

**Minutes for Annual Town Meeting
Tuesday, April 1, 2014**

To either of the Constables of the Town of Stoneham in the County of Middlesex,
GREETING:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Stoneham qualified to vote in elections and Town affairs to meet in the **Town Hall, 35 Central Street**, on Tuesday, April 1, 2014, at seven o'clock in the forenoon to act on the following articles of this warrant:

Article 1. To choose the following officers:

One (1) Selectman for three (3) years. **Ann Marie O'Neill**

Two (2) School Committee Members for three (3) years. **Shelly MacNeill & David Maurer**

One (1) Board of Health Member for three (3) years. **Christine M. Carino**

One (1) Planning Board Member for five (5) years. **Kevin N. Dolan**

One (1) Board of Assessors Member for three (3) years. **William J. Jordan**

One (1) Housing Authority Member for five (5) years. **Michelle A. Meagher**

Two (2) Library Trustees for three (3) years. **Rocco Ciccarello & Michael R. Rora**

For consideration of the following Articles, the meeting shall be adjourned to meet in the **Town Hall** at 7:00 o'clock in the evening on Monday, May 5, 2014, in accordance with provisions of Article II, section 2-3 of the By-Laws of the Town of Stoneham.

Tellers were appointed and the checklist showed that 268 voters were in the meeting. The Pledge of allegiance was led by the Stoneham high School Spartan chorale which was present to sing. Moderator Means acknowledged artwork from three artists from the Senior Center, Dorothy Corkum, Peg Drummey & Sandy Kirby. A moment of silence was held for the passing of retired firefighter Jim Regan, retired police officer Tom Cullen, former Selectmen Pat Jordan, Barbara Ciccarello, Bill McDonough and Paula Wilson. Bill Previdi was thanked for his many years of service on the Finance & Advisory Board as he would not be seeking reappointment. The meeting was called to order at 7:05 PM and the warrant was read.

William Previdi 11 Elmhurst Rd moved to have Article 21 moved up to just after Article 5. After some discussion it was voted and did not pass. Article 21 was not moved up.

Article 2. To choose all other necessary Town officers for the ensuing year in such a manner as the Town may determine. **Board of Selectmen**

Article 2. **Voted** that the Town choose all other necessary Town officers for the ensuing year in such a manner as the Town may determine.

Passes Unanimous

Article 3. To hear the reports of Town officers and committees and to act thereon and to choose committees.

Board of Selectmen

Article 3. **Voted** to hear the reports of Town officers and committees and to act thereon and to choose committees.

Passes per Moderator

Article 4. To see if the Town will vote to fix the salaries of the several elective officers and the Boards of the Town for the 2014/2015 fiscal year.

Town Moderator	\$0
Board of Assessors	\$1,200
Board of Selectmen	\$3,000
Town Clerk	\$65,975

Board of Selectmen

Article 4. Voted that the Town fix the salaries of the several elective officers and the Boards of the Town for the 2014/2015 fiscal year.

Town Moderator	\$0
Board of Assessors	\$1,200
Board of Selectmen	\$3,000
Town Clerk	\$65,975

Passes Per Moderator

Article 5. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-law:

1.) by amending the Zoning Map of the Town of Stoneham to add to the Residence B District the following described property at 42 Pleasant Street:

Beginning at a point on the Northerly side of Pleasant Street being the Southwesterly lot corner of the subject property; thence

- N 24°41'00" E Thirty-three and 00/100 (33.00) feet; thence
- N 61°44'00" W Thirty and 64/100 (30.64) feet; thence
- N 13°03'10" E Three Hundred Forty and 42/100 (340.42) feet; thence
- N 17°52'10" E Sixteen and 00/100 (16.00) feet; thence
- S 76°07'55" E Eighty-three and 39/100 (83.39) feet; thence
- S 86°53'47" E Eighty-nine and 75/100 (89.75) feet; thence

by a curve with a radius of One thousand, One hundred Twenty-five and 23/100 (1,125.23) feet and an arc length of One hundred Twenty-one and 17/100 (121.17) feet; thence

- S 12°53'45" W Two Hundred Seventy-five and 09/100 (275.09) feet; thence
- N 52°21'50" W Fifty-three and 82/100 (53.82) feet; thence
- S 37°38'10" W Eighty-six and 18/100 (86.18) feet; thence

N 52°21'50"W

Ninety-four and 84/100 (94.84) feet along Pleasant Street to the Point of Beginning

The above described property contains 75,891 square feet of land, and

2.) by amending Section 4.3.3.1(h) to read as follows: Section 4.3.3.1(h) If there is more than one (1) such structure on a lot of record, there shall be at least sixty (60) feet between each structure **except for town houses where there shall be at least thirty (30) feet between each structure.** The only exception may be that no more than three (3) buildings may each be interconnected by a covered walkway or breezeway for reasons of convenience and shelter from the elements, if such walkway, in the opinion of the Planning Board and the Board of Selectmen, shall not impair services to the buildings by emergency vehicles or equipment. Such buildings so interconnected shall be deemed as separate and individual buildings for the purposes of administering the Rules and Regulations Governing the Subdivision of Land for the Town of Stoneham. (5-1-95, Art. 11) and,

3.) and by amending Section 5.2.1 Table One - Dimensional Requirements as attached:

Section 5.2.1

TABLE ONE - DIMENSIONAL REQUIREMENTS

District	Minimum Lot Size in Square Feet	Frontage & Lot Width in Feet ⁽²⁾	Percent Coverage ⁽³⁾	Front	Minimum Setback in Feet ⁽⁴⁾⁽¹⁵⁾
<i>Residence A</i>	10,000 ⁽¹⁾	90	30	20	10 ⁽⁸⁾
<i>Residence B</i>	7,000 ⁽⁵⁾	75 ⁽⁷⁾	20 ⁽²⁴⁾	15 ⁽⁶⁾	10 ⁽⁶⁾ <u>(25)</u>
<i>Neighborhood Business</i>	10,000	100	50	15	15
<i>Business</i>	None Required	None Required	75	15	10
<i>Central Business</i>	None Required	None Required	100	None	None
<i>Highway Business</i>	10,000	100	75	20 ⁽⁹⁾	5
<i>Commercial</i>	20,000	100	75	15	10
<i>Residential Overlay Fallon Road</i>	200,000 ⁽²²⁾ Maximum density = 20 units/acre	150	30	20	20
<i>Medical</i> ⁽¹¹⁾	40,000	150	40	40	20
<i>Recreation/Open Space</i>	40,000	150	5	40	20
<i>Education</i> ⁽¹²⁾	50,000	45	35	20	13
<i>Medical/Office/Residential</i>	200,000/200,000/200,000	150/150/150	30/30/30	40 ⁽¹³⁾ /30 ⁽¹³⁾ /30 ⁽¹³⁾	20 ⁽¹³⁾ /20 ⁽¹³⁾ /10 ⁽¹³⁾ ⁽¹⁴⁾
<i>Railroad Right-of-Way Overlay District</i>	None ⁽¹⁷⁾	None ⁽¹⁷⁾	75 ⁽¹⁷⁾	5 ⁽¹⁶⁾ ⁽¹⁷⁾	5 ⁽¹⁶⁾ ⁽¹⁷⁾
<i>East School Multi-Family Overlay District</i>	20,000	Frontage – 150 Width – 130	50	40 ⁽²⁰⁾	10 ⁽²⁰⁾
<i>North Elementary School Overlay District</i>	100,000	Frontage – 50 Width - 50	20	Front 20 ⁽²⁰⁾	Side 10 ⁽²⁰⁾

- (1) Except 40,000 feet for all non-residential uses.
- (2) See 5.3.4 (Reserved)
- (3) Portion of lot devoted to structure.
- (4) Except that no part of a building may be placed within 15' of any street.
- (5) Plus 2,500 for each dwelling unit over one in a structure.
- (6) 30' for three or more dwelling units.
- (7) 150' for three or more dwelling units.
- (8) A minimum distance of ten (10') feet between buildings on adjacent lots in Residence A and B must be maintained.
- (9) Except 15' for freestanding pole or ground signs.
- (10) Except for pools which shall have a ten (10') foot minimum rear setback requirement. (5-12-86)
- (11) Residential uses in the Medical District shall conform to the requirements specified herein for the Residence B District.
- (12) No setback required where abutting public open or recreational space. (5-7-98)
- (13) Retaining walls over four (4') feet in height are permitted within the required front, side, and rear setbacks in the Medical/Office/Residential District.
- (14) Minimum Space between principal buildings on the same lot is ten (10') feet.
- (15) Fences as structures of six (6') feet in height or less and retaining walls of four (4') feet in height or less are excluded from front, side, and rear setback requirements permitted in the Medical/Office/Residential District in Note (13).
- (16) Except that there shall not be a setback requirement if the property abutting the subject lot line is owned by the same person or entity that is using the property
- (17) Property in the Railroad Right-of-Way District shall not be used in calculating or otherwise complying with the frontage, lot size, percent lot coverage or setback (Art. 11, 4-7-09)
- (18) Height may be increased to 85 feet by Special Permit from Planning Board.
- (19) Height may be increased to 80 feet by Special Permit from the Planning Board.
- (20) A flagpole, retaining wall of no greater than five feet (5') in height, ramp, stairway or bulkhead from the ground level to the basement are all excluded from this height limitation.
- (21) A cupola, chimney or appurtenance accessory to a residential structure and use allowed under this Section 4.20 are all excluded from this height limitation, but (55') in height.
- (22) A cupola, chimney or appurtenance accessory such multi-family residential structure and use allowed under this Section 4.21 are all excluded from this height limitation, but fifty-five feet (55') in height.
- (23) 10% of Lot Area shall be open space.
- (24) Except for town houses 30% coverage.
- (25) Twenty-five (25') feet for town houses.

**Charles Houghton et al
15 Kimball Drive**

Article 5. Voted that the subject matter of Article 5 be indefinitely postponed.

