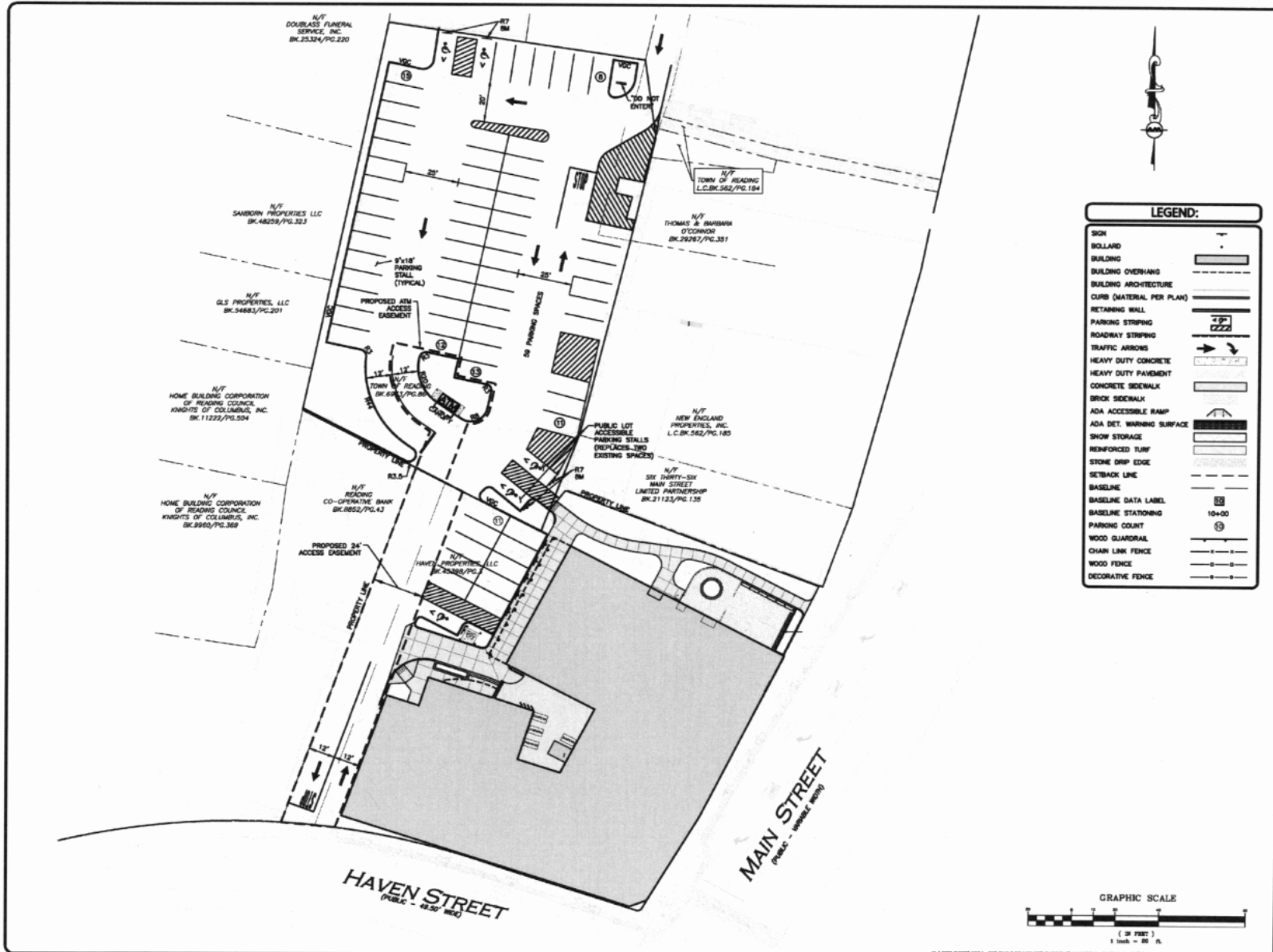
## Easements for Two Way Access to Upper Haven Street Parking Lot







# Proposed Parking Lot Plan




LEGEND:	
SIGN	(Symbol)
BOLLARD	(Symbol)
BUILDING	(Symbol)
BUILDING OVERHANG	(Symbol)
BUILDING ARCHITECTURE	(Symbol)
CURB (MATERIAL PER PLAN)	(Symbol)
RETAINING WALL	(Symbol)
PARKING STRIPING	(Symbol)
ROADWAY STRIPING	(Symbol)
TRAFFIC ARROWS	(Symbol)
HEAVY DUTY CONCRETE	(Symbol)
HEAVY DUTY PAVEMENT	(Symbol)
CONCRETE SIDEWALK	(Symbol)
BRICK SIDEWALK	(Symbol)
ADA ACCESSIBLE RAMP	(Symbol)
ADA DET. WARNING SURFACE	(Symbol)
SNOW STORAGE	(Symbol)
REINFORCED TURF	(Symbol)
STONE DRIP EDGE	(Symbol)
SETBACK LINE	(Symbol)
BASELINE	(Symbol)
BASELINE DATA LABEL	(Symbol)
BASELINE STATIONING	(Symbol)
PARKING COUNT	(Symbol)
WOOD GUARDRAIL	(Symbol)
CHAIN LINK FENCE	(Symbol)
WOOD FENCE	(Symbol)
DECORATIVE FENCE	(Symbol)

REV	DATE	DESCRIPTION

**APPLICATION OWNER:**  
 NORTHERN BANK & TRUST COMPANY  
 NORTHERN BANK & TRUST BUILDING  
 275 MISHAWUM ROAD, 4TH FLOOR  
 WOBURN, MA 01801

**PROJECT:**  
 MF CHARLES BUILDING  
 SITE DEVELOPMENT &  
 RENOVATIONS  
 612 MAIN STREET  
 READING MA 01867

**PROJECT NO. 190402    DATE: 06/10/12**  
**SCALE: 1"=20'    DWG. NAME: C190402**  
**DRAFTED BY: RES    CHECKED BY: RES**

