

Stoneham Board of Selectmen – Minutes of Meeting of December 15, 2015

Chairman Thomas Boussy called the meeting to order at 7:00 p.m. Also present were Selectwoman Caroline Colarusso, Selectman John F. DePinto, Selectwoman Ann Marie O’Neill, Selectman Frank Vallarelli and Town Administrator David Ragucci. Attorney William Solomon arrived at 7:15 p.m.

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

Pledge of Allegiance

Vote Relative to Useful Life of Proposed Ladder Truck & Pumper Truck for Bonding Purposes (Time :40-2:53 on Stoneham TV on Demand)

Chief Joe Rolli was present to verify that he believes the trucks will last a minimum on 15 years. Selectwoman O’Neill waived the reading and vote on the useful life of the proposed ladder truck and pumper truck for bonding purposes that it will last at least 15 years, seconded by Selectman DePinto. A roll call vote was taken.

Voting in Favor
Selectwoman Colarusso
Selectman DePinto
Selectwoman O’Neill
Selectman Vallarelli
Chairman Boussy

Motion passed (5-0).

I, the Clerk of the Board of Selectmen of the Town of Stoneham, Massachusetts (the “Town”), certify that at a meeting of the board held, December 15, 2015, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody: Voted: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$900,000 borrowing authorized by a vote of the Town passed at the October 1, 2012 special town meeting (Article 9) is hereby determined pursuant to G.L. c.44, §7(9) to be as follows:

<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
Fire Ladder Truck	\$900,000	<u>15</u> Years

I further certify that the vote was taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the vote were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.
Dated: December 15, 2015 _____ Clerk of the Board of Selectmen

I, the Clerk of the Board of Selectmen of the Town of Stoneham, Massachusetts, certify that at a meeting of the board held December 15, 2015, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was unanimously passed, all of which appears upon the official record of the board in my custody: Voted: that the maximum useful life of the fire engine pumper to be financed with the proceeds of the borrowing authorized by the vote of the Town passed May 4, 2015 (Article 15) is hereby determined pursuant to G.L. c.44, §7(9) to be 15 years.
I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located, or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the subject matter of this vote were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.
Dated: December 15, 2015 _____ Clerk of the Board of Selectmen

Bond/Treasurer (Time 3:00-12:19 on Stoneham TV on Demand)

Diane Murphy stated that on December 10, 2015 our financial advisors, First Southwest Company, accepted bids on our behalf for a \$2,820,000 bond for a 15 year loan. They received three bids, and the lowest bid was from Roosevelt & Cross, Inc. They offered a True Interest Cost (TIC) of 2.025422. The money we are borrowing is for four separate issues

- 1) \$900,000 is for the Fire Department Ladder Truck. This is for Article 9 passed at October, 2, 2012 Town Meeting.
- 2) \$625,000 is for the Fire Department Pumper Truck. This is for Article 15 passed at May 4, 2015 Town Meeting.
- 3) Refunding the Town’s General Obligation Bond from 2007 for \$847,093. Our financial advisors are the ones who brought this to our attention. By refinancing the original loan we are able to have a savings of \$54,724 over the remaining life of the bond. Original loan was borrowed at 4%. By refunding this loan at this time we are able to borrow at 2% and still pay it off as planned in 2022.
- 4) Rolling over BAN from December 2014 for \$596,000. Original amount of the BAN was for \$741,400.

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Stoneham, Massachusetts (the “Town”), certify that at a meeting of the board held December 15, 2015, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the maximum useful life of each of the ladder truck and pumper truck for the fire department to be financed with the proceeds of the \$900,000 borrowing authorized by the vote of the Town passed October 1, 2012 (Article 9) and the \$625,000 borrowing authorized by the vote of the Town passed May 4, 2015 (Article 15), respectively, is hereby determined pursuant to G.L. c.44, §7(9) to be 15 years.

