

**Stoneham Board of Selectmen – Minutes of Meeting of December 1, 2015**

Chairman Thomas Boussy called the meeting to order at 7:10 p.m. Also present were Selectwoman Caroline Colarusso, Selectwoman Ann Marie O’Neill, Selectman Frank Vallarelli, Town Administrator David Ragucci and Attorney William Solomon. Selectman John F. DePinto was not present.

*The following minutes include the actions taken at the meeting and a brief summary of the discussions had by the Board of Selectmen. If you would like to hear detailed discussion please see the time listed next to each agenda item and go to Stoneham TV on Demand available from the homepage [www.stoneham-ma.gov](http://www.stoneham-ma.gov)*

**Pledge of Allegiance**

Selectwoman Colarusso would like to apologize that they were late they were in executive session upstairs. Selectwoman Colarusso made a motion to move up item #9, seconded by Selectwoman O’Neill and **unanimously voted (4-0)**.

**24 Hour Mobil Station/Vallarelli (Time 1:10-45:11 on Stoneham TV on Demand)**

Selectman Vallarelli explains they have received complaints and realized that the Mobil Station across from Stop and Shop and the one on Montvale Avenue have been staying open all night. They are allowed to stay open all night for gas but the store should be closed. He put it on the agenda tonight to see if they can potentially put a stay on it till the next town meeting where they can revise the bylaw. Selectwoman Colarusso states she brought the original site plan and it clearly states gasoline only. She also brought the bylaws that clearly indicates only allows that gas stations to pump gasoline. Selectwoman Colarusso states there was a site plan amendment in 2007 that there was a window installed so people could pass money through. Selectwoman Colarusso states the bylaws are something they all take oath and swear by and it states we have to abide by the bylaws of the town. She does not feel that because someone has operated outside the bylaws without permission from the town that they should even be discussing this. She does not feel this is within their realm or authority to put a stay on a bylaw. She states this should go to town meeting and the folks vote. Chairman Boussy opens to public comment. Arthur Sordillo 250 Main Street spoke. Jim Sullivan 6 Sunset Road spoke. Cindy Hemingway 14 Fells Road spoke. Bonnie Giglio 89 Central Street spoke. Ellen Beigh 79 William Street spoke. Larry Means 4 Victoria Lane spoke. Selectwoman Colarusso would like to thank Chief McIntyre and knows he will relay this information to his department. Selectwoman Colarusso would like to notify the public that if they have an issue to please contact her or other members of the Board. Chairman Boussy states that they have a bylaw on the book that they can’t stay open from 12am to 6am he states that he doesn’t think there needs to be a vote. Selectwoman O’Neill agreed. He states this goes for both stations because you can’t selectively enforce one. Selectman Vallarelli states that almost every convenient store opens at 5am. Selectwoman Colarusso states the bylaws says 6am. Chairman Boussy states this has been going for so long that nobody has ever looked at the bylaws. He states that at some point these bylaws need to be looked at but because nobody enforced them it was never addressed and now that it is out in the open we have a mess on our hands. Selectwoman O’Neill states this does send a message to businesses that they don’t have to follow the rules. She states she does think it’s important and if they want to look at the bylaws then that is something we should do but we should never do it at the expense of the neighbors. There was a discussion about overnight deliveries even though the store will be closed. Mr. Sordillo states there shouldn’t be any except for the newspapers which he does not have control over. Selectwoman Colarusso read the bylaw. Mr. Sordillo stated he would talk to the newspaper deliverers and ask them to pull on the other side when they are dropping the newspapers off in the morning. Chairman Boussy closed the hearing.

**Public Hearing/Amended Site Plan/85 Cedar Street/Riemer & Braunstein LLP (Time 45:15-52:38 on Stoneham TV on Demand)**

Attorney Mark Vaughn was present to represent BJ’s Wholesale Club. Selectman Vallarelli read the legal notice. Attorney Vaughn stated the Board of Appeals did vote last month unanimously to grant that sign variance. Selectwoman O’Neill asked if the canopy is 14 feet tall. The response was that it is 17ft tall (14ft to 17ft is the sign height). Selectwoman O’Neill states they were concerned about visual impediments on different residences. Selectwoman O’Neill states for the record that the billboard going up is not going to be seen in any of neighborhoods as well. Chairman Boussy confirms that they agree with the department review from the prior meeting. Chairman Boussy opens to public comment. Glen Dalton Dunklee Avenue spoke. Chairman Boussy closes the public hearing. Selectwoman O’Neill made a motion to approve the amended site plan for BJ’s Wholesale Club at 85 Cedar Street, seconded by Selectwoman Colarusso and a roll call vote was taken.

