

**Select Board
Hearing Room
Stoneham Town Hall
35 Central Street
Tuesday, March 5, 2019
7:00 P.M.**

ITEM	TIME	DESCRIPTION	DISPOSITION
Open Session (Hearing Room)			
1	7:00 p.m.	Pledge of Allegiance	
Citizens' Comments			
2		Public Comment	
Regular Business			
3		Water and Sewer Review Board – Update – Scott LeBeau	
4		Veterans' Volunteer Services Discussion – Jim Devlin	
5		Town Meeting Preparation – Accept/ Number/ Recommend Warrant Articles (vote required)	
6		Town Counsel Appointment (vote required)	
7		Accept Minutes: 2/5/19; 2/19/19 (vote required)	

8 Policy on Performance Reviews – Shelly MacNeill

Member Items

9 Human Rights Commission (vote required) – Shelly
MacNeill

Town Administrator

10 Town Administrator’s Report – Dennis Sheehan

Miscellaneous

11 Non-Deliberative Announcements and Scheduling

Special Legislation-Veterans Tax Work off Program

MGL CH 59 sec 5N

Section 5N. In any city or town which accepts this section, the board of selectmen of a town, or in a municipality having a town council form of government, the town council or the mayor, with the approval of the city council in a city, may establish a program to allow veterans, as defined in clause Forty-third of section 7 of chapter 4 or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability, to volunteer to provide services to that city or town. In exchange for such volunteer services, the city or town shall reduce the real property tax obligations of that veteran on the veteran's tax bills and that reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled; provided, however, that person shall not receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for the services provided pursuant to that reduction; and provided further, that the reduction of the real property tax bill shall not exceed \$1,000 in a given tax year. It shall be the responsibility of the city or town to maintain a record for each taxpayer including, but not limited to, the number of hours of service and the total amount by which the real property tax has been reduced and to provide a copy of that record to the assessor in order that the actual tax bill reflect the reduced rate. A copy of that record shall also be provided to the taxpayer prior to the issuance of the actual tax bill. The cities and towns shall have the power to create local rules and procedures for implementing this section in a way that is consistent with the intent of this section. Nothing in this section shall be construed to permit the reduction of workforce or otherwise replace existing staff.

The amount by which a person's property tax liability is reduced in exchange for the volunteer services shall not be considered income, wages or employment for purposes of taxation as provided in chapter 62, for the purposes of withholding taxes as provided in chapter 62B, for the purposes of workers' compensation as provided in chapter 152 or any other applicable provisions of the General Laws. While providing such volunteer services, that person shall be considered a public employee for the purposes of chapter 258 and those services shall be deemed employment for the purposes of unemployment insurance as provided in chapter 151A.

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (i) allowing an approved representative for persons physically unable to provide such services to the city or town; or (ii) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000.

Special Legislation under the Brave Act

Acts (2018) Chapter 218

AN ACT RELATIVE TO VETERANS' BENEFITS, RIGHTS, APPRECIATION, VALIDATION AND ENFORCEMENT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section 15GGGGGG the following 2 sections:-

Section 15HHHHHH. The governor shall annually issue a proclamation setting apart the fifth day of April as Gold Star Wives Day and recommending that the day be observed in an appropriate manner by the people, including prominent display of the Gold Star Flag on the property of the State House.

Section 15IIIIII. The governor shall annually issue a proclamation setting apart the last Sunday in September as Gold Star Mothers and Families Day and recommending that the day be observed in an appropriate manner by the people, including prominent display of the Gold Star Flag on the property of the State House.

SECTION 2. Chapter 10 of the General Laws is hereby amended by adding the following section:-

Section 78. (a) As used in this section, "active service in the armed forces" shall not include active duty for training in the Army National Guard or Air National Guard or active duty for training as a reservist in the armed forces of the United States.

As used in this section, the term "armed forces" shall mean the United States Army, Army of the United States, Army Reserves, United States Navy, United States Naval Reserve, United States Marine Corps, United States Marine Corps Reserve, United States Coast Guard, United States Coast Guard Reserve, Army Nurse Corps, Navy Nurse Corps, United States Air Force, United States Air Force Reserve, Air National Guard and Army National Guard and including women's branches of said armed forces.

(b) (1) Upon application, as provided in this section, there shall be allowed and paid out of the treasury of the commonwealth, without appropriation, the sums specified in this section to each person who has served in the armed forces of the United States in active service as part of Operation Enduring Freedom, Operation Iraqi Freedom, Operation Noble Eagle, Operation Inherent Resolve, Operation Freedom Sentinel or any successor or related operation and who was discharged or released under honorable conditions for such service; provided, however, that the domicile of a person on account of whose service the application is filed shall have been in the commonwealth for a period of not less than 6 months before the time of the person's entry into the service.

(2) One thousand dollars shall be allowed and paid out to each such veteran who performed active service outside of the continental limits of the United States for which the veteran qualified for hostile fire or imminent danger pay as determined by the United States Department of Defense.

(3) Five hundred dollars shall be allowed and paid out to each such veteran who performed active duty within the continental limits of the United States or outside the continental limits of the United States but did not qualify for hostile fire or imminent danger pay as determined by the United States Department of Defense for a period of not less than 6 months.

(4) Thereafter, upon return from each subsequent deployment defined under this section, there shall be allowed and paid out of the treasury of the commonwealth, subject to appropriation, 50 per cent of the sums specified in paragraphs (2) and (3) to each such veteran.

(c) If a person who is deceased would, if alive, be entitled to the benefits of this section, the sum named in this section shall be paid to the decedent's heirs-at-law; provided, however, that if there is more than 1 heir-at-law, payments shall, in either case, be made in such proportions as the state treasurer shall determine; provided further, that the state treasurer, in determining the order of precedence, shall, so far as practicable, observe the following order: (i) spouse and children; (ii) mother or father; (iii) brother or sister and (iv) other dependents. A right or payment under this section shall not be subject to the claims of creditors, capable of assignment, regarded as assets, legal or equitable of the estate of the deceased or made the basis for administration thereof.

(d) If a person died while in active service, a sum of \$1,000 shall be paid in the manner provided by subsection (c) in addition to any unpaid amount the person would have been eligible to receive pursuant to subsection (b).

(e) Applications under this section shall be filed with the state treasurer, upon forms to be furnished by state treasurer. The state treasurer may accept the written statement of the clerk of a city or town that a person claiming pay or on whose account pay is claimed by a dependent or heir-at-law, under this section, was domiciled therein on the first day of January, in any year, as prima facie evidence of the fact

of such domicile and may accept such other evidence of domicile as the state treasurer may consider adequate or necessary. The clerk of a city or town shall, at the request of the state treasurer, immediately furnish such information relative to such domicile as the clerk's records may disclose. The state treasurer may require and accept such additional evidence as the state treasurer may consider necessary to establish the fact of domicile within the commonwealth as provided under paragraph (1) of subsection (b). The adjutant general shall certify to the state treasurer the dates of service and any other military information necessary to carry out this section. The state treasurer shall furnish to the adjutant general a copy of a DD-214 form or equivalent documentation as determined by the adjutant general for the permanent records of the military division of the commonwealth.

Whoever knowingly makes a false statement, oral or written, relating to a material fact in supporting a claim under this section, shall be punished by a fine of not more than \$1,000, by imprisonment for not more than 3 years or both such fine and imprisonment. An offense under this section may be prosecuted by the attorney general, or under the attorney general's direction, in any court within the commonwealth, and all fines collected thereunder shall be paid to the treasury of the commonwealth.

The state treasurer shall section upon all applications made under this section, and may expend for clerical assistance and for such other expenses sums necessary in carrying out this section, not exceeding the sums appropriated for this purpose.

There shall be a payments appeal board. The board shall consist of: a member of the department of the state treasurer to be designated by the state treasurer; an assistant attorney general to be designed by the attorney general; and the adjutant general or a designee. A person aggrieved by a decision of the state treasurer in the matter of payments provided for by this section may appeal to the board and shall be entitled to a hearing, after due notice, upon such appeal. The decision of the board shall be final.

(f) The state treasurer may establish, and from time to time revise, such rules and regulations as may be necessary or desirable to carry out this section.

SECTION 3. Chapter 29 of the General Laws is hereby amended by inserting after section 2YYYY the following section:-

Section 2ZZZZ. (a) There shall be a Massachusetts Veterans and Warriors to Agriculture Program Fund. The fund shall be administered by the department of agricultural resources. Notwithstanding any general or special law to the contrary, there shall be credited to the fund any revenue from appropriations or other money authorized by the general court and specifically designated to be credited to the fund and any gifts, grants, private contributions or investment income earned on the fund's assets and all other sources. Money deposited in the fund that is unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent year and shall not be subject to section 5C.

(b) The department of agricultural resources, in consultation with the department of veteran services, shall establish, develop and implement the Massachusetts Veterans and Warriors to Agriculture Program to enhance the education, training, employment, income, productivity and retention of veterans currently working or aspiring to work in the field of agriculture in the commonwealth. Amounts credited to the fund shall be used, without further appropriation, for the costs associated with administering and implementing the program and may also be used to provide grants or loans on a competitive basis to public, private and charitable entities to finance projects in furtherance of purpose of the program. Expenditures from the fund for such purpose shall complement and not replace existing local, state, private or federal funding for related training and educational programs.

