

**Select Board
Hearing Room
Stoneham Town Hall
35 Central Street
Tuesday, March 10, 2020
7:00 P.M.**

ITEM	TIME	DESCRIPTION	DISPOSITION
Open Session (Hearing Room)			
1	7:00 p.m.	Pledge of Allegiance	
2		Census 2020 Announcements	
Citizens' Comments			
3		Citizens' Comment	
Regular Business			
4		Eversource Transmission Line – Project Update	
5		Approve Minutes: 2/25/20 (vote required)	
6		Appointment to Council on Aging – Kathleen Carey (vote required)	
7		Waiver of Town Common Regulations: Stoneham Craft Fair; CDC Taste of Stoneham (vote required)	
8		Bring Your Own Bottle Regulations – Kayla Vodka	
9		2020 Town Meeting – Accept Warrant Articles/Discussion (vote required)	

Town Administrator

10

Town Administrator's Report – Dennis Sheehan

Miscellaneous

11

Non-Deliberative Announcements and Scheduling

**Minutes - Open Session
Select Board
Hearing Room
Stoneham Middle School
101 Central Street
Tuesday, February 25, 2020
6:00 p.m.**

Open Session (Hearing Room)

Members Present: Vice Chair Raymie Parker, Clerk George Seibold, Heidi Bilbo

Also Present: Town Administrator Dennis Sheehan

Call to Order: Vice Chair Parker 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 Item 2: Census 2020 Announcement Parker gave a brief informational presentation on the 2020 Federal Census.

Agenda Item 3: Citizens' Comment No comments were made.

Agenda Item 4: Approve Minutes Bilbo moved to approve the minutes of 1/21/20. Seibold seconded the motion. Voted unanimously.

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

Voting in favor:

Raymie Parker
George Seibold
Heidi Bilbo

Motion passes (3-0)

Agenda Item 5: Special One Day License – St. Patrick Parish Seibold moved to approve the one day license for St. Patrick Parish on 3/7/20. Bilbo seconded the motion. A roll call vote was taken.

Voting in favor:

Raymie Parker
George Seibold

Heidi Bilbo

Motion passes (3-0)

Agenda Item 6: Change of Director – Bear Hill Golf Club Seibold disclosed that he is a member of the Bear Hill Golf Club. Bilbo moved to approve the license amendment for Bear Hill Golf Club. Seibold seconded the motion. A roll call vote was taken.

Voting in favor:

Raymie Parker
George Seibold
Heidi Bilbo

Motion passes (3-0)

Agenda Item 7: Change of Directors – G7/Namaste Bilbo read the notice of public hearing noting that the matter had been continued from the cancelled 3/18 meeting. Charles Houghton appeared for the applicant and described the requested license changes. Seibold moved to approve the change of officers and directors, change of ownership interest, transfer of stock, and change of manager for Namaste. Bilbo seconded the motion.

Voting in favor:

Raymie Parker
George Seibold
Heidi Bilbo

Motion passes (3-0)

Bilbo moved to exit the Liquor Licensing Authority and return to the Select Board. This motion was seconded by Seibold. A roll call vote was taken.

Voting in favor:

Raymie Parker
George Seibold
Heidi Bilbo

Motion passes (3-0)

Agenda Item 10: Change Dates of March Meetings Parker stated that the dates chosen for the Board's March meetings did not take into account the Presidential Primary and offered 3/10 and 3/24 as alternative meeting dates. Seibold moved to change the dates of the March meetings to 3/10 and 3/24. Bilbo seconded the motion. Voted unanimously.

Agenda Item 11: Town Administrator's Report Sheehan stated that he met with the representatives from Eversource and the Montvale to Elm project is set to begin in early April.. He stated that there may be some prep work completed at the end of March if the weather holds. He stated that many public outreach opportunities have been planned including Stoneham 101,

door hangs, and larger meetings. He encouraged residents to attend Stoneham 101 on 4/4. Parker stated that Eversource promised heavy public engagement and outreach and she feels that the project is getting too close to accomplish adequate outreach. Parker stated that she would like all of the Eversource information kept up to date on the website. Bilbo stated that if the Town's website launches to the Eversource site, she does not want residents to have to navigate to the appropriate project.

