

**Stoneham Board of Selectmen – Minutes of Meeting of January 4, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:03 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

**Pledge of Allegiance**

**Open Warrant for Annual Town Meeting**

Selectman DePinto moved to open the warrant tonight and close it on 2/28/11 at 4:00 p.m., seconded by Selectman Sweeney. **Motion was unanimously voted.**

**Town Administrator Reports**

TA Ragucci said he would like to have a contract for the Human Resources Director. He said there would be no benefits or monetary increases included. He said they have had contracts with the Police Chief, Fire Chief, and the DPW Director, and they entered into one with the IT Director. He said it would give assurance to that person that the Town wants you for three years. Selectman Gregorio said he had no objection to a three-year contract with no monetary. Chairman Rotondi said he is concerned about the provision if there has to be a layoff. Selectman Sweeney asked if this shouldn't be talked about in executive session. Mr. Ragucci agreed. Mr. Ragucci said as they were preparing for the FY12 budget, Chief Rolli came up with an idea for incentives for two firefighters to retire. He said they will need to still fill them. He said it will still be a benefit to the Town of Stoneham, not only on pay scale, but with vacations, from six weeks to two weeks for the new men. Selectman Sweeney said he can't see how they can offer it to one department and not to other departments. He said he thinks Mr. Ragucci is opening himself up to grievances. He said the fair way would be to offer it to all departments. Mr. Ragucci said, in their scenarios, it doesn't work out for other departments. Selectman Gregorio asked what harm it would be to offer it to Police and Fire. He said next year every department is up for grabs. Mr. Ragucci said they could use FY11 salary dollars already budgeted to pay that incentive. Selectman Sweeney said don't offer it at all if it doesn't work. Selectman Gregorio said they will be looking for reductions in other departments, not in Police and Fire. Mr. Ragucci said if the Board wishes to look at the Police Department and see if he can offer it to them. Selectman Vallarelli asked if he can offer it to the Town Hall. Mr. Ragucci said his fear is some of the senior department heads would jump on that. He said they could open it town-wide but a cost-benefit analysis might show they would be in a worse position. Chairman Rotondi said he is leery about it in a couple of areas. He doesn't think they should be setting precedent. He said this does not increase their base for a pension. He said he is not sure what the gain is. He said a small stipend isn't going to push someone over the line. Mr. Ragucci asked if he should no make the offer. The Board agreed to look at it town-wide.

Mr. Ragucci said he was contacted by Northeast Regional to be part of their bargaining team. Mr. Ragucci said the Town has already depleted the Snow and Ice Account.

**Executive Session**

Selectman DePinto moved to go into executive session for contract, lawsuit, and Stockwell and not to reconvene as the Board of Selectmen. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 7:27 p.m.**

Respectfully submitted,

Muriel Doherty

## Stoneham Board of Selectmen – Minutes of Meeting of January 18, 2011

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

### Pledge of Allegiance

### Approve Minutes

Motion was made and seconded to accept the 11/9/10 minutes. **Motion was unanimously voted.** Motion was made and seconded to accept the 11/9/10 executive session minutes. **Motion was unanimously voted.**

### Accept Donations

Selectman DePinto moved to accept a \$2,000 gift to the Senior Center from Bill Reinhard and Frank Pino of the Dunkin Donuts located on Franklin Street and on Montvale Avenue. Motion was seconded by Selectman Sweeney. **Motion was unanimously voted.** Selectman DePinto moved to accept the \$500 gift from Marty's Caterers, Inc d/b/a Montvale Plaza to the Stoneham Arena, seconded by Selectman Sweeney. **Motion was unanimously voted.**

### Approve New Common Victualler License/Portugal Donuts d/b/a Dunkin Donuts/2 Lynn Fells Parkway

Motion was made and seconded to approve a New Common Victualler License for Portugal Donuts d/b/a Dunkin Donuts at 2 Lynn Fells Parkway. **Motion was unanimously voted.**

### Approve Common Victualler License Renewals

Selectman DePinto moved to approve the following Common Victualler license renewals: 99 Restaurants of Boston, LLC d/b/a 99 Restaurants & Pub/10 Main St; Angelo's Pizzeria and Ristorante, Inc d/b/a Angelo's Pizzeria and Ristorante/239 Main St; BJ's Wholesale Club/85 Cedar St; Liquid Investments, Inc d/b/a Bacci's/316 Main St; Boston Market Corp d/b/a Boston Market/65 Main St; Mastoran Restaurants, Inc d/b/a Burger King #627/197 Main St; Moon Glow Restaurant, Inc d/b/a China Moon/170 Main St; Bart 33 Ice Cream, Inc d/b/a The Daily Scoop/232 Main St; Dairy Dome, Inc d/b/a Dairy Dome/474 Main St; Sunnyside Donuts, Inc d/b/a Dunkin Donuts/196 Main St; Felicia's, Inc d/b/a Felicia's of the North End/423 Main St; Friendly Ice Cream Corp d/b/a Friendly's #227/611 Main St; Gaetano, Inc d/b/a Gaetano's/271 Main St; JK Stoneham, Inc d/b/a Honey Dew Donuts/362 Main St; Kuen Luck, Inc d/b/a Hong Kong City/303 Main St; Johnny's Famous Roast Beef & Pizza, Inc/125 Main St; Liberty Bell Roast Beef, Inc d/b/a Liberty Bell Roast Beef & Seafood/219 Main St; Marty's Caterers, Inc d/b/a Montvale Plaza/54 Montvale Ave; Papa Gino's, Inc d/b/a Papa Gino's/ D'Angelo's/ 190 Main St; Pizza Mia Stoneham, Inc d/b/a Pizza Mia/67 Franklin St; Jagat Enterprises, Inc d/b/a Rang Indian Bistor/3-5 Central St; Long Run, Inc d/b/a Sato II Restaurant/147 Main St; Lefter Spiro d/b/a Stoneham Pizza/232 Main St; Byron Arbizu d/b/a Three Amigos/12 Main St; Asiana Grill House, Inc d/b/a U Me Restaurant/19 Franklin St; JZN LLC d/b/a Amore Pizza/414 Main St; Capi Donuts, Inc d/b/a Dunkin Donuts/62A Montvale Ave. Motion was seconded by Selectman Vallarelli and **unanimously voted.**

**Request to Use \$11,000 from BJ's Public Safety Acct to Purchase New QED Server for Police Dept/Town Administrator**

Motion was made and seconded to allow the Town Administrator to use \$11,000 from BJ's Public Safety Acct to Purchase New QED Server for the Police Dept. **Motion was unanimously voted.**

**Presentation of Budget/Town Administrator**

Town Administrator Ragucci listed the cuts need to balance the FY12 budget and reviewed the revenues.

**Trash Fee Discussion/Chairman Rotondi**

**Chairman Rotondi passed the gavel to vice Chairman Vallarelli.**

Chairman Rotondi moved to do a \$1.6 million trash fee effective 7/1, based conditionally on 1) a four-year plan agreed to by the Tri-Board that the Town go forward with; 2) If the Town asks for an override then the trash fee does not go into effect. It will be one or the other.

Selectman Sweeney asked how much money per household. Selectman Gregorio said \$252 per unit. Chairman Rotondi said even with the trash fee there will have to be some cuts. He said the Selectmen have no other place to go now but to approve this trash fee. He said he thinks it should be unanimous. Selectman Sweeney said even if they don't agree, they still need it and the Selectmen have the power to do it or not do it. Chairman Rotondi said he is saying the majority of each board. Selectman Gregorio said the motion should probably have a date. Chairman Rotondi moved to have a \$1.6 million trash fee effective 7/1, conditioned on 1) agreement reached by majority of triboards to be done by 3/1 and 2) if things get worse and they decide to do an override instead, if the override passes, they don't have an override and a trash fee. Motion was seconded by Selectman Sweeney. Selectman Gregorio said he is not in favor of a flat trash fee and they should work with the committee on pay as you throw. He said if they have a flat trash fee, they should have something to offset seniors. Selectman Sweeney said they should put what percentage will go to each department. Chairman Rotondi agreed and said with a percentage based budget, there is an incentive to save. He said that, over the last five years, the Town has consistently saved money, and they lost all that money because it went someplace else. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Chairman Rotondi  
Selectman Sweeney  
Vice Chairman Vallarelli

Opposed:

Selectman DePinto

**Motion carried (4-1).**

**Vice Chairman Vallarelli returned the gavel to Chairman Rotondi.**

### **Capital Committee**

Selectman Gregorio said there may be an opening on the Capital Committee. He said if that letter is received he would like to advertise for the Capital Committee.

### **Miscellaneous Correspondence**

Selectman Sweeney said some people brought up the fact that a lot of people are not paying their 1<sup>st</sup> quarter tax bill, because they are not getting a bill, and they are getting hit with a late fee. He asked if they could put it on local cable and the two newspapers a couple of weeks prior to the due date. Selectman Gregorio said maybe they could do it on the phone. Selectman Sweeney said he just thought of that, too. He said that would be a good thing to do.

Selectman DePinto noted the invitation to the Board of Appeals meeting. Selectman Vallarelli said he can do it. Town Counsel will go. Selectman Sweeney said the only answer they want is why their rulings aren't being enforced. He said it isn't the Selectmen. He said he will ask the question now, and he then asked why the Town is not enforcing the rulings of the Board of Appeals. Town Administrator Ragucci said he will attend the meeting and will ask the Building Inspector to attend.

Town Counsel Solomon gave an update of the Weiss Farm status. He said the Building Inspector is continuing to enforce the decision that was not appealed. Selectman DePinto asked Town Administrator Ragucci to follow up on it.

Selectman Sweeney noted that Selectman Vallarelli went to the Martin Luther King Day function at the Boys Club. Selectman Vallarelli said there was a nice turnout for the event.

### **Town Administrator Reports**

Mr. Ragucci said he met with a company about advertising at the Arena, and they have submitted a proposal.

Mr. Ragucci said that, at the last meeting, the Board asked him to make the early retirement incentive more fair and equitable. He said they would have to be 55 or greater and have 25 or more years of service. He said the Town would be willing to buy up to \$10,000 of their sick leave back.

Town Administrator Ragucci said they received the new Zamboni. He asked the Board to declare the old Zamboni as a surplus property and allow him to dispose of it. Chairman Rotondi asked for a meeting next Tuesday with the budget and the Zamboni on it.

Mr. Ragucci said there is a \$76,000 deficit in Snow and Ice. Mr. Ragucci said he asked Mark Ventola to participate on the Middle School Building Committee. He asked the Board to appoint him and asked to advertise.

Selectman Sweeney said that PeeWee Hockey has advertised at the arena and reaped that benefit. He said they are also going up on ice rental. He said it could be a good gesture to give them a benefit somehow. He said maybe they could divide up some of the money they will be receiving. Selectman DePinto said maybe they could do a scholarship to help defray the cost for kids who can't pay.

Selectman DePinto moved to hold a meeting next week at 7:00 p.m., seconded by Selectman Vallarelli. **Motion was unanimously voted.**

Selectman DePinto said some seniors have approached him about a rebate on their taxes for work done. Town Administrator Ragucci said the Assessors have their reason and they don't want to institute it.

Selectman DePinto moved to go into executive session and not return as the Board of Selectmen, for Stockwell, litigation, and contract negotiations. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman Sweeney  
Selectman Vallarelli  
Selectman Gregorio  
Selectman DePinto  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 8:42 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of January 25, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:45 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

### **Pledge of Allegiance**

### **Approve Minutes**

Selectman DePinto moved approval of the 1/4/11 minutes, seconded by Selectman Vallarelli. **Motion was unanimously voted.** Selectman DePinto moved approval of the 10/21/10 minutes, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

### **Zamboni/Declare as Surplus Property and Allow Town Administrator to Dispose of It**

Selectman DePinto moved to declare the old Zamboni surplus and allow the Town Administrator to auction it off through [www.govdeals.com](http://www.govdeals.com). Motion was seconded by Selectman Gregorio and **unanimously voted.**

### **Proposed Article for ByLaw Amendment/Selectman Gregorio**

Selectman Gregorio asked the Town Administrator and Town Counsel to draft an article going back to where the Town Administrator Act was originally. He said he would like to go back and have it all under the Town Administrator, as when he first joined the Finance Board back in the 90's, excluding the Town Accountant, Town Counsel, Town Administrator, and the Schools. Selectman Sweeney asked if they had spoken to any of the other boards. Selectman Gregorio said that was why he wanted to bring it up now.

### **Budget**

Town Administrator Ragucci presented a budget with a trash fee to the Board. Mr. Ragucci reviewed the budget. He said it allows them to restore the Library at the same hours and he is recommending \$22,932,535 for the Schools with the Trash Fee as opposed to \$22,230,000 without the Trash Fee. He said this budget also includes pay raises of 1 ½% that the Town negotiated in FY11 and FY12. He said the Town side will see no layoffs with this budget. Mr. Ragucci said liability and property insurance is going up 18 to 20%. The Board gave Mr. Ragucci permission to get bids for liability and property insurance. Selectman Gregorio said he would like to work with the Town Administrator and Ron Florino when they work on the analysis for the Trash fee. Chairman Rotondi said the \$36,000 increase in Unclassified is really a misnomer. He said he would like to see what made that increase. He said \$123,000 was for the 1 ½% increases. Mr. Ragucci said they are not using any one-time revenues to balance the budget and they are anticipating level revenues to come in on Local Receipts. Mr. Ragucci said the Snow and Ice deficit is at \$186,000. Motion was made and seconded to

accept the budget. Selectman Sweeney asked if the water rates are going up. Chairman Rotondi said since they are hitting people with the trash fee they would like to use some of the reserve for the water rates. Selectman Sweeney said that is what he was getting at. The Board asked the Town Administrator to send a letter to the Representatives about water from the golf course not going to the sewer. **Motion was unanimously voted.**

**Miscellaneous Correspondence**

Selectman Sweeney asked about advertising the February tax bill. He also suggested putting it on StonehamONE. Selectman Gregorio said the Selectmen should have a copy of all contracts. Chairman DePinto said they are electronic, and that he asked the Town Administrator to send him his.

**Executive Session**

Selectman DePinto moved to go into executive session to discuss a contract issue and not to return as the Board of Selectmen, subject to Chapter 30 of the M.G.L. Selectman Sweeney added to discuss details of the buyout offer. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 7:45 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of February 15, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

### **Pledge of Allegiance**

### **Approve Minutes**

Selectman Sweeney moved approval of the 1/25/11 minutes, seconded by Selectman DePinto. **Motion was unanimously voted.** Selectman Sweeney moved approval of the 1/18/11 minutes, seconded by Selectman DePinto. **Motion was unanimously voted.** Selectman Sweeney moved approval of the 12/14/11 minutes, seconded by Selectman DePinto. **Motion was unanimously voted.** Selectman DePinto moved approval of the 12/14/11 executive session minutes and not to publish them, seconded by Selectman Sweeney. **Motion was unanimously voted.**

### **Whiphill Trust/Gift to Town/Dan Towse**

Dan Towse presented the Board with a gift of \$10,000 from the Whiphill Trust. Selectman DePinto moved to accept the gift. Motion was seconded and **unanimously voted.**

### **Mass DOT/Traffic Update**

The Mass DOT gave a presentation on the project to replace 14 bridge structures along I-93 in Medford, in the summer and the traffic impact.

### **Sidewalk Plowing Complaint/Craig Rooney**

Craig Rooney, 18 Sunrise Avenue, said he has an ongoing problem with the snow plow operator. He thanked Selectman Sweeney for stopping by his house, as well as the Town Administrator and DPW Director. He said he talked to Selectman Vallarelli. Mr. Ragucci said he asked Mr. Grover to look into a snow blowing device. Mr. Rooney said when they changed the entrance to Robin Hood School there is virtually not one child walking down the sidewalk to school. He said he doesn't know if they are plowing the right roads. Town Administrator Ragucci said that would be a worthy exercise to take a look at next year. Selectman DePinto agreed it was a good idea.

### **Approve Class II License Renewal/2010/2011/Thomas O'Connor and Ronald Penkethman d/b/a Pine Street Motors/45 Pine St**

Selectman DePinto moved approval of the Class II License renewal for Thomas O'Connor and Ronald Penkethman d/b/a Pine Street Motors/45 Pine Street, seconded by Selectman Sweeney. **Motion was unanimously voted.**

### **Approve Following Common Victualler License Renewals**

Selectman DePinto moved approval of the following Common Victualler License renewals: Anthony Piccoli d/b/a Anthony's Italian Specialties/408 Main Street; Tsakmakis, Inc. d/b/a Deliworks & Pizzeria/62F Montvale Ave; 128 Franklin St., LLC d/b/a Dunkin Donuts/128 Franklin St.; Fareast Kirin, Inc. d/b/a Kyotoya Japanese Restaurant/58B Montvale Ave. Motion was seconded by Selectman Sweeney and **unanimously voted.**

### **Approve Memorial Day Parade Request**

Selectman Sweeney moved approval of the Memorial Day Parade on 5/30/11 at 10:00 a.m. He noted that one of the chief men who gets this going is Fred Kranefuss, who has a medical problem. He said he is in their prayers. Motion was seconded by Selectman Vallarelli and **unanimously voted.**

### **Vote to Place Override Questions on Ballot**

Chairman Rotondi handed the gavel to Vice Chairman Vallarelli. Chairman Rotondi said he wants to go over what the Budget Agreement does for them. He gave a presentation. Selectman Sweeney asked how

this would put handcuffs on future boards. Chairman Rotondi said boards would be committed through FY15 but any individual is free to recommend what they want. Selectman Sweeney asked what would stop anyone from going to Stabilization, if they get cut too much. Chairman Rotondi said they can't stop anyone. Selectman Sweeney said this agreement doesn't have as much bite as they would think and that this agreement is trying to unify the three boards. Selectman Sweeney said they have an override issue, a trash fee issue, and a Middle School issue. He said everyone should know this is a master plan with a lot of components. Chairman Rotondi moved to put a \$1.9 million override on the ballot. He said the trash fee of \$1.6 million is \$256 a year. He said if they go to a \$1.9 million override they will still have to make \$700,000 in cuts. He said it will cost the homeowner \$232, before deductions. He said the condos will cost \$125.00 He said after deductions it will cost \$167 and \$90. He said if it is an override it will be spread over the entire tax base. Selectman Sweeney asked if he thought \$1.9 million is enough. Chairman Rotondi said yes. He said they asked the Schools what they wanted for an override and they said as long as they didn't get less than what they will get with the trash fee. Selectman Sweeney said he thinks in three years they will be looking at another \$1.9 million override. He said they will take the money out of Stabilization. Selectman Rotondi said the Schools don't want an override just to put it into Stabilization, because they feel the townspeople won't accept that. He said next year there will be a debt exclusion for the Middle School. He said this plan carries them through 15 without a problem. Selectman Sweeney said maybe they won't need a trash fee after 4 years with Wakefield and BRMC on line. Jeanne Craigie, 15 Duncklee Ave, said the School Committee felt it was a policy decision of the Board of Selectmen. She said with the trash fee they are faced with cutting \$900,000 and with the override it will be \$821,000.

