

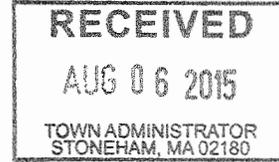
LAW OFFICES

CICATELLI & CICATELLI

266 MAIN STREET
STONEHAM, MASSACHUSETTS 02180-3502

AREA CODE 781 438-4060
TELECOPIER 781 438-9674

August 6, 2015



Town Administrator
Town of Stoneham
Town Hall
35 Central Street
Stoneham, Massachusetts 02180

Attn: David Ragucci
Town Administrator

RE: Lake Industries, Inc.
41 Pleasant Street
Stoneham, MA
My file #96219-SB

2015 AUG - 7 P 12:33
TOWN OF STONEHAM
BOARD OF SELECTMEN

Dear Dave:

Thank you for taking the time to meet with my client and me to discuss the above referenced property.

As you are aware, my client is contemplating granting the necessary temporary construction easements in connection with the proposed bike path that abuts his property and not accepting the award or payment being offered by the Town in the sum of \$11,400.00.

In consideration for this donation my client is requesting that that portion of the temporary construction easement at the entrance to his loading area at Pleasant Street be non exclusive thus allowing him vehicle access as has been the case historically.

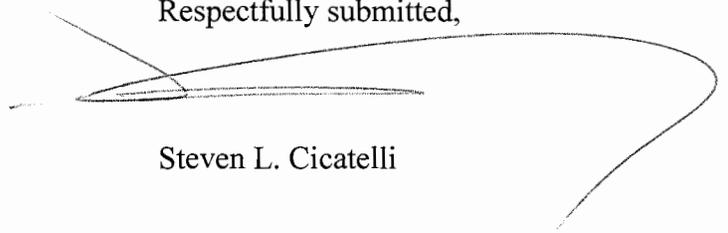
It has been suggested by Special Counsel, Mark S. Bourbeau, Esquire that in consideration for the \$11,400.00 the Town as part of the temporary construction easement, agree to not disturb my client's use of the easement area shown as "PROP. ACCESS EASEMENT" on the attached plan previously approved by the Stoneham Board of Appeals in 1997.

August 6, 2015
Page 2

As we discussed, we would also request that the Board of Selectmen vote at the August 18, 2015 meeting to submit a Warrant Article at the October 2015 Town Meeting authorizing the Board to grant a permanent access easement, as defined above, to confirm the existing easement area, for the purpose of vehicular access.

If you should have any questions, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven L. Cicatelli", written over a horizontal line. The signature is fluid and extends to the right.

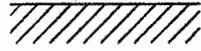
Steven L. Cicatelli

SLC/dml

cc William Solomon
Town Counsel
cc Erin Wortman
Town Planner

HAND DELIVERED

LEGEND



BUILDING FOOTPRINT

148x0

PROPOSED SPOT ELEVATION

148x0

EXISTING SPOT ELEVATION



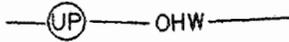
SEWER MANHOLE



DRAIN MANHOLE



CATCH BASIN



UTILITY POLE WITH
OVER HEAD WIRE



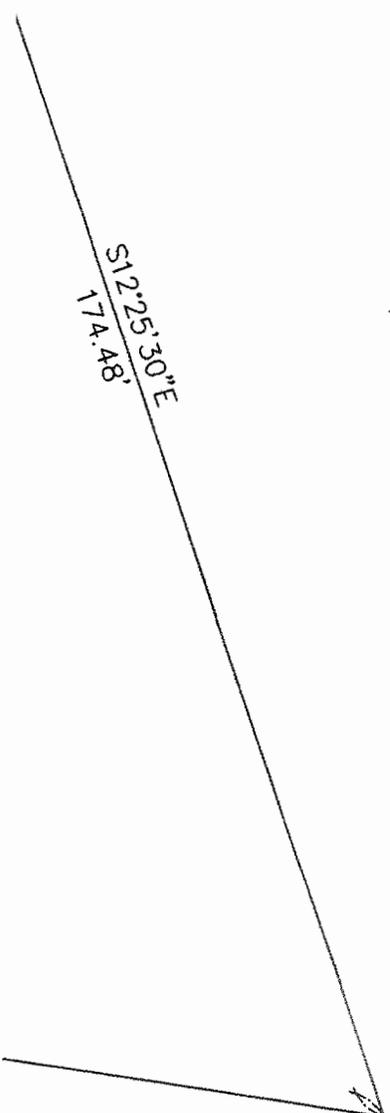
PROPOSED LIGHT



TRAFFIC FLOW DIRECTION



DRAINAGE FLOW DIRECTION



I CERTIFY THAT THE BOUNDARY SURVEY SHOWN
HEREON IS BASED ON AN ACTUAL INSTRUMENT SURVEY
AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

John W. McEachern
JOHN W. McEACHERN P.L.S.

6/18/97



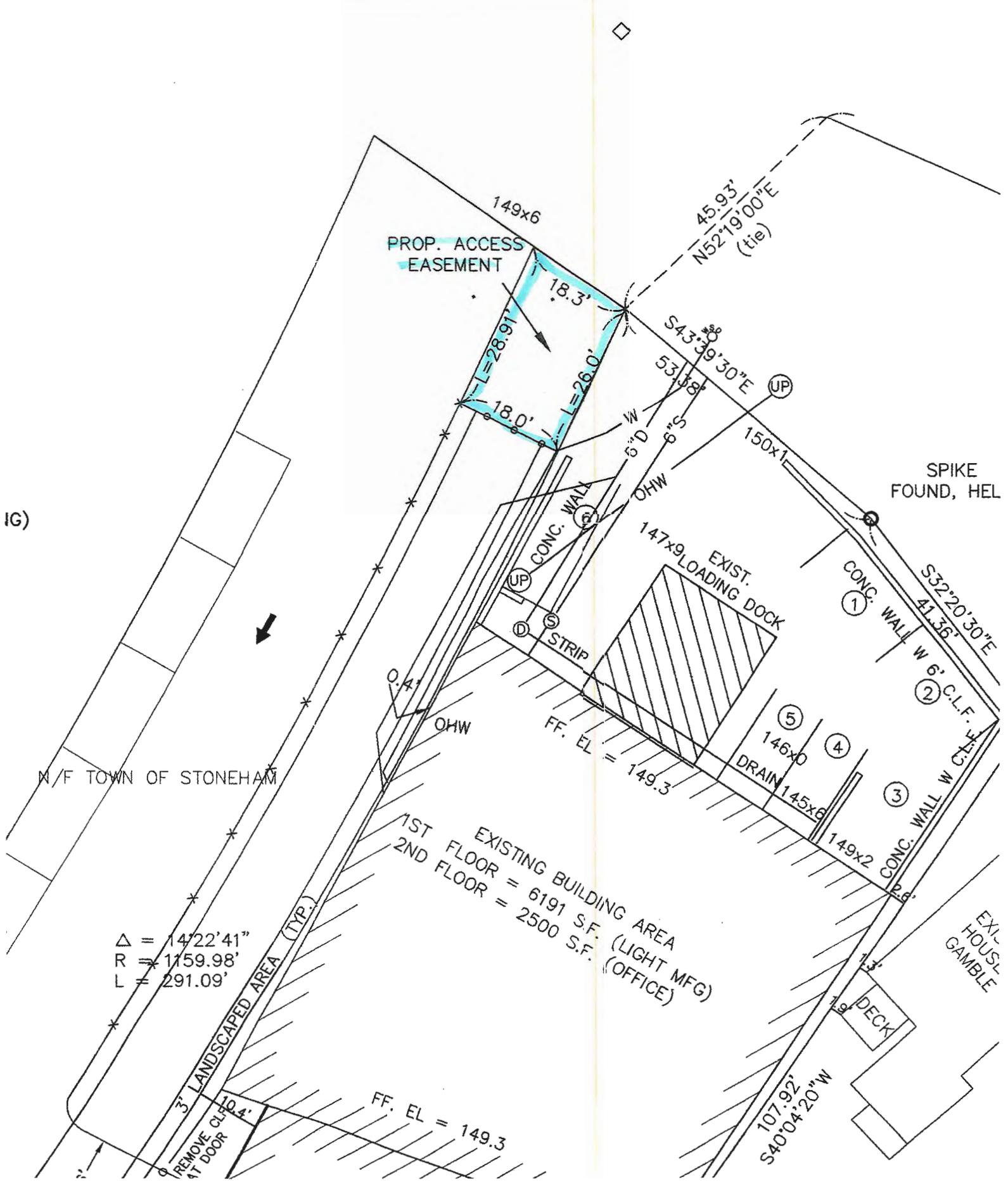
URAN ASSOCIATES
P.O. BOX 571
WOBURN, MA 01801

SHEET NO.