Passes Unanimous

Article 6. To see if the Town will vote to petition the Massachusetts General Court (State Legislature) for a special act authorizing, notwithstanding any general or special law to the contrary, including Section 10 of Chapter 39 of the General Laws, that the Annual Stoneham Town Meeting shall be held and conducted as follows:

Section 1. Two Session Town Meeting:

The Annual Town meeting will consist of two (2) sessions, the deliberative session and the official ballot session.

Section 2. The deliberative session will be process as follows:

An original motion will be made on each Warrant Article by the original proposer of the Article. Amendments to the original motions may be voted on by the voters attending the open deliberative session in accordance with the process set forth herein. All motions, original or amended will be voted on to establish the final motion to be voted on during the official ballot session.

Section 3. The official ballot session will be as follows:

One (1) week from the adjournment of the deliberative sessions the Town Clerk will have a written ballot of all the final motions available at the Town Hall to be voted on by any registered voter who requests the ballot.

The process used for absentee ballots will be used in the official ballot session and voters will have seven (7) working days from the time the ballots are ready to cast their vote.

Section 3 Default Budget

If the final motion on the budget is defeated, a default budget shall be established by a joint meeting of the Board of Selectman and Finance Board, after a public hearing, but the total budget can not exceed the amount of the total budget in the original motion.

R. Paul Rotondi
15 Steele Street

Article 6. **Voted** that the Town petition the Massachusetts General Court (State Legislature) for a special act authorizing, notwithstanding any general or special law to the contrary, to amend the Stoneham Town Code Chapter 2, Administration, by deleting sections 2-15 and 2-15.1 and replacing with the following:

2-15. Two Session Town Meeting:

2-15.1 The Annual Town meeting will consist of two (2) sessions, the deliberative session and the official ballot session.

2-15-1-2 The deliberative session will be process under Roberts rules as follows:

An original motion will be made on each Warrant Article by the original proposer of the Article. Amendments to the original motions may be voted on by the voters attending the open deliberative session in accordance with the process set forth herein. All motions, original or amended will be voted on to establish the final motion to be voted on during the official ballot session.

2-15-1-3 The official ballot session will be as follows:

One (1) week after the adjournment of the deliberative sessions the Town Clerk will have a written ballot of all the final motions available at the Town Hall to be voted on by any registered voter who requests the ballot.

The process used for absentee ballots will be used in the official ballot session and voters will have seven (7) working days from the time the ballots are ready to cast their vote.

2-15-2 Default Budget

If the final motion on the budget is defeated, the Town will have to establish a default budget to be submitted by the State. This default budget will be established by a Tri Board Meeting of the Finance Board, the Board of Selectmen and School Committee after a public hearing, with each board having one vote. The total budget cannot exceed the amount of the total budget in the original motion.

**Motion to Move the Question
Question is Moved
Fails Per Moderator
Motion for Reconsideration
Cannot Be Reconsidered**

**The Annual Town Meeting was recessed at 8:25 PM in order to go into the Special Town Meeting.
The Annual Town Meeting was brought back to order at 10:25 PM.**

Article 7. To see if the Town will vote to amend the Stoneham Town Code Chapter 2, Administration, by deleting Article III Finance and Advisory Board Sec 2-16 and replacing it with the following:

Sec. 2-16 Creation Composition; Terms of members, Subsequent appointments; Vacancies; Removal.

There shall be a Finance and Advisory (“Finance Board”) consisting of nine (9) members, all of whom shall be registered voters of the town. The new nine member (9) Board shall consist of Three members appointed by the Selectmen, Three members appointed by the School Committee and three members appointed by the Finance Board. The initial term of the three (3) appointments by each appointing authority shall be as follows: one for one year, one for two years and one for three years. All subsequent appointments will be for a term of three (3) years. Any vacancies on the Board other than normal expiration of a term will be made by the applicable appointing authority to fill the unexpired term. After notification properly given to all members setting forth reasons and after hearing for cause the Finance and Advisory Board, upon a two-thirds vote of those members of the Board present and voting can remove a member. Said removal shall be made in writing to the member to be removed and to the Town Clerk at which time the removed member’s position shall be considered vacant, or do anything in relation thereto.

**R. Paul Rotondi
15 Steele Street**

Article 7. Voted that the subject matter of Article 7 be indefinitely postponed.

Passes Unanimous

Article 8. To see if the Town will transfer any school-related remaining balances from Article 9 of the October 2012 Special Town Meeting (Middle School Midi-Lab) and from Article 2 of the May 2013 Special Town Meeting (Robin Hood windows) for improvements to the security systems of the School Department elementary schools, or to take any other action thereon.

School Committee

Article 8. **Voted** that the Town transfer Seven Thousand Five Dollars (\$7,005) remaining from Article 9 of the October 2012 Special Town Meeting (middle School Midi-Lab) and Nineteen Thousand One Hundred Twenty-Six Dollars (\$19,126) remaining from Article 2 of the May 2013 Special Town Meeting (Robin Hood windows) for improvements to the security systems of the School department elementary schools.

Passes Unanimous

Article 9. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2, for the purpose of using receipts generated from renting space at the senior center building to help pay the cleaning, utilities and maintenance costs of the senior center, and authorize expenditures by the Council on Aging Director, not to exceed \$30,000 during the fiscal year 2015 which may be made from such fund. In addition, to transfer any balance remaining on June 30, 2014 from the existing Revolving account into the reauthorized Revolving account, or do anything in relation thereto.

Council on Aging

Article 9. **Voted** that the Town reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2, for the purpose of using receipts generated from renting space at the senior center building to help pay for the cleaning, utilities and maintenance costs of the senior center, and authorize expenditures by the Council on Aging Director, not to exceed Thirty Thousand Dollars (\$30,000) during the fiscal year 2015 which may be made from such fund. In addition, to transfer any balance remaining on June 30, 2014 from the existing Revolving account into the reauthorized Revolving account.

Passes Unanimous

Article 10. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2, for the purpose of using receipts generated from fees charged for outings and transportation services at the senior center to cover costs associated with these outings and providing these transportation services, and authorize expenditures by the Council on Aging Director, not to exceed \$40,000 during Fiscal Year 2015 which may be made from such fund. In addition, to transfer any balance remaining on June 30, 2014 from the existing Revolving account into the reauthorized Revolving account, or do anything in relation thereto.

Council on Aging

Article 10. **Voted** that the Town reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2, for the purpose of using receipts generated from fees charged for outings and transportation services at the senior center to cover costs associated with these outings and providing these transportation services, and authorize expenditures by the Council on Aging Director, not to exceed Forty Thousand dollars (\$40,000) during Fiscal Year 2015 which may be made from such fund. In addition, to transfer any balance remaining on June 30, 2014 from the existing Revolving account into the reauthorized Revolving account.

Passes Unanimous

Article 11. To see if the Town will vote to accept Massachusetts General Law Chapter 59, Section 5N. The acceptance of Section 5N would allow qualified veterans who own and live in their homes to volunteer their services to the Town and in exchange therefore receive a reduction in their real property tax obligation based on an per hour dollar limit and total reduction of the veteran's real estate tax bill as set out in said 5N of Chapter 59; and further, to authorize allowing an approved representative to so volunteer for veterans physically unable to provide such services to the Town, or do anything in relation thereto.

Stoneham Veterans Services

Article 11. **Voted** that the Town accept Massachusetts General Law Chapter 59, Section 5N. The acceptance of Section 5N would allow qualified veterans who own and live in their homes to volunteer their services to the Town and in exchange therefore receive a reduction in their real property tax obligation based on a per hour dollar limit and total reduction of the veteran's real estate tax bill as set out in said 5N of Chapter 59; and further, to authorize allowing an approved representative to so volunteer for veterans physically unable to provide such services to the Town.

Passes Unanimous

Article 12. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-Laws, Section 4.18 Railroad Right-Of-Way [Overlay] District, by amending Section 4.18, more specifically Sections 4.18.1, 4.18.2.2 and 4.18.2.3, by replacing the date of "June 30, 2014" with the date of "June 30, 2015" as used in the respective sections as a time limitation applicable to and in said Overlay District, or do anything in relation thereto.

Stoneham Bikeway/Greenway Committee

No action was taken on Article 12 as this was a change to the Zoning By-Laws and the Planning Board did not hold a public hearing as required under Massachusetts General Law.

Article 13. To see if the Town will vote to authorize the Town Administrator to license (which shall include a use and occupancy agreement) on a month to month basis, not to extend beyond the earlier of the following: (i) the commencement of construction of the former Railroad Right-of-Way ("ROW") as a bikeway or linear part, or (ii) June 30, 2015, with the right of early termination by the Town Administrator, the below described parcels of said ROW, or a portion thereof, with said authorization further limited as follows: (i) no such licensed property (hereinafter referred to as "such property") shall exceed twenty-five feet (25') in width across the ROW; (ii) no such property shall include any land identified for use as a multi-use trail in the 75% plans submitted by Fay, Spofford & Thorndike (FST), the project engineer for the Tri-Community Bikeway (said plan on file with the Stoneham Town Clerk and hereinafter referred to as the "75% Plan"); (iii) any license shall be at no less than market rate, as determined through procedures customarily accepted by the appraising profession as valid; (iv) no portion of the ROW may be licensed to a party currently leasing or licensing said portion of the ROW, unless said party clears the area within the currently licensed parcel which is identified to be used as a multi-use trail in the 75% Plan, of all obstructions and debris, if any, and return said property to its natural state; and (v) no portion of the ROW may be licensed without the requirement of a bond sufficient in the determination of the Town Administrator to remove all obstructions and debris, if any, on said portion of the ROW or other Town property at the expiration or termination of the license, and return said property to its natural state.

Said former Railroad Right-of-Way land being as follows:

- (i) Approximately 6599 linear feet of railroad right-of-way, being shown on plans 128L, 128R, 129L and 129R in plan book 442C on file at the Middlesex South District Registry with accompanying instrument recorded in book 13117, page 113 of December 27, 1976, and further described as follows:

Parcel 1: Beginning at the northerly sideline of Maple Street, a public way, and running northeasterly approximately 1070 feet to station 60 + 28.3, said portion being 41.25 feet in width. Thence continuing in a northeasterly direction from station 60 + 28.3, approximately 510 feet to the southerly side said portion currently shown on the zoning map of the Town of Stoneham as commercial land being 33.00 feet in width.

