

**MINUTES FOR TOWN MEETING
MONDAY, MAY 1, 2017**

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 4, 2017, at seven O'clock in the forenoon to act on the following articles of the warrant:

Article 1. To choose the following officers:

One (1) Selectman for three (3) years. **Shelly A MacNeill**

Two (2) School Committee Members for three (3) years. **David C. Maurer
Nicole Fenocchi Nial**

One (1) Board of Health member for three (3) years. **Wendy E. Cayton**

One (1) Planning Board Member for (5) years. **August S. Niewenhous**

One (1) Board of Assessors Member for three (3) years. **William J. Jordan**

One (1) Moderator for two (2) years. **Jeanne E. Craigie**

Two (2) Library Trustees for three (3) years. **Rocco Ciccarello
Michael Rora**

One (1) Library Trustee for two (2) year unexpired term. **Patricia M. DiPietro**

***Passed Per Moderator**

***Initially Articles 1 & 2 were passed over, but on advice of Town Counsel Robert Galvin, the Town Meeting body took action before Article 27 was voted so that all articles would be acted upon as they should be before Town Meeting dissolved.**

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 1, 2017, in accordance with provisions of Article II, section 2-3 of the By-Laws of the Town of Stoneham.

Tellers were appointed to check the names of voters entering the Town Hall and the checklist showed 212 voters were inside the meeting.

The meeting was called to order by Moderator Jeanne Craigie at 7:01PM in the Auditorium of Town Hall. . Moderator Craigie asked Boy Scout Troop 513 to lead the Pledge of Allegiance. She then called upon Reverend John French from First Baptist Church to deliver the invocation. Reverend French was then presented with a certificate of appreciation from the Board of Selectmen for 36 years in Stoneham. Moderator Craigie acknowledged that it would be the last Town Meeting for Superintendent of Schools, Dr Les Olson, as he would be retiring. Moderator Craigie also recognized former Moderator Larry Means and presented him with a plaque thanking him for 6 years as Moderator. Moderator Craigie gave a few instructions as to a hand count and the warrant was read.

Cindy Hemenway 14 Fells Rd made a motion to take Article 25 before Article 1. A 2/3 vote was thought to be required. The Moderator took a hand count. There were 80 yes and 61 no votes counted. It was realized that it should have been a majority vote. So the motion to take Article 25 out of order passed per moderator.

Article 25. To see if the Town will vote to amend the Town of Stoneham Town Code by adding to Chapter 3 “Animals and Fowl” a bylaw regarding the sale of dogs and cats in the Town of Stoneham. The specific section numbers to be address in the motion for this warrant article or thereafter. More specifically:

WHEREAS, a significant number of puppies and kittens (also collectively referred to hereinafter as “animals”) sold at pet shops come from large-scale, commercial breeding facilities that mass produce dogs and cats for sale to the public and where the health and welfare of the animals are not adequately provided for (hereinafter also referred to as “puppy mills” and “kitten mills,” respectively);

WHEREAS, abuses present at too many puppy and kitten mills include overbreeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; isolation; lack of adequate space; and lack of adequate exercise; and

WHEREAS, the inadequate conditions in puppy and kitten mills lead to health and behavioral issues in dogs and cats bred in those facilities, which many consumers are unaware of when purchasing dogs and cats from pet shops. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose significant financial and emotional costs on consumers;

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops and it’s impacts;

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless dogs and cats on their premises;

WHEREAS, this bylaw will not affect a consumer’s ability to obtain a dog or cat of his or her choice directly from a shelter, breed-specific rescue organization or a breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the breeder concerning those conditions;

WHEREAS, restricting the sale of dogs and cats at pet shops as set out herein will reduce the overpopulation and euthanizing of dogs and cats, and the financial costs and other burdens on animal shelters and animal rescue operations, local government and the public.

WHEREAS, more than 120 other municipalities, including the City of Boston, have passed ordinances restricting and/or prohibiting, the sale of dogs and cats at pet shops to promote animal and consumer protection; and

WHEREAS, it is in the best interests of the Town of Stoneham to amend the Bylaws of the Town to protect the residents of the Town and others who may purchase dogs and cats from a pet shop in Stoneham, help prevent inhumane or inadequate breeding conditions, promote community awareness of animal welfare, and foster a more humane environment by restricting the sale of dogs and cats from puppy and kitten mills at pet shops in the Town of Stoneham.

NOW THEREFORE, the amendment of the Stoneham Town Code, Chapter 3 “Animals and Fowl”, by adding new article entitled “Sale of Dogs and Cats” as Article III, Sections 3-___ through 3-___ is proposed as follows:

Sec. 3. ___ Definitions.

For purposes of this Section:

Animal shelter means a public animal control facility or other facility which is operated by an organization or individual for the purposes of protecting animals from cruelty, neglect or abuse and, if required, is registered with the Department of Agricultural Resources of the Commonwealth of Massachusetts, and which does not obtain dogs or cats from a breeder or broker for payment or compensation.

Animal Rescue Organization means a not-for-profit organization and, if required, registered with the Department of Agricultural Resources of the Commonwealth of Massachusetts, and that either on its own behalf or as facilitator for others arranges for others to engage in the activities of transferring ownership of domestic animals, and which does not obtain dogs or cats from a breeder or broker for payment or compensation.

Breeder means a person or organization who/which maintains dogs and/or cats for the purposes of breeding and selling their offspring.

Broker means a person or organization who/which transfers dogs and/or cats at wholesale for resale by another.

Pet Shop means a retail establishment where dogs and/or cats are, whether most or a part of the business, sold, exchanged, bartered or offered for sale as pet animals to the general public at retail or wholesale. Pet shops shall not include animal shelters or animal rescue organizations.

Section 3. ___ Prohibition and Restrictions.

No pet shop may display, sell, exchange, barter, auction, give away, broker or otherwise transfer a dog or cat, except for a dog or cat: (i) obtained from an animal shelter or animal rescue organization (which may be a bona fide animal shelter or animal rescue

organization that operates out of the pet shop); or (ii) that was breed and raised by the pet shop or its owner primarily at said premises.

Section 3. ____ Enforcement and Penalties.

In addition to any other enforcement or penalty allowed under state law or Town bylaw, including, but not limited to, that provided pursuant to Section 1-4 of these Bylaws, violation of this bylaw may be enforced by non-criminal disposition, by the animal control officer or by any police officer in the manner provided by General Laws, Chapter 40, Section 21D and Section 1-4A of these Bylaws. The specific non-criminal disposition penalties which shall apply to a violation of this bylaw shall be as follows:

First offense within a twenty-four month period - Warning

Second offense within a twenty-four month period - \$200

Third and subsequent offense within a twenty-four month period - \$300.00

Each day a violation continues shall be a separate violation/offense subject to another fine. The enforcement of this bylaw by non-criminal disposition as described herein shall be added to the list of bylaws so designated and enforced in Section 1-4A of these Bylaws.

Severability

If any provision of this bylaw is for any reason held to be legally invalid by a court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of any other part of this bylaw.

Or do anything in relation thereto.