S1

FILE NAME
LAKE-INDUS

IG)



PARCEL NO.	TITLE HOLDER (N/F)	RECORDED			AREA (+/-)			REMARKS
		DEED BOOK	PAGE NO.	TOTAL PROPERTY AREA	ACQUISITION (includes easements) / DEDICATIONS	TEMP CONSTRUCTION AREA		
				STATE	TOWN			
X-7-T	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY STONEHAM <i>(Acquisition by Stoneham previously authorized by Town Meeting)</i>	13117	113	45,975 SF	45,975 +/-SF	-	ACQUISITION/DEDICATION FOR PROPOSED TRAIL MBTA or STONEHAM	
X-8-T	TOWN OF STONEHAM JOHN J. MELKONIAN	15490	507	66,548 SF	66,548 +/-SF	-	ACQUISITION/DEDICATION FOR PROPOSED TRAIL	
X-TE-56	51 MONTVALE AVENUE - STONEHAM MAP 17 LOT 253	54548	319	39,857 SF	-	679 +/-SF	TEMPORARY CONSTRUCTION ACCESS AND GRADING	
X-10-T	TOWN OF STONEHAM CHESTNUT HOLLOW LLC.	15490	507	41,223 SF	41,223 +/-SF	-	ACQUISITION/DEDICATION FOR PROPOSED TRAIL	
X-TE-58	41 - 43 MONTVALE AVENUE - STONEHAM MAP 17 LOT 256	39450	4	66,385 SF	-	816 +/-SF	TEMPORARY CONSTRUCTION ACCESS AND GRADING	
X-11-T	TOWN OF STONEHAM	15490	507	2,114 SF	2,114 +/-SF	-	ACQUISITION/DEDICATION FOR PROPOSED TRAIL	
X-12-T	TOWN OF STONEHAM	15490	507	37,623 SF	37,623 +/-SF	-	ACQUISITION/DEDICATION FOR PROPOSED TRAIL	
X-13-T	TOWN OF STONEHAM	15490	507	11,102 SF	11,102 +/-SF	-	ACQUISITION/DEDICATION FOR PROPOSED TRAIL	
X-14-T	TOWN OF STONEHAM	15490	507	76,582 SF	76,582 +/-SF	-	ACQUISITION/DEDICATION FOR PROPOSED TRAIL Excluding the area currently used for a school driveway	
X-TE-59	TOWN OF STONEHAM	8112	258	392,040 SF	-	2308 +/- SF	TEMPORARY CONSTRUCTION ACCESS AND GRADING	
X-TE-60	STONEHAM MIDDLE SCHOOL TOWN OF STONEHAM	15490	507	39,222 SF	39,222 +/-SF	-	TEMPORARY CONSTRUCTION ACCESS AND GRADING	
X-TE-61	43 POMEWORTH STREET CONDO ASSOCIATION 43 POMEWORTH STREET - STONEHAM MAP 12 LOT 340	-	-	38,638 SF	-	412 +/-SF	TEMPORARY CONSTRUCTION ACCESS AND GRADING	
X-16-T	TOWN OF STONEHAM JOHN W. PARISEAU TR.	15490	507	16,943 SF	16,943 +/-SF	-	ACQUISITION/DEDICATION FOR PROPOSED TRAIL	
X-TE-62	41 PLEASANT STREET - STONEHAM MAP 12 LOT 349	48991	45	29,055 SF	-	1,537 +/-SF	TEMPORARY CONSTRUCTION ACCESS AND GRADING	
X-TE-63	AMY S. MACISAAC 15 GOULD STREET - STONEHAM MAP 13 LOT 31	57711	526	6,970 SF	-	232 +/-SF	TEMPORARY CONSTRUCTION ACCESS AND GRADING	
X-17-T	TOWN OF STONEHAM	15490	507	38,396 SF	881 +/-SF	-	ACQUISITION/DEDICATION FOR PROPOSED TRAIL	
X-TE-66						585 +/-SF	TEMPORARY CONSTRUCTION ACCESS AND GRADING	

Town Common Winter Ice Skating Rink

Proposal to Board of Selectman: August 11, 2015

Proposed: To Install an ice skating rink on the Town Common area to be used by citizens of Stoneham for the Winter of 2015-16.

Project Participants: Town of Stoneham, Cassidy Landscaping and Century 21 Celli.

Dates: Installation: Outlined below, but installation date of approximately 12/16/15 – 12/22/15

Use: 12/23/15 – 2/15/16

IMPLEMENTATION

1. Cassidy Landscaping and Century 21 Celli will purchase and donate to the Town a 90' x 60' skating rink and materials for town's use on the Town Common until such time as the town does not wish to have a skating rink used on the Town Common area.
2. Cassidy agrees to install the rink stakes entering the ground before hard frost hits. The complete installation will occur the week before Christmas with the hope of being in place until mid February. All dates are weather permitting.
3. We are asking the town to donate the initial water at an approximate cost of \$ 150 and to donate water for general maintenance of the ice.
4. Cassidy Landscaping agrees to maintain rink ice during the course of the Winter.
5. Cassidy Landscaping agrees to maintain snow removal of heavy snow storms (approximately 4+ inches). Snow removal of the rink and surrounding area so access to rink is viable.
6. We will be working with the Athletic Department and Youth Hockey for shoveling assistance during smaller snow events.
7. Cassidy Landscaping and Century 21 Celli and will be attending Stoneham Square Neighborhood Group meetings on 8/19 and 9/17 as the Community has expressed a desire for this project and we want to hear from the community.
8. Cassidy Landscaping and Century 21 Celli agree to purchase and install rubber walkway mats.
9. Cassidy Landscaping and Century 21 Celli will remove skating rink, requesting the town provide an area of storage for future use.
10. Cassidy Landscaping and Century 21 Celli will restore any grounds to the condition prior to installation.

Discussion Points

1. Rink use times: 9AM - 9PM
2. No Hockey Sticks
3. Sign on proposed rink area for tree lighting ceremony "Ice Skating Rink Coming"
4. Recognition for the Town of Stoneham, Cassidy Landscaping and Century 21 Celli inlaid into the ice as project partners. If additional sponsorship requests come in, that can be accomplished by 1' by 2' banners to be placed on the interior boards of the rink. At a cost of \$500.00 per banner to defray project costs.
5. This is something that is being done in many surrounding towns, but this will be unique as it is being incorporated with the tree lighting area and continues the forward movement of the revitalization of the down town area.

TIMELINE

8/18 - Order rink

8/19 - Neighborhood Group meeting

9/17 - 2nd Neighborhood Group meeting

11/22 - Installation of rink stakes and Advertising Sign on site

12/15 - Installation of rink structure

12/16 - 12/22 - Fill rink with water and prepare rink for first use

12/23 - Grand Opening of Rink with ceremony??? 5PM???

12/23 - 2/15//16 - Rink use and maintenance

By the April the structures will be removed and any repairs to the grounds will be done.

Thank you.

Craig J. Celli, Century 21 Celli

Patrick and Ryan Cassidy, Cassidy Landscaping

Seasonal Ice Rink on the Stoneham Common
 Winter 2015-2016
 Last updated 8/6/2015

SOURCES:	\$	Comments	Committed/Uncommitted
Stanley Cup Sponsors	10,200	limit of 2	Committed
Prince of Wales Sponsors	-	1'x2' sign on interior facing rink wall	Uncommitted
Clarence S. Campbell Sponsors	-	recognition on public materials including web	Uncommitted
Total:	\$10,200		

USES:			
Rink package	5,500	includes shipping	
Rubber walking mats	750	10 count, 38.5"x58.5"	
Bracket safety padding	500		
Water	150	1833 ft3 x \$5/ft3, initial fill + 2x/wk skim coat	
Site prep/leveling	500		
Site restoration to original conditions	2,000		
Printing & Supplies	250		
Subtotal:	\$9,650		
Contingency	\$483	5%	
Total:	\$10,133		
Surplus/(Gap)	\$68		

Notes

Need to identify administration process for fund transfers.



NiceRink Online Quote # 116015

July 24, 2015

Package Selected:

	Width	Length	Sq. Ft	Perimeter
Rink Size:	64	88	5632	304
Liner Size:	72	93	6696	372

Gallons of Water @ 4": 14080

Qty	Description	Price Ea.	Total	Weight
6696	NiceRink #1 Liner	0.135	\$903.96	200.88
72	NiceRink Brackets	9.750	\$702.00	144.00
1	52" NiceIce Resurfacer	240.000	\$240.00	12.00
72	NiceRink 18" x 4' Plastic Boards	32.000	\$2,304.00	648.00
36	BumperCaps-8'-Yellow	9.500	\$342.00	72.00
36	KickPlates Premium "L" Style 15" x 8' White (\$20ea)	20.000	\$720.00	198.00
1	NiceRink Patch Tape 4" x 25'	0.000	\$0.00	0.50
1	3.7oz . Underwater NiceRink Repair Adhesive	6.750	\$6.75	0.50
5	NiceRink RinkRat Hockey Puck	2.000	\$10.00	0.33
1	LightUp Puck	19.500	\$19.50	0.33
1	NiceRink Installation DVD	0.000	\$0.00	0.10

Pallet Weight: 75

Package Value: \$5,248.21 1351.64 lbs

Gold Package Discount (7.5%) -\$393.62

Nov. 1st Discount (5%): -\$262.41

Shipping: *Will be added to cost*

Sales Tax: \$0.00

(Wisconsin Residents Only)

Quote Total*: \$4,592.18

BUY NOW

ADD TO CART

ADD TO WISHLIST

View Rink Plot / Rink Assembly Instructions

IMPORTANT NOTE: Package and early order discounts will be applied at checkout in the online store

Thanks for your interest in our products. If we can be of any help, or if you have any questions, please call 1-888-NiceRink ([642-3746](tel:642-3746)).

Email me this quote:

**Prices subject to change without notice*

***Closest stock package we currently have online based on your specifications*





RINK 90 ft X 60 ft

Stoneham
Town Common

Cost Cutters

Honey Dew Donuts

Google

#5 - 17 Manison Street Plan Review

The plan will be submitted Monday or Tuesday

-Request for late submittal approved by
Chairman

cc. Board of Selectm.

Charles F. Houghton
Attorney - At - Law

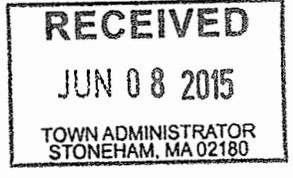
271 Main Street - Suite 202, Stoneham, Massachusetts 02180
Telephone: (781) 438-7444 Fax: (781) 438-2078

Christopher J. Gordon
Attorney

Janet E. Ewell
Attorney

Mark E. Mulligan
Attorney

Maria D'Alorio
Paralegal



May 29, 2015

Mr. David Ragucci
Town Administrator
Town of Stoneham
35 Central Street
Stoneham, MA 02180

Dear Mr. Ragucci:

This letter is to remind you that the mitigation payment made by Richmond Company for Fallon Road, in addition to the 1.8 million dollar payment, included the \$25,000.00 Fallon Road Improvement District monies paid on April 27, 2015 to the Town of Stoneham.

You may remember that both Marjam and Richmond Company agreed that they would each pay \$25,000.00 and that this would be held by the Town Administrator for implementation of the Fallon Road Area Improvement Agreement to be used and administered solely by the Town of Stoneham through its Town Administrator and only for the improvement and development of Fallon Road.

Thank you.