Parcel 2: Beginning at a northerly sideline of the aforementioned Montvale Avenue and running northeasterly approximately 820 feet to the southerly sideline of Cottage Street, a public way, said portion currently shown on the zoning map of the Town of Stoneham as commercial land being 49.50 and 54.50 feet in width; and including a triangular area bounded on the north by the southerly sideline of Lindenwood Road, a public way, on the west by the easterly sideline of Cottage Street, a public way, and on the east by land now or formerly of Bradford currently shown on the zoning map of the Town of Stoneham as residence B land.

Parcel 3: Beginning at the northerly sideline of the aforementioned Lindenwood Road and running northeasterly approximately 730 feet to the westerly sideline of William Street, a public way, said portion currently shown on the zoning map of the Town of Stoneham as highway business being of variable widths of approximately 50 feet.

Parcel 4: Beginning at the north easterly sideline of the aforementioned William Street and running northeasterly approximately 225 feet to the westerly sideline of Main Street, Route 28, a state highway, said portion shown on the zoning map of the Town of Stoneham as highway business land being 49.50 feet in width.

Parcel 5: Beginning at the easterly sideline of Central Street, a public way, and running in a southeasterly direction approximately 1,570 feet to the northerly sideline of Pomeworth Street, a public way, approximately 788 feet of said portion shown on the zoning map of the Town of Stoneham as commercial land and the remaining portion, approximately 782 feet shown on the zoning map of the town of Stoneham as residence B land and being 49.50 feet in width.

Parcel 6: Beginning at the southerly sideline of the aforementioned Pomeworth Street and running southerly approximately 780 feet to the northerly sideline of Pleasant Street, a public way, said portion shown on the zoning map of the Town of Stoneham as commercial land and being of variable width of approximately 50 feet.

Parcel 7: Beginning at the southerly sideline of the aforementioned Pleasant Street and running southwesterly approximately 340 feet to the northerly sideline of Gould Street, a public way, said portion shown on the zoning map as commercial and being 49.50 feet in width.

Said parcels 1 through 7 containing a total area of 302,550 square feet, more or less and meaning to include herein all property now (or previously) owned by the (MBTA) along the railroad right-of-way between Maple Street and the end of Gould Street in Stoneham, Massachusetts.

Any funds from the license of said ROW shall be placed in the special fund for the Railroad Right-of-Way, as may be enacted by the Commonwealth, or do anything in relation thereto.

Stoneham Bikeway/Greenway Committee

Article 13. Voted that the subject matter of Article 13 be indefinitely postponed.

**Motion to Move Question
Question is Moved
Passes Per Moderator**

The hour being late, the Annual Town Meeting was adjourned at 11:13 PM until Thursday, May 8, 2014 at 7 PM in Town Hall.

The Annual Town Meeting reconvened on May 8, 2014 with 103 people checked into the meeting. The meeting was brought to order at 7:10 PM.

Selectman Thomas Boussy 19 Ellen Rd made a motion to reconsider Article 13. In adherence with town by-law, Mr. Boussy had submitted his request for reconsideration to the Town Clerk's Office on May 6 at 10:35 AM. The article cannot be reconsidered.

Article 14. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-Laws by amending the Zoning Map of the Town of Stoneham by adding the property at which the Stoneham Senior Center is located, 136 Elm Street (also shown as Parcel 80 on Map 6 of the Town of Stoneham Assessor's Maps) to the "Wireless Services Facility Overlay District" set out in Section 4.11 of the Town of Stoneham Zoning Bylaws, or do anything in relation thereto.

Board of Selectmen

Article 14. Voted that the Town amend the Stoneham Town Code, Chapter 15, Zoning By-Laws by amending the Zoning Map of the Town of Stoneham by adding the property at which the Stoneham Senior Center is located, 136 Elm Street (also shown as Parcel 80 on Map 6 of the Town of Stoneham Assessor's Maps) to the "Wireless Services Facility Overlay District" set out in Section 4.11 of the Town of Stoneham Zoning Bylaws.

**Motion to Move the Question
Question is Moved
 $\frac{2}{3}$ Vote Required
 $\frac{2}{3}$ Vote Passes Per Moderator
Motion for Reconsideration
Cannot Be Reconsidered**

Article 15. To see if the Town will vote authorize the lease of the Senior Center barn and a portion of the Senior Center property located at 136 Elm Street (also shown as Parcel 80 on Map 6 of the Town of Stoneham Assessor's Maps), for Wireless Service Facilities. And further to authorize the Board of Selectmen and/or Town Administrator to take any action necessary to carry out this vote, or do anything in relation thereto.

Board of Selectmen

Article 15. Move that the Town vote to authorize the lease of the Senior Center barn and a portion of the Senior Center property located at 136 Elm Street (also shown as Parcel 80 on Map 6 of the Town of Stoneham Assessor's Maps), for Wireless Service Facilities. And further to authorize the Board of Selectmen and/or Town Administrator to take any action necessary to carry out this vote.

Motion to amend made by Marcia Wengen, 56 Washington Street, as follows:

Move that the Town vote to authorize the lease of the cupola, a portion of the roof and second floor of the Senior Center barn and a portion of the Senior Center property located at 136 Elm Street (also shown as Parcel 80 on Map 6 of the Town of Stoneham's Assessor's Maps), for Wireless Service Facilities. And further to authorize the Board of Selectmen and/or Town Administrator to take appropriate action necessary to carry out this vote.

Amendment Passes Unanimous

Second motion to amend was made by Celia Schulhoff, 144 Marble Street, Unit 507, as follows:

Move to amend Article 15 by adding two amendments.

1. In line '1' add 'to' before 'authorize' so it reads: "To see if the Town will vote to authorize the lease of the Stoneham senior Center barn and a portion of the Senior Center barn and a portion of the Senior center property located at 136 Elm Street (also shown as parcel 80 on Map 6 of the Town of Stoneham Assessor's Maps), for Wireless Service Facilities. And further to authorize the Board of Selectmen and/or Town Administrator to take any action necessary to carry out this vote.
2. Add: "Any and all revenue generated by antenna(s) placed upon the property at 136 Elm St. described above, shall revert to the "Council on Aging Board' and the Director of the Senior Center to use at their discretion for programs, building needs and personnel. These funds shall not replace the usual Town allotment or yearly monetary increases to the personnel or Senior Center programs"

Amendment Passes Per Moderator

Vote on Article 15 as twice amended

Voted that the Town authorize the lease of the cupola, a portion of the roof and second floor of the Senior Center barn and a portion of the Senior Center property located at 136 Elm Street (also shown as Parcel 80 on Map 6 of the Town of Stoneham's Assessor's Maps), for Wireless Service Facilities. And further to authorize the Board of Selectmen and/or Town Administrator to take appropriate action necessary to carry out this vote. Any and all revenue generated by antenna(s) placed upon the property at 136 Elm St. described above, shall revert to the "Council on Aging Board' and the Director of the Senior Center to use at their discretion for programs, building needs and personnel. These funds shall not replace the usual Town allotment or yearly monetary increases to the personnel or Senior Center programs.

**Passes Per Moderator
Motion for Reconsideration
Cannot Be Reconsidered**

Article 16. To see if the Town will vote to amend the Stoneham Town Code, Chapter 1 General Provisions, Section 1-4A Non-Criminal Disposition, as follows (with the deletion shown by a strike-out, and the additions shown as underlined):

Sec. 1-4A. Non-criminal disposition.

Violations of the following Town bylaws, rules and regulations, may be enforced by non-criminal disposition in the manner provided by General Laws, Chapter 40, Section 21D. For purposes of this bylaw, the specific penalty which is to apply for a violation shall be listed below. In addition to police officers of the Town of Stoneham, who shall have authority to enforce all of the below referenced bylaws, rules and regulations, the municipal officer(s), if any, listed below shall also have authority to enforce the respective bylaw, rule or regulation by non-criminal disposition. Each day any violation continues shall constitute a separate violation.

Any specific monetary fine or penalty that is set forth below shall be considered to apply only to a non-criminal disposition of such violation and shall not be construed as a limitation upon the monetary penalty recoverable pursuant to Section 1-4 above or other applicable law.

BYLAWS

Section	Subject	Additional Enforcing Person(s)	Fine
Chap. 2 - Sec. 44	Numbering of Buildings	Fire Chief or Fire Prevention Officer	\$50.00
Chap. 3 - Sec. 7	Leash Required	Dog Officer	1st Offense - \$25.00 2nd Offense - \$40.00 3rd Offense - \$50.00
Chap. 6 - Sec.1	Depositing of offensive or injurious substances	Board of Health or its agent	\$50.00
Chap. 6 - Sec. 2	Deposit of substance subject to Decomposition	Board of Health or its agent	\$50.00
Chap. 6 - Sec. 4	Sewer Use Ordinance	Board of Health or its agent, <u>Director</u> of Public Works	\$50.00
<u>Chapter 7 – Secs. 1 -11</u>	<u>Junk and Secondhand Articles</u>	<u>None</u>	<u>See Chapter 7, Sec. 12</u>
Chap. 7 - Sec. 13	Flea Market	None	\$50.00
Chap. 7 - Sec. 14	Automatic Amusement Devices	None	\$50.00
Chap. 8 - Sec 8	Unlawful Parking	None	\$50.00
Chap. 9 - Sec. 5	Discharging firearm, air rifle, etc.	None	\$50.00
Chap. 9 - Sec. 9	Interfering with hydrants, fire alarms, etc	Fire Chief or Fire Prevention Officer	\$50.00
Chap. 9 - Sec. 9.1	Fire Lanes	Fire Chief or Fire Prevention Officer	\$50.00
Chap. 13 - Sec. 1	Excavations	Building Inspector	\$50.00
Chap. 13 - Sec. 2	Obstructions or dumping	Board of Health or its agent	\$50.00
Chap. 13 - Sec. 7	Placement of materials in erecting, repairing or removing buildings	Building Inspector	\$50.00