Further Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund the Town's General Obligation Municipal Purpose Loan of 2007 Bonds dated May 15, 2007 maturing on and after May 15, 2016 in the aggregate principal amount of \$840,000 (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium (if any) and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Voted: that the sale of the \$2,820,000 General Obligation Municipal Purpose Loan of 2015 Bonds of the Town dated December 17, 2015 (the "Bonds"), to Roosevelt & Cross, Inc. at the price of \$2,905,543.00 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on December 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>
2016	\$350,000	3.00%	2023
2017	350,000	3.00	2024
2018	355,000	3.00	2025
2019	360,000	3.00	2026
2020	210,000	2.00	2028
2021	205,000	2.00	2030
2022	100,000	2.00	

Further Voted: that the Bonds maturing on December 15, 2028 and December 15, 2030 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due December 15, 2028

<u>Year</u>	<u>Amount</u>
2027	\$110,000
2028*	115,000

*Final Maturity

Term Bond due December 15, 2030

<u>Year</u>	<u>Amount</u>
2029	\$120,000
2030*	120,000

*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated December 3, 2015, and a final Official Statement dated December 10, 2015 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

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

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds.

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

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: December 15, 2015

_____ Clerk of the Board of Selectmen

Selectman DePinto approved the sale of the bonds, seconded by Selectwoman Colarusso. A roll call vote was taken.

Voting in Favor

Selectwoman Colarusso
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli
Chairman Boussy

Motion passed (5-0).

Public Hearing/Amended Site Plan/490 Main Street/Attorney Houghton (Time 12:23-17:22 on Stoneham TV on Demand)

Attorney Charles Houghton was present to represent Michael and Susan Marie Youssef. Selectman DePinto read the legal notice. Selectwoman O'Neill asks if the spots were moved per the recommendation. Attorney Houghton states yes they were moved. Chairman Boussy opens to public comment. Chairman Boussy closes the public hearing. Selectman DePinto read the department recommendations. Attorney Houghton agreed to all recommendations. Selectman DePinto made a motion to approve the amended site plan for Michael and Susan Marie Youssef at 409 Main Street, seconded by Selectwoman O'Neill and a roll call vote was taken.

Voting in Favor

Selectwoman Colarusso
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli
Chairman Boussy

Motion passed (5-0).

42 Pleasant Street/Attorney Houghton (Time 17:25-21:20 on Stoneham TV on Demand)

Attorney Charles Houghton was present to represent North Shore Construction & Development, Inc. and Steven F. Cutter and Daniel Picariello, Trustees of the Forty-Two Pleasant Street Nominee Trust. Selectman DePinto made a motion to accept the First Amendment to Development Agreement/Mitigation Covenant, 42 Pleasant Street, seconded by Selectwoman Colarusso. A roll call vote was taken.

Voting in Favor

Selectwoman Colarusso
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli
Chairman Boussy

Motion passed (5-0).

Approve Class II License/Stoneham Auto Works Inc. /490 Main Street/Attorney Houghton (Time 22:37-24:31 on Stoneham TV on Demand)

Attorney Charles Houghton was present to represent Michael and Susan Marie Youssef d/b/a Stoneham Auto Works Inc. Selectman DePinto read the legal notice. Chairman Boussy opens to public comment. Chairman Boussy closes the public hearing. Selectman DePinto made a motion to approve the Class II License for Michael and Susan Marie Youssef d/b/a Stoneham Auto Works Inc., at 409 Main Street, seconded by Selectwoman Colarusso. A roll call vote was taken.

Voting in Favor

Selectwoman Colarusso
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli
Chairman Boussy

Motion passed (5-0).

56/58 Summerhill Street/Attorney Houghton (Time 24:50-28:53 on Stoneham TV on Demand)

Attorney Houghton was present to represent Robert and Martha Hamm, 56-58 Summerhill Street. Selectman Vallarelli made a motion to accept the deed for the sale price of \$2,500.00, seconded by Selectman DePinto. A roll vote call was taken.

Voting in Favor

Selectwoman Colarusso
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli
Chairman Boussy

Motion passed (5-0).

Development and Impact Fee Agreement By and Between The Town of Stoneham, PGG Outdoor LLC [dba Logan Communications or Logan Digital] and Northland Forbes Road LLC regarding Outdoor Advertising Billboard off of Route 93 on a portion of Parcel 12 on Map 25 Stoneham Assessor's Map (Time 29:01-39:21 on Stoneham TV on Demand)