SECTION 4. The third paragraph of section 26 of chapter 31 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following 3 sentences:- Notwithstanding the administrator's right to require a physician's certificate in the case of a disabled veteran, an appointing authority shall not require, request or accept an individual's military medical record or military personnel service record for the purpose of employment; provided, however, that an appointing authority may require, request or accept the individual's DD-214 form. An appointing authority shall not impose a term or condition on an individual as a condition of obtaining or retaining employment if compliance with the term or condition would require the individual to present the

individual's military medical record or military personnel service record as set forth in this paragraph; provided, however, that an appointing authority may impose a term or condition requiring the individual to present the individual's DD-214 form. Nothing in this section shall prohibit an appointing authority to require military service records if the condition stated on the individual's DD-214 form is other than honorable.

SECTION 5. Subdivision (1) of section 4 of chapter 32 of the General Laws, as so appearing, is hereby amended by inserting after paragraph (r) the following paragraph:-

(r^{1/2}) Notwithstanding any general or special law to the contrary, a member in service who: (i) served in the United States Public Health Service Commissioned Corps or the National Oceanic and Atmospheric Administration Commissioned Officer Corps; (ii) has completed not less than 4 years of membership service; and (iii) has retired or will retire on or after January 1, 1975 shall receive full credit for the period of such service; provided, however, that such a member shall receive credit for not more than 4 years of that service. Eligibility for the creditable service of members in service shall be conditioned upon payment into the annuity savings fund of the applicable retirement system, in 1 sum or in installments upon such terms as the applicable retirement board may provide, of an amount equal to the contributions that a member would have otherwise paid into the retirement system plus buyback interest thereon for the period of commissioned corps service based upon the annual salary the member received in the first year of membership service after the member's commissioned corps service.

SECTION 6. Section 59 of chapter 33 of the General Laws, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words "34 days in any state fiscal year and not exceeding 17" and inserting in place thereof the following figure:- 40.

SECTION 7. Subsection (a) of said section 59 of said chapter 33, as so appearing, is hereby amended by adding the following sentence:- For the purposes of this subsection, "day" shall mean any 24-hour period regardless of calendar day.

SECTION 8. Said section 59 of said chapter 33, as so appearing, is hereby further amended by adding the following subsection:-

(f) For the purposes of this section, "base pay for military service" shall not include any housing, incentive, bonus, skills pay, allowance or other stipend or benefit paid to the employee for the employee's military service.

SECTION 9. Chapter 40 of the General Laws is hereby amended by inserting after section 22A^{1/2} the following section:-

Section 22A^{3/4}. (a) A municipality may designate a parking space at the city or town hall for the parking of a veteran in a motor vehicle that is owned and operated by the veteran and that displays a veteran registration plate issued pursuant to section 2 of chapter 90. The parking space shall be available during the normal business hours of the city or town hall for use by such veteran without charge. The municipality shall erect and maintain a sign designating such a parking space that shall bear the words "Veteran Parking Only – this space is reserved for those who have served. Unauthorized Vehicles May Be Removed At The Vehicle Owner's Expense". The parking space shall only be used by a veteran that meets the requirements of this subsection.

(b) A violation of subsection (a) shall be punished by a fine of \$100 and the city or town may provide for the removal of a vehicle in the manner provided in section 22D. The penalty shall not be a surchargeable offense under section 113B of chapter 175.

SECTION 10. Section 5 of chapter 59 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after clause Seventeenth E the following clause:-

Seventeenth F, Notwithstanding any provision of general or special law to the contrary, an abatement granted pursuant to clause Seventeenth, Seventeenth C, Seventeenth C^{1/2} or Seventeenth D may be increased annually at the discretion of a city or town by an amount not to exceed the increase in the cost of living as determined by the Consumer Price Index for such year. This clause shall take effect in a city or town upon its acceptance by such city or town.

SECTION 11. Said section 5 of said chapter 59, as so appearing, is hereby further amended by striking out, in lines 595, 651, 676, 725, 770 and 842, the word "five" and inserting in place thereof, in each instance, the following figure:- 2.

SECTION 12. Said section 5 of said chapter 59, as so appearing, is hereby further amended by inserting after the word "cross", in line 688, the third time it appears, the following words:- , or who is or was a prisoner of war.

SECTION 13. The first paragraph of clause Twenty-second A of said section 5 of said chapter 59, as so appearing, is hereby amended by adding the following sentence:- For the purposes of this section, the term "prisoner of war" shall mean a regularly appointed, enrolled, enlisted or inducted member of the military forces of the United States who was captured, separated and incarcerated by an enemy of the United States during an armed conflict.

SECTION 14. Said section 5 of said chapter 59, as so appearing, is hereby further amended by striking out, in lines 817 and 881, the figure "5" and inserting in place thereof, in each instance, the following figure:- 2.

SECTION 15. Said section 5 of said chapter 59, as so appearing, is hereby further amended by striking out clause Twenty-second G and inserting in place thereof the following 2 clauses:-

Twenty-second G. In any city or town that accepts this clause, real estate that is the domicile of a person but is owned by a trustee, conservator or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E or Twenty-second F if the person were the owner of the real estate.

Twenty-second H. Real estate to the full amount of the taxable valuation of real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veterans Affairs or a branch of the armed forces that was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the armed forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further, that the surviving parents or guardians shall have been domiciled in the commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the commonwealth for not less than 6 months before entering service.

Surviving parents or guardians eligible for an exemption pursuant to this clause shall be eligible regardless of when the soldier, sailor, member of the National Guard or veteran died or became missing in action with a presumptive finding of death; provided, however, that the exemption shall only apply to tax years beginning on or after January 1, 2019. Such exemption shall be available until such time as the surviving parents or guardians are deceased. No real estate shall be so exempt which has been conveyed to the surviving parents or guardians to evade taxation. This clause shall take effect upon its acceptance by any city or town.

SECTION 16. Clause Fifty-fifth of said section 5 of said chapter 59, as so appearing, is hereby amended by striking out the second paragraph.

SECTION 17. Section 5N of said chapter 59, as so appearing, is hereby amended by striking out, in lines 16 and 43, the figure "\$1,000" and inserting in place thereof, in each instance, the following figure:- \$1,500.

SECTION 18. Section 1 of chapter 60A of the General Laws, as so appearing, is hereby amended by inserting after the word "guard", in line 137, the following words:- or reserves.

SECTION 19. Section 2 of chapter 90 of the General Laws is hereby amended by inserting after the word "vehicle", in line 507, as so appearing, the following words:- or to the registrant of a motor vehicle that is owned by a partnership, trust or corporation if the motor vehicle otherwise meets the criteria of a private

passenger vehicle and there is no distinctive promotional or advertisement marking visible on the motor vehicle.

SECTION 20. Said section 2 of said chapter 90 is hereby further amended by inserting after the word "person", in line 512, as so appearing, the following words:- or for 1 motor vehicle that is owned by a partnership, trust or corporation if the motor vehicle otherwise meets the criteria of a private passenger vehicle, there is no distinctive promotional or advertisement marking visible on the motor vehicle and the motor vehicle is principally used by that person.

SECTION 21. Said section 2 of said chapter 90 is hereby further amended by inserting after the word "person", in line 517, as so appearing, the following words:- or for 1 motor vehicle that is owned by a partnership, trust or corporation if the motor vehicle otherwise meets the criteria of a private passenger vehicle, there is no distinctive promotional or advertisement marking visible on the motor vehicle and the motor vehicle is principally used by that person.

SECTION 22. Said section 2 of said chapter 90 is hereby further amended by inserting after the word "vehicle", in line 521, as so appearing, the following words:- or a motor vehicle that is owned by a partnership, trust or corporation if the motor vehicle otherwise meets the criteria of a private passenger vehicle and there is no distinctive promotional or advertisement marking visible on the motor vehicle.

SECTION 23. Section 240 of chapter 112 of the General Laws, as so appearing, is hereby amended by adding the following sentence:- The board shall promulgate regulations to determine the allowable education and work hour credits for veterans and military personnel.

SECTION 24. Section 2 of chapter 115 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

The commissioner shall create and maintain a list of firms and organizations willing to provide pro bono legal representation to veterans in the commonwealth. Such information shall be updated annually and shall be distributed to veteran's agents and available online.

SECTION 25. Section 6 of said chapter 115, as so appearing, is hereby amended by adding the following sentence:- The commonwealth shall make payments to cities and towns equal to 100 per cent of the amount of benefits paid by cities and towns to or on behalf of recipients living in permanent housing located on real property owned by the federal government or living in institutions or transitional housing, as defined in 108 CMR 2.02, if such housing is located on real property owned by the federal government; provided, however, that such payments shall be made to the city or town in which the recipient resides only for 48 months of residence; provided further, that such payments shall not be made for a recipient who has resided elsewhere in the city or town for the 6 consecutive months immediately preceding the recipient's move into such housing.

SECTION 26. Section 6B of said chapter 115, as amended by section 51 of chapter 47 of the acts of 2017, is hereby further amended by adding the following paragraph:-

Notwithstanding any general or special law to the contrary, an annuity payment made to a recipient pursuant to this section shall not constitute income in an application or formula utilized by the commonwealth or a political subdivision to determine eligibility for a program or service funded or provided by the commonwealth. Notwithstanding the forgoing, such an annuity payment may constitute income if not doing so would, under federal law, prohibit eligibility or otherwise negatively impact the recipient's benefits under the program or service; provided, however, that the commonwealth or a political subdivision thereof shall seek a waiver from any federal law with such an eligibility requirement.