Sincerely,

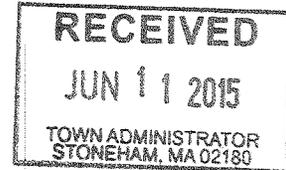
Charles F. Houghton
Charles F. Houghton

CFH:meh

IYH CORPORATION
19 BROOK ROAD, SUITE 201
NEEDHAM, MA 02494
TEL: (781) 444-3399

June 2, 2015

Mr. David Ragucci
Town Administrator
Town of Stoneham
35 Central Street
Stoneham, MA 02180



Dear Mr. Ragucci,

Enclosed please find the 2015 contribution to the Stoneham Public Safety fund on behalf of IYH Corporation. Per the agreement, this is the final payment.

Sincerely,

A handwritten signature in cursive script that reads "Amy Crowley".

Amy Crowley
Controller

1349

IYH CORPORATION
1215 Chestnut Street
Newton Upper Falls, MA 02464

5-70172110

DATE

5/28/15

PAY
TO THE
ORDER OF

Town of Stoughton

\$ 10,000.-

Ten Thousand

DOLLARS



Security
Features
Basic on
Back

CITIZENS BANK OF MASSACHUSETTS

FOR Public Safety - FINAL

Stanley B...

⑆00⑆349⑆⑆2⑆1070⑆75⑆⑆130049008⑆⑆

MP

**Town of Stoneham
Office of the Town Administrator**

35 Central Street
Stoneham, MA 02180



Information Technology (781) 279-2644
Human Resources: (781) 279-2620

Town of Stoneham Electronic Communication and Computer-Use Policy

All Users of the Town's Systems shall read and abide by this Policy.

1. PURPOSE

This Policy is intended to provide guidance on the appropriate use of the Town of Stoneham's electronic communications and information equipment and systems ("Systems") including, but not limited to, Computer Workstations, Hardware and Software, Electronic Mail ("e-mail"), Internet, Printers, Plotters, Scanners, Personal Digital Assistants (PDA's), Smart Phones, Tablets, Cameras, Facsimile Machines (FAX), Copiers, LCD Projectors, and Network Devices such as Switches, Hubs, and Wireless Access Points. All Systems and e-mail accounts are the property of the Town of Stoneham.

2. SCOPE

Use of the Town of Stoneham's Systems by any employee, contractor, consultant, volunteer, intern or any other person so authorized including, but not limited to, any part-time, full-time, elected or appointed personnel ("User") shall constitute acceptance of the terms of this Policy and any such additional related policies that may be issued by the Town of Stoneham.

Managers and supervisors are responsible for ensuring that all their employees using the Town's Systems have read this policy and have understood its applicability to their activities.

3. POLICY

Users shall use the Town of Stoneham's Systems in a responsible, professional, ethical, and lawful manner. Access and use of the Town of Stoneham's Systems is intended for business-related purposes, including communicating with co-workers and colleagues, and researching topics relevant to Town of Stoneham business. All existing state, federal, and local laws and Town of Stoneham policies apply to your conduct while

using the Town of Stoneham's Systems, particularly those that govern intellectual property protection, sexual or other harassment, misuse of Town of Stoneham resources, privacy rights, and confidentiality.

This Policy sets forth general guidelines and examples of prohibited uses of the Town of Stoneham's Systems for illustrative purposes, but does not attempt to identify all required or prohibited activities by Users. Questions regarding whether a particular type of activity or use is acceptable should be directed to the Chief Information Officer ("CIO") and/or your supervisor. These guidelines may be supplemented by more specific administrative procedures and rules governing day-to-day management and operation of the Town of Stoneham's Systems.

4. REVIEW

This Policy will be reviewed by the CIO and the Town Administrator, or any person so designated by the Town Administrator, on a periodic basis to ensure that it is legally sound and reasonably enforceable. The Town reserves the right to amend this policy at any time at the discretion of Town management.

5. TRAINING AND NOTIFICATION

Users shall become familiar with, and adhere to, the provisions of this Policy and receive in-service training at time of hire and periodically thereafter, as necessary. In addition, Users will receive notifications pertaining to this Policy by internal mail, e-mail, bulletin board posting, and occasional network log-on reminders.

6. PRIVACY

Users should have no expectation of privacy in the Town of Stoneham's Systems. Any information stored on, accessed, browsed or created on the Town's

Systems should not be considered private by the User. This includes files, e-mail communications, and website history. All electronic files and documents originating from or passing through the Town's Systems are considered to be the property of the Town.

Subject to certain exceptions in the law, e-mail messages are considered public records and are therefore legally discoverable and subject to record retention policies.

7. MONITORING

The Town of Stoneham retains the right to inspect all electronic files and data created and/or communicated to and from users of the Town of Stoneham's Systems. Said communications may also be subject to audit checks, security assessments, and forensic examinations. Users should be aware that the CIO is authorized to monitor network traffic, and/or access all files, including e-mail files and Internet use history, stored on any Systems. The Town of Stoneham, in order to ensure the continuity and safe operations of its Systems, may employ intercept, capture, and/or use detection programs that search for patterns of abuse, security risks, illegal activity, and any violation of this Policy.

8. SECURITY

A. Users shall restrict access (electronically and/or physically) to their Systems to ensure adequate security and prevent destruction or tampering with the Systems. This includes computer equipment and Systems located in motor vehicles and/or any Town-owned device in the User's possession, such as a laptop or PDA.

B. Users shall conduct a daily visual and operational inspection on all Systems. Any damage, evidence of tampering or malfunctioning of the System, must be reported immediately to the CIO.

C. Users shall log into the department computers in their designated work areas (on a regular basis) to read and respond to official department e-mails. Users are required to know their e-mail User names and passwords and are responsible for logging into and out of their accounts. Users are prohibited from giving their personal passwords to others, and/or leaving unattended, open access to their e-mail/network

accounts. Users shall not allow others to use their assigned e-mail accounts, unless configured to do so by the CIO.

9. INTERNET/E-MAIL GUIDELINES

While we increasingly use the Internet and e-mail as a tool in the workplace, misuse or abuse of the Internet and e-mail can result in wasted time, as well as potentially violate laws, bylaws, ordinances, regulations or other Town of Stoneham policies. Therefore, Users should adhere to the following Internet and E-Mail Guidelines.

A. **Use for Official Business:** It is the Town of Stoneham's policy to restrict Internet and e-mail access to official Town of Stoneham business. Use of the Internet or E-mail for personal matters is prohibited, **unless prior authorization is obtained from the Users' department head.** Users, upon obtaining approval from their respective department head, may use the department computer equipment, applications, programs or Systems **for limited personal use**, ensuring that this use does not interfere with their primary job responsibilities. Users are expected to demonstrate a sense of responsibility and not abuse this limited use privilege. The department head shall monitor personal use to determine if abuse occurs. While using the Town's Systems for personal use, **Users should not expect any right of privacy in the Town of Stoneham's Systems.**

B. **Authorization:** Authorization for Internet and e-mail access must be obtained through the Human Resources Office or the CIO. Once authorization is approved, each User is responsible for the security of his or her account password and will be held responsible for all use or misuse of such account. Department Heads and Supervisors are responsible for notifying Human Resources of any employee resignations or terminations. Access to the Town's Systems shall cease when the employee vacates his/her position.

C. **Compliance with Laws:** Users must not utilize the Internet or e-mail to knowingly violate any state, federal or local law, or the laws of any other nation. United States copyright and patent laws may apply to information and material(s) accessed through the Internet, and care should be taken to not violate the copyrights or patents of others on or through the use of the Internet or e-mail. Users shall respect and

comply with all software licensing agreements and are forbidden to use, copy, retrieve, modify or forward copyright-protected materials, except as permitted by law.

D. **Viruses:** All appropriate precautions should be taken to detect viruses, including scanning all computer files (including attachments) that are downloaded and/or opened from the Internet, before installation or execution of such files/attachments.

Users should only open attachments from anticipated and trusted sources. Users should direct any questions regarding the proper use of virus detection software to the CIO prior to downloading and/or opening any computer files/attachments.

E. **Public Records Law:** Users shall familiarize themselves with the Commonwealth's Public Record Laws. The Secretary of State's Office of the Commonwealth has determined that e-mail (and any attachments) qualifies as "public records," as defined in Chapter 4, section 7(26) of the Massachusetts General Laws. Therefore, all e-mail sent by or received through the Town of Stoneham's Systems shall be archived by the CIO. All Users shall retain either a printed or digital record of e-mail sent by or received through the Town of Stoneham's System's, in the same manner that other paper records are kept by their departments, and in accordance with the Record Retention requirements. Some e-mails may also be requested through the Freedom of Information Act.

F. **Prohibited Practices**

1. Unless it is directly related to a criminal investigation or other investigative operation pre-approved by the Chief of Police, Users are prohibited from using the Town of Stoneham's Systems, including any device connected to the Town Network VLAN or telephone dial-up lines, to knowingly display, transmit, download, receive, store, archive, distribute, edit and/or record any unlawful or offensive communication and/or computer file, that is:

- a. Discriminatory or harassing;
- b. Derogatory to any individual or group;
- c. Obscene, sexually explicit, sexually suggestive or pornographic;

d. Defamatory or threatening;

e. Promotional of one's personal political beliefs or for any political purpose;

f. In violation of any state or federal law, regulation, or local bylaw; or

g. In violation of any license governing the use of software or copyrighted material. Users shall not use the Town of Stoneham's computers to knowingly download or distribute pirated software or data. Any software or files downloaded via the internet may be used only in ways that are consistent with their licenses or copyrights. **The downloading of games or other programs for amusement/entertainment, or any other personal purpose is strictly prohibited.**

2. Users are forbidden from viewing or disseminating any child pornography or other pornography to anyone by any means. Furthermore, any discovery of said pornography must be reported immediately to the Town Administrator.

