

**TO: STONEHAM INDEPENDENT**

Please publish the following legal notice of a SITE PLAN HEARING on the following dates:

**Wednesday, November 11, 2015**

**and**

**Wednesday, November 18, 2015**

Bill should be sent to:

**Rierner & Braunstein LLP  
Mark T. Vaughan  
Seven New England Executive Park  
Burlington, MA 01803**

**NOTICE OF HEARING**

**The Stoneham Board of Selectmen will hold a public hearing in accordance with the provisions of the Zoning By-Laws on Tuesday, December 1, 2015 at 7:01 p.m., in the Hearing Room of the Town Hall on the petition of BJ's Wholesale Club, Inc. to amend the site plan approval of 09/22/2015 to allow for the installation of two 24.35 +/- square foot canopy signs (with registered Trademark and red striping) associated with the fueling station to be located on the premises of the property located at 85 Cedar Street, Stoneham, MA, on land owned by IYH Corporation.**

**Plan may be seen in the office of the Building Inspector.**

**Board of Selectmen**

**Dates to be published: 11/11/15 & 11/18/15**



# TOWN OF STONEHAM

## Project Review

### Review Report

Project **85 Cedar Street**

Representative(s):

Status: Project Review

Date: November 17, 2015

Project Review Team: John Fralick, Robert Grover, Joseph Rolli, Joe Ponzio & Cheryl Noble

The information contained herein is subject to review and a final determination by the Board of Selectmen. The purpose of the Project Review is to provide the applicant with an opportunity to understand the regulatory mandates, and to further receive input from Town departments relative to the proposed project. At no time are non-regulatory conditions to be considered final and binding until such time that the Board of Selectmen has agreed to same and/or others when applicable.

#### Department                      Issue(s) Raised                      Applicant’s Response

<b>DPW Engineering</b>	The Department of Public Works has no objection to the amendment.	Agreed
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<b>Police Department</b>	The Stoneham Police Department has no changes to the original comment. <i>(Original Comment: The Stoneham Police Department after meeting with representatives from BJ’s approves the current site plan without any further changes).</i>	Agreed
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<b>Board of Health</b>	Make sure they have pest mitigation measures in place for construction.	Agreed
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<b>Fire Department</b>	The Fire Department has no problem with the BJ's sign.	Agreed
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<b>Inspectional Services</b>	The applicant for the signage at the above mentioned location went in front of the Board of Appeals on October 29 <sup>th</sup> and was granted a variance. Therefore, this office has no further comment or concerns.	Agreed
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Please note this document has been provided to the each of the department heads and a copy has been transmitted to the applicant.

Respectfully submitted,  
**Erin Sinclair**

## Sinclair, Erin

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**From:** Grover, Robert  
**Sent:** Thursday, November 12, 2015 9:57 AM  
**To:** Sinclair, Erin  
**Subject:** 85 Cedar St. site plan amendment

Public Works has no objection to the amendment.  
Bob Grover

## Sinclair, Erin

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**From:** Ponzo, Joseph  
**Sent:** Thursday, November 05, 2015 4:08 PM  
**To:** Sinclair, Erin  
**Subject:** Re: Site Plan Amendment Application, 85 Cedar Street Stoneham MA 11/4/2015  
**Attachments:** imagec0ad18.PNG

Erin,

Our original comments to the site plan have not changed!

Joe Ponzo

Sent from joes iphone!

On Nov 5, 2015, at 4:06 PM, Noble, Cheryl <[cnoble@stoneham-ma.gov](mailto:cnoble@stoneham-ma.gov)> wrote:

[Attached is the site plan for 85 Cedar Street gas station. Please send comments/concerns to Erin Sinclair.](#)

**From:** Melissa M Cushing [<mailto:MCushing@riemerlaw.com>]

**Sent:** Thursday, November 05, 2015 11:40 AM

**To:** Noble, Cheryl <[cnoble@stoneham-ma.gov](mailto:cnoble@stoneham-ma.gov)>

**Subject:** FW: Site Plan Amendment Application, 85 Cedar Street Stoneham MA 11/4/2015

Cheryl,

Attached is an electronic copy of the Site Plan Amendment filing for your records. I will be delivering 5 additional copies of the submission to your office today. Please let me know if you need any additional materials.

Thank you.

Melissa

Melissa M Cushing  
Senior Land Use Planner  
Riemer | Braunstein LLP  
7 New England Executive Park, 11th Floor  
Burlington, Massachusetts 01803  
Direct Dial: 617-880-3548  
Direct Fax: 617-692-3548  
[MCushing@riemerlaw.com](mailto:MCushing@riemerlaw.com)



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**From:** Melissa M Cushing

**Sent:** Wednesday, November 04, 2015 3:47 PM

**To:** 'Sinclair, Erin'

**Subject:** Site Plan Amendment Application, 85 Cedar Street Stoneham MA 11/4/2015

Erin,

Attached for your records is an electronic copy of the Site Plan Amendment filing for 85 Cedar Street. Please let me know if you need any additional information.

Thank you.

## Sinclair, Erin

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**From:** Fralick, John  
**Sent:** Thursday, November 12, 2015 11:54 AM  
**To:** Sinclair, Erin  
**Subject:** Re: Recommendations

Just make sure Cedar has pest mitigation measures in place for construction, and I have no issue with 101 having a liquor license.

-J

On Nov 12, 2015, at 10:29 AM, Sinclair, Erin <[esinclair@stoneham-ma.gov](mailto:esinclair@stoneham-ma.gov)> wrote:

Hello

I need your recommendations on the amended site plan for 85 Cedar Street and the liquor license application for 101 Main Street as soon as you can send them. Thanks!

*Erin Sinclair*

*Office Manager for the Board of Selectmen*

*35 Central Street*

*Stoneham, MA 02180*

*781-279-2680 Phone*

*781-279-2681 Fax*

## Sinclair, Erin

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**From:** Rolli, Joe  
**Sent:** Monday, November 09, 2015 10:31 AM  
**To:** Sinclair, Erin; Noble, Cheryl; Rooney, Cathy; Wortman, Erin  
**Subject:** SFD

Fire Department has no problem with BJ's sign.....

Chief Rolli

## Sinclair, Erin

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**From:** Noble, Cheryl  
**Sent:** Tuesday, November 17, 2015 4:30 PM  
**To:** Sinclair, Erin  
**Subject:** 85 Cedar Street

The applicant for the signage at the above mentioned location went in front of the Board of Appeal on October 29 and was granted a variance. Therefore, this office has no further comment or concerns.

Cheryl

November 4, 2015

**VIA HAND DELIVERY**

Mr. Thomas Boussy  
Chairman, Stoneham Board of Selectmen  
Stoneham Town Hall  
35 Central Street  
Stoneham, Massachusetts 02180

Re: Site Plan Amendment Application, 85 Cedar Street, Stoneham, Massachusetts

Dear Chairman Boussy:

Please note that this office and the undersigned represent BJ's Wholesale Club, Inc. ("Applicant"), a Lessee of the captioned property ("Premises") regarding a Site Plan Amendment application.

As you are aware, the Applicant has obtained local authorizations to allow for the development of a fueling station with its associated canopy and site improvements which are to be situated along the south easterly portion of the Premises abutting Interstate Route 93. In October 2015 the Applicant obtained authorization from the Zoning Board of Appeals for the installation of two canopy signs each of which would read "BJ's Gas" (with registered trademark and red striping around the canopy) with each sign being 24.35 +/- square feet. These signs have been designed and located to guide patrons safely to the fueling pumps without being overly intrusive to the Premises or the surrounding neighborhood. In accordance with the requirements of the Site Plan Amendment decision approved by the Board of Selectmen on September 22, 2015, we hereby submit the referenced canopy signage plan for your consideration as further detailed in the enclosed materials.

For your consideration, we have enclosed five (5) copies of the following materials:

1. Completed Site Plan Amendment Application;
2. Certified Abutters List and labels as provided by the Assessor's Department for both the Town of Stoneham and City of Woburn;
3. Check in the amount of \$100.00 made payable to the Town of Stoneham;
4. Site layout sheet from the approved site plan set entitled "Site Development Plans for BJ's Gas", dated June 12, 2015, revised to August 13, 2015 prepared by Bohler Engineering; and,

Mr. Thomas Boussy  
November 4, 2015  
Page 2

5. Signage detail plan prepared by I.D. Associates dated June 30, 2015

We look forward to appearing before the Board on December 1, 2015 to provide additional information on this filing and to fully respond to any questions regarding this signage proposal.

Very truly yours,



Mark T. Vaughan

MTV:mmc  
Enclosures

cc: Cheryl Noble, Town of Stoneham Building Inspector (w/enclosures)  
Patrick Natreba, BJ's Wholesale Club, Inc. (w/enclosures)  
Luke DiStefano, Bohler Engineering (w/out enclosures)

1889434.1

10/28/2015  
VENDOR #: 0174

Town of Stoneham

RIEMER & BRAUNSTEIN LLP  
CHECK NO.: 129855

DATE	INVOICE NUMBER	VOUCHER NUMBER	DESCRIPTION	MATTER #	GL#	AMOUNT
10-27-2015	102715	186018	04043.00003 MMC	04043.00003	30200000001	100.00

TOTAL: 100.00

10/28/2015  
VENDOR #: 0174

Town of Stoneham

RIEMER & BRAUNSTEIN LLP  
CHECK NO.: 129855

DATE	INVOICE NUMBER	DESCRIPTION	AMOUNT
10-27-2015	102715	04043.00003 MMC	100.00

TOTAL: 100.00

**RIEMER & BRAUNSTEIN** LLP  
OPERATING ACCOUNTS PAYABLE ACCOUNT  
THREE CENTER PLAZA  
BOSTON, MA 02108-2003  
617-523-9000

129855

5-197110

CHECK DATE
10/28/2015
CHECK AMOUNT
\$100.00

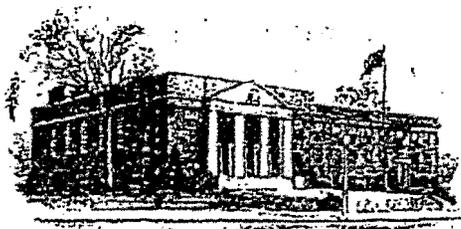
PAY ONE HUNDRED AND 00/100 Dollars

TO THE ORDER OF  
Town of Stoneham

RIEMER & BRAUNSTEIN LLP  
BY 

Bank of America  
Boston, MA 02110

⑈ 129855 ⑈ ⑆ 01000138 ⑆ 000000162795 ⑈



TOWN OF  
STONEHAM  
MASSACHUSETTS  
BUILDING AND WIRE DEPARTMENT

SITE PLAN HEARING APPLICATION

Date: November 4, 2015

The undersigned, owner of the property, hereby applies for a Site Plan Hearing according to the Provisions of Chapter 16 of the Town Ordinance.

- I. A. The applicant shall complete two copies of this form and submit 18 copies of the "Site Plan" by a Registered Engineer.
- B. Submit a letter from the Owner describing the type of building being constructed, renovated, altered and the proposed use of said building.
- C. Attach a copy of the Special Permit and Board of Appeals Decision (if applicable).

II. Fill in the following data as required for this hearing.

- A. Location of Property 85 Cedar Street
- B. Name of Owner IYH Corporation
- C. Address of Owner 19 Brooks Road, Suite 201, Needham, MA 02494
- D. Business Name (If Different from Owner) BJ's Wholesale Club, Inc.
- E. Telephone Number of Owner 781-559-3066
- F. Present Use of Building or Property Wholesale Club

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G. Height of existing and/or proposed structure proposed canopy signage

H. Has there been a previous Site Plan on this property? Yes X No     

If "YES" give the dates?

January 12, 1993 and September 22, 2015

I. Zoning District Commercial III District

III PREPARE AND FILE WITH THIS FORM A "SITE PLAN". STATE THE ZONING DISTRICT IT LIES WITHIN. SHOW THE LOT, IT'S AREA, DIMENSIONS, AN ACCURATE COMPLETE OUTLINE OF THE PROPOSED AND ANY EXISTING STRUCTURES THEREON, DISTANCES FROM ALL BOUNDARY LINES, PARKING, COMPUTATIONS FOR ALL REQUIRED PARKING. SITE PLAN SHALL BE PREPARED AND STAMPED BY A REGISTERED PROFESSIONAL ENGINEER/SURVEYOR

A NAME & ADDRESS OF THE ENGINEER Luke DiStefano  
Bohler Engineering, 352 Turnpike Road, Southborough, MA 01772

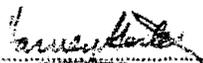
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IV. PROVIDE SUPPLEMENTARY DRAWING TO SHOW THE NATURE AND CHARACTER OF THE PROPOSED STRUCTURE.

V. PROVIDE A DESCRIPTION OF YOUR PROPOSAL INCLUDING THE INTENDED USE OF THE PROPERTY. NOTE: THIS DESCRIPTION WILL APPEAR IN THE LEGAL NOTICE OF THE NEWSPAPER, AND IS SUBJECT TO REVIEW BY THE OFFICE OF THE BOARD OF SELECTMEN.

BJ's Wholesale Club, Inc. proposes the installation of two 24.35 +/- square foot canopy signs (with registered Trademark and red striping) associated with the fueling station to be located on the premises

VI. I, THE UNDERSIGNED - OWNER OF PROPERTY, AFFIRM THAT THE FOREGOING STATEMENTS ARE TRUE STATEMENTS OF FACT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNED  STREET # 19 Brook Road, Suite 201  
Harvey Gertel, President IYH Corp.

TOWN Needham STATE MA PHONE NO 781-559-3066

VII. FILE ONE COPY OF THIS APPLICATION WITH A CHECK IN THE AMOUNT OF \$300.00, PAYABLE TO THE TOWN OF STONEHAM.

VIII. A. A NEW SITE PLAN IS REQUIRED FOR ANY CHANGES AFTER THE WORK ON AN EXISTING SITE PLAN HAS BEEN COMPLETED AND FINAL APPROVAL RECEIVED.