**Tara Buonomo Williams
40 Main Street**

Article 25. **Voted** that the Town amend the Stoneham Town Code by adding to Chapter 3 “Animals and Fowl” a bylaw regarding the sale of dogs and cats in the Town of Stoneham. The specific section numbers to be addressed in the motion for this warrant article or thereafter. More specifically:

WHEREAS, a significant number of puppies and kittens (also collectively referred to hereinafter as “animals”) sold at pet shops come from large-scale, commercial breeding facilities that mass produce dogs and cats for sale to the public and where the health and welfare of the animals are not adequately provided for (hereinafter also referred to as “puppy mills” and “kitten mills,” respectively);

WHEREAS, abuses present at too many puppy and kitten mills include overbreeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; isolation; lack of adequate space; and lack of adequate exercise; and

WHEREAS, the inadequate conditions in puppy and kitten mills lead to health and behavioral issues in dogs and cats bred in those facilities, which many consumers are unaware of when purchasing dogs and cats from pet shops. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose significant financial and emotional costs on consumers;

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops and its impacts;

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless dogs and cats on their premise;

WHEREAS, this bylaw will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a shelter, breed-specific rescue organization or a breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the breeder concerning those conditions;

WHEREAS, restricting the sale of dogs and cats at pet shops as set out herein will reduce the overpopulation and euthanizing of dogs and cats, and the financial costs and other burdens on animal shelters and animal rescue operations, local government and the public.

WHEREAS, more than 220 other municipalities, including the City of Boston, have passed ordinances restricting and/or prohibiting, the sale of dogs and cats at pet shops to promote animal and consumer protection; and

WHEREAS, it is in the best interests of the Town of Stoneham to amend the Bylaws of the Town to protect the residents of the Town and others who may purchase dogs and cats from a pet shop in Stoneham, help prevent inhumane or inadequate breeding conditions, promote community awareness of animal welfare, and foster a more humane environment by restricting the sale of dogs and cats from puppy and kitten mills at pet shops in the Town of Stoneham.

NOW THEREFORE, the amendment of the Stoneham Town Code, Chapter 3 "Animals and Fowl", by adding new article entitled "Sale of Dogs and Cats" as Article III, Sections 3.12 through 3.14 is proposed as follows:

Sec. 3.12 Definitions.

For purposes of this Section:

Animal care facility means an animal control facility or animal shelter maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations and, if required, is registered with the Department of Agricultural Resources of the Commonwealth of Massachusetts, and which does not obtain dogs or cats from a breeder or broker for payment or compensation.

Animal Rescue Organization means a not-for-profit organization whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes, which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code and, if required, is registered with the Department of Agricultural Resources of the Commonwealth of

Massachusetts, and which does not obtain dogs or cats from a breeder or broker for payment or compensation

Breeder means a person or organization who/which maintains dogs and/or cats for the purposes of breeding and selling their offspring.

Broker means a person or organization who/which transfers dogs and/or cats at wholesale for resale by another.

Pet Shop means a retail establishment where dogs and/or cats are, whether most or a part of the business, sold, exchanged, bartered or offered for sale as pet animals to the general public at retail or wholesale. Pet shops shall not include animal shelters or animal rescue organizations.

Section 3.13 Prohibition and Restrictions. No pet shop may display, sell, exchange, barter, auction, give away, broker or otherwise transfer a dog or cat, except for a dog or cat: obtained from displayed in cooperation with an animal care facility or animal rescue organization.

Section 3.14 Enforcement and Penalties. In addition to any other enforcement or penalty allowed under state law or Town bylaw, including, but not limited to, that provided pursuant to Section 1-4 of these Bylaws, violation of this bylaw may be forced by non-criminal disposition, by the animal control officer or by any police officer in the manner provided by General Laws, Chapter 40, Section 21D and Section 1-4A of these Bylaws. The specific non-criminal disposition penalties which shall apply to a violation of this bylaw shall be as follows:

First offense within a twenty-four month period - Warning

Second offense within a twenty-four month period - \$200

Third and subsequent offense within a twenty-four month period - \$300.00

Each day a violation continues shall be a separate violation/offense subject to another fine. The enforcement of this bylaw by non-criminal disposition as described herein shall be added to the list of bylaws so designated and enforced in Section 1-4A of these Bylaws.

Severability

If any provision of this bylaw is for any reason held to be legally invalid by a court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of any other part of this bylaw. Or do anything in relation thereto.

Passed Unanimously

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

Board of Selectmen

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

Passed Unanimously*

***Initially Articles 1 & 2 were passed over, but on advice of Town Counsel Robert Galvin, the Town Meeting body took action before Article 27 was voted so that all articles would be acted upon as they should be before Town Meeting dissolved.**

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

Board of Selectmen

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

Reports were given by the Tri-Community Bike & Greenway Committee, the Disability Committee, the Memorial Day Parade Committee, the Open Space & Recreation Committee, the Cultural Council and the Historical Commission.

Passed Per Moderator

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 2017/2018 fiscal year as follows, or do anything in relation thereto:

| | |
|--------------------|----------|
| Town Moderator | \$0 |
| Board of Assessors | \$1,200 |
| Board of Selectmen | \$3,000 |
| Town Clerk | \$71,493 |

Board of Selectmen

Article 4. Voted that the Town establish the salaries of the several elected officers and the Boards of the Town for the fiscal year 2018 as follows:

| | |
|--------------------|----------|
| Town Moderator | \$200 |
| Board of Assessors | \$1,200 |
| Board of Selectmen | \$3,000 |
| Town Clerk | \$71,493 |

Passed Unanimously

Article 5. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law, Chapter 44, Section 53E1/2, for the purpose of receiving revenues and making disbursements in connection with a Recreation Department and activities pursuant thereto, not to exceed \$200,000 during Fiscal Year 2018 which may be made from such fund. In addition, to transfer any balance remaining on June 30, 2017 from the existing account into the reauthorized Revolving account, or do anything in relation thereto.

Board of Selectmen

Article 5. Voted that the Town reauthorize a revolving fund under Massachusetts General Law, Chapter 44, Section 53E1/2, for the purpose of receiving revenues and making disbursements in connection with a Recreation Department and activities pursuant thereto, with the expenditures by the Recreation Department not to exceed \$200,000 during Fiscal Year 2018 which may be made from such fund; and, further, to transfer any balance remaining on June 30, 2017 from the existing account into the reauthorized revolving account.

Passed Unanimously

Article 6. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2, for the purpose of using receipts generated from fees charged for the Farmers' Market to cover costs associated with this programming, and authorize expenditures by Town Planner, not to exceed \$40,000 during Fiscal Year 2018 which may be made from such fund. In addition, to transfer any balance remaining on June 30, 2017 from the existing account into the reauthorized Revolving account, or do anything in relation thereto.

Board of Selectmen

Article 6. Voted that Town reauthorize a revolving fund under Massachusetts General Law, Chapter 44, Section 53E1/2, for the purpose of receiving revenues and making disbursements in connection with the operation of a Farmers' Market and activities pursuant thereto, with the expenditures by the Town Planner not to exceed \$40,000 during Fiscal Year 2018 which may be made from such fund; and, further, to transfer any balance remaining on June 30, 2017 from the existing account into the reauthorized revolving account.

Passed Unanimously

Article 7. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2, for the purpose of using receipts generated from photocopying services offered to the public at the Stoneham Public Library to pay for the lease of the photocopier and copy paper and authorize expenditure by the Stoneham Public Library Director, not to exceed \$3,000 during Fiscal Year 2018 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2017 from the existing Revolving account into the reauthorized Revolving account, or do anything in relation thereto.

