

Warrant for Annual Town Meeting

Tuesday, April 5, 2016

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 Tuesday, April 5, 2016, at seven o'clock in the forenoon to act on the following articles of this warrant:

Article 1. To choose the following officers:

Two (2) Selectmen for three (3) years.

One (1) School Committee Member for three (3) years.

One (1) Board of Health Member for three (3) years.

One (1) Planning Board Member for five (5) years.

One (1) Board of Assessors Member for three (3) years.

One (1) Housing Authority Member for five (5) years.

Two (2) Library Trustees for three (3) years.

One (1) Town Clerk for three (3) years.

For consideration of the following Articles, the meeting shall be adjourned to meet in the **Town Hall** at 7:00 o'clock in the evening on Monday, May 2, 2016, in accordance with provisions of Article II, section 2-3 of the By-Laws of the Town of Stoneham.

Article 2. To choose all other necessary Town officers for the ensuing year in such a manner as the Town may determine.

Board of Selectmen

Article 3. To hear the reports of Town officers and committees and to act thereon and to choose committees.

Board of Selectmen

Article 4. To see if the Town will vote to fix the salaries of the several elective officers and the Boards of the Town for the 2016/2017 fiscal year.

Town Moderator	\$0
Board of Assessors	\$1,200
Board of Selectmen	\$3,000
Town Clerk	\$68,641

Board of Selectmen

Article 5. To see if the Town will vote pursuant to the authority granted under Massachusetts General Laws, including Chapter 44, Section 53EY1/2, to establish a Revolving Fund for the purpose of receiving revenues and making disbursements in connection with a Recreation Department and activities pursuant thereto, or take any other action in relation thereto.

Board of Selectmen

Article 6. To see if the Town will vote to authorize a revolving fund under Massachusetts General Law Chapter 44, Section E1/2, for the purpose of using receipts generated from fees charged for the Farmers' Market to cover costs associated with this programming, and authorize expenditures by Town Planner, not to exceed \$40,000 during Fiscal Year 2017 which may be made from such fund. In addition, to transfer any balance remaining on June 30, 2016 from the existing account (Fund #3460) into the authorized Revolving account, or anything in relation thereto.

Board of Selectmen

Article 7. To see if the Town will vote to authorize a revolving fund under Massachusetts General Law Chapter 44, Section 53EYi, for the purpose of using receipts generated from photocopying services offered to the public at the Stoneham Public Library to pay for the lease of the photocopier and copy paper and authorize expenditure by the Stoneham Public Library Director, not to exceed Three Thousand Dollard (\$3,000) during Fiscal Year 2017 which may be made from such fund.

Board of Selectmen

Article 8. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using receipts generated from fees charged for public health services to cover the costs of these services, and authorize expenditures by the Board of Health, not to exceed \$50,000 during Fiscal Year 2017 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2016 from the existing Revolving account into the reauthorized Revolving account. Or do anything in relation thereto.

Board of Selectmen

Article 9. To see if the town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2, for the purpose of using receipts generated from renting space at the Senior Center building to help pay the cleaning, utilities and maintenance costs of the senior center, and authorize expenditures by the Council on Aging Director, not to exceed \$30,000 during Fiscal Year 2017 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2016 from the existing Revolving account into the reauthorized Revolving account. Or do anything in relation thereto.

Board of Selectmen

Article 10. To see if the town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2, for the purpose of using receipts generated from fees charged for outings and transportation services at the Senior Center to cover costs associated with these outings and providing these transportation services, and authorize expenditures by the Council on Aging Director, not to exceed \$40,000 during Fiscal Year 2017 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2016 from the existing Revolving account into the reauthorized Revolving account. Or do anything in relation thereto.

Board of Selectmen

Article 11. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using receipts generated from renting space at the Fire Station to pay the utility, cleaning and maintenance costs, and capital improvements of the Fire Station, and authorize expenditures by the Fire Chief, not to exceed \$40,000 during Fiscal Year 2017 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2016 from the existing Revolving account into the reauthorized Revolving account. Or do anything in relation thereto.

Board of Selectmen

Article 12. To see if the Town will vote to raise and appropriate from taxation or by transfer from available funds, such sums as may be necessary to defray Town charges for the ensuing year, including debt and interest and a reserve fund, or do anything in relation thereto.