B. A NEW SITE PLAN IS ALSO REQUIRED IF THE DATE HAS EXPIRED ON AN EXISTING SITE PLAN.

IX. FILE ONE COPY OF THIS APPLICATION WITH THE TOWN CLERK FOR RECORD

X. SITE PLAN AMENDMENT

A. AMENDED SITE PLANS ARE SUBJECT TO A NEW HEARING BEFORE THE BOARD OF SELECTMEN

B. NEW APPLICATION SHALL BE SUBMITTED

C. FEE ONE HUNDRED (\$100.00) DOLLARS

D. CHANGES DURING WORK TO AN EXISTING SITE PLAN IS CONSIDERED AN AMENDED SITE PLAN.

E. FEE OF \$100.00 PAYABLE TO THE TOWN OF STONEHAM

Paid \_\_\_\_\_

**Stoneham Certified Abutters List Request:**

Subject Property Location 85 Cedar St  
Parcel ID of the Subject Property 25-11  
Applicant's Name ERIN SINCLAIR  
Applicant's Telephone Number BOS OFFICE

**Purpose of Abutters List**

**Zoning Board of Appeals (Variance or Special Permit)**  
includes all abutters of the subject property within a 300 Foot Radius

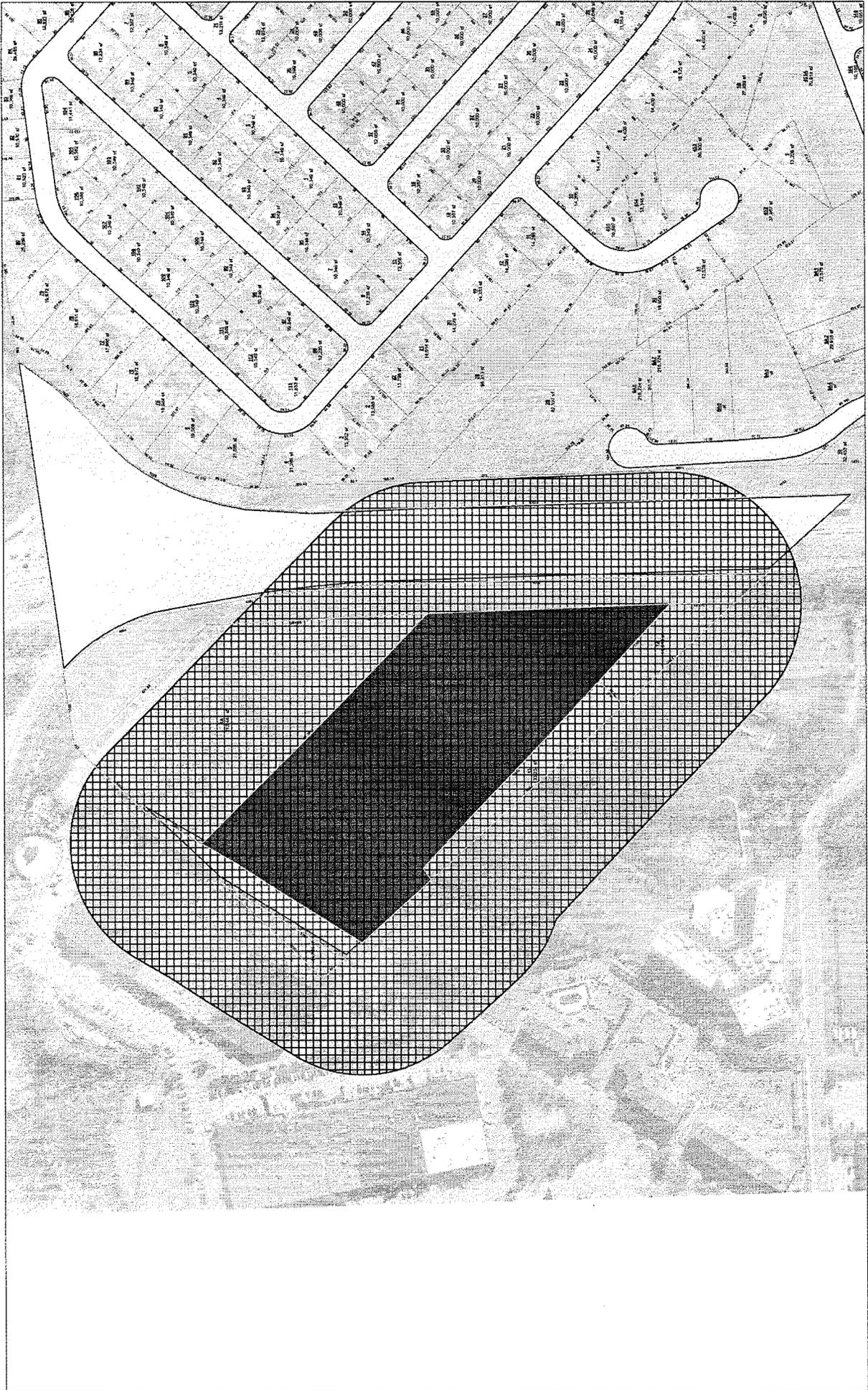
**Planning Board**  
 Accessory Dwelling or In-Law Apartment - 300 Foot Radius  
 Special Permit - 300 Foot Radius  
 Sub-Division - Direct Abutters Only  
 Warrant Articles - No Abutters

**Site Plan**  
includes all abutters of the subject property within a 300 Foot Radius

**Liquor License**  
includes direct abutters and all churches, school and hospitals within 500 Feet

**Utility (Fee will be billed at a later date)**  
A review of the proposed utility work must be presented to the Director of Department of Public Works. The scope of the proposed work will be analyzed and a map will be created indicating the abutters in need of notification. This map must then be provided to the Assessors Office for a Certified Abutters List to be generated.

\* The cost of any abutters list is \$25.00



TOWN OF STONEHAM

ABUTTERS LIST - 85 CEDAR ST - 300FT



Patriot Properties

11/05/2015

3:32:57PM

# Town of Stoneham

## GIS - Abutters by Parcel ID

**Filter Used:**

DataProperty.AccountNumber in (5529,5528,5537,5539,5538)

Parcel ID - Map/Block/Lot	Location	Owner/Mailing Address
24-0-1	OFF CEDAR ST	ANDERSON ESTATES LLC 200 WEST CUMMINGS PARK WOBURN MA 01801
24-0-1A	95 CEDAR ST	CATHLEEN KAVANAGH TRS / 95 CEDAR STREET R 95 CEDAR STREET STONEHAM MA 02180
25-0-11	85 CEDAR ST	IYH CORPORATION / C/O B J'S WHOLESALE CLUB 25 RESEARCH DR / PROP TAX DEPT RTE C2 WESTBOROUGH MA 01581-5230
25-0-12	CEDAR ST	NORTHLAND FORBES ROAD LLC 2150 WASHINGTON STREET / NEWTON MA 02462
25-0-13	CEDAR ST	LEVOVITZ MARILYN TR. / C/O BJ'S WHOLESALE CL 25 RESEARCH DR / PROP TAX DEPT, RTE C2 WESTBOROUGH MA 01581-5230

**CITY OF WOBURN  
BOARD OF ASSESSORS**

**CITY OF WOBURN  
ASSESSORS**

**2015 JUN 29 PH 2: 36**

**REQUEST FOR CERTIFICATION OF ABUTTERS**

**SECTION I**

**APPLICANT: MELISSA CUSHING**

**DATE: 6/29/15**

**LOCATION OF PROPERTY: 85 CEDAR ST., STONEHAM**

**ASSESSORS PARCEL IDENTIFICATION MAP**

**BLOCK**

**LOT**

**SECTION II**

**(FOR OFFICE USE)**

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**REASON FOR CERTIFICATION:**

**BOARD OF APPEALS PETITION**

**CITY COUNCIL PETITION**

**PLANNING BOARD**

**CONSERVATION COMMISSION**

**OTHER\*\*\*\***

**SUBMITTED BY: MELISSA CUSHING**

**COMMENTS:**

APPLICANT COMPLETES SECTION I ONLY  
CITY AGENCY COMPLETES SECTION II

ANDERSON CENTRAL INC.  
C/O W. S. CUMMINGS REALTY  
200 WEST CUMMINGS PARK  
WOBBURN, MA 01801

MAZZA DANIEL W  
C/O 706 MAIN STREET LLC  
1 WINNING RD  
N BILITERICA, MA 01862

MIDDLESEX CANAL HISTORICAL SOCIETY  
C/O LEONARD HARMON  
1 LOWELL STREET  
WOBBURN, MA 01801

SERAFINO SALLY E.  
708 MAIN STREET  
WOBBURN, MA 01801

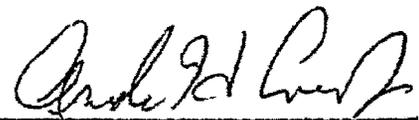
INDEPENDENT TALLOW COMPANY LLC  
19 BROOK RD., SUITE 201  
NEEDHAM HEIGHTS, MA 02494

COLUMBIA PROPERTIES WOBBURN LLC  
740 CENTRE VIEW BLVD  
CRESTVIEW HILLS, KY 41017

NORTHLAND FORBES ROAD LLC  
C/O NORTHLAND INVESTMENT CORP  
2150 WASHINGTON ST  
NEWTON, MA 02462

TRABUCCHI SY CHRISTINI  
704 MAIN ST  
WOBBURN, MA 01801

**BOARD OF ASSESSORS  
CERTIFICATION APPROVED**



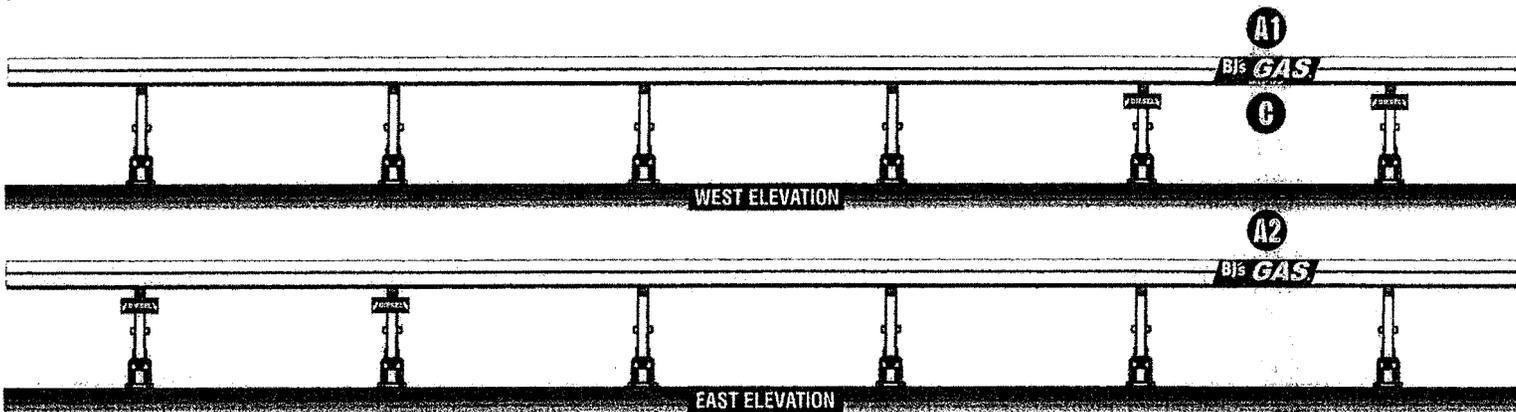
**ANDREW H. GREEN, JR.**

6/29/2015

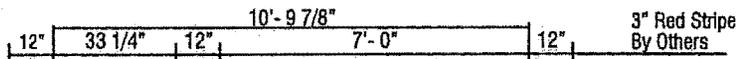




158'-0"



A1 A2



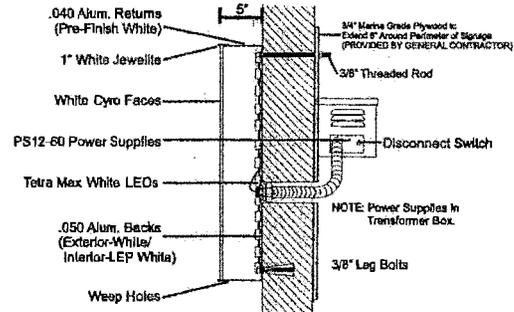
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20\"/>

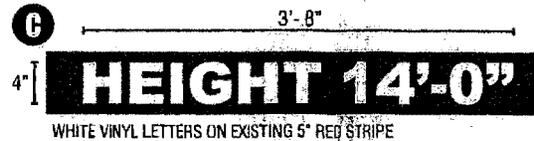
Red Background Area By Others  
4\"/>

**INTERNALLY ILLUMINATED CHANNEL LETTERS**

- Illuminated with White Tetra Max LEDs
- White Cyro Letter Faces
- 1\"/>



C



DRAWING IS FOR CONCEPTUAL PURPOSES ONLY. DUE TO CONSTRUCTION CONSTRAINTS, SIZES AND OR LAYOUTS MAY CHANGE SLIGHTLY.

**I.D. ASSOCIATES**  
 1771 INDUSTRIAL ROAD • DOTHAN, ALABAMA • 36303  
 PH (888) 303-5534 • FAX (334) 836-1401  
 www.klassassociatesinc.com

CLIENT	BJ'S WHOLESALE	DATE	06/30/15
LOCATION	STONEHAM, MASSACHUSETTS	DRAWN BY	JAS
ACCOUNT REP.	LACY BERRY	DRAWING NO.	BJ'S WHOLESALE-STONEHAM MA-GAS-R2

REV	R1 7-2-15 AB
REV	R2 07/06/15 DMS NO CHANGES TO THIS PAGE
REV	
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# Town of Stoneham

## COMMON VICTUALLER LICENSE APPLICATION

INDIVIDUAL, PARTNERSHIP OR CORPORATE NAME:

Food Bagel & Coffee, Inc

D/B/A, IF DIFFERENT:

Java Grind & Grill

LOCATION:

125 Main St Stoneham MA 02151

PHONE:

(781) 420-4950 (781) 888-1069 Fabio

The business for which this application is being filed is a (please check one):

- Corporation
- Partnership
- Limited Partnership
- Sole Proprietorship

FOR CORPORATION:

Give the name and home address of each officer and director: (Please add 2<sup>nd</sup> page if necessary)

Same as below

FOR PARTNERSHIP OR INDIVIDUAL:

Give the names and home addresses of all partners or individual Owners:

Jessica DaSilva - individual owner 4113 Reservoir Ave Foxboro MA 02151  
Fabio DaSilva - individual owner

Manager's Name: Fabio Da Silva

Home Address and Phone #: 81 Hawthorne St Lynn Ma

Hours of Operation: 6am - 10pm / without lg license

Menu (General Type of Food Served): Breakfast lunch

Floor Space: 1,200 sq. ft. Seating Capacity: 12-22

Parking Capacity: 15 Number of Employees: 3-6

SIGNATURE: [Signature]

(Individual, Managing Partner, or Corporate Officer)

**PLEASE MAKE CHECKS PAYABLE:** Town of Stoneham

**NEW FEE: \$50.00**

**RENEWAL FEE: \$25.00**

**IMPORTANT:** Please turn over and complete both forms and sign application

Licensing Board for the Town of Stoneham

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

License Application for Entertainment License (Seven Days)

To: The Board of Selectmen

Date: 11-2-15

In accordance with the provisions of C. 140, S. 181 (\*183A) of the General Laws, the undersigned hereby applies for a license for the following form(s) of Public Amusement or Exhibitions to be exercised on the premises located at:

Location of Premises 125 Main St Stoneham MA 02151

Description of Premises: cafe & grill

Please check appropriate item(s):

Jukebox \_\_\_\_\_ Television X Taped Music \_\_\_\_\_ Radio X

Instrumental \_\_\_\_\_ No. of Instruments \_\_\_\_\_

Kind of Instruments: \_\_\_\_\_  
\_\_\_\_\_

Vocal Music \_\_\_\_\_ No. of persons \_\_\_\_\_

Signature of Applicant:

Fabio Da Silva

Firm Name:

Fabio Da Silva

Business Address:

125 Main St

Home Address:

81 Hawthorn St Lynn Ma.

Applicant Phone#:

781-888-1069

For Office Use Only:

Approved:

[Signature]  
Chief of Police

## Sinclair, Erin

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**From:** Dolly Wilson <dsw181@gmail.com>  
**Sent:** Thursday, November 05, 2015 11:52 AM  
**To:** Sinclair, Erin  
**Cc:** marcia m. wengen~  
**Subject:** Fire Station Anniversary Art Banner Project

Hi Erin,

I would like to add an item to the BOS agenda for the next meeting.