Chairman Rotondi moved they put on the ballot the question "Shall the Town of Stoneham be allowed to assess an additional \$1.9 million in real estate and personal property taxes for the purpose of funding the town and school budgets for the fiscal year beginning July 1, 2011?" Motion was seconded by Selectman Sweeney, for discussion. Chairman Rotondi withdrew his motion, and Selectman Sweeney withdrew his second. Selectman Gregorio then moved to vote on the budget agreement, seconded by Chairman Rotondi. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Chairman Rotondi  
Selectman Sweeney  
Vice Chairman Vallarelli

**Motion was unanimously voted.**

Chairman Rotondi moved that they put a question on the ballot "Shall the Town of Stoneham be allowed to assess an additional \$1.9 million in real estate and personal property taxes for the purpose of funding the town and school budgets for the fiscal year beginning July 1, 2011? Yes\_\_\_ No\_\_\_". Motion was seconded by Selectman Gregorio, and a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Chairman Rotondi  
Vice Chairman Vallarelli

Opposed:

Selectman DePinto  
Selectman Sweeney

Voting was 3-2 in favor. **Motion carried.**

Selectman DePinto moved to send a letter to the newspapers, seconded by Chairman Rotondi. Selectman Gregorio added that they send it to the two local newspapers, Randy's site, cable access, and the Globe North. **Motion was unanimously voted.**

**Chairman Rotondi took back the gavel.**

#### **Discussion on Filing Suit Against the State**

Town Administrator Ragucci said they are in the GIC and he feels the taxpayers should be treated equally as the taxpayers of the State. He said the Town is not allowed to incentivize their employees to take a lower plan. He said he would like to discuss with Town Counsel about filing a suit with other employers. It was decided that the Town Administrator will work with Town Counsel on it and come back.

**Liquor Licensing Authority**

Selectman DePinto moved to go into Liquor Licensing Authority and return to Board of Selectmen, seconded by Selectman Sweeney. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Sweeney  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting recessed at 9:13 p.m.**

**Meeting reconvened at 9:14 p.m.**

**Appointment to Middle School Building Committee**

Selectman Sweeney moved to appoint Mark Ventola to the Middle School Building Committee, seconded by Selectman DePinto. **Motion was unanimously voted.**

**Miscellaneous Correspondence**

Selectman Sweeney noted the letter from the new Sheriff introducing himself. He moved to send a letter back thanking him and telling him if he needs anything from the Town of Stoneham, they would help him out, and wish him luck. Motion was seconded by Selectman Vallarelli and **unanimously voted.**

Selectman DePinto noted the cable complaints form. Town Counsel Solomon said he could send a letter questioning if Verizon is accurately reporting complaints.

Selectman Vallarelli noted the report on back taxes for businesses.

**Town Administrator Reports**

Town Administrator Ragucci said three employees took early retirement incentives. He said he met with the DCR on composting. He said they narrowed it down to two architects and they are meeting again on 3/1 to select the final candidate for the design of the Middle School. Mr. Ragucci said they will be purchasing two new mobile radios with the grant for the Fire Department. He said the Snow & Ice deficit is \$405,000. Selectman DePinto said there will be no interruption in giving out passports. He said they need to build a kiosk for passports that will cost nine to ten thousand.

**Executive Session**

Selectman DePinto moved to go into executive session pursuant to Chapter 38, for the purpose of Stockwell Trust. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman DePinto  
Selectman Gregorio  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 9:25 p.m.**

Respectfully submitted,

Muriel Doherty

**Stoneham Board of Selectmen – Minutes of Meeting of March 1, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, TA David Ragucci, and TC William H. Solomon.

**Pledge of Allegiance**

**Approve Minutes**

Selectman Sweeney moved approval of the 12/21/10 minutes, seconded by Selectman DePinto. **Motion was unanimously voted.** Selectman DePinto moved approval of the 2/15/11 executive session minutes and not to be published, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

**Reappoint Town Counsel**

Selectman Sweeney moved to reappoint Bill Solomon for another year of being Town Counsel, seconded by Selectman DePinto. Selectman Sweeney asked how many years it has been. Bill Solomon said 24 years. Selectman Sweeney told him he has been doing a good job. Chairman Rotondi agreed he has been doing a good job and said he appreciates all Mr. Solomon does for them. **Motion was unanimously voted.**

**Approve Common Victualler License Renewals**

Selectman DePinto moved approval of the following Common Victualler License renewals: CK/Andrea's Pizza, Inc d/b/a Andrea's Pizza/498 Main St; RCM Group, Inc d/b/a J.J. Grimsby & Co/301 W. Wyoming Ave; KM Cleo, LLC d/b/a Royal Roast Beef & Seafood/475 Main St; R & W DiNunzio Corp d/b/a Taste of Siam/497-499 Main St. Motion was seconded by Selectman Sweeney and **unanimously voted.**

**Request for New Common Victualler License/S & A Ventures, Inc d/b/a Aldo's Café/125 Main St**

Selectman DePinto moved approval of a new Common Victualler License for S & A Ventures, Inc d/b/a Aldo's Café/125 Main Street. Motion was seconded by Selectman Vallarelli and **unanimously voted.**

**Liquor Licensing Authority**

Selectman DePinto moved to go into Liquor Licensing Authority and return to Board of Selectmen, seconded by Selectman Gregorio. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting recessed at 7:020 p.m. to go into Liquor Licensing Authority.**

**Meeting reconvened at 7:25 p.m.**

**Accept and Number Articles and Sign Warrant**

Selectman Sweeney asked if the Butler Ave abutters were notified about the article to sell property off Butler Ave. They weren't. He said he asked a couple of weeks ago that they be told. He said he just found out tonight about this article and he also just found out tonight about the Par 3 article. He asked if the Recreation Committee was notified. He said to get the Recreation Committee involved. Selectman Vallarelli said these are major issues they should discuss before putting them on the agenda. Selectman Sweeney added that these are controversial. He said he thinks the neighbors have a lot to say about them. Selectman Vallarelli said this is the first he is hearing about it. Chairman Rotondi said they have two alternatives. One is to not accept the articles and just don't do it. The other option is there is a deadline for getting them on and they don't have to vote Favorable Recommendation until Town Meeting night. Selectman Vallarelli said this is what brings angry people out. He said he remembered it being discussed months ago. He said he had no idea it was going to be an article for Town Meeting. Selectman Gregorio

said, since he and Chairman Rotondi are supposed to be working on standing rules, he would suggest all articles to be submitted by the Board should be submitted to the Board two weeks before the warrant closes. Selectman DePinto added that the meeting before the warrant closes people can come and talk about it. Selectman Vallarelli said people will come to Town Meeting, if it is on the warrant. Selectman Gregorio agreed and then moved to not accept Articles 14 and 15, seconded by Selectman Vallarelli. **Motion was unanimously voted** Selectman DePinto moved to approve the warrant as numbered, accept it and sign it. Motion was seconded by Selectman Sweeney and **unanimously voted**.

#### **Vote on Revised Budget Agreement**

Chairman Rotondi passed the gavel to Vice Chairman Vallarelli. Chairman Rotondi moved to accept the revised budget agreement, seconded by Selectman DePinto. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Chairman Rotondi  
Vice Chairman Vallarelli

Opposed:

Selectman Sweeney

Voting was 4-1 in favor. **Motion carried.**

#### **Letter to Other Elected Officials re Budget Agreement**

Chairman Rotondi said he would make a motion to ask all elected boards to put a motion on their agenda that they agree with the four principles. Chairman Rotondi moved to send this letter to every elected board, seconded by Selectman DePinto. **Motion was unanimously voted.**

**Chairman Rotondi took the gavel back.**

#### **Update Preliminary Budget**

Selectman DePinto moved to accept the preliminary budget, seconded by Selectman Sweeney. **Motion was unanimously voted.**

#### **Miscellaneous Correspondence**

Selectman Sweeney asked what is happening with Ravine Road. He said there were a couple of accidents last week. Town Counsel Solomon said they are going to provide pictures and two letters are going out. One letter is to the DCR explaining how unsafe it is. One letter is to the Mayor of Melrose. He said they are beginning the process with \$25,000. He said they will pick the traffic engineers. He said he thinks there will be pressure on the Commonwealth to act, because lives are at stake. He said, if not, they will petition the State Transportation Department to put signs there. If they are turned down, they will challenge it in court. He said they are using the settlement from Stone Place. Selectman Sweeney said when Stoneham put up signs it got immediate attention. He asked how long they are going to wait for the State and the Melrose mayor. Selectman Gregorio said maybe the TA could do a pre call to the mayor. He said he could also send a copy of the letter to Clark, Lewis, and Dwyer. Selectman Sweeney said they have been involved and are doing as much as everyone else, which is nothing. Selectman Sweeney said they could do temporary dividers there, like they have at railroad crossings.

#### **TA Reports**

Mr. Ragucci handed out the letters they wish to send to the Mass Historical Commission for the Old Burying Ground. Selectman Sweeney moved to support these letters, seconded by Selectman Gregorio. **Motion was unanimously voted.**

Mr. Ragucci said he was with the Superintendent and Jeanne Craigie. They selected the Design Architect, Tarpey Associates. He said that, at that meeting, he asked about the old schools. He hasn't heard whether they are going to rent the buildings. He thinks they are not going to renew the lease for North and East School. Mr. Ragucci asked about placing a Special within the Town Meeting to dispose of those buildings.

Selectman Gregorio moved to table to the 3/15 meeting and let the School Committee take a vote. Selectman Sweeney said he would like to see it on local cable that they are going to talk about it.

Mr. Ragucci said they are getting a check from Boston globe for their newspaper boxes. He said Bob Grover is working with them on their locations. He said the other ones will get notices and, if they don't respond, they will remove their newspaper boxes.

Selectman DePinto said someone asked about putting a handicapped spot in front of the Post Office. He asked the Chief to look into this.

**Executive Session**

Selectman DePinto moved to go into executive session for potential litigation and not to return as the Board of Selectmen, under Chapter 38. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 8:22 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of March 15, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

### **Pledge of Allegiance**

### **MWRA Reading Connection on North Street**

Selectman Vallarelli tabled this, seconded by Selectman DePinto. **Motion was unanimously voted.**

### **Approve Minutes**

Selectman DePinto moved approval of the 2/15/11 minutes, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

### **Set Date for Special Town Meeting**

Chairman Rotondi said since the School hasn't turned over East School and North School, they will take no action on this item.

### **Vote on Budget Agreement**

Selectman Gregorio said the School Committee voted in favor of the budget agreement with one provision regarding page 3, article 18. They are looking to take a look at it two years from now to see if they are still in agreement. Selectman Gregorio moved to accept this change and sign the budget agreement. Motion was seconded. Selectman Sweeney said the Senior Center is not getting enough so they have to put their article in. He said next year they will be short again so they will have to put a new article in. Chairman Rotondi said they are part of the 33%. He said the Town Administrator distributes it and then the Board votes on how that's distributed. He said they would have to say to take it away from one of the other departments. He said health insurance costs came in less so there was more money to spread between the Town and Schools. Selectman DePinto asked how the seniors stand as of tonight. Chairman Rotondi said they get \$30,000 more. Marcia Wengen said they took a vote at their meeting and voted to IP their article if the budget passes. Voting on the motion was 4-1, with Selectman Sweeney opposed. **Motion carried.**

### **Accept Resolution that Town Administrator be authorized to execute a contract, enter into contracts for project work, sign preservation restrictions, and disburse funds or designate appropriate persons to do so**

Marcia Wengen of the Historical Commission said the article passes at the October Town Meeting to have a Preservation Restriction on the Old Burying Ground and now it is time to apply for the grant. Selectman Sweeney moved to approve David Ragucci to sign the contract as described therein, seconded by Selectman DePinto. **Motion was unanimously voted.**

### **Request for Site Plan Extension/Dana Marek/448 Main St**

Selectman Sweeney moved to give a one-year extension on the 448 Main Street Site Plan approval. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman Sweeney  
Selectman Vallarelli  
Selectman Gregorio  
Selectman DePinto  
Chairman Rotondi

**Motion was unanimously voted.**

### **Liquor Licensing Authority**

Selectman Vallarelli moved to go into Liquor Licensing Authority and return as Board of Selectmen, seconded by Selectman Sweeney. A roll call vote was taken.

Voting in favor:

Selectman Sweeney  
Selectman Vallarelli  
Selectman Gregorio  
Selectman DePinto  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting recessed at 7:18 to go into Liquor Licensing Authority.**

**Meeting reconvened at 7:20 p.m.**

### **Miscellaneous Correspondence**

Selectman DePinto noted the proposed letter to the MWRA regarding the 6 acres they took from the Gutierrez project. He said they spoke with the MWRA about maybe doing Stoneham High football field with Astroturf, since the Town lost the revenue from the 6 acres. Selectman DePinto moved to send them a letter that either they come to the Selectmen's meeting or the Selectmen go on their agenda. Selectman Gregorio moved to request that they come to the Board's meeting or, as an alternative, the Board will go to their meeting, seconded by Selectman DePinto. **Motion was unanimously voted.**

Selectman DePinto moved to send the proposed Stockwell Trust letter, seconded by Selectman Gregorio. **Motion was unanimously voted.**

Selectman DePinto said he has been asked why the Board of Selectmen is backing an override. He said his answer is he is not backing it, he just voted to put it on the ballot. Chairman Rotondi said they haven't taken a vote to support it.

### **Article Recommendations**

**Articles 5 & 6** – Town Counsel Solomon said they will be doing development agreements and covenants with these two articles. He said that, as a condition for supporting the zoning change at Fallon Road, the Town would require as many parties as possible down there to agree that they would not do a 40B in the future. Selectman Vallarelli said so the Town is limiting them to a specific amount of units that they can't exceed. Town Counsel said the other point which was discussed was whether there would be payments to the Town per unit at the Fallon Road site. He said that can only be assured by an agreement entered into prior to the zoning change. Selectman DePinto said they agreed on some numbers. Selectman Vallarelli said they actually have some numbers and it is substantially more than Boston Regional was going to pay the Town per unit, when the two projects are combined. Selectman DePinto added that it is because it is full market value now, not 40B.

**Article 9** – Chris Willard was present to speak on the article that he submitted. He said this article addresses snow removal from sidewalks. He said the State Supreme Court had actually ruled that property owners are now liable for people getting injured on their sidewalks if they haven't taken time to adequately clear them. Town Counsel said the most serious issue this alluded to is the Supreme Judicial Court ruled that longstanding MA common law was you didn't have to remove snow, but if you made it worse you could be liable. He said the SJC says businesses have an obligation to make a property safe for invitees. He said the challenge this raises is people are not legally responsible for failing to clear the sidewalk, because if it is a public sidewalk, it is the Town's sidewalk. He said if they got sued they wouldn't be liable, as Target was.

Town Counsel said the problem with this bylaw is now this is putting a statutory obligation on people to clear property that they don't own. He said it raises the possibility they could be sued by someone who claims they failed to meet their statutory obligation. He said the problem is there are folks who may not be able to clear the sidewalk. He said one could argue it is safer walking in snow than something that has a little bit of snow and becomes slippery. He said the homeowner's own insurance may not cover the public way, which isn't their property. Town Counsel said he thinks those are serious issues.

Chris Willard said his other article is about plowing snow onto sidewalks. He said they have contractors plowing driveways, putting snow on sidewalks, and plowing sidewalks so people can park their car.

The Selectmen made no recommendation on these two articles that were submitted by a private citizen.

**Article 11 – Tabled**

**Article 12** – Town Administrator Ragucci distributed the budget. He said GIC rates are staying below what they anticipated, freeing up \$210,000. He recommended that the Schools be given \$137,492. He said this budget is with a trash fee at \$1.6 million. Selectman Sweeney said so they are implementing a trash fee if the override fails. Chairman Rotondi and Selectman Gregorio said that was their previous vote. Selectman Sweeney asked if they took a vote that the trash fee would go in place, if the override did not. Selectman Gregorio said one of the conditions of the budget agreement is it would not impose a trash fee if there was an override. Selectman Sweeney asked if this budget agreement says if the override fails, then they have a trash fee. Chairman Rotondi and Selectman Gregorio said yes. Selectman Sweeney clarified that it was a 4-1 vote. Selectman DePinto said he voted for the budget but voted against the trash fee, originally. He said he voted for the budget agreement. Selectman Sweeney said the budget agreement includes a trash fee. Selectman DePinto added if the override doesn't pass. Selectman DePinto said he wanted to see the faith in writing. Chairman Rotondi said they passed a trash fee based on signing the agreement. Selectman Sweeney said they are basically holding a gun to voters. They are going to be paying \$250 over the 2 ½%. They have a choice, it's either this way or that way. Chairman Rotondi said that is exactly what it says. Selectman Sweeney said just so people are clear. Chairman Rotondi said they are going to have a trash fee, because they need the revenue, so they said to people they are going to have a trash fee, but if they don't want it, they can vote for the override, and the override is \$300,000 more in revenue, because there is a broader base. Selectman Sweeney said so everyone's tax bill will go up \$500. Selectman DePinto said 4.8%. Chairman Rotondi said the trash fee might be higher, if the condos opt out. Selectman Sweeney said the tax increase is forever. Selectman Gregorio said the motion they made on the trash fee is \$250 and they asked the Town Administrator for consideration for seniors and to work something out with the condos. He said the override, on average, is \$315 per household. Chairman Rotondi said on the average bill it is \$238. Selectman Sweeney said he thinks Mr. Ragucci's budget should give more money to the Senior Center, because they will have more people requesting services if they go up \$500 on every senior in Stoneham. Selectman DePinto moved to tentatively approve the budget, seconded by Selectman Gregorio. **Motion was unanimously voted.**

**Article 14** – Selectman DePinto moved to support it, seconded by Selectman Sweeney. **Motion was unanimously voted.**

**Article 15** – Selectman DePinto moved to support it, seconded by Selectman Sweeney. Selectman DePinto said to be sure Youth Hockey gets the scholarships. Mr. Ragucci said the agreement is they will give up their advertising efforts and the Town will offset the \$8-10,000. **Motion was unanimously voted.**

**Article 16** – Selectman Gregorio moved approval. Motion was seconded and **unanimously voted.**

**Article 17** – Selectman Sweeney moved to support it, seconded by Selectman Gregorio. **Motion was unanimously voted.**

**Article 18** – Selectman DePinto moved to approve it, seconded by Gregorio. **Motion was unanimously voted.**

**Article 19** – Selectman Gregorio asked to postpone to next meeting and have the Capital Committee present.

**Article 23** – Selectman DePinto moved approval. Motion was seconded and **unanimously voted.**

**Article 24** – Selectman Gregorio moved approval, seconded by Selectman DePinto. **Motion was unanimously voted.**

**Article 25** – Selectman Gregorio moved approval, seconded by Selectman DePinto. **Motion was unanimously voted.**

**Article 26** – Selectman DePinto moved approval, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

**Town Administrator Reports**

Town Administrator Ragucci said the Boys and Girls Club will no longer be participating in using Recreation Field House. He said they are concerned about air quality in the building. He said there is mold on the basement floor that the Town was going to remediate. He said they wanted other elements done that got too expensive. He said there is \$15,000 set aside that they could use to get rid of the mold. He said the teen center won't be happening. He said maybe they could have Pop Warner take over operation of the facility.

Selectman Vallarelli asked if there were any progress on the deck at the golf course. Mr. Ragucci said they would need to attach the bathrooms to be able to serve liquor and have a restaurant. He said that would cost a significant amount. Selectman DePinto volunteered to work with Dave on this.

Mr. Ragucci said there are two openings on the Police and three on the Fire and they will be calling for a list. He said the Fire and Police will have the same numbers as FY11.

Mr. Ragucci said the recent ruling is employees will receive their full military and Town salary, when activated. He said he is not quite sure how he is going to handle it. He said maybe they can discuss it in executive session.

Mr. Ragucci said he sent a letter to Melrose, and the Mayor called. He would like to meet in Melrose on 3/24 to discuss Ravine Road.