Deleted: Superintendent

Chap. 13 - Sec. 8	Standing so as to obstruct passage	None	\$50.00
Chap. 13 - Sec. 11	Snow Removal <u>and</u>		
Chap. 13 - Sec. 12	Deposits of snow on certain sidewalks or streets	Director of Public Works or <u>the Director's representative(s)</u> as designated in writing by the Town Administrator	1st Offense per season Deleted: his Deleted: represen 2nd Offense per season - \$25.00 Subsequent offenses per season - \$50.00
<u>Ch. 13 - Sec. 13</u>	<u>Printer Material Vending Machines</u>	<u>Director of Public Works or the Director's representative as designated in writing by the Town Administrator</u>	Deleted: Each day of violation constitutes a separate violation \$50 <u>2nd Offense in 24-month period - \$100</u> <u>3rd Offense and each subsequent offense</u>
Chap. 13A - Sec.1	Earth Removal	Building Inspector	Deleted: \$50.00
			<u>1st Offense in 24-month period - \$50.00</u> <u>2nd Offense in 24-month period - \$100.00</u> <u>3rd Offense</u>
<u>Chap. 14</u>	<u>Water Use</u>	<u>Director of Public Works or the Director's representative as designated in writing by the</u>	Deleted: Chap. 15 Sec. 4.2.2.2 Deleted: Unregistered Motor Vehicle Per Lot Deleted: Building Inspector Deleted: \$50.00 Deleted: Chap. 15 Sec. 5.3.6.3
<u>Chap. 15</u>	<u>Zoning Bylaws</u>	<u>Building Inspector</u>	Deleted: Corner lot fences, business Deleted: Building Inspector Deleted: \$50.00 Deleted: Chap. 15 Sec. 6.3.4.2.9 Deleted: Maintenance of parking lots Deleted: Building Inspector Deleted: \$50.00 Deleted: Chap. 15 Sec. 6.3.4.2.10 Deleted: Snow storage Deleted: Building Inspector Deleted: \$50.00 Deleted: Chap. 15 Sec. 6.3.5.2.1 Deleted: Maintenance of screening Deleted: Building Inspector Deleted: \$50.00
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			Deleted: Chap. 15¶ Sec. 6.5.2.4
			Deleted: Landscaping
			Deleted: Building Inspector
			Deleted: \$50.00
Chap. 16	Vehicle for Hire Regulations	None	Deleted: Chap. 15¶ Sec. 6.5.3.1(a)
			Deleted: Pool Enclosures
			Deleted: Building Inspector
			Deleted: \$50.00
			Deleted: Chap. 15¶ Sec. 6.6.2.2
			Deleted: Lighting
			Deleted: Building Inspector
			Deleted: \$50.00
Chap. 20	Board of Health Regulations	Board of Health or its <u>health inspector or agent</u>	Deleted: Chap. 15¶ Sec. 6-7
			Deleted: Signs and Illuminations
			Deleted: Building Inspector
			Deleted: \$50.00
			2 Deleted: Chap. 15¶ Sec. 6.8.9.1
			3 Deleted: Hazardous materials
			Deleted: Building Inspector
			Deleted: \$50.00
			Deleted: - Sec. 20 thru 69
			Deleted: - Sec. 2 thru 120
			Deleted: \$50.00 for each day such violation continues after receipt of notice thereof
			Deleted: \$50 for each day such violation continues after receipt of written notice
	<u>Stoneham</u> Fire Regulations	Fire Chief or Fire Prevention Officer	

Or do anything in relation thereto.

Board of Selectmen

Article 16. Voted that the Town amend the Stoneham Town Code, Chapter 1 General Provisions, Section 1-4A Non-Criminal Disposition, as follows (with the deletion shown by a strike-out, and the additions shown as underlined):

Sec. 1-4A. Non-criminal disposition.

Violations of the following Town bylaws, rules and regulations, may be enforced by non-criminal disposition in the manner provided by General Laws, Chapter 40, Section 21D. For purposes of this bylaw, the specific penalty which is to apply for a violation shall be listed below. In addition to police officers of the Town of Stoneham, who shall have authority to enforce all of the below referenced bylaws, rules and regulations, the municipal officer(s), if any, listed below shall also have authority to enforce the respective bylaw, rule or

regulation by non-criminal disposition. Each day any violation continues shall constitute a separate violation. Any specific monetary fine or penalty that is set forth below shall be considered to apply only to a non-criminal disposition of such violation and shall not be construed as a limitation upon the monetary penalty recoverable pursuant to Section 1-4 above or other applicable law.

BYLAWS

Section	Subject	Additional Enforcing Person(s)	Fine
Chap. 2 - Sec. 44	Numbering of Buildings	Fire Chief or Fire Prevention Officer	\$50.00
Chap. 3 - Sec. 7	Leash Required	Dog Officer	1st Offense - \$25.00 2nd Offense - \$40.00 3rd Offense - \$50.00
Chap. 6 - Sec.1	Depositing of offensive or injurious substances	Board of Health or its agent	\$50.00
Chap. 6 - Sec. 2	Deposit of substance subject to Decomposition	Board of Health or its agent	\$50.00
Chap. 6 - Sec. 4	Sewer Use Ordinance	Board of Health or its agent, <u>Director</u> of Public Works	\$50.00
			Deleted: Superintendent
<u>Chapter 7 – Secs. 1 -11</u>	<u>Junk and Secondhand Articles</u>	<u>None</u>	<u>See Chapter 7, Sec. 12</u>
Chap. 7 - Sec. 13	Flea Market	None	\$50.00
Chap. 7 - Sec. 14	Automatic Amusement Devices	None	\$50.00
Chap. 8 - Sec 8	Unlawful Parking	None	\$50.00
Chap. 9 - Sec. 5	Discharging firearm, air rifle, etc.	None	\$50.00
Chap. 9 - Sec. 9	Interfering with hydrants, fire alarms, etc	Fire Chief or Fire Prevention Officer	\$50.00
Chap. 9 - Sec. 9.1	Fire Lanes	Fire Chief or Fire Prevention Officer	\$50.00
Chap. 13 - Sec. 1	Excavations	Building Inspector	\$50.00
Chap. 13 - Sec. 2	Obstructions or dumping	Board of Health or its agent	\$50.00
Chap. 13 - Sec. 7	Placement of materials in erecting, repairing or removing buildings	Building Inspector	\$50.00

Chap. 13 - Sec. 8	Standing so as to obstruct passage	None	\$50.00
Chap. 13 - Sec. 11	Snow Removal <u>and</u>		
Chap. 13 - Sec. 12	Deposits of snow on certain sidewalks or streets	Director of Public Works or <u>the Director's representative(s)</u> as designated in writing by the Town Administrator	1st Offense per season Deleted: his Deleted: represen 2nd Offense per season - \$25.00 Subsequent offenses per season - \$50.00
<u>Ch. 13 - Sec. 13</u>	<u>Printer Material Vending Machines</u>	<u>Director of Public Works or the Director's representative as designated in writing by the Town Administrator</u>	Deleted: Each day of violation constitutes a separate violation \$50 <u>2nd Offense in 24-month period - \$100</u> <u>3rd Offense and each subsequent offense</u>
Chap. 13A - Sec.1	Earth Removal	Building Inspector	Deleted: \$50.00
			<u>1st Offense in 24-month period - \$50.00</u> <u>2nd Offense in 24-month period - \$100.00</u> <u>3rd Offense</u> Deleted: Chap. 15 Sec. 4.2.2.2
<u>Chap. 14</u>	<u>Water Use</u>	<u>Director of Public Works or the Director's representative as designated in writing by the</u>	Deleted: Unregistered Motor Vehicle Per Lot Deleted: Building Inspector Deleted: \$50.00 Deleted: Chap. 15 Sec. 5.3.6.3
<u>Chap. 15</u>	<u>Zoning Bylaws</u>	<u>Building Inspector</u>	Deleted: Corner lot fences, business Deleted: Building Inspector Deleted: \$50.00 Deleted: Chap. 15 Sec. 6.3.4.2.9 Deleted: Maintenance of parking lots Deleted: Building Inspector Deleted: \$50.00 Deleted: Chap. 15 Sec. 6.3.4.2.10 Deleted: Snow storage Deleted: Building Inspector Deleted: \$50.00 Deleted: Chap. 15 Sec. 6.3.5.2.1 Deleted: Maintenance of screening Deleted: Building Inspector Deleted: \$50.00
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Chap. 16	Vehicle for Hire Regulations	None	Deleted: Chap. 15¶ Sec. 6.5.3.1(a)
			Deleted: Pool Enclosures
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			Deleted: Chap. 15¶ Sec. 6.6.2.2
			Deleted: Lighting
			Deleted: Building Inspector
			Deleted: \$50.00
Chap. 20	Board of Health Regulations	Board of Health or its <u>health inspector or agent</u>	Deleted: Chap. 15¶ Sec. 6-7
			Deleted: Signs and Illuminations
			Deleted: Building Inspector
			Deleted: \$50.00
			Deleted: Chap. 15¶ Sec. 6.8.9.1
			Deleted: Hazardous materials
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			Deleted: - Sec. 20 thru 69
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			Deleted: \$50.00 for each day such violation continues after receipt of notice thereof
			Deleted: \$50 for each day such violation continues after receipt of written notice
	<u>Stoneham</u> Fire Regulations	Fire Chief or Fire Prevention Officer	

**Motion to Move the Question
Question is Moved
Passes Unanimous**

Article 17. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-Laws, Section 4.14 Commercial District III, Section 4.14.4 Uses Permitted on a Special Permit by the Planning Board and Site Plan Approval by the Board of Selectmen, by adding Section 4.14.4.5 Medical Marijuana Treatment Center as a use permitted on a special permit by the Planning Board and site plan approval by the Board of Selectmen, as follows:

4.14.4.5. Medical Marijuana Treatment Center

4.14.4.5.1 *Definitions*

- (a) **Medical Marijuana Treatment Center:** A “Medical Marijuana Treatment Center” shall mean a not-for-profit entity, as defined by Massachusetts law Chapter 369 of the Massachusetts Acts and Resolves of 2012 (St. 2012, ch. 369) which codifies the Citizens Initiative Petition #11-11, Question #3 on the November, 2012 state ballot] and applicable regulations of the Massachusetts Department of Public Health [105 CMR 725] only, registered under said law and regulations, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. Unless otherwise specified, a Medical Marijuana Treatment Center refers to the site(s) of dispensing, cultivation, and preparation of marijuana. A Medical Marijuana Treatment Center is pursuant to 105 CMR 725 “to be known as a “Registered Marijuana Dispensary”, and as such requirements of this bylaw, or other law or regulations applicable hereto, shall be applicable regardless of whether the term Medical Marijuana Treatment Center or Registered Marijuana Dispensary is used.
- (b) **Marijuana for Medical Use:** Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as defined in G.L. c. 94G and the applicable regulations of the Massachusetts Department of Public Health, 105 CMR 725.
- (c) **Marijuana:** The same substance defined as “marihuana” under Chapter 94C of the Massachusetts General Laws.; and the substance defined as “marijuana” by 105 CMR 725.