3. Unless otherwise authorized by this Policy, Users are prohibited from engaging in or attempting to engage in:

a. Maliciously using or disrupting the Town of Stoneham's computers, networks, or Internet services;

b. Misusing or damaging the Town of Stoneham's equipment or Systems;

c. Monitoring or intercepting the files or electronic communications of other Users or third parties;

d. Hacking or obtaining access to systems or accounts (internal or external), which they are not authorized to use;

e. Using another User's network log-in account, e-mail address(es), and/or password(s);

f. Breaching, testing or monitoring a Town-owned computer or System or tampering with the Town's system configuration and/or network security measures;

g. Attempting to access unauthorized sites;

h. Using the Town of Stoneham's Systems after such access has been denied or revoked;

i. Attempting to delete, erase or otherwise conceal any information stored on any portion of the Town of Stoneham's Systems; or installing any software program, application or hardware device on a Town-owned computer or System without first obtaining authorization from the CIO or his/her designee.

4. Users shall not (unless approved and acting in a Police investigative capacity) send e-mail or other electronic communications that hides the identity of the sender or represents the sender as someone else or utilize any form of spoofing, masquerading and/or anonymous relaying/WEB surfing services.

5. Users shall not use or abuse software programs, computer resources or Systems in a manner that is likely to cause major network congestion or significantly hamper the ability of other Users to access and use the system or network.

6. Users shall not broadcast messages to all employees or Users via e-mail without permission from the Town Administrator. Users shall not utilize the Town of Stoneham's Systems for the purpose of sending "chain-letters, unsolicited mass e-mails, or other "spam."

7. Users shall not utilize the Internet or e-mail to deliberately propagate any virus, worm, "Trojan horse," trap-door or back-door program code, or any type of malware, or knowingly disable or overload any computer system, network, or to circumvent any system intended to protect the privacy or security of another User.

8. Users shall not utilize the Town of Stoneham's computers or Systems for private financial gain, or commercial, advertising or solicitation purposes.

9. Users shall refrain from using encrypted programs and encrypted communications (unless previously approved by the CIO).

Encrypted programs may only be used for the purposes of safeguarding sensitive/confidential information and certain authorized online investigations. Users, authorized to use various forms of encryption on files and communications, must provide the CIO with a

sealed printed copy (to be retained in a secure location) of all of the passwords and/or encryption keys necessary to access the files, including any User accounts and passwords used in accessing secure resources and network configurations.

10. Users shall not store confidential information or Non-Public Information (NPI) locally on desktop or mobile computers or on any removable device or media such as floppy disks, CD's, DVD's, iPods, PDA's, cell phones, and flash/jump drives. Confidential information and NPI is defined as information that is exempt from disclosure under the Freedom of Information Act; protected by statute, Executive order, or regulation; designated by the Town as confidential; or not yet made available to the public or authorized to be made available. Examples of NPI include, but are not limited to: a) Social Security Numbers; b) Credit card or bank account numbers; or c) Medical or educational records.

11. Users shall not transmit or disclose, via e-mail or any other means, confidential information or NPI unless it is a necessary function of the User's duties, in which case such transmission must be encrypted.

12. All computer hardware, software and Systems shall at all times remain the property of the Town of Stoneham and shall not be removed from their respective sites or downloaded onto personal computer equipment without the express written approval of the CIO. Users shall not reassemble and/or disassemble computer equipment or Systems belonging to the Town of Stoneham without express permission from the CIO.

G. Violations of Policy: Users have read, understand, and agreed to comply with this Policy, governing the use of the Town of Stoneham's Systems. Those individuals who violate this Policy or otherwise abuse the privileges and guidelines set forth in this Policy may be subject to corrective action including, but not limited to, possible termination of employment, legal action, and criminal liability. Additionally, Users shall be personally liable for any losses, costs or damages incurred by the Town of Stoneham related to violations of this Policy.

Users shall report violations of this Policy to their supervisor, or in the case of department heads, directly to the Town Administrator.

Retaliation against another user for reporting a violation or violations of this Policy, including the use of e-mail or the Internet in a retaliatory manner, is strictly prohibited by the Town of Stoneham.

This Policy replaces any previously released policies concerning the use of the Town’s electronic communications (e-mail) and computer and internet usage.

Reviewed and approved by the Board of Selectmen, the Town Administrator and the Chief Information Officer:

Board of Selectmen, Chairman Date

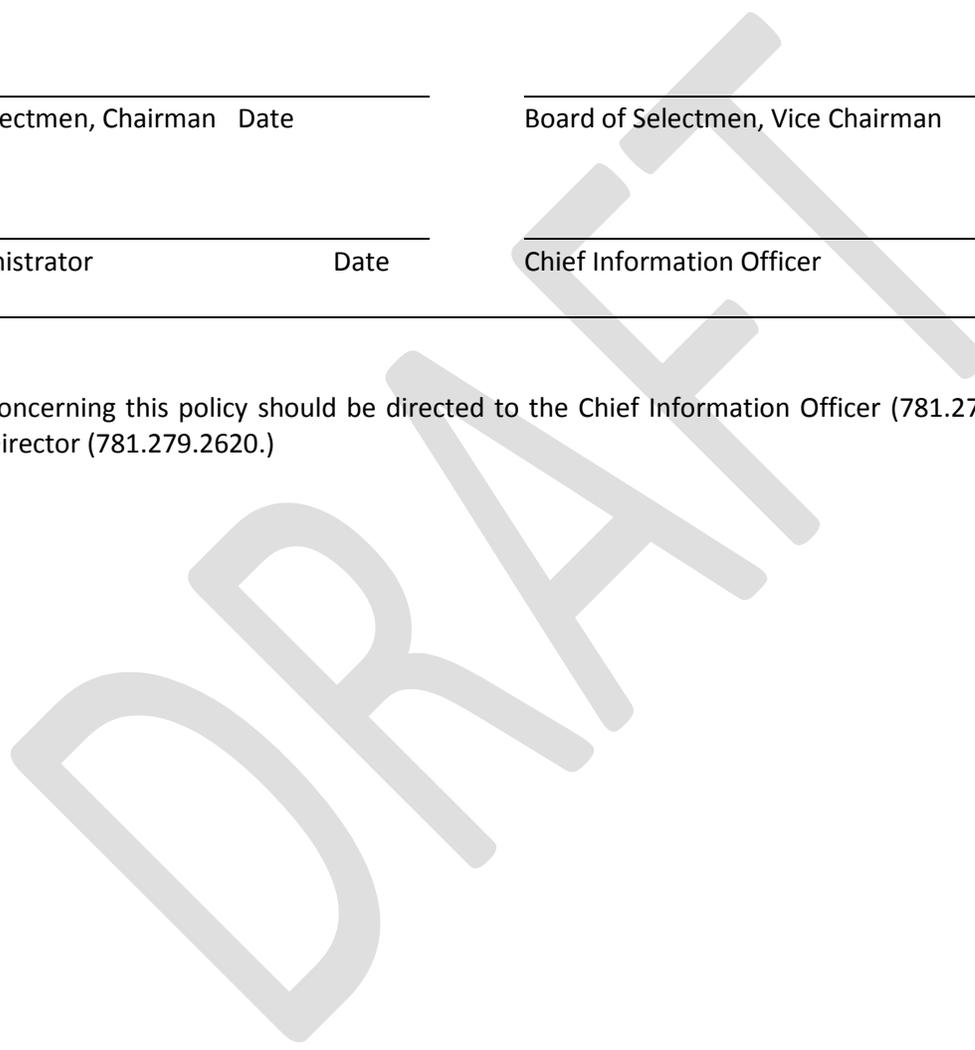
Board of Selectmen, Vice Chairman Date

Town Administrator Date

Chief Information Officer Date

Questions concerning this policy should be directed to the Chief Information Officer (781.279.2644) or the Human Resources Director (781.279.2620.)

GRay
04/07/15



EMPLOYEE ACKNOWLEDGEMENT FORM

I acknowledge that I have read the **Town of Stoneham’s Electronic Communication and Technology Policy**.

I understand that the use of the Town of Stoneham’s computer System and other Town-owned equipment constitutes employee consent to the terms of use as outlined in this Policy.

I understand that violations of this Policy may subject me to disciplinary action, up to and including discharge from employment and/or legal action.

I understand that there is no expectation of personal privacy when using the Town of Stoneham’s computer and e-mail systems and other Town-owned equipment.

Employee Name (please print)

Department

Employee Signature

Date

Department Head Signature

Date

August 11, 2015

President
Carolyn Lassiter
Excelsior Realty Group

Vice President
Christian Senna
C&S Capital Properties

Treasurer
Stephen Rotondi
Rotondi Travel Services

Clerk
Mark Ventola
Sheehan Phinney & Green PA

Past President
Edward Doherty
StonehamBank

Directors:

Tracey Arsenia Reed
Redstone Chiropractic
Healing Center

Diane Bonanni
Diane Bonanni, DMD

Maureen Canova
Stoneham Council on Aging

Denise Ciampa
Stoneham Ford

Vincent Festino
Cubby Oil & Energy

Marylou Hardy
Lahey Health

Bob Lee
Body Mind Systems

Christopher Nolty
Salem Five

Debra Rafson
Stoneham Theatre

Elisa Scher
Hallmark Health System

Paramjit Singh
Rang Indian Bistro

Board of Selectmen
Town of Stoneham
35 Central Street
Stoneham, MA 02180

Dear Sirs and Madams:

On behalf of the Stoneham Chamber of Commerce 2015 Town Day Committee, I am writing to request the following in anticipation of Town Day 2015 on Saturday, September 19, from 11am to 4pm (rain date Sunday, Sept. 20, 11:00am to 5:00pm).

The Town Day Committee would require the following closures:

Both the north- and south-side Town Common parking lots;
Central Street from Pleasant to Main
The three Town Hall parking lots; and
Emerson from Pine to Central

This will allow the Stoneham Chamber of Commerce to set up and conduct Town Day. We will, as usual, be working closely with the Police, Fire and Public Works departments to ensure the safety of all involved.

If you have any questions with regard to this, please feel free to contact me.

Thank you very much,

Jennifer Welter
Executive Director



335 Main Street Suite 202 Stoneham, MA 02180 (781) 438-0001

August 17, 2015

Board of Selectmen
Town of Stoneham
35 Central Street
Stoneham, MA 02180

Re: **Stoneham Democratic Town Committee**

Dear Mr. Chairman and Members:

Following is a list of enrolled members of the above-referenced committee who desire appointment as election officers for a one-year term beginning September 1, 2015:

Clerk	August S. Niewenhous
Deputy Clerk	Maria Silvaggi
Inspector	Diana L. Cooper
Deputy Inspector	Shirley R. Murray

If you have any questions or require any additional information please do not hesitate to contact me.