Board of Selectmen

Article 7. Voted that Town reauthorize a revolving fund under Massachusetts General Law, Chapter 44, Section 53E1/2, for the purpose of receiving revenues and making disbursements in connection with photocopying services offered by the Stoneham Public Library and the payment of lease expenses and copy paper, with the expenditures by the Stoneham Public Library Director not to exceed \$3,000 during Fiscal Year 2018 which may be made from such fund; and, further, to transfer any balance remaining on June 30, 2017 from the existing account into the reauthorized revolving account.

Passed Unanimously

Article 8. To see if the Town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2 for the purpose of using receipts generated from fees charged for public health services to cover the costs of these services, and authorize expenditures by the Board of Health, not to exceed \$50,000 during Fiscal Year 2018 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2017 from the existing Revolving account into the reauthorized Revolving account, or do anything in relation thereto.

Board of Selectmen

Article 8. Voted that the Town reauthorize a revolving fund under Massachusetts General Law, Chapter 44, Section 53E1/2, for the purpose of receiving revenues and making disbursements in connection with the provision of public health services offered by the Board of Health, with the expenditures by the Board of Health not to exceed \$50,000 during Fiscal Year 2018 which may be made from such fund; and, further, to transfer any balance remaining on June 30, 2017 from the existing account into the reauthorized revolving account.

Passed Unanimously

Article 9. To see if the town will vote to reauthorize a revolving fund under Massachusetts General Law Chapter 44, Section 53E1/2, for the purpose of using receipts generated from renting space at the Senior Center building to help pay the cleaning, utilities and maintenance costs of the senior center, and authorize expenditures by the Council on Aging Director, not to exceed \$30,000 during Fiscal Year 2018 which may be made from such fund. In addition, transfer any balance remaining on June 30, 2017 from the existing Revolving account into the reauthorized Revolving account, or do anything in relation thereto.

Board of Selectmen

Article 9. Voted that the Town reauthorize a revolving fund under Massachusetts General Law, Chapter 44, Section 53E1/2, for the purpose of receiving revenues and making disbursements in connection with the rental of space at the Senior Center building and used to offset the cost of cleaning, maintenance and utility expenses of the Senior Center building, with the expenditures by the Council on Aging Director not to exceed \$30,000 during Fiscal Year 2018 which may be made from such fund; and, further, to transfer any balance remaining on June 30, 2017 from the existing account into the reauthorized revolving account.

Passed Unanimously

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

Board of Selectmen

Article 10. Voted that the Town vote to reauthorize a revolving fund under Massachusetts General Law, Chapter 44, Section 53E1/2, for the purpose of receiving revenues and making disbursements in connection with the fees charged for outings and transportation services at the Senior Center and used to offset the cost associated with outings and transportation services, with the expenditures by the Council on Aging Director not to exceed \$40,000 during Fiscal Year 2018 which may be made from such fund; and, further, to transfer any balance remaining on June 30, 2017 from the existing account into the reauthorized revolving account.

Passed Unanimously

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

Board of Selectmen

Article 11. Voted that the Town vote to reauthorize a revolving fund under Massachusetts General Law, Chapter 44, Section 53E1/2, for the purpose of receiving revenues and making disbursements in connection with the rental of space at the Fire Station and used to offset the cost of cleaning, maintenance and utility expenses and to pay for capital improvements at the Fire Station, with the expenditures by the Fire Chief not to exceed \$40,000 during Fiscal Year 2018 which may be made from such fund; and, further, to transfer any balance remaining on June 30, 2017 from the existing account into the reauthorized revolving account.

Passed Unanimously

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

Board of Selectmen

Article 12.

- a. **Voted** that the Town raise and appropriate \$66,289,202 for a total General Fund Operating Budget, to provide for a reserve fund and to defray the expenses of the Town, and for the purposes as itemized in Exhibit A, and to meet said appropriation transfer the sums as shown in Exhibit A.

**Passed Unanimous
Motion for Reconsideration
Fails
Cannot Be Reconsidered**

- b. **Voted** that the Town appropriate \$5,881,413 for costs of operations of the Sewer Enterprise Fund as itemized in Exhibit A, and to meet said operations transfer \$411,413 from Sewer Enterprise Retained Earnings and \$5,470,000 from Sewer Enterprise Receipts.

Passed Unanimously

- c. **Voted** that the Town appropriate \$4,586,938 for costs of operations of the Water Enterprise Fund as itemized in Exhibit A, and to meet said appropriation transfer \$60,938 from Water Enterprise Retained Earnings and \$4,526,000 from Water Enterprise Receipts.

Passed Unanimously

Article 12 Exhibit A

| DEPARTMENT | FY18 GENERAL FUND BUDGET | | |
|-------------------------------|--------------------------|-----------|-------------|
| | PERSONNEL | OPERATING | TOTAL |
| 114 Town Moderator | \$200 | \$0 | \$200 |
| 122 Board of Selectmen | \$82,232 | \$11,750 | \$93,982 |
| 123 Town Administrator | \$378,385 | \$25,040 | \$403,425 |
| 132 Reserve Fund | \$0 | \$50,000 | \$50,000 |
| 135 Town Accountant | \$242,765 | \$5,470 | \$248,235 |
| 141 Board of Assessors | \$132,215 | \$4,500 | \$136,715 |
| 145 Treasurer | \$272,394 | \$21,315 | \$293,709 |
| 151 Town Counsel | \$0 | \$100,000 | \$100,000 |
| 155 GIS/MIS | \$151,904 | \$140,058 | \$291,962 |
| 161 Town Clerk | \$129,174 | \$4,200 | \$133,374 |
| 162 Elections & Registrations | \$72,912 | \$14,400 | \$87,312 |
| 182 Planning Bd/BOA/Conserv. | \$57,814 | \$5,650 | \$63,464 |
| 185 Economic and Comm Dev | \$71,332 | \$35,700 | \$107,032 |
| 192 Public Property Maint. | \$0 | \$77,610 | \$77,610 |
| 210 Police Department | \$3,770,169 | \$341,225 | \$4,111,394 |
| 211 Traffic Directors | \$132,448 | \$4,500 | \$136,948 |

| | | | |
|---|---------------------|---------------------|---------------------|
| 212 Dispatchers | \$386,654 | \$22,350 | \$409,004 |
| 220 Fire Department | \$2,869,310 | \$169,540 | \$3,038,850 |
| 241 Building & Wire | \$194,211 | \$11,000 | \$205,211 |
| 291 Civil Defense | \$2,000 | \$0 | \$2,000 |
| 300 Public Schools | \$0 | \$27,734,642 | \$27,734,642 |
| 397 North Shore Vocational | \$0 | \$235,000 | \$235,000 |
| 398 Minuteman Voc. School | \$0 | \$60,000 | \$60,000 |
| 399 Northeast Voc. School | \$0 | \$1,046,697 | \$1,046,697 |
| 400 Public Works Admin. | \$978,354 | \$971,650 | \$1,950,004 |
| 510 Board of Health | \$148,277 | \$17,890 | \$166,167 |
| 590 Substance Abuse | \$65,000 | \$3,000 | \$68,000 |
| 541 Council on Aging | \$112,036 | \$37,357 | \$149,393 |
| 542 Recreation Department | \$69,527 | \$16,280 | \$85,807 |
| 543 Veterans | \$43,576 | \$173,000 | \$216,576 |
| 630 Golf (Annual Debt/Project Exp) | \$0 | \$75,000 | \$75,000 |
| 610 Public Library | \$567,388 | \$230,040 | \$797,428 |
| 631 Arena | \$184,928 | \$264,550 | \$449,478 |
| 710 Maturing Debt & Interest | \$0 | \$4,442,849 | \$4,442,849 |
| 911 Contributory Pension | \$0 | \$5,980,343 | \$5,980,343 |
| 912 Health Insurance | \$0 | \$8,090,353 | \$8,090,353 |
| 919 Unclassified | \$288,711 | \$1,545,314 | \$1,834,025 |
| 919S Trash Fund Subsidy | \$0 | \$525,000 | \$525,000 |
| 920 Non-Departmental | \$0 | \$78,135 | \$78,135 |
| 950 OPEB Trust Contribution | \$0 | \$50,000 | \$50,000 |
| General Fund Departmental Budgets: | \$11,403,916 | \$52,621,408 | \$64,025,324 |