Agenda Item 12: Miscellaneous Seibold briefly discussed a quarterly magazine that is published for north shore communities and stated he would like Stoneham to be involved. Seibold stated that he would like the Board, Sheehan, and the departments to make more of an effort to utilize the space that has been given to the Board in the Independent. Bilbo stated that it could become a standing agenda item. Sheehan stated that every week department heads have content in the paper, but that he will continue with his efforts for the Board. Parker announced that that the Council on Aging, the Friends of the Senior Center, and Board members are hosting a Beatlemania event on 4/1 for seniors.

Seibold moved to adjourn the meeting, noting that the Board would be returning for a 7:00 p.m. Tri-Board meeting. Bilbo seconded the motion. Voted unanimously.

Respectfully submitted,

Dava Kilbride – Office Manager

CANDIDATE FOR COMMITTEE/BOARD

Name: KATHLEEN M. CAREY (Email) KATHY191@COMCAST.NET
Address: 68 MAIN ST. #16C STONEHAM, MA 017-759-9480 (Cell#)

(Work) _____ (Tel.) _____

(Home) _____ (Tel.) _____

How did/do you hear about the position? MAUREEN CANOVA

Have you given your time previously as a volunteer? Y N

If Y, in what capacity/ies? VETERANS - A LEGION - DAV - VFW

Why do you want to become a committee/board member? What would you like to get out of this experience?

NOW THAT I AM A SENIOR I WOULD LIKE SOME INPUT ON PROGRAMS.

What interests, activities or hobbies do you enjoy? ZUMBA -

Previous/current Occupation/s, Position: ADMIN ASST - CITY OF SOMERVILLE
VETERANS - 24 YEARS

Education/Training, Hobbies or Other Skills: _____

Other organizations to which s/he belongs: A LEGION - VFW - DAV.

How long do you think you'd like to be involved with the board? _____

Are you prepared to attend a training/information session/board meeting? YES

Are you willing to undergo a CORI background check? Y N

What are his/her current interests (in the board/committee)? _____

Comments: _____

Sponsor: _____ Date : _____ CORI: _____

TOWN OF STONEHAM

APPLICATION FOR USE OF TOWN COMMON



Name of Group/Organization: Stoneham CDC
 Address: 15 East St. Stoneham Tel.: 603-521-4195
 List dates requested: ~~5/20/20~~ 6/13/2020 Hours requested: from 9 am to 3 pm
 Please describe the event and activity: Taste of Stoneham 2020
 Estimated total number of persons who will attend (see #4 below): 1000

Please Read Carefully the following RULES and IMPORTANT INFORMATION:

1. No alcoholic beverages shall be consumed on the Town Common or adjacent grounds.
2. Reservation of the Common is granted with the understanding that the Applicant shall be held liable for any property damage and shall be required to reimburse the Town of Stoneham for such damage. All trash resulting from the event shall be removed by Applicant from the Town Common area immediately following the event and properly disposed of. Failure to do so will result in a charge for removal and disposal by the Town.
3. Use of adjacent parking or other municipal parking for non-parking use must be authorized by the Town Administrator.
4. If estimated attendance exceeds 200 persons, a copy of this application must be submitted to the Stoneham Fire and Police Chiefs for their review. Applicant is responsible for the implementation of all recommendations from these departments reviews.
5. No fee may be charged by the Applicant for admission to the event.
6. Completion of this application does not constitute an agreement to use other Town facilities. A separate application must be made for use of those facilities.
7. No activity may occur between the hours of 10:00 pm to 6:00 am, unless otherwise authorized in writing by the Town Administrator.

As a condition of approval of this application and the use of the Town Common, the Applicant acknowledges and agree that:

- The Applicant (a) has read and understands the rules set forth above, (b) shall inform those using the Town Common pursuant to the grant of this application of these rule, and (c) that the organization and those using the Town Common pursuant to the grant of this application shall abide by these rules;
- The Applicant shall abide by the Town's Regulations for the Use of Town Common, and any additional requirements imposed by the Town Administrator or his designee(s) as a condition for the grant of this application;
- Approval of this application by the Town is granted with the acknowledgement and agreement that the Town of Stoneham, its officials, employees and agents shall not be held responsible for injuries or damages sustained or property lost or stolen on the Town Common or adjacent grounds during the course of the subject event or otherwise arising from the grant of this application and that the Applicant shall indemnify, defend and hold harmless the Town of Stoneham, its officials, employees and agents from any liability, damages or expenses resulting therefrom; and,
- Applications shall be processed in order of receipt. The Town reserves the right to deny an application.