**DESIGNED BY:**  
  
**ALLEN & MAJOR ASSOCIATES, INC.**  
 civil & structural engineering • land surveying  
 environmental consulting • landscape architecture  
 www.allenmajor.com  
 100 COMMERCIAL WAY  
 P.O. BOX 9118  
 WOBURN, MA 01890  
 TEL: 978-935-4888  
 FAX: 978-935-8996  
 WOBURN, MA • LAKESVILLE, MA • WANDERSWEE, NH

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**DRAWING TITLE:**  
 LAYOUT & MATERIALS PLAN

**SHEET No.:**  
 C-2



## **No Loss of Parking Spaces**

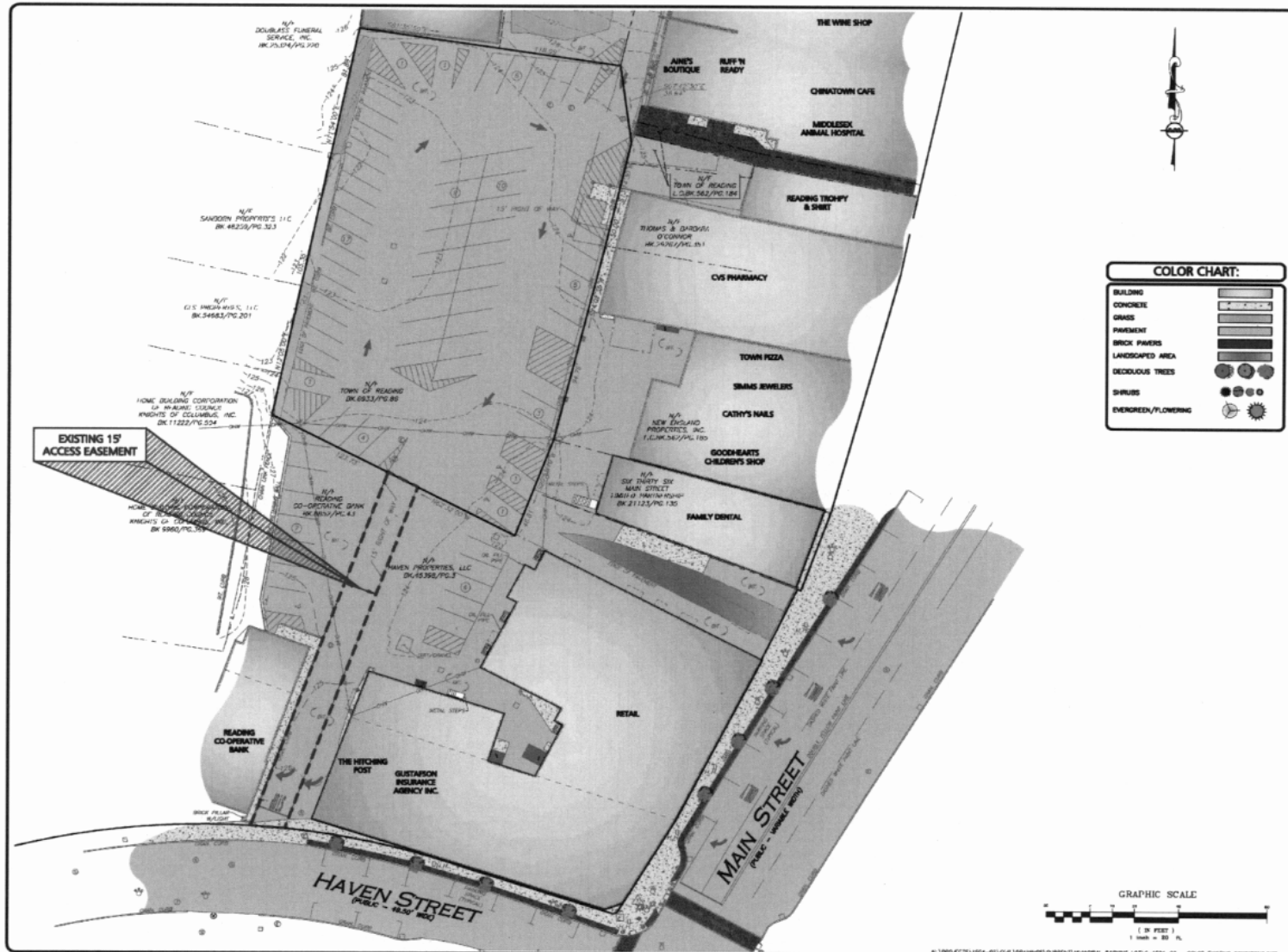
- **By realigning the parking spaces from angle to 90 degrees there is no loss in parking;**
- **There are 59 total parking spaces under both existing and proposed plans;**
- **Circulation changes have been anticipated.**