Voting in Favor

Selectwoman Colarusso  
Selectwoman O’Neill  
Selectman Vallarelli  
Chairman Boussy

**Motion passed (4-0).**

**Approve Common Vic License/FMD Bagel & Coffee, Inc., d/b/a Java Grind & Grill/125 Main Street (Time 52:47-56:46 on Stoneham TV on Demand)**

Selectwoman Colarusso made a motion to approve the Common Vic License for FMD Bagel & Coffee Inc., dba Java Grind & Grill, 125 Main Street, seconded by Selectwoman O’Neill and a roll call vote was taken.

Voting in Favor

Selectwoman Colarusso  
Selectwoman O’Neill  
Selectman Vallarelli  
Chairman Boussy

**Motion passed (4-0).**

**Approve Entertainment License/FMD Bagel & Coffee, Inc., d/b/a Java Grind & Grill/125 Main Street (Time 56:15-57:43 on Stoneham TV on Demand)**

Selectwoman Colarusso made a motion to approve the Entertainment License for FMD Bagel & Coffee Inc., dba Java Grind & Grill, 125 Main Street, seconded by Selectwoman O’Neill and a roll call vote was taken.

Voting in Favor

Selectwoman Colarusso  
 Selectwoman O'Neill  
 Selectman Vallarelli  
 Chairman Boussy

**Motion passed (4-0).**

**Fire Station Anniversary Art Banner Project (Time 58:04-72:00 on Stoneham TV on Demand)**

Dolly Wilson was present to give the Board a presentation on the Fire Station Anniversary Art Banner Project. She would like to follow what Woburn did and have the children design the picture and have that placed on the banner. Mrs. Wilson would like the Board feelings on the idea. She states that she is looking to have 18 x 36 banners on the common and possibly along Main/Central Street. She states the cost depends on complexity and type of hardware and she will use sponsors to defray the costs. Chairman Boussy asks how long does she plan on having them up for. Mrs. Wilson states she would like them up from May thru October. Chairman Boussy states the Farmers Market has talked about where the Stoneham One signs used to be and some light posts along Main Street having banners. He states that entering the Farmers Market they use them and then some time around July would be a good time to switch. Chairman Boussy states that is his opinion only. His option is also that he would like to see a more traditional professional uniform banners. He suggests using photos instead of drawings. Selectwoman O'Neill states she loves the idea of the banner and the celebration she states this really builds on community. Selectwoman O'Neill states she likes the idea of pictures and what about a graphic design contest that is open to everybody in Stoneham. She states there is going to be a big celebration and maybe the kids art could be displayed there where there will be plenty of opportunity. She also stated that they installed an art box that rotates between the seniors and schools. Selectman Vallarelli states she look at the library for old photos. Mrs. Wilson stated she will come up with some other ideas and bring them back to the Board. Selectwoman O'Neill states they are all in agreeance with the concept it's just how they look.

**Recreation Department Implementation/Boussy (Time 72:40-97:45 on Stoneham TV on Demand)**

Selectwoman O'Neill states she has an almost complete job description. She has met along with Selectwoman Colarusso and an Open Space Committee Member to visit the Wakefield Recreation Department and some Open Space Committee members met with Reading and we have met with Melrose and received some really good feedback on what other communities are doing. She states she has done a lot of research on other surrounding communities Recreation Departments. She states we are the only town who doesn't have one. She states that having a Recreation Department really strengthens community and support economic development. Selectwoman O'Neill state the Open Space is a tremendous board and we are lucky to have them. Selectwoman O'Neill states Ginny Ray did a salary survey for her and the number of \$50,000 that was put aside is just too low. She states that one thing this department needs to have is a revolving account. She also states this department needs to be self-funding in three years. She states this is achievable and has been done in every other community. Selectwoman O'Neill does not want to go to the tax payers for this. She states this Recreation Department would service cradle all the way up. She would like the Board to propose using \$250,000 of the billboard mitigation money to start the role and the revolving account. Selectman Vallarelli thinks that is a lot of money and thought it was only going to be \$50,000. There was a discussion amongst the board. Selectman Vallarelli suggests waiting until there is a full board to vote. Selectwoman O'Neill is looking to advertise on December 14<sup>th</sup>, hire in January/February to be ready in the spring. Selectwoman O'Neill made a motion to take \$250,000 from sign mitigation money to fund the first three years of the Recreation Department including the \$50,000 that is already in there which is \$300,000 to give back to the children, seconded by Selectwoman Colarusso and a roll call vote was taken.