SIGNATURE * : Jessica Chasse DATE: 1/22/2020
 PLEASE PRINT FULL NAME Jessica Chasse
 ADDRESS: 7 South Hillside St. Stoneham TELEPHONE NUMBER: 603-521-4195
 * The person signing this application on behalf of a group or organization must have authority to sign on behalf of said group or organization, and by signing this application is certifying that he/she has such authority.

TO BE COMPLETED BY TOWN ADMINISTRATOR	
APPLICATION APPROVED: _____	APPLICATION DENIED: _____
TOWN ADMINISTRATOR _____	DATE: <u>1/28/20</u>

- Waiver
 - BOH inspect
 - DPW
 - Police
 - etc

TOWN OF STONEHAM



APPLICATION FOR USE OF TOWN COMMON

Name of Group/Organization Stoneham Craft Fair (Kaylee Cataldo-Perry)

Address: 66 Hancock St. Stoneham, MA Tel: 781-835-6281

List dates requested: June 26th & 27th, July 26th Hours requested: from 10am to 3pm

Please describe the event and activity: August 22nd & 29th

Craft fair on Common featuring local artists. Maybe like to have food vendors

Estimated total number of persons who will attend (see #4 below): 15 craft vendors, 2 food vendors

Please Read Carefully the following RULES and IMPORTANT INFORMATION

- 1. No alcoholic beverages shall be consumed on the Town Common or adjacent grounds.
2. Reservation of the Common is granted with the understanding that the Applicant shall be held liable for any property damage and shall be required to reimburse the Town of Stoneham for such damage.
3. Use of adjacent parking or other municipal parking for non-parking use must be authorized by the Town Administrator.
4. If estimated attendance exceeds 200 persons, a copy of this application must be submitted to the Stoneham Fire and Police Chiefs for their review.
5. No fee may be charged by the Applicant for admission to the event.
6. Completion of this application does not constitute an agreement to use other Town facilities.
7. No activity may occur between the hours of 10:00 P.M. to 6:00 A.M., unless otherwise authorized, in writing, by the Town Administrator.

As a condition of approval of this application and the use of the Town Common, the Applicant acknowledges and agree that:

- The Applicant (a) has read and understands the rules set forth above, (b) shall inform those using the Town Common pursuant to the grant of this application of these rules, and (c) that the organization and those using the Town Common pursuant to the grant of this application shall abide by these rules;
The applicant shall abide by the Town's Regulations for the Use of Town Common, and any additional requirements imposed by the Town Administrator or his designee(s) as a condition for the grant of this application;
Approval of this application by the Town is granted with the acknowledgement and agreement that the Town of Stoneham, its officials, employees and agents shall not be held responsible for injuries or damages sustained or property lost or stolen on the Town Common or adjacent grounds during the course of the subject event or otherwise arising from the grant of this application and that the Applicant shall indemnify, defend and hold harmless the Town of Stoneham, its officials, employees and agents from any liability, damages or expenses resulting therefrom; and,
Applications shall be processed in order of receipt. The Town reserves the right to deny an application.

SIGNATURE*: Kaylee Cataldo-Perry DATE: 02-04-2020

PLEASE PRINT FULL NAME Kaylee Cataldo-Perry

ADDRESS: 66 Hancock St, Stoneham TELEPHONE NUMBER: 781-835-6281

*The person signing this application on behalf of a group or organization must have authority to sign on behalf of said group or organization, and by signing this application is certifying that he/she has such authority.

TO BE COMPLETED BY TOWN ADMINISTRATOR
APPLICATION APPROVED: [Signature] APPLICATION DENIED:
DATE: 2/14/2020
TOWN ADMINISTRATOR

*A discount of ten percent (10%) or two hundred dollars, (\$200), whichever is greater, is available annually for package store licensees who meet the server or employee training provisions of Sec. 16-117(b).

Sec. 16-133. Effective date of rules and regulations.

These rules and regulations are effective upon adoption by the Select Board.

Sec. 16-134-149. Reserved.

Article V. Town Common Regulations.

Sec. 16-150. Town Common Regulations.

The following Regulations are promulgated by the Town Administrator and the Select Board for the Town Common, pursuant to M.G.L. c. 45, §5. (Wherever authorization or approval of the Town Administrator is required by these regulations, such authorization/approval may be made by a designee of the Town Administrator. All authorizations/approvals shall be in writing, unless otherwise provided.)

Sec. 16-151. Regulations Applicable To All Persons Including Groups.