# Easements




# Existing Easement Area



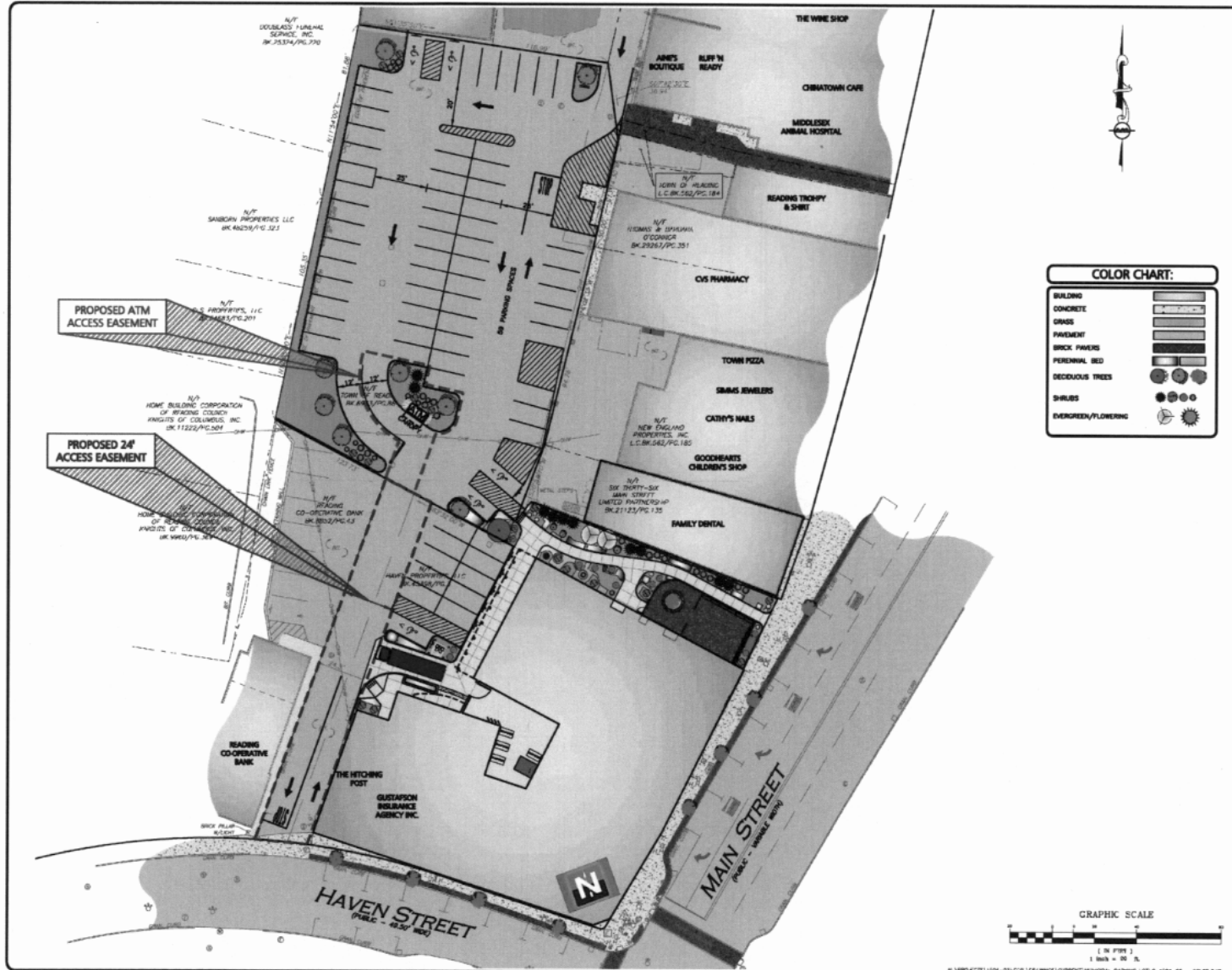
**COLOR CHART:**

BUILDING	[Solid Gray]
CONCRETE	[Diagonal Hatching]
GRASS	[Stippled]
PAVEMENT	[Horizontal Hatching]
BRICK PAVEMENT	[Vertical Hatching]
LANDSCAPED AREA	[Dotted]
DECIDUOUS TREES	[Large Circles]
SHRUBS	[Small Circles]
EVERGREEN/FLORERING	[Starburst Symbols]

REV	DATE	DESCRIPTION
<p>APPLICATION OWNER:          NORTHERN BANK &amp; TRUST COMPANY          NORTHERN BANK &amp; TRUST BUILDING          275 MISHAWUM ROAD, 4TH FLOOR          WOBURN, MA 01801</p>		
<p>PROJECT:          MF CHARLES BUILDING          SITE DEVELOPMENT &amp;          RENOVATIONS          612 MAIN STREET          READING MA 01867</p>		
PROJECT NO.	150402	DATE: 06-10-12
SCALE:	1"=80'	DWG. NAME: C-1504-02
DRAWN BY:	MS	CHECKED BY: BCL
<p>DESIGNED BY:    <b>ALLEN &amp; MAJOR ASSOCIATES, INC.</b>          civil &amp; structural engineering • land use/planning          environmental consulting • landscape architecture          189 COMMERCIAL WAY          FLD. BOX 818          WOBURN, MA 01890-0818          TEL: (781) 938-8888          FAX: (781) 938-8888          WOBURN, MA • GREATBARR, MA • NEWTON, MA</p>		
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DRAWING TITLE:	EXISTING COLOR PRESENTATION PLAN	SHEET NO. PP-2