As you and some of the Board may be aware, our fire station is celebrating its 100th anniversary next year and the year after. It was built in 1916 and opened in Feb. 1917, housing both the police and fire departments.

As part of the centenary, the Historical Commission would like to pursue a project with the Stoneham schools to have the children draw pictures that would be placed on small light pole banners around the Station on Central Street and in the Stoneham Square / Common area celebrating the Fire Station building and the Fire Department.

We have spoken to Dr. Olson about this, but before we go any further with the School Department wanted to ensure that the BOS was alright with the concept and putting up the banners.

To give the Board an idea what they would look like, they would be similar to banners put up by Woburn as part of their 375th anniversary celebration. (Pictures enclosed). We think this is great way to make our school children and townspeople aware of the great resource we have in our historic fire station and a way to celebrate a unique Stoneham landmark.

I will have more details for the board before the meeting, as we are still working out costs and possible locations if the project can move ahead. The banners are fairly small and right now we envision that costs could be covered by sponsorships from local businesses.

Thank you,  
Dolly Wilson  
Stoneham Historical Commission

**Celebrating Woburn  
Settled 1640**



**MIDDLESEX CANAL  
KELLEN ~ GRADE 4C  
WHITE SCHOOL**





## Sinclair, Erin

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**From:** Murphy, Diane  
**Sent:** Wednesday, November 25, 2015 10:46 AM  
**To:** Sinclair, Erin  
**Subject:** Life Expectancy of Equipment for Bonding  
**Attachments:** General Obligation Bonds - Fire Ladder & Pumper Trucks - 15 years.pdf

Hi Erin –

I need to make a change for the Board of Selectmen's discussion on December 1<sup>st</sup>. Originally we were considering bonding the equipment for 20 years, but after talking with Ron, financially it would be better for us to bond the fire equipment for 15 years. Could you please ask the Selectmen to discuss the life expectancy of the Fire Ladder and Pumper Trucks for 15 years. **They will need to take a vote on December 15<sup>th</sup>**, when I present the bond issue to them.

Thanks –

Diane

**Diane M. Murphy**  
**Treasurer/Tax Collector, CMMT**  
Town of Stoneham  
35 Central Street  
Stoneham, MA 02180  
781-279-2660 (office)  
781-279-2662 (fax)

10

Town of Stoneham, Massachusetts  
 General Obligation Bonds Dated 12/17/2015  
 Fire Ladder & Pumper Truck - 15 years, Level Debt & Long First Coupon

General											
Departmental Equipment	School HVAC & Roof Repair	Computer Hardware/Software	Paving	Fire Ladder Truck (Level Debt)	Fire Pumper Truck (Level Debt)				Estimated Market Rates as of 11/27/15	Estimated Interest	Estimated Total P&I
91,796	53,913	10,194	5,097	40,000	25,000				2.00%	76,079	302,079
85,000	45,000	10,000	5,000	50,000	35,000				2.00%	45,600	275,600
85,000	45,000	10,000	5,000	55,000	35,000				2.00%	40,950	276,950
85,000	45,000	10,000	5,000	55,000	40,000				2.00%	36,200	276,200
-	-	-	-	55,000	40,000				2.00%	32,850	127,850
-	-	-	-	55,000	40,000				2.00%	30,950	125,950
-	-	-	-	60,000	40,000				3.00%	28,500	128,500
-	-	-	-	60,000	40,000				3.00%	25,500	125,500
-	-	-	-	60,000	45,000				3.00%	22,425	127,425
-	-	-	-	65,000	45,000				3.00%	19,200	129,200
-	-	-	-	65,000	45,000				3.00%	15,900	125,900
-	-	-	-	65,000	45,000				3.00%	12,600	122,600
-	-	-	-	70,000	50,000				3.00%	9,150	129,150
-	-	-	-	70,000	50,000				3.00%	5,550	125,550
-	-	-	-	75,000	50,000				3.00%	1,875	126,875
<b>\$ 346,796</b>	<b>\$ 188,913</b>	<b>\$ 40,194</b>	<b>\$ 20,097</b>	<b>\$ 900,000</b>	<b>\$ 625,000</b>					<b>\$ 403,329</b>	<b>\$ 2,524,329</b>

15-Dec-16											
15-Dec-17											
15-Dec-18											
15-Dec-19											
15-Dec-20											
15-Dec-21											
15-Dec-22											
15-Dec-23											
15-Dec-24											
15-Dec-25											
15-Dec-26											
15-Dec-27											
15-Dec-28											
15-Dec-29											
15-Dec-30											
<b>Total</b>											

Original Issue Date of BANS	12/18/2014	12/18/2014	12/18/2014	12/18/2014	12/18/2014	12/18/2014	12/18/2014	12/18/2014	12/18/2014	12/18/2014	12/18/2014
BANS Outstanding	\$431,400	\$235,000	\$50,000	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Reference	44 7(9)	44 7(3A)	44 7(28) & 7(29)	44 7(5)	44 7(9)	44 7(9)	44 7(9)	44 7(9)	44 7(9)	44 7(9)	44 7(9)
Article	27	27	27	27	9	9	9	9	9	9	9
Maximum Term	5	30	15	15	15	15	15	15	15	15	15
Date of RL	12/1/2014	12/1/2014	12/1/2014	12/1/2014	10/24/2012	10/24/2012	10/24/2012	10/24/2012	10/24/2012	10/24/2012	10/24/2012
Original Auth. Amt	\$431,400	\$235,000	\$50,000	\$25,000	\$900,000	\$900,000	\$900,000	\$900,000	\$900,000	\$900,000	\$900,000
Date of Auth.	10/30/2014	10/30/2014	10/30/2014	10/30/2014	10/15/2012	10/15/2012	10/15/2012	10/15/2012	10/15/2012	10/15/2012	10/15/2012
Amount of Budgeted Paydown	\$84,045	\$45,782	\$9,741	\$4,871	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Amount of Additional Paydown (1)	\$559	\$305	\$65	\$32	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Maximum Maturity	12/18/2019	12/18/2044	12/18/2019	12/15/2029	12/17/2030	12/17/2030	12/17/2030	12/17/2030	12/17/2030	12/17/2030	12/17/2030
Minimum Principal Payment	\$86,699	\$6,514	\$10,049	\$1,436	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000
Remaining Life	4	29	4	14	20	20	20	20	20	20	20
Interest Due 12/18/2015	3,235.50	1,762.50	375.00	187.50							
Principal Paydown 12/18/2015	84,045.32	45,782.68	9,741.00	4,870.50							

(1) Additional paydown required to make aggregate an even \$1,000 increment.

\$ 150,000.00 FY 2016 budgeted paydown of P & I  
 5,560.50 BAN Interest Due 12/18/2015  
 \$ 144,439.50 Amount Remaining to Paydown Principal

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 \_\_\_\_\_, 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	_____ 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: \_\_\_\_\_, 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 \_\_\_\_\_ 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 \_\_\_\_\_ 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: \_\_\_\_\_, 2015 \_\_\_\_\_  
Clerk of the Board of Selectmen

Dig Safe No. \_\_\_\_\_

Permit No. \_\_\_\_\_

**TOWN OF STONEHAM  
DEPARTMENT OF PUBLIC WORKS  
16 Pine Street**

Date: \_\_\_\_\_

From the **Dig Safe start date & time** up to and including \_\_\_\_\_

**Nationalgrid** is hereby authorized to open, occupy, obstruct and encumber a space not exceeding \_\_\_\_ feet in length by \_\_\_\_ feet in width of the travel-way/sidewalk in front of the premises at \_\_\_\_\_ for the purpose of \_\_\_\_\_ cut is issued subject to the specific conditions as applicable and numbered 1 - 12 as set forth on the back of this permit as well as the following:

This permit is issued and accepted upon the condition that the company accepting it shall, in all respects, conform to the statutes, the by-laws of the Town of Stoneham and the specifications in this permit and that any violation thereof shall work an immediate revocation: That said company shall indemnify and save harmless the Town of Stoneham from any damage it may sustain or be required to pay by reason of doing or maintaining the work permitted, or by reason of any act or neglect that occurs for any reason by itself or because of its employees or others relating to such work, or by reason of any violation of any specification in this permit, shall place and maintain a safe and convenient way, satisfactory to the Director of Public Works or his duly authorized agent, for the use of foottravelers and provide a safe and convenient passage for public travel around or over such place: shall not disturb or interfere with any pipes, wires, or sewers lawfully laid in such street, or connected therewith, and that if it does not put the street in good and safe condition according to the law concerned therewith, it shall pay whatever sums the Town shall expend for putting same into such condition. Should any portion of the street which has been excavated require repairing or resurfacing within a period of two (2) years from the time it has been disturbed, the said Town or its agent shall notify the said company to make such repairs as the Director or agent feel are necessary and in case of the failure of the said company to make such repairs within a reasonable time as determined by the Director or his agent, the Town shall have the right to make such necessary repairs and the expense of the same shall be paid by the said company and the Town shall be indemnified for any and all costs, including fees, liability, and counsel incurred by the Town to defend any claims, etc. The person requesting this permit shall provide any bond or other security requested by the Town or its authorized agents.

Furthermore, the contemplated work shall be accomplished in such manner as to protect all travelers from liability to accident and from contact with materials, rubbish, or excavations by fencing or otherwise, to the approval of the Director of Public Works and upon the condition that during the whole of every night, from twilight in the evening until sunrise in the morning, lighted lanterns, flashing barricades or other lighted warning devices, shall be placed so as to effectively warn all persons of the existence of any obstruction travel.

The permit must be conspicuously displayed upon the work where it can be seen by anyone passing by. Strict compliance with this rule will be required and this permit is revoked upon any violation of the conditions herein contained.

Extended upon said terms and conditions to \_\_\_\_\_

## PERMIT CONDITIONS

1. In accordance with Section 8/5, of the Stoneham Town Code, the Contractor, before undertaking any work in, within, or affecting a public way, shall review such work with the Chief of Police or his designee. Appropriate safety precautions, including the hiring of uniformed Police officers, shall be observed in accordance with the resulting recommendations.
2. A minimum width of paved roadway as determined by the Director of Public Works shall be maintained open and passable to vehicular traffic at all times during the process of the work.
3. The full width of the traveled way shall be maintained safe and passable between the hours of 4 p.m. and 8 a.m. each night.
4. Advance warning signs, such as "Reduce Speed Construction Ahead", shall be posted and maintained by the contractor approximately 200 yards east and west of the work site.
5. All excavations, materials, and equipment remaining within the limits of the public way during the hours of darkness shall be completely surrounded with lights and barricades as directed by the Director or his agent.
6. Warning signs and lights shall be inspected for proper operation and location at least once every twelve hours throughout the duration of the job including weekends and holidays.
7. Backfill operations shall follow the installation of piping as soon as practical after inspection so as to minimize the amount of open trenches. Roadway pavement adjacent to the excavation shall be swept daily in conjunction with backfill operations.
8. Temporary pavement repairs shall be installed where required by the Engineer. Such repairs shall be composed of bituminous concrete with a minimum thickness of 2 inches installed in a neat, uniform manner at a grade acceptable to the Director.
9. All materials and methods of construction shall be approved by the Director prior to installation on the project. **ABSOLUTELY NO PIPING OR RELATED WORK SHALL BE BACKFILLED UNTIL IT HAS BEEN INSPECTED AND APPROVED OF BY THE DIRECTOR OR HIS AGENT.**
10. All pavement including sidewalks and adjacent private property damaged during the work shall be repaired and/or resurfaced as directed by the Director.
11. Steel plates not less than  $\frac{3}{4}$ " thick shall be at the work site at all times of sufficient area to protect the entire open trench area.
12. All excavations shall be completely backfilled each night.



TOWN OF  
STONEHAM  
MASSACHUSETTS 02180

**Public Works Department**

16 Pine Street

781-438-0760

Fax 781-438-8183

It is agreed that the Town of Stoneham is an additional insured under the above policies

while \_\_\_\_\_  
name of firm doing work

is excavating, backfilling, utilizing a portion of the street as a work area, pipe laying, or doing

other related work in or on \_\_\_\_\_ in  
name of street

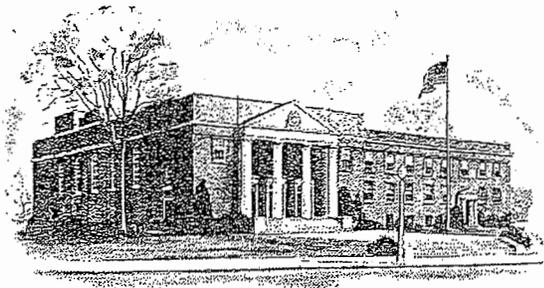
connection with street opening, sidewalk occupancies, or sign installation.

**POLICY LIMITS:**

**PERSONAL LIABILITY & PROPERTY DAMAGE MUST BE \$ 1,000,000.00 COMBINED.**

Above description should appear on the FACE of the policy forwarded to the Town. Also, the wording THE TOWN OF STONEHAM IS AN ADDITIONAL INSURED must be on the face of the policy forwarded to the Town.