**Executive Session**

Selectman DePinto moved to go in to executive session, pursuant to Chapter 30A and not return as the Board of Selectmen. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman Sweeney  
Selectman Vallarelli  
Selectman Gregorio  
Selectman DePinto  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 8:33 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of April 6, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

### **Pledge of Allegiance**

### **Appoint Member to Board of Registrars**

Selectman Sweeney moved to reappoint Rocco Ciccarello to the Board of Registrars, seconded by Selectman DePinto. **Motion was unanimously voted.**

### **Capital Committee/Joint Meeting/Warrant Article/FY12 Capital Needs**

This item was moved to the 4/26/11 meeting.

### **Approve Site Plan Extension Letter/448 Main St**

Selectman DePinto moved approval of the site plan extension letter for 448 Main Street, seconded by Selectman Sweeney. **Motion was unanimously voted.**

### **Approve Minutes**

Selectman DePinto moved approval of the 3/15/11 minutes, seconded by Selectman Sweeney. **Motion was unanimously voted.**

### **Miscellaneous Correspondence**

Selectman Gregorio noted the letter from the Melrose Mayor regarding IT. He asked to get the Town's IT Manager to participate in it. Chairman Rotondi asked Town Administrator Ragucci to answer the letter and suggest a meeting. Selectman Gregorio said he thinks the letter from the Epilepsy Foundation for a clothes collection box is a good idea. Chairman Rotondi asked Mr. Ragucci to answer that letter. Selectman DePinto asked if a letter went out to Mass Water for the 26<sup>th</sup>. Mr. Ragucci said he wanted to speak to the Board tonight.

### **Town Administrator Reports**

Mr. Ragucci suggested using \$100,000 of the Chapter 90 money to replace the old lights at Park and Marble. Selectman Vallarelli asked what job won't get done if they do that. Mr. Ragucci said he can find out. Selectman DePinto asked him to get a list of all projects that they should do. Selectman DePinto moved to vote on the Chapter 90 \$100,000. Mr. Ragucci said he went to a table top exercise with the State Police and the Commonwealth of Mass. He said there are contingency plans if something goes wrong on 93. He said they are focusing on 93 and 93 only. Selectman DePinto said he would like to do a committee with Dave, two Selectmen, the Police Chief, and DPW. He said he heard Medford is going to close some streets off to help their residents and Stoneham might need to close streets. Selectman DePinto said he would volunteer for the committee. Selectman Sweeney will, also. Selectman Sweeney added the Safety Officer. Selectman DePinto asked Mr. Ragucci to put the committee together. Mr. Ragucci asked the Board to look at ways to mitigate the post-employment benefits liability. He said they are in very good shape for retirement benefits. Chairman Rotondi volunteered. Mr. Ragucci said the Retirement Board did their actuarials and they will be fully funded by 2023. It appears they will level fund them for the next couple of years. Town Administrator Ragucci suggested putting in writing to Mr. Laskey of the MWRA what the Town would feel comfortable accepting for the lost revenues. Selectman DePinto said they should ask for 10 years of lost revenue - \$900,000 and they could do astro turf. Selectman DePinto moved to send a letter asking for \$900,000 and put it as 10 years lost revenue. Chairman Rotondi said to let the Board think about it and put it on the next meeting. Selectman DePinto withdrew his motion. It was also decided to put the Capital Committee on the 4/26 meeting. Selectman Sweeney said the vote on the trash fee should be voted as a trash fee and taken out of the umbrella of the Budget Agreement. He said something that important should be voted on separately, as always has been done in the past. Selectman DePinto asked that they stop and come back to this item.

**Bear Hill Associates, Inc/5 North Street/Site Plan Hearing/Concurrent Meeting with Planning Board**

Chairman Niewenhous called the Planning Board into session at 7:20 p.m. for a concurrent meeting of the Planning Board and the Board of Selectmen for the Special Permit and Site Plan for Bear Hill Golf Club, Inc. He said Mr. O'Grady will abstain from action in this matter because he is a member of Bear Hill Country Club. Chairman Niewenhous read the Notice of Hearing. Michael Santanelli of the Bear Hill Board of Governors, Chuck McKenney, Treasurer, and Mike Murgia, President of the Association, were present. Mr. Santanelli said they propose to eliminate gas golf carts and utilize new electric golf carts. He said each cart needs to be enclosed with a charger. He said they are proposing to build an enclosure and over the roof they are proposing to build a deck. Selectman Sweeney noted they get to the deck from the Pro Shop. Mr. Santanelli said they are providing a second set of stairs from the deck to the practice green for a second egress. Chairman Rotondi opened the hearing to the public. Bob Spears, 103 High Street, asked if there will ever be a band. Mr. Santanelli said there will be no food or anything, just coffee. A resident from Lawndale Road asked what hours it will be used. Mr. Santanelli said it will not be used at night. Maryellen Dee, 1 Lawndale Road, said when they approached Bob Johnson he said there would be no outdoor activities on the deck. Mr. Santanelli said there is not going to be any bands or entertainment. He said it is only serving as an enclosure for the carts. Chairman Niewenhous asked if there will be no alcohol or entertainment. Mr. Santanelli agreed there would not be. Selectman Sweeney asked if there will be no gas grills. Mr. Santanelli agreed that there will not be. Chairman Rotondi asked if there is not going to be umbrellas and tables and have lunch. Mr. Santanelli agreed they are not. Ms. Dee said she is concerned because they are saying there will be people there. Mr. McKenney said people might sit out there in the morning. He said they plan two outdoor parties each year that have nothing to do with the deck. Chairman Niewenhous read the department recommendations from DPW, Fire, Police, and Building. Chairman Rotondi read the department recommendations from Board of Health and Building. It was clarified that the hours of operation will be the same as the Pro Shop, 7:00 a.m. to dusk.

Planning Board member Kevin Dolan moved to close the public hearing. Motion was seconded and **unanimously voted**. Selectman Sweeney moved to close the public hearing, seconded by Selectman DePinto. **Motion was unanimously voted**. Planning Board member Dolan moved to approve the petition. Chairman Niewenhous said no illumination, no alcohol, and hours from 7:00 a.m. to 8:00 p.m. Motion was seconded by Planning Board member Kevin McLaughlin. Chairman Niewenhous opened the hearing to the public. A roll call vote was taken.

Voting in favor:

Stephen Catalano  
Kevin McLaughlin  
Kevin Dolan

**Motion was unanimously voted.**

Selectman Sweeney moved approval of the site plan, seconded by Selectman DePinto, who added two years for completion and build during normal hours of construction. Selectman Sweeney agreed. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Sweeney  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting recessed at 7:42 p.m.**

**Meeting reconvened at 7:53 p.m.**

**Update on Ravine Road**

Town Counsel Solomon said he had a meeting with Melrose. Selectman Sweeney asked if Mayor Dolan rejected one of the traffic engineers. Town Counsel said yes. Selectman Sweeney said they send letters to their representatives, the DCR, and the State and nothing ever happens. He said this issue has been going on for ten years now. Town Counsel noted the suggestion of making Philips Road a one-way or do not enter from the other side, the side facing Melrose, and making Ravine Road a one-way or do not enter at the Fellsway. Selectman Sweeney said everything they do, they should put a date certain on it. Town

Counsel said he will provide Selectman Sweeney with a written game plan. Selectman Sweeney added that they share it with the neighbors. Selectman Sweeney asked what is so difficult about getting a traffic study company. Town Counsel said there's some level of approval from Melrose. Selectman Sweeney said probably the first thing is set up a meeting and talk about that suggestion and talk about the traffic study. Town Counsel said he thinks it would be helpful if they had that meeting. Town Counsel said if, at any point, elected officials or the Town Administrator feel the process is not moving along or unlikely to succeed, then at that point they petition the State.

### **Town Administrator Reports/Continued**

Selectman Vallarelli asked if they have a Pay as You Throw Committee. He recommended a public meeting on the Board's agenda. Selectman Sweeney said he believes the trash issue was thrown in the Budget Agreement like an earmark in Washington. He said he thinks they should vote on a trash fee as a separate item as they always have in the past. Chairman Rotondi said the Budget Agreement does not include the trash fee. Selectman Vallarelli said it was always his understanding that it did. Selectman Sweeney said he was told when he voted for the Budget Agreement that he was voting for a trash fee. Chairman Rotondi said that, before the Budget Agreement was proposed they said they would pass a trash fee if an agreement was signed. He said what was in the agreement is, if an override passed, they would rescind the trash fee. Selectman Sweeney said they can end this discussion very quickly by voting for a trash fee right now. Selectman Vallarelli moved to reaffirm their vote. Selectman Sweeney moved to reaffirm their previous vote on a trash fee, seconded by Selectman Vallarelli. Selectman Sweeney moved the question. Discussing the fee, Chairman Rotondi said they didn't put a number on it. He said they said they would raise \$1.6 million. Selectman Vallarelli said it bothers him that they can't tell homeowners what it will be. He said they need to find out what the dates are to notify condos. He said if the trash fee, for someone like him with hardly any trash, is \$400, that's too much. Selectman Gregorio suggested pay as you throw for 1/1, which gives them 6 months to implement it. Selectman Sweeney asked what figures the Town Administrator can present, if they don't know if the condos are in or out. Selectman Vallarelli asked if they can say how much single, multi-family, and condos are. Mr. Ragucci said he will work with Ron and Bob on the numbers. Selectman Sweeney said he would include Housing. Selectman Sweeney withdrew his motion. It will be on the agenda next Tuesday.

Selectman Sweeney said he would like to clear up an email policy, to include the Board's Office Manager in all emails, because one, she is the Office Manager and two, he doesn't have access to emails all day, and he speaks to Muriel two or three times a day on things that pertain to the Selectmen's office. Selectman Sweeney moved to include Muriel in all email, seconded by Selectman DePinto. **Motion was unanimously voted.**

### **Executive Session**

Selectman DePinto moved to go into executive session and not to return to Board of Selectmen, seconded by Selectman Vallarelli. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Sweeney  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 8:55 p.m.**

Respectfully submitted,

Muriel Doherty

**Stoneham Board of Selectmen – Minutes of Meeting of April 12, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, TA David Ragucci, and Town Counsel William H. Solomon.

**Reorganization**

Chairman Rotondi passed the gavel to TA Ragucci. Selectman Vallarelli nominated John DePinto as Chairman, seconded by Selectman Sweeney. Selectman DePinto declined the nomination. Selectman DePinto nominated R. Paul Rotondi as Chairman, seconded by Selectman Gregorio. Chairman Rotondi accepted the nomination. **Motion was unanimously voted.** Chairman Rotondi took the gavel back. Selectman DePinto nominated Frank Vallarelli as Vice Chairman, seconded by Selectman Sweeney. **Motion was unanimously voted.** Selectman DePinto nominated Richard Gregorio as Secretary, nominated by Selectman Vallarelli. **Motion was unanimously voted.**

**Approve Minutes**

Selectman Vallarelli moved approval of the 3/1/10 minutes, seconded by Selectman Gregorio. **Motion was unanimously voted.** Selectman Vallarelli moved approval of the 3/1/11 executive session minutes and not to be released, seconded by Selectman DePinto. Selectman Vallarelli moved approval of the 7/27/10 executive session minutes and not to release, seconded by Selectman Gregorio. **Motion was unanimously voted.**

**Request for Change of Address/237-241 Main St/Site Plan Hearing**

Selectman Gregorio moved to accept the change of address for 237-241 Main Street to 239 Main Street for the restaurant and 241 Main Street for the house. Motion was seconded and **unanimously voted.**

**Vote on Chapter 90 Money**

DPW Director Grover said an article has to be presented at Town Meeting. Selectman Gregorio moved to table to the meeting in September, seconded by Selectman DePinto. **Motion was unanimously voted.**

**Approve Common Victualler License Renewals**

The information for Kro-Mel's LLC d/b/a Melissa's Main Street Bistro wasn't received and processed in time for the meeting. Selectman Vallarelli moved approval of the Common Victualler License renewal for Tayla-Kevin, LLC d/b/a Pignone's Café/319 Main St, seconded by Selectman DePinto. **Motion was unanimously voted.**

**NStar Electric Company and Verizon New England, Inc/Richardson Lane/Public Hearing/Anchor Guy**

Jackie Duffy was present to represent NStar in the following petition of NStar Electric Company and Verizon New England, Inc.:

Richardson Lane – southerly side, approximately 179 feet west of Main Street  
Install one (1) anchor guy on pole 215/3-1

W.O. #1792333

Selectman DePinto read the Notice to Abutters. Chairman Rotondi opened the hearing to the public. Selectman DePinto moved approval of the petition, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

**Approve Proposed Site Plan Decision Letter/5 North St**

Selectman DePinto moved approval of the 5 North Street site plan decision letter, seconded by Selectman Vallarelli. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli

Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Miscellaneous Correspondence**

Selectman DePinto noted the alert from H.O.T. and told anyone making a donation to only make the check out to H.O.T.

Selectman Vallarelli asked about the subdivision at Nazareth Academy. Mr. Ragucci said they are still negotiating a municipal agreement with Wakefield. He said the agreement is only good for 25 years. He said Town Counsel is looking with the attorneys to see if they can do legislation for a change for more than 25 years.

**TA Reports**

Mr. Ragucci said the Post Office requested handicapped signs in front of the building. He said the Chief and Safety Officer selected a location. Selectman DePinto said on the right side facing the Post Office where the boxes are. The boxes are coming out. Selectman Sweeney moved approval, seconded by Selectman DePinto. **Motion was unanimously voted.**

Mr. Ragucci said he met with the Epilepsy Foundation for their clothing donation box. He said the Red Cross also wants a clothing donation box at the Arena. Selectman Sweeney said they can try it and if it doesn't work, they can change it. TA Ragucci said the Epilepsy box can go in back of Town Hall with the other box that is there. Selectman DePinto moved approval, seconded by Selectman Gregorio. **Motion was unanimously voted.**

**Salvatore Lupoli d/b/a Sal's Pizza/200 Main St/Site Plan Hearing**

Selectman DePinto read the Notice of Hearing. Christopher Smith, Vice President of Business Development, was present representing Sal Lupoli in the petition of 196 Main St, LLC d/b/a Sal's Pizza, to change the use of the former Pearle Vision space from Retail to Restaurant and renovate the existing space for purposes of Sal's Pizza Shop, on the property located at 200 Main Street, Stoneham, MA, on land owned by C & S Capital Properties, LLC, 51 Main Street, Stoneham, MA 02180.

Selectman DePinto read the department recommendations from DPW, Police, Health, Fire, and Inspectional Services. Chairman Rotondi opened the hearing to the public. Selectman DePinto moved approval, with two years for completion, and that construction doesn't begin before 7:00 a.m. and no Sunday construction. Motion was seconded by Selectman Vallarelli, and a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Trash Fee Discussion and Vote**

DPW Director Grover said the trash budget is \$1.6 million for FY12. He said Housing agreed to pay \$30,000. He said for 6,250 units, they calculated a fee of \$240 per unit. Out of 1,100 condos they guessed 600 units would stay on line at \$150 a unit. There would be a surplus and with 85 senior abatements of \$50 it would leave a \$15,750 surplus. Selectman Sweeney said he heard each unit pays as low as \$70 up to a \$100. Mr. Grover said that is why he suggested meeting with them. Selectman Sweeney said they are having this discussion to make sure the figure stays as close to \$250 as they possibly can. He said if the condos opt out he doesn't want the residential units paying to make up the \$1.6 million. Chairman Rotondi suggested the Board vote two trash fees, \$240 for homeowners and \$150 for condos, and if they go out it would be \$252 for residential units. Selectman Sweeney said he feels more comfortable putting that cap on it rather than going to \$1.6 million. Selectman Gregorio said he would like to raise the senior credit to

\$100. Selectman Sweeney seconded that. Mr. Ragucci asked if they are looking at senior abatements or veterans, surviving spouses, and legally blind. Michelle Meagher said the number is roughly 208. She said if they lived in condos they didn't receive the \$150 off the water. She said she thinks it is under 300. Chairman Rotondi said if they up it to \$100 and there are 100 people, that would get them to \$10,000 and would fit in the budget. Selectman Sweeney suggested sending a letter to the condos, maybe asking them if it is a little more than what they would pay privately, if they would do the Town a favor and stay in. Selectman Gregorio moved to establish a trash fee, with \$30,000 from the Housing Authority, residential units at \$240 a year, condos and apartments \$150 a year and, should condos opt out, residential units would go from \$240 to \$252. Motion was seconded by Selectman Sweeney. Mr. Grover said that the Town bylaw only allows them to pick up apartments up to six units. Selectman Gregorio incorporated that into his motion. **Motion was unanimously voted.** Selectman Gregorio moved to direct the Town Administrator and Director of Public Works to now generate the implementation instructions and procedures for the trash fee, which should include a rebate for seniors. He said to come up with a system to implement this as of 7/1, including a \$100 abatement for seniors. Michelle Meagher, 15 Brackett Ave, asked if he said only seniors. Selectman Sweeney added veterans and legally blind. Ms. Meagher agreed, saying veterans and blind and those who get a qualified exemption from the Assessors Office. Selectman Gregorio said if they go to 300 credits then the \$100 is off the table. Chairman Rotondi agreed. Selectman Sweeney asked what the Town offers now. Ms. Meagher said nothing. Selectman Sweeney asked what they used to offer. Ms. Meagher said \$50 for anybody who received an exemption through the Assessors Office. Mr. Grover said they should find out from the Assessors how many exemptions there are and whether there are 300. Selectman Gregorio added to his motion that as they come back to the Board for their presentation they will come with a final recommendation of the credit. Selectman Sweeney added that the notification to the condos include a letter asking the condos for their help. Chairman Rotondi said to add that to the letter. Motion was seconded by Selectman Sweeney and **unanimously voted.** Selectman Gregorio moved to authorize the TA to form a pay as you throw committee with the purpose to make a recommendation back to this Board. Selectman Gregorio said he is volunteering for it. Motion was seconded by Selectman Vallarelli. Selectmen Gregorio and Vallarelli suggested setting up the same number of members as last time. **Motion was unanimously voted.**

### **Executive Session**

Selectman DePinto moved to go into executive session for collective bargaining and litigation and not to come back as the Board of Selectmen, seconded by Selectman Gregorio. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Sweeney  
Selectman Vallarelli  
Chairman DePinto

**Motion was unanimously voted.**

**Meeting adjourned at 8:14 p.m.**

Respectfully submitted,

Muriel Doherty

## Stoneham Board of Selectmen – Minutes of Meeting of April 26, 2011

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Acting Town Administrator Robert Grover, and Town Counsel William H. Solomon.

### Pledge of Allegiance

### Annual Appointments

**Board of Appeals** - Selectman Sweeney nominated Jim Juliano, seconded by Selectman Vallarelli. Selectman DePinto nominated William Sullivan, seconded by Selectman Vallarelli. Selectman Sweeney nominated Harry Sampson, seconded by Selectman Vallarelli. Selectman Sweeney nominated Tobin Shulman, seconded by Selectman DePinto. Selectman Sweeney said the top two vote-getters will get the two full-time positions and the other two will be alternates. Voting was as follows: James Juliano – Selectman DePinto, Selectman Gregorio, Selectman Vallarelli, Chairman Rotondi - (4 votes); Harry Sampson – Selectman Sweeney (1 vote); Tobin Shulman – Selectman Vallarelli (1 vote); William Sullivan – Selectman Sweeney, Selectman Vallarelli, Selectman DePinto, Selectman Gregorio, Chairman Rotondi (5 votes). James Juliano and William Sullivan were appointed full-time members, and Harry Sampson and Tobin Shulman were appointed Alternates.