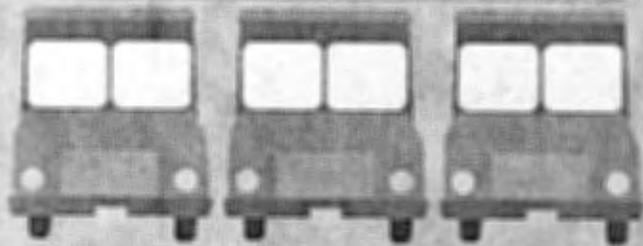
Sincerely,

Charles F. Houghton

CFH:meh

Cc: Town Clerk

2015 Media Kit



"Food, Truck, Fever. We have witnessed it first-hand at our food truck festivals. And it has been exciting -- beyond our wildest dreams. It seems trite to use the win-win-win expression, but it works so perfectly here -- Our festivals are truly big wins for our attendees, the trucks and our sponsors. Your brand + the coolest trend in the country = a rare opportunity to connect face-to-face with thousands of young, hip influencers in a fun atmosphere."

**Anne-Marie Aigner, Executive Producer
Food Truck Festivals of America*



2015 FOOD TRUCK FESTIVALS OF AMERICA TOUR *

Spring Training Food Truck & Craft Beer Festival

@ JetBlue Park in Fort Myers, FL on Saturday, March 21

The Great New Mexico Food Truck & Craft Beer Festival

@ Balloon Fiesta Museum in Albuquerque, on Saturday, April 11th

South Carolina Food Truck & Craft Beer Festival

@ SC Farmer's Market in West Columbia, SC on Sunday, April 26th

Mother's Day Food Truck Festival

Lilac Sunday @ the Arnold Arboretum in Jamaica Plain, MA
Sunday May 10

Providence/Boston Food Truck Showdown

@ India Point Park in Providence, RI, Saturday, June 6

4th Annual Worcester Food Truck & Craft Beer Festival

@ Elm Park in Worcester, MA, Saturday, June 20

Marlborough Food Truck & Craft Beer Festival

@ Marlborough Center, Saturday, August 15

3rd Annual Cape Cod Food Truck & Craft Beer Festival

@ Cape Cod Fairgrounds in Falmouth, MA, Saturday, August 29

Vegan Food Truck & Craft Beer Festival

@ Central Square in Cambridge, MA, Saturday, September 12

Plymouth Food Truck & Craft Beer Festival

The Grove @ Exit 5/Rte 3, Saturday, September 26

2nd Annual New Hampshire Food Truck Festival

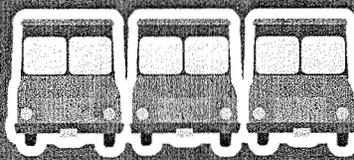
@ Redhook Brewery in Portsmouth, NH, Sunday, October 4

North Shore Food Truck & Craft Beer Festival

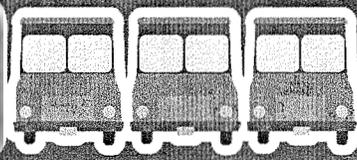
@ Stoneham Square, Saturday, October 17

*All dates and locations subject to change

www.foodtruckfestivalsofamerica.com



FOOD TRUCK FESTIVALS OF AMERICA



Festival Snapshots/ 2014:

Here are some shots from our festivals in 2014 – each drew 5,000-10,000 hungry attendees.



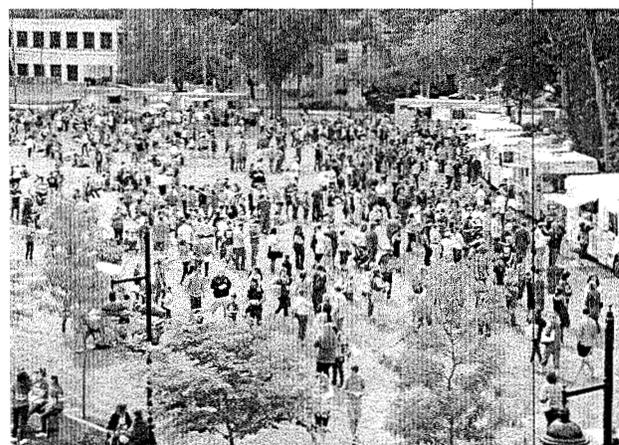
Somerville Food Truck Festival, June 7



Worcester Food Truck Festival, June 22



Cape Cod Food Truck Festival, September 6



Framingham Food Truck Festival, September 20



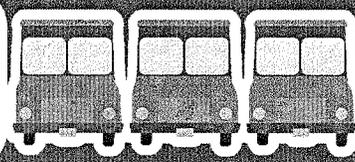
New Hampshire Food Truck Festival, October 5



Newport Food Truck Festival, October 25



FOOD TRUCK FESTIVALS OF AMERICA



The Trucks:

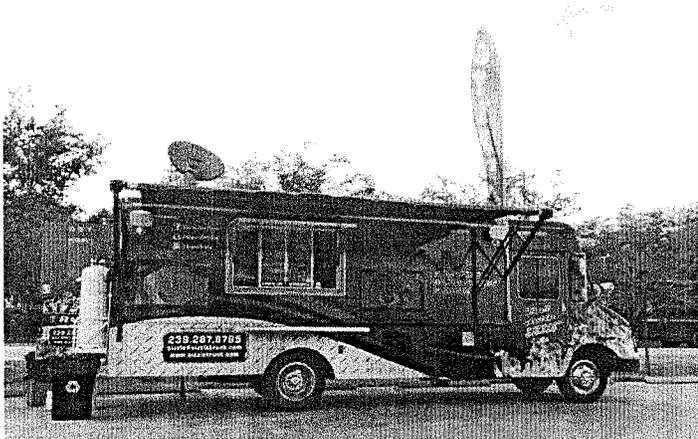
The food trucks & the food are the stars of our festivals. It's all about the food. We choose from our list of hundreds of trucks (now over 400 in New England, 100- 200 in our new markets, and growing!) and always deliver the "best of the best" at every festival. *



Roxy's Grilled Cheese



Batch Ice Cream



The Sizzle Truck



The Dining Car



2 Fat 2 Fly



Box of Chacos

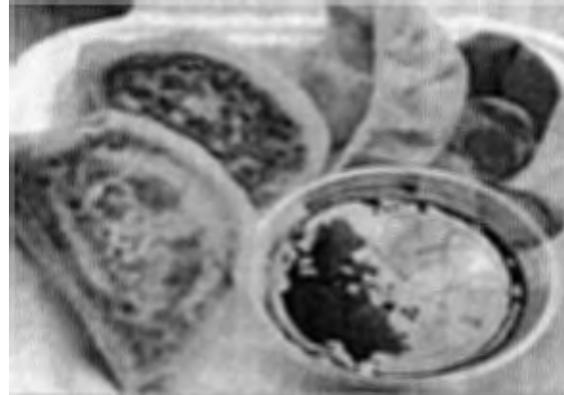
*Please check out our website www.foodtruckfestivalsfamerica.com to see more of the trucks we work with.



The Food!



Lobster Roll



Beef Dumplings



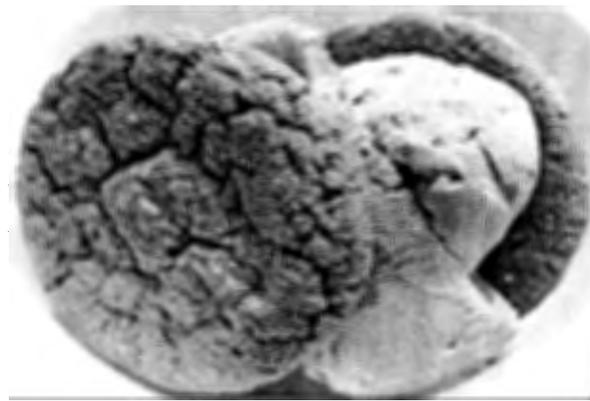
Whoopie Pies



Turkey, Brie & Bacon Sandwich



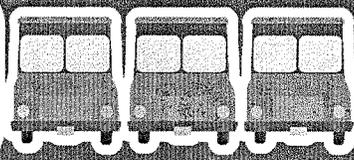
Crispy Cauliflower



Homemade Ice Cream Sandwich

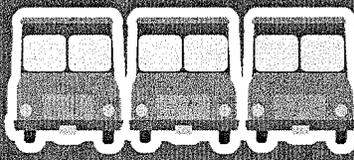


FOOD TRUCK FESTIVALS OF AMERICA

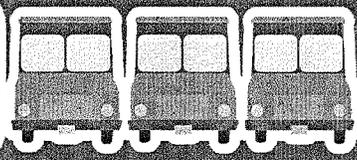


The Beer:



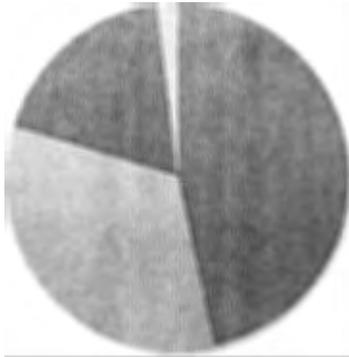


FOOD TRUCK FESTIVALS OF AMERICA



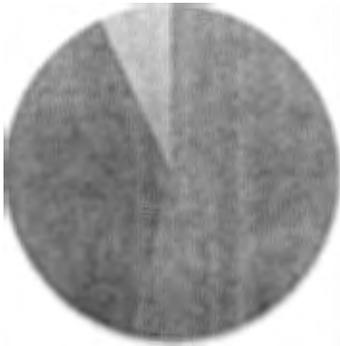
Our Guests:

