

**Select Board  
Hearing Room  
Stoneham Town Hall  
35 Central Street  
Tuesday, March 5, 2019  
7:00 p.m.**

**Open Session (Hearing Room)**

**Members Present:** Chairwoman Shelly MacNeill, Vice Chairwoman Raymie Parker, Clerk George Seibold, Selectwoman Caroline Colarusso, Selectman Anthony Wilson

**Also Present:** Town Administrator Dennis Sheehan

**Call to Order:** Chairwoman MacNeill called the meeting to order at 6:00 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](http://www.stoneham-ma.gov))

**Agenda Item 1: Pledge of Allegiance**

Voting in Favor:

Chairwoman MacNeill  
Vice Chairwoman Parker  
Clerk Seibold  
Selectman Wilson  
Selectwoman Colarusso

**Motion carries (5-0).**

**Agenda Item 2: Public Comment** There was no public comment.

**Agenda Item 3: Water and Sewer Review Board Update** Scott LeBeau, Chair of the Water and Sewer Review Board stated that he has been discussing the Water and Sewer Enterprise funds with the Town Accountant and well as the increase in pension allocation. LeBeau stated that the Treasurer's office is doing a much better job with collections. He stated that the Board's next meeting is 3/26. Colarusso stated that she would like to see the quantitative data for the costs that are being allocated to the taxpayers for departments no being charged properly for water.

**Agenda Item 4: Veterans' Volunteer Service Discussion** Jim Devlin, Veteran's agent stated that he requested that Article 17 be placed on the warrant for approval of the Veteran's work off program. Sheehan stated that the program was previously approved by this Board at \$10,000

and that the senior work off program will be mimicked going forward. Wilson stated that the program should be monitored to see how it interacts with other established programs.

**Agenda Item 5: Town Meeting Preparation** Colarusso moved to number and accept articles 1-4. Wilson seconded the motion. Voted unanimously. Colarusso moved to give a favorable recommendation on articles 1-4. Wilson seconded the motion. Voted unanimously.

Tom Barry, Chair of the Capital Committee spoke in favor of the Committee's recommendation to the Board. Barry stated that the high school feasibility study is in a separate article per MSBA requirements. Seibold asked whether the Committee considered using 1.2 million for paving, Barry stated that they has, but that there is no funding available. Colarusso asked where the funding for capital improvement was coming from. Town Accountant Dave Castellarin stated that \$275,000 is being returned by the high school and it will cover many of the items on the capital list. Colarusso moved to accept the article, number the capital purchases as number 5, and give a favorable recommendation on number 5. Wilson seconded the motion. Voted unanimously.

Castellarin stated that warrant article 6 is the \$750,000 feasibility study for the high school and the funding will be secured through bonding. Colarusso asked if the previous study could be used. Parker stated that some parts of it may be useful. MacNeill stated that the study needs to be budgeted for properly regardless of whether it comes back costing less. Wilson moved to number and look favorably on this article. Colarusso seconded the motion. Voted unanimously.

Wilson moved to number and vote favorably on article 7. Colarusso seconded the motion. Voted unanimously.

Colarusso moved to accept, number and look favorably upon articles 8 and 9. Wilson seconded the motion and commented that this is certified retained earnings to off-set the tax rate. Voted unanimously.

Seibold moved to accept, number and look favorably on article 10. Colarusso seconded the motion. Voted unanimously.

Wilson moved to accept, number, and look favorably on article 11. Colarusso seconded the motion. Voted unanimously.

Parker stated that she put the recall article on the agenda for the Board to approve, but that she also has signatures. Seibold stated that the Board needs to lead by example and should be held accountable as every employee is.

Parker stated that the article came out of the harassment discussion. In light of Rockland and Saugus, she believes it time for a recall article. Wilson stated that he was concerned that it could be used for political reasons, but that requiring 10% registered voters is a high bar. Colarusso asked what the criteria for recall. Parker stated that anything criminal or ethical could be the basis for a recall. Colarusso stated that the reasons should be enumerated in the article.

MacNeill stated that if specific reasons for recall are listed in the article, then the voters are limited. Colarusso stated that no criteria could create a situation where the will of the voters will

be undone. MacNeill stated that it is the Board's decision to put it on the warrant and let Town Meeting decide. Wilson moved to accept and number. No vote was taken.

Wilson moved to accept and number 13 and 14 and look favorably on them. Seibold seconded the motion. Voted unanimously to accept and number 13 and 14. Voted 4-1 to look favorably on the article with Colarusso voting in the negative.

Wilson moved to number and look favorably on number 15. Colarusso seconded the motion, Voted unanimously.

Wilson moved to number and look favorably on number 16. Seibold seconded the motion. Voted unanimously.

Seibold voted to accept and number 17, but to hold off on the recommendation. Wilson seconded the motion. Voted unanimously.

Wilson moved to accept, number, and look favorably on number 18. Seibold seconded the motion. Voted unanimously.

Wilson moved to accept FY2019 budget amendment, but to hold on the recommendation. Colarusso seconded the motion. Voted unanimously.