SECTION 27. Section 8 of said chapter 115, as appearing in the 2016 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- If a deceased person's estate has insufficient resources to pay for the cost of the funeral and burial of a deceased person covered by this chapter, the burial agent under section 7 shall expend not more than \$4,000 for the funeral and burial; provided, however, that the cost of the funeral and burial shall be not more than \$5,000.

SECTION 28. The first paragraph of section 25 of chapter 118E of the General Laws, as so appearing, is hereby amended by inserting after clause (4) the following clause:-

(4½) the entire amount of a monthly payment to a veteran or a widowed spouse of a veteran, including pension, aid and attendance and housebound benefits, from the United States Department of Veterans Affairs if the veteran or widowed spouse would not have received such a payment from the United States Department of Veterans Affairs but for unreimbursed medical expense; and.

SECTION 29. Section 52 of chapter 130 of the General Laws, as so appearing, is hereby amended by inserting after the word "therefor", in line 61, the following words:- ; provided, however, that such city or town shall not charge a veteran a fee greater than the fee charged to a resident of such city or town.

SECTION 30. Section 2A of chapter 141 of the General Laws, as so appearing, is hereby amended by adding the following sentence:- The examiners shall promulgate regulations to determine the allowable education and work hour credits for veterans and military personnel.

SECTION 31. The second paragraph of section 4 of chapter 142 of the General Laws, as so appearing, is hereby amended by adding the following sentence:- The examiners shall promulgate regulations to determine the allowable education and work hour credits for veterans and military personnel.

SECTION 32. Chapter 149 is hereby amended by striking out section 52A½, as so appearing, and inserting in place thereof the following section:-

Section 52A½. An employee who is a veteran or a member of a department of war veterans listed in section 17 of chapter 8 and who desires to participate in a Memorial Day exercise, parade or service in the employee's community of residence shall be allowed and granted a leave of absence of sufficient time to participate in such an exercise, parade or service in the employee's community of residence. The leave of absence shall be with or without pay, at the discretion of the employee's employer.

An employee who is a veteran or is a member of a department of war veterans listed in said section 17 of said chapter 8 shall be granted time off to observe Veterans Day. The time off shall be with or without pay, at the discretion of the employee's employer.

This section shall not apply to employees whose services are essential and critical to the public health or safety and determined to be essential to the safety and security of such an employee's employer or the property of the employer.

SECTION 33. Section 3 of chapter 276A of the General Laws, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

The probation officers of a district or municipal court, or an official designee of such a probation officer, when gathering information in accordance with section 85 of chapter 276, shall also screen each defendant for the purpose of enabling the judge at arraignment to consider the eligibility of the defendant for diversion to a program. The probation officers or an official designee shall also confirm the defendant's status as a veteran or as a person on active service in the armed forces of the United States and shall determine if the defendant has previously been diverted pursuant to clause (ii) of subsection (c) of section 4.

SECTION 34. Said section 3 of said chapter 276A, as so appearing, is hereby further amended by inserting after the second paragraph the following paragraph:-

A defendant who is determined to be a veteran or a person on active service in the armed forces of the United States and who is qualified for consideration to diversion to a program may, at arraignment, be afforded a 30-day continuance for assessment by the United States Department of Veteran's Affairs or another state or federal agency with suitable knowledge and experience of veterans affairs to determine if the veteran or person on active service would benefit from such program.

SECTION 35. Said chapter 276A is hereby further amended by striking out section 4, inserted by section 198 of chapter 69 of the acts of 2018, and inserting in place thereof the following section:-

Section 4. (a) For the purposes of this section, the term “serious mental illness” shall mean a current or recent diagnosis by a qualified mental health professional of at least 1 of the following disorders described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders: (i) schizophrenia and other psychotic disorders; (ii) major depressive disorders; (iii) all types of bipolar disorders; (iv) a neurodevelopmental disorder, dementia or other cognitive disorder; (v) any disorder commonly characterized by breaks with reality or perceptions of reality; (vi) all types of anxiety disorders; (vii) trauma and stressor related disorders; or (viii) severe personality disorders.

(b) A person shall not be diverted to a program pursuant to this chapter if the person is charged with an offense: (i) that is enumerated in the second sentence of section 70C of chapter 277; (ii) for which a penalty of incarceration greater than 5 years may be imposed or for which there is a minimum mandatory penalty of incarceration; or (iii) that shall not be continued without a finding or placed on file.

(c) Notwithstanding any contrary provision of this section, a person may be diverted to a program pursuant to this chapter if the person is: (i) charged with an offense pursuant to subsection (a) of section 13A of chapter 265 or section 13A or 13C of chapter 268; or (ii) a veteran or a person on active service in the armed forces of the United States charged with an offense pursuant to subparagraph (1) of paragraph (a) of subsection (1) of section 24 of chapter 90 who: (A) has never previously been arrested for or been the subject of a complaint alleging a violation of an offense pursuant to said subparagraph (1) of said paragraph (a) of said subsection (1) of said section 24 of said chapter 90 or a like offense in another state or the United States or a military, territorial or Indian tribal authority; and (B) has been clinically diagnosed with a traumatic brain injury, substance abuse disorder or serious mental illness in connection with the veteran’s military service or the person’s active duty. The court shall consider the opinion of the prosecution in determining whether to divert a veteran or person on active service to a program pursuant to clause (ii). Diversion of a district court charge under this chapter shall not preclude a subsequent indictment on the same charges in superior court.

SECTION 39. Chapter 186 of the acts of 2007 is hereby amended by striking out, in line 17, the words “section 16 of chapter 130 of the acts of 2005” and inserting in place thereof the following words:- section 78 of chapter 10 of the General Laws.

SECTION 40. Section 11 of chapter 132 of the acts of 2009 is hereby repealed.

SECTION 41. Section 86 of chapter 47 of the acts of 2017 is hereby repealed.

SECTION 42. Notwithstanding any special or general law to the contrary, any veteran, as defined in clause Forty-third of section 7 of chapter 4 of the General Laws, or any active duty member of the armed forces of the United States of the commonwealth who has received a Bronze Star award for valiant service shall be eligible for a Bronze Star plate, as verified by either a DD-214 or 638 form, from the registry of motor vehicles.

SECTION 43. The department of veterans’ services, in coordination with the executive office for administration and finance and the military division of the executive office of public safety and security, shall study the feasibility and costs associated with designating members of the Massachusetts national guard and the reserve forces of the United States with status as veterans under clause Forty-third of section 7 of chapter 4 of the General Laws.

The department shall report its findings to the clerks of the house of representatives and senate and the joint committee on veterans and federal affairs not later than September 1, 2019.

SECTION 44. There shall be established a special commission, established and governed by section 2A of chapter 4 of the General Laws, to study the cost and feasibility of exempting veterans of the commonwealth from tuition, fees and associated costs of attending public colleges and universities in the commonwealth, due to recent changes in federal veteran services and benefits related to higher education.

The commission shall consist of: the secretary of veterans’ services or a designee, who shall serve as co-chair; the commissioner of higher education or a designee, who shall serve as co-chair; 1 member appointed by the governor who shall be a member of the Student Veterans of America; 1 member

appointed by the speaker of the house of representatives; 1 member appointed by the senate president; 1 member appointed by the minority leader of the house of representatives; 1 member appointed by the minority leader of the senate; the house and senate chairs of the joint committee on higher education or their designees; the house and senate chairs of the joint committee on veterans and federal affairs or their designees; the chair of the house committee on ways and means or a designee; and the senate chair of the committee on ways and means or a designee.

The study shall include, but not be limited to: (i) an evaluation of the cost and feasibility of exempting veterans from paying tuition, fees and associated costs at public colleges and universities in the commonwealth; (ii) the societal impact of such an exemption for veterans and their families; and (iii) the effect of such a policy on the finances of the commonwealth.

The commission shall report its findings and any recommendations to the joint committee on veterans and federal affairs, the joint committee on higher education and the clerks of the house and senate not later than July 1, 2019.

SECTION 45. The executive office of health and human services, in conjunction with the department of veterans' services, shall conduct a study on access to benefits of the United States Department of Veterans Affairs for military veterans who may be in state or county correctional custody in the commonwealth.

The study shall investigate any impediments, through state, county or federal policy, logistical challenges or otherwise, that veterans in custody may face when seeking to apply for benefits under a federal or state program or seeking to access medical evaluations for the purpose of completing, revising or renewing such a benefit's application.

The office shall submit a report on the study to the clerks of the senate and house, the joint committee on veterans and federal affairs and the senate and house committees on ways and means not later than July 1, 2019.

SECTION 46. Notwithstanding any general or special law to the contrary, the department of veterans' services, in consultation with the public employee retirement administration commission, shall conduct a study on the feasibility and cost to the commonwealth of allowing a member of a retirement system who: (i) is a veteran, as defined in clause Forty-third of section 7 of chapter 4 of the General Laws; and (ii) served in the armed forces of the United States, to receive credit for active service in the armed services of the United States; provided, however, that such creditable service shall not include service for more than 4 years; provided further, that such creditable service shall not be allowed for any period of active service for which the veteran has received credit pursuant to paragraph (h) of subdivision (1) of section 4 of chapter 32 of the General Laws; and provided further, that the amount shall not exceed the 80 per cent allowed to retire. Creditable service time, both enlisted and commissioned, may be applied toward retirement on a ratio of 5 years guard service or 5 years active reserve service substitutable for each year of active service. The department shall also examine the feasibility of including members of the nurse cadet core in the definition of "veteran" said clause Forty-third of said section 7 of said chapter 4.