Attorney Houghton was present to represent PGG Outdoor LLC [dba Logan Communications or Logan Digital] and Northland Forbes Road LLC. Selectwoman Colarusso clarifies that there will be \$200,000.00 upfront. Attorney Houghton states yes when they pull the permit in early January there will be a payment of \$200,000.00. Selectwoman Colarusso made a motion to accept the summary changes in the development agreement. Attorney Houghton states that it is drafted stating that if the billboard structure goes away Bill included in there that would also include the foundation underground. Attorney Houghton said the lease with the landlord states that if it underground it stays. Attorney Houghton requests that if the billboard is ever removed that the Selectmen agree everything above will be removed and anything underground can stay. Selectman Vallarelli made a motion to approve that amendment, seconded by Selectwoman Colarusso. Attorney Houghton states the page needs to be amended regarding

the underground structure. Attorney Solomon states we could put in there that currently it needs to be removed but at the time it's going to be removed that the Board at that point can make a decision. Selectwoman O'Neill asks if that is acceptable to Attorney Houghton. Attorney Houghton states he would prefer it say that anything underground stays underground. The board agrees that this is private property and it should not matter to them. Selectman Vallarelli made a motion to accept and everything aboveground will have to be removed down to the pavement, seconded by Selectman DePinto. Attorney Solomon added unless required by another Board. A roll call vote was taken.

Voting in Favor

Selectwoman Colarusso
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli
Chairman Boussy

Motion passed (5-0).

The Board signed the document subject to Attorney Solomon changing that page. Attorney Solomon states for the record this agreement was originally drafted and signed by the parties here for the first time in a billboard agreement added the owner. He thought there was a basis to do that to be protective. Attorney Solomon states the owner would prefer not be a party to this so the other changes were that we change this agreement to make clear that only party that can apply for or get rights here is Logan (PGG) no other party can apply for that and they can't transfer to any other party unless they have the permission of the Board of Selectmen going forward. So with that they felt comfortable not having the owner of the property down on this agreement was okay that is the way agreements generally are. He states he further tightened it to protect the Town going forward.

High School Boiler Discussion/Dr. Olson (Time 40:39-61:27 on Stoneham TV on Demand)

Dr. Les Olson was present to discuss the high school boiler replacement. Dave Maurer from the School Committee was also present. Dr. Olson stated that the state has announced 2015 accountability results. He states that the Stoneham High School and Stoneham Middle Schools are one of only 17 pairs of Middle Schools and High Schools in the state identified as level 1 schools in the same district. Dr. Olson states level 1 is the highest you can be. He states this is great recognition for everyone. Dr. Olson submitted the following information 1) the original boilers have been capped and the temporary, roll in boiler is connected and operational. These are the emergency action steps that we discussed back at the January 20, 2015 Bi-board meeting. Until they have a full sense of repair and project costs they have frozen discretionary spending in the school budget. He states they have since confirmed that they will not be in a position to seek MSBA assistance on a boiler replacement project. If they were to submit an application in January under their Accelerated Repair program, that action would preclude consideration for a second, major project under their core renovation program. At their December 10th meeting, the School Committee affirmed its commitment to the 2015 Statement of Interest for a core High School renovation program, seeking to preserve their eligibility for an estimated 50% reimbursement for an 8-figure renovation program as opposed to an estimated 50% reimbursement for a 6-figure boiler replacement program. He stated that they initiated the state-mandated Designer Selection process to hire an engineer to design the project and prepare bid specifications for the installation of new boilers. This process is required for any municipal construction project with an estimated design cost in excess of \$10,000 and estimated construction costs in excess of \$100,000. They hope to have the project out-to-bid in mid-to-late January with a firm cost estimate in hand by mid-February. Dr. Olson states they are looking at a construction cost in the range of \$500,000. Chairman Boussy spoke on different types of boilers, their efficiencies and they will be limited to the design of the renovated school once these boilers are replaced. David Maurer from the School Committee spoke on behalf of the School Committee on the topic. Dr. Les Olson states they will have more firm answers for the Board in 3-4 weeks. Selectwoman O'Neill congratulates Dr. Olson on the good news.

Municipal Modernization/Colarusso (Time 61:28-64:37 on Stoneham TV on Demand)

Selectwoman Colarusso states this afternoon she was joined by the other members of the Board, the Town Administrator, lieutenant Governor Karen Polito to officially sign the Community Compact which allows the state to provide resources to us a community in three areas we selected as a Board. Selectwoman Colarusso states is Governor Bakers first executive order and it was very important we were able to participate in that. She states today we made it official. She states she would like to briefly discuss a new bill introduced call Municipal Modernization and what this bill does is it takes the middle layer out of government business. She states for this Board it will eliminate some obsolete laws, streamline state oversight and will provide municipalities with great flexibility such as liquor licensing and double poles. She is appealing to the Board to get behind this legislation and writing a letter to the delegation to ensure that we have support because this bill is going to meet hurdles. She states she thinks it is important where we are trying to grow our local economy. She asks the Boards permission to work with Bill to draft a letter and then bring it back for everyone to look at and they can get behind which thinks will enhance Stoneham. The Board did not have an issue.