4.14.4.5.2 *Purpose*

The purpose of this bylaw is to:

- (i) limit the establishment of Medical Marijuana Treatment Centers to appropriate locations under strict conditions in accordance with St. 2012, ch. 369 and 105 CMR 725.
- (ii) minimize the adverse impacts of Medical Marijuana Treatment Centers on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Facilities.
- (iii) regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Medical Marijuana Treatment Centers.

4.14.4.5.3 *Applicability*

- (a) No Medical Marijuana Treatment Center shall be established except in compliance with the provisions of this Section 4.14.5
- (b) The commercial cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for medical use is prohibited unless permitted as a Medical Marijuana Treatment Center under this bylaw.

- (c) Nothing in this Bylaw shall be construed to supersede any state or federal laws or regulations governing the sale and distribution of narcotic drugs. The commercial

cultivation, production, processing, assembly, packaging, retail or wholesale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a Medical Marijuana Treatment Center under this bylaw.

4.14.4.5.4 *General Requirements and Conditions for all Medical Marijuana Treatment Centers.*

The following requirements and conditions shall apply to all Medical Marijuana Treatment Centers:

- (a) All Medical Marijuana Treatment Centers not otherwise specifically exempted by State law shall be contained within a building or structure.
- (b) No Medical Marijuana Treatment Center shall have a gross floor area of less than 1,000 square feet or in excess of 20,000 square feet.
- (c) Medical Marijuana Treatment Center shall not be located in buildings that contain any medical doctor's offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.
- (d) The hours of operation of Medical Marijuana Treatment Center shall be set by the Special Permit Granting Authority and the Board of Selectmen as Site Plan Granting Authority, but in no event shall a Medical Treatment Center be open and/or operating between the hours of 8:00 PM and 8:00 A.M.
- (e) No Medical Marijuana Treatment Center shall be located on the same lot or a lot which abuts any of the following within the Town of Stoneham: a public or Private school, licensed child care facility or any public playground, recreation facility, athletic field or other park where children congregate within the Town of Stoneham.
- (f) No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Medical Marijuana Treatment Center.
- (g) Medical Marijuana Treatment Centers shall not be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a trailer, recreational vehicle, movable or stationary mobile vehicle.
- (h) No products shall be displayed in the facilities windows or be visible from any street or parking lot.
- (i) Notwithstanding any provisions of Section 6.7 of the Zoning Bylaws, signage for all Medical Marijuana Treatment Centers shall include the following language: "Registration card issued by the MA Department of Public Health required." The required text shall be a minimum of two inches in height. The sign shall be located in a visible location near the

main entrance to the facility. Exterior signs shall identify the name of the establishment but shall not contain any other advertising information.

- (j) Medical Marijuana Treatment Centers shall provide the Stoneham Board of Health, the Stoneham Police Department, and the Stoneham Fire Department with the names, phone numbers and email addresses of all management staff and keyholders to whom one can provide notice if there are operating problems associated with the center and update that list whenever there is any change in management staff or keyholders.

4.14.4.5.5 *Special Permit Requirements*

4.14.4.5.5.1 A Medical Marijuana Treatment Center shall only be allowed by special permit in accordance with G.L. c. 40A, §9 and Section 7.4 of the Zoning Bylaws, subject to the regulations, requirements, conditions and limitations of contained in Section 4.14.5.

4.14.4.5.5.2 A Special Permit for a Medical Marijuana Treatment Center shall be limited to one or more of the following uses that shall be determined by the Planning Board:

- (a) cultivation of Marijuana for Medical Use (horticulture) except that sites protected under Chapter 40A Section 3 shall not require a Special Permit;
- (b) processing and packaging of Marijuana for Medical Use, including Marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products; or
- (c) retail sale or distribution of Marijuana for Medical Use to Qualifying Patients;

4.14.4.5.5.3 In addition to the application requirements set forth in the in this Section 4.14.4.5, the Zoning Bylaws and the Rules and Regulations of the Planning Board, a Special Permit application for a Medical Marijuana Treatment Center shall include the following:

- (a) the name and address of each owner of the establishment and property owner;
- (b) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the establishment;
- (c) evidence of the applicant's right to use the site for the establishment, such as a deed, or lease;
- (d) if the applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the applicant must disclose the names and addresses of all individuals associated with that entity;
- (e) Proposed security measures for the Medical Marijuana Treatment Center, including lighting, fencing, surveillance cameras, gates and alarms, to help to best ensure the safety of persons and to protect the premises from theft. The security measures shall be reviewed and approved by the Police Department.

4.14.4.5.6 *Mandatory Findings*

In addition to the findings required under Section 7.4 of the Zoning Bylaws, the Planning Board shall not issue a Special Permit for a Medical Marijuana Treatment Center unless it finds that:

- (a) the establishment is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, §11;
- (b) the applicant clearly demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and is in compliance with all applicable State laws and regulations; and
- (c) the applicant has satisfied all of the conditions and requirements of this Section 4.14.4.5.

4.14.4.5.7 *Annual Reporting*

Any Medical Marijuana Treatment Centers permitted under this Bylaw shall as a condition of its Special Permit file an annual report with the Planning Board, Board of Selectmen, Building Inspector and Town Clerk no later than January 31st of each year. The Annual Report shall include a copy of all current applicable state licenses for the establishment and/or its owners and demonstrate continued compliance with the conditions of the Special Permit. In the event that the Annual Report is not received by January 31st or if the report is incomplete, the owner(s) of the Medical Marijuana Treatment Center May be required to appear before the Board of Selectmen or its designee to provide the required information.

4.14.4.5.8 *Term of Special Permit*

- (a) A special permit issued pursuant to this Section 4.14.4.5 shall be valid for a period of five (5) years from the date of issuance. Any renewal of the special permit shall be governed by the standards and procedures set forth in this Section 4.14.4.5 and the rules and regulations of the Planning Board. A special permit shall remain in effect until the conclusion of the public hearing and filing of the decision on the renewal. In granting the renewal, the Planning Board may impose additional conditions. Nothing in this Section 4.14.4.5.8 shall prevent or restrict the Planning Board from placing a shorter time limitation on the length of a special permit granted pursuant to this Section 4.14.4.5.6 if specific circumstances warrant.
- (b) A Special Permit granted under this Section 4.14.4.5 shall have a term limited to the duration of the Special Permit applicant's ownership or lease of the premises as a Medical Marijuana Treatment Center. A Special Permit may be transferred to another party only with the approval of the Planning Board in the form of an amendment to the special permit with all information required in this Section 4.14.4.5. This term limitation shall be independent of the five (5) year special permit time limit above, and shall neither affect nor negate said five (5) year limitation.

4.14.4.5.9 *Bond*

The Planning Board shall require the applicant that obtains the special permit to post a bond prior to the issuance of a building permit to cover costs for the removal of the Medical Marijuana Treatment Center in the event contrary to the requirements of Section 4.14.4.5.10 below and applicable law and regulations, the Town must remove said Center and to properly transfer or dispose of all equipment, materials and other items. The value of the bond shall be based upon the ability to completely said removal, transfer and disposal, and properly clean the facility at prevailing wages. The value of the bond shall be based upon the applicant providing the Planning Board with three (3) written bids to meet these requirements. An incentive factor of 1.5 shall be applied to all bonds to ensure adequate funds for the Town to remove the improvement in compliance with applicable law.

4.14.4.5.10 *Abandonment or Discontinuance of Use*

A Medical Marijuana Treatment Center shall be required to remove all materials, plants equipment and other paraphernalia: (a) prior to surrendering its state issued licenses or permits; or (b) within six (6) months of ceasing operations; whichever comes first.

4.14.4.5.11 *Site Plan - Additional Submission Requirements*

In addition to the application requirements for Site Plan contained in the Zoning Bylaws and the Board of Selectmen's Site Plan Regulations, an applicant for Site Plan approval for a Medical Marijuana Treatment Center shall submit with the Site Plan application and each copy of the application submitted to the Board of Selectmen, copies of the application submitted to the Planning Board for its special permit, and any subsequent amendments to said application, and shall update any information that has changed since the time of that application or the grant of the special permit.

Severability

If any provision of this Section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Section are severable, or do anything in relation thereto.