The study, along with any recommendations, shall be submitted to the clerks of the house and senate, the joint committee on public service, the joint committee on veterans and federal affairs and the house and senate committees on ways and means by March 1, 2019.

SECTION 47. The executive office of health and human services, in conjunction with the department of veterans' services and the center for health information and analysis, shall conduct a study on the transportation of veterans in emergency medical situations to facilities that are not facilities of the United States Department of Veterans Affairs. For the purposes of this section, "veteran" shall mean a veteran who is receives benefits under the TRICARE program, as defined in 10 U.S.C. 1072(7).

The study shall: (i) identify, after seeking consultation with the United States Department of Veterans Affairs, reimbursement guidelines for ambulance services for transportation of veterans to facilities that are not facilities of the United States Department of Veterans Affairs in emergency medical situations; (ii) identify gaps in reimbursement payments where the commonwealth may be eligible for payments to health care facilities or for ambulance services; (iii) determine the associated costs and the

reimbursements that are available to veterans when transported to facilities that are not facilities of the United States Department of Veterans Affairs; (iv) recommend potential notification procedures by medical facilities to advise veterans regarding the process of seeking state or federal medical reimbursements; and (v) recommend any gaps to insure proper continuity of care.

The office shall submit a report on the study to the clerks of the senate and house, the joint committee on veterans and federal affairs, the joint committee on health care financing and the senate and house committees on ways and means not later than March 1, 2019.

SECTION 48. The executive office of health and human services, in consultation with the executive office of public safety and security, shall partner with a college or university in the commonwealth to conduct a study relative to the needs of veterans and military members in the criminal justice system who are suffering from mental health or substance abuse issues associated with their service in the military. The study shall review and make legislative recommendations for issues including, but not limited to, current court programs available to veterans, the effectiveness of pre-trial diversion, pre-trial probation, post-conviction relief, access to treatment programs, tracking of cases, victims' rights and assistance and outreach and training to judges with the goal of reducing recidivism and maintaining independence and sobriety through systems integration, outreach and recovery for traumatized veterans.

The executive office shall file a report on the study with the joint committee on veterans and federal affairs, the joint committee on the judiciary, the joint committee on mental health and substance use and recovery, the house and senate committees on ways and means, the executive office of the trial court and the Massachusetts District Attorneys Association not later than January 1, 2020.

**WARRANT FOR TOWN MEETING
MONDAY, MAY 6, 2019**

To either of the Constables of the Town of Stoneham in 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 2, 2019, at seven o'clock in the forenoon to act on the following articles of the warrant:

Article 1. To choose the following officers:

Two (2) Select Board Members for three (3) years.

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

Two (1) School Committee Members for three (3) years.

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

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

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

One (1) Town Moderator for two (2) years

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

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

For consideration of the following Articles, the meeting shall be adjourned to meet in the Town Hall at seven o'clock in the evening on Monday, May 6, 2019, 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.

Select Board

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

Select Board

Article 4. To see if the Town will vote to fix the salaries of the several elected officers and the Boards of the Town for the 2020 fiscal year:

Town Moderator	\$200
Board of Assessors	\$1,200
Select Board	\$3,000
Town Clerk	\$79,111

or do anything in relation thereto.

Select Board

Article 5. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or authorize the Treasurer, with the approval of the Select Board, to borrow under the applicable provisions of Mass. Gen. L. c. 44 or any other enabling authority the sum of \$350,000 for capital projects, including all incidental and related costs, all as set forth below, or do anything in relation thereto.

Department	Amount	Description	Funding Source
Arena	\$ 210,000.00	Arena Project Close Out	Available Funds
Town Planner	\$ 10,000.00	Green Communities Energy Updates	Available Funds
Fire	\$ 30,000.00	Portable Radios	Available Funds
Golf	\$ 25,000.00	Install Net at 3rd hole	Available Funds
Recreation	\$ 210,000.00	Clara Steele Playground Renovation	Bonding
Public Works	\$ 140,000.00	Streets (Paving)	Bonding
Total	625,000.00		

Select Board

(Dave checking with Bond Counsel)

Article 6. To see if the Town will vote to appropriate the following unexpended amounts listed under “Debt Articles” below, that were initially borrowed to finance capital projects that are now complete, and for which no further liability remains, to pay debt service on bonds or notes, and to transfer the following unexpended amounts under “General Fund Appropriations” which are no longer needed for the purpose for which they were appropriated, to pay debt service on bonds or notes, or do anything in relation thereto.

NB: THIS WILL NEED A CHART FROM DAVE C. /Approval from Bond Counsel

Select Board

Article 7. To see if the Town will vote to raise and appropriate, transfer from available sums, and/or borrow the sum of \$750,000 to cover the cost of a proposed feasibility study of Stoneham High School located at 149 Franklin Street, Stoneham, Massachusetts, and further, that the Town be authorized to apply for and accept any grants from the Massachusetts School Building Authority (MSBA) to be applied to the costs of said study, or do anything in relation thereto.

School Committee

Article 8. 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 fiscal year, including debt and interest and a reserve fund, or do anything in relation thereto.

Select Board

Article 9. To see if the Town will authorize the Board of Selectmen to petition the General Court to enact legislation, in substantially the following form, relating to amending the Town Charter, pursuant to G.L. 43B sec. 10, to include a provision allowing for the recall of elected officials, however, that the General Court may make clerical or editorial changes to the form of the bill and/or changes to the numbering or organization of the legislation.

AN ACT RELATIVE TO THE RECALL OF ELECTED OFFICIALS IN THE TOWN OF STONEHAM

Section 17. Recall of Elected Officials

- A. Holder of an Elective Office may be Removed or Recalled. Any holder of an elective office, may be removed therefrom by the registered voters of the town as herein provided.
 1. Removal Petition, Preparation, Filing. Any 100 registered voters of the town may file with the Town Clerk a declaration of intent containing the name of the officer sought to be removed from office. The Town Clerk shall, within five working days, deliver to said voters making the declaration of intent, copies of petition blanks demanding such removal, printed forms of which he/she shall make available. The blanks shall be issued by the Town Clerk

with their signature and official seal attached thereto. They shall be dated, addressed to the Select Board and shall contain the names of the 100 persons to whom they are issued, the name of the person whose removal is sought and shall demand the election of a successor in the said office. A copy of the petition shall be entered in a record book to be kept in the office of the Town Clerk. The removal petitions shall be returned and filed with the Town Clerk within twenty-five days after the filing of the declaration of intent and shall have been signed by at least ten percent (10%) of the registered voters of the town, who shall add to their signatures the street and number, if any, of their residences. The Town Clerk shall immediately submit the petitions to the registrars of voters of the town and the registrars shall forthwith certify thereon the number of signatures which are names of registered voters of the town.

2. Removal and Election. If the petition shall be found and certified by the Town Clerk to be sufficient, he/she shall submit the same with a certificate to the Select Board immediately, and the Select Board shall, within five days, give written notice of the receipt of the certificate to the officer sought to be removed and shall thereupon order an election to be held on a Tuesday fixed by them, not less than twenty-five nor more than thirty-five days after the date of the Town Clerk's certificate that a sufficient petition is filed; provided, however, that if any other town election is to occur within ninety days after the certificate, the Select Board shall postpone the holding of the removal election to the date of such other election. If a vacancy occurs in said office after a removal election has been ordered, the election shall nevertheless proceed as provided in this act. Any number of officers may stand for removal at the same election.
3. Nomination of Candidates. The question of recalling any number of officers may be submitted at the same election. But as to each officer whose recall is sought there shall be a separate ballot. The nomination of candidates to succeed an officer whose recall is sought, the publication of the warrant for the recall election, and the conduct of such election, shall all be in accordance with the provisions of the General Laws.
4. Ballots. Ballots used in a recall election shall submit the following propositions in the order indicated: For the recall of (name of officer). Against the recall of (name of officer). Immediately at the right of each proposition there shall be a square in which the voter, by making a cross mark (X), may vote for either of the said propositions.
5. Election in Event of Resignation. If an office in regard to which a sufficient recall petition is filed becomes vacant before the ballots are printed, the election shall be held as hereinbefore provided, except that the title of the ballot shall be "Town Election", that the propositions in regard to the recall shall be omitted from the ballot, and that above the names of the candidates there shall appear on the ballot the words "Candidates to succeed (name of officer) resigned". (If he resigned his office).
6. Subsequent Removal. No removal petition shall be filed against an officer within six months after he takes office, nor in the case of an officer subjected to a removal election and not removed thereby, until at least three months after the election in which his removal was submitted to the voters of the town.
7. Person Recalled not to be Appointed to Any Town Office within Two Years. No person who has been recalled from an office, or who has resigned from office while recall proceedings were pending against him, shall be appointed to any town office within two years after such recall or such resignation.