Other Budget Items:

| | |
|----------------------------------|---------------------|
| State Assessments | \$1,760,270 |
| Offsets | \$23,608 |
| Overlay Reserve | \$400,000 |
| Special Article - WEISS FARM | \$80,000 |
| Total General Fund Budget | \$66,289,202 |

Said Sum to be raised or transferred as follows:

| | |
|---|---------------------|
| State Aid | \$8,499,029 |
| SBAB School Debt Reimbursement | \$1,148,092 |
| Local Receipts | \$6,544,705 |
| By transfer from the Capital Stabilization Fund | \$150,000 |
| By transfer from the Sewer Enterprise Fund | \$514,560 |
| By transfer from the Water Enterprise Fund | \$460,815 |
| By transfer from the RCN Fund | \$32,500 |
| By transfer from the Cemetery Perpetual Income Fund | \$7,500 |
| By transfer from the Sale of Lots & Graves Res. For Approp. | \$50,000 |
| By transfer from the BOS Stockwell Trust | \$3,500 |
| Property Tax Levy | \$48,878,501 |
| Total Estimated Revenues | \$66,289,202 |

| | |
|--------------------------|------------|
| Surplus/(Deficit) | \$0 |
|--------------------------|------------|

Article 12 Exhibit A (continued)

| EXPENDITURES | FY18 SEWER ENTERPRISE BUDGET | | |
|--------------------------|------------------------------|--------------------|--------------------|
| | PERSONNEL | OPERATING | TOTAL |
| 440 Sewer | \$537,281 | \$4,753,816 | \$5,291,097 |
| 710 Maturing P&I - Sewer | \$0 | \$75,756 | \$75,756 |
| Sewer Indirects | \$0 | \$514,560 | \$514,560 |
| Total Budgets: | \$537,281 | \$5,344,132 | \$5,881,413 |

RECEIPTS & RESERVES

| | |
|--|--------------------|
| Estimated Sewer Receipts | \$5,470,000 |
| Sewer Fund Retained Earnings | \$411,413 |
| Total Sewer Receipts & Reserves | \$5,881,413 |
| Surplus/(Deficit) | \$0 |

Article 12 Exhibit A (continued)

| EXPENDITURES | FY18 WATER ENTERPRISE BUDGET | | |
|--------------------------|------------------------------|--------------------|--------------------|
| | PERSONNEL | OPERATING | TOTAL |
| 450 Water | \$507,728 | \$3,258,109 | \$3,765,837 |
| 710 Maturing P&I - Water | \$0 | \$360,286 | \$360,286 |
| Water Indirects | \$0 | \$460,815 | \$460,815 |
| Total Budgets: | \$507,728 | \$4,079,210 | \$4,586,938 |

RECEIPTS & RESERVES

| | |
|--|--------------------|
| Estimated Water Receipts | \$4,526,000 |
| Water Fund Retained Earnings | \$60,938 |
| Total Water Receipts & Reserves | \$4,586,938 |
| Surplus/(Deficit) | \$0 |

Article 13. 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 2017 departmental budgets approved under Article No. 12 of the May 2, 2016 Annual Town Meeting, as amended, or do anything in relation thereto.

Board of Selectmen

Article 13. Voted that the Town amend various Fiscal Year 2017 departmental budgets approved under Article No. 12 of the May 2, 2016 Annual Town Meeting, as amended as shown in Exhibit B.