Board of Selectmen

Article 13. To see if the Town will vote to appropriate the sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) to construct a synthetic turf football field and lighting for said field, including infrastructure related to and necessary for said field and lighting, and to further authorize the funds remaining after the completion of said expenditures, if any, to be used for the construction or reconstruction, whether in whole or in part, of other athletic fields and/or facilities in the Town, and that the Town Treasurer, with the approval of the Board of Selectmen, be authorized to sell from time to time, town notes, bonds or other evidence of indebtedness in the amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) in accordance with the applicable provisions of Massachusetts General Laws, including Chapter 44, Section 7, and further to: (i) any grants or gifts accepted by or for the Town for these purposes shall be in addition to the funding otherwise authorized hereby, and (ii) authorize the Board of Selectmen and/or Town Administrator to take any action needed or helpful in furtherance hereof. Or do anything in relation thereto.

John F. DePinto
3 Rebecca Lane

Article 14. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to amend the Fiscal Year 2016 departmental budgets approved under Article No. 1 of the June 8, 2015 Special Town Meeting, as amended. Or do anything in relation thereto.

Board of Selectmen

Article 15. To see if the Town will vote to establish an Other Post-Employment Benefits Liability Trust Fund (OPEB), as defined in Chapter 32B, section 20 of the Massachusetts General laws, or to do anything in relations to.

Board of Selectmen

Article 16. To see if the Town will vote to authorize entry into the Tax Increment Financing Plan (also known as a TIF Plan) with C&S Capital Properties LLC, or its successor, pursuant to all the applicable provisions of the Massachusetts General Laws, including MGL, Chapter 40, Section 59 and Chapter 59, Section 5 in connection with the development of property located at both 370-380 Main Street and 10 Central Street, Stoneham, MA, as shown on the Board of Assessors Map 18, Parcel 213, 214 and 217 as described in the Economic Development Incentive Program Local Incentive Only application prepared by C&S Capital Properties LLC, on file at the Town Clerks' Office, and to authorize the Board of Selectmen to take such action as is necessary to obtain approval of the Tax Incentive Program Local Incentive Only application and to implement the Tax Increment Financing Plan (TIP); or do anything in relation thereto.

LEGAL DESCRIPTION

Lot A-1

A certain parcel of land situated in Stoneham, Mass. bounded and described as follows: Beginning at a drill hole on the easterly side line of Main Street, said point being 153.19 feet along the easterly sideline of Main Street from Central Square; thence running S 89° -57'-09" E a distance of 71.54 feet to a point; thence turning and running N 17°-46'-32" W a distance of 12.84 feet to an iron pipe; thence turning and running S 67° -22'-18" E a distance of 74.07 feet to a drill hole at the westerly sideline of Central Street; thence turning and running S 27° -39'-51" W along the westerly sideline of Central Street a distance of 41.10 feet to a drill hole; thence turning and running N 72° -04'-56" W a distance of 66.75 feet to a railroad spike; thence turning and running S 01° -05'-55" E a distance of 25.24 feet to a pk (nail); thence turning and running N 88° -53'-55" W a distance of 4.00 feet to a railroad spike; thence turning and running S 10° -14'-36" W a distance of 45.00 feet to a drill hole; thence turning and running N 80° -25'-58" W to the easterly sideline of Main Street a distance of 50.50 feet to a railroad spike; thence turning and running N 00° -02'-51" E along the easterly sideline of Main Street a distance of 93.25 feet to a drill hole at the point of beginning; Containing an area of 8,928 square feet and shown as Lot A-1 on a plan entitled PLAN OF LAND 370-380 MAIN STREET & 10 CENTRAL STREET STONEHAM, MASS. dated January 26, 2016 by Benchmark Survey.

Board of Selectmen

Article 17. To see if the Town of Stoneham will vote to approve Chapter 235 of the Acts of 1994. This local option provides that any firefighter or police officer who is terminated due to a reduction in force and who is reinstated to his or her former position within three years can be credited with service for the period of the layoff; provided that he or she pays into the annuity savings fund of the retirement system an amount equal to the deductions that would have been paid by the member had he or she not been terminated, together with interest. The Act took effect on December 27, 1994.