**Board of Selectmen
Planning Board**

Article 17. **Voted** that the Town amend the Stoneham Town Code, Chapter 15, Zoning By-Laws, Section 4.14 Commercial District III, Section 4.14.4 Uses Permitted on a Special Permit by the Planning Board and Site Plan Approval by the Board of Selectmen, by adding Section 4.14.4.5 Medical Marijuana Treatment Center as a use permitted on a special permit by the Planning Board and site plan approval by the Board of Selectmen, as follows:

4.14.4.5. Medical Marijuana Treatment Center

4.14.4.5.1 *Definitions*

- (a) Medical Marijuana Treatment Center: A “Medical Marijuana Treatment Center” shall mean a not-for-profit entity, as defined by Massachusetts law Chapter 369 of the Massachusetts Acts and Resolves of 2012 (St. 2012, ch. 369) which codifies the Citizens Initiative Petition #11-11, Question #3 on the November, 2012 state ballot] and applicable regulations of the Massachusetts Department of Public Health [105 CMR 725] only, registered under said law and regulations, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. Unless otherwise specified, a Medical Marijuana Treatment Center refers to the site(s) of dispensing, cultivation, and preparation of marijuana. A Medical Marijuana Treatment Center is pursuant to 105 CMR 725 “to be known as a “Registered Marijuana Dispensary”, and as such requirements of this bylaw, or other law or regulations applicable hereto, shall be applicable regardless of whether the term Medical Marijuana Treatment Center or Registered Marijuana Dispensary is used.
- (b) Marijuana for Medical Use: Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as defined in G.L. c. 94G and the applicable regulations of the Massachusetts Department of Public Health, 105 CMR 725.
- (c) Marijuana: The same substance defined as “marihuana” under Chapter 94C of the Massachusetts General Laws.; and the substance defined as “marijuana” by 105 CMR 725.

4.14.4.5.2

Purpose

The purpose of this bylaw is to:

- (i) limit the establishment of Medical Marijuana Treatment Centers to appropriate locations under strict conditions in accordance with St. 2012, ch. 369 and 105 CMR 725.
- (ii) minimize the adverse impacts of Medical Marijuana Treatment Centers on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Facilities.
- (iii) regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Medical Marijuana Treatment Centers.

4.14.4.5.3

Applicability

- (a) No Medical Marijuana Treatment Center shall be established except in compliance with the provisions of this Section 4.14.5
- (b) The commercial cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for medical use is prohibited unless permitted as a Medical Marijuana Treatment Center under this bylaw.
- (c) Nothing in this Bylaw shall be construed to supersede any state or federal laws or regulations governing the sale and distribution of narcotic drugs. The commercial

cultivation, production, processing, assembly, packaging, retail or wholesale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a Medical Marijuana Treatment Center under this bylaw.

4.14.4.5.4 *General Requirements and Conditions for all Medical Marijuana Treatment Centers.*

The following requirements and conditions shall apply to all Medical Marijuana Treatment Centers:

- (a) All Medical Marijuana Treatment Centers not otherwise specifically exempted by State law shall be contained within a building or structure.
- (b) No Medical Marijuana Treatment Center shall have a gross floor area of less than 1,000 square feet or in excess of 20,000 square feet.
- (c) Medical Marijuana Treatment Center shall not be located in buildings that contain any medical doctor's offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.
- (d) The hours of operation of Medical Marijuana Treatment Center shall be set by the Special Permit Granting Authority and the Board of Selectmen as Site Plan Granting Authority, but in no event shall a Medical Treatment Center be open and/or operating between the hours of 8:00 PM and 8:00 A.M.
- (e) No Medical Marijuana Treatment Center shall be located on the same lot or a lot which abuts any of the following within the Town of Stoneham: a public or Private school, licensed child care facility or any public playground, recreation facility, athletic field or other park where children congregate within the Town of Stoneham.
- (f) No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Medical Marijuana Treatment Center.
- (g) Medical Marijuana Treatment Centers shall not be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a trailer, recreational vehicle, movable or stationary mobile vehicle.
- (h) No products shall be displayed in the facilities windows or be visible from any street or parking lot.
- (i) Notwithstanding any provisions of Section 6.7 of the Zoning Bylaws, signage for all Medical Marijuana Treatment Centers shall include the following language: "Registration card issued by the MA Department of Public Health required." The required text shall be a minimum of two inches in height. The sign shall be located in a visible location near the main entrance to the facility. Exterior signs shall identify the name of the establishment but shall not contain any other advertising information.

- (j) Medical Marijuana Treatment Centers shall provide the Stoneham Board of Health, the Stoneham Police Department, and the Stoneham Fire Department with the names, phone numbers and email addresses of all management staff and keyholders to whom one can provide notice if there are operating problems associated with the center and update that list whenever there is any change in management staff or keyholders.

4.14.4.5.5 *Special Permit Requirements*

4.14.4.5.5.1 A Medical Marijuana Treatment Center shall only be allowed by special permit in accordance with G.L. c. 40A, §9 and Section 7.4 of the Zoning Bylaws, subject to the regulations, requirements, conditions and limitations of contained in Section 4.14.5.

4.14.4.5.5.2 A Special Permit for a Medical Marijuana Treatment Center shall be limited to one or more of the following uses that shall be determined by the Planning Board:

- (a) cultivation of Marijuana for Medical Use (horticulture) except that sites protected under Chapter 40A Section 3 shall not require a Special Permit;
- (b) processing and packaging of Marijuana for Medical Use, including Marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products; or
- (c) retail sale or distribution of Marijuana for Medical Use to Qualifying Patients;

4.14.4.5.5.3 In addition to the application requirements set forth in this Section 4.14.4.5, the Zoning Bylaws and the Rules and Regulations of the Planning Board, a Special Permit application for a Medical Marijuana Treatment Center shall include the following:

- (a) the name and address of each owner of the establishment and property owner;
- (b) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the establishment;
- (c) evidence of the applicant's right to use the site for the establishment, such as a deed, or lease;
- (d) if the applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the applicant must disclose the names and addresses of all individuals associated with that entity;
- (e) Proposed security measures for the Medical Marijuana Treatment Center, including lighting, fencing, surveillance cameras, gates and alarms, to help to best ensure the safety of persons and to protect the premises from theft. The security measures shall be reviewed and approved by the Police Department.

4.14.4.5.6 *Mandatory Findings*

In addition to the findings required under Section 7.4 of the Zoning Bylaws, the Planning Board

shall not issue a Special Permit for a Medical Marijuana Treatment Center unless it finds that:

- (a) the establishment is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, §11;
- (b) the applicant clearly demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and is in compliance with all applicable State laws and regulations; and
- (c) the applicant has satisfied all of the conditions and requirements of this Section 4.14.4.5.

4.14.4.5.7 *Annual Reporting*

Any Medical Marijuana Treatment Centers permitted under this Bylaw shall as a condition of its Special Permit file an annual report with the Planning Board, Board of Selectmen, Building Inspector and Town Clerk no later than January 31st of each year. The Annual Report shall include a copy of all current applicable state licenses for the establishment and/or its owners and demonstrate continued compliance with the conditions of the Special Permit. In the event that the Annual Report is not received by January 31st or if the report is incomplete, the owner(s) of the Medical Marijuana Treatment Center May be required to appear before the Board of Selectmen or its designee to provide the required information.

4.14.4.5.8 *Term of Special Permit*

- (a) A special permit issued pursuant to this Section 4.14.4.5 shall be valid for a period of five (5) years from the date of issuance. Any renewal of the special permit shall be governed by the standards and procedures set forth in this Section 4.14.4.5 and the rules and regulations of the Planning Board. A special permit shall remain in effect until the conclusion of the public hearing and filing of the decision on the renewal. In granting the renewal, the Planning Board may impose additional conditions. Nothing in this Section 4.14.4.5.8 shall prevent or restrict the Planning Board from placing a shorter time limitation on the length of a special permit granted pursuant to this Section 4.14.4.5.6 if specific circumstances warrant.
- (b) A Special Permit granted under this Section 4.14.4.5 shall have a term limited to the duration of the Special Permit applicant's ownership or lease of the premises as a Medical Marijuana Treatment Center. A Special Permit may be transferred to another party only with the approval of the Planning Board in the form of an amendment to the special permit with all information required in this Section 4.14.4.5. This term limitation shall be independent of the five (5) year special permit time limit above, and shall neither affect nor negate said five (5) year limitation.

4.14.4.5.9 *Bond*

The Planning Board shall require the applicant that obtains the special permit to post a bond prior to the issuance of a building permit to cover costs for the removal of the Medical Marijuana Treatment Center in the event contrary to the requirements of Section 4.14.4.5.10 below and applicable law and regulations, the Town must remove said Center and to properly transfer or dispose of all equipment, materials and other items. The value of the bond shall be based upon

the ability to completely said removal, transfer and disposal, and properly clean the facility at prevailing wages. The value of the bond shall be based upon the applicant providing the Planning Board with three (3) written bids to meet these requirements. An incentive factor of 1.5 shall be applied to all bonds to ensure adequate funds for the Town to remove the improvement in compliance with applicable law.

4.14.4.5.10 *Abandonment or Discontinuance of Use*

A Medical Marijuana Treatment Center shall be required to remove all materials, plants equipment and other paraphernalia: (a) prior to surrendering its state issued licenses or permits; or (b) within six (6) months of ceasing operations; whichever comes first.

4.14.4.5.11 *Site Plan - Additional Submission Requirements*

In addition to the application requirements for Site Plan contained in the Zoning Bylaws and the Board of Selectmen's Site Plan Regulations, an applicant for Site Plan approval for a Medical Marijuana Treatment Center shall submit with the Site Plan application and each copy of the application submitted to the Board of Selectmen, copies of the application submitted to the Planning Board for its special permit, and any subsequent amendments to said application, and shall update any information that has changed since the time of that application or the grant of the special permit.

Severability

If any provision of this Section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Section are severable, or do anything in relation thereto.

2/3 Vote Required
2/3 Vote Passes Unanimous
Motion for Reconsideration
Cannot Be Reconsidered

Article 18. To see if the Town will vote to petition the Massachusetts General Court (State Legislature) for and/or in support of a special act to: (i) dispose by sale, subject to further authorization(s) and requirements that may be included in said special act, a parcel of land located on Lynn Fells Parkway in the Town of Stoneham and currently under the control of the Department of Conservation and Recreation ("department"). The parcel subject to this act contains 25,011± square feet and is described in Certificate of Title No. 225345, in the Middlesex South District Registry of Deeds in Book 1256, Page 195, and is shown as Lot 8 on Land Court Plan 34101-C; (ii) provide that any such conveyance is or may be subject to an easement requiring the grantee to make available maintain at its expense on the parcel a certain number, not greater than ten (10) parking spaces in an accessible location, to be available for use by the public during the hours the Middlesex Fells Reservation is open, as set by said Department, such location to be determined and configured by the grantee, subject to the reasonable approval of said Department; and (iii) direct that no less than five percent (5%) of the consideration received from the sale of the parcel shall be paid to the Town of Stoneham, or do anything in relation thereto.