Passed Unanimously

4/26/2017

**MAY 1, 2017 ANNUAL TOWN MEETING
ARTICLE #13-(EXHIBIT B)**

| DEPARTMENT | FY17 BUDGET | | | 5/1/2017 ATM ADJUSTMENTS | | | REVISED FY17 BUDGET | | |
|--|---------------------|---------------------|---------------------|--------------------------|-----------------|-------------|---------------------|---------------------|---------------------|
| | PERSONNEL | OPERATING | TOTAL | PERSONNEL | OPERATING | TOTAL | PERSONNEL | OPERATING | TOTAL |
| 114 Town Moderator | \$0 | \$220 | \$220 | \$0 | \$0 | \$0 | \$0 | \$220 | \$220 |
| 122 Board of Selectmen | \$82,232 | \$10,000 | \$92,232 | \$0 | \$0 | \$0 | \$82,232 | \$10,000 | \$92,232 |
| 123 Town Administrator | \$347,711 | \$42,500 | \$390,211 | \$0 | \$0 | \$0 | \$347,711 | \$42,500 | \$390,211 |
| 132 Reserve Fund | \$0 | \$10,000 | \$10,000 | \$0 | \$0 | \$0 | \$0 | \$10,000 | \$10,000 |
| 135 Town Accountant | \$178,740 | \$5,550 | \$184,290 | \$0 | \$0 | \$0 | \$178,740 | \$5,550 | \$184,290 |
| 141 Board of Assessors | \$131,204 | \$4,600 | \$135,804 | \$0 | \$0 | \$0 | \$131,204 | \$4,600 | \$135,804 |
| 145 Treasurer | \$252,916 | \$18,350 | \$271,266 | \$0 | \$10,000 | \$10,000 | \$252,916 | \$28,350 | \$281,266 |
| 151 Town Counsel | \$111,283 | \$6,725 | \$118,008 | (\$54,591) | \$54,591 | \$0 | \$56,692 | \$61,316 | \$118,008 |
| 155 GIS/MIS | \$149,668 | \$130,802 | \$280,470 | \$0 | \$16,000 | \$16,000 | \$149,668 | \$146,802 | \$296,470 |
| 161 Town Clerk | \$121,988 | \$4,200 | \$126,188 | \$0 | \$0 | \$0 | \$121,988 | \$4,200 | \$126,188 |
| 162 Elections & Registrations | \$79,811 | \$17,900 | \$97,711 | \$1,950 | (\$1,950) | \$0 | \$81,761 | \$15,950 | \$97,711 |
| 172 Whipple Park | \$0 | \$10,950 | \$10,950 | \$0 | \$0 | \$0 | \$0 | \$10,950 | \$10,950 |
| 182 Planning Bd/BOA/Conserv. | \$54,370 | \$1,160 | \$55,530 | \$0 | \$0 | \$0 | \$54,370 | \$1,160 | \$55,530 |
| 185 Economic and Comm Dev | \$70,278 | \$30,000 | \$100,278 | \$0 | \$0 | \$0 | \$70,278 | \$30,000 | \$100,278 |
| 192 Public Property Maint. | \$500 | \$80,612 | \$81,112 | \$0 | \$0 | \$0 | \$500 | \$80,612 | \$81,112 |
| 210 Police Department | \$3,747,135 | \$300,495 | \$4,047,630 | \$0 | \$0 | \$0 | \$3,747,135 | \$300,495 | \$4,047,630 |
| 211 Traffic Directors | \$151,480 | \$4,500 | \$155,980 | \$0 | \$0 | \$0 | \$151,480 | \$4,500 | \$155,980 |
| 212 Dispatchers | \$382,026 | \$18,200 | \$400,226 | \$0 | \$0 | \$0 | \$382,026 | \$18,200 | \$400,226 |
| 220 Fire Department | \$2,843,932 | \$126,450 | \$2,970,382 | \$0 | \$0 | \$0 | \$2,843,932 | \$126,450 | \$2,970,382 |
| 241 Building & Wire | \$174,200 | \$6,900 | \$181,100 | \$0 | \$0 | \$0 | \$174,200 | \$6,900 | \$181,100 |
| 291 Civil Defense | \$2,000 | \$0 | \$2,000 | \$0 | \$0 | \$0 | \$2,000 | \$0 | \$2,000 |
| 300 Public Schools | \$0 | \$26,734,742 | \$26,734,742 | \$0 | \$0 | \$0 | \$0 | \$26,734,742 | \$26,734,742 |
| 397 Essex North Shore Agricultural & T | \$0 | \$340,000 | \$340,000 | \$0 | (\$108,757) | (\$108,757) | \$0 | \$231,243 | \$231,243 |
| 398 Minuteman Voc. School | \$0 | \$60,000 | \$60,000 | \$0 | (\$6,108) | (\$6,108) | \$0 | \$53,892 | \$53,892 |
| 399 Northeast Voc. School | \$0 | \$970,818 | \$970,818 | \$0 | \$0 | \$0 | \$0 | \$970,818 | \$970,818 |
| 400 Public Works Admin. | \$974,494 | \$951,023 | \$1,925,517 | \$39,371 | \$180,919 | \$220,290 | \$1,013,865 | \$1,131,942 | \$2,145,807 |
| 510 Board of Health | \$146,074 | \$10,740 | \$156,814 | \$10,000 | \$0 | \$10,000 | \$156,074 | \$10,740 | \$166,814 |
| 541 Council on Aging | \$103,931 | \$38,500 | \$142,431 | \$0 | \$0 | \$0 | \$103,931 | \$38,500 | \$142,431 |
| 542 Recreation Department | \$68,500 | \$14,500 | \$83,000 | \$0 | \$0 | \$0 | \$68,500 | \$14,500 | \$83,000 |
| 543 Veterans | \$42,513 | \$179,900 | \$222,413 | \$0 | \$0 | \$0 | \$42,513 | \$179,900 | \$222,413 |
| 610 Public Library | \$550,670 | \$225,150 | \$775,820 | \$1,200 | (\$1,200) | \$0 | \$551,870 | \$223,950 | \$775,820 |
| 631 Arena | \$182,446 | \$259,280 | \$441,726 | \$0 | \$0 | \$0 | \$182,446 | \$259,280 | \$441,726 |
| 710 Maturing Debt & Interest | \$0 | \$4,554,046 | \$4,554,046 | \$0 | \$0 | \$0 | \$0 | \$4,554,046 | \$4,554,046 |
| 911 Contributory Pension | \$0 | \$5,538,241 | \$5,538,241 | \$0 | \$0 | \$0 | \$0 | \$5,538,241 | \$5,538,241 |
| 912 Health Insurance | \$0 | \$7,938,620 | \$7,938,620 | \$0 | (\$125,000) | (\$125,000) | \$0 | \$7,813,620 | \$7,813,620 |
| 918 Capital | \$0 | \$40,000 | \$40,000 | \$0 | \$0 | \$0 | \$0 | \$40,000 | \$40,000 |
| 919 Unclassified | \$161,986 | \$1,474,797 | \$1,636,783 | (\$16,425) | \$0 | (\$16,425) | \$145,561 | \$1,474,797 | \$1,620,358 |
| 920 Non-Departmental | \$0 | \$37,385 | \$37,385 | \$0 | \$0 | \$0 | \$0 | \$37,385 | \$37,385 |
| 950 OPEB Trust Contribution | \$0 | \$50,000 | \$50,000 | \$0 | \$0 | \$0 | \$0 | \$50,000 | \$50,000 |
| Total Budgets: | \$11,112,088 | \$50,247,856 | \$61,359,944 | (\$18,495) | \$18,495 | \$0 | \$11,093,593 | \$50,266,351 | \$61,359,944 |

After Article 13 Liz Erk 13B Lincoln Street made a motion to reconsider Article 5. Motion failed. The article could not be reconsidered. She then motioned to reconsider Article 6. The motion failed. The article could not be reconsidered.

Article 14. To see if the Town will vote to grant the Board of Selectmen authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities or governmental bodies, retaining the right of individual residents and businesses to opt-out of the aggregation, or do anything in relation thereto.

Board of Selectmen

Catherine Moore 15 Ledge Street made a motion to amend Article 14 to add language to include “the intended purpose of the aggregation [would be] to reduce climate change by increasing the amount of electricity sourced from renewables and reduce costs.”

Mr. John Rourke from Good Energy was an out of town person given permission to address the town meeting body to provide information.

**Vote on Motion as Amended
Amendment Failed Per Moderator**

Article 14. Voted that the Town grant the Board of Selectmen authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town of Stoneham and for other related services, independently, or in joint action with other municipalities or governmental bodies, retaining the right of individual residents and businesses to opt-out of the aggregation.

Passed Unanimously

Article 15. To see if the Town will vote to accept the provisions of Mass. Gen. L. c. 40, Sec.8J to create a Commission on Disability, or do anything in relation thereto.

Town Administrator

Article 15. Voted that the Town accept the provisions of Massachusetts General Law, Chapter 40, Section 8J establishing a Commission on Disability with the powers and duties set forth in said statute.

Passed Unanimously

After Article 15 Anthony Wilson 181 Central Street asked for reconsideration of Article 12c to correct the amount voted on because it was off by \$2,000 when the motion was read. The motion passed. The article was reconsidered and the amount was corrected to read \$426,000.

Before making the motion for Article 16 Caroline Colarusso 4 Patrick Circle made a motion to reconsider Article 12 b & c. We had already reconsidered c. So motion was amended to reconsider just Article 12b. The motion failed. The article was not reconsidered. Mrs. Colarusso then made a motion to reconsider Article 25. The motion failed. The article was not reconsidered.

Article 16. To see if the Town will vote to authorize the Board of Selectmen to sell a parcel of land located at the intersection of Hill Street and Marble Street in Stoneham, containing approximately 6,800 square feet +/- and shown on the Stoneham Assessor’s Map as Parcel 23-0-155E pursuant to the provisions of Mass. Gen. L. c. 30B, as applicable, and take such other and further actions in furtherance of this authorization, including the execution of any documents necessary to effectuate the sale of said property, or do anything in relation thereto.

Town Administrator

Article 16. Voted that the Town authorize the Board of Selectmen to sell a parcel of land located at the intersection of Hill Street and Marble Street in Stoneham, containing approximately 6,800 square feet and shown on the Stoneham Assessor's Map as Parcel 23-0-155E pursuant to the provisions of Mass. Gen. L. c. 30B, as applicable, and take such other and further actions in furtherance of this authorization, including the execution of any documents necessary to effectuate the sale of said property.

