

**Stoneham Board of Selectmen – Minutes of Meeting of November 13, 2012**

Chairman Frank Vallarelli called the meeting to order at 7:05 p.m. Also present were Selectmen John F. DePinto, Richard S. Gregorio, Robert W. Sweeney and Town Administrator David Ragucci. Selectman Thomas Boussy arrived at 7:13 p.m. and Town Counsel William H. Solomon arrived at 7:45 p.m.

**Pledge of Allegiance**

Chairman Vallarelli says he would like to say we had a very successful Veterans Day Ceremony lead by Selectman Sweeney and he would like to thank all our veterans and everyone serving our country now.

**Tax Rate/Public Hearing**

Selectman John F. DePinto read the Notice of Hearing. Brian MacDonald gave the presentation. Selectman John F. DePinto moved to accept the recommendation of the Board of Assessors for the Residential tax rate of \$13.06 and Commercial/Industrial/Personal Property tax rate of \$21.00, seconded by Selectman Richard S. Gregorio. **Voting was (4-0-1), with Selectman Boussy abstaining.** Selectman Robert W. Sweeney moved to deny the Residential Exemption, seconded by Selectman DePinto. **Motion was unanimously voted (5-0).** Selectman Sweeney moved to accept recommendation of the Board of Assessors to not have a Small Commercial Exemption, seconded by Selectman DePinto. **Motion was unanimously voted (5-0).**

Selectman Thomas Boussy arrived at 7:13 p.m.

**Bonding for Sewer MWRA/Fire Truck/Town Treasurer**

Selectman DePinto moved that the sale of \$233,200 Sewer Bond on the Town dated November 26, 2012, to the Massachusetts Water Resources Authority (the "Authority") is hereby approved and that the Treasurer or other appropriate Town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on November 15 of the years and in the principal amount as follows:

<u>Year</u>	<u>Installment</u>
2013	\$46,640
2014	\$46,640
2015	\$46,640
2016	\$46,640
2017	\$46,640

And Selectman DePinto further moved 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 vote. Motion was seconded by Selectman Sweeney, and a roll call vote was taken.

Voting in favor:

- Selectman Gregorio
- Selectman DePinto
- Selectman Boussy
- Selectman Sweeney
- Chairman Vallarelli

**Motion was unanimously voted (5-0).**

Selectman Boussy moved that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$1,300,000 borrowing authorized by a vote of the Town passed on 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	\$1,300,000	20 Years

Motion was seconded by Selectman Gregorio and **unanimously voted (5-0).**

**Approval 5-7 Hill Court Site Plan Decision Letter**

Chairman Vallarelli moved approval of the site plan decision letter for 5-7 Hill Court, Stoneham. Motion was seconded by Selectman Gregorio, and a roll call was taken.

Voting in Favor:

- Selectman Sweeney
- Selectman Boussy
- Selectman DePinto
- Selectman Gregorio
- Chairman Vallarelli

**Approve Secretary of Transportation Letter/Sound Barriers**

Selectman DePinto moves approval of the Secretary of Transportation Letter regarding sound barriers. Selectman Sweeney requests the Condo Association, Senator Clark, Jason Lewis and Governor Deval Patrick. Motion was seconded by Selectman Gregorio.

**Voting was (4-0-1), with Selectman Vallarelli abstaining.**

**Town Common Skating Rink/Continued**

Town Administrator David Ragucci reached out to the Chamber of Commerce. They are interested in sponsoring, building and maintenance of the skating rink. Selectman Sweeney states he feels everyone has good intention but who is going to be responsible. Chairman Vallarelli makes motion for Town Administrator to discuss details with the chamber and return to the Board of Selectmen on December 11, 2012. Motion was seconded by Selectman Gregorio. **Motion was unanimously voted (5-0).**

**Accept late application for Conservation Commission**

Selectman Richard S. Gregorio moves approval to accept late application from Jeff Mansfield. Motion was seconded by Selectman Sweeney. **Motion was unanimously voted (5-0).**

**Appoint Committee Members**

Selectman John F. DePinto moved to appoint associate position on Conservation Commission to Jeff Mansfield, seconded by Selectman Sweeney. **Motion was unanimously voted (5-0).**

Selectman John F. DePinto moved to appoint Rebecca Buttiglieri to the Council of Aging, seconded by Selectman Boussy. **Motion was unanimously voted (5-0).**

**Open Meeting Law/Remote Participation/Continued**

Town Counsel had left the room.