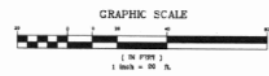


# Proposed Easement Areas

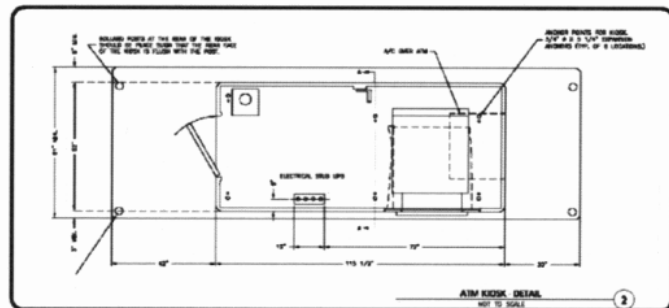
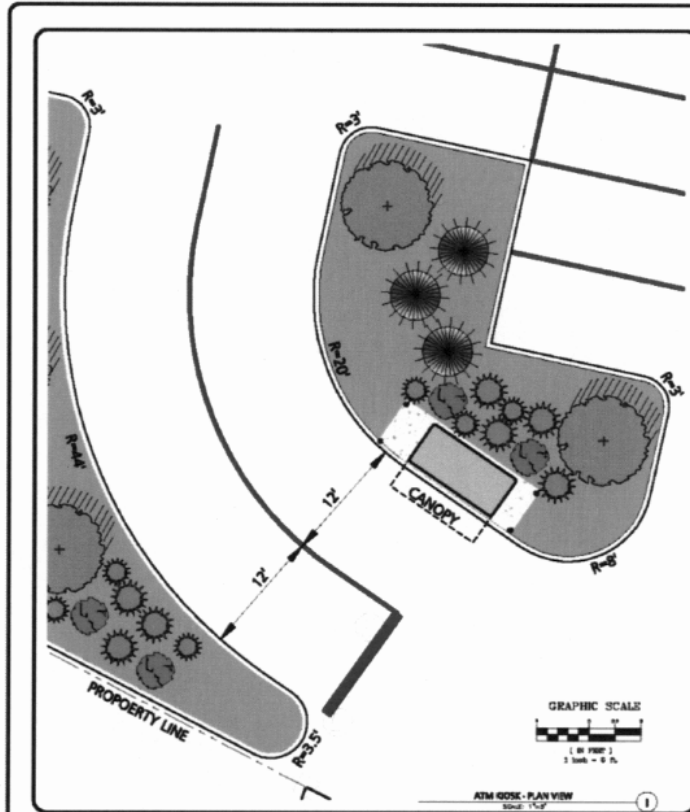


**COLOR CHART:**

BUILDING	[Pattern]
CONCRETE	[Pattern]
GRASS	[Pattern]
PAVEMENT	[Pattern]
BRICK PAVEMENT	[Pattern]
PERENNIAL BED	[Pattern]
DECIDUOUS TREES	[Symbol]
SHRUBS	[Symbol]
EVERGREEN/FLOWERING	[Symbol]



REV	DATE	DESCRIPTION
APPLICATION/OWNER		
NORTHERN BANK & TRUST COMPANY NORTHERN BANK & TRUST BUILDING 275 MISHAWUM ROAD, 4TH FLOOR WOBBURN, MA 01801		
PROJECT		
MF CHARLES BUILDING SITE DEVELOPMENT & RENOVATIONS 612 MAIN STREET READING MA 01867		
PROJECT NO.	1504-02	DATE: 04-10-12
SCALE:	1"=20'	DWG. NAME: C1504-02
DRAFTED BY:	MS	CHECKED BY: BCL
RETURN TO:		
<p><b>ALLEN &amp; MAJOR ASSOCIATES, INC.</b> Civil &amp; structural engineering • load surveying environmental consulting • landscape architecture</p> <p>100 CONCORDS BLVD P.O. BOX 3818 WOBBURN, MA 01890-0318 TEL: (781) 968-8888 FAX: (781) 968-8888</p> <p>WOBBURN, MA • BURLINGTON, MA • BOSTON, MA</p>		
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DRAWING TITLE:	COLOR PRESENTATION PLAN	SHEET NO. PP-1



**CONCEPTUAL**  
ISSUED FOR REVIEW  
JANUARY 11, 2013

PROFESSIONAL ENGINEER FOR  
ALLEN & MAJOR ASSOCIATES, INC.

REV	DATE	DESCRIPTION

PROJECT:  
**NORTHERN BANK & TRUST COMPANY**  
 NORTHERN BANK & TRUST BUILDING  
 275 MISHAWUM ROAD, 4TH FLOOR  
 WOBURN, MA 01801

PROJECT:  
**MF CHARLES BUILDING**  
 SITE DEVELOPMENT &  
 RENOVATIONS  
 612 MAIN STREET  
 READING MA 01867

PROJECT NO. 158480    DATE: 09-1-11  
 SCALE: AS SHOWN    DWG. NO.: C-158480  
 DRAWN BY: BM    CHECKED BY: BM

**ALLEN & MAJOR ASSOCIATES, INC.**  
 civil & mechanical engineering & landscape architecture  
 100 STATE STREET  
 10A COMMERCIAL WING  
 WOBURN MA 01896  
 TEL: 781-938-8800    FAX: 781-938-8899

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DRAWN TITLE: ATM KIOSK CONCEPTUAL LAYOUT	SHEET No. CP-1
--	-------------------



## Land area involved

- The Town will be granting a 1,716 square foot easement for the ATM
- The Town will be receiving a 4,177 square foot access easement
- This is the only available location to provide for 2 way access from Haven Street to the Municipal Parking Lot