Board of Selectmen

Article 18. **Voted** that the Town petition the Massachusetts General Court (State Legislature) for and/or in support of a special act to: (i) dispose by sale, subject to further authorization(s) and requirements that may be included in said special act, a parcel of land located on Lynn Fells Parkway in the Town of Stoneham and currently under the control of the Department of Conservation and Recreation (“department”). The parcel subject to this act contains 25,011± square feet and is described in Certificate of Title No. 225345, in the Middlesex South District Registry of Deeds in Book 1256, Page 195, and is shown as Lot 8 on Land Court Plan 34101-C; (ii) provide that any such conveyance is or may be subject to an easement requiring the grantee to make available maintain at its expense on the parcel a certain number, not greater than ten (10) parking spaces in an accessible location, to be available for use by the public during the hours the Middlesex Fells Reservation is open, as set by said Department, such location to be determined and configured by the grantee, subject to the reasonable approval of said Department; and (iii) direct that no less than five percent (5%) of the consideration received from the sale of the parcel shall be paid to the Town of Stoneham.

Passes Unanimous

Having no objections, under the general consent rule, the Moderator combined articles 19, 22 & 24 to be voted together as each article shared the same purpose of reauthorizing a revolving fund.

Article 19. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using receipts generated from renting space at the Fire Station to pay the utility, cleaning and maintenance costs, and capital improvements of the Fire station, and authorize expenditures by the Fire Chief, not to exceed \$30,000 during Fiscal Year 2015 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2014 from the existing Revolving account into the reauthorized Revolving account, or do anything in relation thereto.

Board of Selectmen

Article 19. **Voted** that the Town reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using receipts generated from renting space at the Fire Station to pay the utility, cleaning and maintenance costs, and capital improvements of the Fire Station, and authorize expenditures by the Fire Chief, not to exceed Thirty Thousand Dollars (\$30,000) during Fiscal Year 2015 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2014 from the existing Revolving account into the reauthorized Revolving account.

Passes Per Moderator

Article 22. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using receipts generated from fees charged for public health services to cover the costs of these services, and authorize expenditures by the Board of Health, not to exceed \$50,000 during Fiscal Year 2015 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2014 from the existing Revolving account into the reauthorized Revolving account, or do anything in relation thereto.

Board of Selectmen

Article 22. **Voted** that the Town reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using receipts generated from fees charged for public health services to cover the costs of these services, and authorize expenditures by the Board of Health, not to exceed Fifty Thousand Dollars (\$50,000) during Fiscal Year 2015 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2014 from the existing Revolving account into the reauthorized Revolving account.

Passes Per Moderator

Article 24. To see if the Town will vote to establish a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using the proceeds from the leasing or licensing (including any use and occupancy agreements) of the Railroad Right-of-Way to help cover the costs of hiring consultants and experts, including engineers, surveyors and/or counsel, if necessary, in order to address any engineering, construction or legal matters and/or issues, necessary for the construction of the Stoneham portion of the Tri-Community Bikeway/Greenway and/or linear park, as well as capital improvements to, or maintenance and repair of, the multi-use trail and/or linear park to be constructed on said Railroad Right-of-Way Property, and authorize expenditures by the Town Administrator, not to exceed \$50,000 during Fiscal Year 2015 which may be made from such fund, or do anything in relation thereto.

Board of Selectmen

Article 24. Voted that the Town establish a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using the proceeds from the leasing or licensing (including any use and occupancy agreements) of the Railroad Right-of-Way to help cover the costs of hiring consultants and experts, including engineers, surveyors and/or counsel, if necessary, in order to address any engineering, construction or legal matters and/or issues, necessary for the construction of the Stoneham portion of the Tri-Community Bikeway/Greenway and/or linear park, as well as capital improvements to, or maintenance and repair of, the multi-use trail and/or linear park to be constructed on said Railroad Right-of-Way Property, and authorize expenditures by the Town Administrator, not to exceed Fifty Thousand Dollars (\$50,000) during Fiscal Year 2015 which may be made from such fund.

Passes Per Moderator

Article 20. To see if the Town will vote to raise and appropriate, or transfer from available funds, or borrow, a sum of money to pay prior year invoices, or do anything in relation thereto.

Board of Selectmen

Article 20. Voted that the Town indefinitely postpone the subject matter of Article #20.

Passes Unanimous

Article 21. To see if the Town will vote to raise and appropriate from taxation or by transfer from available funds, such sums as may be necessary to defray Town charges for the ensuing year, including debt and interest and a reserve fund, or do anything in relation thereto.

Board of Selectmen

Article 21. Voted that the Town raise and appropriate from taxation or by transfer from available funds, the sum of Sixty-Eight Million Seven Hundred Forty-Seven Thousand One Hundred Ninety-Seven Dollars (\$68,747,197) to defray Town charges for the ensuing year, including the Town operating budget for the year beginning July 1, 2014 through June 30, 2015; said sum **as itemized on exhibit A.**

Article 21 Exhibit A DEPARTMENT	FY15 BUDGET		
	PERSONNEL	OPERATING	TOTAL
114 Town Moderator	\$0	\$220	\$220
122 Board of Selectmen	\$73,253	\$10,000	\$83,253
123 Town Administrator	\$324,319	\$42,500	\$366,819
132 Reserve Fund	\$0	\$26,652	\$26,652
135 Town Accountant	\$169,674	\$1,550	\$171,224
141 Board of Assessors	\$132,801	\$4,300	\$137,101
145 Treasurer	\$242,883	\$18,510	\$261,393
151 Town Counsel	\$109,090	\$6,725	\$115,815
155 GIS/MIS	\$117,617	\$122,453	\$240,070
161 Town Clerk	\$122,676	\$5,450	\$128,126
162 Elections & Registrations	\$74,311	\$18,600	\$92,911
172 Whip Hill Park	\$0	\$10,950	\$10,950
182 Planning Bd/BOA/Conserv.	\$41,543	\$1,160	\$42,703
185 Economic and Comm Dev	\$62,912	\$10,000	\$72,912
192 Public Property Maint.	\$500	\$80,612	\$81,112
210 Police Department	\$3,334,406	\$249,770	\$3,584,176
211 Traffic Directors	\$135,128	\$4,500	\$139,628
212 Dispatchers	\$375,860	\$7,610	\$383,470
220 Fire Department	\$2,648,223	\$119,650	\$2,767,873
241 Building & Wire	\$181,616	\$6,900	\$188,516
291 Civil Defense	\$2,000	\$0	\$2,000
300 Public Schools	\$0	\$25,022,305	\$25,022,305
397 Essex North Shore Agricultural & Technical School	\$0	\$137,500	\$137,500
398 Minuteman Voc. School	\$0	\$55,000	\$55,000
399 Northeast Voc. School	\$0	\$1,045,756	\$1,045,756
400 Public Works Admin.	\$752,451	\$2,326,900	\$3,079,351
440 Sewer	\$631,625	\$4,597,105	\$5,228,730
450 Water	\$552,503	\$3,705,814	\$4,258,317
510 Board of Health	\$136,500	\$1,840	\$138,340
541 Council on Aging	\$79,988	\$30,827	\$110,815
543 Veterans	\$39,676	\$171,699	\$211,375
610 Public Library	\$545,134	\$198,850	\$743,984
630 Unicorn Golf	\$157,701	\$282,374	\$440,075
631 Arena	\$169,622	\$265,280	\$434,902
710 Maturing Debt & Interest	\$0	\$4,986,125	\$4,986,125
911 Contributory Pension	\$0	\$4,788,848	\$4,788,848
912 Health Insurance	\$0	\$7,678,762	\$7,678,762
919 Unclassified	\$73,003	\$1,380,000	\$1,453,003
920 Non-Departmental	\$0	\$37,085	\$37,085
Total Budgets:	\$11,287,015	\$57,460,182	\$68,747,197

Article 21 exhibit A (continued)

Said Sum to be raised or transferred as follows:

Revenue of the Current Year	\$57,827,128
By transfer from the 225 Fallon Road Fund	\$62,912
By transfer from the Cemetery Perpetual Income Fund	\$35,000
By transfer from the Sale of Lots & Graves Res. For Approp.	\$36,000
By transfer from the Sale of Dog License Fund	\$8,000
By transfer from the Whip Hill Trust	\$10,000
By transfer from the BOS Stockwell Trust	\$3,500
By transfer from the RCN/Verizon Operating Cable Funds	\$32,500
By transfer from the Estimated Sewer Receipts to:	
Department #440 Sewer Department	\$5,228,730
Department #710 Debt Service	\$92,400
Department #135 Town Accountant	\$14,246
Department #145 Town Treasurer	\$21,748
Department #155 MIS/GIS Department	\$18,310
Department #911 Contributory Pension	\$226,207
Department #912 Health Insurance	\$132,294
Department #919 Unclassified Budget	\$75,158
By transfer from the Estimated Water Receipts to:	
Department #450 Water Department	\$4,258,317
Department #710 Debt Service	\$273,636
Department #135 Town Accountant	\$11,489
Department #145 Town Treasurer	\$17,539
Department #155 MIS/GIS Department	\$14,767
Department #911 Contributory Pension	\$197,684
Department #912 Health Insurance	\$92,385
Department #919 Unclassified Budget	\$57,247
Total Estimated Revenues	\$68,747,197
Surplus/(Deficit)	\$0

**Passes Unanimous
Motion for Reconsideration
Cannot Be Reconsidered**

Article 23. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to amend the Fiscal Year 2014 departmental budgets approved under Article No. 16 of May 6, 2013 Annual Town Meeting, as amended, or do anything in relation thereto.