**Chairman Vallarelli moves to item #10 until Town Counsel returns.**

**Law of Railroad Right of Way/MBTA/Continued**

Chairman Vallarelli is abstaining from this matter but he wanted to state that he did do a walk through with several members of the committee and feels this needs to be addressed. Town Administrator Ragucci speaks regarding the letter. Town Administrator Ragucci would like the MBTA to take the leadership role with this matter since it is not the town's property. Town Administrator Ragucci requests the board support the letter. Selectman Gregorio requests that the letter be sent to the other communities involved, along with all Representatives for those towns. Selectman DePinto moves approval of letter and that it be sent to all state officials involved. Motion was seconded by Selectman Gregorio. **Voting was (4-0-1), with Selectman Vallarelli abstaining.**

**Open Meeting Law/Remote Participation/Continued**

Town Administrator Ragucci explains that the cost would be around \$2,500.00 for the equipment and setup. Town Counsel said RCN dollars can be used to move forward with the process. Selectman Gregorio moves approval to allow remote participation and to authorize expenditure of \$2,500.00 funding source from RCN. Motion was seconded by Selectman DePinto. **Motion was unanimously voted (5-0).**

**Sale of North School/Town Administrator**

Town Counsel says the closing is on scheduled on Thursday for the residential lots waiting for appeal period on the Attorney Generals approval on the main lot that runs out January 14, 2013. Town Counsel is looking to vote both sales which include three documents: Deeds, Restrictive Covenant and Acknowledgement and Confirmation of Purchase and Sale. Selectman DePinto moves approval on motion for sale of Lot A, Lot B and Lot C on the "Subdivision Plan of Land at #195 Collincote Street, Stoneham, MA: Move that the Board reaffirm and/or reauthorize the transfer of Lots A, B and C off Collincote Street this Board of Selectmen for purposes of sale in accordance with M.G.L. c.40, sec. 15A, and further move to sell said Lots A, B and C to North School Development, LLC ("Grantee"), a Massachusetts limited liability company in consideration of Four Hundred Eighty Thousand Dollars (\$480,000.00) pursuant to M.G.L. c.40, sec. 3, subject to the "Restrictive Covenant" and the "Acknowledgement and Confirmation of Purchase and Sale Paragraphs/Provisions For Sale of Lot A, B and C which Survive Delivery of Deed" also being executed by this Board this evening, being executed by said Grantee prior to the sale and delivery of deed. Further that said sale and delivery for these three (3) Lots shall be conditioned upon the Grantee also executing the "Restrictive Covenant" and the "Acknowledgement and Confirmation of Purchase and Sale Paragraphs/Provisions for Sale of Lot D which Survive Delivery of Deed" prior to said sale and delivery of the deed for these three (3) lots. Motion was seconded by Selectman Gregorio. **Motion was unanimously voted (5-0).** Selectman DePinto moves approval on motion for sale of Lot D on the "Subdivision Plan of Land at #195 Collincote Street, Stoneham, Mass: Move that the Board reaffirm and/or reauthorize the transfer of the below referenced Lot D off Collincote Street to this Board of Selectmen for purposes of sale in accordance with M.G.L. c.40, sec. 15A, and further move to sell said Lot D to North School Development, LLC ("Grantee"), a Massachusetts limited liability company in consideration of Two Hundred "Forty Thousand Dollars (\$240,000.00), pursuant to M.G.L. c.40, sec. 3, subject to the "Restrictive Covenant" and the "Acknowledgement and Confirmation of Purchase and Sale Paragraphs/Provisions For Sale of Lot D which Survive Delivery of Deed" also being executed by this Board this evening, being executed by said Grantee prior to the sale and delivery of deed. Town Counsel says they are not signing the deed tonight but will sign the purchase and sale. Motion was seconded by Selectman Gregorio. **Motion was unanimously voted (5-0).**