TOWN OF  
STONEHAM

MASSACHUSETTS 02180

Public Works Department

16 Pine Street

781-438-0760

Fax 781-438-8183

EFFECTIVE JULY 1, 2008

USER FEES

1. STREET OPENING PERMITS

Excavations

A. Lateral trenches and repair holes

Average width – 3’

Depth of hot top = 4’

Minimum length – 4’

Minimum area – 12 sq. ft.

Minimum Charge: \$50.00

AREA- Sq. Feet

FEE

0-18

\$50.00

19-27

\$75.00

28-50

\$100.00

Street paved within 5 years

\$1,000.00

B. Longitudinal trenches

Processing Fee: \$100.00

The trench shall be repaired. If in the street, the street shall be resurfaced full width for the length of the trench plus a transition distance as determined by the Director of Public Works or his designee. If in the sidewalk, the sidewalk shall be reconstructed/resurfaced if granolithic or bituminous concrete. If the sidewalk is gravel, a new bituminous concrete sidewalk shall be constructed for the length of the trench plus a transition distance as determined by the Director of Public Works or his designee.

C. Holes or trenches in grass or grassplot areas

Processing Fee: \$50.00

All damage to the public way shall be repaired to the satisfaction of the Director of Public Works or his designee. All driveway ramps and sidewalk extensions shall be either replaced or resurfaced at the discretion of the Director of Public Works or his designee.

2. STREET OCCUPANCY PERMITS

Processing Fee: \$25.00 provided that no damage to any part of the public way is contemplated.

2" CLASS I BIT. CONC. PVM'T. TYPE  
I-1 TOP COURSE MATERIAL

2" CLASS I BIT. CONC. BASE  
COURSE MATERIAL TYPE I-1

APPLY TACK COAT  
PRIOR PLACING BIT.  
CONC. PATCH

12"

12"

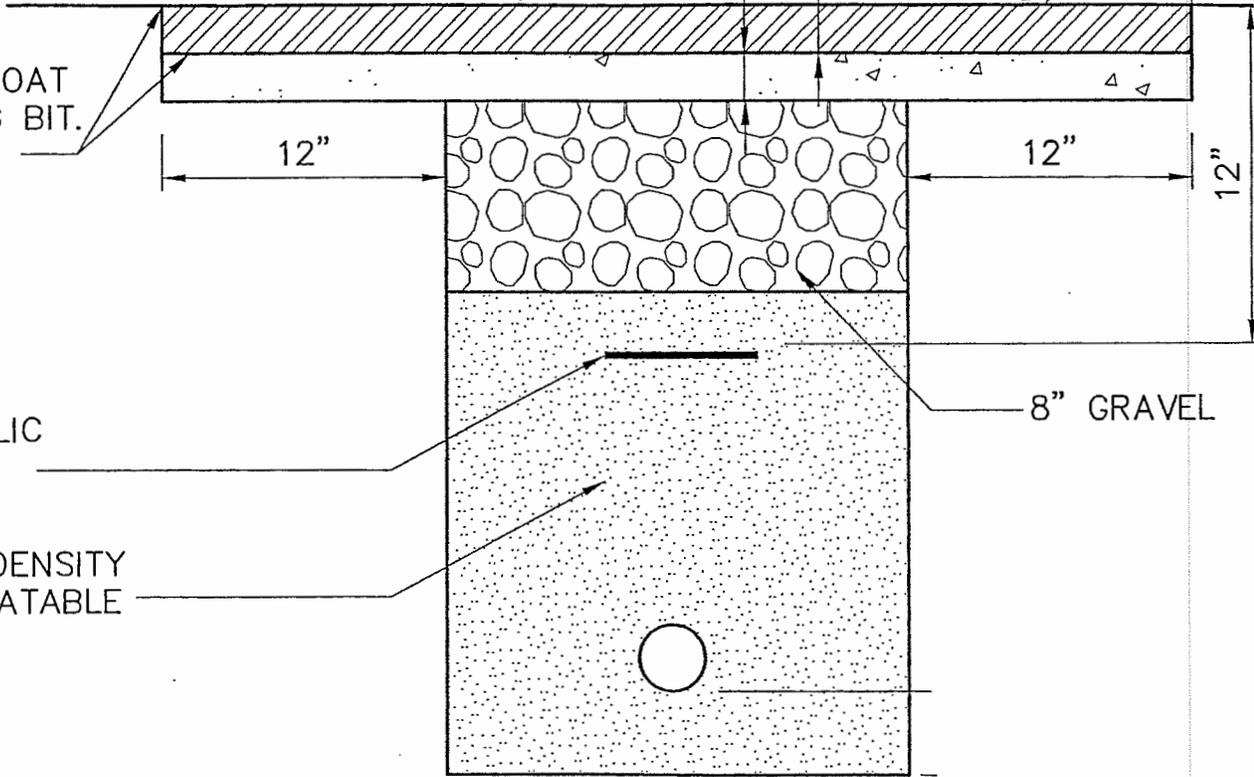
12"

YELLOW METALLIC  
WARNING TAPE

8" GRAVEL

CONTROLLED DENSITY  
FILL - EXCAVATABLE

*Stoneham Road Patch*  
*CHAP 90 Streets*



PERMIT #	PERMIT DATE	CONTRACTOR	LOCATION	TYPE OF WORK	COMMENTS		
2015-001	1/22/2015	A Cierri & Sons	22 Hanford Road	relocate existing sewer	hanford		
2015-002	3/5/2015	Mayo Corp	6 Jeffs Terrace	repairing sewer line	jefts		
2015-003	3/5/2015	Nationalgrid	65 Governor road	gas leak repair	governor		
2015-004	3/5/2015	Nationalgrid	1 Montvale Avenue	gas leak repair	montvale		
2015-005	3/5/2015	Nationalgrid	85 Park Street	gas leak repair	park		
2015-006	3/5/2015	Nationalgrid	426 main Street	gas leak repair	main		
2015-007	3/5/2015	Nationalgrid	14 Lindenwood Road	gas leak repair	lindenwood		
2015-008	3/5/2015	Nationalgrid	64 Penny Lane	gas leak repair	penny		
2015-009	3/5/2015	Nationalgrid	80 Green Street	gas leak repair	green		
2015-010	3/5/2015	Nationalgrid	5 Webster court	gas leak repair	webster		
2015-011	3/5/2015	Nationalgrid	2 Campbell Road	gas leak repair	campbell		
2015-012	3/23/2015	eversource	19-20 murdock road	underground electrical repair	murdock		
2015-013	4/1/2015	mirra co	central & fuller	installing conduit for comcast	central		
2015-014	4/1/2015	geosearch	fallon road gutter area	test borings and pavement cores	fallon		
2015-015	3/30/2015	cimina	57 franklin street	replacing water service	franklin		
2015-016	4/3/2015	Bruce McKee	4 / 6 Washington Street	Sidewalk Replacement	Washington		
2015-017	4/6/2015	cimina	16 Dapper Darby Drive	Water / Sewer Installation	Dapper Darby Drive		
2015-18	4/14/2015	E B Rotondi	34 Lincoln Street	leak on property	lincoln		
2015-19	4/15/2015	geosearch	250 Main Street	Monitoring Well abandonment	Main		
2015-020	3/25/2015	Nationalgrid	65 Governor road	emergency gas leak	governor		
2015-021	3/27/2015	Nationalgrid	106 franklin street	emergency gas leak	franklin		
2015-022	4/2/2015	Nationalgrid	45 Lee Street	new gas service	lee		
2015-023	4/6/2015	Nationalgrid	4 kimball drive	gas leak repair	kimball		
2015-024	4/6/2015	Nationalgrid	5 oak ridge road	gas leak repair	oak ridge		

PERMIT #	PERMIT DATE	CONTRACTOR	LOCATION	TYPE OF WORK	COMMENTS		
2015-025	4/6/2015	Nationalgrid	80 Green Street	gas leak repair	green		
2015-026	4/6/2015	Nationalgrid	40 wright street	gas leak repair	wright		
2015-027	4/6/2015	Nationalgrid	6 victoria lane	gas leak repair	victoria		
2015-28	4/6/2015	Nationalgrid	22 lindenwood road	gas leak repair	lindenwood		
2015-029	4/6/2015	Nationalgrid	6 longbow road	gas leak repair	longbow		
2015-030	4/18/2015	Nationalgrid	50 High Street	new gas service	High		
2015-031	4/18/2015	Nationalgrid	12 newcomb Road	new gas service	newcomb		
2015-032	4/18/2015	Nationalgrid	39 Spring Street	new gas service	spring		
2015-033	4/30/2015	Nationalgrid	58 Elm Street	new gas service	elm		
2015-034	4/30/2015	Nationalgrid	124 Pond Street	new gas service	pond		
2015-035	4/30/2015	Nationalgrid	88 Oak Street	new gas service	oak		
2015-036	4/30/2015	Nationalgrid	24 Newcomb Road	new gas service	newcomb		
2015-037	4/27/2015	Nationalgrid	225 main Street	corrosion work	main		
2015-038	4/27/2015	Nationalgrid	200 Fallon Road	corrosion work	fallon		
2015-039	4/27/2015	Nationalgrid	74 North Street	corrosion work	north		
2015-040	4/27/2015	Nationalgrid	11 Marble Street	corrosion work	marble		
2015-041	4/27/2015	Nationalgrid	37 Country Club Road	corrosion work	country club		
2015-042	5/1/2015	Nationalgrid	21 winthrop st	abandon gas service	winthrop		
2015-043	4/29/2015	Nationalgrid	61 high street	new gas service	high		
2015-044	5/1/2015	Nationalgrid	12 tremont st	abandon gas service	tremont		
2015-045	5/4/2015	R.J Golen Excavating	63 Katherine Road	Water / Sewer / Drain Installation	Katherine		
2015-046	5/6/2015	Nationalgrid	11 dean st	cut and cap gas service at main	dean		
2015-047	5/6/2015	Nationalgrid	122 NORTH ST	new gas service	north		
2015-048	5/8/2015	Nationalgrid	20 DUNCKLEE	new gas service	DUNCKLEE		

PERMIT #	PERMIT DATE	CONTRACTOR	LOCATION	TYPE OF WORK	COMMENTS		
2015-49	5/8/2015	Nationalgrid	422 MAIN STREET	new gas service	MAIN		
2015-050	5/11/2015	Nationalgrid	HIGHLAND FROM #23 HIGHLAND TO GOULD ST	MAIN REPLACEMENT	HIGHLAND		
2015-051	5/11/2015	Nationalgrid	HANCOCK WRIGHT ST TO PARK	MAIN REPLACEMENT	HANCOCK		
2015-052	5/11/2015	Nationalgrid	21 RUSTIC ROAD	SERVICE RELOCATION	RUSTIC		
2015-053	5/12/2015	Nationalgrid	115 COLLINCOTE ST	new gas service	COLLINCOTE		
2015-054	5/12/2015	Greenwood & Sons	1 Summerhill Street	Sidewalk Replacement	Summerhill		
2015-055	6/2/2015	A Cierri & Sons	34 / 36 Valley Road	Drain Installation	Valley		
2015-056	6/4/2015	James T Lynch	Smitty's Way (North Street Connection)	Water / Sewer Connection	North		
2015-057	6/12/2015	K M Earle Land & Lawn	184 North Street on Kirmes Road	installing granite curbing	Kirmes		
2015-058	6/12/2015	Nationalgrid	109 franklin st	corrosion work	franklin		
2015-059	6/12/2015	Nationalgrid	5 ORIENTAL COURT	new gas service	ORIENTAL		
2015-060	6/12/2015	Nationalgrid	7 spring lane	new gas service	spring lane		
2015-061	6/18/2015	Soil Exploration Corp	51 Montvale Ave	Test Borings (Traffic Signal Design)	Montvale		
2015-062	6/25/2015	Nick Johnson & Sons Restoration	3/5 Central Street (On Main Street)	Parking Spot Obstruction - Building Repairs	central		
2015-063	7/1/2015	Nationalgrid	17 Manison	new gas service	manison		
2015-064	7/1/2015	Nationalgrid	39 Gould Street	leak repair	gould		
2015-065	7/1/2015	Nationalgrid	60 Pleasant St	leak repair	pleasant		
2015-066	7/1/2015	Nationalgrid	41 gould st	leak repair	gould		
2015-067	7/1/2015	Nationalgrid	32 Lincoln on Hancock St only	new gas service	lincoln		
2015-068	7/1/2015	Nationalgrid	55 gould street	leak repair	gould		
2015-069	7/1/2015	Nationalgrid	8 WRIGHT ST	main extension	wright		
2015-070	7/1/2015	Nationalgrid	Melba Lane	main extension to #4 Valdora	melba		
2015-071	7/24/2015	Mayo Corp	24 keene street	replace water service	keene		
2015-072	7/21/2015	Kellett Excavating	37 Penny Lane	Granite Curb / Sidewalk	Penny		

PERMIT #	PERMIT DATE	CONTRACTOR	LOCATION	TYPE OF WORK	COMMENTS		
2015-072	7/23/2015	A Cierri & Sons	130 Forest St	connecting to sewer	forest		
2015-073	7/14/2015	Nationalgrid	131 North Street	new gas service	north		
2015-074	7/16/2015	Nationalgrid	24 keene street	relay for capacity	keene		
2015-075	7/22/2015	Nationalgrid	11 Pomeworth Street	new gas service	pomeworth		
2015-076	7/22/2015	Nationalgrid	125 north street	new gas service	north		
2015-077	7/22/2015	Nationalgrid	93 Elm Street	leak repair	elm		
2015-078	7/23/2015	Nationalgrid	90 Elm Street @ Washington Street	leak repair	elm @ washington		
2015-079	7/27/2015	Nationalgrid	Richardson Road @ side of no. 51 Lindenwood Road	leak repair	richardson @ lindenwood		
2015-080	8/6/2015	Mayo Corp	16 MAIN STREET	INSTALL NEW WATER SERVICE FROM NORTH STREET	MAIN		
2015-081	8/5/2015	Nationalgrid	14 Campbell Road	service replacement	campbell		
2015-082	8/11/2015	Charles R Todd Contr. Inc	25 Penny Lane	Water / Sewer Service Replacement	penny		
2015-083	9/11/2015	Nationalgrid	24 keene street	cut and cap gas service at main	keene		
2015-084	9/11/2015	Nationalgrid	51 Warren Street connected from marble	new gas service	warren connect maple		
2015-085	8/28/2015	Nationalgrid	29 Country Club Road	leak repair	country club		
2015-086	8/26/2015	Nationalgrid	36 Maple Street	gas leak repair	maple		
2015-087	8/28/2015	Nationalgrid	90 Spring Street	install gas service	spring street		
2015-088	8/31/2015	Nationalgrid	11 Danby Road	gas leak repair	danby		
2015-089	9/1/2015	Nationalgrid	34 Country Club Road	service replacement	country club		
2015-090	9/10/2015	A Cierri & Sons	37 Curve Road	new sewer service	curve		
2015-091	9/4/2015	Nationalgrid	139 North Street	new gas service	north street		
2015-092	9/4/2015	Nationalgrid	31 Park Street	gas leak repair	park street		
2015-093	9/11/2015	murphy	131 North Street	sewer connection	north		
2015-094	9/18/2015	A Cierri & Sons	86 Pleasant Street	curb cut	pleasant		
2015-095	9/22/2015	E B Rotondi	Rodgers Road	installing conduits and handholds	rodgers		