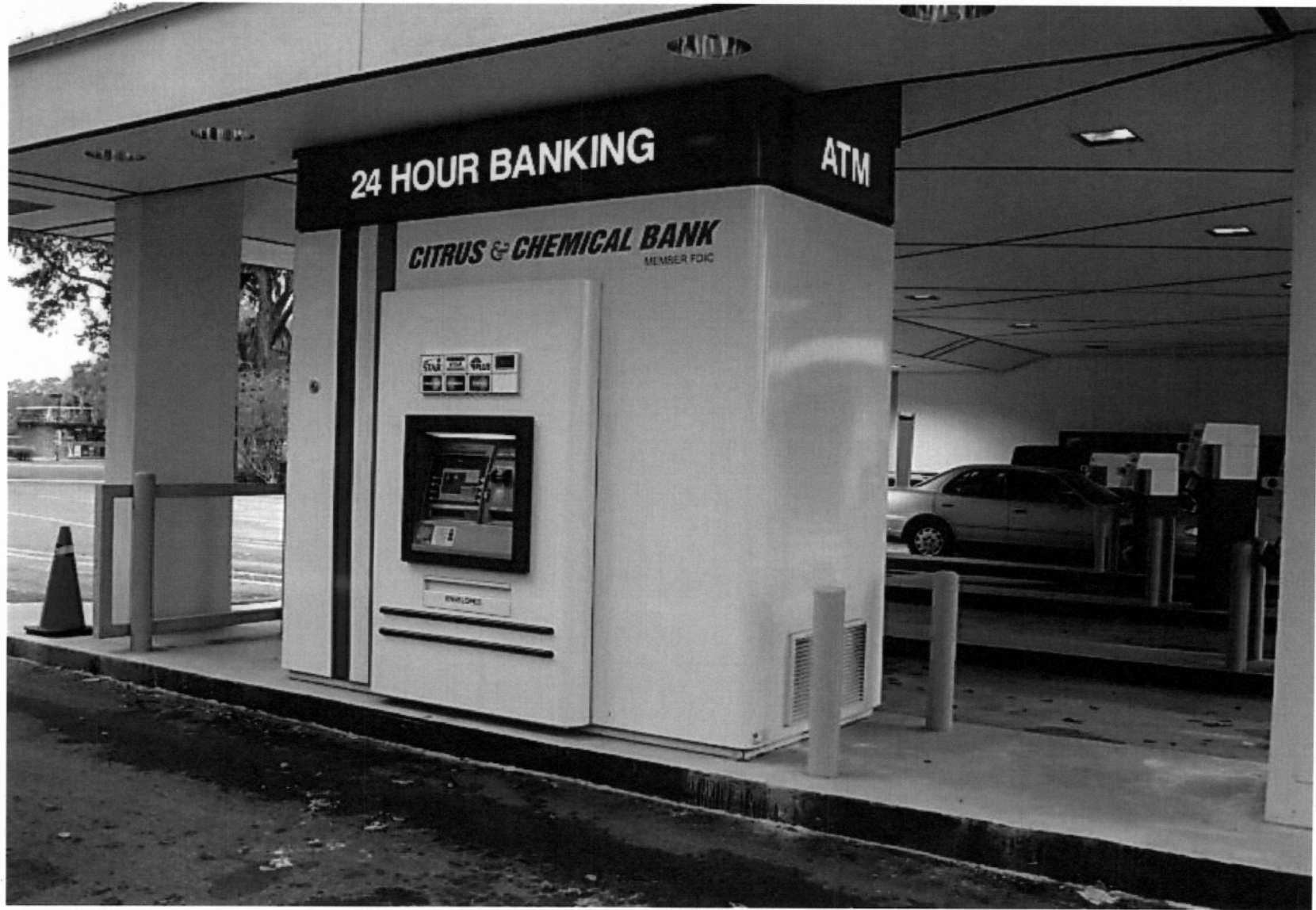
## **Other Benefits**

- **Adds much needed landscaping to the parking lot**
- **Adds decorative lighting to the parking lot**
- **Removes some overhead wires**
- **Provides for flexibility if the Town ever decides to build a parking garage at this location – an ATM can be built into a parking garage**





## Example of an ATM in Garage





## **Next Steps – If Approved**

- **Board of Selectmen will hold a public hearing on the easements;**
- **Board of Selectmen will negotiate details of the access easement;**
- **Proposal goes back to CPDC for a “Major Modification” to the site plan approval;**
- **This process does not hold up the renovation of the Mawn (M F Charles) building.**

# ARTICLE 16 OPPOSITION

Prepared by  
READING CO-OPERATIVE BANK  
Presented By  
Joshua E. Latham, Esq.  
April 23, 2012

All opinions expressed are those of the  
author

# ARTICLE 16

## BOTTOM LINE UP FRONT

*Article 16 would have adverse consequences that significantly exceed the benefit to be gained, namely:*

- 1. Increased risk to pedestrian safety*
- 2. Reduction in Downtown parking*
- 3. Deficient driveway design from Haven St.*
- 4. Negative impact upon traffic circulation*
- 5. Dedication of public property to private use*
- 6. Preclude future redevelopment*

# ARTICLE 16

## Critical Clarifications

- Article 16 is not about redevelopment of the MF Charles building
  - Site Plan approval granted by CPDC on April 2<sup>nd</sup> using the existing one-way driveway and ATM location
- Article 16 is not proposed or endorsed by any Town board—it is a staff initiative
- Article 16 is not included in the (i) Master Plan, (ii) 2007 Downtown Parking Taskforce Report, or (iii) 2009 Parking Study

# ARTICLE 16

## Risk to Pedestrian Safety

### *UNMITIGATED RISK TO PEDESTRIANS*

#### EXISTING RIGHT OF WAY

- ROW is 15' with one-way of traffic

#### PROPOSED

- Proposed driveway would encompass entire width of alley with two-way traffic
- No safety measures, handicap access, or controls for pedestrians within a constrained space, walled, and with poor visibility
- Risks to pedestrians using Haven Street sidewalk



All opinions expressed are those of the author

# ARTICLE 16

## Loss of Parking

### *Loss of at least 4 Downtown parking spaces*

#### EXISTING

- Municipal Lot provides 59 spaces
- Each space measures standard 9' in width

#### PROPOSED

- Net reduction of *at least* 3 parking spaces from the Municipal Lot
- Elimination of 1 on-street parking space
- Proposed spaces appear less than standard 9' in width