Age



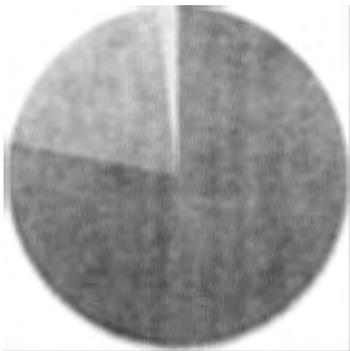
- 0-16 7%
- 17-29 41%
- 30-49 34%
- 50+ 19%
- N/A 2%

Gender

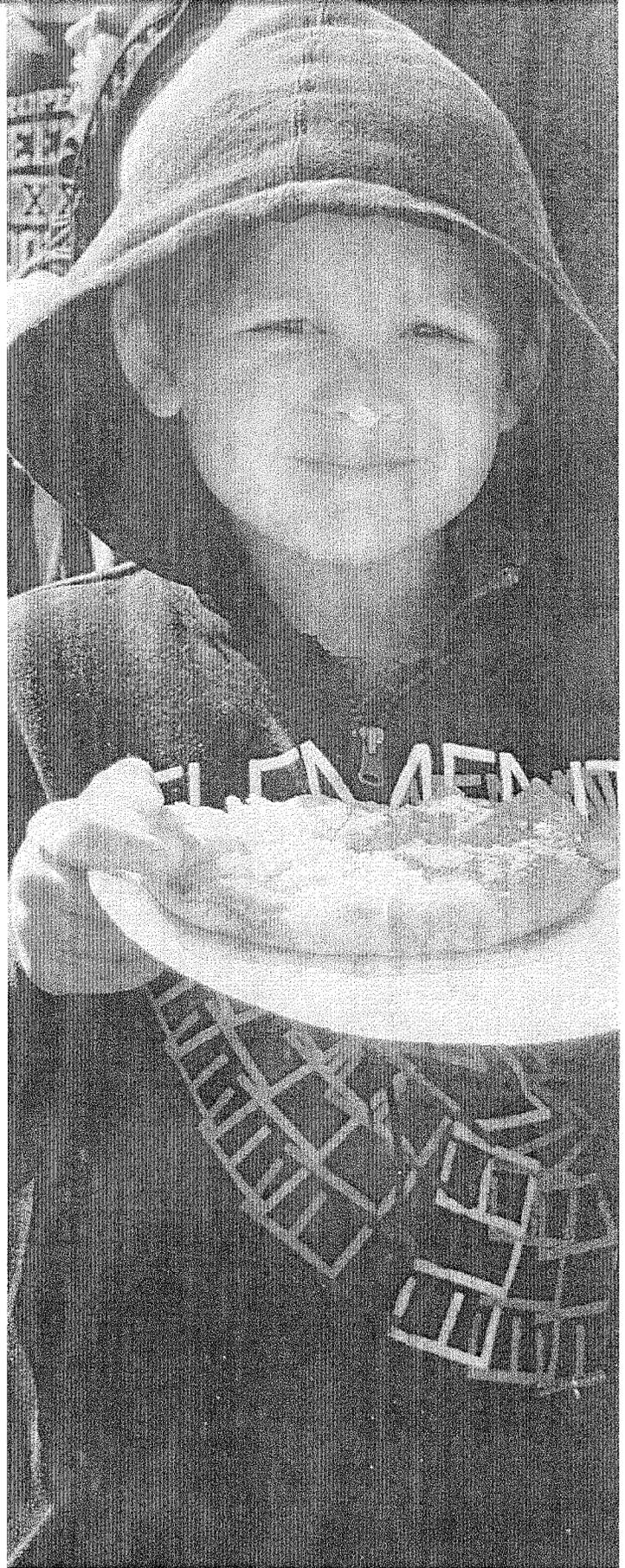


- Female 54%
- Male 39%
- N/A 7%

Experience

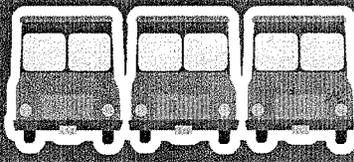


- Excellent 52%
- Very Good 26%
- Average 20%
- Poor 2%

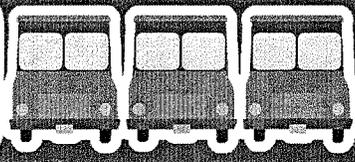


* 2012, 2013, 2014- - A total of 1813 responses

** The average attendee spends \$25/ person and spends 2.5 hours at the festival



**FOOD TRUCK
FESTIVALS
OF AMERICA**



Sample Media Coverage:

The Boston Globe

ZAGAT



**PROVIDENCE
Journal**



Chicago Tribune

FOXCT

9now.com

THE
HUFFINGTON
POST

courant.com

**WICKED
LOCAL.com**

NECN
New England's News Station

NEW HAMPSHIRE
UNION LEADER

**BOSTON
Herald**

W O R C E S T E R

TELEGRAM & GAZETTE

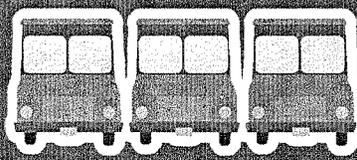
WCVB TV 5 abc
BOSTON

THE BOSTON
Globe
MAGAZINE

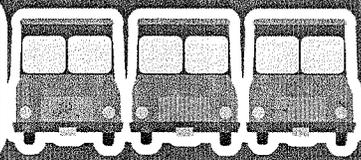
BostInno
The view from inside Boston



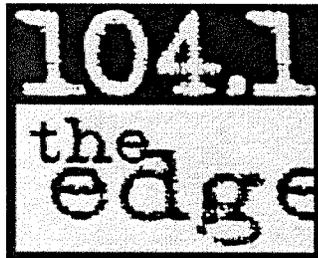
**EATER
BOSTON**



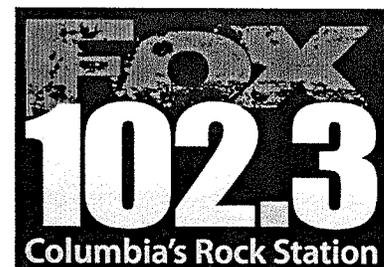
FOOD TRUCK FESTIVALS OF AMERICA



2015 Media Partners



ALPHAMEDIA
LIVE. LOCAL. COLUMBIA





What the Media Have Said:

“They get food trucks in gear... festival planners stay on top of the details as customers sample chefs’ creations.” –

Boston Globe

“Thousands turn out for Food Truck Festival...organizer says meals on wheels are the hottest trend for city’s foodies.”-

Metro Boston

Love food trucks and love the Food Truck Festivals of New England.

Capability Mom, blogger

“If the crowds on Sunday are any indication, the first New Hampshire Food Truck Festival was a huge success...”

Seacoastonline.com

“Capitalizing on a phenomenon that is sweeping the country...”

Metrowest Daily News

“ A food truck frenzy in New England... two dozen decked out food trucks all parked in one place for your dining pleasure.”-

Fox TV

“Food truck love is in the air.”

BostInno (47,000 Twitter followers)

“Crowd Eats Up Food Truck Festival: Food trucks give you the variety and you don’t have to go to Boston for it. ”

Worcester Telegram & Gazette



The Food Truck Phenomenon

Street food has been around for decades, but from this traditional “fast food” alternative came a new generation of street eats: gourmet food trucks. According to the Huffington Post, the current food truck phenomenon is believed to have started in L.A. with the Korean BBQ truck, Kogi, in 2008. Since then, food trucks have been sweeping the nation, growing in popularity in cities across the country from Dallas to New York & Chicago, L.A. to Boston.

As the food truck craze caught fire, restaurateurs, in a down economy, were looking for creative ways to reach customers without the expenses of traditional brick and mortar restaurants. They instead turned to mobile food trucks. Says AdWeek, “Food trucks became hot by offering fresh, artisanal and sometimes daring fare in limited quantities at select locations, status dining for foodie elites on a Groupon budget.” With reputations and visibility raised by social media, food trucks started connecting the community, the food and the cities that inspired them in ways that otherwise wouldn’t be possible. “It’s the social aspect,” says Kenny Lao, Rickshaw’s [food truck] co-founder. “It’s really about shared experiences around food,” (Huffington Post).

It was only a matter of time before food truck festivals would begin. “Bringing together some of the best food trucks in one area offering the most delicious food, where food is the goal, not a sidebar in another event – just made sense!” says Food Truck Festivals of America’s creator Anne-Marie Aigner. And, the crowds confirm that sentiment: 100,000 attend the L.A. Rose Bowl’s Street Food Fest – and the crowds grow every year. “We expect our festivals to also grow each year,” says Aigner. “And, we’ve barely begun!”





Our Story

In 2011 we were watching a new trend in dining out called “food trucks”. They were big in LA. They were parked in NY. They were hot in DC. But they hadn’t really caught fire in New England. We decided to fan the flames with some festivals, where the food trucks were the destination rather than just part of an existing event. Our first festival in Plymouth, MA featured eight trucks...the only eight we could find at the time...and 4,000 people showed up. We were stunned. Then came our second. 12 trucks and 6,000 people. WOW. Then our third. 18 trucks and 10,000 people. At that point, we knew we were onto something and Food Truck Festivals of New England (FTFNE) was born.

In 2012, we held seven festivals. Again, people came by the thousands to Boston, to Newport, to Worcester, to New Hampshire. By this time our list of eight trucks had grown to more than 200. We had media partners and corporate sponsors.

By 2013 and 2014, we hit our stride. We held amazing festivals in Cambridge, Somerville, Worcester, Natick, Framingham, Brighton, Portsmouth, Cape Cod, and Newport. We now had an established, growing fan- base who shared the same excitement about food trucks.

So, here we are, in 2015 – and we’ve morphed into Food Truck Festivals of America, basically chasing the sun when there’s snow in New England, and beginning to produce food truck festivals year round and throughout the country. We are few pounds heavier than we were when this all began in 2011 but confident that Food. Truck. Fever. is here to stay.





The Creator of Food Truck Festivals of America

Executive Producer Anne-Marie Aigner can best be described as a gifted trend-spotter. When she noticed a gap in Boston's food truck industry she saw an opportunity to fill it with something divine. Food truck festivals are not just a trend on the West coast...they are a movement that has slowly trickled through the Midwest and finally landed in the East. Anne-Marie's instinct has been confirmed. Food trucks have arrived. Not only in New England...but they are now "arriving" across America.