**Conservation Commission** – Selectman Vallarelli said that, even though no one applied, Dan Towse had indicated they wanted to be full members. Selectman Vallarelli nominated Megan Day, subject to a letter, seconded by Selectman Sweeney. Selectman Vallarelli nominated Ellen McBride, seconded by Selectman Sweeney. Selectman Vallarelli nominated Robert Parsons, seconded by Selectman Sweeney. Ellen McBride was **unanimously voted**; Megan Day was **unanimously voted**; and Robert Parsons was **unanimously voted**. Selectman Vallarelli said they need to send letters. Selectman DePinto said they are still looking for two associates.

**Council on Aging** – Selectman Vallarelli nominated Diane Derow and Claire Casamento, seconded by Selectman DePinto. Claire Casamento was **unanimously voted** and Diane Derow was **unanimously voted**. There is still an appointment for one unexpired term.

**Historical Commission** – Selectman DePinto nominated Joanne DiMambro and Selectman Sweeney nominated Joan Quigley, seconded by Selectman Gregorio. Joanne DiMambro and Joan Quigley were **unanimously voted**. There is still one appointment for an unexpired term.

**Open Space and Recreation Committee** – Selectman DePinto nominated Angelika Paul. Motion was seconded and **unanimously voted**.

**Water and Sewer Review Board** – There is one opening.

### Stoneham Youth Coalition/Introduction

Libby Fulgione said the non-profit group was set up over the past year. It is made up of athletic and other non-profit organizations. He said they have a group purchase program and they help with fees. He said one of the primary goals is to get a central database together, a website, and pamphlets around town.

### Capital Committee/Warrant Article

Brian Domoretsky said the technology infrastructure was in dire need of repairs so they made that their priority recommendation going into the spring Town Meeting. He said the numbers they received for those upgrades were perhaps a little light in the estimates and he believes a consultant is seeing if those numbers are accurate. Selectman Gregorio said the outside consultant is still trying to get them the final price. He said he still thinks they have to table it until they get a final number. It was decided to put this on the Monday agenda. The Capital committee needs a Finance Board appointment and a citizen member.

**Mass Burgers Stoneham, LLC d/b/a 5 Guys Burgers and Fries/67 Main St/Request for New Common Victualler License**

Selectman Gregorio moved approval of the New Common Victualler License for Mass Burgers Stoneham, LLC d/b/a 5 Guys Burgers and Fries/67 Main Street, conditioned on receiving the department heads formal approvals. Motion was seconded by Selectman DePinto and **unanimously voted**.

**Approve 200 Main St Site Plan Decision Letter**

Selectman Gregorio moved approval of the site plan decision letter for 200 Main Street. Motion was seconded and **unanimously voted**.

**Approve Block Party/Bonad Road**

Selectman Sweeney moved approval of the Block Party on Bonad Road, contingent on Police, Fire, and DPW being notified. Motion was seconded and **unanimously voted**.

**Annual Goal Meeting/Set Date**

The Board set the date of 6/14/11 at Whiphill at 7:00 p.m.

**Agenda Organization**

Chairman Rotondi said Selectman Gregorio came up with the idea of having the first item after the Pledge of Allegiance for citizens to come up. Chairman Rotondi said one of his suggestions is when they advertise they set everything for 7:00, so they don't have to jump around. Selectman DePinto asked if they are allowed to do that. Town Counsel Solomon said he thinks they can set things at one time, but not the whole meeting. Selectman Sweeney said site plans should have a time. He said most other items are generic. He said if something special comes up, they can decide that. Town Counsel said that, with the new Open Meeting Law, they have to raise subjects considered at the meeting. He said there are two ways to do it. One is to make it clear they won't take action. Two is to tell people if you know beforehand and want to tell us what it is. He said he will talk to the AG and other communities.

**Letter to MWRA re BRMC**

Chairman Rotondi said the MWRA has to be saved for executive session, because it has to do with negotiating, strategy and how they will do that.

**Approve Minutes**

Selectman Gregorio moved approval of the 4/12/11 minutes, seconded by Selectman DePinto. Chairman Rotondi said to change the motion for executive session to "not come back to". Selectman Gregorio added that to the motion, seconded by Selectman DePinto. **Motion was unanimously voted**.

**Miscellaneous Correspondence**

Selectman Sweeney said he had a couple of calls from condo people on the trash fee. Bob Grover said the condos will get the same service as individual homeowners - one pickup per week and one recycle every other week. Selectman Sweeney asked how the units get billed. Mr. Grover said in the past they billed the association if they got one water bill. Selectman Sweeney asked what if there was a senior abatement on the condo. Mr. Grover said they wouldn't get it. Selectman DePinto said someone with a three-family called to see if they can opt out. Mr. Grover said it is up to the Board of Health. Selectman DePinto asked if a one-family could opt out. Mr. Grover said theoretically they could. Chairman Rotondi said the Middle School Building Committee has traffic studies presented to them. He said option one is to build a Middle School at the High school. He said option two is to build some type of building at a central location with Central School. He said from a traffic point of view they recommend the Central Street location.

**Town Administrator Reports**

Mr. Grover gave a progress status for DPW. Selectman Sweeney asked if they could get a cost to do the blue paint in the crosswalks, especially around the schools, by next September. Selectman Gregorio added the downtown area and the Post Office. Selectman DePinto mentioned the handicapped space at the Post Office. Mr. Grover said that is ordered. Selectman Vallarelli asked if the street sweeper is still out there. Mr. Grover said it started at Friendly's about three weeks ago and is working its way clockwise. He said it takes close to 6 weeks to do the entire town.

**Executive Session**

Selectman DePinto moved to go into executive session and not to return, pursuant to Chapter 30A, for the purpose of discussing potential litigation and personnel. Motion was seconded.

Mr. Grover said this year the MWRA is allowing Tier II Funding. He said Tier II can do automated reading system. He said the amount of funds is based on the percentage of water lines that are cement lined. He said Stoneham is 98% cement lined. He said three communities are 100% cement lined – Winchester, Brookline, and Weston, and that Stoneham came in 4<sup>th</sup>. He said Stoneham is eligible for a \$500,000 interest free loan that they can use for Tier II funding. He said they can use 98% of \$500,000. He said they can save three employees, because they can read the whole town in 4 hours with the automation.

Town Counsel Solomon gave an update on Ravine Road. Selectman DePinto said if nothing happens by the next meeting, they should close the street off. Selectman Sweeney said he, Mr. Ragucci, and the traffic engineer went down there and if the Mayor and Aldermen went there for 20 minutes, they would see it is incredible. He said there is total chaos on Ravine Road and the Fellsway. He said that, unfortunately, the only thing that got their attention was the action the Board did last year. Selectman DePinto said they have to do it again. Town Counsel said he will pursue it and let the Board know at the next meeting if he gets a response.

A roll call vote was taken on the motion to go into Executive Session and not return.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 9:30 p.m.**

Respectfully submitted,

Muriel Doherty

**Stoneham Board of Selectmen – Minutes of Meeting of May 2, 2011**

Chairman R. Paul Rotondi called the meeting to order at 6:30 p.m. Also present were Selectmen John F. DePinto, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon. Selectman Richard S. Gregorio was unable to be present.

**Pledge of Allegiance**

**Capital Committee/Warrant Article/Continued**

TA Ragucci said the consultant came back with an \$800,000 figure. Mr. Ragucci recommended going forward tonight with \$800,000.

The Board agreed to set the goals meeting for 6/21 at 6:00 p.m. at Whiphill.

**BRMC Hospital Redevelopment and Fallon Road Proposed Residential Development Mitigation Covenant and Development Agreement/Approval and Execution**

Selectman DePinto moved approval of the Development Agreement by Fellsway Development LLC, Langwood Commons LLC, and Simpson Housing LLLP with the Town of Stoneham, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

Selectman Sweeney moved approval of the Mitigation Covenant by Fellsway Development LLC, Langwood Commons LLC, and Simpson Housing LLLP and the Town of Stoneham, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).**

Selectman Sweeney moved approval of the Notice of Development Agreement/Mitigation Covenant and the Mitigation Covenant by Fellsway Development LLC, Langwood Commons LLC, and Simpson Housing LLLP with the Town of Stoneham, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).**

Selectman DePinto moved approval of the Escrow Agreement by and between Fellsway Development LLC, Langwood Commons LLC, Simpson Housing LLLP, the Town of Stoneham, and William H. Solomon, Esq., seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

Selectman Sweeney moved approval of the combined Development Agreement/Mitigation Covenant by 225 Fallon Road Realty LLC with the Town of Stoneham, with paragraph one amended to four years to apply for the permits. Motion was seconded by Selectman DePinto. **Motion was unanimously voted (4-0).**

**Preparation for Town Meeting**

**Town Meeting**

The Board assigned motions. On Article 7, Selectman DePinto moved to not raid Stabilization for the Snow & Ice, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).**

**Town Meeting**

Selectman DePinto moved to recess and go to Town Meeting. Motion was seconded and **unanimously voted (4-0).**

**Meeting recessed at 7:00 p.m.**

**Meeting reconvened at 7:06 p.m. at Town Meeting.**

**Meeting adjourned at 9:43 p.m.**

Respectfully submitted,

Muriel Doherty

**Stoneham Board of Selectmen – Minutes of Meeting of May 10, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:02 p.m. Also present were Selectmen John F. DePinto, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon. Selectman Richard S. Gregorio was unable to be present.

**Pledge of Allegiance**

**Sewer Bond and Equipment Useful Life Vote/Town Treasurer**

Selectman DePinto moved to move the Bond item up, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

Selectman DePinto moved that the sale of the \$228,800 Sewer Bond of the Town dated May 23, 2011, to the Massachusetts Water Resources Authority (the “Authority”) is hereby approved and the Town Treasurer or other appropriate town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial assistance agreement with the Authority with respect to the bond. The bond shall be payable without interest on May 15 of the years and in the principal amounts as follows:

<u>Year</u>	<u>Installment</u>
2012	\$45,760
2013	45,760
2014	45,760
2015	45,760
2016	45,760

And Selectman DePinto further moved that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing vote. Motion was seconded by Selectman Sweeney, and a roll call vote was taken.

Voting in favor:

- Selectman DePinto
- Selectman Sweeney
- Selectman Vallarelli
- Chairman Rotondi

**Motion was unanimously voted (4-0).**

Selectman DePinto moved that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$1,352,500 borrowing authorized by the votes of the Town passed May 3, 2010 (Article 17 - \$82,500 Digital Portable Radios, \$165,000 Street Sweeper, \$600,000 Fire Pump Truck, \$110,000 Sidewalk Plow, \$75,000 South School Air Conditioner, \$320,000 School Oil Tanks) is hereby determined pursuant to G.L. c44, §7(9) to be as follows:

<u>Purpose</u>	<u>Maximum Useful Life</u>
Digital Portable Radios	10 Years
Street Sweeper	15 Years
Fire Pump Truck	20-25 Years
Sidewalk Plow	20 Years
South School Air Conditioner	15 Years
School Oil Tanks	20 Years

Motion was seconded by Selectman Sweeney and **unanimously voted (4-0).**

Selectman DePinto moved to go to Item 6. Motion was seconded and **unanimously voted (4-0).**

**Historical Commission/Annual Heritage Award**

Steve Rotondi, Chairman of the Historical Commission, said the Commission is awarding the Heritage Award to Maureen Saltzman, Reference Librarian at Stoneham Public Library, in recognition of her running the Mass Memories Road Show. He said she managed to obtain one of three grants that were awarded last year. He said she produced the most successful Road Show to date. Ms. Saltzman said it was a total group effort between the committee, the Library and the Town, and that it was mostly the community, itself.

**21 Montvale Ave/Discussion on Amending Site Plan**

Selectman DePinto said Julianne Stoughton is one of his doctors, but he has no financial interest. Selectman DePinto moved approval of the amended site plan Julianne Stoughton, Manager, Stoughton-Nawrocki LLC, was present regarding

her petition to amend the site plan at 21 Montvale Avenue by replacing the six-foot vinyl fence with a strip of Emerald Green Arborvitaes in the rear and black chain link fence with screening along the sides to fulfill the requirement of the site plan. Selectman DePinto moved approval of the amended site plan, seconded by Selectman Sweeney. A roll call vote was taken.

Voting in favor:

Selectman DePinto  
Selectman Sweeney  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

#### **Appoint Members to Committees**

Selectman Vallarelli moved to appoint Joan DiGiulio a member of the Open Space and Recreation Committee, seconded by Selectman DePinto. **Motion was unanimously voted (4-0).** Selectman Vallarelli moved to appoint Joanne St. Pierre a member of the Open Space and Recreation Committee, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).** Selectman Vallarelli moved to reappoint Rosann Hansen to the Cultural Council, seconded by Selectman DePinto. **Motion was unanimously voted (4-0).** Selectman Sweeney moved to appoint Deniz Bulut-Ture to the Cultural Council, seconded by Selectman DePinto. Selectman Vallarelli moved to reappoint Richard Mangerian to the Water and Sewer Review Board, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

#### **Approve Arbor Day Proclamation/Tree Warden**

Selectman Sweeney moved approval of the Arbor Day proclamation, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).**

#### **Approve Minutes**

Selectman Vallarelli moved approval of the 5/2/11 minutes, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

#### **Revised Documents: Fallon Road Development and Proposed 150 Residential Units – Development Agreement/Mitigation Covenant, and Related Escrow Agreement and Notice of Development Agreement/Mitigation Covenant**

Town Counsel Solomon asked that the Board authorize each member to sign the new agreement. Selectman Sweeney moved to do so, seconded by Selectman DePinto. **Motion was unanimously voted (4-0).**

#### **Request for New Common Victualler License/Zheng Restaurant, Inc. d/b/a Tulip Asian Cuisine/119 Main St/Public Hearing**

Selectman DePinto moved approval of the New Common Victualler License for Zheng Restaurant, Inc. d/b/a Tulip Asian Cuisine, seconded by Selectman Sweeney. Atty. Christopher Coleman was present to represent the applicant. Selectman Sweeney asked if they are coming back for an Entertainment License. Atty. Coleman said for music and TV and possibly a patio. Selectman Sweeney said he is concerned about the entertainment part of it. Atty. Coleman said there will never be any live entertainment. He said it will be CD music and possibly TV around the bar. He said the lounge area is fairly small. Selectman Sweeney asked if separate rooms will have separate alcohol service. Mr. Liu said there will be no separate bars. Selectman Sweeney asked if it will be one centralized bar and Mr. Liu said yes. The Board asked that they get a copy of the final plan that the Building Inspector signs off on. **Motion was unanimously voted (4-0).**

#### **Liquor Licensing Authority**

Selectman DePinto moved to go to Liquor Licensing Authority and return to Board of Selectmen, seconded by Selectman Sweeney. A roll call vote was taken.

Voting in favor:

Selectman Sweeney  
Selectman Vallarelli  
Selectman DePinto  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Meeting recessed at 7:40 p.m.**  
**Meeting reconvened at 7:53 p.m.**

**Miscellaneous Correspondence**

Selectman Sweeney said Town Administrator Ragucci got a request for a carnival to be set up at the Arena. He said it would definitely impact Stoneham Oaks. Chairman Rotondi noted that half of 93 will be closed down that weekend. Selectman Sweeney suggested some other spot. Selectman DePinto asked Mr. Ragucci if he could discuss that with the carnival people.

Chairman Rotondi said the Middle School Building Committee selected the Middle School site.

**Town Administrator Reports**

Mr. Ragucci said he offered the condo associations a reduced rate of \$150 for trash pickup. He said no large condo association is taking them up on the offer. Selectman Sweeney said he would support abatements for seniors. Mr. Ragucci said Sen. Clark met with them regarding the Fast 14 project and was very helpful and will champion Stoneham's cause. Mr. Ragucci said the Historical Commission has been in contact with him regarding the North and East Schools. He asked if there would be any objection to forming a committee to see what area residents would like to see happen and develop an RFP to dispose of the properties. He asked they allow him to form the committee. Selectman DePinto volunteered. Selectman Vallarelli said first the School Committee has to release the buildings. Chairman Rotondi said they can do the groundwork but before establishing a committee they should talk to the Superintendent. He said he wants their okay. Mr. Ragucci said there is going to be a stakeholders meeting about adaptive reuse of the buildings. Selectman DePinto said to have Selectman Vallarelli sit on the committee as a Selectman and he will be as a resident. Selectman Sweeney said he has no objection but still thinks they should go to the School Committee. Chairman Rotondi agreed. Chairman Rotondi told Marcia Wengen they can do the stakeholders meeting but before they delve into an RFP the Board wants the School's okay. Ms. Wengen said if they got an RFP out by 7/1 it could be ready for October Town Meeting. Chairman Rotondi said that Selectman Sweeney is correct that they get an RFP and do zoning at the same time. Chairman Rotondi said the consensus of the Board is if the Schools say okay then they will set up a committee. Mr. Ragucci said there is a request from the Chief to hire three firefighters. Chairman Rotondi said one of the requirements for GASB45 is they can change medical benefits for new hires when they retire. Mr. Ragucci said there will be layoffs from other communities in June. He recommended hiring these three. Mr. Ragucci said the Zamboni was sold for \$15,101. Selectman Sweeney said Bob Grover gave them an idea on how much to paint the crosswalks. He said if they get unexpected money maybe they could start on it. Mr. Ragucci said that would cover the crosswalks and it would be a capital cost. Selectman Sweeney said he spoke with Katherine Clark about Ravine Road. He said they will try to set up a meeting. He said they were going to have it at 10 or 11 a.m., but he suggested rush hours. Town Counsel Solomon said he has gone over the draft traffic proposal with Melrose. He said they will provide their marked-up version tomorrow. He will return it to them by next Tuesday. He said he will send out an email that sets out the suggestion by the Ravine Road resident. He said that, with the Board's permission, he will send the email to Melrose.

**Executive Session**

Selectman DePinto moved to go into executive session for purposes of discussing Stockwell Trust and contract negotiations and not return as the Board of Selectmen, seconded by Selectman Sweeney. A roll call vote was taken.

Voting in favor:

Selectman Sweeney  
Selectman Vallarelli  
Selectman DePinto  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Meeting adjourned at 8:27 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of May 24, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen Richard S. Gregorio, Robert W. Sweeney, Town Administrator David Ragucci, and Town Counsel William H. Solomon. Selectman John F. DePinto was unable to be present.

### **Pledge of Allegiance**

### **Petition to Remove Two Public Shade Trees/28 & 30 Bear Hill Rd**

No one was present for this item. Selectman Gregorio said if it is discussed later in the meeting he will excuse himself from the discussion because he has a relationship with the abutter.

### **Appoint Members to Committees**

Selectman Vallarelli moved to appoint Maureen Slater to the Cultural Council, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

### **Liquor Licensing Authority**

Selectman Sweeney moved to go into Liquor Licensing Authority then go back to Board of Selectmen, seconded by Selectman Vallarelli. A roll call vote was taken.