PERMIT #	PERMIT DATE	CONTRACTOR	LOCATION	TYPE OF WORK	COMMENTS		
2015-096	9/18/2015	Nationalgrid	414 Main Street	gas leak repair	Main		
2015-097	9/18/2015	Nationalgrid	291 Main Street	gas leak repair	Main		
2015-098	9/22/2015	Mayo Corp	29 Congress Street	water service	Congress		
2015-099	9/22/2015	Mayo Corp	45 Newcomb Road	connecting to sewer	Newcomb		
2015-100	9/18/2015	Nationalgrid	52 North Street	new gas service	North		
2015-101	9/18/2015	Nationalgrid	9-11 Peabody Road	new gas service	Peabody		
2015-102	9/21/2015	Curly Custom LLC	131 North Street	new sewer service	north		
2015-103	9/23/2015	Nationalgrid	Highland Avenue @ Electric Pole 4918	conduit for electric	highland avenue		
2015-104	9/25/2015	Nationalgrid	44 Pond Street	gas leak repair	pond		
2015-105	9/28/2015	Nationalgrid	10-35 Spencer Street	gas main replacement due to city water main replacement	Spencer		
2015-106	10/5/2015	Nationalgrid	9 Pearl Street	relay gas service	Pearl		
2015-107	10/5/2015	Nationalgrid	4 Wilson Road	install gas service	wilson		
2015-108	10/2/2015	Nationalgrid	10 Fairlane Road	relay service then cut 3 cap	fairlane		
2015-109	10/5/2015	Nationalgrid	16 Main Street - con. From North St.	install gas service	Main con. North		
2015-110	10/20/2015	eversource	3 Pamela, 4 & 11 Rivers lane	conduit installation	pamela/rivers	sidewalk only	
2015-111	VOID	VOID	VOID	VOID	VOID		
2015-112	10/22/2015	Anthony Cierri	17 Harrison Street	sewer repair	harrison		
2015-113	10/22/2015	Soil Exploration Corp	Wright, Oak, North	Soil Borings - MWRA Project	Various		
2015-114	10/26/2015	E B Rotondi	11 cabot road	drain connection	cabot		
2015-115	10/26/2015	Taylor Excavation & Development	4 Martin Louis Way	water/sewer	martin louis		
2015-116	10/28/2015	E B Rotondi	61 Main Street digging on George	fire sprinkler line	george		
2015-117	10/29/2015	Nationalgrid	38 Pleasant St *connection from Will*	new gas service	Pleasant conn William		
2015-118	11/4/2015	cimina	4 Wilson Road	water/sewer	wilson		
2015-119	11/4/2015	cimina	16 Dapper Darby Drive	water/sewer	Dapper Darby Drive		

PERMIT #	PERMIT DATE	CONTRACTOR	LOCATION	TYPE OF WORK	COMMENTS		
2015-120	11/9/2015	cierra	22 gould street	cut and cap water/sewer	gould		
2015-121	11/17/2015	Nationalgrid	9A Congress Street	new gas service	Congress		
2015-122							
2015-123							
2015-124							
2015-125							
2015-126							
2015-127							
2015-128							
2015-129							

## Entertainment License Renewals

Burger King	197 Main Street
Stoneham Elks Lodge #2211	471 Main Street
Marty's Caterers, Inc.	54 Montvale Avenue
Bacci's	316 Main Street
Tulip Asian Cuisine	119 Main Street
Fusion Taste	19 Franklin Street
Sato II	147 Main Street
Kushala Sip Coffee House	335 Main Street
Liberty Bell Roastbeef	219 Main Street
Subway	200B Main Street
Dunkin Donuts	128 Franklin Street
Dunkin Donuts	62A Montvale Avenue
BJ's Wholesale Club	85 Cedar Street
China Moon	170 Main Street
Stoneham Theatre	395 Main Street
American Legion Post #115	11 Common Street
Marconi Club	47 Pine Street
Bear Hill Golf Club	5 North Street

## Common Vic License Renewals

Burger King	197 Main Street
Café Central	8 Central Stret
The Daily Scoop	232 Main Street
Dairy Dome	474 Main Street
Dunkin Donuts	128 Franklin Street
Dunkin Donuts	62A Montvale Avenue
Friendly's #227	611 Main Street
Pignone's Café	319 Main Street
Stoneham Pizza	232 Main Street
Subway	200B Main Street
Three Amigos	125 Main Street, #4
New Hong Kong City, Inc	303 Main Street
Kushala Sip Coffee House	335 Main Street
Liberty Bell Roastbeef & Seafood, Inc	219 Main Street
Red Plaza Donuts, LLC	65 Main Street
Andrea's Pizza	498 Main Street
Amore Pizza	414 Main Street
BJ's Wholesale Club	85 Cedar Street
Papa Gino's	190 Main Street



# TOWN OF STONEHAM

## **Common Vic License Renewal**

### Review Report

Project Review Team: John Fralick, Robert Grover, Joe Rolli, Joe Ponzio, Cheryl Noble

The information contained herein is subject to review and a final determination by the Board of Selectmen. The purpose of the Project Review is to provide the applicant with an opportunity to understand the regulatory mandates, and to further receive input from Town departments relative to the proposed project. At no time are non-regulatory conditions to be considered final and binding until such time that the Board of Selectmen has agreed to same and/or others when applicable.

Department	Issue(s) Raised
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<b>Police Department</b>	The Police Department has no objections to these renewals
<b>Board of Health</b>	The Board of Health has no objections to these renewals.
<b>Fire Department</b>	The Fire Department has no objections to these renewals
<b>Inspectional Services</b>	Inspectional Services has no objections except for Kushala Sip Coffee House who needs to remove the portable sign. She has been notified.

## Sinclair, Erin

---

**From:** McIntyre, James  
**Sent:** Thursday, November 19, 2015 3:33 PM  
**To:** Sinclair, Erin  
**Subject:** RE: Common Vic Renewals

Erin,  
After reviewing the applications, I offer no objections to any of them.

Chief James McIntyre  
Stoneham Police Department

**From:** Sinclair, Erin  
**Sent:** Tuesday, November 17, 2015 10:23 AM  
**To:** Rolli, Joe ; Noble, Cheryl ; Fralick, John ; McIntyre, James  
**Subject:** Common Vic Renewals

Here is the list of Common Vic renewals scheduled for December 1<sup>st</sup> approval. Please review and respond via email that they are okay. Do not worry about signing each renewal application we will start using the email as approval. Please respond by Friday, November 20<sup>th</sup>. Let me know if you have any questions. Thanks!

*Erin Sinclair*  
*Office Manager for the Board of Selectmen*  
*35 Central Street*  
*Stoneham, MA 02180*  
*781-279-2680 Phone*  
*781-279-2681 Fax*

## Sinclair, Erin

---

**From:** McIntyre, James  
**Sent:** Tuesday, November 24, 2015 9:41 AM  
**To:** Sinclair, Erin  
**Subject:** RE: Common Vic Renewals #2

I offer no objections to these license renewals.

Chief James McIntyre  
Stoneham Police Department

----- Original message -----

**From:** "Sinclair, Erin"  
**Date:** 11/24/2015 09:11 (GMT-05:00)  
**To:** "Rolli, Joe" , "Noble, Cheryl" , "Fralick, John" , "McIntyre, James"  
**Cc:**  
**Subject:** Common Vic Renewals #2

Here is the 2<sup>nd</sup> group of Common Vic renewals. Please respond as soon as you can that these are okay for renewal. They are going to be approved on Dec 1<sup>st</sup> so I need your email response by Friday, November 27<sup>th</sup> at 9am. Happy Thanksgiving if I don't see you!

Erin Sinclair  
Office Manager for the Board of Selectmen  
35 Central Street  
Stoneham, MA 02180  
781-279-2680 Phone  
781-279-2681 Fax

**From:** Sinclair, Erin  
**Sent:** Tuesday, November 17, 2015 10:23 AM  
**To:** Rolli, Joe ; Noble, Cheryl ; Fralick, John ; McIntyre, James  
**Subject:** Common Vic Renewals

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781-279-2681 Fax

## Sinclair, Erin

---

**From:** Fralick, John  
**Sent:** Friday, November 20, 2015 9:13 AM  
**To:** Sinclair, Erin  
**Subject:** Re: Common Vic Renewals

Yeah, those are fine to renew.

Thanks Erin, I'll be up to sign

-J

On Nov 20, 2015, at 8:35 AM, Sinclair, Erin <[esinclair@stoneham-ma.gov](mailto:esinclair@stoneham-ma.gov)> wrote:

Hello,

I am just waiting on your response for these renewals. Can you send an email confirming these are okay for renewal. Thanks!

Erin Sinclair

Office Manager for the Board of Selectmen

35 Central Street

Stoneham, MA 02180

781-279-2680 Phone

781-279-2681 Fax

**From:** Sinclair, Erin

**Sent:** Tuesday, November 17, 2015 10:23 AM

**To:** Rolli, Joe <[jrolli@stoneham-ma.gov](mailto:jrolli@stoneham-ma.gov)>; Noble, Cheryl <[cnoble@stoneham-ma.gov](mailto:cnoble@stoneham-ma.gov)>; Fralick, John <[jfralick@stoneham-ma.gov](mailto:jfralick@stoneham-ma.gov)>; McIntyre, James <[jmcintyre@stoneham-ma.gov](mailto:jmcintyre@stoneham-ma.gov)>

**Subject:** Common Vic Renewals

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Erin Sinclair

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35 Central Street

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781-279-2681 Fax

## Sinclair, Erin

---

**From:** Fralick, John  
**Sent:** Tuesday, November 24, 2015 9:17 AM  
**To:** Sinclair, Erin  
**Subject:** Re: Common Vic Renewals #2

Those are all set on my end.

Happy thanksgiving!

-J

On Nov 24, 2015, at 9:11 AM, Sinclair, Erin <[esinclair@stoneham-ma.gov](mailto:esinclair@stoneham-ma.gov)> wrote:

Here is the 2<sup>nd</sup> group of Common Vic renewals. Please respond as soon as you can that these are okay for renewal. They are going to be approved on Dec 1<sup>st</sup> so I need your email response by Friday, November 27<sup>th</sup> at 9am. Happy Thanksgiving if I don't see you!

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**From:** Sinclair, Erin

**Sent:** Tuesday, November 17, 2015 10:23 AM

**To:** Rolli, Joe <[jrolli@stoneham-ma.gov](mailto:jrolli@stoneham-ma.gov)>; Noble, Cheryl <[cnoble@stoneham-ma.gov](mailto:cnoble@stoneham-ma.gov)>; Fralick, John <[jfralick@stoneham-ma.gov](mailto:jfralick@stoneham-ma.gov)>; McIntyre, James <[jmcintyre@stoneham-ma.gov](mailto:jmcintyre@stoneham-ma.gov)>

**Subject:** Common Vic Renewals

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Erin Sinclair

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35 Central Street

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781-279-2681 Fax

## Sinclair, Erin

---

**From:** Rolli, Joe  
**Sent:** Wednesday, November 18, 2015 2:10 PM  
**To:** Sinclair, Erin  
**Subject:** RE: Common Vic Renewals

Ok with Fire Department.....Chief Rolli

**From:** Sinclair, Erin  
**Sent:** Tuesday, November 17, 2015 10:23 AM  
**To:** Rolli, Joe ; Noble, Cheryl ; Fralick, John ; McIntyre, James  
**Subject:** Common Vic Renewals

Here is the list of Common Vic renewals scheduled for December 1<sup>st</sup> approval. Please review and respond via email that they are okay. Do not worry about signing each renewal application we will start using the email as approval. Please respond by Friday, November 20<sup>th</sup>. Let me know if you have any questions. Thanks!

*Erin Sinclair*  
*Office Manager for the Board of Selectmen*  
*35 Central Street*  
*Stoneham, MA 02180*  
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*781-279-2681 Fax*

## Sinclair, Erin

---

**From:** Rolli, Joe  
**Sent:** Tuesday, November 24, 2015 9:20 AM  
**To:** Sinclair, Erin  
**Subject:** RE: Common Vic Renewals #2

OK for SFD

**From:** Sinclair, Erin  
**Sent:** Tuesday, November 24, 2015 9:11 AM  
**To:** Rolli, Joe ; Noble, Cheryl ; Fralick, John ; McIntyre, James  
**Subject:** Common Vic Renewals #2

Here is the 2<sup>nd</sup> group of Common Vic renewals. Please respond as soon as you can that these are okay for renewal. They are going to be approved on Dec 1<sup>st</sup> so I need your email response by Friday, November 27<sup>th</sup> at 9am. Happy Thanksgiving if I don't see you!