- (a) *Alcoholic Beverages – Prohibited.* No alcoholic beverage shall be consumed.
- (b) *Amusement Rides (Mechanical) - Prohibited.* No mechanical amusement rides are allowed.
- (c) *Animals – Restrictions.* No animals other than dogs, cats and other household pets shall be allowed, without the approval of the Town Administrator.
- (d) *Audio Devices – Restricted.* No person shall create or allow the emission of any amplified sound, except from a radio, recorder or other device possessed and used by an individual for his/her own enjoyment and operated in such a manner so as not to interfere with the use and enjoyment of the Town Common by an other person, unless authorized by the Town Administrator.
- (e) *Camping – Prohibited.* No overnight camping or sleeping is allowed.
- (f) *Damaging Town Common – Prohibited.* No person shall remove, break, deface or defile the Town Common or any part thereof.

(g) *Electrical or Electronic Device(s) Requiring Outdoor Auxiliary Equipment.* No person shall use any electrical or electronic device or equipment requiring outdoor auxiliary power without the approval of the Town Administrator.

(h) *Fireworks – Prohibited.* No person shall use or discharge fireworks.

(i) *Litter, Trash, etc.* All litter, cans, refuse, bottles and trash shall be removed by the user(s), unless placed in a trash receptacle provided or authorized by the Town.

(j) *Motor Vehicles – Restricted.* No motor vehicle shall be allowed on the Town Common, except Town vehicles and those vehicles authorized by the Town Administrator.

(k) *Open Fires – Prohibited.* No open fires or flames, including cooking on an open grill, is allowed.

(l) *Solicitation and Sale of Goods or Services – Restricted.* No solicitation or sale of goods or services is allowed, except for an event by or for a non-profit group with written permission of the Town Administrator.

(m) *Sporting Events.* There shall be no organized sporting events.

(n) *Structures and Buildings – Restricted.* No person shall station or erect any building, tent, canopy, stand, bandstand, stage, tower, scaffold, sound stage, platform, rostrum or other structure on the Town Common without the approval of the Town Administrator.

(o) *Trees, Shrubs, and Flower: Planting and removal, etc. – Restricted.* No person, other than a Town employee or contractor, shall plant, remove, cut, deface or otherwise damage any tree, shrub or flower, unless authorized by the Town Administrator.

Sec. 16-152. Regulations Applicable to Group Use.

(a) *Application/Approval For Group Use.*

(1) No organized group may use the Town Common without submitting a written application on a form provided by the Town to the Town Administrator or his/her designee and receiving approval by the Town Administrator.

(2) Applications may not be submitted by a minor.

(3) Applications may be made up to one (1) year in advance.

(4) Applications shall be processed in order of receipt and shall be allocated in order of receipt of fully executed applications. Annually occurring events, such as Town Day, shall at all times be deemed to be fully executed applications for each year following the prior year's event.

(5) The Town Administrator may establish an application fee and/or user fee schedule for group events.

(6) Applications for activities or events which require insurance, approval or permits from other governmental entities, or compliance with other terms or conditions, will be reviewed and, if the application otherwise conforms to all other requirements, a conditional approval will be issued. If, within the time prescribed by the Town Administrator, any required fee or security deposit is not paid, or an insurance certificate evidencing the requisite insurance is not filed with the Town Administrator, or the approval or permit of other governmental entities has not been received, or the other terms and conditions have not been met, the conditional approval will automatically expire, the application for permit will be deemed denied and no written notice of denial will be required. For events or activities which involve the use of special facilities or activities, all terms and conditions for issuance of the permit, including securing insurance and payment of all fees and security deposit, must be completed at least thirty (30) days prior to the event unless otherwise a different time period is prescribed by the Town Administrator.

(7) No permit shall be issued unless all applicable fees and security deposit, if any, are paid within the times prescribed by the Town Administrator. Failure to pay fees or security deposit within that time shall cause the application to be deemed denied, without further notice to the applicant.

(8) The applicable provisions and procedures for denial of an application and notice thereof are set out in Section 16-154 of these Regulations.

(9) Any amendment or revision of an application or approval shall, for purposes of determining the priority of the application for permit, relate back to the original filing thereof; but the time in which the Town shall grant or deny the application for permit and serve notice of such granting or denial shall be computed from the date of the proposed amendment or revision.

(10) Applications and approvals shall be limited to no more than for one (1) day.

(11) If estimated attendance exceeds two hundred (200) persons, a copy of this application must be submitted to the Stoneham Police and Fire Chiefs for their review. The Police and Fire Chiefs have the right, in their reasonable discretion, to require detail officer(s). The applicant is responsible for the implementation of all recommendations from these departments' reviews.