In fact, not only have the trucks arrived, but, based on the number of calls we get from businesses and communities all over the country, so have the festivals – and private events with food trucks. So, Anne-Marie created Food Trucks to Go (FT2G), which responds to requests for trucks and festivals. Are the food trucks here to stay? If you've eaten from a food truck, you already know the answer.

And, now that we've formed Food Truck Festivals of America, we are out to conquer the rest of the country. Why not? Everyone loves good food – and it appears that everyone loves the good food from today's gourmet food trucks -- and we aim to serve the rest of America some fun festivals featuring the food and the trucks.





Contacts :

Sponsorships/Samplings:

Anne Marie Aigner
Executive Producer
617-254-9500

annemarie@foodtruckfestivalofne.com

Truck Participation

Bri Tarpey
Event Manager
617.787-7117

bri@foodtruckfestivalsofne.com

Sponsorships & Media/ P.R.

Janet Prenskey
Aigner/Prenskey Marketing Group
617-254-9500

jprenskey@aignerprenskeymarketing.com

Information

Mail/Office	214 Lincoln Street, Allston, MA 02154
Phone	617-254-9500 or 617-782-7117
Web	www.foodtruckfestivalsofamerica.com
Facebook	www.facebook.com/FTFNE
Twitter	www.twitter.com/FTFofAmerica



Licensing Board for the Town of Stoneham
(Return to the Board of Selectmen, 35 Central Street, Stoneham, MA 02180)

I hereby make application for a Special Alcoholic Beverage License for the purpose of selling and dispensing all kinds of alcoholic beverages or wines and malt beverages permitted by law at a

Food Truck Festival
(State whether banquet, concert, picnic, etc.)

Which is to be held by Food Truck Festivals of America
(Name of organization)

a _____ organization, on the 17 day of October 2015
(Fraternal, military, etc.)

between the hours of 11:00am - 5:00pm at the following described place

Stoneham Town Common

How many cases or bottles, etc., of all kinds of alcoholic beverages are to be sold?

How many people do you expect? ~~5,000~~ 4000

Are you charging admission fee? Yes How Much? \$5 and \$20 (VIPs)

I certify that I am Executive Director of the above-mentioned Organization, and that I will be responsible for the proper observance of the laws governing the dispensing of such alcoholic beverages, and for any damage which may occur as a result of such use.

Signed: [Signature] Date: 8/12/15

Home Address: 214 Lincoln St, Allston MA 02134

Telephone: (617) 254-9500

Police Department Recommendation: ASIDE FROM THE OFFICERS ASSIGNED TO THE EVENT, ONE OFFICER SHALL BE ASSIGNED TO THE ACCIDENT SERVICE AREA

Police Detail: Yes No

Signed: [Signature]



July 23, 2015

Board of Selectmen
Town of Stoneham
35 Central Street
Stoneham, MA 02180

RE: Special Alcoholic Beverage License for 1st Annual Middlesex Fells Trail Running Festival

Dear Board of Selectmen -

We would like permission to serve beer at the post-race reception of the 1st Annual Middlesex Fells Trail Running Festival. This new trail race will benefit Friends of the Fells and the Stoneham Senior Center and we look forward to your support!

Application Details:

1. This race is an off-road trail race inside DCR Middlesex Fells.
2. This event has been approved by MASS DCR & MA State Police.
3. This event is insured and The Town of Stoneham is a certificate holder
4. This event will have a police detail present during the serving of alcohol.
5. We are requesting a license from Fri, Sept 11th @ 10:00a - Sun, Sept 13th @ 1:00p
6. We have permission to store the alcohol in a locked trailer at Stone Zoo until the event.
7. We request permission to serve alcohol on Sept 13th between 10:00a - 1:00p (3 hours).

We appreciate your support!

Best Regards,

Edward O'Connor
Cambridge 5K
177 Endicott St #5
Boston, MA 02113
(617) 398-0611

Licensing Board for the Town of Stoneham
(Return to the Board of Selectmen, 35 Central Street, Stoneham, MA 02180)

I hereby make application for a Special Alcoholic Beverage License for the purpose of selling and dispensing all kinds of alcoholic beverages or wines and malt beverages permitted by law at a

TRAIL RACE

(State whether banquet, concert, picnic, etc.)

Which is to be held by CAMBRIDGE 5K.
(Name of organization)
a FUNDRAISING organization, on the 13th day of SEPTEMBER.
(Fraternal, military, etc.)

between the hours of 9/11 @ 10A - 9/13 @ 1:00P at the following described place

STONE 200. PICNIC AREA.

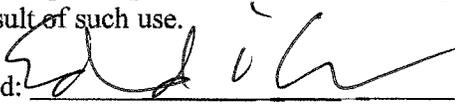
How many cases or bottles, etc., of all kinds of alcoholic beverages are to be sold?

T.B.D., ENOUGH FOR 2 BEERS / PP.

How many people do you expect? APPROX 1,000.

Are you charging admission fee? YES How Much? \$40.

I certify that I am RACE DIRECTOR of the above-mentioned Organization, and that I will be responsible for the proper observance of the laws governing the dispensing of such alcoholic beverages, and for any damage which may occur as a result of such use.

Signed: 

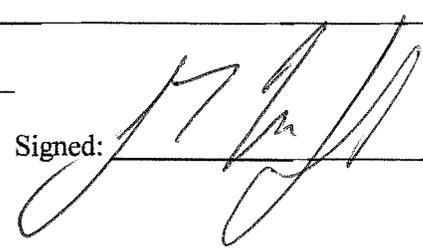
Date: 7/2

Home Address: 177 ENDICOTT ST #5, BOSTON

Telephone: 617 - 398 - 0611

Police Department Recommendation: ASSIGN TWO STATE POLICE
DETAILS TO THE EVENT.

Police Detail: Yes No

Signed: 

**Town of Stoneham
Liquor Licensing Authority
Minutes of Meeting of
August 11, 2015**

Chairman Boussy called the meeting to order at 8:01p.m.

Members present

Caroline Colarusso
John F. DePinto
Ann Marie O'Neill
Frank Vallarelli

Approve Change of Location/Ganglani Corp dba Redstone Liquors from 109 Main Street to 115 Main Street

Selectman DePinto made a motion for approval of the change of location for Ganglani Corp dba Redstone Liquors from 109 Main Street to 115 Main Street. Motion was seconded by Selectwoman O'Neill. 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 One Day Special Liquor License/Stone Zoo/149 Pond Street on September 19, 2015

Cynthia Mead was present to give details of the event to the Board. Selectman DePinto made a motion for approval of the Special Liquor License on September 19, 2015 for Stone Zoo/Cynthia Mead. Motion was seconded by Selectwoman Colarusso. Selectmen DePinto asked for an update on the override of the veto. Cynthia Mead stated that she would like to say thank you to everyone for their support and there is construction conversation happening. 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 Request for Special Liquor License at Stone Zoo/Ed O'Connor, Principle/Cambridge 5K on September 11th-13th, 2015

Selectman DePinto requested Ed O'Connor be present at the meeting. Item postponed until August 18, 2015 meeting. The Board agreed.

Approve Change of Manager/Bacci's Restaurant/316 Main Street

Selectman DePinto moved approval of Change of Manager/Bacci's Restaurant/316 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).

Approve LLA Minutes

Selectman DePinto moved approval of the 5/26/15 LLA minutes, seconded by Selectwoman O'Neill. A roll call vote was taken.

Voting in Favor:

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

Motion passed (5-0).

Selectman DePinto moved to go back to the Board of Selectman. A roll call vote was taken.

Voting in Favor:

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

Motion passed (5-0).

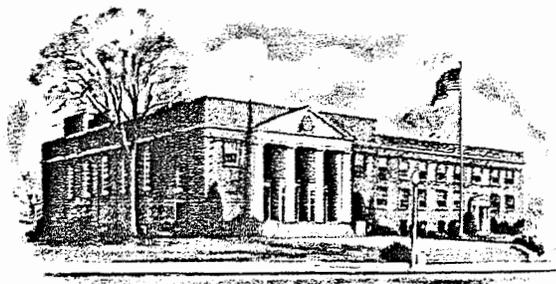
Meeting adjourned at 8:18 p.m.

Respectfully submitted,
Erin Sinclair

Stockwell Approval Requests

- (1) Request for payment to chiropractor in the amount of \$70.00.

Background: She has requested Stockwell help prior and has been approved.



TOWN COUNSEL
WILLIAM H. SOLOMON, ESQ.

TOWN OF
STONEHAM

MASSACHUSETTS 02180

319 MAIN STREET
STONEHAM, MA 02180
(781) 438-4543

August 13, 2015

Mr. Robert Sweeney
6 Pleasant Street
Stoneham, MA 02180
DELIVERED BY HAND TO ADDRESS

Re: Open Meeting Law Complaint, dated June 18, 2015

Dear Mr. Sweeney:

I am writing on behalf of the Board of Selectmen (the "Board") in response to your complaint that:

The Board met privately by phone or in person to not renew the Town Administrator's contract, they had one Selectmen inform the Town Administrator of their decision.

On the first page of the Complaint, after the form asks for the "[s]pecific person(s), if any, you allege committed the violation", you respond by writing "WHOLE BOARD OF SELECTMEN". You further list as the date of alleged violation: "ON or ABOUT JUNE 8, 2015." (A copy of the Complaint is attached hereto.)

As authorized by the Board, I have reviewed the complaint and provide the within response to its allegations¹:

1. The Board did not meet privately by phone or in person to not renew the Town Administrator's contract.
2. The Board did not as a result of a meeting by phone or in person, or otherwise, authorize or direct (or "have") "one selectman inform the Town Administrator of their decision". There was no such decision by the Board, nor was a Board member authorized or directed by the Board to inform the Town Administrator of any decision regarding the renewal of his contract.

¹ I have copied the Division of Open Government on this response, and included in that response, a copy of your Complaint.

