

**Board of Selectmen
Hearing Room
Stoneham Town Hall
35 Central Street
Tuesday, January 8, 2019
7:00 p.m.**

Open Session (Hearing Room)

Members Present: Chairwoman Shelly Macneill, Vice Chairwoman Raymie Parker, Clerk George Seibold, Selectman Anthony Wilson

Also Present: Interim Town Administrator Debora Pettengill

Call to Order: Chairwoman MacNeill called the meeting to order at 7:00 p.m. (To view this meeting in its entirety go to Stoneham TV on Demand available from the Town's homepage at www.stoneham-ma.gov)

Agenda Item 1: Pledge of Allegiance

Agenda Item 4: Public Comment Patrick Boyle, 30 Windsor Road, stated that he was attending public comment for the third time. He stated that he has not heard from the Town Administrator and the situation with his neighbor has been going on for 8 months.

Agenda Item 5: Town Administrator's Response to Public Comment Pettengill stated that Town Counsel has informed her that the fence issue brought to light by Boyle is not a matter in the jurisdiction of the Town Administrator or Board of Selectmen and the Board will not interfere with a matter in the jurisdiction of the Board of Appeals. She continued, at this point Boyle could hire counsel to see if an appeal is still available or to see if civil action is appropriate in this dispute.

MacNeill stated that the Board is not a court and can listen to complaints with very limited powers to intervene with other Boards. She stated that this is really a dispute between neighbors. Boyle stated that the Town's inspector certified something that she knows to be false, making the Town involved. Boyle continued that Town Counsel is recommending civil action and it is in his best interest so that he can bill more hours.

MacNeill stated that Boyle was now insinuating that Town Counsel is doing this for financial gain. She stated that there is only hearsay to deal with and that puts the Board in a difficult position. MacNeill stated that the Board of Appeals may be willing to hear Boyle's appeal.

Seibold recused himself regarding the issue of William Dunn's public comment and left the hearing room.

Pettengill stated that she obtained and reviewed police reports, photographs of Dunn parking on the sidewalk and placing snow on the public way, as well as the warnings issued by the police department. She stated that Seibold was not a member of the Board at the time of Dunn's alleged offenses.

Agenda Item 6: Placement of Public Comment Discussion MacNeill that stated that, in general, placing public comment on the agenda is not a requirement of Mass General Laws. She continued that public comment has value because it allows residents to discuss problems that they may have in a respectful atmosphere. Free speech does not allow the use of defamatory language. MacNeill stated that the Board voted to place public comment at the beginning of each agenda, but that she is no longer comfortable with the tone it sets for the meeting.

Seibold stated that when he originally envisioned public comment, it was going to be held at the beginning and end of every meeting, but that it is being used in a negative matter. Wilson stated that he believes that there is value in public comment and that perhaps it could be scheduled for a specific time. Parker stated that she was very uncomfortable at the list few meetings and that she supports reviewing the policy.

Agenda Item 7: Discussion RE: Feasibility of Placing Solar Panels at the Arena Erin Wortman stated that she is here with Walter Gray, Matt Shortsleeve and Lou Chulli, to continue a conversation that was started a year ago regarding the placement of solar panels on the arena. The incentives have been released by the State and Wortman would like to know if the Board is interested in the program. Gray, from Power Options, stated that he works with a non-profit energy buying consortium consisting of 400 members. The members have all been competitively procured so there is not competitive procurement required by MGL if Power Options is used. Shortsleeve stated that Solect Energy is a private developer of commercial scale solar systems. He stated that Solect supplies the equipment in return for a long term (20 years) power purchase contract. He estimates that there would be a \$2100/month savings which is a 50% savings on power.

Seibold stated that the engineering of the building is his concern. Shortsleeve stated that Solect will hire a structural engineer to evaluate the load. He continued that they would not get a building permit without a report up front.

Wilson asked who is responsible for roof repair. Shortsleeve stated that the Town is responsible for the repair with a 15 day/20 year energy purchase relief. Parker asked what happens at the end of 20 years. Shortsleeve stated that Solect takes the equipment away or the Town can purchase the equipment for \$1 and extend the purchase contract.

Seibold moved that the project move forward with logistics and approve the project. Wilson seconded the motion. Voted unanimously.

Agenda Item 8: Appointment to Conservation Commission Seibold moved to appoint Robert Fotino to the Conservation Commission. Parker seconded the motion. Voted unanimously.

Agenda Item 9: Town Meeting – Opening and Closing Dates Seibold moved to open the Warrant for Town Meeting on 1/23/19 and to close the warrant on 3/4/19. Parker seconded the motion. Voted unanimously.

Agenda Item 10: Policy Regarding Submission of Warrant Articles MacNeill stated that the Board has had a staggered warrant article submission policy which is confusing. She stated that it makes more sense to change the submission deadline to 2/1/19 this year and then revisit permanent change. Wilson stated that the important thing is to have enough time to discuss the articles before Town Meeting. Parker stated that the policy is very confusing and that she would prefer consistency. Parker moved to change the warrant article submission deadline to 2/1/19 and 8/15/19 for this year. Wilson seconded the motion. Voted unanimously.

Agenda Item 11: Sapphire Award Parker stated that this is the 3rd and final read of the award policy and that she made all of the requested changes. Seibold moved to approve the policy. Parker seconded the motion. Voted unanimously. Wilson asked Parker to check with counsel regarding potential violations of the Open Meeting Law.

Agenda Item 12: Citizens Academy MacNeill stated that she would like to work on creating a Citizens Academy. It will allow residents to see tax dollars at work in all departments.

Agenda Item 13: Town Administrator's Report Pettengill reported as follows: The Fire Department was awarded the Safe Grant and the Senior Safe Grant; She has been working with the attorney on the opioid litigation and he is very happy with the Town's responses; Post card were mailed regarding the Town's energy aggregation program; Stoneham signed on to be part of the National Grid forum; 1/19/19 is a breakfast for MLK at the Senior Center; and 1/21/19 is the MLK celebration at the Boys and Girls Club.

Parker announced the booster raffle. Wilson announced the energy aggregation program.

Parker moved to adjourn. Wilson seconded the motion. Voted unanimously.

Respectfully submitted,

Dava Kilbride – Secretary to the Board of Selectmen