John J. Scullin
216 North Street

Article 18. To see if the Town will vote to amend the Stoneham Town Code, Chapter 2 Administration, Article II Town Meetings, Sections 2-3.1 and 2-7, as follows, including certain proposed deletions shown by a strike-out and additions underlined:

Sec.2-3.1. Schedule, ~~Special Town Meeting~~

A special Town Meeting shall be held in October of each year on a date to be set by the Board of Selectmen. The Warrant for the October Meeting shall be open for the insertion of articles for a period of not less than fourteen (14) days and shall be closed at least four (4) weeks prior to the scheduled Town Meeting date. Notice of the warrant open and close dates for the October Town Meeting shall be published in some newspaper in the town within seven (7) days after the warrant is open. All other special town meeting ~~shall be open for the insertion of articles for a period of not less than seven (7) days and~~ warrants shall be closed at least two (2) weeks prior to the scheduled town meeting date with notice of the open and close date in some newspaper within the town published within seven (7) days after the warrant is open with sufficient time to provide 14-days' notice of the meeting.

Sec. 2-7. Warrants – Final date for receipt of articles for insertion.

The Selectmen shall annually fix the ~~fourth Monday of February,~~ the second Monday of March, as the final date on which they will receive Articles for insertion in the Warrant for the annual Town Meeting. All Articles must be presented to the Selectmen in finished form, typed on plain stationery, 8 1/2 " x 11", double spaced.

Or do anything in relation thereto, including amending Section 2-3.1 with regard to reducing the time between the close of the warrant for the October Town Meeting and the meeting and/or amending Section 2-7 regarding the finished form of warrant article submissions.

Board of Selectmen

Article 19. To see if the Town will vote to accept as a Public Way the following way as laid out by the Town Administrator and further described as follows:

A certain road situated in the Town of Stoneham, County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point, on the easterly sideline of Winship Drive and the northerly sideline of Spalding Road at land of Kyle J. & Kristin Leohning, thence;

Southeasterly along a curve to the left, a distance of Forty-Three and Fifty-Five Hundredths (43.55') feet with a radius of Twenty-Five and Zero Hundredths (25.00') feet to a point, thence;

Easterly along a curve to the right, a distance of Thirty-Six and Ninety-Four Hundredths (36.94') feet with a radius of One Hundred Ninety-Eight and Zero Hundredths (198.00') feet to a point, thence;

- N 68°39'54" E a distance of One Hundred Nineteen and Sixty-Seven Hundredths (119.67') feet to a point, thence;
- Northeasterly along a curve to the left, a distance of Nineteen and Eighty-Eight Hundredths (19.88') feet with a radius of Twenty-Five and Zero Hundredths (25.00') feet to a point, thence;
- Southerly along with a curve to the right, a distance of Two Hundred Twelve and Ninety-Five Hundredths (212.95') feet with a radius of Forty-Five and Zero Hundredths (45.00) feet to a point, thence;
- Westerly along a curve to the left, a distance of Nineteen and Eighty-Eight Hundredths (19.88') feet with a radius of Twenty-Five and Zero Hundredths (25.00') feet to a point, thence;
- S 68°39'54" W a distance of One Hundred Nineteen and Sixty-Seven Hundredths (119.67') feet to a point, thence;
- Southwesterly along a curve to the left, a distance of Fourteen and Fifty-Eight Hundredths (14.58') feet with a radius of One Hundred Fifty (150.00') feet to a point, thence;
- Southwesterly along a curve to the left, a distance of Fifty-One and Forty-Two Hundredths (51.42') feet with a radius of Twenty-Five and Zero Hundredths (25.00') feet to a point, thence;
- Northwesterly along a non-tangent curve to the right, a distance of One Hundred Fourteen and Sixty-Six Hundredths (114.66') feet with a radius of Two Hundred Two and Zero Hundredths (202.00') feet to the point of beginning.

The roadway described is shown as "Spalding Road on a plan to be recorded entitled, "Road Acceptance Plan of Land in Stoneham and Wakefield, MA," by Hancock Associates, dated December 23, 2015. Said "Spalding Road" contains Fifteen Thousand Seven Hundred and Eighty square feet more or less (15,780+/-S.F.)