Voting in favor:

Selectman Sweeney  
Selectman Vallarelli  
Selectman Gregorio  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Meeting recessed at 7:10 p.m.**

**Meeting reconvened at 7:15 p.m.**

### **Discussion on Open Space and Recreation Committee/Maureen Houghton**

Maureen Houghton said five members were up for reappointment in April and that, unfortunately, they no longer have a clerk and the fact the appointments were coming up slipped by. She said none of the five members of the 8 member committee reapplied. She asked if the Selectmen would consider opening up the membership once again. Three new members were appointed. Selectman Sweeney suggested they set up a subcommittee with a member of the Board of Selectmen. He said he would volunteer. He suggested meeting with the current Open Space Committee and the new people who just got appointed and try to come up with a mission statement. He said a Selectman designated to the Open Space Committee would have more bite in their recommendations. He said it might not be a bad idea for a few other committees. Selectman Gregorio said he would like to see a mission statement and how that fits with the Act. Selectman Vallarelli moved to expand the committee to 9 individuals, maximum, seconded by Selectman Gregorio. Voting was 3-1, with Selectman Sweeney opposed. **Motion carried.** After discussion, Selectman Vallarelli moved to amend the motion to expand to 9 members and have one of those members from the Board of Selectmen. Selectman Vallarelli moved to reconsider his previous motion, seconded by Selectman Gregorio. **Motion was unanimously voted (4-0).** Selectman Sweeney then

moved to increase the committee to 11, with one being a Selectman, seconded by Selectman Gregorio. **Motion was unanimously voted (4-0).**

### **Request for Carnival License/Town Common/Stoneham Youth Hockey**

Charles Houghton was present from Stoneham Youth Hockey to request a Carnival License for Cushing Amusements on the Town Common on 6/3, 6/4, and 6/5/11. Hours will be Friday 6-10, Saturday 12-10, and Sunday 1-6. Sel Sweeney asked if there were any possibility of donating a block of tickets to Community Police so they can give them out to families. Mr. Cushing said no problem. He said that is very important to them. Chairman Rotondi asked Mr. Ragucci if they have insurance. Mr. Ragucci said yes. Selectman Sweeney moved approval of the Carnival License, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).**

### **Dedication of Town Common/Bandstand**

Charles Houghton was present to represent Stoneham Rotary. He said Bob Skelley was instrumental in getting the VOKE and raising funds for the bandstand. He said they would like to name the bandstand for Bob. Selectman Sweeney said Bob was a great guy and he also owned Stoneham Lumber. Mr. Houghton said they will mention on the plaque that it was Kathy Bray's inspiration. He said they will take care of the plaque. Selectman Sweeney moved approval, seconded by Selectman Gregorio. **Motion was unanimously voted (4-0).** Mr. Houghton added that they will maintain the shrubbery around it.

### **Reprecincting/Census/Approval/Town Clerk**

Selectman Gregorio moved to accept as presented by the Town Clerk the 2011 Re-Precincting Plan for the Town of Stoneham, including the enclosed map, legal description, and block listings. Selectman Sweeney moved to send the Redistricting Committee a letter expressing the fact Stoneham wants to be made whole again, seconded by Selectman Gregorio. Selectman Sweeney added to send a copy to Rep. Lewis with a footnote asking why Stoneham got cut and Winchester was increased. Selectman Sweeney withdrew his motion. **Motion was unanimously voted (4-0).** Selectman Sweeney moved to send a letter supporting Stoneham getting its own representative, seconded by Selectman Gregorio. **Motion was unanimously voted (4-0).**

### **Petition to Remove Two Public Shade Trees/28 & 30 Bear Hill Rd**

Selectman Vallarelli moved to table this item. Motion was seconded and **unanimously voted (4-0).**

### **Approve Amended Site Plan Letter/21 Montvale Ave**

Selectman Sweeney moved approval of the amended site plan letter for 21 Montvale Ave, seconded by Selectman Vallarelli. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman Sweeney  
Selectman Vallarelli

Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Miscellaneous Correspondence**

Selectman Sweeney noted the letter from the attorney concerning Spring Lane. Town Counsel Solomon said he will take a look at it with the Town Administrator and do a draft response.

**Town Administrator Report**

Mr. Ragucci said he has been operating with a Human Resources Director on a temporary basis. He said he would like to make it permanent. He said she most recently was Benefits Coordinator. He said with it would be an increase in pay which will be discussed in executive session.

Mr. Ragucci said he spoke with DCR. He is trying to get them to agree to do a compost area on DEC property that Stoneham residents can go to.

Selectman Sweeney said he saw a communication that some youth groups are willing to paint the hydrants. Selectman Vallarelli said he got a call from someone willing to buy the paint and get some youth groups together.

Selectman Sweeney said they put out an RFP for advertising at the Arena. Mr. Ragucci said there was only one bidder, a Stoneham –based company of Randy Perillo and Joe Pizzarello. He said the bid came in at 45% of gross for the Town and he anticipates \$25-30,000 revenue from this program.

**Executive Session**

Selectman Gregorio moved to go into executive session, seconded by Selectman Sweeney. A roll call vote was taken.

Voting in favor:

Selectman Sweeney  
Selectman Vallarelli  
Selectman Gregorio  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of June 7, 2011**

Chairman R. Paul Rotondi called the meeting to order at 6:30 p.m. Also present were Selectmen John F. DePinto, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

### **Pledge of Allegiance**

### **Trash Fee**

Town Administrator Ragucci updated the Board on the trash fee and recommended that the trash fee be \$245 per household, \$150 per condo unit and \$100 abatement to seniors who qualify for the real estate tax abatements. The Board accepted the Town Administrators' recommendation.

### **Goals**

There was a presentation and discussion of FY12 goals.

There was a Middle School update.

Litigation matters were discussed.

Respectfully submitted,

David Ragucci  
Town Administrator

**Stoneham Board of Selectmen – Minutes of Meeting of June 14, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

**Pledge of Allegiance**

**General Obligation Bonds/\$2,372,000/Town Treasurer**

Selectman DePinto moved that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$695,000 borrowing authorized by the vote of the Town passed May 2, 2011 (Article 19) is hereby determined pursuant to G.L. c.44, §7 to be as follows:

<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
Communications Equipment	\$695,000	15 years

Selectman DePinto further moved that the sale of the \$2,372,000 General Obligation Municipal Purpose Loan of 2011 Bonds of the Town dated June 28, 2011 (the “Bonds”) to Robert W. Baird & Co., Inc. at the price of \$2,435,164.47 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2012	\$132,000	2.00%	2020	\$125,000	3.00%
2013	200,000	2.00	2021	120,000	4.00
2014	180,000	2.00	2022	120,000	4.00
2015	170,000	2.00	2023	120,000	4.00
2016	165,000	2.00	2024	120,000	4.00
2017	130,000	3.00	2026	240,000	4.00
2018	125,000	3.00	2031	300,000	4.00
2019	125,000	3.00			

Selectman DePinto further moved that the Bonds maturing on June 15, 2026 and June 15, 2031 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

**Term Bond due June 15, 2026**

<u>Year</u>	<u>Amount</u>
2025	\$120,000
2026*	120,000

\*Final Maturity

**Term Bond due June 15, 2031**

<u>Year</u>	<u>Amount</u>
2027	\$60,000
2028	60,000
2029	60,000
2030	60,000
2031*	60,000

\*Final Maturity

Selectman DePinto further moved that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 8, 2011, and a final Official Statement dated June 14, 2011 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Selectman DePinto further moved that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Selectman DePinto further moved that the consent to the financial advisor bidding for the Bonds, as executed prior to the bidding for the Bonds, is hereby confirmed.

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

Selectman DePinto further moved that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Motion was seconded by Selectman Gregorio and **unanimously voted.**

#### **Participation in Zoning Appeal of Building Inspector’s Determination by Weiss Farm/Wm. Sullivan**

The Board discussed the letter from Board of Appeals member William Sullivan. Selectman DePinto moved to allow him to sit, seconded by Selectman Vallarelli. Selectman DePinto added that the Board finds that his financial interest is not so substantial as to affect the integrity of his performance as a member of the Board of Appeals. **Motion was unanimously voted.**

#### **John W. Nadworny and Susan K. Nadworny/34 Warren St/Site Plan Hearing**

Selectman Gregorio read the Notice of Hearing. Atty. Houghton was present to represent John w. Nadworny and Susan K. Nadworny in their petition to convert the existing barn into two residential units in addition to the existing three-family dwelling to create five residential dwelling units, on the property located at 34 Warren Street, Stoneham, MA on land owned by John W. Nadworny and Susan K. Nadworny, 16 Warwick Road, Melrose, MA 02176. Selectman Gregorio read the department recommendations from Public Works, Police, Board of Health, Fire, and Inspectional Services. Two years was asked for completion. Chairman Rotondi opened the hearing to the public. Selectman Vallarelli moved to approve the application, seconded by Selectman DePinto. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

#### **Appoint Member to Board of Registrars**

Selectman Sweeney moved to appoint Paul Means to the Board of Registrars to fill an unexpired term, effective until April 1, 2012. Motion was seconded by Selectman Vallarelli and **unanimously voted.**

#### **Appoint Members to Committees**

Selectman Vallarelli moved to appoint Chris Abreu, Denise Healy, Maureen Houghton, Stephen McDonough, James Sarno, and Bob Sweeney to the Open Space and Recreation Committee. Selectman Sweeney moved to increase the committee by one, seconded by Selectman DePinto. **Motion was unanimously voted.** Selectman Sweeney seconded Selectman Vallarelli’s motion. **Motion was**

**unanimously voted.** Selectman Gregorio moved to appoint Craig Murray to the Cultural Council. Motion was seconded and **unanimously voted.**

**11 Gould Street, LLC, Dominick J. Cimina, Manager/11 Gould St/Site Plan Hearing**

Selectman Gregorio read the Notice of Hearing. Atty. Houghton was present to represent 11 Gould Street, LLC. Dominick J. Cimina, Manager, in its petition to amend the site plan approval of 7/13/99 by deleting Item 2 of the site plan approval and allow installation of two windows on the westerly side of the building, on the property located at 11 Gould Street, Stoneham, MA, on land owned by 11 Gould Street LLC, Dominick J. Cimina, Manager, 7 Daniel Drive, Stoneham, MA 02180. Atty. Houghton said this is an amendment to the existing site plan. He said the windows are already there. He said his client applied and was given a permit to add the windows. Selectman Sweeney asked how a building permit could be issued for these windows if #2 on the site plan said no windows. Atty. Houghton said the Building Inspector realized she shouldn't have issued it. Selectman Sweeney said there is also a ventilation duct on that same wall that is not supposed to be there. Atty. Houghton said it is fan for a bathroom. He said he wouldn't call it a ventilation duct. Selectman Sweeney said he is sure it could have been put out the back. He said it is a very active neighborhood and he is sure they were part of this decision. He said he doesn't think they should alter the 99 Board, especially since the neighbors are here. He said maybe the owner could have negotiated something with the neighbors. He said this is zoned for what it is but it's also a residential neighborhood. Atty. Houghton said it is commercially zoned. He said he doesn't know of any building like this that doesn't have windows. Selectman Sweeney told him he agreed to it. Atty. Houghton said Alan Melkonian signed it. Atty. Houghton said the real issue should be is there a health, safety, or welfare issue here. Selectman Sweeney said it is quality of life.

Chairman Rotondi opened the hearing to the public. Atty. Michael Cabral was present to represent Mr. and Mrs. DiBartolomeo of 7 Gould Street. He said that in 1999 his client supported it after negotiations between the owner of the property and his client. He said the site plan incorporated the letter. He said the applicant hasn't applied to allow ventilation there, either. He said they end up coming here before the Board, after the fact. He said his client is seeking privacy from the commercial building surrounding her home. He said the five-foot arborvitae were never planted. He said a new door was installed, and that the site plan was never changed for that. He said the land was excavated so the windows could be put in. He said they are here tonight because the work was done first. He said there is such a long history here that they should have gone back to the site plan and not issued the permit. He said they are asking for them to uninstall the windows, install the arborvitae, take out the ventilation, and replace the soil. He said his client would also ask that the petition be denied and the Board of Selectmen require enforcement, as well. Selectman Vallarelli asked if he was talking about the door in front. Atty. Cabral said the door was never on the original site plan. He said the original intent was to keep people away from the right side of the property. Selectman Sweeney said so #8 on the site plan approval didn't happen, either. Atty. Houghton said that's in his client's plan. He said his time is not up yet. Atty. Cabral said these conditions were in 1999. He said, to his knowledge, #8 has never been rescinded. He also asked that they put the land back to where it was. Atty. Houghton said his client's plan is to put arborvitae in. He said there was a new site plan granted. He said digging out was part of the construction. He said the arborvitae is going in next to the building. He said he has department reviews and none have any objection to the windows. He said there is no health, safety, or welfare issues articulated here.

Selectman Sweeney asked why they have site plans if the as built is not being built as the plan that is submitted and approved by the Board. Selectman Gregorio said the original site plan was approved 7/13/99 and in those two years they didn't plant the arborvitae. He asked if there was an extension. Atty. Houghton said the building was constructed in 05 or 07. He said his client bought it at foreclosure. Atty. Cabral said instead of putting the soil back, it's been paved over. He asked why they didn't put an office somewhere else in the building. He asked what is the material change since these conditions were imposed in 1999. He said it has been paved over from the front of the building to the back, which was never on the site plan. He said their position is there has been no material change since 1999. Selectman Sweeney asked if Mr. Cimina had reached out to the neighbors. Ms. DiBartolomeo said he has never reached out since he owned the property. Atty. Houghton said there is a bituminous walkway. He said that wouldn't require a site plan. Selectman Vallarelli said he went by there today and it appears the windows are below the fence. Atty. Cabral said his client's yard and patio are right there and they can look up to the patio. Selectman DePinto asked if the vent is causing a problem. Atty. Cabral said they don't know what will be vented out. Atty. Houghton said when his client bought the building the vent was there. Selectman Sweeney asked if, before they take a vote, the parties could hash something out. Atty. Houghton said he is

willing to discuss, as always. Ms DiBartolomeo, 7 Gould Street, said when they did this negotiation the main concern was privacy. She said there was supposed to be nothing on this side of the building. She said the bushes were supposed to be there. She said everything in the site plan was not lived up to. She said she was at the Building Department three times, two weeks ago. She said that is probably why this is on the agenda. Selectman DePinto moved the question.

Selectman Sweeney moved denial of the relief they are asking for, seconded by Selectman DePinto. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Amend 21 Montvale Ave/Site Plan Hearing**

Atty. Houghton was present to represent Julianne Stoughton, Manager, Stoughton-Nawrocki LLC regarding 21 Montvale Avenue. Selectman DePinto moved approval of the letter received from Atty. Houghton regarding 21 Montvale Avenue that his client is installing a six-foot white vinyl fence on the sides and that the only change is in the rear where the six-foot white vinyl fence was replaced with a strip of Emerald Green Arborvitae. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Liquor Licensing Authority**

Selectman DePinto moved to go into Liquor Licensing Authority and return as Board of Selectmen, seconded by Selectman Gregorio. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting recessed at 8:09 p.m.**

**Meeting reconvened at 8:17 p.m.**

**Approve Block Party/Martin Louis Way/Philips Road**

Selectman DePinto moved approval of the Block Party on Martin Louis Way on 6/25/11, seconded by Selectman Vallarelli. **Motion was unanimously voted.** Selectman DePinto moved approval of the Block Party on Philips Road on 6/18/11, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

**Approve Miniature Golf License Renewal/Nancy Hadad d/b/a Hago Harrington's Miniature Golf/160 Main St**

Selectman Vallarelli moved approval of the Miniature Golf License renewal for Nancy Hadad d/b/a Hago Harrington's Miniature Golf, seconded by Selectman Sweeney. **Motion was unanimously voted.**

**Approve Entertainment License Renewals**

Selectman DePinto moved approval of Entertainment License renewals for the following: Liquid Investments, Inc d/b/a Bacci's Restaurant/316 Main St; Felicia's, Inc d/b/a Felicia's/423 Main St; Marty's Caterers, Inc d/b/a Montvale Plaza/54 Montvale Ave; Asiana Grill House, Inc d/b/a U Me Restaurant/19 Franklin St. Motion was seconded by Selectman Gregorio and **unanimously voted.**

**Approve Three Automatic Amusement Machine License Renewals/Improved Order of Redmen Wamscott Tribe #39**

Selectman DePinto moved approval of three Automatic Amusement Machine License renewals for Improved Order of Redmen Wamscott Tribe #39/11 Franklin St, seconded by Selectman Gregorio. **Motion was unanimously voted.**

**Butler Ave Lots/Discussion**

Mr. Ragucci said the purpose of the property was for a cemetery. He said there are many challenges. He asked they be allowed to carve out 20,000 s.f. for two house lots with frontage on Butler Ave. He said he would like to explore the possibility of this in a public hearing and have the neighbors attend and then report back to the Board. The Board agreed.

**Allow Middle School Building Committee to Utilize the Land on Pomeworth St Formerly Known as the Skate Board Park as Part of the Plan for the School/Chairman Rotondi**

Chairman Rotondi said he would like a motion to allow the Building Committee to have designers look at the land on Pomeworth Street formerly known as the Skate Board Park to see if they could utilize it. Selectman Sweeney moved approval of Chairman Rotondi's plan, seconded by Selectman DePinto. **Motion was unanimously voted.**

**Approve Minutes**

Selectman DePinto moved approval of the 5/10/11 minutes, seconded by Selectman Sweeney. Voting was 4-0-1 in favor, with Selectman Gregorio abstaining. **Motion carried.** Selectman Gregorio moved approval of the 5/24/11 minutes, seconded by Selectman Sweeney. Voting was 4-0-1 in favor, with Selectman DePinto abstaining. **Motion carried.** Selectman Gregorio moved approval of the 5/24/11 executive session minutes and not to release, seconded by Selectman Vallarelli. Voting was 4-0-1, with Selectman DePinto abstaining. **Motion carried.**

**Miscellaneous Correspondence**

Selectman Gregorio said that sidewalks last about 25 years. He said they would need a revenue stream of about a half million a year. He suggested a standing policy of putting a percent of free cash annually in a stabilization fund specifically for sidewalks. Chairman Rotondi said it is a great idea. He said if they could get enough in there this year that would pay the interest on a bond. Selectman DePinto suggested they work out the logistics and put it in an article.

Mr. Ragucci said the School Committee is releasing both the East and North Schools to the Town of Stoneham. He said that, in anticipation of this vote, he would ask the Board to allow him to hold a public hearing to get feedback from the residents, contingent on the release of both buildings. Selectman Sweeney noted the Town is not going to get the fields.

Mr. Ragucci said they awarded the advertising contract to a local company. He said they would like to have some naming rights placed on the Arena, an 8' x 4 ½' lit sign on the side of the building. Randy Perillo, 1 Highland Avenue, co-founder of Know Our Stoneham, said they would like to rename the rink itself. Selectman Sweeney said he thinks the Open Space Committee should talk about this and report back to the Board. Selectman DePinto agreed. Chairman Rotondi said he has one concern and that is that it is a public building and they have to go for a variance against their own code. Town Counsel Solomon said the other possibility is to change their zoning with respect to public buildings. Mr. Ragucci will send a letter to the Open Space Committee. Atty. Houghton noted that Stoneham Arena was named by Town Meeting. Mr. Ragucci said it will always be Stoneham Arena but will be the rink.

Mr. Ragucci recommended closing the Building Department on Fridays, during the Building Inspector's maternity leave, as the other staff has requested Fridays off. Selectman Sweeney said if they do it, they will have to let the contractors know. He suggested a memo should go with the permit. Selectman Gregorio asked if they could submit the application to another department. Mr. Ragucci said they could drop it off in his office.

Mr. Ragucci said Mr. Laskey of the MWRA told him that, at the Directors meeting, they voted unanimously not to give Stoneham \$90,000 a year for 20 years. Chairman Rotondi asked about the piping going through Stoneham. Mr. Ragucci said they also unanimously understand that the Town of Stoneham is taking the short end of the stick on the tanks and piping going through Stoneham. He said they want to get together to discuss that. He said he would like to discuss it in executive session. Selectman Sweeney said he sees a ton of State Police and Middlesex County Sheriff Department on details and he sees Medford Police by Spot Pond and Stoneham doesn't get anything from the State.