Board of Selectmen

Article 23. Voted that the Town amend various Fiscal Year 2014 departmental budgets approved under Article No. 16 of May 6, 2013 Annual Town Meeting (Exhibit B).

Article 23 Exhibit B DEPARTMENT	FY14 BUDGET			5/5/14 ATM ADJUSTMENTS			REVISED FY14 BUDGET		
	PERSONNEL	OPERATING	TOTAL	PERSONNEL	OPERATING	TOTAL	PERSONNEL	OPERATING	TOTAL
114 Town Moderator	\$0	\$220	\$220	\$0	\$0	\$0	\$0	\$220	\$220
122 Board of Selectmen	\$70,995	\$10,000	\$80,995	\$0	\$1,500	\$1,500	\$70,995	\$11,500	\$82,495
123 Town Administrator	\$317,752	\$42,500	\$360,252	\$0	\$5,000	\$5,000	\$317,752	\$47,500	\$365,252
135 Town Accountant	\$169,232	\$1,550	\$170,782	\$0	\$0	\$0	\$169,232	\$1,550	\$170,782
141 Board of Assessors	\$129,880	\$4,300	\$134,180	\$0	\$0	\$0	\$129,880	\$4,300	\$134,180
145 Treasurer	\$237,528	\$17,010	\$254,538	\$0	\$0	\$0	\$237,528	\$17,010	\$254,538
151 Town Counsel	\$107,480	\$6,725	\$114,205	\$0	\$0	\$0	\$107,480	\$6,725	\$114,205
155 GIS/MIS	\$96,257	\$122,453	\$218,710	\$0	\$5,000	\$5,000	\$96,257	\$127,453	\$223,710
161 Town Clerk	\$124,667	\$5,450	\$130,117	\$0	\$0	\$0	\$124,667	\$5,450	\$130,117
162 Elections & Registrations	\$56,511	\$35,400	\$91,911	\$10,500	(\$10,500)	\$0	\$67,011	\$24,900	\$91,911
172 Whiphill Park	\$0	\$10,950	\$10,950	\$0	\$0	\$0	\$0	\$10,950	\$10,950
182 Planning Bd/BOA/Conserv.	\$38,770	\$1,160	\$39,930	\$0	\$0	\$0	\$38,770	\$1,160	\$39,930
192 Public Property Maint.	\$500	\$89,612	\$90,112	(\$500)	(\$11,500)	(\$12,000)	\$0	\$78,112	\$78,112
210 Police Department	\$3,152,053	\$233,570	\$3,385,623	\$64,000	(\$6,000)	\$58,000	\$3,216,053	\$227,570	\$3,443,623
211 Traffic Directors	\$131,408	\$4,500	\$135,908	(\$8,000)	\$0	(\$8,000)	\$123,408	\$4,500	\$127,908
212 Dispatchers	\$362,557	\$4,910	\$367,467	\$0	\$0	\$0	\$362,557	\$4,910	\$367,467
220 Fire Department	\$2,553,762	\$119,650	\$2,673,412	\$0	\$0	\$0	\$2,553,762	\$119,650	\$2,673,412
241 Building & Wire	\$174,310	\$6,900	\$181,210	\$0	\$0	\$0	\$174,310	\$6,900	\$181,210
291 Civil Defense	\$2,000	\$0	\$2,000	\$0	\$0	\$0	\$2,000	\$0	\$2,000
300 Public Schools	\$0	\$24,251,891	\$24,251,891	\$0	139,463	139,463	0	24,391,354	24,391,354
398 Minuteman Voc. School	\$0	\$50,000	\$50,000	\$0	(\$3,000)	(\$3,000)	\$0	\$47,000	\$47,000
399 Northeast Voc. School	\$0	\$948,815	\$948,815	\$0	\$0	\$0	\$0	\$948,815	\$948,815
400 Public Works Admin.	\$775,710	\$2,360,050	\$3,135,760	\$0	(\$15,000)	(\$15,000)	\$775,710	\$2,345,050	\$3,120,760
440 Sewer	\$539,522	\$4,565,789	\$5,105,311	\$0	\$0	\$0	\$539,522	\$4,565,789	\$5,105,311
450 Water	\$521,373	\$3,469,681	\$3,991,054	\$0	\$0	\$0	\$521,373	\$3,469,681	\$3,991,054
510 Board of Health	\$133,964	\$1,840	\$135,804	\$500	\$0	\$500	\$134,464	\$1,840	\$136,304
541 Council on Aging	\$73,507	\$30,827	\$104,334	\$0	\$0	\$0	\$73,507	\$30,827	\$104,334
543 Veterans	\$38,143	\$170,699	\$208,842	\$0	\$0	\$0	\$38,143	\$170,699	\$208,842
610 Public Library	\$532,002	\$189,582	\$721,584	\$9,000	(\$9,000)	\$0	\$541,002	\$180,582	\$721,584
630 Unicorn Golf	\$181,506	\$283,274	\$464,780	(\$20,000)	\$0	(\$20,000)	\$161,506	\$283,274	\$444,780
631 Arena	\$157,915	\$265,280	\$423,195	\$10,000	\$0	\$10,000	\$167,915	\$265,280	\$433,195
710 Maturing Debt & Interest	\$0	\$5,262,805	\$5,262,805	\$0	\$0	\$0	\$0	\$5,262,805	\$5,262,805
911 Contributory Pension	\$0	\$4,454,753	\$4,454,753	\$0	\$0	\$0	\$0	\$4,454,753	\$4,454,753
912 Health Insurance	\$0	\$7,678,051	\$7,678,051	\$0	(\$130,000)	(\$130,000)	\$0	\$7,548,051	\$7,548,051
919 Unclassified	\$0	\$1,271,529	\$1,271,529	\$0	\$8,000	\$8,000	\$0	\$1,279,529	\$1,279,529
920 Non-Departmental	\$0	\$36,085	\$36,085	\$0	\$0	\$0	\$0	\$36,085	\$36,085
Total Budgets:	\$10,679,304	\$56,007,811	\$66,687,115	\$65,500	(26,037)	39,463	10,744,804	55,981,774	66,726,578

Said Sum to be raised or transferred as follows:

Revenue of the Current Year	\$56,314,065	
By transfer from the Cemetery Perpetual Income Fund	\$35,000	
By transfer from the Sale of Lots & Graves Res. For Approp.	\$36,000	
By transfer from the Sale of Dog License Fund	\$8,000	
By transfer from the Whip Hill Trust	\$10,000	
By transfer from the BOS Stockwell Trust	\$3,500	
By transfer from the RCN/Verizon Operating Cable Funds	\$32,500	
By transfer from the Insurance Reimb. > \$20K Account (Fund #4204)	\$0	39,463
By transfer from the Estimated Sewer Receipts to:		
Department #440 Sewer Department	\$5,105,311	
Department #710 Debt Service	\$92,400	
Department #135 Town Accountant	\$14,139	
Department #145 Town Treasurer	\$20,828	
Department #155 MIS/GIS Department	\$16,019	
Department #911 Contributory Pension	\$186,784	
Department #912 Health Insurance	\$115,465	
Department #919 Unclassified Budget	\$52,655	
By transfer from the Estimated Water Receipts to:		
Department #450 Water Department	\$3,991,054	
Department #710 Debt Service	\$273,636	
Department #135 Town Accountant	\$11,287	
Department #145 Town Treasurer	\$16,628	
Department #155 MIS/GIS Department	\$12,789	
Department #911 Contributory Pension	\$180,471	
Department #912 Health Insurance	\$117,639	
Department #919 Unclassified Budget	\$40,945	
Total Estimated Revenues	\$66,687,115	39,463

Surplus/(Deficit)

\$0

\$0

Having no objections, under the general consent rule, the Moderator combined articles 25 & 26 to be voted together as each article shared the same purpose in respect to water and sewer receipts.

Article 25. To see if the Town will vote to raise and appropriate or transfer from available funds \$400,000 for the purpose of defraying the cost of constructing water mains or replacing or relining existing water mains, street repairs, hydrant replacement, water meter installations, purchasing equipment, or maintain the water system within the limits of the Town, or do anything in relation thereto.

Board of Selectmen

Article 25. Voted that the Town appropriate Four Hundred Thousand Dollars (\$400,000) for the purpose of defraying the cost of constructing water mains or replacing or relining existing water mains, street repairs, hydrant replacement, water meter installations, purchasing equipment, or maintain the water system within the limits of the Town. Said sum to be raised from Estimated Water Receipts.

Passes Unanimous

Article 26. To see if the Town will vote to raise and appropriate or transfer from available funds \$400,000 for the purpose of defraying the cost of construction or rehabilitation of sewer mains, manholes, pump stations or appurtenances, street repairs, purchasing equipment, or maintain the sewer system within the limits of the Town, or do anything in relation thereto.

Board of Selectmen

Article 26. Voted that the Town appropriate Four Hundred Thousand Dollars (\$400,000) for the purpose of defraying the cost of construction or rehabilitation of sewer mains, manholes, pump stations or appurtenances, street repairs, purchasing equipment, or maintain the sewer system within the limits of the Town. Said sum to be raised from Estimated Sewer Receipts.

Passes Unanimous

Article 27. To see if the Town will vote to transfer the \$11,250 remaining funds from Article 1 of the May 6, 2013 Special Town meeting. (DPW Roof) for the repair/replacement of the D.P.W. garage doors, or do anything in relation thereto.

Board of Selectmen

Article 27. Voted that the Town transfer the Eleven Thousand Two Hundred Fifty Dollars (\$11,250) remaining from Article 1 of the May 6, 2013 Special Town meeting. (DPW Roof) for the repair/replacement of the DPW garage doors.

Passes Unanimous

Article 28. To see if the Town will appropriate \$37,000 to upgrade Microsoft Office said funding is contingent upon release of funds from the overlay account.

Board of Selectmen

Article 28. Voted that the Town appropriate Thirty-Seven Thousand Dollars (\$37,000) to upgrade Microsoft Office. Said sum to be transferred from Overlay Surplus.

Passes Per Moderator

Annual Town Meeting Dissolved on May 8, 2014 at 9:35PM