# ARTICLE 16

## Deficient Driveway Design

### *2-WAY DRIVEWAY FAILS TO MEET DESIGN SAFETY CRITERIA*

#### INSUFFICIENT WIDTH

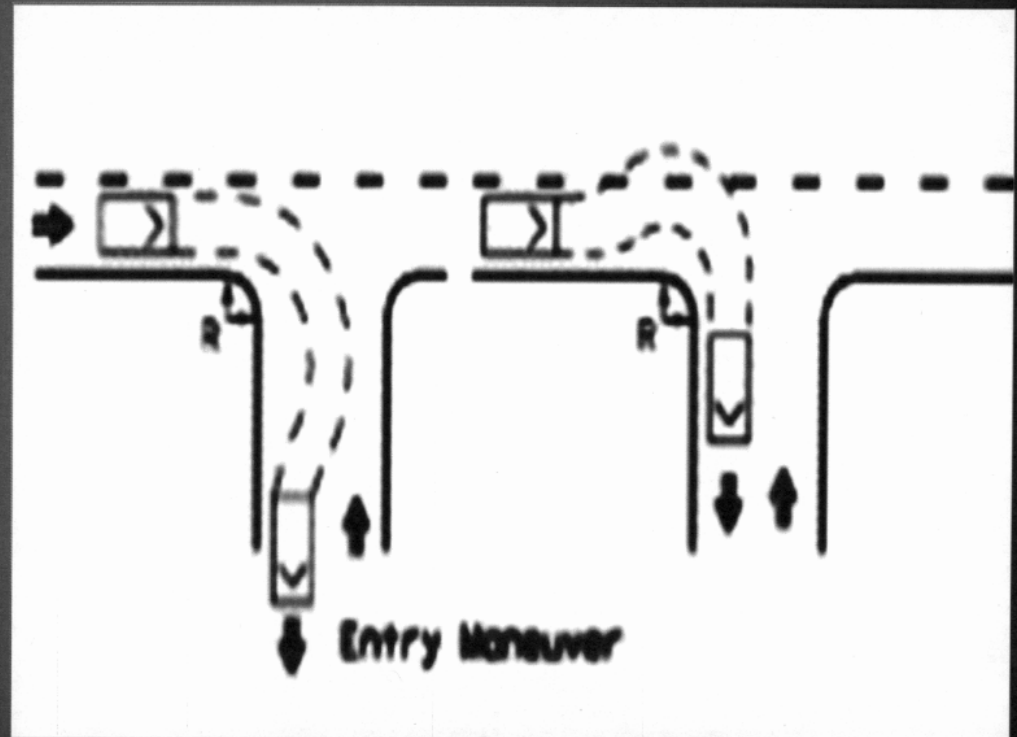
- Minimum width for commercial dual lane driveway = 24'
- Width of the alley = 23'

#### INADEQUATE SITE DISTANCE

- Site distance inhibited by MF Charles Building

#### INADEQUATE TURNING RADIUS

- Vehicles larger than standard passenger vehicles will encroach significantly into on-street parking space and/or opposing traffic lane





# ARTICLE 16

## Worsened Traffic Circulation

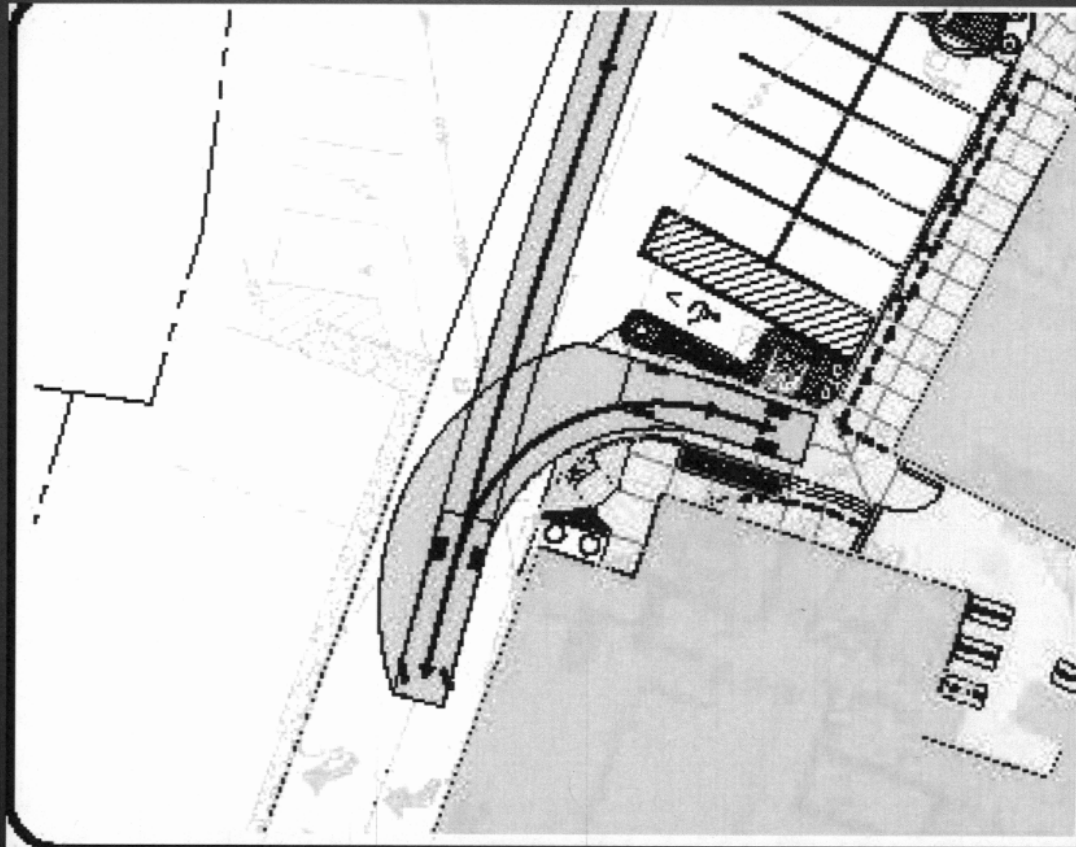


- Existing layout uses angled parking with one-way traffic circulation
- Proposed layout uses 90° parking spaces along one-way routes—contrary to sound parking lot design—increasing likelihood misdirection
- Queuing lane for ATM Kiosk will obstruct parking—more than two (2) vehicles will block access to at least two (2) parking spaces

# ARTICLE 16

## Worsened Traffic Circulation

*Traffic congestion within alley*



All opinions expressed are those of the  
author

## ARTICLE 16

# Impedes Future Community Development

- Municipal Lot is a critical community asset essential to the economic viability of the Downtown
- Granting easement to a private party precludes future redevelopment of the Municipal Lot (ie. structured parking; redesign)
- Converts public property into private place of business
- The Town gains too little to give up such an important property right
- Article 16 has been insufficiently vetted