8. Duties of Certain Town Officials relative to Election. It shall be the duty of the Select Board and the Town Clerk in office and any other town official upon whom by reason of his office a duty devolves under the provisions of this act, when this act is accepted by the registered voters as herein provided, to comply with all the requirements of law relating to elections, to the end that all things may be done necessary for the nomination and election of the officers first to be elected under this act.
- B. This Act shall take effect upon passage.

or do anything in relation thereto.

Select Board

Article 10. To see if the Town will vote to amend the Stoneham Town Code, **Chapters 1 to 14A and 16 to 23 (excluding Chapter 15, Zoning)**, deleting the word “Selectmen” each time it appears in said Code and inserting the term “Select Board” in place thereof, and further, deleting the words “Board of Selectmen”, each time it appears, and inserting in place thereof the term “Select Board”, and further, the Town Clerk be authorized to make clerical, editorial or other adjustments to effectuate the purposes hereof, or do anything in relation thereto.

Town Clerk

Article 11. To see if the Town will vote to amend the Stoneham Town Code, **Chapter 15, Zoning**, deleting the word “Selectmen” each time it appears in said Code and inserting the term “Select board” in place thereof, and further, deleting the words “Board of Selectmen”, each time it appears, and inserting in place thereof the term “Select Board”, and further, the Town Clerk be authorized to make clerical, editorial or other adjustments to effectuate the purposes hereof, or do anything in relation thereto.

Planning Board

Insert Zoning Articles from CH/SC

Article 12. To see if the Town will vote to authorize the Town Administrator to lease for a term of years a portion of the premises known as Stoneham Arena and located at 101 Montvale Avenue, Stoneham, Massachusetts, including but not limited to a portion of the roof area, in compliance with Mass. Gen. L. c. 30B, for a solar facility, and to execute such other and further documents as may be necessary to effectuate the terms hereof, or do anything in relation thereto.

Select Board

(question 20 year)

Article 13. To see if the Town will vote to authorize the Town Administrator to negotiate and execute a PILOT (Payment in Lieu of Taxes) agreement to be negotiated by the Select Board and/or Town Administrator with the successful proposer of a solar facility on the premises at Stoneham Arena, 101 Montvale Ave, Stoneham, for the purposes of a solar array, or do anything in relation thereto.

Select Board

Article 14. To see if the Town will vote to accept the provisions of Mass. Gen. L., Chapter 59, Section SN and pursuant thereto authorize the establishment by the Select Board a program to allow veterans, as defined in clause Forty-third of section 7 of chapter 4 or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability, to volunteer to provide services to the Town in exchange for which the Town shall reduce the real property tax obligations of that veteran on the veteran's tax bills and that said reduction shall be in addition to any exemption or abatement to which that person is otherwise entitled, or do anything in relation thereto.

Veteran's Agent

Article 15. To see if the Town will vote to amend Stoneham Town Code, Chapter 16, Article VIII, Social Host Responsibility, section 16-167 (e) and (f) with deletions shown with strikethrough and the additions shown as **bold** and further to amend the Stoneham Town Code, Chapter 1 General Provisions, Section 1-4A Non-section 1-4A Non-Criminal Disposition to include the fines associated with subsection (e) (1):

Sec. 16-167. Prohibition against consumption of alcoholic beverages or drugs by minors on private property.

(e) *Penalties.* Failure to comply with subsection (c) above shall constitute a violation of this ~~ordinance~~ **bylaw** punishable by a fine and/or prosecution as outlined below:

(1) *Fines.*

- a. A first violation of this ~~ordinance~~ **bylaw** shall be punishable by a warning which shall be issued by the Chief of the Stoneham Police Department
- b. A second violation of this ~~ordinance~~ **bylaw** at the same premises or by the same person, within a twelve (12) month period shall be punishable by a fine of \$150.00
- c. A third or subsequent violation of this ~~ordinance~~ **bylaw** at the same premises or by the same person, within a (12) month period shall be punishable by a fine of \$300.00

(2) *Prosecution.* Any violation hereof may also be prosecuted under the applicable provisions of Gen. L. c. 138 §34.

The fine schedule prescribed in this subsection shall be based upon a “rolling schedule” meaning that in calculating the fine payable to the Town, the Police Chief shall count backward starting from the date of the most recent violation of this ~~ordinance~~ **bylaw** to determine how many previous violations of said ~~ordinance~~ **bylaw** have taken place at the premises or been committed by the same person during the statutory twelve (12) month period. A warning given pursuant to this ~~ordinance~~ **bylaw** shall remain in effect for the premises until a full twelve (12) month period has elapsed during which there has been no response to the premises.

- (f) *Appeal.* Any person upon whom is imposed a fine/penalty pursuant to this ~~ordinance~~ **bylaw** shall have the right to appeal the imposition of such fine/penalty in a non-criminal proceeding by making a written request within 21 days to the Clerk Magistrate for the Woburn District Court or such other the District Court having the Town within its jurisdiction .

or do anything in relation thereto.

Select Board

Article 16. To see if the Town will vote to amend the Fiscal Year 2019 total expenditure limitations for the Senior Center Revolving Find authorized under Stoneham Town Code, Chapter 2, Administration, Article IX, Treasurer and Tax Collector, §2-60B, Revolving Fund Bylaw, set forth in as follows:

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2019 Spending Limit
Council on Aging	COA Director	\$ 85,000

or do anything in relation thereto.

Select Board

Article 17. To see if the Town will vote to set Fiscal Year 2020 total expenditure limitations for the Revolving Funds authorized under Stoneham Town Code, Chapter 2, Administration, Article IX, Treasurer and Tax Collector, §2-60B, Revolving Fund Bylaw, set forth in as follows:

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2020 Spending Limit
Recreation	Recreation Director	\$ 100,000
Farmers' Market	Farmers' Market Committee	\$ 20,000
Council on Aging	COA Director	\$ 85,000
Health Services	Health Director	\$ 25,000
Energy	Director of Planning & Community Development	\$ 100,000

or do anything in relation thereto.

Select Board

Article 18. To see if the Town will vote to transfer \$200,000 from the Water Enterprise Fund Retained Earnings to the account of Current Water Revenue to be used and applied by the Select Board to reduce the water rate, or do anything in relation thereto.

Select Board

Article 19. To see if the Town will vote to transfer \$350,000 from the Sewer Enterprise Fund Retained Earnings to the account of Current Sewer Revenue to be used and applied by the Select Board in the reduction of the sewer rate, or do anything in relation thereto.

Select Board

Article 20. To see if the Town will appropriate a sum of money in anticipation of full (100%) reimbursement by the Commonwealth of Massachusetts of Chapter 90, Acts of 2008, one apportionment for State and Highway purposes under the provisions of M.G.L. Chapter 90 section 34, clause 2(A), work on highways, to be expended under the direction of the Director of Public Works, or meet the appropriation by taxation, by transfer or by borrowing, or any combination of the foregoing, or take any other action relative thereto.

Public Works Department

(necessary with municipal modernization?)

And you are directed to serve this Warrant by posting attested copies in at least (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 the Warrant with your doings thereon to the Town Clerk at the time and place aforesaid.

Given unto our hands this 19th day of March in the year of our Lord two thousand nineteen.

Shelly MacNeill, Chairwoman

Raymie Parker, Vice Chairwoman

George Seibold, Clerk

Caroline Colarusso

Anthony Wilson

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Stoneham qualified to vote in elections and Town Affair of the within meeting by posting attested copies of the said Warrant in at least ten (10) public places in the Town on March 20, 2019, and by publishing a duly attested copy of said Warrant in the Stoneham Independent on March 20, 2019.

A true copy. Attest: _____
David Luciano, Constable of Stoneham

GALVIN & GALVIN, PC

Attorneys and Counselors at Law

A Professional Corporation

10 Enterprise Street, Suite 3
Duxbury MA 02332-3315
(corner of Rtes 3A & 139)

Robert W. Galvin, Esq.
Robert E. Galvin, Esq.
William J. Galvin, Esq. (1898- d.1995)

Tel: (781) 934-5678 / (781) 834-4224
Facsimile: (781) 837-1030

February 26, 2018

VIA EMAIL AND FIRST-CLASS MAIL

George Scibold, Chairman
Town of Stoneham Board of Selectmen
35 Central Street
Stoneham, MA 02135

RE: ENGAGEMENT LETTER

Dear Mr. Scibold and Members of the Board of Selectmen:

On behalf of myself and Attorney Jon Witten, Attorney Barbara Huggins of Huggins and Witten, LLC, and Attorney John Clifford and Attorney Jaime Kenny, I wish to express our gratitude to have the continuing opportunity to be of service to the Town of Stoneham as Town Counsel and Labor Counsel. We continue to look forward to working with you and will do our best to provide the highest quality legal services in a responsive, efficient manner.

We agree that fundamental to a sound relationship is a clear understanding of the terms and conditions upon which we will be providing legal services. Accordingly, the purpose of this letter is to clarify and confirm again these terms and conditions.

1. **Legal Matters.** You have retained this firm to assist you in the majority of your legal work as it relates to the municipal/governmental functioning of the Town of Stoneham which will be general legal matters, attendance at town meeting and meetings of town boards and committees, land use and planning, labor matters and general legal issues. While this letter shall apply specifically to those services, the terms and conditions set forth herein shall also apply to any additional legal services that we may provide that are outside these matters.

