

**WARRANT FOR SPECIAL TOWN MEETING
THURSDAY, OCTOBER 22, 2015**

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

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Stoneham qualified to vote in elections and Town affairs to meet in the **Town Hall, 35 Central Street**, on

Thursday, October 22, 2015

at 7:00 o'clock in the evening to act upon the following articles of this Warrant:

Article 1. To see is the Town will vote to petition the Massachusetts General Court (State Legislative) to amend Chapter 26 of the acts of 1981 by inserting in place thereof the following section:

Sec. 20. Precinct Representation

After the passage of this act, the registered voters of the town of Stoneham in each precinct shall, in accordance with any applicable laws, by-laws and votes of the town, elect at the first annual town election and continue to elect by ballot one (1) member from their precinct to serve as a member of the Board of Selectmen, School Committee, Planning Board, Library Trustees, Housing Authority, Finance and Advisory Board, Water Sewer Review Board and Open Space and Recreation Advisory Committee and Capital Improvement Advisory Committee.

Any person seeking office shall have lived in the precinct where office is sought for a minimum of six (6) months prior to town election and shall be subject to recall by registered voters of his precinct.

**Raymie Parker
42 Bonad Road**

Article 2. To see is the Town will vote to petition the Massachusetts General Court (State Legislative) to amend Chapter 26 of the acts of 1981 by striking out section 14, as appearing in section 4 of chapter 296 of the acts of 1994, and inserting in place thereof the following section:

Sec. 14. Election of Officers by voters.

After the passage of this act, the registered voters of the town of Stoneham shall, in accordance with any applicable laws, by-laws and votes of the town continue to elect the following officers for the following terms:

Office	Term	Members
a. Moderator	2 yrs.	1
b. Board of Selectmen	3 yrs.	7

c.	School Committee	3 yrs.	7
d.	Planning Board	5 yrs.	7
e.	Board of Health	3 yrs.	3
f.	Board of Assessors	3 yrs.	3
g.	Library Trustees	3 yrs.	7
h.	Representative to northeast metropolitan regional vocation school	4 yrs.	1
i.	Housing Authority	5 yrs.	7
j.	Constables	3 yrs.	3
k.	Town Clerk	3 yrs.	1
l.	Finance and Advisory Board	3 yrs.	7
m.	Water Sewer Review Board	3 yrs.	7
n.	Capital Improvement Advisory Committee	3 yrs.	7
o.	Open Space and Recreation Advisory Committee	3 yrs.	7

The powers, duties and responsibilities of elected officials shall be as now or hereafter provided by applicable provisions of general and special laws, by-laws and votes of the town, except as otherwise expressly provided herein.

Such officers shall be available to the administrator for consultation, conference and discussion on matters relating to their respective offices.

Matt Kilty
6 Rowe Street

Article 3. To see if the Town will vote to amend the Stoneham Town Code, by striking out Chapter 2, Section 2-37.2, Section 2-37.3, Section 2-38 and inserting in place thereof the following section as follows:

Sec. 2-37.2. Open Space and Recreation Advisory Committee; establishment and duties.

(a) *Selection and term of members:* The Open Space and Recreation Advisory Committee shall, after acceptance of this section, consist of all current members of the Open Space and Recreation Advisory Committee, who will, if they so desire, shall serve until the next annual town election regardless of the remaining length of their current elected or appointed term.

After the passage of this section, the registered voters of the town of Stoneham shall, in accordance with any applicable laws, by-laws and votes of the town continue to elect members in accordance with the applicable provisions of Chapter 26 of the Acts and Resolves of 1981 and any subsequent amendment thereto.

(b) *Organizational meeting:* The Committee shall meet for organization purposes not later than thirty (30) days following the annual Town meeting or Town election, whichever occurs first, to elect its officers for a term of 1 year.

(c) *Duties:* The Committee duties shall include: providing advice and recommendations to the appropriate Town officials, both elected and appointed, regarding the open space and recreation needs of the Town including but not limited to the Golf Courses, Arena, all existing and future playgrounds and recreation areas, preparing and updating the Open Space and Recreation Plan, an developing recreational programs and activities for residents of the town.

Sec. 2-37.3. Capital Improvement Advisory Committee.

(a) *Selection and term of members:* The Capital Improvement Advisory Committee shall, after acceptance this section, consist of all current members of the Capital Advisory Committee, who will, if they so desire, shall serve until the next annual town election regardless of the remaining length of their current elected or appointed term.