Because the complaint, by virtue of the underlying substantive matter (the issue of the renewal of the Town Administrator's contract) involves a matter of public importance and/or interest, there is reason to address the underlying substantive issue, even though the substantive issue or merits (other than the matter being within the jurisdiction of the Board of Selectmen) are not of relevance to whether or not there was a violation of the Open Meeting Law. Specifically, no determination has been made by the Board of Selectmen as to whether or not to renew the contract of the Town Administrator.

There are a number of reasons for the Board not having addressed the matter of the Town Administrator's contract renewal. One is the simple fact that the Town Administrator's contract does not expire until June 30, 2016, nearly a year from now. In the busy world of town government, with so much to address at any one time, that is a ways off. In fact, no contract renewal for a town administrator in Stoneham has been negotiated or entered into this far before contract expiration. For instance, the current contract of the Town Administrator, with an effective date of July 1, 2013, was entered into on March 19, 2013.²

As a recent and longstanding member, as well as a former Chairman of the Board of Selectmen, you are aware that the Board is engaged in the town meeting process until sometime in early to mid-May, and this year that process extended into June. As you also know, because of the limited summer schedule of the Board of Selectmen and the general preference not to address larger issues at a time when much of the public is otherwise engaged in summer activity, there is a strong preference by Board members to wait until at least September to consider and address important matters, unless timing requires otherwise.

In fact, in late June, when the issue of a Board of Selectmen meeting regarding goals, such as management goals for the Town Administrator, was raised, in addition to reviewing Open Meeting Law Determinations and materials, I spoke with Assistant Attorney General Jonathan Scarsic of the Division of Open Government, regarding the Open Meeting Law issues arising therefrom. Attorney Scarsic agreed with the preliminary conclusion, that under some circumstances, matters such as goals and performance could be raised at an executive session for contract strategy or contract negotiations, if the discussion was not in the context of general goals or a performance evaluation, but rather is discussed as a factor to be considered in contract strategy or negotiations.³ (We both acknowledged these matters were very fact specific, and that there could not always be certainty that a discussion appropriate for executive session, might not stray into a discussion which was not.)⁴ On July 1, 2015, I

² The Selectmen-Administrator Act, as amended, provides that "[a]t least one hundred and twenty days prior to the expiration of the town administrator's contract the board of selectmen shall notify the town administrator, in writing, of its intent to retain or not retain him." The current 3-year contract of the Town Administrator, Dave Ragucci, runs until June 30, 2016. One hundred and twenty days prior to June 30th would be March 2, 2016. The contract's "Notice of Non-Renewal" provision reflects the above-referenced charter provision. Under this provision, the Board would need to take a vote at a meeting in order to provide legally effective notice to the Town Administrator.

³ See for instance, Attorney General/Division of Open Government, OML 2012-10 (Town of Chatham).

⁴ The determination as to whether this matter (purpose) or any other matter can and will be held, in whole or in part, in executive session, will be made at the time, depending, of course, on the purpose of the meeting and any other relevant factors.

again spoke with Attorney Sclarsic about these Open Meeting Law related questions and Chairman Boussy joined me in that discussion.⁵

I set out the above described events so as to provide information helpful to viewing and understanding this matter in context, and to evidence and confirm that no determination has been reached by the Board of Selectmen as to the issue of the renewal of the Town Administrator's contract. The Selectmen-Administrator Act and the Town Administrator's contract anticipate that a Board of Selectmen should and will affirmatively act on the contract renewal question. Going forward, the Board will indeed establish a process by which to consider and decide upon the renewal of the Town Administrator's contract and any specifics thereof.⁶ It may be that the process for consideration of contract renewal will involve a number of months. And although not legally required, nor relevant to the Open Meeting Law, I would anticipate that the Town Administrator will be a participant in discussions regarding any process. The process will fully comply with the requirements of the Open Meeting Law.

Finally, let me share some thoughts regarding events over the last few months which I believe have some relationship to the concern that a decision has been made regarding the renewal of the Town Administrator's contract. The basic point is that individuals often know or believe they know, the beliefs and likely actions of an individual regarding a certain matter without ever having spoken to the individual about the matter. This simply reflects the fact that our lives are not hermetically sealed. We live with many cues and clues around us, many, but not all, of which we take in, and which form our opinions and judgments as to what others think and may do. For instance, if I were to name two of the five current Stoneham Selectmen, and ask you how they will vote on the issue of whether or not to renew the contract of the Town Administrator, I believe you would have a fairly certain opinion as to how you believe they would vote on the issue, even though you may have never spoken to them regarding this matter. That is what I believe, in part, is in play in this matter. For instance, it is no secret that in April and May of this year, Board members made pointed and substantive criticisms at a public meeting(s) on several matters within the jurisdiction of the Town Administrator. At times, the back and forth, although always substantive and professional, was quite strong, and sometimes in both directions. As a result, persons watching, reading about or hearing about the meetings might well have concluded at that time that the Board members making substantive points on an array of matters would not be voting to renew the Town Administrator's contract next year. And some, after so "reading the tea leaves", share their reading of the tea leaves with others. But "reading the tea leaves" is different from the act of making a decision. Similarly, "reading tea leaves" differs from certain types of open meeting law violations in that it is not "in order to evade the application of the [open meeting] law".⁷

⁵ For the reasons and factors set out above, this matter was not placed on an agenda for a summer meeting.

⁶ Based on my discussion with the Chairman of the Board of Selectmen, I would anticipate that the process will be decided upon in September.

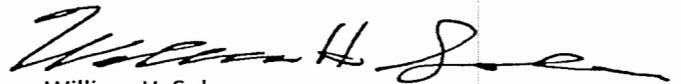
⁷ See generally for significance of relationship to effort to circumvent law - Attorney General/Division of Open Government, OML 2014-14 (City of Melrose).

No decision regarding the renewal of the Town Administrator's contract has been made. The process for arriving at a decision will be discussed and decided upon in the upcoming month or shortly thereafter.⁸ I believe that that process will help inform each and every member of the Board as to what decision(s) they will make going forward. I do know that in Stoneham, public officials carefully and seriously consider relevant facts and circumstances, and not infrequently make a final determination on a particular matter that is different from what others may have expected, and sometimes different from what they themselves expected.

I provide this response to your concern that a decision regarding the renewal of the Town Administrator's contract has been made. I respect your interest and concern that this issue be considered and determined by a process consistent with the intent and purpose of the Open Meeting Law. And that from a separate non-Open Meeting Law perspective, the position of Town Administrator and the individual holding that position be treated with the dignity and consideration each deserve. That is how any decision, regardless of the outcome, will be reached with respect to this important matter.

I hope this satisfactorily responds to your concerns.

Sincerely,



William H. Solomon
Town Counsel

Enclosure: Complaint Attached

cc: Amy L. Nable, Esq., Assistant Attorney General,
Director, Division of Open Government (E-Mail and Delivery)
Jonathan Scarsic, Esq., Assistant Attorney General,
Division of Open Government (E-Mail and Delivery)
Ms. Mallory Morales, Paralegal, Division of Open Government (E-Mail and Delivery)
Chairman of the Stoneham Board of Selectmen
Stoneham Town Administrator

⁸ In speaking with the Chairman, I assume the process will be discussed and decided upon at one of the two September meetings of the Board.



The Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place
Boston, Massachusetts 02108

RECEIVED
REGISTRARS

2015 JUN 22 A 10:03

OPEN MEETING LAW COMPLAINT FORM

Instructions for completing the Open Meeting Law Complaint Form

The Office of the Attorney General's Division of Open Government is responsible for interpreting and enforcing the Open Meeting Law. Pursuant to G.L. c. 30A, §23, the Open Meeting Law requires that complaints must first be filed with the public body that is alleged to have committed the violation, prior to filing a complaint with the Attorney General.

The complaint must be filed with the public body within 30 days of the alleged violation, or if the alleged Open Meeting Law violation could not reasonably have been known at the time it occurred, then within 30 days of the date it should reasonably have been discovered. The complaint must set forth the circumstances which constitute the alleged violation, giving the public body an opportunity to remedy the alleged violation.

Please complete the entire form, providing as much information as possible, to assist the public body in responding to your complaint. The Division of Open Government will not, and public bodies are not required to, investigate anonymous complaints. You may attach additional materials to your complaint if necessary. The public body may request additional information if necessary.

For complaints alleging a violation of the Open Meeting Law by a local public body, you must file with the public body and file a copy with the clerk of the city or town where the alleged violation occurred. For complaints alleging a violation by a county, regional or state public body, you must file with the chair of the public body.

If you are not satisfied with the action taken by the public body in response to your complaint, you may file a copy of your complaint with the Attorney General's Office 30 days after filing your complaint with the public body. The Attorney General's Office may decline to investigate a complaint that is filed with the Attorney General's Office more than 90 days after the alleged OML violation, unless an extension was granted to the public body or the complainant demonstrates good cause for the delay.

The complaint must include this form and any documents relevant to the alleged violation. A complaint may be filed either by mail or by hand:

Office of the Attorney General
Division of Open Government
One Ashburton Place
Boston, MA 02108



OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: ROBERT Last Name: SWEENEY

Address: 6 PLEASANT ST

City: STONEHAM State: MA Zip Code: 02180

Phone Number: 781-526-9440 Ext. _____

Email: SWEENEYBOB54@GMAIL.COM

Organization or Media Affiliation (if any): _____

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?
(For statistical purposes only)

- Individual
- Organization
- Media

Public Body that is the subject of this complaint:

- City/Town
- County
- Regional/District
- State

Name of Public Body (including city/town, county or region, if applicable): STONEHAM BOARD OF SELECTMAN

Specific person(s), if any, you allege committed the violation: WHOLE BOARD OF SELECTMAN

Date of alleged violation: ON or ABOUT JUNE 8, 2015

2015 JUN 22 A 10:03

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

THE BOARD MET PRIVATELY BY PHONE OR IN PERSON TO NOT RENEW THE TOWN ADMINERSTATIONS CONTRACT, THEY HAD ONE SELECTMAN INFORM THE TOWN ADMINERSTATOR OF THEIR DECISION.

2015 JUN 22 A. 10: 03

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

WHATEVER THE LAW DICTATES

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, will be considered a public record and available to any member of the public upon request. In response to such a request, the AGO generally will not disclose your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: Robert J.weeney

Date: 6-18-2015