**$\frac{2}{3}$ Vote Required
Passed Per Moderator**

Raymie Parker 42 Bonad Rd made a motion to take Article 18 ahead of Article 17. Motion passed. Motion for reconsideration of Article 16. Motion failed. Article could not be reconsidered.

Article 18. To see if the Town will vote to lease or provide easement for a portion of Perkins Street approximately 80 feet in length along the south westerly line of Perkins Street to the southerly line of Franklin Street containing approximately 720 square feet. The area is between the street line and the back of the sidewalk as constructed during the Franklin Street reconstruction project. And further to authorize the Town Administrator to take any action necessary to carry out this vote, or take any other action relative thereto.

**Anamika Vermer
1 Perkins Street**

George Seibold 1 Tom's Way made a motion to amend Article 18 to include "no longer than 20 years" after "easement for". A motion was made to move the question. The motion passed. A vote was taken on the amendment. The amendment passed.

Article 18. Voted that the Town lease or provide easement for a portion of Perkins Street approximately 80 feet in length along the south westerly line of Perkins Street to the southerly line of Franklin Street containing approximately 720 square feet. The area is between the street line and the back of the sidewalk as constructed during the Franklin Street reconstruction project; and further, to authorize the Town Administrator to take any action necessary to carry out this vote.

**Vote on Main Motion as Amended
 $\frac{2}{3}$ Vote Required
Passed Per Moderator
Motion for Reconsideration
Fails Per Moderator
Cannot Be Reconsidered**

Article 17. To see if the Town will vote to authorize the Board of Selectmen to sell a certain parcel of land located on Perkins Street, approximately 80 feet in length along the south westerly line of Perkins Street to the southerly line of Franklin Street containing approximately 720 square feet +/-, more specifically the area between the street line and the back of the sidewalk as constructed during the Franklin Street reconstruction project, pursuant to the provisions of Mass. Gen. L. Ch. 30B, as applicable, and take such other and further actions in furtherance of this authorization, including the execution of any documents necessary to effectuate the sale of said property, or do anything in relation thereto.

Board of Selectmen

Article 17. Voted that the Town authorize the Board of Selectmen to sell a parcel of land located on Perkins Street, approximately 80 feet in length along the south westerly line of Perkins Street to the southerly line of Franklin Street containing approximately 720 square feet +/-, more specifically the area between the street line and the back of the sidewalk as constructed during the Franklin Street reconstruction project, pursuant to the provisions of Massachusetts General Law, Chapter 30B, as applicable, and take such other and further actions in furtherance of this authorization, including the execution of any documents necessary to effectuate the sale of said property.

**Motion to Move Question
Question was Moved
 $\frac{2}{3}$ Vote Required
Passed Unanimously
Motion for Reconsideration
Fails Per Moderator
Cannot Be Reconsidered**

Article 19. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow the necessary funds for capital projects, 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 \$2,190,500 under Mass. Gen. L. c. 44 or any other enabling authority, or do anything in relation thereto.

Capital Committee

Article 19.

a. Voted that the Town appropriate Two Hundred Twenty Thousand Dollars (\$220,000) for the following capital purchases:

1. Fire Station Basement Gym Lead Paint Remediation -\$40,000
2. High School Feasibility Study - \$125,000
3. Library Foundation Study to address major water issues - \$30,000
4. School Sidewalk & Patio Repair - \$25,000

Said sum to be transferred from the Sale of Foreclosed Property Fund (\$85,554) and from the unexpended balance of a prior year warrant article (High School Boilers) voted in Article No. 1 of the March 13, 2016 Special Town Meeting (\$134,446).

Passed Unanimously

b. Voted that the Town appropriate a sum of One Million, One Hundred Seventy Thousand Five Hundred Dollars (\$1,170,500) for the following capital expenditures, including all costs incidental or related thereto:

1. Police Dept. HVAC Upgrade - \$300,000
2. Multi-Use Utility Vehicle (replace 1985 sidewalk plow & blower) - \$153,000
3. Town Wide Sidewalk Program - \$132,000
4. Golf Course Irrigation Replacement - \$585,500

Said sum totaling One Million, One Hundred Seventy Thousand Five Hundred Dollars (\$1,170,500) to be met by borrowing by the Treasurer, with the approval of the Board of Selectmen, pursuant to Chapter 44 of the Massachusetts General Laws and any other applicable laws; and further, that provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Law, Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

2/3 Vote Required
Passed Unanimously

- c. **Voted** that the Town appropriate Four Hundred Thousand Dollars (\$400,000) for the purpose of defraying the cost of constructing water mains or replacing or relining existing water mains, street repairs, hydrant replacement, water meter installations, purchasing equipment, or maintain the water system within the limits of the Town. Said sum to be transferred from water enterprise fund retained earnings.

Passed Unanimously
Motion for Reconsideration
Articles 19a, 19b & 19c
Fails Per Moderator
Cannot be Reconsidered

Article 20. To see if the Town will vote to authorize the Board of Selectmen to grant an easement containing approximately 115 square feet +/- to the Stoneham Theatre for the purpose of providing a handicapped accessibility ramp to their entrance over the public sidewalk located at 395 Main Street with the exact location and area of the easement on such property to be determined by the Department of Public Works, and take such other and further actions in furtherance of this authorization, including the execution of any documents necessary to effectuate the granting of said easement, or do anything in relation thereto.

Town Administrator

Article 20. Voted that the Town authorize the Board of Selectmen to grant an easement containing approximately 115 square feet +/- to the Stoneham Theatre for the purpose of providing a handicapped accessibility ramp to their entrance over the public sidewalk located at 395 Main Street with the exact location and area of the easement on such property to be determined by the Department of Public Works, and further that the Board of Selectmen be authorized to take such other and further actions in furtherance of this authorization, including the execution of any documents necessary to effectuate the granting of this easement.

2/3 Vote Required
Passed Unanimously

Article 21. To see if the Town will vote to accept the provisions of Mass. Gen. L, c.60, Sec. 3F to establish a Veterans' Assistance Trust Fund to provide support for veterans and their dependents in need of immediate assistance with food, transportation, heat, and oil expenses, as applicable, or do anything in relation thereto.

Board of Selectmen

Article 21. Voted that the Town vote to accept the provisions of Massachusetts General Law, Chapter 60, Section 3F establishing a municipal veterans assistance [trust] fund under the care and charge of the Treasurer and administered by the Department of Veterans' Services to provide for the support of Stoneham veterans and their dependents in need of immediate assistance with food, transportation, heat and oil expenses.

Passed Unanimously

Article 22. Stretch Energy Code: To see if the Town will vote to enact Chapter 15 of the Town of Stoneham General Bylaws, entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 2, 2018, a copy of which is on file with the Town Clerk, or take any other action relative thereto.

Chapter 15

STRETCH ENERGY CODE

§7.5.1.7 Stretch Energy Code

§7.5.1.7.1 Definitions

§7.5.1.7.2 Purpose

§7.5.1.7.3 Applicability

§7.5.1.7.4 Stretch Code

§7.5.1.7.1 Definitions

International Energy Conservation Code (IECC) – The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the 9th edition Massachusetts building code, the Stretch Energy Code

is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

§7.5.1.7.2 Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

§7.5.1.7.3 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51, as applicable.

§7.5.1.7.4 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of Stoneham General Bylaws, Chapter 15.

The Stretch Code is enforceable by the Inspector of Buildings or Building Commissioner.