After the passage of this section, the registered voters of the town of Stoneham shall, in accordance with any applicable laws, by-laws and votes of the town continue to elect members in accordance with the applicable provisions of Chapter 26 of the Acts and Resolves of 1981 and any subsequent amendment thereto.

(b) *Organizational meeting:* The Committee shall meet for organization purposes not later than thirty (30) days following the annual Town meeting or Town election, whichever occurs first, to elect its officers for a term of 1 year.

(c) *Duties:* The Committee duties shall include: a study of proposed capital projects and improvements involving major non-recurring tangible assets and projects which:

- (i) are purchased, or undertaken, at intervals of not less than five years;
- (ii) have a useful life of at least three (3) years; and
- (iii) incur a total cost over \$10,000.

The Committee shall provide advice and recommendations to the appropriate Town officials, both elected and appointed, regarding the capital improvement needs of the Town. The Committee shall consider the relative need, impact, timing and cost of these expenditures and the effect each will have on the financial position of the town.

(d) *Reports:* The Committee shall submit to the Town Administrator and Town Clerk a careful, detailed estimate, in writing, of all of the requested capital expenditures of the town government for the ensuing fiscal year and the recommended capital expenditures for the ensuing fiscal year and the next five (5) fiscal years. The Capital Improvement Advisory Committee shall also submit to the Town Administrator and Town Clerk a careful, detailed estimate, in writing of all of the previous capital expenditures, by department, for the previous ten (10) fiscal years.

Sec. 2-38. Composition; terms of members.

(a) *Selection and term of members:* The Board of Selectmen shall, after acceptance this section, consist of all current members of the Board of Selectmen, who will, if they so desire, shall serve until the next annual town election regardless of the remaining length of their current elected or appointed term.

After the passage of this section, the registered voters of the town of Stoneham shall, in accordance with any applicable laws, by-laws and votes of the town continue to elect members in accordance with the applicable provisions of Chapter 26 of the Acts and Resolves of 1981 and any subsequent amendment thereto.

(b) *Organizational meeting:* The Board of Selectmen shall meet for organization purposes not later than thirty (30) days following the annual Town meeting or Town election, whichever occurs first, to elect its officers for a term of 1 year.

(c) *Communication:* The Chairman of the Board of Selectmen will be the liaison between the Board of Selectmen and all Town employees, boards, officers, committees, Ombudsman, and departments of the town. No action, request, policy or communication, or decision shall be deemed official unless communicated through the Chairman of the Board of Selectmen in writing and signed by a majority of the Board of Selectmen. Communications sent by electronic mail will be deemed in compliance with this requirement if the entire Board of Selectmen are copied and the Chairman specifically notes the members in agreement within the body of the electronic mail.

**Raymie Parker
42 Bonad Road**

Article 4. To see if the Town will authorize the Board of Selectmen to accept as a gift from Jeff Cataldo, Trustee of I05 Central Street Condominium Trust, a sewer easement shown on a plan entitled "Sewer Easement Plan of I05 Central Street in Stoneham, Massachusetts," prepared by P.J.F. and Associates dated September 8, 2015, more particularly bounded and described as follows:

Beginning at a point Three Hundred Forty-Three and Thirty-Five Hundredths (343.35') feet from the easterly side of Central Street thence;

S 85° 32' 31" E a distance of Ten and Twenty-One Hundredths (10.21') feet by land now or formerly the Town of Stoneham thence;

N 16° 01' 00" E a distance of Ten and Twenty-One Hundredths (10.21') feet thence; N 85° 32' 31" W a distance of Four and Eighty-Three Hundredths (4.83') feet thence; N 7° 25' 20" E a distance of Nine and Fifty-Seven Hundredths (9.57') feet thence;

S 16° 01' 00" W a distance of Nineteen and Twenty-Seven Hundredths (19.27') feet to the point of beginning.

The Town Administrator and Board of Selectmen are hereby authorized to take any action necessary to accept a gift of the above described sewer easement or to take any other action thereon.