Voting in Favor

Selectwoman Colarusso  
 Selectwoman O'Neill  
 Chairman Boussy

Voting Opposed:

Selectman Vallarelli

**Motion passed (3-1).**

Selectman Vallarelli made a motion to move to item #15.

**Development and Impact Fee Agreement By and Between the Town of Stoneham, PGG Outdoor LLC (dba Logan Communications or Logan Digital) and Northland Forbes Road LLC regarding Outdoor Advertising Billboard off of Route 93 on apporportion of Parcel 12 on Map 25 Stoneham Assessor's Map (Time 98:18-101:28 on Stoneham TV on Demand)**

This item was tabled until December 15<sup>th</sup>.

**Vote Relative to Useful Life of Proposed Ladder Truck & Pumper Truck for Bonding Purposes (Time 101:49-108:19 on Stoneham TV on Demand)**

The board was not comfortable voting on this without the recommendation of the Fire Chief. The board would like someone present to verify the useful life. Selectman Vallarelli made a motion to approve the life expectancy of the ladder truck is 15 years, seconded by Selectwoman Colarusso and a roll call vote was taken.

Voting in Favor:

Selectwoman Colarusso  
 Selectman Vallarelli

Voting Opposed:

Selectwoman O'Neill  
 Chairman Boussy

**Motion was (2-2).**

Selectwoman O'Neill made a motion to approve the life expectancy of the pumper truck is 15 years, seconded by Selectwoman Colarusso and a roll call vote was taken.

Voting in Favor:

Selectwoman Colarusso  
Selectman Vallarelli  
Voting Opposed:  
Selectwoman O'Neill  
Chairman Boussy

Motion was (2-2).

**Street Openings/Rules, Regulations & Updated List/Town Administrator (Time 108:39-120:35 on Stoneham TV on Demand)**

Town Administrator Ragucci discussed the process of street opening rules and conditions. Mr. Ragucci states that the Board can review the packet and make and changes and/or improvements if they would like. Chairman Boussy has not been satisfied with any of the patches around Stoneham. Selectwoman Colarusso states it is not about the paperwork it is about the follow up. She asks who performs the follow up piece such as the sign off and final inspection upon completion. Mr. Ragucci is not sure but will speak to DPW about putting this into place. There was a discussion regarding the process of street openings. Dolly Wilson 181 Central Street spoke. Town Administrator will look into the bonding portion and adding the sign offs to the packet.

**Approve Entertainment License Renewals (Time 121:10-122:19 on Stoneham TV on Demand)**

Selectman Vallarelli moved for approval of the Entertainment License Renewals contingent on all the paperwork being submitted: Burger King 197 Main Street, Stoneham Elks Lodge #2211 471 Main Street, Marty's Caterers 54 Montvale A:venue, Bacci's 316 Main Street, Tulip Asian Cuisine 119 Main Street, Fusion Taste 19 Franklin Street, Sato II 147 Main Street, Kushala Sip Coffee House 335 Main Street, Liberty Bell Roastbeef 219 Main Street, Subway 200B Main Street, Dunkin Donuts 128 Franklin Street, Dunkin Donuts 62A Montvale Avenue, BJ's Wholesale Club 85 Cedar Street, China Moon 170 Main Street, Stoneham Theatre 395 Main Street, American Legion Post #115 11 Common Street, Marconi Club 47 Pine Street, Bear Hill Golf Club 5 North Street. Motion was seconded by Selectwoman O'Neill and **unanimously voted (4-0)**.

**Approve Common Victualler License Renewals (Time 122:32-124:00 on Stoneham TV on Demand)**

Selectman Vallarelli moved for approval of the following Common Victualler License Renewals contingent on all the paperwork being submitted: Burger King 197 Main Street, Café Central 8 Central Street, The Daily Scoop 232 Main Street, Dunkin Donuts 128 Franklin Street, Dunkin Donuts 62A Montvale Avenue, Friendly's #227 611 Main Street, Pignone's Café 319 Main Street, Stoneham Pizza 232 Main Street, Subway 200B Main Street, Three Amigos 125 Main Street, New Hong Kong City 303 Main Street, Kushala Sip Coffee House 335 Main Street, Liberty Bell Roastbeef & Seafood 219 Main Street, Dunkin Donuts 65 Main Street, Andrea's Pizza 498 Main Street, Amore Pizza 414 Main Street, BJ's Wholesale Club 85 Cedar Street, Papa Gino's 190 Main Street, seconded by Selectwoman O'Neill and **unanimously voted (4-0)**.