Mr. Ragucci said Nazareth Academy has been sold and he received the intermunicipal agreement the Town has to enter into with Wakefield. He said he and Town Counsel will be working on it and will send it to the Board for ideas. The Board discussed the agreement.

### **Executive Session**

Selectman Sweeney moved to go into executive session and not come back as the Board of Selectmen, pursuant to Art. 67-2, to discuss two litigation matters. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 9:02 p.m.**

Respectfully submitted,

Muriel Doherty

**Stoneham Board of Selectmen – Minutes of Meeting of June 28, 2011**

Chairman R. Paul Rotondi called the meeting to order at 6:38 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon. Selectman Robert W. Sweeney was unable to be present.

**Pledge of Allegiance**

**Executive Session**

Selectman DePinto moved to go into executive session and come back as the Board of Selectmen, for purposes of the cases listed on the agenda. Motion was seconded by Selectman Vallarelli, and a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Meeting recessed at 6:39 p.m.**

**Meeting reconvened at 7:08 p.m.**

**Liquor Licensing Authority**

Selectman Gregorio moved to go into Liquor Licensing Authority and return as the Board of Selectmen, seconded by Selectman DePinto. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Meeting recessed at 7:08 p.m.**

**Meeting reconvened at 7:18 p.m.**

**Petition to Remove Two Public Shade Trees/28 & 30 Bear Hill Rd**

Selectman Gregorio said this subject matter has to do with the family of a close friend of his who was a member of the Finance Board with him for many years and was his campaign manager. He said, since there is no financial interest, he will sit on this, unless the Board feels he shouldn't. Selectman DePinto said he does Paula Sasso's income tax, but he has no financial interest. Town Counsel said he can file with the Clerk, afterwards.

Joe Pizzi, 28 Bear Hill Road, was present to speak about the trees. Chairman Rotondi asked if he would replace the trees. Mr. Pizzi said yes, as long as it was a reasonable cost. Selectman Gregorio moved approval of the removal of the trees, according to Bob Grover's recommendations, if they are to be removed. Motion was seconded by Selectman DePinto and **unanimously voted (4-0)**.

**Approve One Automatic Amusement Machine License Renewal/American Legion Post 115/11 Common St**

Selectman DePinto moved approval of the Automatic Amusement Machine License renewal for American Legion Post 115 at 11 Common Street, seconded by Selectman Gregorio. **Motion was unanimously voted (4-0)**.

**Approve 34 Warren Street Site Plan Decision Letter**

Selectman DePinto moved approval of the 34 Warren Street site plan decision letter, seconded by Selectman Gregorio. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Approve 21 Montvale Avenue Site Plan Decision Letter**

Selectman DePinto moved approval of the 21 Montvale Avenue site plan decision letter, seconded by Selectman Gregorio. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Approve 11 Gould Street Site Plan Denial Letter**

Selectman DePinto moved approval of the 11 Gould Street site plan denial letter, seconded by Selectman Vallarelli. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Approve Minutes**

Selectman DePinto moved approval of the 6/7/11 minutes, seconded by Selectman Vallarelli. Voting was 3-0-1, with Selectman Gregorio abstaining. **Motion carried.** Selectman DePinto moved approval of the 4/26/11 minutes, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).** Selectman DePinto moved approval of the 4/6/11 minutes, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).**

**Town Administrator Reports**

Town Administrator Ragucci said LA Fitness took corrective action on the noise problem. Mr. Ragucci asked that the Board reaffirm their vote on allocating \$120,000 from RCN money to the emergency communications system at the Police and Fire Departments. He will place this on the next agenda. Mr. Ragucci updated the Board on the meeting last night with the East School residents. He said parking and traffic are both concerns. He said they could address parking, if the School Committee desires, by relocating a tot lot and basketball court and free it up for neighborhood parking. He said the residents agreed on no more than a 5-unit condo or an educational use. He said they will be working on an RFP with both of these uses allowable. He said tonight they will go through the same process for North School.

Selectman DePinto moved to adjourn, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).**

**Meeting adjourned at 7:28 p.m.**

Respectfully submitted,

Muriel Doherty

**Stoneham Board of Selectmen – Minutes of Meeting of July 26, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

**Pledge of Allegiance**

**Moment of Silence in Memory of Town Clerk John Hanright and Town Constable Fred Kranefuss**

A moment of silence was observed in memory of Town Clerk John Hanright, who died unexpectedly on July 11, 2011, and in memory of Town Constable Fred Kranefuss, who died July 12, 2011.

**MWRA \$1,000,000 Interest-Free Loan/Town Treasurer**

Selectman DePinto moved that the sale of the \$1,000,000 Water Bond of the Town dated August 15, 2011, to the Massachusetts water Resources Authority (the “Authority”) is hereby approved and the Town Treasurer or other appropriate town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on August 15 of the years and in the principal amounts as follows:

<u>Year</u>	<u>Installment</u>	<u>Year</u>	<u>Installment</u>
2012	\$100,000	2017	\$100,000
2013	100,000	2018	100,000
2014	100,000	2019	100,000
2015	100,000	2020	100,000
2016	100,000	2021	100,000

Selectman DePinto further moved that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing vote.

Motion was seconded by Selectman Sweeney and **unanimously voted.**

**Town Day Permit Request and Request to Close Streets**

Selectman Sweeney moved approval of the Town Day permit request and the request to close streets as requested in the 7/26/11 letter from Sharon Iovanni. Mr. Ragucci said the Fire Chief has concerns about the north end of town and will need some money to put a pump in the China Moon area. He said Chief Rolli has spoken with Ms. Iovanni about his concern. Selectman Sweeney moved approval and have the communication between the Chief and the Chamber and Mr. Ragucci. Motion was seconded by Selectman Gregorio. Chairman Rotondi said the Entertainment License was part of the motion. This was added. **Motion was unanimously voted.**

**Sign Deed for Portion of Railroad Right of Way to Caruso’s Main Street, LLC/Pursuant to Article 6 of 5/3/10 Annual Town Meeting**

Selectman Gregorio recused himself, because his son-in-law is a part-time employee for Angelo’s as a driver.

**Selectman Gregorio left the meeting at 7:14 p.m.**

Selectman DePinto moved to sign the deed, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).**

**Selectman Gregorio returned to the meeting at 7:15 p.m.**

Town Administrator Ragucci said Angelo’s has agreed to maintain the area between Walgreen’s and Angelo’s property lines, in addition to the \$387 payment. Atty. Houghton said they put it in writing that

they will maintain that area. He said they will put some shrubs in on the side, as Selectman DePinto had asked.

**Norwich Station Series, LLC/30-32 Pine St/Drainage Easement and Partial Abandonment of Easement Pursuant to Article 9 and Article 10 of 5/2/11 Annual Town Meeting**

Selectman DePinto moved to sign the Partial Abandonment of Easement, seconded by Selectman Sweeney. **Motion was unanimously voted.** Selectman DePinto moved to sign the Drainage Easement, seconded by Selectman Sweeney. **Motion was unanimously voted.**

**Request for Two Temporary Handicapped Parking Spaces/Rosetree Plaza/271 Main St**

Atty. Houghton was present, as a trustee of Rosetree Plaza Condominiums. He said the request for two temporary handicapped parking spaces in front of Rosetree Plaza was for a temporary basis and they will pay all expenses for putting up signs. Selectman DePinto disclosed that he has two clients who have condos there – Gaetano's and Anthony D'Ambrosio. Selectman Sweeney moved approval of the two temporary handicapped spaces, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

**Fallon Road Updated Development Agreement/Mitigation Covenant**

Motion was made to sign the updated Development Agreement and Mitigation Covenant for Fallon Road, seconded by Selectman Sweeney. **Motion was unanimously voted.**

**Set Date for October Special Town Meeting and Set dates for Opening and Closing of Warrant**

Selectman DePinto moved to call the Annual October Special Town Meeting for Thursday, 10/13/11 and open the warrant tonight and close the warrant on 9/15/11 at 4:00 p.m. Motion was seconded by Selectman Vallarelli and **unanimously voted.**

**Police Telecommunications Equipment /RCN Funding**

Selectman Sweeney moved approval of the funding for the Police telecommunications equipment, seconded by Selectman DePinto. Selectman Gregorio asked the final cost. Mr. Ragucci said the total cost is \$620,000 and that the Bond authorization was about \$835,000. **Motion was unanimously voted.**

**Accept Donations to Police Dept Domestic Violence Outreach Program**

Selectman DePinto moved to accept the donation to the Police Department Domestic Violence Outreach Program, seconded by Selectman Sweeney. **Motion was unanimously voted.**

**Approve Entertainment License Renewal/Stoneham Theatre Corp. d/b/a Stoneham Theatre/395 Main St**

Selectman Sweeney moved approval of the Entertainment License renewal for Stoneham Theatre, seconded by Selectman DePinto. **Motion was unanimously voted.**

**Set Date for Tri-Board Meeting**

Chairman Rotondi suggested the Tri-Board meet on 9/6/11 at 7:00 p.m. Selectman DePinto moved to ask the other boards if they can meet on 9/6. Motion was seconded and **unanimously voted.**

**MAPC/Appoint Representative**

Selectman Vallarelli suggested they advertise this and put it on the next meeting.

**Appoint Member to Cultural Council**

Selectman DePinto moved to appoint Tim MacDonald to the Cultural Council, seconded by Selectman Sweeney. **Motion was unanimously voted.**

**Approve Minutes**

Selectman DePinto moved acceptance of the 6/28/11 minutes, seconded by Selectman Vallarelli. **Motion was unanimously voted.** Selectman DePinto moved approval of the 6/14/11 minutes, seconded by Selectman Vallarelli. **Motion was unanimously voted.** Selectman DePinto moved approval of the 6/28/11 executive session minutes and not to post, seconded by Selectman Vallarelli. **Motion was unanimously voted.** Selectman DePinto moved approval of the 6/14/11 executive session minutes and not to post, seconded by Selectman Vallarelli. **Motion was unanimously voted.** Selectman DePinto moved approval of the 5/10/11 executive session minutes and not to post, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

**Miscellaneous Correspondence**

Selectman DePinto noted the email regarding a driveway. Mr. Ragucci will look into it. Chairman Rotondi asked that he find out if they have a policy.

**Town Administrator Reports**

Mr. Ragucci said he has been working on RFPs for North School and East School. He said they will be available tomorrow. He suggested doing nothing with the Butler Ave property. He said no one supported doing anything with that property. He asked the Selectmen to form a Selection Committee for those RFPs. He said he would like to have Rachel Warren, Marcia Wengen, himself, Bob Grover, and Selectman Vallarelli and a member of the Finance and Advisory Board. Chairman Rotondi said it will be Dave's committee and Frank will be the Board's representative.

Town Administrator Ragucci said the new fire truck is in service and responded to the unfortunate incident on Route 1. He said they can get \$2,000 for Engine 5 for junk if they can drive it there. Selectman Gregorio suggested the Municibid site. Chairman Rotondi said there might be a museum that wants it. Mr. Ragucci said he will put it on the Municibid site.

Mr. Ragucci said the veterans sign was vandalized. He said if anyone saw anything to let the Police know.

**Executive Session**

Selectman DePinto moved to go into executive session for negotiations, Stockwell and the Gould Street appeal and not come back to Board of Selectmen. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Sweeney  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 7:50 p.m.**

Respectfully submitted,

Muriel Doherty

## Stoneham Board of Selectmen – Minutes of Meeting of August 30, 2011

### Pledge of Allegiance

### Approve Minutes

Selectman Sweeney moved approval of the 7/26/11 minutes, seconded by Selectman Gregorio. **Motion was unanimously voted.** Selectman Sweeney moved approval of the 7/26/11 executive session minutes and not to release, seconded by Selectman DePinto. **Motion was unanimously voted.** Selectman Sweeney moved approval of the 4/6/11 executive session minutes and not to release, seconded by Selectman DePinto. **Motion was unanimously voted.**

### Finance Board/Preparation for Town Meeting/John Carino

John Carino was present and asked for information and aid on the Town Meeting booklet. He asked for departmental information with regard to payroll and budget, in electronic form.

### Request for New Common Victualler License/196 Main St LLC d/b/a Sal's Pizza/196 Main Street

Selectman DePinto moved approval of the request for a New Common Victualler License for 196 Main St LLC d/b/a Sal's Pizza, 196 Main Street. Motion was seconded and **unanimously voted.**

### Request for Exemption under c.268A, Section 20(b)Animal Control Officer/Brian Johnston

Selectman Sweeney asked what happens if a call comes in while Mr. Johnston is dispatching. Mr. Ragucci said a Police Officer would respond or if an Animal Control Officer is required they will have one from another town. Selectman Sweeney asked Mr. Ragucci to get back to the Board on the contingency plan between 8 and 4. Selectman DePinto moved that the Board vote to apply the exemption contained in M.G.L.c.268A, Section 20(b) to Brian Johnston, a police/fire dispatcher, with respect to his appointment by the Town Administrator as the Animal Control Officer, a part-time position paid by a stipend. Motion was seconded by Selectman Vallarelli and **unanimously voted.**

### Request for Exemption under c.268A, Section 20(b)Spare Traffic Director/Tammy Tine

Selectman DePinto moved that the Board vote to apply the exemption contained in M.G.L.c.268A, Section 20(b) to Tammy Tine, a part-time school cafeteria employee, with respect to her appointment by the Town Administrator as a spare traffic director, a part-time position. Motion was seconded by Selectman Gregorio and **unanimously voted.**

### Request for Change of Address/485 Main St to 485 Main St and 20 Gerry St

Selectman DePinto moved to approve the change of address of the three-family house from 485 Main Street to 485 Main Street and 20 Gerry Street, seconded by Selectman

Sweeney. **Motion was unanimously voted.** The first floor will be 485 Main Street, and the second and third floors will be 20 Gerry Street.

### **Dedication Committee**

Chairman Rotondi passed the gavel to Selectman Vallarelli. Chairman Rotondi said they have a lot of people who served the Town for 60 or 70 years, servicemen, and Town employees who worked a long time, and he would like to set up a Dedication Committee consisting of one Selectman, one Historical Commission member, one Historical Society member, two citizens, and one Town employee just to be a focal point to make recommendations to the Board of Selectmen of what they think would be appropriate. Selectman DePinto moved that they form the committee, seconded by Selectman Sweeney. Selectman Gregorio added that Chairman Rotondi would be the Board's designee. Selectman DePinto added that to his motion. **Motion was unanimously voted.**

### **Boston Region MPO Election/Nominations and Request for Nomination from Town of Needham**

Selectman DePinto moved to accept the nomination from the Town of Needham of Maurice Handel, seconded by Selectman Sweeney. **Motion was unanimously voted.**

### **Request for Proclamation/United Nations Assoc of Greater Boston**

Selectman Vallarelli moved to pass on this item, seconded by Selectman DePinto. **Motion was unanimously voted.**

### **Vote to Release \$12,483.60 from BJ's Public Safety Donation Account for Reverse 911 Emergency Notification**

Selectman DePinto moved to release \$12,483.60 from BJ's Public Safety Donation Account for Reverse 911 Emergency Notification, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

### **Approve Block Party**

Selectman Sweeney moved approval of the Block Party on Micah's Pond Way on 9/3/11 from 12 noon to 9:00 p.m. **Motion was unanimously voted.**

### **Miscellaneous Correspondence**

Selectman DePinto said they didn't have a good experience from NStar with this storm. He said there was a tree down and power out on Cosmo Ciccarello's street until Tuesday morning, and NStar told him to take his wife to the hospital, because she is on oxygen. Selectman DePinto also said the electricity was out at the Life Care Center on Woodland Road. He called the Governor's office on both issues. He said the DPU told him that during a State of Emergency they don't prioritize elderly and sick. The power is expected to be restored at the nursing home at 8:00 p.m. tonight. Selectman Gregorio suggested sending a letter. Selectman DePinto said he would like to get the person at the

Governor's office who helped and put that in the letter, thanking them. Selectman Sweeney said NStar should have been on top of that the minute the power went out. Selectman Gregorio moved to send a letter to the Governor and State senator and representatives and mention being informed that during an emergency they do not prioritize elderly and sick. Motion was seconded and **unanimously voted**.

Chairman Rotondi suggested the Board ask NStar to come before them and explain it. Selectman Sweeney said to also put Neil Grover on the agenda at that time concerning the Colonial Park area streets. Selectman DePinto moved to invite Neil Grover and NStar on 9/27, seconded by Selectman Gregorio. **Motion was unanimously voted**.

Selectman Gregorio noted the request from the Chairman of the Conservation Commission for a sign because of snow removal in Sweetwater Brook. Chairman Rotondi said he thinks they should assign that to the Town Administrator to speak to Bob Grover. Selectman Gregorio said the sign is appropriate. Selectman Sweeney said he heard that the veteran's sign will cost some money to get fixed. Mr. Ragucci said \$3,500. Selectman Sweeney asked if it is possible to take the \$3,500 they get for the Fire Truck and put it towards the sign. Selectman Gregorio said, technically, it needs to go to Town Meeting. Mr. Ragucci said they have some money for maintenance of Town property and can reimburse it at Town Meeting.

Town Administrator Ragucci said the Library floor gave way and it will cost to replace it. He said they have to remove some asbestos tile. He said they tested the Town Hall air quality and it is better than outside. Mr. Ragucci said Melrose wouldn't object to making Ravine Road a one-way. He said they would like to push cars down Woodland to Pond. He said it would certainly be a lot safer. Selectman Sweeney said he supports that. Selectman DePinto said he is more than willing to do that. He said he uses the road every day. Selectman DePinto moved to pursue this. Town Counsel said Mr. Ragucci can send the letter. Mr. Ragucci said he has been approached by an advertising firm about billboards. He said they mentioned the land up by Bear Hill Nursing Home. Selectman Gregorio said he would be interested in the proposed locations. Mr. Ragucci said they are hoping to have an MWRA public hearing in 2 or 3 weeks regarding the pipe into Reading. Selectman DePinto said he still wants to get on their agenda. He said they haven't resolved the water tank yet. Selectman Sweeney asked if they will be looking at the traffic flow if they will be working at the North Street intersections. Chairman Rotondi asked Mr. Ragucci to look at the Water and Sewer Reserves and see if they can offer some type of rate relief. Mr. Ragucci said the City of Boston has petitioned the DOT that hazardous material can no longer go through Boston. He said it would add 340 trucks per day to Rte 93 and Rte 128 travelling through Stoneham. He said the cloverleaf at 93/128 is the most dangerous intersection north of Boston. He said there will be a hearing in Stoneham on 9/1. Selectman Sweeney asked if Stoneham's senator and representatives will be there. Mr. Ragucci said yes. He said Stoneham isn't capable of handling any type of breach. Chairman Rotondi said it will impact Stoneham's insurance rate. Mr. Ragucci gave an update on Tropical Storm Irene. He said 14 streets had power lines go down and 4 trees blocked roadways. He said the Town will clean the streets on Thursday. Selectman DePinto asked if the Retirement Board gave a 14% raise. Mr. Ragucci said yes, one of the support staff received a 14% raise. Selectman Sweeney asked the vote of the Board. Selectman DePinto said it was 3-2, with Retirement Board Members Cosmo Ciccarello and Town Accountant Ron Florino voting against it.