Charles F. Houghton
15 Kimball Drive

Article 20. To see if the Town will vote to accept as a Public Way the following way as laid out by the Town Administrator and further described as follows:

A certain road situated in the Town of Stoneham, County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point, on the northerly sideline of land of Christopher & Kathryn Shaker at the Town Line between Stoneham and Wakefield, thence;

- N 70°59'42" W a distance of One Hundred Eleven and Forty-Eight Hundredths (111.48') feet to a point, thence;
- Westerly along a curve to the left, a distance of Fifty-Six and Thirty-Nine Hundredths (56.39') feet with a radius of One Hundred Fifty and Zero hundredths (150.00') feet to a point, thence;
- S 87°27'50" W a distance of One Hundred Thirty-Three and Fifty-Five Hundredths (133.55") feet to a point, thence;
- Northwesterly along a curve to the right, a distance of Three Hundred Thirty and Twenty Hundredths (330.20') feet with a radius of Two Hundred Fifty and Zero Hundredths (250.00') feet to a point, thence;
- N 16°51'29" W a distance of One Hundred Seventy and Forty-Six Hundredths (170.46') feet to a point, thence;
- Northeasterly along a curve to the right, a distance of Two Hundred Thirty-Three and Twenty-One Hundredths (233.21') feet with a radius of One Hundred Twenty-Four and Zero Hundredths (124.00') feet to a point, thence;
- S 89°05'46" E a distance of Eighty-Eight and Two Hundredths (88.02') feet to a point, thence;
- Easterly along a curve to the left, a distance of Eighty-Two and Forty-Nine Hundredths (82.49') feet with a radius of Two Hundred and Zero Hundredths (200.00') feet to a point, thence;
- N 67°16'22" E a distance of Seventy-Seven and Eighty-Two Hundredths (77.82') feet to a point on the Town Line of Stoneham and Wakefield, thence;
- S 21°48'10" E By said Town Line, a distance of Forty-Eight and One Hundredths (48.01') feet to a point, thence;
- S 67°16'22" W a distance of Seventy-Seven and Five Hundredths (77.05') to a point, thence;
- Westerly along a curve to the right, a distance of One Hundred Two and Twenty-Nine Hundredths (102.29') feet with a radius of Two Hundred Forty-Eight and Zero Hundredths (248.00') feet to a point, thence;
- N 89°05'46" W a distance of Eighty-Eight and Two Hundredths (88.02') feet to a point, thence;
- Southwesterly along a curve to the left, a distance of One Hundred Forty-Two and Ninety-Four Hundredths (142.94') feet with a radius of Seventy-Six and Zero Hundredths (76.00') feet to a point, thence;

- S 16°51'29" E a distance of One Hundred Seventy and Forty-Five Hundredths (170.45') feet to the point, thence;
- Southeasterly along a curve to the left, a distance of Two Hundred Sixty-Six and Eighty Hundredths (266.80') feet with a radius of Two Hundred Two and Zero Hundredths (202.00') feet to a point, thence;
- N 87°27'50" E a distance of One Hundred Thirty-Three and Fifty-Five Hundredths (133.55') feet to a point, thence;
- Easterly along a curve to the right, a distance of Seventy-four and Forty-Four Hundredths (74.44') feet with a radius of One Hundred Ninety-Eight and Zero Hundredths (198.00') feet to a point, thence;
- S 70°59'42" E a distance of Seventy and Two Hundredths (70.02') feet to a point on the Town Line of Stoneham and Wakefield, thence;
- S 21°48' 19" E By said Town Line, a distance of Sixty-Three and Forty-Two Hundredths (63.42') feet to the point of beginning.

The roadway described is shown as "Winship Drive" on a plan to be recorded entitled, "Road Acceptance Plan of Land in Stoneham and Wakefield, MA," by Hancock Associates, dated December 23, 2015. Said "Winship Drive" contains Fifty-Seven Thousand Eight Hundred and twenty square feet more or less (57,820+/-S.F.)