2. **Responsibilities.** In reliance upon the information and guidance that you furnish us, we will provide legal counsel and assistance in accordance with this letter, will keep you reasonably informed of our progress and any developments, and will respond to your inquiries in a timely fashion. To enable us to respond effectively, the Town of Stoneham agrees to fully and accurately

Town of Stoneham Engagement Letter
Monday, February 26, 2018

disclose to us all the facts that may be relevant to the matters that we will be working on as counsel, or that we may otherwise request, and keep us informed of all developments relating to such matters. Stoneham will also assist and cooperate with us as appropriate in dealing with such matters.

3. **Staffing.** I will be the attorney primarily responsible for the representation; however, Attorneys Witten and Huggins and Attorneys Clifford and Kenny will take an active role in performing legal services at my direction. It is important to our relationship that you are satisfied with our services and responsiveness at all times. Please contact me if you have any questions or comments about our services, staffing, billing or other aspects of our representation.

4. **Professional Fees.** Our fees are based on the amount of time spent by attorneys and paralegals working on your matters. Each of us and our paralegals has an hourly billing rate based generally on our experience and special expertise. The hourly billing rate is multiplied by the time spent on behalf of the Town of Stoneham measured in tenths of an hour. You authorize us to expend such time as we in our sole discretion deem reasonably necessary on your matters. The hourly billing rates for our services as set forth in our Fee Proposal to the town shall be: \$175.00 per hour for me and fellow counsel and \$125.00 per hour for any paralegal work. From time to time, we may propose an adjustment to our hourly rates; however, this will be subject to your advance approval. Excepting for expenses and costs, the hourly rates for us includes all services performed by our legal secretaries. We have also agreed to a flat fee for calls and services as set forth in our initial proposal.

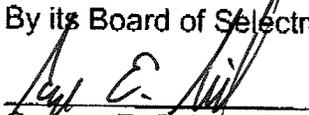
5. **Expenses and Costs.** In addition to our fees, the Town of Stoneham agrees to pay or reimburse us on a monthly basis for disbursements and other charges incurred during the representation.

6. **Billing.** I will send you a monthly itemized statement showing the attorneys' fees and disbursements incurred through the end of the monthly cycle which we would propose to be the 1st of each month. There will be one bill incorporating the fees and disbursements from all attorneys. In addition, if the account remains unpaid, in whole or in part, we may cease working on any Stoneham matter until the account is brought current. In the event we cease working on any matter in accordance with this paragraph, we will notify you promptly in writing.

7. **Termination of Legal Services.** This agreement to provide legal services will not terminate with the end of any particular matter and shall remain in effect during the term of our appointment by the town; however, the Town of Stoneham shall have the right to terminate our services and representation upon written notice to me. Any termination shall not relieve Stoneham of the obligation to pay for services rendered on behalf of the town prior to the date of the termination. We also reserve the right to withdraw from our representation with your consent or for cause. Cause may include the failure to honor the terms of this Engagement Letter and agreement, the failure to cooperate or follow advice in a material matter, irreconcilable differences, or any other circumstances that would in our view impair an effective attorney-client relationship with Stoneham or would render our representation unlawful or unethical. If we elect to do so, the town agrees to take all steps necessary to free us of any obligation to perform further, and will be entitled to be paid for all services rendered and disbursements and other charges made or incurred on your behalf prior to the date of withdrawal. The termination of our legal representation in this matter will fully

We, the Client and Attorney, have read this fee agreement and agree to its terms and have signed it as our free act and deed on this 1st day of March, 2018.

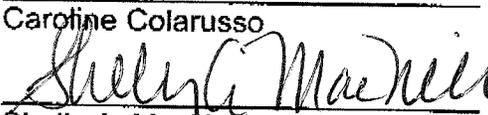
TOWN OF STONEHAM
By its Board of Selectmen



George E. Seibold, Chairman

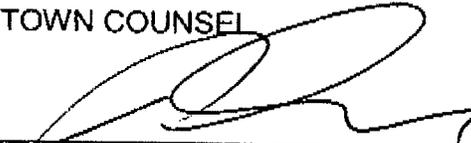


Anthony W. Wilson, Vice-Chairman

Caroline Colarusso


Shelly A. MacNeill

Thomas Boussy

TOWN COUNSEL


Robert W. Galvin, Esq.

The Client acknowledges receipt of a copy of this agreement.

**THIS AGREEMENT IS A LEGALLY BINDING CONTRACT. YOU SO THAT
YOU UNDERSTAND THE AGREEMENT YOU ARE MAKING.**

ANNUAL MUNICIPAL FEE AGREEMENT

The Town of Stoneham, Massachusetts, a municipal corporation, with a usual place of business at 35 Central Street, Stoneham, Massachusetts hereby agrees to retain Robert W. Galvin, Esq. of Galvin & Galvin, PC (a/k/a Galvin & Galvin), the "Attorney/Firm,"¹ in connection with municipal legal services as Town Counsel for and on behalf of the Town of Stoneham, Massachusetts.

1. Time charges for the services will be billed by the firm monthly at the following hourly rate:

- (a) Robert W. Galvin, Esq. \$175.00/hr
Jon Witten, Esq.
Barbara Huggins Carboni, Esq.
John Clifford, Esq.
Jaime Kenney, Esq.

- (b) Paralegal \$125.00/hr

There shall also be a flat monthly charge of \$900.00 for miscellaneous for all routine telephone calls and emails which shall be split equitably between the attorneys.

The provisions of the Firm's Response to the Request for Proposals for Legal Services as Town Counsel is incorporated herein by reference.

2. Monthly billing shall be made for all attorneys' fees and charges on a monthly basis on or about the 1st date of each month. All billing shall be due and payable upon receipt. Failure to pay interim bills promptly will permit the Attorney/Firm, after notice to the Client, to terminate representation of the Client as permitted by applicable rules and law.

3. Time charges include but are not limited to board and commission appearances, waiting time, travel to and from courts, telephone conferences, telephone calls* to and from Client (all telephone calls are billed at a minimum of 1/10ths of an hour), office conferences, legal research, depositions, review of file materials and documents sent and received, drafting of pleadings, correspondence and memoranda, and preparation for board and commission hearings. *There shall be no cost for all routine monthly calls by and between the attorneys and the Town and town officials as per the Legal Proposal to the Town of Stoneham.

¹ Associated with the Firm for the purposes of the provision of Legal Services to Stoneham are the firms of the firm of Huggins & Witten, LLP of Duxbury and Newton, and Clifford & Kenny, LLP of Pembroke (that will focus on Labor and HR Issues)

4. The client agrees to pay for costs incurred and out-of-pocket disbursements made by the Attorney, including, but not limited to, filing fees, witness fees, travel time to Court only, sheriff's and constable's fees, expenses of depositions, investigative expenses, expert witness fees, charges for photocopies and telephone, and other incidental expenses. The Attorney agrees to obtain the Client's approval before incurring any single cost or disbursement in excess of \$7,500.00.

5. File Retention and Destruction: At the conclusion of representation, we will retain your legal files for a period of three (3) years after we close our file. At the expiration of the 3 year period, we will destroy these files unless you notify us in writing that you wish to take possession of them. We reserve the right to charge administrative fees and costs associated with researching, retrieving, copying and delivering such files.

6. Late Payment and Failure to Pay: If you fail to pay our statements in full on or before the due date set forth on the statements (30 days from billing date), we reserve the right to assess you with a monthly service charge equal to 1% of all fees, expenses and disbursements that are past due. This monthly service charge will be billed to you at the end of each month in which a late payment occurs. In no event will the service charge be greater than that permitted by any applicable law. In the event that we are required to file an action or proceeding to collect any late payment or assessed monthly service charge, you will be required to pay for all costs of collection, including without limitation all filing fees, third-party expenses and attorney fees incurred for our efforts in collecting such amounts. If we use our own attorneys or legal assistants to pursue such an action or proceeding, the fees charged shall be calculated on an hourly basis using the applicable hourly rates for the attorneys and legal assistants who perform such work. We will maintain a lien on all files in our possession and their content until we have received payment in full on all amounts due. In litigation matters in which a money judgment or settlement is rendered in your favor, we will maintain a lien on all proceeds thereof to the extent of any unpaid fees, expenses or disbursements.

CLIENT UNDERSTANDS AND ACKNOWLEDGES THAT NO LEGAL REPRESENTATION, APPEARANCE, OR PREPARATION WILL BEGIN IN THIS MATTER UNTIL PAYMENT ON ACCOUNT AS SET FORTH IN PARAGRAPH ONE IS PAID IN FULL.

**Select Board
Hearing Room
Stoneham Town Hall
35 Central Street
Tuesday, February 5, 2019
7:00 p.m.**

Open Session (Hearing Room)

Members Present: Chairwoman Shelly MacNeill, Vice Chairwoman Raymie Parker, Clerk George Seibold, Selectwoman Caroline Colarusso, with Selectman Wilson participating remotely.

Also Present: State Senator Jason Lewis, State Representative Michael Day, Interim Town Administrator Debora Pettengill

Call to Order: Chairwoman MacNeill called the meeting to order at 7:00 p.m. (To view this meeting in its entirety go to Stoneham TV on Demand available from the Town's homepage at www.stoneham-ma.gov)

Agenda Item 1: Pledge of Allegiance

Agenda Item 2: Public Comment Jessica Eaton of 66/68 Maple Street appeared with Greg Eaton. Ms. Eaton stated that she was looking for mitigation for sewer work that was completed on her property by the Town six months ago. She stated that her driveway, yard, fence, and garage all sustained damage and either were not repaired properly or not repaired at all. She stated that she tried to contact DPW and has received no response. MacNeill stated that Pettengill would contact Ms. Eaton and determine the next steps that need to be taken to resolve this matter.