Policy for Submitting of Town Meeting Articles Discussion (Time 64:43-74:56 on Stoneham TV on Demand)

Chairman Boussy states that In preparing this outline with the assistance of Town Counsel what became apparent is that the current Town Code provisions regarding deadlines and notices for town meetings, found in Chapter II, Article II of the Town Code ("Town Meeting Bylaws") materially affect and limit the options available for fixing dates by which Town officials, board/commissions and department heads can submit proposed warrant articles (or reasonably detailed summaries thereof) to the Board of Selectmen so as to provide sufficient time for the Board to review those articles, particularly those with the greatest financial impact, while at the same time allowing enough time for submission of such articles into the warrant by the signature route in the those instances (albeit limited) where the Board of Selectmen might decide not to do so without signatures. Accordingly, this memorandum sets out both current practice and proposes for consideration and discussion deadlines for the submission of warrant articles (or summaries thereof) to the Board of Selectmen for insertion in a warrant based the Town Meeting Bylaws as they now exist. It is further proposed that between now and the end of January, the Town Meeting Bylaws be reviewed and recommendations be made for amendments thereto. Concurrently, the warrant article submission requirements proposed herein under the Town Meeting Bylaws as they now exist, should be further considered and updated in coordination with the Bylaw review and proposal

Current Town Stoneham Practice: The Board of Selectmen accepts warrant articles from Town officials, board/commissions and department heads for insertion by the Board on a town meeting warrant. However in most instances, the Board of Selectmen does not receive the proposed warrant

article before the close of the warrant, thereby precluding consideration and input by the Board prior thereto. (Please note that the deadlines for the “Budgetary Process” as set out in Sections 15 and 16 of the Selectmen-Administrator Act, are separate from the issue of the submission of warrant articles to the Board of Selectmen.¹ However, this is a critical matter both for procedural reasons and more importantly the dollars involved and the financial impact. This matter has been placed it on the agenda for this Tuesday’s meeting).

¹ Town Administrator submits proposed budget to Selectmen at least 75 days prior to town meeting. Selectmen send budget to Finance and Advisory Board at least 55 days before town meeting. In 2016, 75 days prior to the town meeting is February 17th.

Proposed Policy Goal: For the Board of Selectmen to receive proposed warrant articles or a reasonably detailed outline or summary of proposed warrant articles prior to the close of the warrant so as to allow the Board to review the article or its subject matter and provide input. Effective and open government is best served if prior to the submission of warrant articles there is a timely review and discussion of the matter, thereby increasing awareness of the matter and obtaining input both from the Board and others (including the public) which can improve both the article itself and its future consideration. Additionally if the situation arises that the Board votes not to insert a proposed article in the warrant, this process would allow time for submission of the article and insertion in the warrant by obtaining the requisite number of registered voters pursuant to G.L. c. 39, sec. 10.2

Summary of Current Town Bylaw Requirements and Deadlines for Town Meetings

Annual Town Meeting

Held – First Monday in May.

Warrant Closes - 4th Monday of February.

October Special Town Meeting

Held – October, date set by Board of Selectmen

Warrant Closes – Not less than 14 days after it is opened and a minimum of 4 weeks prior to the meeting.

All Other Special Town Meetings

Warrant Closes – Not less than 7 days after it is opened and a minimum of 2 weeks prior to the meeting. (Note – warrant must be posted 2 weeks prior to meeting per M.G.L. c. 39, sec. 10.)

² “The selectmen shall insert in the warrant for the annual meeting all subjects the insertion of which shall be requested of them in writing by ten or more registered voters of the town and in the warrant for every special town meeting all subjects the insertion of which shall be requested of them in writing by one hundred registered voters ...” (From Section 10 of Chapter 39.)