School Committee

Article 5. To see if the Town will vote to abandon and/or discontinue that portion of Summerhill Street containing 231 square feet and shown on a plan entitled "Alteration Plan of Land" dated March 23, 2015, revised April 2, 2015, prepared by Medford Engineering & Survey and described as follows:

Beginning at the Northwesterly corner of the parcel of land at a point thirty three and 41/100 (33.41'), from a stone bound on Summer Street; thence running;

Southeasterly: by Lot 4A, S 34-10-53 E, a distance of thirty eight and 82/100 feet (38.82'), to a point at Summerhill Street;
Northeasterly: by Summerhill Street, N 57-29-27 W, a distance of five and 66/100 feet (5.66'), to a point;
Northwesterly: by Summerhill Street, N 32-30-33 W, a distance of thirty one and 16/100 feet (31.16'), to a point;
Northwesterly: by Summerhill Street, N 44-35-03 W, a distance of four and 19/100 feet (4.19'), to a point;
Northwesterly: by Summerhill Street, N 73-39-14 W, a distance of four and 71/100 feet (4.71'), to a point;
Southwesterly: by Summerhill Street, S 57-29-27 W, a distance of two and 83/100 feet (2.83'), to the point of beginning.

Said abandoned or discontinued area contains 231 square feet of land and is shown on plan entitled "Alteration Plan of Land" dated March 23, 2015, revised April 2, 2015, prepared by Medford Engineering & Survey.

Or to act in any other manner in relation thereto.

Board of Selectmen

Article 6. To see if the Town will vote to transfer the care, custody, management, and control of a parcel of land, said property being a portion of the layout of Summerhill Street and abutting 58 Summerhill Street to the Board of Selectmen for purpose of sale of said land, and further authorize the Board of Selectmen and/or Town Administrator to take any action necessary for said sale or do anything in relation thereto. Said parcel of land being described as follows:

Beginning at the Northwesterly corner of the parcel of land at a point thirty three and 41/100 (33.41'), from a stone bound on Summer Street; thence running;

Southeasterly: by Lot 4A, S 34-10-53 E, a distance of thirty eight and 82/100 feet (38.82'), to a point at Summerhill Street;

- Northeasterly: by Summerhill Street, N 57-29-27 W, a distance of five and 66/100 feet (5.66'), to a point;
- Northwesterly: by Summerhill Street, N 32-30-33 W, a distance of thirty one and 16/100 feet (31.16'), to a point;
- Northwesterly: by Summerhill Street, N 44-35-03 W, a distance of four and 19/100 feet (4.19'), to a point;
- Northwesterly: by Summerhill Street, N 73-39-14 W, a distance of four and 71/100 feet (4.71'), to a point;
- Southwesterly: by Summerhill Street, S 57-29-27 W, a distance of two and 83/100 feet (2.83'), to the point of beginning.

Said Alteration Area contains 231 square feet of land and is shown on plan entitled "Alteration Plan of Land" dated March 23, 2015, revised April 2, 2015, prepared by Medford Engineering & Survey

**Charles F. Houghton
15 Kimball Drive**

Article 7. To see if the Town of Stoneham will vote to amend portions of Section 6.7 of the Town of Stoneham Zoning By-Laws by amending or adding the following sections of said Zoning By-law with deletions shown as strikeouts and amendments shown as underlined;

Section 6.7.6 Permitted Signs

(e) Off-Premise and billboard signs are permitted by special Permit in the Commercial I and Commercial III Zoning Districts subject to the procedures and requirements in Section 6.7.8.

6.7.8 *Off-Premise and billboard sign:*

6.7.8.1 Applications: Off-Premise and billboard signs (hereinafter also referred to as "signs" in this Section 6.7.8) shall be permitted in the Commercial I and Commercial III Zoning Districts only by grant of a Special Permit issued by the Planning Board. Special permits may be limited to a term of years specified by the Planning Board. Any person desiring a Special Permit under this section shall submit a Special Permit application to the Planning Board together with a filing fee of \$2,500.00 and ten (10) copies of the application materials as outlined below:

6.7.8.2 Dimensional Restrictions and Design Guidelines: All signs shall be in compliance with the following requirements:

1. Signs shall be permitted in the Commercial I and Commercial III Zoning Districts, provided, however, that no sign shall be located further than 100' from any interstate highway layout ~~or on a lot containing less than three (3) acres in area;~~

7. a.) ~~There shall be no more than for each one thousand five hundred (1500) linear feet one sign along the interstate highway layout in the Commercial I Zoning District. This calculation shall be based on the Zoning Map and such calculation shall be submitted by the Applicant to the Planning Board as part of the application materials;~~
- b.) There shall be no more than one sign along the interstate highway layout in the Commercial III Zoning District.

And further to amend the dimensional chart for signs, currently located following Section 6.7.7.8 of Zoning Bylaws, by adding the below chart for the Commercial I and Commercial III Zones. Said chart to be in addition to the existing dimensional chart for Commercial I, II, III. And further to move all said dimensional charts to follow this ~~new~~ amended Section 6.7.8.