Agenda Item 3: Update from State Senator Jason Lewis Senator Lewis thanked the Board for its invitation and gave a brief overview of the State budget process and school funding reform. He stated that the proposed Chapter 70 funding was increasing 4.4 million dollars and this is based on the change in the Chapter 70 formula. The Governor has also proposed a 2.7% increase in unrestricted local aid. Senator Lewis stated that Chapter 70 reform has been a long time coming and it is getting an update to reflect the needs of the students. He stated that Stoneham should expect 75% funding of Circuit Breaker, which is considered full funding.

Agenda Item 4: Update from State Representative Michael Day Representative Day thanked Pettengill and Wilson for their service. He stated that Stoneham High School was accepted into the eligibility process as one of twelve schools. Representative Day stated that he was successful in getting three Home Rule Petitions through the legislature this year: Name change for Select Board, restaurant seating requirements for serving alcohol, and retired police officer age

requirement for details. He stated that the MBTA concluded phase one of the Better Bus Program and Stoneham continues to look to extend service which will be part of phase 2.

MacNeill thanked Lewis and Day for coming to give an update and with the help that they gave on the Home Rule Petitions. Seibold congratulated both Lewis and Day and thanked them for their work. Colarusso asked Day why he had not supported certain transparency amendment. Day stated that the amendments before the legislature did not increase transparency, but placed a hold on certain bills and created undue delay. Colarusso asked both Lewis and Day not to support the pending abortion bill. MacNeill stated that abortion is not a local issue and that Colarusso could speak with each privately. Colarusso appealed to both Lewis and Day to not co-sponsor Healthy Youth legislation.

Parker thanked Lewis and Day for attending the meeting and for working on the Chapter 70 funding issue. She also stated that the Board voted unanimously to support the school building project and she appreciated their help as the MSBA.

Colarusso moved to hear agenda items 10 and 11 next. Seibold seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Agenda Item 10: Approve Out of State Travel – MUNIS Training MacNeill stated that Paulette Gerry and David Castellarin will be attending MUNIS training in Dallas, Texas and need approval for out-of-state travel. Gerry stated that the registration fee has been paid as part of purchasing the software and that they will be trained in all aspects of the new software package. MacNeill asked if funds were available to which Gerry responded that funding is available, but nothing has been booked so there is no total price available. Seibold moved to approve the out-of-state travel for Gerry and Castellarin. Parker seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Agenda Item 11: Stoneham Sewer Bond – MWRA Gerry stated that Town Meeting agreed to borrow the funds for the rehabilitation of the sewer system in Article 9 of the Warrant for the October Special Town Meeting. As part of that project, the MWRA is giving the Town an interest free loan for \$245,000. Parker moved for the Board to sign the documents securing the \$245,000 loan. Seibold seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Parker moved to return to the Item 5 on the regular agenda. Seibold seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Agenda Item 5: Appoint High School Building Committee MacNeill read the list of appointments to the High School Building Committee as follows: Dennis Sheehan, Raymie Parker, Nicole Nial, John Macero, ex officio/non-voting, Kevin Yianacopolus, Donna Cargill, ex officio/non-voting, David Pignone, Lauren Celli, Albert Talarico, David Bois, Douglas Gove, Stephen O’Neill, Josephine Thomson, Marie Christie, Jeanne Craigie, Brian Gill, Lisa Gallagher, and Sharon Iovanni. Seibold stated that he would like the facilities director to be a voting member. Parker suggested that the Board make Macero a voting member. MacNeill stated that Macero will never be a resident and the facilities director may be a resident. Parker moved to appoint the Building Committee as listed with the building/facilities member as a voting member to revisit the issue if the person in the position becomes a non-resident. Seibold seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Kilbride stated that she would look into whether Susan Lippman would be staying on the Committee.

Agenda Item 6: Accept Donation from Lafuente Sign and Awning Andrew Lafuente appeared before the Board to discuss his companies donation of a 30 foot flag pole and his new location at 41 Elm Street. Parker moved to accept the donation. Colarusso seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Agenda Item 7: AT&T Small Cell Facilities Edward Pare provided background information regarding small cell facilities in Stoneham. He stated that towers used to be built regularly, but demand has increased and small installations are required to provide consistent service coverage. Pare showed images of light pole installations and stated that he is looking at two locations in Stoneham. He stated that generally the entire light street light/light fixture would be replaced so that it is still functional as a street light, but has a cell antenna on the top of the fixture.

Pare continued that the light fixtures are Town property and AT&T would need to enter into an agreement with the Town that would include the fixture, compensation, and a grant of location on a right of way. Pare stated that if the Town is interested they can come back in with a formal presentation and application. He stated that it is typical to give abutter notice and have a public hearing before entering an agreement.

Wilson stated that there will be more of these requests as 5G rolls out and the Town does not have much in the way of regulation. He stated that the Town needs to make sure the process is correct and that the towers blend with the environment without visual disruption. Wilson stated that there is a tower on Main Street near CVS.

MacNeill stated that the MMA had a conference on 5G cells and she would like the process to start when the new TA begins. Seibold stated that he is concerned that other subscribers would want to jump on the pole and questioned how that would be handled. Pare said that this is an economic driver for AT&T and there will be competition. Colarusso requested a report on the customer base in Stoneham.

Agenda Item 8: Public Comment Policy MacNeill stated that she will track down the MMA packet regarding public comment for best practices and will add this to a future agenda.

Agenda Item 9: Warrant Submission Policy MacNeill stated that the policy should not contain dates, but give four weeks to submit articles before the closing of the warrant. The Board will review this policy again.

Agenda Item 12: Approve Minutes MacNeill stated that executive session minutes will be reviewed at the next executive session and that she will work with Kilbride to set quarterly releases.

11/13/18: Parker stated that Colarusso was not present at the Tri-Board meeting. Parker moved to approve the minutes with the correction. Seibold seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson

Abstaining:

Selectwoman Colarusso

Motion carries (4-0-1).

12/12/18: Seibold moved to approve the minutes. Colarusso seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Abstaining:

Vice Chairwoman Parker

Motion carries (4-0-1).

1/8/19: Parker stated that a “t” needs to be added to select and moved to approve the minutes with the spelling correction. Seibold seconded the motion.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson

Abstaining:

Selectwoman Colarusso

Motion carries (4-0-1).

1/22/19: Parker moved to approve the minutes. Seibold seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Agenda Item 13: Whistle Blower Protection MacNeill stated that she spoke to Donna Gaffey, Human Resources Director, and she has several version of a whistle blower policy that the Town put together in the past. She stated that Hingham has a law suit pending based on its policy so anything the Town does must be carefully reviewed so that there is no conflict with state or federal law. With respect to what was submitted by Colarusso, the second paragraph should say Select Board and the third paragraph requires Board review and should be reviewed.

Colarusso stated that this type of protection is a trend and the intent is to act as a deterrent. She stated that if the Board is amenable she will work with Gaffey and Town Counsel to make sure language is appropriate and meets the legal requirements. Seibold stated that there are two sides of the policy and does not want bosses to be scapegoated. Parker stated that she has no problem updating the current harassment policy, but that state and federal law already covers Colarusso's concerns.

MacNeill stated that counsel needs to determine whether we need to modify an existing policy or create a stand-alone policy. Colarusso stated that this is on the agenda as a stand-alone policy and that harassment is a different issue. Wilson stated that he supports the policy, but that the Board should not be involved with enforcement and state law should be cited appropriately.

Agenda Item 14: Human Rights Commission MacNeill stated that this is a second reading of the creation of the Human Rights Commission. Colarusso stated that she is concerned that the Commission will be reporting complaints to the authorities and that it will create liability for the Town. Wilson stated that reporting complaints is the correct behavior, but that it seems inappropriate to hold hearings.

MacNeill stated that the Commission acts as a referral or reporting agency and not an investigating agency. She stated that the Commission is meant to provide support and information. Colarusso stated that the problem is that a report could create a public document

with names of the accused without proof or investigation. The members may not be qualified and it creates liability. Wilson stated that the Board can change the word report to refer which provides a path without a written report. MacNeill stated that she will bring this matter to counsel and report back.

Parker stated that she is having a difficult time digesting Colarusso's resistance to the formation of the Commission. She stated that the members would be there to give resources, education materials, and referrals and that there is room for humanity. Parker stated that she is asking Colarusso flat out if she will support the creation of the Commission with the paragraph creating a reporting mechanism is removed. Colarusso stated that raising awareness is great, but any reporting or referring creates a liability. Colarusso requested a five minute recess. Parker seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Ellen McBride applauded the Board for trying to bring the Commission to the Town and to not create it for fear of liability is upsetting.

Agenda Item 15: BYOB MacNeill stated that she is waiting to hear from counsel on this matter.

Agenda Item 16: Town Administrator's Report Pettengill stated that this is her last meeting as Interim Town Administrator and she thanked the Board for the opportunity and department heads for their assistance. She stated that there is a meeting on 2/7 regarding the MWRA project and detours; that the Town will be moving forward with a parking study in the down-town area as part of the Community Compact; that the Town received \$15,000 for age friendly/dementia friendly initiatives; that the Town is in the process of hiring two police officers; and that the Fire Department took part in two days of ice training.