Planning Board

Please Note- Article 22 was originally submitted by the Planning Board as a zoning bylaw change. At the recommendation of Town Counsel the Planning Board chose to add it to Chapter 4 of the Stoneham Town Code which would make it a general bylaw. The Planning Board held a meeting at 6PM on May 1, 2017 and voted to change Article 22 to insert the “Stretch Energy Code into Chapter 4 instead of Chapter 15.

Article 22. Voted that the Town adopt the so-called Stretch Energy Code portion of the State Building Code, for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the “Stretch Energy Code”, including future editions, amendments or modifications thereto, by amending the Town of Stoneham Code so as to add thereto the bylaw effective January 2, 2018 as set forth in Article 22 of the Town Meeting Warrant with one change that it would be inserted in Chapter 4, Buildings as a new Section 4-4, Stretch Energy Code.

Chapter 4 Buildings

STRETCH ENERGY CODE

§7.5.1.7 Stretch Energy Code

§7.5.1.7.1 Definitions

§7.5.1.7.2 Purpose

§7.5.1.7.3 Applicability

§7.5.1.7.4 Stretch Code

§7.5.1.7.1 Definitions

International Energy Conservation Code (IECC) – The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the 9th edition Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

§7.5.1.7.2 Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

§7.5.1.7.3 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51, as applicable.

§7.5.1.7.4 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of Stoneham General Bylaws, Chapter 4.

The Stretch Code is enforceable by the Inspector of Buildings or Building Commissioner.

Passed Unanimously

Article 23. A-Frame Sign Defined as a “PORTABLE SIGN”: To see if the town will vote to amend portions of the zoning bylaw **Chapter 15, Section 6.7 SIGNS** by amending or adding the following sections of said zoning bylaw related to the CENTRAL BUSINESS DISTRICT with deletions shown as strikeouts and additions shown as underlines and the accompanying sign chart Chapter 15 – Central Business District, as shown herein:

Chapter 15, Section 6.7.4 Sign Definitions:

Chapter 15, Section 6.7.4.28A Portable Central Business District A-Frame: In accordance with the construction regulation and application process as adopted by the Planning Board and permitted pursuant to Chapter 15 Section 6.7.7, placed on private property or on the public

sidewalk directly abutting the property, allowing a minimum of five (5) feet clear path along the public way and a minimum of fifteen (15) feet between A-Frame signs.

Chapter 15, Section 6.7.5 Prohibited signs: The following are prohibited: (a) Animated, moving, flashing, and revolving signs; beacon searchlights; pennants, portable signs, and balloons, other than as defined in Section 6.7.6, Permitted signs. (See Section 6.7.6 Central Business District Table 2 – below)

Chapter 15, Sign Chart – Central Business District

Central Business District

| <u>Sign Type Allowed</u> | <u>Permit Required</u> | <u>Max. Sign Area</u> | <u>Max Height Ft.</u> | <u>Front Setback</u> | <u>Side Setback</u> | <u>Max. Number</u> | <u>Comment</u> |
|--------------------------|-----------------------------|------------------------------|-----------------------|--|---------------------|--|--|
| <u>A-Frame</u> | <u>Y (renewed annually)</u> | <u>20 inches X 36 inches</u> | <u>36 inches</u> | <u>See Chapter 15, Section 6.7.4.28A</u> | <u>NA</u> | <u>1 per business</u> <u>With a minimum of 15 feet between A-Frame signs.</u> | <u>Allowed during business hours but in no case before 6:00 AM or after 11:00 PM and shall not be displayed during snow emergencies, inclement weather or overnight.</u> |

Planning Board

Article 23. Voted that the Town amend the Town of Stoneham Code-Chapter 15-Zoning as set forth in Article 23 of the Town Meeting Warrant to amend the Sign Bylaw

A-Frame Sign Defined as a “PORTABLE SIGN” by amending or adding the following sections of said zoning bylaw related to the CENTRAL BUSINESS DISTRICT with deletions shown as strikeouts and additions shown as underlines and the accompanying sign chart Chapter 15 – Central Business District, as shown herein:

Chapter 15, Section 6.7.4 Sign Definitions:

Chapter 15, Section 6.7.4.28A Portable Central Business District A-Frame: In accordance with the construction regulation and application process as adopted by the Planning Board and permitted pursuant to Chapter 15 Section 6.7.7, placed on private property or on the public sidewalk directly abutting the property, allowing a minimum of five (5) feet clear path along the public way and a minimum of fifteen (15) feet between A-Frame signs.

Chapter 15, Section 6.7.5 Prohibited signs: The following are prohibited: (a) Animated, moving, flashing, and revolving signs; beacon searchlights; pennants, portable signs, and balloons, other

than as defined in Section 6.7.6, *Permitted signs*. (See Section 6.7.6 Central Business District Table 2 – below)

Chapter 15, Sign Chart – Central Business District

Central Business District

| <u>Sign Type Allowed</u> | <u>Permit Required</u> | <u>Max. Sign Area</u> | <u>Max Height Ft.</u> | <u>Front Setback</u> | <u>Side Setback</u> | <u>Max. Number</u> | <u>Comment</u> |
|--------------------------|-----------------------------|------------------------------|-----------------------|--|---------------------|--|--|
| <u>A-Frame</u> | <u>Y (renewed annually)</u> | <u>20 inches X 36 inches</u> | <u>36 inches</u> | <u>See Chapter 15, Section 6.7.4.28A</u> | <u>NA</u> | <u>1 per business</u> <u>With a minimum of 15 feet between A-Frame signs.</u> | <u>Allowed during business hours but in no case before 6:00 AM or after 11:00 PM and shall not be displayed during snow emergencies, inclement weather or overnight.</u> |

**Motion to Move the Question
Question is Moved
2/3 Vote Required
2/3 Vote Passed Per Moderator
Motion for Reconsideration
Fails Per Moderator
Cannot Be Reconsidered**

Article 24. Distribution of Marijuana Not Medically Prescribed:

To see if the Town will vote to amend the Stoneham Town Code Chapter 15, Zoning Bylaw, by adding Section 4.1.7 Moratorium on Distribution of Marijuana Not Medically Prescribed as follows:

Chapter 15, 4.1.7 Moratorium on Distribution of Marijuana Not Medically Prescribed

4.1.7.1. Purpose: By vote at the State election on November 8, 2016 (Ballot Question 4), the voters of the Commonwealth approved a law to control the production and distribution of marijuana under a system that licenses, regulates and taxes the businesses involved in a manner similar to alcohol and to make marijuana legal for adults 21 years of age or older. Its intent is to remove the production and distribution of marijuana from the illicit market and to prevent the sale of marijuana to persons under 21 years of age by providing for a regulated and taxed distribution system. This moratorium will allow the Town sufficient time to engage in a planning process to consider and address the effects of such uses and structures in the Town, and to enact zoning bylaw

provisions regarding the distribution of marijuana not medically prescribed in a manner consistent with sound planning and land use objectives, as well as applicable law and regulations.

4.1.7.2. Definition of Distribution of Marijuana Not Medically Prescribed: Distribution of marijuana not medically prescribed shall mean “an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers”, as defined by Massachusetts law only (as referenced in Ballot Question 4) and regulated by the Commonwealth of Massachusetts to “compound, blend, extract, infuse or otherwise make or prepare a marijuana product.”