Proposed Policy For Consideration and Discussion Based on Current Town Code Provisions Regarding Deadlines and Notices For Town Meetings

The following deadlines for submitting proposed warrant articles or reasonably a detailed outline/summary to the Board of Selectmen are proposed for consideration and discussion. Please note that any policy would have provisions for exceptions thereto by the Board of Selectmen, as circumstances require. (The deadlines for the “Annual Town Meeting” do not apply to the warrant article for the annual budget or details regarding that budget. However, the below deadlines do apply to articles proposing to amend the budget at either the October Special Town Meeting and all other special town meetings for which the warrant is open for a minimum of 3 weeks.)

Annual Town Meeting

Submitted By	Financial \$10K and over	Non-Financial/Under \$10K
Town Administrator	January 21	February 1 Department Heads
Non-Elected Officials		
Non-Elected Boards/Commissions		
Elected Board and Officials	February 1	February 7

Please note that because only 10 signatures of registered voters are needed pursuant to applicable law to require the Board of Selectmen to insert an article into a warrant for an annual town meeting, less time is needed on the back end of this process in the event that such signatures must be obtained.

October Special Town Meeting

	Financial \$10K and over	Non-Financial/Under \$10K
Town Administrator	August 1	August 15
Department Heads		
Non-Elected Officials		
Non-Elected Boards/Commissions		
Elected Board and Officials	August 15	August 21

Selectwoman Colarusso believes this is a step in the right direction and creates transparency and she supports this. Selectwoman O'Neill made a motion to accept the submission of warrant article policy, seconded by Selectwoman Colarusso and **unanimously voted (5-0)**.

Discussion on Expenditures Weiss Farm/DePinto (Time 75:10-91:26 on Stoneham TV on Demand)

Selectman DePinto stated he just wanted to put this out there. He stated he got a lot of calls from people who wanted to see how the \$250,000 been spent so far. Selectmen DePinto said he went today to get an update but could not so this is the last breakdown that he had. He states it shows we have \$81,000 but he thinks we are down to about \$35,000 now. Town Administrator Ragucci states all the current invoices have been paid and states we are between \$35,000-\$40,000. He states if anyone has questions Dave would probably be best to answer them. Selectwoman O'Neill asks if John has any feel for this himself being a standing committee member for the Board of Selectmen. Selectmen DePinto states the Board has worked really hard and they have had a lot of meetings. Selectwoman O'Neill states she expected him to give a breakdown. Selectman DePinto states he did what the residents asked for which was a breakdown of what was spent. Selectwoman O'Neill asks for this to be updated and put on the website.

Chairman Boussy stated he need to leave the room and left the room at 81:33.

George Georgountzos 11 Fieldstone Drive spoke. Acting Chairwoman O'Neill asks if anyone has questions pertaining to the numbers. Robert Verner Tedford Drive spoke. Selectwoman Colarusso stated that up until this point town meeting appropriated those funds and in her opinion those funds were critical. She states the law is on the developers' side. She states we wouldn't even be able to discuss the next item if we did bite and scratch up till this point. She would like to commend the people who showed up night after night, who asked for the second traffic study and make the developer jump through hoops. She states all this was made possible with John Witten. She states they weighed the cost of a development going at that sight and what it would cost the town and used the fees to put us in this position. She states this was not easy. Acting Chairwoman O'Neill states this could be a 10 year fight. She states 3 years ago we should've know \$250,000 wasn't going to take us 10 years. Selectwoman O'Neill states they are not making decisions out of the council. Acting Chairwoman O'Neill states she would like to move onto the next agenda item. Bill Sullivan 15 Charles Street he is a member of the ZBA but is speaking as a private citizen.

Update Regarding Potential Property Transaction Weiss Farm (170 Franklin Street) and Stoneham Oaks Golf Course (101R Montvale Avenue) / Consideration and Vote Regarding Procedural Matters Moving Forward / Acceptance of Gift of Funds from John M. Corcoran & Company (Time 91:33-121:43 on Stoneham TV on Demand)