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*Office Manager for the Board of Selectmen*  
*35 Central Street*  
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*781-279-2680 Phone*  
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**From:** Sinclair, Erin  
**Sent:** Tuesday, November 17, 2015 10:23 AM  
**To:** Rolli, Joe <[jrolli@stoneham-ma.gov](mailto:jrolli@stoneham-ma.gov)>; Noble, Cheryl <[cnoble@stoneham-ma.gov](mailto:cnoble@stoneham-ma.gov)>; Fralick, John <[jfralick@stoneham-ma.gov](mailto:jfralick@stoneham-ma.gov)>; McIntyre, James <[jmcintyre@stoneham-ma.gov](mailto:jmcintyre@stoneham-ma.gov)>  
**Subject:** Common Vic Renewals

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*Stoneham, MA 02180*  
*781-279-2680 Phone*  
*781-279-2681 Fax*

## Sinclair, Erin

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**From:** Noble, Cheryl  
**Sent:** Tuesday, November 17, 2015 10:36 AM  
**To:** Sinclair, Erin  
**Subject:** RE: Common Vic Renewals

All of them are all set as far as the Building Department is concerned

Cheryl

**From:** Sinclair, Erin  
**Sent:** Tuesday, November 17, 2015 10:23 AM  
**To:** Rolli, Joe ; Noble, Cheryl ; Fralick, John ; McIntyre, James  
**Subject:** Common Vic Renewals

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*Erin Sinclair  
Office Manager for the Board of Selectmen  
35 Central Street  
Stoneham, MA 02180  
781-279-2680 Phone  
781-279-2681 Fax*

## Sinclair, Erin

---

**From:** Noble, Cheryl  
**Sent:** Tuesday, November 24, 2015 10:25 AM  
**To:** Sinclair, Erin  
**Subject:** RE: Common Vic Renewals #2

All good for Building Dept. except Kushala needs to remove the portable signage from out front. I sent her a letter.

Cheryl

**From:** Sinclair, Erin  
**Sent:** Tuesday, November 24, 2015 9:11 AM  
**To:** Rolli, Joe ; Noble, Cheryl ; Fralick, John ; McIntyre, James  
**Subject:** Common Vic Renewals #2

Here is the 2<sup>nd</sup> group of Common Vic renewals. Please respond as soon as you can that these are okay for renewal. They are going to be approved on Dec 1<sup>st</sup> so I need your email response by Friday, November 27<sup>th</sup> at 9am. Happy Thanksgiving if I don't see you!

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*Stoneham, MA 02180*  
*781-279-2680 Phone*  
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**From:** Sinclair, Erin  
**Sent:** Tuesday, November 17, 2015 10:23 AM  
**To:** Rolli, Joe <[jrolli@stoneham-ma.gov](mailto:jrolli@stoneham-ma.gov)>; Noble, Cheryl <[cnoble@stoneham-ma.gov](mailto:cnoble@stoneham-ma.gov)>; Fralick, John <[jfralick@stoneham-ma.gov](mailto:jfralick@stoneham-ma.gov)>; McIntyre, James <[jmcintyre@stoneham-ma.gov](mailto:jmcintyre@stoneham-ma.gov)>  
**Subject:** Common Vic Renewals

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*Erin Sinclair*  
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TOWN OF  
STONEHAM  
MASSACHUSETTS  
Town Council

**To:** Thomas Boussy, Chairman  
Board of Selectmen

**From:** William H. Solomon     *William H. Solomon*  
Town Counsel

**Date:** November 27, 2015

**Subject:** Outline of Amendments Being Negotiated To "Development and Impact Fee Agreement By and Between the Town of Stoneham, PGG Outdoor LLC and Northland Forbes Road LLC Regarding Outdoor Advertising Billboard

As discussed on Wednesday morning, the below described amendments are being negotiated to the above referenced Development and Impact Fee Agreement ("Development Agreement") regarding the proposed Billboard on the west (Southbound) side of Route 93. A copy of the current Development and Impact Fee Agreement executed by PGG Outdoor and the Board of Selectmen is forwarded herewith.

The amendments being negotiated are as follows:

1. A provision that would provide that if the Town of Stoneham granted a zoning permit or approval or a building permit for a structure, including a sign, on a narrow corridor of land on the BJs property next to Route 93 (also forwarded herewith) and such structure materially obstructed the view of the billboard for vehicles driving south on Route 93, then PGG Outdoor LLC (Logan or its successors or assigns) would not thereafter be responsible one-half (50%) of the future annual impact fee payments required by Paragraph (a) of the Development Agreement.

As discussed, this corridor of land is quite narrow, and as such apart from a sign, it is very unlikely that a structure would be placed so close to the highway. More significantly, it is extremely unlikely that the Town or Town board would permit or otherwise allow a structure, including a sign, to be placed in such location so as to block the subject billboard. In fact, the recent amendments at the BJs property for the gas station do not propose to use this corridor, nor would it in any way block the proposed billboard. That said, if the Town were to allow such an obstruction by a structure it approved or permitted, it would do so knowing that the new structure and use was of such value to the Town that the loss of one-half of the billboard revenue was outweighed by the new structure and use. This provision would not apply if the cause for the blocking or interference with viewing of the Billboard were other than the permitting or approval of a

structure by the Town of Stoneham. Additionally, in the unlikely case that this provision were applicable, This Billboard would be required to be taken down by PGG Outdoor (Logan).

2. The Development Agreement currently provides as follows on Page 6 with respect to the removal of the Billboard:

PGG Outdoor shall provide a financial surety to the Town, in an amount to be determined by the Planning Board at the time of approval of the special permit (if approved) or at any time thereafter as determined by the Building Inspector, which will cover the full cost of the removal of any portion of the Billboard (including all foundational and other structural components) which is found to be abandoned or discontinued, or is in disrepair, and which has not otherwise been removed by PGG Outdoor, whether voluntarily or as ordered by the Town, an administrative agency or a court. Upon removal of the Billboard, as defined herein, by or as ordered the Town, PGG Outdoor shall be responsible for any costs, including attorney fees and legal costs incurred by the Town in excess of such financial surety, which shall be paid to the Town within twenty-one (21) days of a written demand by the Town, and if unpaid, shall become a lien on the real property which may be recorded by the Town at the Middlesex South District Registry of Deeds. Alternatively in the event there are any funds from the financial surety remaining after such removal by the Town, said financial surety shall be returned to PGG Outdoor without interest. [Emphasis added.]

The parties are negotiating (at the request of the property owner, Northland, which has not signed the Development Agreement, but which as informed by the Town through PGG Outdoor, needs to do so for said Agreement and the construction of the Billboard and future payments to all parties, including Northland, to be effectuated) to remove the provision that costs to remove the Billboard in excess of the financial surety of PGG Outdoor (Logan) will be a "lien on the real property". This change (deletion of the provision) will not negatively affect the Town because the Town has, and will have, the protection of the financial surety to be provided by PGG Outdoor (which may at the Town's discretion be a deposit of funds, increasing as time proceeds) for the removal of the bond. Additionally, Northland shall be required to fully cooperate with the Town with

respect to the removal of the Billboard by the Town and/or its contractor paid for by the PGG Outdoor surety.

3. PGG Outdoors will in consideration hereof pay an additional \$100,000 to the Town at the time of the first payment to the as set out in Paragraph (a) of the Development Agreement “within five (5) business days after all conditions set forth in the preceding sentence (permits, licenses and approvals issued). Accordingly, rather than the first payment to the Town being \$100,000, the payment will be \$200,000.

The substance of the first two amendments, referenced above, reflect the concerns of the private parties hereto, respectively, while amendment number 3 was raised in response thereto by this office and then discussed with you at the time, for consideration by the Board. This office has been in consistent communication with PGG Outdoors regarding the execution of the Development Agreement by Northland, and they with Northland. The proposed amendment by PGG Outdoors regarding the potential blocking of the corridor was raised by PGG Outdoor this past Wednesday, at which time I reached out to you. PGG Outdoors is scheduled for a hearing for its special permit before the Planning Board this coming Wednesday, and seeks to proceed ahead with the hearing because of its need to move ahead on the state level in a timely manner. Accordingly, as you and I discussed, in order for you as Chairman of the Board to support this matter being discussed and voted on at the Board of Selectmen’s meeting this coming Tuesday, PGG Outdoor and Northland must provide a proposed amended Development Agreement acceptable to Town representatives, including this office, to be forwarded to the Board of Selectmen members for their review by Monday, November 30<sup>th</sup> at 3:00 p.m.<sup>1</sup>

Please feel free to call me as needed or may be helpful.

Enclosures

cc: August S. Niewehous, Chairman, Planning Board  
David Ragucci, Town Administrator

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<sup>1</sup> The proposed amendments will include language changes added by the Town representatives that arise from the amendments sought by the private parties.

**DEVELOPMENT AND IMPACT FEE AGREEMENT  
BY AND BETWEEN  
THE TOWN OF STONEHAM,  
PGG OUTDOOR LLC AND  
NORTHLAND FORBES ROAD LLC  
REGARDING  
OUTDOOR ADVERTISING BILLBOARD**

WHEREAS, the Special Town Meeting scheduled for October 22, 2015 will, pursuant to Article 7 of the Warrant for said meeting, be considering an amendment of Section 6.7 and 6.7.8 of the Town of Stoneham Zoning By-Laws such that off-premise and billboard signs may be allowed in the Commercial III Zoning District by way of special permit from the Planning Board, subject to certain dimensional and other requirements (the "Zoning By-Law Amendment");

WHEREAS, PGG Outdoor LLC ("PGG Outdoor"), a Massachusetts Limited Liability Company with its principal office located at 129 Border Street, East Boston, MA 02128, has a lease agreement for the lease of certain real property located in the Commercial III Zoning District (the "Property") for the purposes of installing an outdoor advertising billboard on the Property, being a portion of the real property owned by Northland Forbes Road LLC ("Northland"), a Massachusetts Limited Liability Company, with its principle office located at 2150 Washington Street, Newton, MA 02462, at 10 Forbes Road, Woburn. Said billboard to be located on the Stoneham portion of the real property as shown on proposed Digital Display Billboard Location Plan of Land Stoneham, Massachusetts", dated August 25, 2015, by Dana F. Perkins, Inc., a copy of which is attached hereto as Appendix A. (Parcel 12 on Map 25 of the Stoneham Board of Assessor's Map.) The deed for the real property being recorded at Middlesex South District Registry of Deeds in Book 48355, Page 374.

WHEREAS, PGG Outdoor seeks to construct, install and operate a monopole outdoor advertising structure having two (2) sign faces (the "Billboard") for third party advertising at the Property in the event that all requisite local, state and federal approvals are obtained by PGG Outdoor for the installation of said Billboard;

WHEREAS, the Town of Stoneham ("Town"), a Massachusetts municipal corporation, with its Town Hall located at 35 Central Street, Stoneham, Massachusetts, seeks to be compensated for any impact to the Stoneham community associated with the

construction, installation and operation of the monopole outdoor advertising structure in the event that all requisite local, state and federal approvals are obtained by PGG Outdoor for the installation of said Billboard; and

WHEREAS, the Town seeks to limit both in time and manner the Billboard and any impacts therefrom, including, but not limited to, limiting the term of the Billboard to fifty (50) years.

NOW THEREFORE, PGG Outdoor, Northland and the Town hereby agree to the following terms, conditions and requirements of this Development and Impact Fee Agreement ("Agreement") in connection with the Billboard to be installed at the Property pursuant to said Zoning By-Law Amendment:

(a) In the event that the Zoning By-Law Amendment is passed by the Town Meeting to allow for the construction, installation and operation of outdoor advertising signs in the Commercial III Zoning District as provided therein, PPG Outdoor agrees to pay an impact fee to the Town in the amount of One Hundred Thousand Dollars (\$100,000) per year for each of the first five (5) years; from Year 6 through Year 10 the annual payment shall increase Five Thousand Dollars (\$5,000) for each year beginning in Year 6; from Year 11 through Year 15 the annual payment shall increase Five Thousand Dollars (\$5,000) for each year beginning in Year 11; from Year 16 through Year 20 the annual payment shall increase Five Thousand Dollars (\$5,000) for each year beginning in Year 16; from Year 21 through Year 25 the annual payment shall increase an additional Five Thousand Dollars (\$5,000) for each year beginning in Year 21; from Year 26 through Year 30 the annual payment shall increase an additional Five Thousand Dollars (\$5,000) for each year beginning in Year 26; from Year 31 through Year 35 the annual payment shall increase an additional Five Thousand Dollars (\$5,000) for each year beginning in Year 30; from Year 35 through Year 40 the annual payment shall increase an additional Five Thousand Dollars (\$5,000) for each year beginning in Year 35; from Year 40 through Year 45 the annual payment shall increase an additional Five Thousand Dollars (\$5,000) for year beginning in Year 40; from Year 45 through Year 50 the annual payment shall increase an additional Five Thousand Dollars (\$5,000) for each year beginning in Year 45 (See Appendix B which is incorporated by reference into this Agreement, for a list of payments.) Said amounts to be paid to the Town on the condition that: (i) the Planning Board does not deny granting a Special Permit for the construction, installation, operation, maintenance and repair of the Billboard, or impose unreasonable condition(s) which would nullify the intent of this Agreement; (ii) the Building Inspector does not deny the issuance of a building permit for the erection and installation of said Billboard; and (iii) all other necessary local, state and/or federal permits, licenses and approvals for the construction and installation of said Billboard are not denied (See also sub-paragraph (c) below). PPG Outdoor shall pay the first year's impact fee to the Town within five (5) business days after all conditions set forth in the preceding sentence (permits, licenses and approvals issued) have been completed as set forth above. All subsequent annual payments shall be made on or before this anniversary date.

If PPG Outdoor or an affiliate enters into any future billboard development or impact fee agreement (or an equivalent) with any Massachusetts city or town (other than the City of Boston) ("municipality") within five (5) years of this Agreement, PPG Outdoor shall notify the Town of the agreement and, if requested in writing by the Town, PPG Outdoor shall provide the Town with a copy of said agreement (the "Other Municipal Agreement"). The Town may evaluate the Other Municipal Agreement, and the Town shall have the option of receiving the same fee payments (based per single billboard with two (2) sign faces) as reflect in the Other Municipal Agreement (which shall include any upfront payment methodology) for the term of the Other Municipal Agreement (not to exceed the term of this Agreement). If the Town chooses that option and if this Agreement continues for a period of time after the expiration of the Other Municipal Agreement, fee payments to the Town in such remaining period of time pursuant to this Agreement shall revert back to the original schedule of fee payments as set out herein. This process may be repeated by the Town at any time during the five (5) year period set out in this paragraph.

(b) In the event that the Zoning Bylaw Amendment is adopted by the Stoneham Town Meeting, PPG Outdoor shall, in good faith, proceed expeditiously ahead with the process of permitting and constructing the Billboard. Application for the Special Permit shall be made within forty-five (45) days of the close of the Special Town Meeting. In the event of any appeal of a necessary local, state and/or federal permit, license and/or approval for the construction and installation of said Billboard by a third party, including any appeal of a Special Permit from the Planning Board or building permit from the Building Inspector, PPG Outdoor shall vigorously defend the grant thereof in a manner consistent with applicable law.