(b) *Indemnification.* The Town Administrator may institute an indemnification requirement for group events, in which the applicant shall execute a written agreement with the Town, on a form prescribed by the Town Administrator, by which the applicant (group) shall covenant to hold harmless and indemnify the Town of Stoneham, its officials, employees and agents against all costs, damages, losses, claims, and expenses, including reasonable attorney fees, incurred, directly or indirectly, as a result of such applicant's use of the Town Common. Such costs, damages, losses, claims, and expenses shall include, without limitation, any damage to the Town Common or adjacent Town property, the cost of employee overtime, the cost of police and fire protection, and any claim asserted by a third

party against the Town of Stoneham, its officials, employees or agents on account of any alleged injury arising from the use of the Town Common, This agreement shall also constitute a release by the applicant and each and all of its members of any claim against the Town of Stoneham, its officials, employees or agents for any injury to persons or damages to property suffered by such applicant or any of its members during or as a result of using the Town Common, except insofar as such injury or damage is directly and solely caused by the negligence or intentional misconduct of any person belonging to or acting on behalf of the Town of Stoneham.

(c) *Insurance.* The Town Administrator may institute an insurance requirement for group events, requiring insurance with such coverages and in such amounts as shall reasonably be required by the Town, which shall name the Town of Stoneham as an additional insured thereunder. The amounts and type of insurance required shall be determined by the Town Administrator based upon the nature of the activity and the risk involved. The Town Administrator shall prepare a uniform schedule of insurance guidelines for particular types of activities. The Applicant shall provide the Town Administrator with a certificate from an insurer evidencing such coverage prior to the applicant's use of Town Common, and within the time prescribed by the Town Administrator. The certificate shall also provide that the insurer shall give the Town reasonable advance notice, of no less than thirty (30) days, of insurer's intent to cancel or amend the insurance coverage provided.

(d) *Security Deposit.*

(1) The Town Administrator may institute a security deposit requirement. The security deposit shall be in an amount in accordance with a schedule of fees. The amount of the security deposit set in the schedule of fees shall be equal to the estimated cost of policing, cleaning up, and restoring the park upon the conclusion of the use or activity. Promptly after the conclusion of a permit activity, the Town shall inspect the premises and equipment used by the permittee.

(2) If it is determined that there has been no damage to the Town Common or equipment beyond reasonable wear and tear, the security deposit shall be refunded in full within thirty (30) days of the conclusion of the permitted event.

(3) If it is determined by such inspection that the permitted event proximately caused damage to the Town Common in excess of normal wear and tear and which requires repairs in excess of routine maintenance, the Town shall retain the security deposit or any portion thereof necessary to pay for the cost repair or any fines assessed against the applicant. The Town Administrator shall give written notice of the assessment of damages or fine and retention of the security deposit to the permittee by personal delivery or by deposit in the United States mail, with proper postage prepaid, to the name and address set forth in the application for permit. Any assessment of damages in excess of the security deposit shall be paid to the Town within thirty (30) days after notice of such assessment of damages is sent.

(e) *Waiver of Application/User Fee, Insurance Requirement and/or Security Deposit.* Any requirements for an application and/or user fee, insurance, or security deposits

may be waived by the Town Administrator if the activity is protected by the First Amendment of the United States Constitution and the requirement would be so financially burdensome that it would preclude the applicant from using the Town Common for the proposed activity. Fees for equipment and services shall not be waived pursuant to this subsection. Application for a waiver of a user fee, security deposit, or certificate of insurance shall be made on a form prescribed by the Town Administrator and must include an affidavit by the applicant and sufficient financial information about the applicant to enable the Town Administrator to determine whether the requirement(s) would be so financially burdensome that it would preclude the applicant from using the Town Common property for the proposed activity. If no written denial is issued within thirty (30) days of the date on which the application for such waiver is fully completed, executed and filed with the Town Administrator, the waiver request shall be deemed approved, contingent upon the applicant complying with all other permit requirements.

(f) *Approvals For Designated Areas Only.* All approved applications shall be for the use of designated areas only and shall not exceed the scope of the approval.

(g) *Town Common To Be Generally Available For Use By Individual Members of the Public.*

IT IS THE STRONG POLICY OF THE SELECT BOARD AND THE TOWN OF STONEHAM THAT THE TOWN COMMON BE GENERALLY AVAILABLE FOR USE BY INDIVIDUAL MEMBERS OF THE PUBLIC WITHOUT THE INTERFERENCE OF GROUP USE. ACCORDINGLY, GROUP USE SHALL BE REASONABLY LIMITED IN TIME, PLACE AND MANNER BY MEANS OF THE APPROVAL PROCESS.