Acting Chairwoman O'Neill read the following press release on behalf of the Board of Selectmen: At its meeting on December 10, 2015, the Board of Selectmen voted to enter into an agreement with John M. Corcoran and Company to explore the possibility of a "land swap" and development agreement. The "land swap" would involve Corcoran and Company foregoing its pursuit of a comprehensive permit from the Board of Appeals for approximately 25 acres of land off Franklin Street in exchange a development agreement granting Corcoran and Company the rights to develop a portion of the Town owned land that is currently known as the "Stoneham Oaks" golf course. Anticipated discussions between the Board of Selectmen and Corcoran and Company now are likely to include: 1) the payment to the Town of Stoneham of monies reflecting the value of the "Stoneham Oaks" golf course land; (2) the transfer of the Franklin Street property without cost, to the Town of Stoneham for the Town's use for playing fields and associated recreational and open space opportunities and (3) written assurance from the Commonwealth that development of the "Stoneham Oaks" property will satisfy the Town of Stoneham's "Chapter 40B" quota and thereafter, immunize Stoneham from future developer appeals to the Housing Appeals Committee. The applicant for the ongoing comprehensive permit matter, Weiss Farm Apartments, LLC (wholly owned by John M. Corcoran and Company), has requested a continuance of the current hearing before the Board of Appeals. If the Board of Appeals accepts the applicant's request, the public hearings will be continued to March 15, 2016 with a decision-filing deadline extended to April 29, 2016.

Acting Chair O'Neill states it is the opinion of this Board and they hope the Board of Appeals agrees that this move will put the decision out of the Selectmen/elected boards and with the town people of Stoneham. She states that in January they will hold public meeting. Acting Chair O'Neill gave a brief time line of what has to happen next. Ellen McBride co-chair of the Conservation Commission spoke. Attorney Solomon spoke. Acting Chair O'Neill states this is the beginning and there will be many meetings, they are looking to release the executive session minutes. She states they will be working very hard and very fast to put together a schedule, information, many opportunities to come together to ask questions and get information. Ellen McBride co-chair of the Conservation Commission spoke and asked that this statement be put on the record that they have asked for two years to be a part of the process and they have not yet been asked. Acting Chair O'Neill states she never received a formal invite. Susan Keeler 22 Butler Ave spoke. Selectwoman Colarusso states they would like to remind everyone that they are trying to make the best of a bad situation where their hands are tied by the law. Jim Sullivan 6 Sunset Road spoke. Selectman Vallarelli read a letter dated December 15, 2015 and made a motion to accept a contribution of \$10,000.00 pursuant to Chapter 44 Section 53a, seconded by Selectman DePinto. A roll call vote was taken. Chairman Boussy was not present for the vote.

Voting in Favor
Selectwoman Colarusso
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli

Motion passed (4-0-1).

**Meeting recessed at 9:00 p.m.
Meeting reconvened at 9:10 p.m.**

Liquor Licensing Authority

Selectman DePinto moved to go into Liquor Licensing Authority and return as the Board of Selectman, seconded by Selectwoman O'Neill.

Voting in Favor:
Selectwoman Colarusso
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli
Chairman Boussy

Motion was unanimously voted (5-0).

Meeting recessed at 9:10 p.m. to go into Liquor Licensing Authority.

Meeting reconvened at 9:55 p.m.

Approve Common Victualler License Renewals (Time 171:00-171:07 on Stoneham TV on Demand)

Selectman DePinto moved for approval of the following Common Victualler License Renewals contingent on all the paperwork being submitted: Anthony's 408 Main Street, Deliworks 62F Montvale Avenue, Dunkin Donuts 196 Main Street, Honey Dew 362 Main Street, Johnny's Famous Roastbeef 125 Main Street, 5 Guys 67 Main Street, Pizza Mia 67 Franklin Street, Royal Roastbeef 475 Main Street, Marty's Caterers 54 Montvale Avenue, Bacci's 316 Main Street, Fusion 19 Franklin Street, Sato II 147 Main Street, Tulip 119 Main Street, 99 Restaurant 10 Main Street, China Moon 170 Main Street, Angelo's 239 Main Street, Felicia's 423 Main Street, J.J. Grimsby's 301 W. Wyoming Avenue, Taste of Siam 499 Main Street, TAJ Indian Bistro and Lounge 58B Montvale Avenue, Gaetano's 271 Main Street, Rang Indian Bistro 6 Central Square, Melissa's 407 Main Street, Gin U Dee 418 Main Street and Dunkin Donuts 2 Lynn falls Parkway. Motion was seconded by Selectwoman Colarusso and **unanimously voted (5-0)**.

Approve Entertainment License Renewals (Time 171:08-171:15 on Stoneham TV on Demand)

Selectman DePinto moved for approval of the Entertainment License Renewals contingent on all the paperwork being submitted: Felicia's 423 Main Street, J.J. Grimsby's 301 W. Wyoming Avenue, Angelo's 239 Main Street, Redman 11 Franklin Street, Rang Indian Bistro 6 Central Square, Taj Indian Bistro and Lounge 58B Montvale Avenue, Taste of Siam 499 Main Street, Gaetano's 271 Main Street, Melissa's 407 Main Street, 5 Guys 67 Main Street, Royal Roastbeef 475 Main Street and Dunkin Donuts 2 Lynn falls Parkway. Motion was seconded by Selectwoman O'Neill and **unanimously voted (5-0)**.