**Approve Class II License Renewals (Time 124:03-127:45 on Stoneham TV on Demand)**

Selectman Vallarelli moved for approval of the Class II License Renewals for Franklin Street Truck & Auto Inc.,/41 Franklin Street, Fedele Auto Sales/263 Main Street, COV Motors/28 Pine Street, seconded by Selectwoman O'Neill and **unanimously voted (4-0)**. Rotondi Motors/140 ½ Franklin Street was not approved and tabled until December 15<sup>th</sup>.

**Approve Class I License Renewals (Time 127:48-128:00 on Stoneham TV on Demand)**

Selectman Vallarelli moved for approval of the Class I License Renewal for Kelly Nissan of Woburn/95 Cedar Street, seconded by Selectwoman O'Neill and **unanimously voted (4-0)**.

**Approve Auto Amusement License Renewals (Time 128:08-128:21 on Stoneham TV on Demand)**

Selectman Vallarelli moved for approval of the following Auto Amusement License Renewals: Papa Gino's 190 Main Street, Marconi Club 47 Pine Street, seconded by Selectwoman O'Neill and **unanimously voted (4-0)**.

**Approve Minutes (Time 128:55-129:17 on Stoneham TV on Demand)**

Selectwoman O'Neill made a motion to approve meeting minutes of 11/17/15, seconded by Selectwoman Colarusso and **unanimously voted (4-0)**.

**Town Administrator (Time 129:18-134:37 on Stoneham TV on Demand)**

Town Administrator Ragucci notified the Board that he reached out to Clear Channel and they cannot help with the pole installation they subcontract that part out themselves. Mr. Ragucci stated that he reached out to the Chamber to see if they would be interested in partnering with the Town on the camera installation around town by asking businesses if they would interested in installing them on their buildings. He is waiting to hear back. Town Administrator Ragucci states that today was the first day for the Substance Abuse Coordinator who is working under the Board of Health on Mondays and Fridays. Mr. Ragucci states he is meeting with the budgeting compact group on December 3<sup>rd</sup> and on the 15<sup>th</sup> of December they will be going over to Melrose for the signing of the Compact Contract with the Lieutenant Governor being present. Mr. Ragucci notifies the Board that he was notified by Dr. Olson that the second boiler at the High School has failed and he would like to ask the Board if Dr. Olson can come to the Selectmen's meeting on December 15<sup>th</sup> to discuss.

**Miscellaneous (Time 134:38-146:39 on Stoneham TV on Demand)**

Selectwoman Colarusso states that she was reminded today at the Senior Party of the lights on 28 down at Friendly's and also down by the 99 that is scheduled for the repair at the same period of time as all the other corresponding projects are coming through the town. Selectwoman Colarusso would like to draft a short letter to Stephanie Pollack at the MassDOT to explain the situation along with Mr. Shea at the Energy Efficiencies Sighting Board. She states we have until tomorrow at the close of business to weigh in on their project and to provide commentary. She requested that she and Attorney Solomon to Secretary Pollack to expedite the project due to extenuating circumstances. The Board had no objection. Selectwoman O'Neill discloses she lives on Macarthur Road and asks Mr. Ragucci if that is going to be done. Mr. Ragucci explains what is left to be done on that project. There was a discussion on planning, scheduling of projects around town. Selectwoman Colarusso states when they do Broadway over going back to the single line. Selectwoman Colarusso states the residents are waiting for South Marble to be done and also

Franklin/Summer and Martin Lane those street lights have been out for a long time. Chairman Boussy state there is a light issue on the corner of Park and Marble Street. Selectwoman O'Neill asks Mr. Ragucci to work on the priority list. Selectwoman Colarusso asks Mr. Ragucci what the number that is going to be allocated next year for sidewalks. Mr. Ragucci states \$100,000 a year for the past three years has been allocated from mitigation money.

**Executive Session**

Selectwoman O'Neill move that the Board vote to enter executive session pursuant to M.G.L. c. 30A, Section 21(a)(3) to discuss strategy with respect to litigation regarding *Lumbermen's Mutual Insurance Company v. The Workers Compensation Trust Fund and the Town of Stoneham*, Department of Industrial Accidents with the Chair declaring that an open meeting may have a detrimental effect on the litigating position of the Board and Town and not to return to the Board of Selectmen, seconded by Selectman Vallarelli. A roll call vote was taken.

Voting in Favor:

Selectwoman Colarusso  
Selectwoman O'Neill  
Selectman Vallarelli  
Chairman Boussy

**Motion passed 4-0.**

Meeting adjourned at 9:45 p.m.

Respectfully submitted,

**Erin Sinclair**