(h) *Time Restriction.* No activity may occur between the hours of 10:00 p.m. to 6:00 a.m., unless otherwise authorized by the Town Administrator.

(i) *Liability For Property Damage.* Reservation of the Town Common is granted with the understanding that the Applicant shall be liable for any property damage and shall be required to reimburse the Town for such damage.

(j) *Trash and Litter.* All trash resulting from the event shall be removed by the Applicant from the Town Common area immediately following the event and properly disposed of. Failure to do so shall result in a charge for removal and disposal by the Town.

(k) *Use of Adjacent and/or Municipal Parking For Non-Parking Purposes.* Use of parking adjacent to the Town Common or other municipal parking for non-parking purposes must be authorized by the Town Administrator.

(l) *Portable Toilets – Prohibited.* Portable toilets are prohibited.

(m) *Trash Dumpsters – Prohibited.* Trash dumpsters are prohibited.

(n) *No Fee Charged By Applicant.* No fee may be charged by the Applicant for admission to the event.

Sec. 16-153. Denial of An Application For Group Use - Procedures and Provisions.

(a) *Notice of Denial.* Notice of denial of an application for permit shall clearly set forth the grounds upon which the application was denied and, where feasible, shall contain a proposal by the Town for measures by which the applicant may cure any defects in the application for use or otherwise procure approval. Where an application has been denied because a fully executed prior application for the same time and place has been received, and approval has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the Town may propose an alternative place, if available for the same time, or an alternative time, if available for the same place.

(b) *Grounds for Denial of Application.* To the extent permitted by law, the Town may deny an application if the applicant or the person on whose behalf the application was made has on prior occasions made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior approvals or permits issued to, or on behalf, of the applicant. The Town may also deny an application on any of the following grounds:

(1) the application (including any required attachments and submissions) is not fully completed and executed;

(2) the applicant has not tendered the required application fee, if any, with the application or has not tendered the required user fee, indemnification agreement, insurance certificate, or security deposit within the times prescribed;

(3) the application contains a material falsehood or misrepresentation;

(4) the applicant is legally incompetent to contract;

(5) the applicant or a party on whose behalf the application was made has on prior occasions damaged Town property and has not paid in full for such damage;

(6) a fully executed prior application for the same time and place has been received, and an approval or permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the Town Common;

(7) the use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the Town and previously scheduled for the same time and place;

(8) the proposed use or activity is prohibited by or inconsistent with the classifications and uses of the Town Common or part thereof so designated;

(9) the use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, other users of the Town Common, Town employees or of the public;

(10) the applicant has not complied or cannot comply with applicable licensure requirements, bylaws or regulations of the Town concerning the sale or offering for sale of any goods or services; or

(11) the use or activity intended by the applicant is prohibited by federal, state or town law, bylaw or regulations.

Sec. 16-154. Compliance with Applicable Law and Penalties.

Persons shall comply with applicable state laws and regulations and Town bylaws and regulations.

Sec. 16-155. Failure To Comply With Town Common Regulations.

Any person who fails to comply with any of these Town Common Regulations is subject to revocation of their application approval Depending on the severity of the offense, or the frequency of other offenses, the Town may initiate legal action.

Sec. 16-156. Penalty For Violation.

Pursuant to M.G.L. c. 45, '4, violation of any of these regulations is subject to being "punished by a fine of not more than two hundred dollars."

Article VI. Review Fees For Outside Consultants.

Sec. 16-165. Rules and Regulations for the Implementation of Review Fees for Outside Consultants Pursuant to M.G.L. c. 44, sec. 53G For The Grant of Permits and Licenses Including Grant of Location By The Select Board.

(a) Pursuant to M.G.L. c. 44, sec. 53G, the Select Board ("Board"), through this regulation, may impose reasonable fees for the employment of outside consultants for specific consultant services deemed necessary by the Board to review, issue a decision, permit and/or license and/or otherwise implement its authority, with respect to the issuance of permits and licenses, including grants of location pursuant to M.G.L. c. 166, sec. 22, ("permit or licenses"), arising from the Board's authority to grant:

(1) Grants of Location pursuant to M.G.L. c. 166, sec. 22 et seq.;

**WARRANT FOR TOWN MEETING
MONDAY, MAY 4, 2020**

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 7, 2020, at seven o'clock in the forenoon to act on the following articles of the warrant:

Article 1. To choose the following officers:

Two (1) Select Board Members for three (3) years.