Approve Auto Amusement License Renewals (Time 171:16-171:26 on Stoneham TV on Demand)

Selectman DePinto moved for approval of the following Auto Amusement License Renewals: Redman 11 Franklin Street, seconded by Selectwoman Colarusso and **unanimously voted (5-0)**.

Approve Class II License Renewals (Time 171:27-171:50 on Stoneham TV on Demand)

Selectman DePinto moved for approval of the Class II License Renewals for Rotondi Motors/140 1/2 Franklin Street, Pine Street Motors 45 Pine Street and Stoneham Auto Sales 16/18 Gould Street, seconded by Selectman Vallarelli and **unanimously voted (5-0)**.

Authorization of BOS to respond to Open Meeting Law Complaint Filed on November 24, 2015 Regarding Response to Request for Minutes (Time 172:17-174:20 on Stoneham TV on Demand)

Attorney Solomon asks to Board to authorize the Chair to respond to the complaint and that he would assist the Chair in that. Selectman DePinto made that motion, seconded by Selectwoman O'Neill and **unanimously voted (5-0)**. Attorney Solomon hands the executive session minutes from the meeting to the Board and asks them to approve also. Selectman DePinto made that motion, seconded by Selectwoman O'Neill and **unanimously voted (5-0)**.

Approve Minutes of September 28, 2015, October 6, 2015 and Executive Session Minutes within the months of September, October, November and December (Time 174:36-175:36 on Stoneham TV on Demand)

Selectman DePinto made a motion to accept the meeting minutes of 9/28/15, seconded by Selectwoman O'Neill and **unanimously voted (5-0)**. Selectwoman O'Neill made a motion to accept the minutes of 10/6/2015, seconded by Selectman DePinto and **unanimously voted (5-0)**.

Approve Minutes of December 1, 2015 (Time 175:37-176:30 on Stoneham TV on Demand)

Chairman Boussy states the motion was made to approve meeting minutes of 12/1/15, seconded by Selectwoman O'Neill and **unanimously voted (4-0-1)**. Selectman DePinto abstained.

Town Administrator (Time 176:35-180:48 on Stoneham TV on Demand)

Town Administrator Ragucci notified the Board that they signed an agreement with an energy efficient company for the lighting at the Arena and there will be a savings of \$9,000.00 annually. He states the cost is \$11,793.00. Mr. Ragucci notified the board the after doing due diligence the Assessor came back with some issues with integrating Viewpoint with Patriot Properties. Mr. Ragucci asks if he can invite Patriot Properties to a Selectmen's meeting in January. The Chairman states yes. Mr. Ragucci states the Fire Chief will be retiring. He notifies the Board that the position has been posted in house. Mr. Ragucci states the golf course was closed on December 13th. He states hopefully on December 18th they will receive bids on the operations/maintenance at the golf course. Mr. Ragucci states and finally Eversource is requesting a meeting. The Board agrees after the holidays.

Miscellaneous (Time 180:55-188:33 on Stoneham TV on Demand)

Selectwoman O'Neill states Erin Wortman the Town Planner is doing a great job and suggests having Erin Wortman give regular updates on the projects she is working on. She states we are extremely lucky to have her and all the work she is doing. Chairman Boussy states that starting in January we are going to be starting to have the Department Heads coming in again with their updates. Selectwoman Colarusso states she would like to commend Bill Solomon and the Board for officially intervening in the Eversource project. She states it was an extremely well written letter and thinks it touched on lots of the anomalies here in Stoneham. Selectwoman Colarusso states she hopes the Board had time to review the letter to Stephanie Pollack and asked that the Board sign this letter with the exception of Selectman Vallarelli. Selectman Vallarelli recused himself from signing the letter. Selectwoman Colarusso states she would like to disclose that her son is on the SHS Football team but would like to the Board to issue a proclamation to recognize their achievement in Division North 4. The Board agrees. The Board wishes everyone a Merry Christmas.

Meeting adjourned at 10:15 p.m.

Respectfully submitted,
Erin Sinclair