Commercial I and Commercial III

Sign Type Allowed	Special Permit Required	Max Sign Area	Max Height in Feet	Front and Rear Setback	Side Setback	Max Number	Comment
Off-premise & billboard signage - Permitted in Commercial I and <u>Commerical III</u> Districts only	Y	672 SF per sign face- Not to exceed 14'x48' per sign face	The top of the sign shall be no greater than 50' above the elevation of the interstate Highway immediately adjacent thereto The bottom of the sign shall be no greater then 70' in height from the normal grade as calculated pursuant to Section 6.7.3.3 of these Zoning Bylaws	40' other than a sign facing an Interstate Highway for which there is no setback requirement *no more than 100' from Interstate Highway Layout •	40' other than a sign facing an Interstate Highway for which there is no setback requirement *no more than 100' from Interstate Highway Layout •	See Section 6.7.8	See Section 6.7.8 for additional restrictions and guidelines

This article shall be conditioned upon and subject to a Development Agreement being entered into by the Town through its Board of Selectmen and Town Administrator, or to act in any other manner in relation thereto.

A copy of the current Section 6.7.8 Off Premise and Billboard Sign and a copy of 6.7.8 as amended by this article is available at the Town Clerk's office for review.

Planning Board

Article 8. To see if the Town will vote to amend the amount to be raised and appropriated under Article No. 1 of the June 8, 2015 Special Town Meeting and adjust the Fiscal Year 2016 departmental budgets and funding sources (as described in Exhibit A), or to do anything in relation thereto.

Board of Selectmen

Article 9. To see if the Town will vote to transfer a sum of money from available funds or Surplus Revenue into the Stabilization Fund, or do anything in relation thereto.

Board of Selectmen

Article 10. To see if the Town will vote to transfer a sum of money from available funds or Surplus Revenue into the Capital Stabilization Fund, or do anything in relation thereto.

Board of Selectmen

Article 11. To see if the Town will vote to transfer Three Thousand Five Hundred One Dollars and Seven Cents (\$3,501.07) from surplus revenue to pay prior year Arena invoices for Zamboni repairs, or do anything in relation thereto.

Board of Selectmen

Article 12. To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow, a sum of money for various capital purchases, or to do anything in relation thereto.

Board of Selectmen

Article 13. To see if the Town will vote to transfer Two Hundred Eighty-Seven Thousand Five Hundred Twenty-Five Dollars and Twelve Cents (\$287,525.12) from surplus revenue for the purpose of funding the Fiscal Year 2015 Snow & Ice Deficit of Two Hundred Eighty-Seven Thousand Five Hundred Twenty-Five Dollars and Twelve Cents (\$287,525.12), or do anything in relation thereto.

Board of Selectmen

Article 14. To see if the Town will vote to appropriate \$486,963 to be received by the Town from the Commonwealth of Massachusetts Chapter 90 local transportation aid funding for fiscal year 2016 for the purpose of continuing the permanent construction program on public ways within the Town

or other eligible municipal projects and authorize the Town Administrator to make such expenditure or do anything in relation thereto.

Board of Selectmen

Article 15. To see if the Town will vote to raise and appropriate or transfer from available funds, or borrow, a sum of money for painting the Fire Station trim as required by the preservation restriction granted to the Massachusetts Historical Commission at Town Meeting of May 7 and 10, 2007 (Article 28), or to do anything in relation thereto.

Historical Commission

Article 16. To see if the Town will vote to amend the duties of the Water and Sewer Review Board.

Water & Sewer Review Board

Article 17. To see if the town will vote to appropriate \$40,000.00 for the annual software licensing fee for Patriot Properties AssessPro software for Fiscal Years 2016, 2017 and 2018.

Board of Assessors

Article 18. To see if the town will vote to appropriate \$34,000 to the Stoneham Assessors Office for the Fiscal Year 2018 triennial recertification of Taxable Personal Property.

Board of Assessors

Article 19. To see if the Town will vote to authorize the Town Administrator to enter a lease or license for up to and including nine (9) years, which may include within said nine (9) year period, option years at the Town's option, for the Unicorn Golf Course (460 Williams Street) and the Stoneham Oaks Golf Course (101R Montvale Avenue) (both courses shown on Stoneham Assessors' Map 22 as Parcel 79) and associated facilities/buildings thereon or a contract in excess of three (3) years, to provide professional management, operations and maintenance for said golf course(s), or any portion thereof, and further to authorize and/or request the Board of Selectmen and/or the Town Administrator to take any action that may be required to further the purposes of this article, including any petition(s) the Commonwealth of Massachusetts, including, but not limited to the General Court, as may be so determined by the Board of Selectmen and/or Town Administrator, or do anything in relation thereto.