Selectman Sweeney asked if the neighbors on Ravine Road have been notified. Town Counsel Solomon said he will send an email tomorrow.

**Executive Session**

Selectman DePinto moved to go into executive session, pursuant to Chapter 30 of the General Laws to discuss the Fallon Road and BRMC lawsuits, Stockwell Trust, and the latest Police hirings, and not to return s the Board of Selectmen. Motion was seconded by Selectman Vallarelli and **unanimously voted.**

**Meeting adjourned at 8:14 p.m.**

Respectfully submitted,

Muriel Doherty

**Stoneham Board of Selectmen – Minutes of Meeting of September 6, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Frank Vallarelli, and Town Administrator David Ragucci. Selectman Robert W. Sweeney and Town Counsel William H. Solomon were unable to be present.

**Tri-Board Meeting**

The Board of Selectmen met with the School Committee and the Finance and Advisory Board. Tax Reform for Education, Inc. gave a presentation, asking the Town to participate in a lawsuit claiming the Massachusetts General Laws Chapter 70 public school funding system unconstitutional. Town Administrator Ragucci gave a presentation on FY13 revenues and a pro forma FY13 budget.

Motion was made and seconded to adjourn. **Motion was unanimously voted (4-0).**

**Meeting adjourned at 8:10 p.m.**

Respectfully submitted,

David Ragucci  
Town Administrator

## Stoneham Board of Selectmen – Minutes of Meeting of September 20, 2011

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

### Pledge of Allegiance

### Call for Special Town Meeting and Set Dates for Opening and Closing of Warrant

Town Administrator Ragucci said he spoke with the proponent of North School today and he asked that the Town not advance the North School at the October Town Meeting. He would like time to work with the neighbors. Mr. Ragucci asked the Board to push North School off to February. Tom Janko, 25 Beacon Street, asked if there were any way the neighbors of East School could get a better understanding. He said it is a perfect opportunity to do them both in February. Mr. Ragucci said he doesn't know if the proponent would agree to that. Selectman Sweeney said he thinks they are moving way too fast. He said he thinks they should slow down a little. Selectman Sweeney said construction wouldn't start until spring anyway. Selectman Gregorio asked what course of action the Town will take to promote more information. Selectman Sweeney said he thinks the Planning Board will take the lead first. He said that no matter what the Selectmen endorse, the Planning Board isn't held to that endorsement. Mr. Ragucci said he thinks it would be very helpful if the Town Administrator, one Selectman, one Planning Board member, and the Building Inspector met on the North School. Selectman Gregorio asked what about East School. Ms. Russo came in, and Chairman Rotondi told her that they were discussing not doing Town Meeting in October but in February. He asked her if they would still keep their bid in, but he said he thinks it is unfair to ask the question right now. Selectman Sweeney said he would like the neighbors to be told tonight that if they do allow a Special within the Special it will only pertain to East School. Chairman Rotondi said they already agreed to that. Mr. Ragucci said the Town followed the process required by law. He said he would have Selectman Vallarelli on the subcommittee. Selectman Gregorio said he would like to expand the subcommittee to both schools. Atty. Craig Celli was present to represent Beacon Street, LLP. He said the proponent will discuss concerns between now and Town Meeting. Tom Janko asked what the negative impact would be if they did postpone it to February. Atty. Celli said all members of the LLP will be living in it, so it is putting off their life, too. Mr. Janko said that to understand the zoning better they want to work with everybody. Chairman Rotondi said that at the next meeting they will have the opportunity. He said the Board will make the decision to accept the article or not.

Selectman Gregorio moved to not open the warrant and to form the subcommittee and bring this up at the next meeting. Selectman Sweeney seconded the motion for debate. Atty. Celli asked that they see what they can accomplish in seven days. Selectman Gregorio said they are 4 months into a project and have no information and now whether they support the article depends on the neighborhood reviewing the article. He noted they have 6 days. Mr. Janko and Mr. Leahy said they support it and that they get a copy of the article. Voting on the motion was 1-4, with Selectman Gregorio in favor. **Motion did not carry.**

Selectman DePinto moved to have a special town meeting within the special town meeting and to open the warrant tonight and close it on 9/27/11 at 8:00 p.m. and that there will be no articles pertaining to North School submitted by the Board of Selectmen. Motion was seconded by Selectman Vallarelli. Voting was 4-1, with Selectman Gregorio opposed. **Motion carried.**

### Accept and Number Warrant Articles for 10/13/11 Special Town Meeting and Sign Warrant

Selectman DePinto moved to accept all articles except "h" (dump truck), seconded by Selectman Sweeney. **Motion was unanimously voted.** Selectman DePinto moved to number the zoning article number one and the others as numbered, seconded by Selectman Gregorio. **Motion was unanimously voted.**

Selectman Sweeney moved to move up agenda items 10 and 11. Motion was seconded and **unanimously voted.**

### Accept North School Bid

Chairman Rotondi gave the gavel to Vice Chairman Vallarelli. He said that, as a neighbor, he has a possible conflict of interest so he is recusing himself.

**Chairman Rotondi left the room.**

Selectman Sweeney said he thinks the bid of \$2.8 million, based on 90 units, is going to get sliced down so much by the Planning Board that the developer will pull out the bid, anyway. Selectman Sweeney moved to not accept the North School bid, seconded by Selectman DePinto. Town Administrator Ragucci said he thinks Town Meeting deserves to decide on \$2.8 million, not 30 neighbors. A resident of 187 Collincote Street said he disagrees with Mr. Ragucci., He said it's not the Town's decision, it's the neighbors' decision. Steve Chiodi, 21 Broadway, asked Mr. Ragucci what changed. He said at the first meeting Mr. Ragucci wanted to save the historic building. Mr. Ragucci said it was always an adaptive reuse. **Motion was unanimously voted (4-0).**

**Meeting recessed at 9:25 p.m.**

**Meeting reconvened at 9:30 p.m. with all members present.**

#### **MPO Nomination**

Selectman DePinto nominated the Mayor of Woburn, seconded by Selectman Sweeney. Selectman Gregorio noted that no email or information was received from the Mayor in the Selectmen's office. Voting was 4-1, with Selectman Gregorio opposed. **Motion carried.**

#### **Accept East School Bid**

Motion was made and seconded to accept the East School bid. Voting was 4-1, with Selectman Gregorio opposed. **Motion carried.**

#### **Appoint Election Officers**

Selectman DePinto moved to appoint the following Republican Election Officers: Warden – Gordon Perks; Deputy Warden – Laurie McHugh; Inspector – Carol Covill; Deputy – Joseph Colarusso. Motion was seconded by Selectman Vallarelli and **unanimously voted.** Selectman DePinto moved to appoint the following Democratic Election Officers: Clerk – Shirley R. Murray; Deputy Clerk – August S. Niewenhaus; Inspector – Maria Silvaggi; Deputy Inspector – Megan Day. Motion was seconded by Selectman Vallarelli and **unanimously voted.**

#### **Approve Minutes**

Selectman DePinto moved approval of the 9/6/11 minutes, seconded by Selectman Sweeney. **Motion was unanimously voted.** Selectman DePinto moved approval of the 8/30/11 minutes, seconded by Selectman Sweeney. **Motion was unanimously voted.** Selectman DePinto moved approval of the 8/30/11 executive session minutes and not to publish, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

#### **Request to Adopt Statewide Public Safety Mutual Aid Law and Statewide Public Works Municipal Mutual Aid Law/MEMA**

Selectman Sweeney moved to adopt and accept the Statewide Public Safety Mutual Aid Law and the Statewide Public Works Municipal Mutual Aid Law, seconded by Selectman DePinto. **Motion was unanimously voted.**

#### **Comcast Cable License Renewal Process**

Town Counsel Solomon said there will be a hearing on 10/4 at 7:00 p.m. and 10/11 at 3:00 p.m. He said the Chair has agreed to hold the second meeting. Selectman DePinto said he will be at both. Selectman DePinto said he got an email that the second meeting is at 2:45 p.m. Chairman Rotondi will set up the dates.

#### **Approve Block Party/Brackett Ave**

Selectman Sweeney moved approval of the Block Party on Brackett Avenue, subject to Police and Fire, seconded by Selectman DePinto. **Motion was unanimously voted.**

**Miscellaneous Correspondence**

Selectman DePinto congratulated the Stoneham Elks Lodge #2211 on their 50<sup>th</sup> anniversary. Town Counsel gave a Ravine Road update. He said they had a meeting in Melrose with DCR Commissioner Laskey. He said there was a suggestion from Melrose folks to make Ravine Road a one-way from Fellsway East to Woodland. He said Stoneham agreed to that. He said Stoneham sent a letter to the Mayor, who signed it. He said they sent it to the Commissioner. He said the goal is to have it implemented right away. Selectman Sweeney noted the email about Weiss Farm. Town Counsel said the Dept. of Environmental Protection issued a Draft Determination of Need. He said it is a statement of whether it needs a site assessment to continue composting. Town Counsel said he asked DEP for a one week extension for comments. He said they granted it to next Tuesday. Chairman Rotondi said the MA School Building Authority reviewed the plans submitted by the School Building Committee and they got all As. He said on 9/25 the State will approve Stoneham for 52% that they will pay. He said then they have to have a Town Meeting to authorize and accept the bonding, subject to a debt exclusion. He said the debt exclusion is planned for the April election, so they have to have a February Town Meeting.

**Town Administrator Reports**

Town Administrator Ragucci said the Farmers Market has been struggling and the Council on Aging has decided not to renew it next year. He said roadways have been built and land cleared at Nazareth Academy. Mr. Ragucci said Fallon Road is going for site plan approval in the next week or two. Mr. Ragucci said Rep. Lewis said there is a \$65,000,000 surplus going back to the cities and towns. He said they are thinking in the \$200,000 range for Stoneham. Selectman Sweeney asked how much Winchester is getting. He said they should wait and thank him based on the comparison. Chairman Rotondi said it is a way they tried to make up for Chapter 70 in unrestricted aid. Mr. Ragucci said they are getting away from PCs. He said they are using virtual servers. He said it will reduce their electricity cost.

**Executive Session**

Selectman DePinto moved to go into executive session for Stockwell and contracts and not return to Board of Selectmen, seconded by Selectman Sweeney. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 9:05 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of September 27, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

### **Pledge of Allegiance**

### **Approve Minutes**

Selectman Gregorio moved approval of the 9/20/11 minutes, seconded by Selectman Sweeney. Motion was **unanimously voted**. Selectman Gregorio moved approval of the 9/20/11 executive session minutes and not to release, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

### **Appoint Members to Committees**

Selectman Sweeney moved to appoint Silvia Serrano to the Council on Aging. Motion was seconded and **unanimously voted**.

### **Boston Regional Medical Center/Update and Discussion/Open or Executive Session at the Board's Determination**

Selectman DePinto moved to go into executive session and return to Board of Selectmen, seconded by Selectman Sweeney. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Sweeney  
Selectman Vallarelli  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting recessed at 7:08 p.m. to go into executive session.**

**Meeting reconvened at 8:00 p.m. Selectman Sweeney was unable to be present.**

### **Accept and Number Warrant Articles**

Selectman Gregorio moved to accept all three articles, numbered as they are, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).**

Selectman DePinto moved to adjourn, seconded by Selectman Gregorio. **Motion was unanimously voted (4-0).**

**Meeting adjourned at 8:18 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of October 13, 2011**

Chairman R. Paul Rotondi called the meeting to order at 6:40 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon. Selectman Robert W. Sweeney was unable to be present.

### **Pledge of Allegiance**

### **Preparation for Town Meeting**

The Board received the motions.

### **MPO Election/Vote for Each of Eight Open Seats**

Selectman Vallarelli moved to vote for Clarissa Rowe and Maurice Handel for the At-Large Town seats, seconded by Selectman DePinto. **Motion was unanimously voted (4-0)**. Selectman Vallarelli moved to vote for Carlo DeMaria and Setti Warren for the At-Large City seats, seconded by Selectman DePinto. **Motion was unanimously voted (4-0)**. Selectman Vallarelli moved to vote for Todd Cestari for the SWAP seat, seconded by Selectman DePinto. **Motion was unanimously voted (4-0)**. Selectman Vallarelli moved to vote for Michael Lyons for the TRIC seat, seconded by Selectman DePinto. **Motion was unanimously voted (4-0)**. Selectman DePinto moved to vote for William Scanlon for the NSTF seat, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0)**. Selectman DePinto moved to vote for Scott Galvin for the NSPC seat, seconded by Selectman Vallarelli. **Motion was unanimously voted.**

### **Release Portion of 9/26/06 Executive Session Minutes**

Selectman Vallarelli moved to release the 9/26/06 executive session minutes, without the Stockwell portion. Motion was seconded by Selectman DePinto and **unanimously voted (4-0)**.

Selectman DePinto moved to recess and reconvene at the Special Town Meeting, seconded by Selectman Gregorio. **Motion was unanimously voted (4-0)**.

**Meeting recessed at 6:57 p.m.**

**Meeting reconvened at 7:01 p.m. at the Special Town Meeting.**

**The Special Town Meeting within the Special convened at 7:35 p.m.**

**Both Special Town Meetings adjourned at 8:25 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of November 1, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John f. DePinto, Richard s. Gregorio, Robert w. Sweeney, Frank Vallarelli, and Town Counsel William H. Solomon. Town Administrator David Ragucci was unable to be present.

### **Pledge of Allegiance**

### **34 Warren St/Site Plan Amendment**

Selectman Vallarelli moved to amend the site plan to upgrade to a wood fence from vinyl, seconded by Selectman DePinto. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

### **Use Non-Organic Materials on Town Fields/Stoneham Youth Coalition**

Libby Fulgione from Stoneham Soccer gave a presentation and asked that the Board remove the requirement to use organic on the Town fields. Selectman Sweeney asked if he had a list of products he was proposing to use. Selectman Sweeney said a member of Mr. Fulgione's board had told him there are no pesticides in these products. Mr. Fulgione said there are no carcinogens. Selectman Sweeney said he would like to give a list of the products to an outside person. Mr. Fulgione said he thinks that is a great idea. Selectman Vallarelli asked if Ms. Avola had seen the list. Mr. Fulgione gave her a copy. Selectman Gregorio said to give a copy to Dr. Olson to see if it would satisfy their needs under Mass Law. Selectman DePinto moved to continue to the next meeting. Motion was seconded and **unanimously voted.**

### **Selectmen's Standing Rule/Selectman Gregorio**

Selectman Gregorio read the rule he wrote about surplus real property. Selectman DePinto said Selectman Gregorio should sit with the Town Administrator, Town Counsel, and Selectman Vallarelli and draft something more formal the Board can vote for and bring it back in December.

### **Authorize Issuance of RFP for Comcast License Renewal Process/Town Counsel**

Selectman DePinto moved that the Board vote to authorize the Town Counsel to issue a Request for Proposal to Comcast of Massachusetts I, Inc. based on the Town's

ascertainment of its future cable-related community needs and interests. Motion was seconded and **unanimously voted.**

**Approve Minutes**

Selectman DePinto moved approval of the 10/11/11 executive session minutes and not to release, seconded by Selectman Sweeney. **Motion was unanimously voted.** Selectman DePinto moved approval of the 10/13/11 minutes, seconded by Selectman Gregorio. **Motion was unanimously voted.**

**Miscellaneous Correspondence**

Selectman Vallarelli noted the request from Town Hall for the Christmas Party. Selectman DePinto said DPU is having public hearings because of Hurricane Irene. He suggested Town Counsel could write a letter. Town Counsel said he and Mr. Ragucci thought they would attend one. Selectman Gregorio asked if they couldn't just resubmit the Board's letter. Town Counsel said yes, they addressed it to the DPU. Chairman Rotondi said they got a letter from Sen. Clark about their letter to the Governor asking if the issues were cleared up and he said yes. He said she asked if any were from this storm. Selectman DePinto noted the letter on hazardous materials transport. Selectman Sweeney moved to give the Girl Scouts certificates at the next meeting. Motion was seconded and **unanimously voted.**

**Executive Session**

Selectman DePinto moved to go into executive session, seconded by Selectman Sweeney, and not to return. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 7:30 p.m.**

Respectfully submitted,

Muriel Doherty

## Stoneham Board of Selectmen – Minutes of Meeting of November 15, 2011

Chairman R. Paul Rotondi called the meeting to order at 7:02 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

### Pledge of Allegiance

### Use Non-Organic Materials on Town Fields/Stoneham Youth Coalition/Continued

Jeanie Avola, 26 Rustic Road, distributed information to the Board of Selectmen. Selectman Sweeney asked if anyone can answer what was asked at the last meeting. Ms. Avola said Chip Osborne is an accredited organic landscaper who has worked with municipalities and schools across the country and is nationally renowned in his field. Mr. Osborne said he is a natural turf professional and strictly a consultant. He said he did an analysis of the program offered here. He said there are no pesticides. He said organic fertilizer won't work in cold soil in December. He said the most disturbing thing of the program is the three nitrogen applications. He said one pound per thousand is all that should go down at any one time. He said it is 20% organic and 80% synthetic. He said they are actually putting formaldehyde down. He said if it is the pleasure of the Board he would offer his services over the winter and help to develop this organic plan.

Selectman Sweeney said he is glad the product list came back that there was no pesticides. He asked if it would be cheaper than what the youth groups are doing. He said he would like to see him give it a try. Selectman Gregorio asked if they could open it up to the schools. A member of one of the youth groups asked if the Board would consider their proposal and they would meet with Mr. Osborne. Mr. Osborne said if it goes synthetic this year he is not sure he would invest his time to go organic next year. Chairman Rotondi asked if they could get together and come up with a plan and come back to the Board in February. Selectman Sweeney said to do organic right, it is not going to happen overnight. He said the youth groups will realize the cost savings. Selectman DePinto asked if Mr. Osborne can prepare a budget for them. Mr. Osborne said that is part of the offer. Selectman DePinto moved to reschedule this for the first meeting in February, seconded by Selectman Gregorio. **Motion was unanimously voted.**

### Redstone/Main St/Site Plan Hearing

Selectman DePinto read the Notice of Hearing. Atty. Steven Cicutelli was present to represent Redstone Shopping Center Limited Partnership c/o W.S. Development in their petition to amend the existing site plan to allow for outdoor seating as more particularly shown on the plan by Appledore Engineering dated October 12, 2011, entitled "Redstone Shopping Center Route 28 Stoneham, Massachusetts", on the property located at Redstone Shopping Center, Main Street, Stoneham, MA on land owned by Redstone Shopping Center Limited Partnership c/o W.S. Development, 1330 Boylston Street, Chestnut Hill, MA 02467.

Atty. Cicutelli said they are proposing to have certain areas for outdoor eating. He said the intent is not to increase the amount of seating originally permitted. He said parking calculations will not change in any fashion. Selectman Sweeney verified that they couldn't be counted as part of a 50-seat liquor license, as they are temporary seats. Selectman DePinto asked if they are allowed to smoke, when seated outside. Atty.

Cicatelli said that is not the intent. Selectman Sweeney asked if the shaded areas are where the Planning Board is allowing outdoor seating. Atty. Cicatelli said yes. He said they have to come back after submitting applications to the Fire, Police, and Building Inspector and a definitive plan will be approved by the Planning Board. He said Five Guys was approved definitively because they had a definitive plan. Selectman Vallarelli verified that the Asian restaurant will have to come back. Atty. Cicatelli said they don't have a definitive plan yet. Selectman DePinto moved to accept the site plan, seconded by Selectman Vallarelli.