Two (2) School Committee Member 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.

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

One (1) Housing Authority Member 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 4, 2020, 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, or do anything in relation thereto.

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 Fiscal Year 2021 as follows:

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

Town Clerk \$80,495

or do anything in relation thereto.

Select Board

Article 5. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning by-law by deleting the existing Sections 4.10.2.4, Section 4.10.3, and 4.10.3.1, and inserting new Sections 4.10.2.4, Section 4.10.3, and 4.10.3 in place thereof as follows:

4.10 RECREATION/OPEN SPACE DISTRICT

- 4.10.2.4 Recreational, cultural, civic and not for profit uses when the land structures are owned by the Town of Stoneham.

- 4.10.3 Uses Permitted on a Special Permit Granted by the Planning Board and Site Plan Approval by the Select Board: (5-5-87, Art. 15) (See Editor's note below)

- 4.10.3.1 Recreational, cultural, civil and not for profit uses when the land/structures are not owned by the Town of Stoneham.

or do anything in relation thereto.

Planning Board

Article 6. To see if the Town will vote to amend the Stoneham Town Code, Chapter 18, Board of Appeals, Section 18-5. Quorum, by deleting the existing section 18-5 and inserting the following new section 18-5 in place thereof, as follows:

Sec. 18-5 Quorum

A quorum, when acting on an appeal, special permit or variance, shall consist of not less than four members. In accordance with G. L. c. 40A sec. 15, a petition may proceed at the petitioner's option before a board consisting of four members, with the requirement that the granting of the petition would need the unanimous approval of the four members. If the petitioner elects instead to proceed before the full board (consisting of all five members), upon receipt of a written request to proceed before a full board, the chairman shall reschedule the hearing. The clerk shall notify all abutters and other persons who may have displayed an interest in the matter before the board and who have filed their name and address with the clerk, of the time and place of the rescheduled hearing. There shall be no additional fee charged to the appellant in the case of a rescheduled hearing pursuant to this section."

or do anything in relation thereto.

Board of Appeals

Article 7. To see if the Town will vote to amend the Stoneham Town Code, Chapter 18, Board of Appeals, Section 18-24. Reconsideration, by deleting the existing section 18-24 and inserting the following new section 18-24 in place thereof, as follows:

Sec. 18-24. Reconsideration.

No vote will be reconsidered after adjournment of the meeting at which such vote was passed.

or do anything in relation thereto.

Board of Appeals

Article 8. To see if the Town will vote to raise and appropriate from taxation or transfer from available funds, such sums as may be necessary to defray Town charges for the ensuing year, including debt and interest and a reserve fund, or do anything in relation thereto.

Select Board

Article 9. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$1,760,500 for the capital projects set forth below, including all incidental and related costs, all as set forth below, or take any action relative thereto and to authorize the Treasurer with the approval of the Board of Selectmen, to borrow said sum under the applicable provisions of Mass. Gen. L. c. 44 or any other enabling authority, or do anything in relation thereto.

Department	Amount	FY21 Funded Projects (Bonding)	Funding Source
Planning & Community Development	\$ 20,000.00	Green Communities Energy Updates	Bonding
Public Property Maintenance (Town)	\$ 126,000.00	Town Wide Improvements	Bonding
Public Property Maintenance (Town)	\$ 200,000.00	Town Wide Roof Replace/Repair	Bonding
Public Property Maintenance (School)	\$ 100,000.00	School Technology Capital Replacement Program	Bonding
Public Property Maintenance (School)	\$ 36,000.00	Ford Transit Van (Food Deliveries etc.)	Bonding
Police	\$ 35,000.00	Unmarked Police Vehicle	Bonding
Department of Public Works	\$ 225,000.00	Front End Loader	Bonding
Department of Public Works	\$ 110,000.00	Excavator	Bonding
Department of Public Works	\$ 80,000.00	Dump Truck VW Grant Match	Bonding
Department of Public Works	\$ 250,000.00	Streets & Sidewalks Capital Plan	Bonding
Council on Aging	\$ 68,000.00	COA Van	Bonding
Department of Public Works	\$ 45,000.00	Sewer/Drain Line Video Inspection Camera	Bonding-Sewer
Department of Public Works	\$ 425,000.00	Pump/Vac Truck	Bonding-Sewer
Total	1,720,000.00		

Department	Amount	FY21 Funded Projects (Other Sources)	Funding Source
GIS/MIS/Assessing	\$ 40,500.00	AssessPro 5.0 Software Upgrade	Overlay
Total	40,500.00		

Select Board

Article 10. To see if the Town will vote to raise and appropriate a sum of money to the PEG Access Enterprise/Special Revenue Fund for the purpose of monitoring compliance of the Town’s cable operator(s) with their franchise agreements and providing local cable access services and programming for the Town of Stoneham in Fiscal Year 2021, as set forth in the chart below, or do anything in relation thereto.