Charles F. Houghton
15 Kimball Drive

Article 21. To see if the Town will vote to abandon a fifteen foot (15.00') wide drainage easement described as follows:

A certain drainage easement in the Town of Stoneham, Middlesex County, Commonwealth of Massachusetts bounded and described as follows:

- SOUTHERLY: by Cabot Road, three and seventy-five hundredths feet (3.75') and eleven and fifty-four hundredths feet (11.54');
- EASTERLY: one hundred twelve and ninety-nine hundredths feet (112.99');
- NORTHERLY: by land now or formerly of Cortina, sixteen and twenty-eight hundredths feet (16.28'); and
- WESTERLY: one hundred nine and fifty-one hundredths feet (109.51')

Show as 15' Drain Easement on a plan entitled "Supplementary Plan Showing Existing Drainage Easements on Lot 8A and Lot 9A on Cabot Road Stoneham, Mass." Dated January 27, 1968 drawn by Francis E Burke RLS recorded at Middlesex South District Registry of Deeds as Plan No. 143 of 1968.

Said Drainage Easement being no longer needed for the purpose for which it was intended. The Town Administrator and Board of Selectmen are hereby authorized to take any action necessary to declare said easement abandoned, or do anything in relation thereto.

Charles F. Houghton
15 Kimball Drive

Article 22. To see if the Town will vote either or both of the following:

(i) To accept the provisions of M.G.c.44, sec. 53F1/2, as amended by Chapter 352 of the Massachusetts Acts (Session Laws) of 2014 establishing a cable television public access enterprise fund effective fiscal year 2017, and further vote regarding such financial funding provisions and other details as may be required to effectuate this vote and task; and/or

(ii) To accept General Laws Chapter 44, Section 53F3/4 as added by Chapter 352 of the Massachusetts Acts (Session laws) of 2014 in order that the Town may establish in the treasury a separate revenue account to be known as the PEG Access and Cable Related Fund, into which may be deposited cable franchise fees and other cable-related Fund, into which may be deposited cable franchise fees and other cable-related revenues for appropriation for cable-related purposes consistent with cable franchise (license) agreements, including support of PEG (public, educational or governmental) access television services and cable licensing and administration. And further to see if the Town will vote to authorize: (i) the Town Accountant and/or Town Treasurer to transfer any balance of cable-related funds at the end of Fiscal Year 2016 to said PEG Access and Cable Related Fund; and (ii) vote to take such other action(s) as may be required to effectuate this vote and task, including with respect to any funding aspects thereof. Or do anything in relation thereto.

Board of Selectmen

Article 23. To see if the Town will vote to accept General Laws Chapter 44, Section 53F3/4 in order that the Town may establish in the treasury a separate revenue account to be known as the PEG Access and Cable Related Fund, into which may be deposited cable franchise fees and other cable-related revenues for appropriation for cable-related purposes consistent with cable franchise (license) agreements, including support of PEG (public, educational or governmental) access television services and cable licensing and administration. And further to see if the Town will vote to authorize the Town Accountant and/or Town Treasurer to transfer any balance of cable-related funds at the end of Fiscal Year 2016 to said PEG Access and Cable Related Fund. Or do anything in relation thereto.

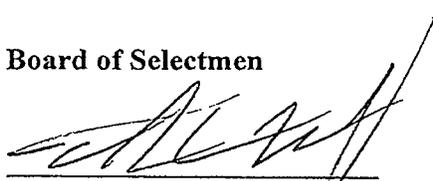
Board of Selectmen

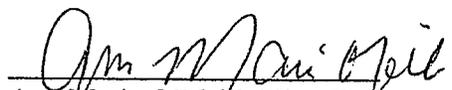
And you are directed to serve this Warrant by posting attested copies in at least ten (10) public places in the Town fourteen (14) days at least before the time for holding said meeting and by causing an attested copy to be published in some newspaper in the town, the publication to be not less than 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 21st day of March in the year of our Lord two thousand sixteen.

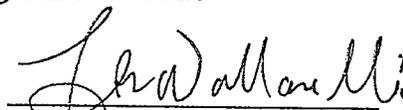
Board of Selectmen


Thomas Boussy, Chairman


Ann Marie O'Neill, Vice Chairman

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 March 21, 2016 and by publishing duly attested copy of said Warrant in the Stoneham Independent on March 23, 2016.

A true copy. Attest:


Constable of Stoneham