Chairman Rotondi opened the hearing to the public. Richard Clarke, 159 Main Street, said he was very concerned about the open seating at Redstone. He said one of the areas is where the noise was coming from LA Fitness. He said it is noisy inside Five Guys and if they have speakers the noise will be outside. Selectman DePinto asked if they are giving up their right for future seating if they vote for this. Town Counsel Solomon said that should be specifically referenced in the site plan decision. Selectman DePinto moved to approve subject to any future outdoor seating has to come for a new Common Victualler License or an amended Common Victualler license. Patricia Walsh, Westwood Road, said she is in support of it. Selectman Sweeney asked if the bollards are separated by a certain length. Atty. Cicatelli said the Fire and Police Chiefs wanted a certain length. Selectman Sweeney said that by adding one more bollard it would eliminate the probability. Selectman Gregorio read the department recommendations from DPW, Police, Board of Health, Fire, and Inspectional Services. Selectman Sweeney asked if Atty. Cicatelli thought that it might be better to put three bollards, evenly spaced, if they put two up and find that it is not sufficient. Atty. Cicatelli said the department heads didn't require it. He said he preferred to do this so they don't have to go back to the Planning Board. Selectman Sweeney said he wouldn't want them to have to do that. He asked if there are any chains between the bollards. He said he would endorse the two they have on the plan, but asked they reconsider if they notice a potential problem. Selectman Sweeney moved approval of the site plan. Selectman DePinto added that it is subject to the requirement that an existing or new Common Victualler license and, if applicable, an existing or new liquor license, would have to reflect outdoor seating. Motion was seconded by Selectman Gregorio. And a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Approve Site Plan Decision Letter/34 Warren St**

Selectman DePinto moved to accept the Site Plan Decision letter for 34 Warren Street, seconded by Selectman Vallarelli. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli

Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Miscellaneous Correspondence**

Selectman DePinto asked Mr. Ragucci if the piano issue with Stoneham Theatre was resolved. Mr. Ragucci said any time the Town wants it back, they can have it back.

Selectman Sweeney asked Mr. Ragucci what happened at the Finance Board meeting. Mr. Ragucci said there is an Open Meeting Law complaint in their agenda packet. Selectman Sweeney asked what the Finance Board was talking about. Mr. Ragucci said public safety, in executive session. Selectman Sweeney asked Mr. Ragucci if he had a problem with that. Mr. Ragucci said yes, he wants to be a part of any public safety discussion for Stoneham. Selectman Sweeney asked if it was about the Police Chief. Mr. Ragucci said he heard there was some discussion about the Police Chief. Selectman Sweeney asked what the violation would have been. Mr. Ragucci said it is whether they should have gone into executive session to discuss public safety. He said he and the Police Chief weren't allowed to go in but the Moderator was allowed to. He said it is in the hands of the Atty. General's office. Selectman Sweeney said maybe they should be reminded of their mission statement. Selectman Gregorio said maybe they should invite Town Counsel to remind them of the Open Meeting and Executive Session Laws. Town Counsel said he did get a call from the Chairman and he will be meeting this week.

**Town Administrator Reports**

Mr. Ragucci said he would like to thank Jack Conti for the case and display of World war II items. He also said there is a new sign to welcome home veterans, to replace the vandalized one. The Board said to send Mr. Conti a letter. Mr. Ragucci said H.OT. is still looking for contributions to mail thousands of packages. Selectman DePinto said the DeVirgilio's ran a fundraiser for it. Mr. Ragucci said an Eagle Scout built four garden plots for the senior citizens to plant. Chairman Rotondi said to send him a letter, too. Mr. Ragucci said they received a grant to assess the Old Burying Ground. He said he met with neighbors of North School on 11/8. Selectman Gregorio said he would like to see if the Board wants a Standing Rule before the RFP goes out. Mr. Ragucci said the Halloween storm cost \$80,000, to date, the vast majority on tree limbs. He said the people on South Marble Street petitioned to have the Town repair it. They each paid \$1,000 and the Town repaired potholes. He said it is now passable and no damage to the Town's plow.

**Executive Session**

Selectman DePinto moved to go into executive session for Stockwell and not to return as the Board of Selectmen. Motion was seconded and **unanimously voted**.

**Meeting adjourned at 8:35 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of November 29, 2011**

Chairman R. Paul Rotondi called the meeting to order at 6:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon. Selectman Robert W. Sweeney was unable to be present.

### **Pledge of Allegiance**

### **Tax Rate Public Hearing**

Brian Macdonald gave the presentation. Selectman DePinto moved to accept the recommendation of the Board of Assessors for a Residential factor of .934179, seconded by Selectman Vallarelli. **Motion was unanimously voted.** Selectman Gregorio moved to deny the Residential Exemption, seconded by Selectman DePinto. **Motion was unanimously voted.** Selectman DePinto moved to accept the recommendation of the Board of Assessors to not have a Small Commercial Exemption, seconded by Selectman Gregorio. **Motion was unanimously voted.**

### **Approve Site Plan Decision Letter for Redstone**

Selectman Gregorio moved to allow Chairman Rotondi to sign the decision, seconded by Selectman DePinto. **Motion was unanimously voted.**

Selectman DePinto moved to adjourn, seconded by Selectman Gregorio. **Motion was unanimously voted.**

**Meeting adjourned at 6:40 p.m.**

Respectfully submitted,

Muriel Doherty

## **Stoneham Board of Selectmen – Minutes of Meeting of December 13, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon. Selectman Richard S. Gregorio was unable to be present.

### **Pledge of Allegiance**

### **Whiphill Trust/Gift/Dan Towse/Trustee**

Dan Towse said that last year they gave the Town a gift of \$10,000 from Angie Crockett's estate. He said tonight he is not only giving this year's gift of \$10,000 but also the previous amount that they hadn't planned on for \$950.

### **Chamber Donation**

Cathy Doucet from the Chamber of Commerce presented the Board with a check in the amount of \$1,300 as a token of the Chamber's appreciation for the support of the Town for Town Day.

### **Rounds Playground Presentation**

This item was tabled, since no one was present from the group.

### **School Building Committee Presentation**

Jeanne Craigie from the School Building Committee gave a presentation. She said they are going to add a wing at the existing Central School and do a 5 to 8 Middle School. She said they are pretty sure the State reimbursement will be 55 to 57%. She said Town Meeting has to appropriate the entire amount, but Stoneham will only pay \$18 million of that. Supt. Olson said the committee identified an estimated cost of \$176 per year impact on a typical house in Stoneham.

### **Accept Gift from Salem Savings Bank for Domestic Violence RAD Training/Chief Bongiorno**

Selectman DePinto moved to accept the donation of \$500 from Salem Savings Bank for the Domestic Violence Outreach Programs, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

### **Request from Jeanne Craigie to Light Gazebo for Autism Awareness Week/Chairman Rotondi**

Jeanne Craigie asked the Board to support Autism Awareness Week by allowing them to light up the gazebo in blue lights the week of 4/1 to 4/7. Brian Gill said Autism Speaks is a world-wide organization to raise funds and raise awareness. He said the Eiffel Tower, the John Hancock Building, and other famous buildings will be lighted up blue on 4/1 and 4/2. Selectman Sweeney moved to support this, seconded by Selectman DePinto. **Motion was unanimously voted (4-0).**

### **Accept Donations**

Selectman Vallarelli read the list of those who donated to the Annual Senior Christmas Party. Selectman DePinto moved to accept the gifts, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).** Selectman DePinto asked to send a letter to Marty Murphy thanking him. Selectman Sweeney asked to send them all a letter.

**Chairman Rotondi passed the gavel to Selectman Vallarelli.**

### **MWRA Project/Chairman Rotondi**

Chairman Rotondi said they have been in a number of negotiations with the MWRA on their proposed construction in Stoneham, and they never get a meeting. He said the Town just got a letter from them today complaining on the Town's rates they charge for details. He said he would like two motions tonight. Selectman DePinto moved that the Board of Selectmen oppose the three-mile pipeline through Stoneham, seconded by Selectman Rotondi. **Motion was unanimously voted (4-0).** Chairman Rotondi asked that the Board vote to send a letter to the MWRA Board of Directors. He read the following letter into the record:

“December 13, 2011

Board of Directors  
Massachusetts Water Resources Authority  
Charlestown Navy Yard  
100 First Avenue, Building 39  
Charlestown, MA 02129

Dear Board of Directors:

This letter is to inform the MWRA Board of Directors that the Stoneham Board of Selectmen voted at their Dec 13, 2011 meeting to oppose the MWRA’s three mile pipe line through Stoneham. As you are aware the Town of Stoneham has been one of the original members of the water and sewer commission dating back to 1900. As a founding member, we were quite surprised and disappointed that the MWRA first found it necessary to take 5 acres, which was planned for affordable housing, to place a water tank that will serve the purpose of feeding the future northwest expansion of MWRA water.

This project will cause undue hardship on the citizens of Stoneham through a long construction process that will result in congestion and digging up our streets, increasing traffic, increasing our noise and increasing the long term presence of heavy construction equipment in our neighborhoods. Additionally, this pipe line will take up four feet of Stoneham land that could have an adverse affect on future development. These hardships will affect our quality of life and the people of Stoneham will not receive any benefit from it. We find this unfair to the Stoneham MWRA ratepayers. The Board of Selectmen **urge** the MWRA to find another route for this pipeline, one that does not, once again, require the Town of Stoneham to solely bear the burden.

Two years ago, for reasons that were never explained, the MWRA purchased land in Stoneham to place an underground water tank even though the State owned enough land just next to it. That resulted in the Town of Stoneham losing ninety (90) affordable housing units and over \$100,000 a year in property taxes. Stoneham was told that we would get a soccer field as mitigation for the loss of the tax revenue. After the deal was done, the MWRA reneged and Stoneham received nothing. Now, it is the Stoneham rate payer that has to subsidize the cost of the land and construction while absorbing the lost revenue the land would have produced. We find this unfair to our Stoneham MWRA rate payers

The Board of Selectmen has written the MWRA Board and asked for a meeting between the Boards, we still await the meeting. The people of Stoneham are tired of being the pawns in the MWRA’s expansion and demand that another route for this pipeline be found. The Town of Stoneham’s rights have been disenfranchised by the MWRA and, without immediate recourse, we will be forced to take further actions to protect our citizens. We await your response.

Very truly yours,

**Board of Selectmen**

R. Paul Rotondi  
Chairman

cc: Gov. Patrick  
Rep. Lewis  
Senator Clarke  
John Deamicis, Board of Selectmen’s Appointee to MWRA Advisory Board”

Selectman DePinto moved to send this letter, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

**Appoint Members to Committees**

Selectman Vallarelli moved to appoint Tammy Ford to the Historical Commission, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

**Approve Change of Location of MBTA Bus Stop at Redstone**

Selectman Sweeney moved to move the Redstone bus stop to the old Baja Fresh location, seconded by Selectman Vallarelli. **Motion was unanimously voted (4-0).** Chairman Rotondi asked Town Administrator Ragucci to inform the MBTA and put something in the paper. Selectman Sweeney asked that it be put on local cable and DPW told to change the sign.

**Approve Common Victualler License Renewals**

Selectman Vallarelli moved approval of the following Common Victualler License renewals: 99 Restaurants of Boston, LLC d/b/a 99 Restaurant & Pub/10 Main St; S & A Ventures, Inc d/b/a Aldo's Café/125 Main St; Angelo's Pizzeria & Ristorante, Inc d/b/a Angelo's Pizzeria & Ristorante/239 Main St; Liquid Investments, Inc d/b/a Bacci's/316 Main St; Noon Glow Restaurant, Inc d/b/a China Moon/170 Main St; Felicia's, Inc d/b/a Felicia's of the North End/423 Main St; Gaetano, Inc d/b/a Gaetano's/271 Main St; RCM Group, Inc d/b/a J.J. Grimsby & Co/301 W. Wyoming Ave; Kro-Mel's LLC d/b/a Melissa's Main Street Bistro/407 Main St; Marty's Caterers, Inc d/b/a Montvale Plaza/54 Montvale Ave; Jagat Enterprises, Inc d/b/a Rang Indian Bistro/5 Central Sq; Long Run, Inc d/b/a Sato II Restaurant/147 Main St; R & W DiNunzio Corp d/b/a Taste of Siam/497 & 499 Main St; Zheng Restaurant, Inc d/b/a Tulip Asian Cuisine/119 Main St; Asiana Grille House, Inc d/b/a U Me Restaurant/19 Franklin St; BJ's Wholesale Club, Inc d/b/a BJ's Wholesale Club #50/85 Cedar St; Mastoran Corp d/b/a Burger King/197 Main St; Nanak Shahi d/b/a Café Arielle/8 Central St; Capi Donuts, Inc d/b/a Dunkin Donuts/62A Montvale; Portugal Donuts, LLC d/b/a Dunkin Donuts/2 Lynn Fells Parkway; Friendly Ice Cream Corp d/b/a Friendly's #227/611 Main St; JK Stoneham, Inc d/b/a Honey Dew Donuts/362 Main St; Kuen Luck, Inc d/b/a Hong Kong City/303 Main St; Liberty Bell Roast Beef, Inc d/b/a Liberty Bell Roast Beef/219 Main St; Papa Gino's, Inc d/b/a Papa Gino's/D'Angelo's/190 Main St; Oliveira & Parisotto, Inc d/b/a Pizza Mia/67 Franklin St; Lefter Spiro d/b/a Stoneham Pizza/232 Main St; Three Amigos, Inc d/b/a Three Amigos/125 Main St #4. Selectman Sweeney suggested making them aware some are in arrears. Chairman Rotondi said last year they approved the licenses and notified them they were in arrears. Selectman Sweeney moved to approve these licenses contingent on notifying them they're in arrears of taxes and water. Motion was seconded by Selectman DePinto and **unanimously voted (4-0).**

**Approve Class I License Renewals**

Selectman Vallarelli moved approval of the Class I License renewal for Danvers N II, Inc. d/b/a Ira Nissan of Woburn/95 Cedar St and Stoneham Motor Company, Inc/185 Main St. Motion was seconded by Selectman Sweeney and **unanimously voted (4-0).**

**Approve Class II License Renewals**

Selectman Vallarelli moved approval of the following Class II License renewals: COV Motors, Inc/28 Pine St; Edward A. Fedele and Francis X. Fedele d/b/a Fedele Auto Sales/263 Main St; Franklin Street Truck and Auto, Inc/41 Franklin St; Anthony Dana Marek d/b/a Marek's Automotive/450 Main St; Sharon Rotondi and John Nicholls d/b/a Rotondi Motors/140 Franklin St. Motion was seconded by Selectman Sweeney. Selectman Sweeney added to check their taxes and notify of them of any arrears. Chairman Rotondi said he will abstain, because one of the licensees is his sister-in-law. **Voting was 3-0-1. Motion carried.**

**Approve Entertainment License Renewals**

Selectman Vallarelli moved approval of the following Entertainment License renewals: Liquid Investments, Inc d/b/a Bacci's/316 Main St; RCM Group, Inc d/b/a J.J. Grimsby & Co/301 W. Wyoming Ave; Long Run, Inc d/b/a Sato II Restaurant/147 Main St; Stoneham Theatre Corp d/b/a Stoneham Theatre/393 Main St; Asiana Grille, Inc d/b/a U Me Restaurant/19 Franklin St. Motion was seconded by Selectman Sweeney and **unanimously voted (4-0).**

**Liquor Licensing Authority**

Selectman Sweeney moved to go into Liquor Licensing Authority and then return to Board of Selectmen, seconded by Selectman DePinto. A roll call vote was taken.

Voting in favor:

Selectman Sweeney  
Selectman Vallarelli  
Selectman DePinto  
Chairman Rotondi

**Motion was unanimously voted (4-0).**

**Meeting recessed at 8:22 p.m. to go into Liquor Licensing Authority.**

**Meeting reconvened at 8:31 p.m.**

**Comcast License Renewal/Extension of Time to Respond to Town's RFP/Town Counsel**

Town Counsel Solomon recommended granting the extension of time for Comcast to respond to the Town's license renewal RFP. Selectman DePinto moved to extend their RFP response to 2/5/12, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

**Miscellaneous Correspondence**

Chairman Rotondi read the thank you note for the Senior Holiday party from Dorothea Golini.

**Town Administrator Reports**

Mr. Ragucci said they used the money from the Gutierrez Corporation to pay for the engine that had to be replaced in the ladder truck. Mr. Ragucci said he would like to post in-house the vacancy that the successful candidate for the Police Department vacancy will be vacating. Mr. Ragucci said the Town of Stoneham agreed to provide water to the development at Nazareth Academy, at a 25% premium on top of the water bills. He said Wakefield thinks this is not fair. He said if there is a leak the ratepayers of Stoneham will be paying for it. He said if there is a fire the water used will be paid by the ratepayers of Stoneham. He said it is not an exorbitant amount and should not be negotiated down. Selectman DePinto asked if the Town worked out how the money will be paid. Mr. Ragucci said Stoneham wants it to come from the Town of Wakefield. Town Counsel Solomon said they are okay with that, but the issue is if someone challenged the 25% then they are on the hook to Stoneham. He said how they collect it, whether from the homeowner or all the residents, is up them. Mr. Ragucci said Stoneham views this as Stoneham doing a favor. He said there is nothing in it for Stoneham. He said Woburn charges Stoneham the same rate. He said Stoneham was paying for sewage from Nazareth for the last 50 years and never charged them. He said he just found that out today.

Selectman DePinto moved to adjourn, seconded by Selectman Sweeney. **Motion was unanimously voted (4-0).**

**Meeting adjourned at 8:45 p.m.**

Respectfully submitted,

Muriel Doherty

**Stoneham Board of Selectmen – Minutes of Meeting of December 21, 2011**

Chairman R. Paul Rotondi called the meeting to order at 7:00 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney, Frank Vallarelli, Town Administrator David Ragucci, and Town Counsel William H. Solomon.

**Pledge of Allegiance**

**Liquor Licensing Authority**

Selectman DePinto moved to go into Liquor Licensing Authority and return to Board of Selectmen, seconded by Selectman Gregorio. A roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting recessed at 7:01 p.m. to go into Liquor Licensing Authority.**

**Meeting reconvened at 7:55 p.m.**

**Sign Subordination to New StonehamBank Mortgage at 53 Central Street**

Atty. Charles Houghton, President of Stoneham Community Access, explained that there were two mortgages on their building, one to M.E.L.D. and one to the town. He said they will acquire the property next to them tomorrow and they will borrow from StonehamBank. He said the bank wants to be first. He said M.E.L.D. gave them a subordination and they need a subordination from the Town. He said they hope to make 20 to 25 parking spaces. Selectman Gregorio moved to approve the subordination, seconded by Selectman DePinto. Town Counsel Solomon said he reviewed it and it's fine. He said if Stoneham Community Access didn't exist the building would come to the Town of Stoneham. He said that will also apply to this property. Atty. Houghton said they will be paying taxes on the lot. He said this was a house that paid taxes. **Motion was unanimously voted.**

**Miscellaneous Correspondence**

Selectman Sweeney noted the donation box in the lobby for the blue lights for Autism Awareness.

**Executive Session**

Selectman DePinto moved to go into executive session to discuss litigation with respect to Fallon Road, under Chapter 30C of the General Laws and not to return in public session. Motion was seconded, and a roll call vote was taken.

Voting in favor:

Selectman Gregorio  
Selectman DePinto  
Selectman Vallarelli  
Selectman Sweeney  
Chairman Rotondi

**Motion was unanimously voted.**

**Meeting adjourned at 8:00 p.m.**

Respectfully submitted,

Muriel Doherty