	Department Requested FY21	Administrator Recommended	Select Board Recommended	Finance Committee Recommended
PEG Access Enterprise Fund				
Expenses	525,000	525,000	525,000	525,000
Total Expenses	525,000	525,000	525,000	525,000
Total PEG Access Budget	\$ 525,000	\$ 525,000	\$ 525,000	\$ 525,000

Select Board

Article 11. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to amend the Fiscal Year 2020 departmental budgets approved under Article No. 7 of the May 6, 2019 Annual Town Meeting, as amended, or do anything in relation thereto.

Select Board

Article 12. To see if the Town will vote to transfer the sum of \$200,000 from the Water Enterprise Fund Retained Earnings to the account of Current Water Revenue to be used and applied by the Town Administrator to reduce water rate(s), or do anything in relation thereto.

Select Board

Article 13. To see if the Town will vote to transfer the sum of \$350,000 from the Sewer Enterprise Fund Retained Earnings to the account of Current Sewer Revenue to be used and applied by the Town Administrator in the reduction of sewer rate(s), or do anything in relation thereto.

Select Board

Article 14. To see if the Town will vote to amend the Stoneham Town Code, **Chapter 2**, Administration, Article IX, Treasurer and Tax Collector, Sec. 2-60B - Revolving Funds, to establish and authorize a new Prevention and Outreach Revolving Fund for use by certain town departments, boards, committees, agencies or officers under Mass. Gen. L. Chapter 44, Section 53E½ as follows:

Sec. 2-60B. Revolving Fund Bylaw.

(e) *Authorized Revolving Funds.*

(6) Prevention and Outreach Revolving Fund.

- (a) Fund Name. There shall be a separate fund called the Prevention and Outreach Revolving Fund for the use of the Stoneham Coalition for a Safe and Healthy Community.
- (b) Revenues. The Town Accountant shall establish the Prevention and Outreach Revolving Fund as a separate account and credit to the fund all of the revenue received by the Town from community engagements, programs and donations.
- (c) Purposes and Expenditures. During each fiscal year, the Town may incur liabilities against and spend monies from the Prevention and Outreach Revolving Fund to cover the costs associated with substance use prevention, mental health and treatment services.
- (d) Fiscal Years. The Prevention and Outreach Revolving Fund shall operate for fiscal years that begin on or after July 1, 2020.

or do anything in relation thereto.

Select Board

Article 15. To see if the town will vote to fix the maximum amount that may be spent during Fiscal Year 2021 beginning on July 1, 2020 for the revolving funds established in the town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E1/2, or do anything in relation thereto.

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2021 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
Prevention & Outreach	Stoneham Coalition	\$ 20,000

Select Board

Article 16. To see if the Town will vote to raise and appropriate a sum of money to implement certain rehabilitation and construction projects under the Massachusetts Water Resources Authority Local Water System Assistance Program (LWSAP) and to pay costs incidental and related thereto, and the Town Treasurer, with the approval of the Select Board, be authorized to sell from time to time, as the occasion requires, town notes, bonds, or other evidence on indebtedness in the amount not to exceed \$2,000,000.00 in accordance with Chapter 44, Section 7 or 8 of the Mass General Laws or any other enabling authority, and further to accept any grants or gifts for these projects or do anything in relation thereto.

Select Board

Article 17. To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to be deposited in the Town's OPEB Trust Fund to offset the cost of retired employee health insurance, or do anything in relation thereto.

Select Board

(NB: Counsel to submit companion articles necessary for trust formation.)

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 24th day of March in the year of our Lord two thousand twenty.

Shelly MacNeill, Chair

Raymie Parker, Vice Chair

George Seibold, Clerk

Caroline Colarusso

Heidi Bilbo

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 ____, 2020, and by publishing a duly attested copy of said Warrant in the Stoneham Independent on March ____, 2020.

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