# Please Vote NO On ARTICLE 16

## ARTICLE 16 MEANS:

1. *A new (flawed) means of access to the Municipal Lot*

## BUT AT WHAT COST?

2. *Increased risk to pedestrian safety*
3. *Loss of vital parking*
4. *Unsafe access from Haven Street*
5. *Less efficient traffic circulation*
6. *Converts public parking lot into private place of business*
7. *Impediment to future Downtown redesign/redevelopment*

All opinions expressed are those of the  
author

**Please Vote NO on  
ARTICLE 16**

***THE COSTS TO THE COMMUNITY  
OUTWEIGH THE BENEFIT.***

***WE URGE YOU TO VOTE NO ON  
ARTICLE 16!***



# 2012 Annual Town Meeting

## Article 17

- Presentation: [Article 17 Presentation.ppt](#)



## **2012 Annual Town Meeting Article 17**

### **Utility Easement – Belmont St. to Ivy Street**

- New Water Main Loop – 2001 Water Distribution Study
- Eliminates Dead End in the Libby Ave. Area
- Improves Water Quality & Fire Flows
- Surrounded by Timberneck Swamp – No Alternative
- Water Main to Parallel Existing Sewer Line
- Currently No Easement Exists



# **2012 Annual Town Meeting**

## **Article 17**

### **Utility Easement – Belmont St. to Ivy Street**

- Timberneck Swamp – Conservation Controlled
- Property Taken for Conservation Purposes
- Easement will Cross 2 of the Parcels Taken
- TM Authorized Takings in 1972 and 1974
- Sewer Line Installed in 1976 – No Easement
- Establish 30 Foot Wide Easement for Installation, Repair and Maintenance of Existing and Proposed Utilities





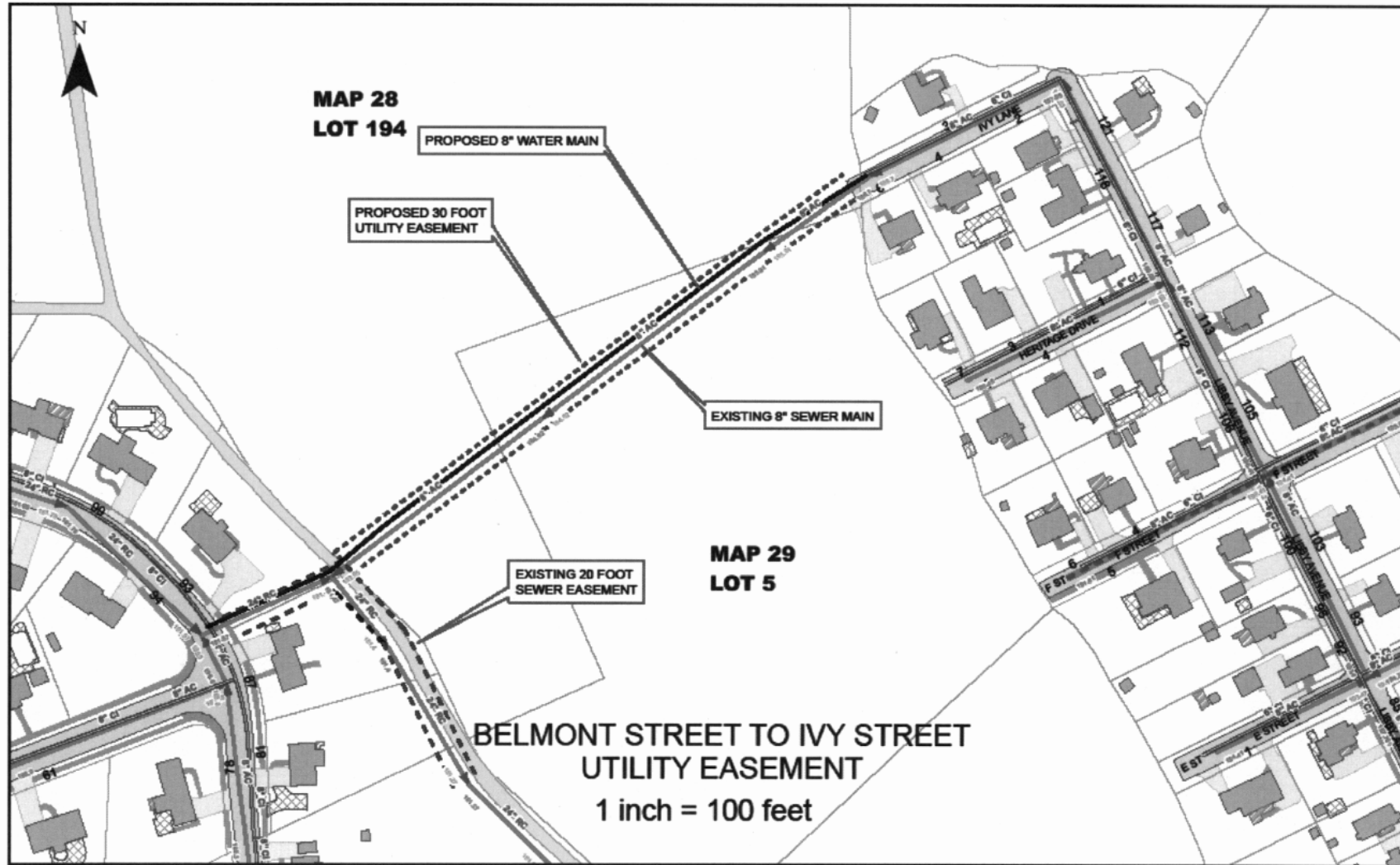
# 2012 Annual Town Meeting

## LIBBY AVENUE AREA





# 2012 Annual Town Meeting





# 2012 Annual Town Meeting





# 2012 Annual Town Meeting





# 2012 Annual Town Meeting





# 2012 Annual Town Meeting

## Article 18

**Petitioned Article for amendment to the U.S. Constitution**

- Presentation: [Article 18 Presentation.ppt](#)