**Approve Minutes**

Selectman DePinto moves approval of the 10/23/12 minutes, seconded by Selectman Boussy. **Motion was unanimously voted (5-0).** Selectman DePinto moves approval of the 10/23/2012 executive session minutes and to remain confidential, seconded by Selectman Gregorio.

**Motion was unanimously voted (5-0).**

**Miscellaneous**

Selectman DePinto wants Town Counsel to address the Comcast Renewal License. Town Counsel says they have reached basic financial deal on the capital and video return and has sent it to them. He expects to hear back next week.

**TA Reports**

Town Administrator Ragucci says that the Hurricane Sandy's damages total cost was \$35,000.00 because it was declared a state of emergency and we declared a state of emergency we could be eligible for a 75% reimbursement from MEMA. Ravine Road as we know November 5<sup>th</sup> was when the 6 month trial was up he is discussing the future of Ravine Road with Commissioner Lambert along with Selectman Sweeney there is a meeting scheduled for 21<sup>st</sup> of November. Commissioner Lambert assured him that nothing will happen until they meet. Selectman DePinto would like to see what we can do legally to a street we own to make it safe for our residents. Selectman DePinto wants to know every legal thing we can do to keep our residents safe and happy. Town Administrator Ragucci will report back on the December 18 2012 meeting. The suggested fiscal guidelines have been emailed and does anyone have any input for the Town Administrator he would like to release them. Selectman Gregorio would like to highlight that they are 13 years old what we have done is bring them up to today economics. 225 Fallon Road LLC gave us \$30,000.00 which was part of the mitigation agreement that you entered into with them. Fire alarm panel ran over budget by \$6,700.00 reason for this was an underestimate number of devices. Town Administrator is going to try to find the \$6,700.00 from his own operating budget. If that can not be done he will be ask to appropriate some of the capital money to cover this. Town Administrator Ragucci also would like to say that the Veterans Day Ceremony was very nice. Selectman Sweeney and the new veteran's agent Jim Devlin did a great job and he wishes there were more younger vets there but he understands everyone is busy. Chairman Vallarelli would like to thank Selectman Boussy for drafting up the recycling flyer. Town Administrator says those are at the printer and they should be going out next week. Selectman DePinto says trash is on normal schedule this week. Chairman Vallarelli said at the transportation department is getting requests from towns that want to use highway property for solar array. Town Administrator says there it not worth the investment. Chairman Vallarelli said maybe a private developer and we can get benefits from it. Town Administrator said it was not cost effective. Selectman Gregorio agrees. Chairman Vallarelli asks if there is anywhere else in town that could be sufficient for this use. Town Administrator says golf course would be perfect for that. Town Administrator said the arena was suggested but voted down at Town meeting. Chairman Vallarelli said that the first of year set up a small committee for Solar Array. Selectman Gregorio said it was good expanded use of reverse 911. Selectman Gregorio said the school building committee gives updates at their meeting and thought maybe we could give updates at our meeting also. Town Administrator said PMC says we are pretty much on target. Shawmut suggests we may be a million dollars over budget. We have contingencies built into the budget that could be used if the school building committee desires. Selectman Gregorio explains that we are in the design faze and we should have enough contingencies to cover if we are over budget.

Chairman Vallarelli would like to wish everyone a Happy Thanksgiving.

**Meeting adjourned at 8:46 p.m.**

Respectfully submitted,

Erin Sinclair