(c) PGG Outdoor's obligation to make the above-referenced impact fee payments (the initial and all subsequent payments) to the Town for the full term of this Agreement (50 years) shall be in effect and continue in full force and effect, except for PGG Outdoor's inability to obtain necessary local, state and/or federal permits, licenses and approvals as set out in Paragraph (a) above or condemnation as set out in Paragraph (d) below. As such the impact fee payment obligation continues, for instance: (i) regardless of the location in the Commercial III Zoning District PGG Outdoor constructs a Billboard; (ii) in the event PGG Outdoor decides not to proceed ahead with the Billboard, or is not proceeding ahead with the Billboard for a reason(s) other than a denial of a necessary permit, license or approval after a timely and good faith application therefore by PGG Outdoor, or (iii) in the event that PGG Outdoor removes the Billboard for any reason, including, but not limited to, any change in available technology, prior to the end of the fifty (50) year term of this Agreement. PGG Outdoor's obligation to make the above-referenced impact fee payments shall not be affected, in whole or in part, as a result of PGG Outdoor's ability or decision to erect and/or maintain a particular type of Billboard, including, but not limited to, an electronic or digital billboard.

(d) In the event that PGG Outdoor loses the Billboard due to condemnation, the Town Administrator and the Board of Selectmen agree to expressly support and take no action to prohibit PGG Outdoor from reconstructing and/or replacing such

Billboard (provided that the size, height and dimensions of same do not exceed that of the Billboard which was lost due to said condemnation) on the same lot, or if such lot is no longer available for said purpose, another location that complies with the Zoning By-Law Amendment (the "Replacement Billboard"), subject to applicable law, (including, but not limited to, acknowledging the Town Administrator's and/or Board of Selectmen's consent to any state or federal governmental authority for said Replacement Billboard), it being expressly understood that PGG Outdoor would not be required to pay an additional impact fee beyond required by this Agreement for said Replacement Billboard for the remainder of the original fifty (50) year term.

(e) The term of the Billboard shall be limited to fifty (50) years. At the end of the 50-year term, the Billboard, which shall include all foundational and other structural components, must be removed by PGG Outdoor, unless a new Development and Impact Fee Agreement is entered into by the Town in sole discretion, and all Town and State permits and approvals are obtained.

(f) Northland agrees that it shall not permit or otherwise allow, with or without compensation or for an reason, any person, company, partnership, corporation or entity, other than PGG Outdoor or its successors, transferees or assigns, to construct, install and operate a billboard of any kind, including an electric or digital billboard, at or on any portion of the real property (as referenced in the second Whereas clause above) at any time, unless specifically authorized in writing by the Town and pursuant to a development and impact fee agreement, each in the sole discretion of its Board of Selectmen and in accordance with all applicable laws, bylaws and regulations and permitting processes. In no event may any billboard be constructed, installed and/or operated at the real property by any party without, at a minimum, the Town receiving all fees set out in this Agreement during the full term thereof and full compliance with the other requirements of this Agreement, including with respect to the construction, installation and operation of the billboard.

(g) PGG Outdoor shall make its Billboard available to the Town and/or Stoneham based non-profit organizations, as follows:

(i) Non-Electronic/Non-Digital Billboards

If requested by the Board of Selectmen (for purposes of this Agreement, reference to the Board of Selectmen shall also be deemed to include and authorize the Town Administrator), PGG Outdoor shall provide to the Town, subject to availability, but in no event less than thirty (30) days per year if so requested by the Board of Selectmen, space on either side of the Billboard for Town messages (which messages shall be designed, constructed and installed at PGG Outdoor's sole cost and expense). If requested by the Board of Selectmen, PGG Outdoor shall, pursuant to this provision, provide the Billboard to a Stoneham based non-profit organization in lieu of the Town. The final

selection of the Stoneham-based non-profit shall be made by PGG Outdoor. If requested by the Board of Selectmen, PGG Outdoor shall, at its sole cost and expense, design, construct and install: (i) a permanent "underwrapped" background Town message in form and substance acceptable to the Town and PGG Outdoor, which message will be displayed subject to the availability requirements set forth above; and/or (ii) an industry standard "belt" sign along the bottom of the Billboard for a Town message, if approved as part of the Special Permit, and subject to any other requisite governmental approvals, and subject to internal approval by PGG Outdoor.

(ii) Electronic/Digital Billboards

With respect to an electronic/digital billboard, PGG Outdoor shall place an electronic/digital Billboard message for the Town on the electronic/digital Billboard when the Billboard is not otherwise displaying a message: (i) for a PGG Outdoor customer; (ii) pursuant to a requirement or agreement with the federal or state government; or (iii) when PGG Outdoor is periodically displaying notice of the availability of the Billboard for advertising, but in no event less than ten (10) hours per month regardless of such other usage. PGG Outdoor and the Town shall cooperate with respect to the implementation of this provision. If requested by the Board of Selectmen, PGG Outdoor shall assist the Town with the design of messages. If requested by the Board of Selectmen, PGG Outdoor shall, pursuant to this provision, provide the Billboard to a Stoneham based non-profit organization in lieu of the Town. The final selection of the Stoneham-based non-profit shall be made by PGG Outdoor.

The Billboard shall comply with the following requirements, conditions and restrictions:

- (a) The Billboard, if electronic, shall use automatic level controls to reduce light levels at night and under cloudy or other darkened conditions;
- (b) The following types of Billboard are prohibited: animated, projected, moving or giving the illusion of movement (including any moving parts), scrolling, flashing, revolving, blinking, and intermittently illuminated, signs, beacons (or any light directed at any location other than the sign itself), searchlight, pennant, and inflatable sign, including balloon; with physical movements or any kind; changeable copy or message that change at intervals of more than once every eight (8) seconds; tri-vision; video or that otherwise give the illusion of video or moving images; with sound; with pyrotechnics; and/or which by reason of position, wording, illustration, size, shape or color

obstruct, impair, obscure, interfere with the view of, or may be confused with any traffic control signal or device or which may otherwise obstruct or interfere with traffic. Changes of image shall be instantaneous as seen to the human eye and shall not use fading, rolling, window shading, dissolving or similar effects. To the extent a Billboard, including with changeable copy or message, simply changes at intervals of not more than once every eight (8) seconds without otherwise being intermittently illuminated or flashing, etc., said sign shall not be deemed to be intermittently illuminated or flashing for purposes of this Agreement or otherwise in non-compliance with these restrictions.

- (c) The Billboard may be double sided. An individual sign or sign face shall not exceed 672 square feet in total area on each side and shall not exceed 14 feet in height x 48 feet in width. No more than one sign face may be visible to drivers facing the same direction. The Billboard shall be mounted on a pedestal or other support structure which shall not exceed 50 feet in height from the elevation of the Interstate Highway immediately adjacent thereto to the highest point of the sign. The bottom of the Billboard shall not exceed 55 feet in height from the normal grade as calculated pursuant to the applicable Zoning Bylaw.
- (d) The Billboard shall comply with the provisions of the Town of Stoneham Zoning Bylaws, including Sections 6.7 and 6.7.8, as amended by the Zoning Bylaw Amendment, which are incorporated by reference herein.

PGG Outdoor shall provide a financial surety to the Town, in an amount to be determined by the Planning Board at the time of approval of the special permit (if approved) or at any time thereafter as determined by the Building Inspector, which will cover the full cost of the removal of any portion of the Billboard (including all foundational and other structural components) which is found to be abandoned or discontinued, or is in disrepair, and which has not otherwise been removed by PGG Outdoor, whether voluntarily or as ordered by the Town, an administrative agency or a court. Upon removal of the Billboard, as defined herein, by or as ordered the Town, PGG Outdoor shall be responsible for any costs, including attorney fees and legal costs incurred by the Town in excess of such financial surety, which shall be paid to the Town within twenty-one (21) days of a written demand by the Town, and if unpaid, shall become a lien on the real property which may be recorded by the Town at the Middlesex South District Registry of Deeds. Alternatively in the event there are any funds from the financial surety remaining after such removal by the Town, said financial surety shall be returned to PGG Outdoor without interest.

This Agreement shall not be deemed to limit the legal authority of the Planning Board with respect to the Planning Board's review of or decision regarding a special permit application pursuant to Section 6.7.8 of the Zoning By-Laws and other applicable provisions, as may be amended, or obligate the Planning Board to grant a Special Permit.

PGG Outdoor has provided the Town with a copy of its policy not to accept any sexual oriented businesses as advertisers and further states that it will not of its own volition allow any sexual oriented businesses to advertise at the Stoneham location if approved.

This Agreement shall apply to PGG Outdoor and Northland and their successors, transferees and assigns. It shall be enforceable by PGG Outdoor (its successors, transferees and assigns) and/or by the Town. It shall also be enforceable by Northland but only with respect to a provision or covenant included herein that provides specific rights to Northland. PGG Outdoor and Northland shall have a registered agent in Massachusetts to the extent required by applicable law, including as required for non-Massachusetts corporations and companies. The Town shall have the right record, or otherwise have PGG Outdoor record, at PGG Outdoor's expense, this Agreement (or notice thereof approved by the Town) at the Middlesex South District Registry of Deeds. Northland shall also take any and all action necessary to allow for the recording of said Agreement by the Town or PGG Outdoor. Said recording shall reference the book and page number of the deed vesting ownership in the real property on which the Billboard is to be or has been placed.

This Agreement constitutes the entire agreement between parties and supersedes all prior or contemporaneous agreements, representations or understandings (written or oral) of the parties regarding the subject matter hereof. Amendments or modifications to this Agreement must be mutually agreed to in writing by PGG Outdoor and the Town.

By executing this Agreement, PGG Outdoor and Northland hereby agree not to bring a legal or other action challenging the validity or terms of this Agreement. PGG Outdoor may, however, bring a legal action to enforce the terms of this Agreement, subject to applicable law. All parties hereto agree that exclusive jurisdiction and venue over any dispute arising out of this Agreement shall be in the Middlesex Superior Court and the parties hereto hereby agree to be subject to the personal jurisdiction of said court for the resolution of any such dispute. However, in the event the Superior Court does not have subject matter jurisdiction the matter or dispute must be brought in the Woburn District Court. Alternative dispute resolution may be entered into only with the express written consent of the Town in its sole discretion. This Agreement shall be construed under the laws of the Commonwealth of Massachusetts.

If for any reason any nonmaterial provision of this Agreement is unenforceable according to its terms, or is otherwise void, said provision shall be considered a separate, distinct, and independent part of this Agreement, and such holding shall not affect the validity and enforceability of all other provisions hereof. In the event that any material provision of this Agreement is unenforceable according to its terms, or is otherwise void, the parties agree to immediately enter into negotiations in good faith and make equitable amendments to restore the relative burdens and benefits of this Agreement.

Notices provided under this Agreement shall be forwarded in one of the following ways: (i) hand delivered (signature required), (ii) sent by express mail (signature required) or (iii) by certified mail/return receipt requested to, to the addressees below. Each party may change its designee by providing written notice to the other party and shall do so when the designee changes.

Notices to PGG Outdoor shall be sent to:  
PGG Outdoor LLC  
129 Border Street  
East Boston, MA 02128  
Attention: Manager

Notices to Northland Forbes Road LLC shall be sent to:

Northland Forbes Road LLC  
2150 Washington Street  
Newton, MA 02462  
Attention: Manager

Notices to the Town of Stoneham shall be mailed to:

Stoneham Town Hall  
35 Central Street  
Stoneham, Massachusetts 02180  
Attention: Town Administrator

Copy to:

Stoneham Town Counsel  
Same Town Hall address as above

This Agreement may be signed in any number of counterparts, and each thereof shall be deemed to be an original, and all of such counterparts are one and the same agreement.

Each party to this Agreement hereby certifies that the person executing this Agreement on its behalf has full authority to execute this Agreement on behalf of said party.

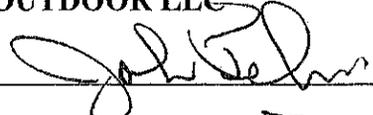
The effectiveness and enforceability of this Agreement by the Town against PGG Outdoor, including with respect to PGG's financial obligations to the Town under this Agreement, is not contingent on the execution hereof by Northfield.

Absent compliance with the requirements, including impact fee payments, set out in this Agreement, no billboard shall be constructed, installed or operated at the real property. (See also vote of Special Town Meeting regarding Zoning Bylaw Amendment.)

**[Signature pages follow]**

Executed as a sealed instrument, covenant and agreement this 22<sup>ND</sup> day of October, 2015.

PGG OUTDOOR LLC

By: 

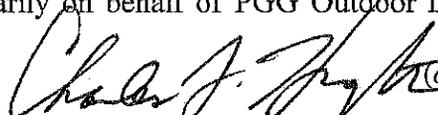
Print Name: John Peltine

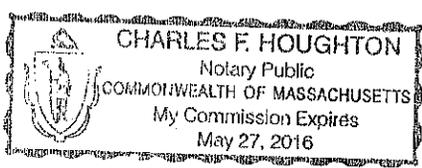
Title: General Partner

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

On this 22<sup>ND</sup> day of October, 2015, before me, the undersigned notary public, personally appeared the above-named JOHN PELTINE GENERAL PARTNER of PGG Outdoor LLC and proved to me through satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the person whose name is above, and acknowledged to me that he signed it voluntarily on behalf of PGG Outdoor LLC for its stated purpose.

 (official seal)  
Notary Public CHARLES F. HOUGHTON  
My Commission Expires: MAY 27, 2016



[Signatures continue on next page]

**Northland Forbes Road LLC**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

On this \_\_\_\_ day of October, 2015, before me, the undersigned notary public, personally appeared the above-named \_\_\_\_\_ of Northland Forbes Road LLC and proved to me through satisfactory evidence of identification, which was personal knowledge of the undersigned, to be the person whose name is above, and acknowledged to me that he signed it voluntarily on behalf of Northland Forbes Road LLC for its stated purpose.

*(official seal)*

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**[Signatures continue on next page]**



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**Stoneham Board of Selectmen – Minutes of Meeting of November 17, 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. Town Counsel William H. 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](http://www.stoneham-ma.gov)*

**Pledge of Allegiance**

**Tax Classification Hearing (Time :45-26:50 on Stoneham TV on Demand)**

Selectman DePinto read the public hearing notice. Assessor Brian MacDonald gave the presentation. Chairman Boussy asks if this shift affects the businesses coming to Stoneham. Mr. MacDonald states he has seen no effect on businesses coming to Town because of this shift. Selectwoman Colarusso asks what last year’s tax rate was. Mr. MacDonald states the reason why it went from \$12.96 to \$12.70 was because the rate is based on the valuation of the community. Selectman DePinto moved to accept the recommendation of the Board of Assessors for the Residential tax rate of \$12.70 and Commercial/Industrial/Personal Property tax rate of \$22.50, seconded by Selectman Vallarelli and a roll call vote was taken. **Motion was unanimously voted (5-0).** Selectman DePinto moved to go with the Assessor’s recommendation to deny the Residential Exemption, seconded by Selectman Vallarelli and a roll call vote was taken. **Motion was unanimously voted (5-0).** Selectwoman O’Neill moved to go with the Assessor’s recommendation to deny the small business exemption, seconded by Selectman DePinto and a roll call vote was taken. **Motion was unanimously voted (5-0).** Chairman Boussy told Mr. MacDonald that he gave a great presentation and thanks Brian and the Board of Assessors.