Colarusso stated that the term of office article decreases the terms for Select Board and sets a limit at 3, 2 year terms. Wilson stated that he is a fan of term limits, but not a fan of 2 year terms. Seibold stated that 2 years is almost like quitting. Moderator Jeanne Craigie stated that the longer you serve, the more you know. Colarusso moved to look favorably on this article. Wilson seconded the motion. Motion fails 1-4 with Colarusso voting in the affirmative.

MacNeill stated that the condition of employment article appears to be targeted. Seibold stated that it clearly political and discriminatory. Parker stated that it feels like it is directed at her. Colarusso stated that she knows how Parker feels. Parker moved for a three minute recess. Colarusso seconded the motion. Voted unanimously.

Upon the Board's return, MacNeill cautioned the Board members to select their words carefully and refrain from personal comments. Seibold stated that it is clear that the Board has one Town employee who does not accept the stipend for her service to the Board. Wilson stated that he questions the legality of the article. MacNeill stated that it limits firefighters, teachers, and all other town employees from running for elected office. Colarusso stated that there is no limiting language in the article, but that the Board could wait 2 weeks for the petitioner to explain the article.

Wilson moved to revisit this matter in 2 weeks. Colarusso seconded the motion. Motion fails. Voted 2-3.

Seibold moved to look unfavorably on this article. Parker seconded the motion. Parker apologized for her outburst and stated that when she ran for the seat she checked into any conflict of interest and was advised that she could run. Kathy Sullivan stated that MGL 268A allows every employee the right to run Select Board. Voted 4-0-1 with Colarusso abstaining.

**Agenda Item 6: Town Counsel Appointment** MacNeill stated that Attorney Galvin would appreciate that Board hearing this matter and receiving an update at a future meeting. Colarusso moved to put this item on a future agenda. Wilson seconded the motion. Voted unanimously.

**Agenda Item 7: Accept Minutes** Wilson stated that the 2/5 minutes should say help “with” the MSBA and that the 2/19 minutes should say “Wortman” not Parker. Seibold stated that he recused himself from the Bear Hill vote. Colarusso voted to accept the minutes of 2/5 and 2/19 as corrected. Wilson seconded the motion. Voted unanimously.

**Agenda Item 8: Policy on Performance Reviews** MacNeill stated that she has asked Galvin to prepare a policy and process for performance reviews.

**Agenda Item 9: Human Rights Commission** MacNeill stated that the version of the HRC document that is before the Board has been reviewed and edited by Town Counsel. MacNeill read the policy and two letters of support. Parker stated that the HRC promotes a positive atmosphere, awareness, and provides resources. Seibold stated that it moves the Town forward to who we are. Wilson stated that he is supportive of the Commission and is pleased that the document was reviewed by counsel.

Colarusso stated that she is concerned that the HRC must report to the TA. MacNeill stated that the TA will work with the individual or report to authorities. Colarusso stated that a 9 member Board decides if it refers the complaint to the TA and that she has concerns about experience, liability, and false accusations. MacNeill stated that it is an advisory committee, similar to the Disability Commission, and that Colarusso’s concerns have been addressed. Steven Brown stated that he has concerns about being reported if someone takes offense to scriptures. MacNeill stated that Brown’s concerns have to do with freedom of religion and religious opinions and this is meant to guard against hate. Brown stated that he teaches from text and in today’s culture his conservative position can be seen as offensive.

Kevin Merritt stated that his practice is heavily focused on discrimination law and, in his opinion, the only way to deal with discrimination is to manifest and talk about biases. He stated that he is completely supportive and would be proud to serve on the Commission.

Colarusso stated that she is concerned that individuals can be accused of something that they did not do. Merritt stated that there will be safeguards in place and the complaints will be assessed by the TA. Merritt stated that there is nothing in place to prevent false reporting right now.

Meg Rowen asked if the HRC will be supporting pride events. MacNeill stated that the HRC can support and educate.

Seibold moved to accept the HRC policy. Parker seconded the motion. Colarusso moved to amend the motion to accept the policy with the exception of the reporting requirement. Wilson asked Colarusso what changes she would like and asked if she would support it if the word “report” is changed to “refer”. Colarusso stated that she would like to see language stating that

the HRC will provide residents with information regarding filing complaints with state and local agencies.

Colarusso's amendment was not seconded. Seibold's original motion carries (4-1) with Colarusso voting no.

**Agenda Item 10: Town Administrator's Report** Sheehan stated that 5 fire fighters have been appointed and will be starting at the academy next week. He stated that Kaitlyn Finnegan has been hired as the assistant Treasurer, Sheehan continued that he met with Jessica Eaton and is committed to making improvements to her property.

**Agenda Item 11: Miscellaneous** Wilson stated that there is a STAC meeting on Thursday at 8:00 a.m. Parker announced the senior sock hop. Seibold stated that he would like to see department heads submitted articles to the paper that contain important updates and information.

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

Respectfully submitted,

Dava Kilbride – Secretary to the Board of Selectmen