Board of Selectmen

Article 20. To see if the Town will vote to authorize the Town Administrator and/or Board of Selectmen enter into any lease(s), license(s), utility or other easement(s), contract(s) and/or other agreement(s), including, power purchase agreement(s), renewable energy certificate contract(s), renewable energy project(s), energy management service agreement(s), and/or other agreement(s) or financial instrument(s) related to the development of solar, renewable or alternative energy, on behalf of the Town, whether with private parties and/or other governmental entities, without the necessity of further town meeting approval, on such terms as the Town Administrator and/or Board of Selectmen may

determine, including any rights to assign, delegate or sublease any rights under the aforementioned documents, for the purpose of installing and operating solar, renewable or alternative energy facilities, for a period of up to, and including, thirty (30) years, on the Stoneham Arena, including as necessary for the effectuation of the purposes set out herein, a limited portion of the property on which said Stoneham Arena is located at 101 Montvale Avenue, Stoneham or the public rights of way, adjacent thereto. And further to authorize and/or request the Board of Selectmen and/or the Town Administrator to take any action that may be required to further the purposes of this article, including any petition(s) to the Commonwealth of Massachusetts, including, but not limited to the General Court, as may be so determined by the Board of Selectmen and/or Town Administrator.

Board of Selectmen

Article 21. To see if the Town will vote to petition the Massachusetts General Court (State Legislature) for and/or in support of a special act to: (i) dispose by sale, subject to further authorization(s) and requirements that may be included in said special act, a parcel of land located on Lynn Fells Parkway in the Town of Stoneham and currently under the control of the Department of Conservation and Recreation (“department”). The parcel subject to this act contains 25,011± square feet and is described in Certificate of Title No. 225345, in the Middlesex South District Registry of Deeds in Book 1256, Page 195, and is shown as Lot 8 on Land Court Plan 34101-C; (ii) provide that any such conveyance is or may be subject to an easement requiring the grantee to make available maintain at its expense on the parcel a certain number, not greater than ten (10) parking spaces in an accessible location, to be available for use by the public during the hours the Middlesex Fells Reservation is open, as set by said Department, such location to be determined and configured by the grantee, subject to the reasonable approval of said Department; and (iii) direct that no less than five percent (5%) of the consideration received from the sale of the parcel shall be paid to the Town of Stoneham, or do anything in relation thereto.

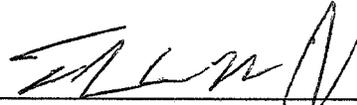
Town Administrator

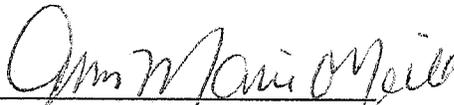
And you are directed to serve this Warrant by posting attested copies in at least ten (10) public places in the Town fourteen (14) days at least before the time for holding said meeting and by causing an attested copy to be published in some newspaper in the town, the publication to be not less than three (3) days before said meeting.

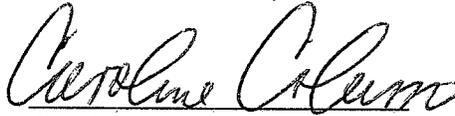
Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place aforesaid.

Given unto our hands this 22nd day of September in the year of our Lord two thousand fifteen.

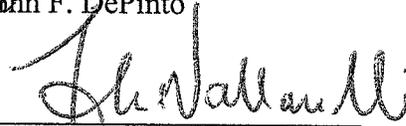
Board of Selectmen


Thomas Boussy, Chairman

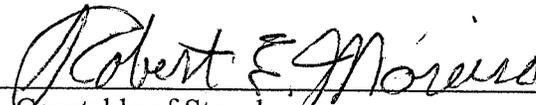

Ann Marie O'Neill, Vice Chairwoman


Caroline Colarusso


John F. DePinto


Frank Vallarelli

Pursuant to the within warrant I have notified and warned the inhabitants of the Town of Stoneham qualified to vote in elections and Town affairs of the within meeting by posting attested copies of the said Warrant in at least ten (10) public places in the Town on October 2, 2015 and by publishing duly attested copy of said Warrant in the Stoneham Independent on September 30, 2015 and October 7, 2015.

A true copy. Attest: 
Constable of Stoneham