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**BACKGROUND**

- **U.S. Supreme Court decision (Jan. 2010):**  
***Citizens United v. Federal Election***  
***Commission***
- **Corporations and unions have the same**  
**rights to freedom of speech as U.S. citizens**  
**under the Bill of Rights**
- **Spending money is considered speech**

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**IMMEDIATE RESULTS**

- **Corporations, unions, and other groups have the right to spend unlimited amounts of money in election campaigns**
- **Struck down key provisions of the bipartisan McCain-Feingold campaign finance law**
- **Overtured the 1907 law banning corporate contributions**



**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**THIS RESOLUTION states that we believe that:**

- Free speech rights belong to people not corporations or other organizations**
- Unlimited spending by corporations and others in our elections presents a real danger to our democracy because corporations and others with wealth can drown out the voices and interests of all of us ordinary citizens**

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**THIS RESOLUTION calls on:**

- **Congress to pass an amendment to our Constitution to establish that**
  - **Money is not the same as speech**
  - **Human beings, not corporations or other organizations, are entitled to constitutional rights such as free speech**
- **Our Legislature to pass a resolution supporting a Constitutional amendment**

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**IMPACT TO-DATE**

- **Super PACs (Super Political Action Committees), the vehicles created to spend this unlimited money, have already spent over \$85 million in the 2011-12 federal election cycle**
- **90% of this money has come from 500 or so wealthy individuals and corporations**

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**WHY THIS IS IMPORTANT**

- **Campaign spending, already high and skewed to wealthy interests, is now literally unlimited and out of control**
- **Federal campaign spending in 2007-2010 totaled over \$4.5 billion**
  - **\$3.4 billion (72%) from business sector**
  - **\$0.2 billion ( 4%) from unions and labor**
  - **\$1.1 billion (24%) from ideological groups and others**

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

- **Adding direct corporate spending to campaigns dramatically expands:**
  - **Potential campaign spending (15 largest companies have \$2 trillion in annual revenue and \$146 billion in annual profits)**
  - **Corporate influence on top of past campaign spending, lobbying (\$3.3 billion in 2011), revolving door, etc.**

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**HOW COULD THIS AFFECT READING?**

- **There could be unlimited money in our local elections**
- **For example, a developer wanting a zoning change could spend unlimited money in our elections – for candidates or on a ballot question**

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**ARE OTHERS CONCERNED ABOUT THIS?**

- **79% of the public supports an amendment to overturn Citizens United**
- **15 cities or towns in MA have passed similar resolutions; a dozen or so are considering them this spring**
- **Hundreds of communities across the country have passed similar resolutions, including NY, LA, and 55 towns in VT**

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

- **3 state Legislatures (CA, NM, & VT) have passed similar resolutions; many others are considering them**
- **Resolution in MA Legislature, S.772; our Senator Katherine Clark is a co-sponsor**
  - **Attorney General Coakley has sent a letter to the Legislature supporting the resolution**
- **26 state Attorneys General submitted a brief to the Supreme Court opposing this decision**



**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**THE BOTTOM LINE**

- **Corporations and wealthy individuals can drown out our voices in elections here and nationally**
- ***Government of, by, and for the people, is undermined by the influence of big money***
- **Contradicts the principles of our democracy**

**READING TOWN MEETING – APRIL 2012**  
**Article 18 – Resolution Opposing Unlimited**  
**Money in our Elections**

**We need to raise our voices, along with millions of others across the country, to reclaim our democracy – our First Amendment free speech rights and fair elections**

**Only broad-based, persistent action by citizens will succeed**

**(Prepared 4/18/12 by John Lippitt, 781-944-7829, [jlippitt@verizon.net](mailto:jlippitt@verizon.net))**



# 2012 Annual Town Meeting

## Article 19

### Affordable Housing Trust Fund Allocation Plan March 27, 2012

Pursuant to Article 19 of the 2012 Annual Town Meeting, an Affordable Housing Trust Fund Allocation Plan for the Fiscal Year 2013 in accordance with the provisions of Chapter 140 of the Acts of 2001 is as follows:

Available Balance – <u>Unrestricted Funds</u> :	\$ 259,077
Available Balance – <u>Restricted Funds</u>	\$ 0

Unrestricted funds shall be used for the following purposes:

- \$5,000 or a maximum of 2% for administration of Affordable Housing
- Remainder for constructing affordable housing (including loan and grant programs); or for maintaining and improving affordability of existing housing stock; or for the purchase of existing housing stock to add it to or maintain it as a part of the existing affordable housing inventory.



# **2012 Annual Town Meeting**

## **Article 20**

### **Fingerprint checks for various municipal license applications**

- **Why this Bylaw proposal Now?**
- **Criminal Offender Record Information (CORI)**
  - CORI reform effective May 4, 2012
  - Allows for local Bylaw requiring;
    - Fingerprint Based
    - National / Local
    - Criminal record checks for certain licensee's



# 2012 Annual Town Meeting

## Article 20

**If the Bylaw is enacted:**

**Requires** local Police Department to perform fingerprint based national record checks on:

- Hawkers, Peddlers, Door to Door salespeople
- Manager of Alcoholic Beverage License
- Owner/Operator of Public Conveyance (Livery)
- Dealer of Second-hand articles
- Hackney Drivers (Taxi)
- Ice Cream Truck Vendors



# 2012 Annual Town Meeting

## Article 20

- **Why Adopt?:**
  - Safety
  - Criminal checks that are allowed are only local
  - The FBI had restricted the national checks, but will allow them with the adoption of this By-Law
  - Mobile society
  - Examples of people in these positions with extensive criminal histories
  - Safeguards for appeal and protection of information built in the By-Law