**Vote to approve the issuance of a \$203,500 Sewer Bond of the Town to the Massachusetts Water Resources Authority and to take all necessary action in connection therewith/Treasurer (Time 27:56-32:40 on Stoneham TV on Demand)**

Treasurer Diane Murphy explained that at our Annual Town Meeting held on May 4, 2015, the townspeople voted unanimously to accept Article 19 to raise \$814,000 for repairs and construction to our Town’s sewer system under Phase 10 of the Local Financial Assistance Program from the Massachusetts Water Resource Authority (MWRA). Of the \$814,000 needed, 75% of it will be given to the Town of Stoneham in the form of a grant for \$610,500 from the MWRA. The rest, 25% will be in the form of an interest-free loan from the MWRA in the amount of \$203,500. The loan is for ten years and is payable in the amount of \$20,350 on December 15th of each year starting in 2016. The projects approved under this funding distribution are: the Town’s Planning and Design of Phase 6 Sewer System Rehabilitation and the Construction of Park Street area Sewer Replacement and Rehabilitation Projects. The Board of Selectmen will need to take a vote to accept this interest free loan of \$203,500.

**VOTE 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 November 17, 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 sale of the \$203,500 Sewer Bond of the Town dated December 7, 2015, to the Massachusetts Water Resources Authority (the “Authority”) is hereby approved and the Town Treasurer 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 amounts as follows:*

<u>Year</u>	<u>Installment</u>	<u>Year</u>	<u>Installment</u>
2016	\$20,350	2021	\$20,350
2017	20,350	2022	20,350
2018	20,350	2023	20,350
2019	20,350	2024	20,350
2020	20,350	2025	20,350

*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 vote.*

*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 bond were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.*

*Dated: November 17, 2015*

\_\_\_\_\_  
Clerk of the Board of Selectmen

Selectman DePinto made the motion to approve the bond, seconded by Selectwoman Colarusso and a roll call vote was taken. **Motion was unanimously voted (5-0).**

**Approve Common Vic License/FMD Bagel & Coffee, Inc., d/b/a Java Grind & Grill/125 Main Street (Time on Stoneham TV on Demand)**

Rescheduled for December 1, 2015.

**Approve Entertainment License/FMD Bagel & Coffee, Inc., d/b/a Java Grind & Grill/125 Main Street (Time on Stoneham TV on Demand)**

Rescheduled for December 1, 2015.

**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 7:40 p.m. to go into Liquor Licensing Authority.**

**Meeting reconvened at 8:05 p.m.**

**Fire Station Centennial Celebration/Tara Lawler & Marcia Wengen (Time 59:40-64:33 on Stoneham TV on Demand)**

Tara Lawler informed the Board that there has been a committee setup consisting of Tara, Marsha Wengen and 5 firefighters. They are in the beginning stages of planning the Fire Station Centennial Celebration and would like to make sure the Board would be in favor of their idea before they move forward. Mrs. Lawler states the proposed date would be October 1, 2016. They are looking to have a parade including bag pipes, neighboring towns and antique trucks following an event on the common possibly consisting of a chili cook off. There will be looking to have pizza donated, kids activities at Munchkin Park, close Central Street and parking lot in front of the Purpose School to have displays of antique fire trucks, tours of the Fire Station, memorial naming of past fire fighters and sounding of the 9:00 bell, honor Parade Marshalls Chief Ray Sorenson & Robert Marshall, videos playing of old photos and a DJ. Mrs. Lawler states they would need Police Details, Setup/Clean up, Board of Health Approval and volunteers to run kids activities, etc. She also states they will looking to fundraise for all the proceeds to cover the event and anything remaining funds will be put into the Fire Station Fund. The Board is in support of their ideas and supports them moving forward.

**Approve Minutes (Time 64:39-64:46 on Stoneham TV on Demand)**

Selectman DePinto made a motion to approve meeting minutes of 11/10/15, seconded by Selectwoman O'Neill and **voted (5-0)**.

**Approve Date for Town Hall Holiday Party (Time 64:47-64:11 on Stoneham TV on Demand)**

Selectman DePinto made a motion to approve to close the Town Hall for the Holiday Party to be held on December 15, 2015 from 5:00 p.m. to 7:00 p.m., seconded by Selectwoman O'Neill and **unanimously voted (5-0)**.

**Street Openings/Boussy (Time 64:24-74:53 on Stoneham TV on Demand)**

Chairman Boussy asks what the rules are on grant of locations and street openings and would like an explanation of what the Selectmen roles are in this process. Town Administrator Ragucci states as he understands it the Board of Selectmen have the authority to grant the use of their streets for any utility under the pavement. He states any utility company that wants to add or extend new service has to come to the Board and get their approval. Mr. Ragucci states if there is existing utility and they are doing repairs, replacement or shutoff then that is a street opening permit which is granted by the Department of Public Works. Selectman Vallarelli explains his experience last year with the utility company. Chairman Boussy states he has been unsatisfied with the patching of the streets and who is watching these patches. Attorney Solomon suggests that the Town Administrator put together a working group now that Eversource is coming through with all the rules and requirements. Mr. Ragucci states he can look at the rules and requirements and see what the Board would like to change for the future. The Board requested that Mr. Ragucci provide them with the rules and requirements of street openings to be presented at the December 15<sup>th</sup> meeting. The Board requested Mr. Ragucci provide them with an updated list for the December 1<sup>st</sup> meeting and to ask the DPW to go through the list and update it.

**Recreation Department Implementation/Boussy (Time 75:04-75:44 on Stoneham TV on Demand)**

Chairman Boussy states Ann Marie is meeting with Wakefield and Melrose next week. Selectwoman O'Neill would like to push this to the December 1<sup>st</sup> meeting. She states she is also working with Ginny on the job description.

**High School Football Field Discussion/DePinto (Time 75:45-86:31 on Stoneham TV on Demand)**

Selectman DePinto states that they have been talking about an astro turf field at the High School. Selectman DePinto states he is not ready to make a presentation but would like to keep the Board in the loop of what he has discussed. He states the he had a conversation with Bond Council if we went and got bonded how much could we get if we designated the billboard mitigation money to pay the bond. He was told we could borrow 1,235,000 which is about what we need for a field. There was a discussion amongst the Board on the existing High School and what is going to happen in the future. Mr. Ragucci states that they are hoping to hear late December whether we will be included in their schedule of funding for this fiscal year or not. If we are not this could push us out to 2017 and he states we don't know if we will be a complete tear down and rebuild or not. Selectwoman O'Neill suggests putting this topic on the January Bi-Board Meeting agenda. Chairman Boussy states there are a lot of things that need to be addressed and a football field is one of them but he is not in favor of this being the funding source and we need to prioritize with the mitigation money.

Selectwoman Colarusso recognized the Boys & Girls Club that were sitting in the audience who are there to speak on the Recreation Department Implementation. The Club Director Donna DiVirgilio and the Executive Director Adam Rodgers wanted to come and let the Board know that they want to work together and continue to partner with the Board when reinstating the Recreation Department. Mrs. DiVirgilio states the passion for the teen center is to create a space they can call their own. Selectwoman O'Neill states they spoke to Wakefield who the Boys Club works with and want to use the same model and continue to partner with them. She states they also want to be able to offer some recreation to some of the kids who may not want to go to the Boys & Girls Club. Selectwoman O'Neill state they appreciate everything they do. Selectwoman Colarusso states that Ann Marie was the leader in getting the Rec Department reestablished and she did a really good job with that. She states that as Phase I and Phase II is

get a place for teens to go to for reasons we all know and struggle with as a community. The drug and alcohol abuse. She states we need a safe, warm place for our teens to go. Selectwoman Colarusso thanks them for coming. Selectman Vallarelli states he was under the impression the Rec Department was being established to coordinate the fields. Selectwoman O'Neill clarifies that would be a piece to it and she stated she will bring all this back on December 1<sup>st</sup>.

**Subcommittee for Hiring of Town Accountant (Time 94:31-98:19 on Stoneham TV on Demand)**

Chairman Boussy states they have received 36 applications. Chairman Boussy suggested they have two member subcommittee. Selectman Vallarelli states they is a good idea to get the applications down to 10 or 5 applicants. Chairman Boussy states then at that point they can all get involved in the interview process. Selectman Vallarelli and Selectwoman O'Neill will be on the two member committee to narrow down the applicants. Selectwoman Colarusso asks if there is probation period language in the position. Selectwoman O'Neill states there is currently not but it can be added. She suggests a minimum of 180 days be added as the probation period. Selectwoman Colarusso asks if the role is not an ambiguous role it's a role that is strictly management. The answer was yes. She clarifies that position is under the Board of Selectmen. The answer was yes. Chairman Boussy states all 5 would like to view the contract and make any changes. Mr. Ragucci states he will provide them with one.

**Town Administrator (Time 98:25-104:29 on Stoneham TV on Demand)**

Town Administrator Ragucci at the request of the Board at the last meeting received a preliminary estimate to install poles to hold a banner across Main Street. The estimate was for \$14,375.00. Mr. Ragucci stated Clear Channel expressed an interest and he will speak with them and get back to the Board. Town Administrator Ragucci stated another request at the last meeting was for him to get a quote for cameras. Mr. Ragucci states the quote he got was for \$5,000 per camera and that does not include the DVR. Selectwoman O'Neill suggests checking with the cable providers and see if they can provide assistance with this. Mr. Ragucci will look into that and get back to the Board. Town Administrator Ragucci states there is an Eversource Public Meeting tomorrow night at 7:00 p.m. at the Town Hall and it is an important night for the public to voice their concerns. He states the proposed route is Montvale Avenue, left onto Main Street and right onto Elm into Wakefield. Mr. Ragucci states he will have a robo call go out to notify residents of this public meeting.

**Miscellaneous (Time 104:30-133:26 on Stoneham TV on Demand)**

Selectman Vallarelli states he got a call from the owner of the gas station across from Stop & Shop saying he has been open for 24 hours and now the Building Inspector is getting complaints on deliveries and now they want to close him between those hours. Selectman Vallarelli asks if there is anything we can do about it at this point. Selectman Vallarelli made a motion to discuss the opening and closing of the Mobil station, seconded by Selectman DePinto and **unanimously voted (5-0)**. Attorney Solomon stated to Chairman Boussy that as discussed this was not a matter anticipated at the time of the agenda being posted. Chairman Boussy agrees this matter was unforeseen at the time of the agenda posting. The Board discussed having a bylaw that is not being enforced. Chairman Boussy this is the opportunity to look at the bylaws was missed because we allowed them to stay open without anyone telling they can't. He states he hates to bring the hammer down on the guy and if we do it to one we have to do it to all that are 24hrs. He states the 24hrs serves a purpose in town. Selectwoman Colarusso states the complaints that came in were the residents across from Mobil who are complaining that deliveries were coming in overnight. She states her understanding is they are allowed to be open for gas only with a gas attendant. She states as far as the no enforcement of the bylaw she feels that is wrong. She states if we want to change the bylaw we should but we should not reward people that were violating the bylaws and justifying it in any way. Selectwoman Colarusso states we should all follow the rules that are there for a reason. Selectman DePinto asks Attorney Solomon how do they resolve this. Attorney Solomon states there are two issues the zoning requirement and bylaw. Selectwoman Colarusso states we should let the public in to speak on this issue. Attorney Solomon suggests setting up a meeting where you have the owner and notify the neighbors to hear from folks on this issue to get some feedback. He states at that point the owner could come in and apply for an amended site plan which would be a public hearing. Attorney Solomon states the owner is willing to work with the town. He states the Board can approve the amended site plan with conditions. Attorney Solomon states then the bylaw could be addressed at the May Town Meeting. Chairman Boussy states the bylaws need to be updated and they have done some but they need to do more. Attorney Solomon states he tries to pick one or two chapters to address each year and he suggests the Board look at what the key issues are and look at changing the bylaws in May. Attorney Solomon states that the Board is alright that this not be enforced by the Building Inspector until after the meeting that is being setup at which time this will be discussed. Chairman Boussy states asks if they want to meet with them privately and find out if there is any way beyond this point. Selectwoman Colarusso states she thinks it is so wrong that someone is violating the bylaw and is rewarded and that this is sending the wrong message from the Board. She agrees things need to be looked at. Gloria Devine, 42 Spring Street spoke. Joan Lemire, 12 Fairview Road spoke. Selectwoman O'Neill states they should look at having a public hearing on December 15<sup>th</sup> and notify beyond what we need to and make sure everyone knows and can attend. The Board agrees to have a public meeting on January 19, 2016 and it will be advertised and a robo call sent out. Selectman DePinto asks Attorney Solomon about the Comcast checks. Attorney Solomon stated he has not received the backup and will look at it. Selectman DePinto states good news about a grant they got from DEP for \$12,000.00 for recycling. Selectman DePinto suggests to the Board at looking at having another recycling coordinator when they start looking at the budget. Chairman Boussy states there was vote in executive session tonight to read a statement of the Board of Selectmen. Selectwoman O'Neill read recently, the Director of Human Resources received several internal complains of discrimination, harassment, hostile work environment and retaliation made by Town of Stoneham employees against members of the Board of Selectmen and other Town officials. The Town of Stoneham prohibits all workplace discrimination and, therefore, takes all such complaints very seriously. Accordingly, the Board of Selectmen promptly retained the services of an outside investigator to investigate the several charges in order to determine whether such charges (or any of them) had merit. After conducting thorough investigations into the complaints, including interviews of numerous Town personnel, the investigator determined that the charges of workplace discrimination, harassment, hostile work environment and retaliation could not be substantiated. Both the employees involved and the officials accused have been notified of the investigator's conclusions.

**Selectman DePinto made a motion to adjourn at 9:20 p.m., seconded by Selectwoman O'Neill and unanimously voted (5-0).**

**The Board wishes everyone a Happy Thanksgiving.**

Respectfully submitted,  
**Erin Sinclair**