MacNeill stated that she is grateful for Pettengill's work and willingness to step into the Interim Town Administrator's position.

Agenda Item 17: Miscellaneous MacNeill stated that Megan Samborski and Kayla Vodka are in DC for CAD training and for national recognition; on 2/28 from 1-2 p.m. the Coalition is hosting a free skate at the arena; the next community clean-up is 4/13 at 9:00 a.m.

Seibold and Parker thanked Pettengill for her work.

Parker moved to adjourn. Colarusso seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-1).

Respectfully submitted,

Dava Kilbride – Secretary to the Board of Selectmen

**Select Board
Hearing Room
Stoneham Town Hall
35 Central Street
Tuesday, February 19, 2019
6:00 p.m.**

Open Session (Hearing Room)

Members Present: Chairwoman Shelly MacNeill, Vice Chairwoman Raymie Parker, Clerk George Seibold, Selectwoman Caroline Colarusso, Selectman Anthony Wilson

Also Present: Town Administrator Dennis Sheehan

Call to Order: Chairwoman MacNeill called the meeting to order at 6:00 p.m. (To view this meeting in its entirety go to Stoneham TV on Demand available from the Town's homepage at www.stoneham-ma.gov)

Agenda Item 1: Pledge of Allegiance

Agenda Items 2 and 3: Wilson moved to enter into executive session to return to the Select Board for the purpose of reviewing, approving, and releasing executive session minutes. Seibold seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Agenda Item 4: Public Comment Ellen McBride thanked the Town and DPW for the excellent job done plowing and cleaning up after the last storm.

Agenda Item 5: Health and Wellness Expo 5K Road Race Megan Day appeared for the Chamber of Commerce and announced that the Health Expo will be held in Town Hall on 4/6 this year and the Chamber is sponsoring a 5K road race. She stated that the race would begin at 9:30 a.m. and would require street closings from 8:00 a.m.-10:30 a.m. Wilson moved to approve the requested street closings. Seibold seconded the motion. Voted unanimously.

MacNeill welcomed Sheehan to the meeting and to his position as Town Administrator.

Agenda Item 6: FY20 Budget Discussion MacNeill thanked David Castellarin, Al Rego, and Sheehan for the work they have done on the FY20 Budget and the budget book. She stated that she appreciated the narrative and found it helpful. MacNeill also thanked the Finance and Advisory Board and the School Committee for the excellent partnership that has been enjoyed this year.

Sheehan stated that he is very confident in the budget that is before the Board. He continued that it is the result of a process that began in October 2018, is structurally balanced and creates transparency. Sheehan stated that he is grateful for the work that has been done on the budget and for the good communication.

Castellarin described the highlights of the budget. He stated that it creates new positions while appropriately moving other positions into the general fund. He stated that there is a 1.375 million dollar increase in the school operating budget and an increase in the reserve fund of \$80,000.

Seibold stated that Castellarin and Rego did a great job on the book. He stated that regarding the Town's policy on reserves, he feels it is not even close to what it should be. Castellarin stated that we are beginning to build reserves and he wants to continue making sure that free cash is not used once it is certified so that it can be used to fund reserves.

Colarusso stated that there are four Board meetings before Town meeting and she would like to see as a rolling agenda item. Seibold requested a breakout for the unclassified funds. Colarusso asked about hiring 4 new individuals in facilities as opposed to outsourcing some of the work. Castellarin stated that prevailing wage requirements make the cost burdensome. Parker thanked Castellarin and Rego for stepping up and stated that the level of communication has been great.

Agenda Item 7: Review and Approve Minutes Seibold moved to accept the minutes of 12/4/18. Wilson seconded the motion. The vote was (4-0-1) with Colarusso abstaining.

Agenda Item 8: STAC/MBTA Update Parker stated that STAC has been working on increasing transportation availability in Town and has been working hard on increasing the 132 bus route. Sharon Iovanni stated that in 2015 STAC was formed as part of the CDC and has a focus on transportation. She stated that in December, STAC met with the members of the Better Bus Project who recommended that STAC continue to keep Stoneham in the forefront of the Project so that new services and opportunities would come to Stoneham. She stated that STAC's goal is to send four letters to the Better Bus Project and that they would like the Board to sign onto the letters.

Sheehan stated that he will be signing the letter and that the Project is entering phase 2 so time is of the essence. MacNeill suggested that STAC reduce the letter to one page and place it on the website for public participation. Colarusso stated that she would like to hear from Erin Wortman to solidify the goals mentioned in the letter. She stated that the goals are dated and

costly. Parker asked Colarusso to come to the STAC meetings and stated that the goals are based on residential requests from an MAPC survey that was completed.

MacNeill stated that the letters were in the Board's packet and in the future Colarusso should seek out department head opinions in advance of the meeting. Wilson stated that the MAPC study was performed in 2014, and that Parker and Rachel Meredith Warren have been before the Board on numerous occasions. He stated that the plan is before the Board, at least yearly and that STAC has numerous and recurring outreach events. Seibold moved to sign the letter presented by STAC. Wilson seconded the motion. Voted (4-1) with Colarusso voting in the negative. Iovanni confirmed that the signature of the Chairwoman would suffice. Iovanni will be preparing the letter for signature.

Agenda Item 9: School Building Committee Appointment Wilson moved to appoint Susan Lippman to the School Building Committee. Seibold seconded the motion. Voted unanimously.

Wilson moved to enter into Liquor Licensing Authority to return to the Select Board. Seibold seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Agenda Item 10: Bear Hill Golf Club, Inc. – Change of Officers Parker moved to approve Bear Hill Golf Club's request for Change of Officers. Wilson seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (4-0). With Seibold recusing himself and MacNeill disclosing membership.

Wilson moved to return to the Select Board. Seibold seconded the motion. A roll call vote was taken.

Voting in Favor:

Chairwoman MacNeill
Vice Chairwoman Parker
Clerk Seibold
Selectman Wilson
Selectwoman Colarusso

Motion carries (5-0).

Agenda Item 11: Response to Public Comment Sheehan stated that in response to the owner of 66/68 Maple Street concerns about property damage, he visited the property with Bob Grover and is meeting with the resident next week to discuss the matter in full.

Agenda Item 12: Town Administrator's Report Sheehan stated that his first five days on the job have gone well. He stated that he had a department head meeting and will be meeting with all department heads individually. He also stated that Pat the Patriot would be on the common on 2/23.

Agenda Item 13: Miscellaneous Seibold announced Dodging for Dollars on 4/20. Parker announced Stoneham Against Violence unplugged event on 3/5. MacNeill announced the Senior Sock Hop on 3/21 and Black History Month.

Parker moved to adjourn. Colarusso seconded the motion. Voted unanimously.

Respectfully submitted,

Dava Kilbride – Secretary to the Board of Selectmen

Stoneham Human Rights Commission

Creation of a Stoneham Human Rights Commission (HRC) is intended to affirm that the Town supports a core value of freedom from bigotry and hatred, discrimination and disrespect. The Town of Stoneham intends to uphold and defend the rights of all persons to enjoy free and equal exercise of their rights and privileges as secured by the Constitution and Laws of the Commonwealth of Massachusetts and of the United States.

The HRC shall consist of 9 members who shall be residents of the Town for staggered 3 year terms such that at least 3 members shall be appointed annually. The Town Administrator shall be an ex-officio member of the HRC. All members, other than the Town Administrator, shall be appointed by the Stoneham Select Board and shall include a member recommended by the Commission on Disability; an employee of the Town of Stoneham recommended by the Town Administrator; a high school student recommended by the Stoneham Superintendent; a senior (age 65 or older) recommended by the Director of the Senior Center; and at least one member must be a member of the LGBTQ community.

The HRC, as an advisory board to the Board of Selectmen and Town Administrator, shall work to ensure that all residents enjoy equal opportunity to participate regardless of their race, color, ancestry, national origin, sex, sexual orientation, gender identity, age, religion, marital, family or military status, socio-economic status, or disability. The HRC shall also support human rights codified in the Constitution and laws of the United States and of Massachusetts of other groups and organizations against discrimination in housing, employment, education, public accommodations, town services, insurance, banking, credit and health care.

The HRC shall work to identify and advocate for the protection and preservation the civil and human rights of all people in the town of Stoneham set forth in existing local, state, and federal laws on behalf of the Town of Stoneham. The HRC shall advocate against unlawful discrimination and provide information and education about human rights issues. The HRC works with diverse individuals and community groups to support and promote tolerance, mutual respect and human rights.

The HRC shall report complaints of unlawful treatment, harassment or discrimination involving the town of Stoneham to the Town Administrator, and complaints concerning other state and federal officials, agencies or committees to the Town Administrator and with the approval of the Town Administrator to appropriate authorities, provide information to the public about civil rights, promote public awareness of human rights issues through educational resources, work with municipal departments and Town Counsel to ensure compliance of local, state and federal laws and regulations, work to raise the level of awareness and sensitivity to human rights issues in municipal business with the public.

The Stoneham Human Rights Commission shall annually submit a written report to the Town Administrator and Stoneham Select Board which shall include any findings or recommendations for future action.