4.1.7.3 Moratorium: For the reasons set forth in the purpose Section above, and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a moratorium on the use of any land or structures for the distribution of marijuana not medically prescribed in all zoning districts in the Town. The moratorium shall be in effect until such time that the Town Meeting enacts a Zoning Bylaw specifically addressing a Distribution Use(s) of Marijuana Not Medically Prescribed in Stoneham or through *July 1, 2019*, whichever date is sooner. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of the distribution of marijuana not medically prescribed and related uses in the Town, consider the State regulations regarding its distribution and related uses, and enact new Zoning Bylaws to address these issues, including the use of any land or structures therefore.

Or do anything in relation hereto.

Planning Board

Please Note- Article 24 was originally submitted by the Planning Board with a date of July 1, 2019. At the recommendation of Town Counsel the Planning Board chose to change the date to December 31, 2018. The Planning Board held a meeting at 6PM on May 1, 2017 and voted to substitute the date of December 31, 2018 for the date of July 1, 2019 in Article 24.

Article 24. Voted that the Town amend the Town of Stoneham Code – Chapter 15 – Zoning, as set forth in Article 24 of the Town Meeting Warrant, substituting the date of December 31, 2018, for the date of July 1, 2019, as originally published (Temporary Moratorium on Marijuana Not Medically Prescribed).

By adding Section 4.1.7 Moratorium on Distribution of Marijuana Not Medically Prescribed as follows:

Chapter 15, 4.1.7 Moratorium on Distribution of Marijuana Not Medically Prescribed

4.1.7.1. Purpose: By vote at the State election on November 8, 2016 (Ballot Question 4), the voters of the Commonwealth approved a law to control the production and distribution of marijuana under a system that licenses, regulates and taxes the businesses involved in a manner similar to alcohol and to make marijuana legal for adults 21 years of age or older. Its intent is to remove the production and distribution of marijuana from the illicit market and to prevent the sale of marijuana to persons under 21 years of age by providing for a regulated and taxed distribution

system. This moratorium will allow the Town sufficient time to engage in a planning process to consider and address the effects of such uses and structures in the Town, and to enact zoning bylaw provisions regarding the distribution of marijuana not medically prescribed in a manner consistent with sound planning and land use objectives, as well as applicable law and regulations.

4.1.7.2. Definition of Distribution of Marijuana Not Medically Prescribed: Distribution of marijuana not medically prescribed shall mean “an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers”, as defined by Massachusetts law only (as referenced in Ballot Question 4) and regulated by the Commonwealth of Massachusetts to “compound, blend, extract, infuse or otherwise make or prepare a marijuana product.”

4.1.7.3 Moratorium: For the reasons set forth in the purpose Section above, and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a moratorium on the use of any land or structures for the distribution of marijuana not medically prescribed in all zoning districts in the Town. The moratorium shall be in effect until such time that the Town Meeting enacts a Zoning Bylaw specifically addressing a Distribution Use(s) of Marijuana Not Medically Prescribed in Stoneham or through *December 31, 2018*, whichever date is sooner. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of the distribution of marijuana not medically prescribed and related uses in the Town, consider the State regulations regarding its distribution and related uses, and enact new Zoning Bylaws to address these issues, including the use of any land or structures therefore.

**Motion to Move the Question
Question is Moved
2/3 Vote Required
Passed Per Moderator
Motion for Reconsideration
Fails Per Moderator
Cannot Be Reconsidered**

Article 26. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-law by amending the Zoning Map to add to the Central Business District the following described property at 12 Pleasant Street and 60 Central Street:

PARCEL A

REAR 12 PLEASANT STREET, STONEHAM, MASS.

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

Beginning at the northwesterly rear lot corner of 12 Pleasant Street, said point being S77°-50'-39" W along the southerly lot line of 60 Central Street a distance of 127.99 feet from the sideline of Central Street at the southeasterly lot corner of 60 Central Street;

Thence running N 77°-50'-39" E a distance of 32.66 feet to a point;

Thence turning and running S 00°-38'-52" W a distance of 41.83 feet to a point;

Thence turning and running N 89°-21'-08" W a distance of 31.28 feet to a point;

Thence turning and running N 00°-17'-58" E a distance of 34.60 feet to the point of beginning;

Containing an area of 1,207 square feet and shown as PARCEL A on a plan entitled, "PLAN OF LAND 290 MAIN STREET 12 PLEASANT STREET 60&64 CENTRAL STREET STONEHAM, MASS. Dated March 1, 2017" by Benchmark Survey.

PARCEL B

REAR 60 CENTRAL STREET, STONEHAM, MASS.

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

Beginning at a ½" rebar at the northwesterly rear corner of 60 Central Street, said point being S 79°-12'-59" W along the northerly lot line a distance of 88.97 feet from the sideline of Central Street at the northeasterly lot corner of the herein described lot;

Thence running S 00°-24'-48" E along the westerly rear line of the herein described lot a distance of 84.88 feet to a point;

Thence turning and running N 77°-50'-39" E along the southerly lot line of the herein described lot a distance of 13.00 feet to a point;

Thence turning and running N 09°-12'-43" E a distance of 83.21 feet to the point of beginning;

Containing an area of 540 square feet and shown as PARCEL B on a plan entitled, "PLAN OF LAND 290 MAIN STREET 12 PLEASANT STREET 60&64 CENTRAL STREET STONEHAM, MASS. Dated March 1, 2017" by Benchmark Survey.

Charles F. Houghton
15 Kimball Drive

Article 26. Voted that the Town amend the Stoneham Town Code, Chapter 15, Zoning By-law by amending the Zoning Map to add to the Central Business District the following described property at 12 Pleasant Street and 60 Central Street:

PARCEL A

REAR 12 PLEASANT STREET, STONEHAM, MASS.

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Thence running N 77°-50'-39" E a distance of 32.66 feet to a point;

Thence turning and running S 00°-38'-52" W a distance of 41.83 feet to a point;

Thence turning and running N 89°-21'-08" W a distance of 31.28 feet to a point;

Thence turning and running N 00°-17'-58" E a distance of 34.60 feet to the point of beginning;

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PARCEL B

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Thence running S 00°-24'-48" E along the westerly rear line of the herein described lot a distance of 84.88 feet to a point;

Thence turning and running N 77°-50'-39" E along the southerly lot line of the herein described lot a distance of 13.00 feet to a point;

Thence turning and running N 09°-12'-43" E a distance of 83.21 feet to the point of beginning;

Containing an area of 540 square feet and shown as PARCEL B on a plan entitled, "PLAN OF LAND 290 MAIN STREET 12 PLEASANT STREET 60&64 CENTRAL STREET STONEHAM, MASS. Dated March 1, 2017" by Benchmark Survey.

⅔ Vote Required
Passed Unanimously
Motion for Reconsideration
Fails Per Moderator
Cannot Be Reconsidered

Article 27. Stoneham Anti-Corruption Resolution:

WHEREAS, the current and increasing role of money in politics threatens the democratic ideals upon which our republic was founded; and

WHEREAS, in an effort to restore voter confidence in our democracy, a non-partisan, grassroots movement known as "Represent.Us" is working for legislative reforms to reduce the opportunity for corruption within the political system in our country by supporting a legislative reform bills modeled after the "American Anti-Corruption Act" (the Act); and

WHEREAS, the Act targets bribery by preventing lobbyists from donating to politicians and offering them deals that could influence policymaking, ends secret money by mandating full transparency, enables citizens to fund elections, closes the "revolving door" between Congress and lobbying firms, and enhances the power of the Federal Election Commission.

NOW, THEREFORE, BE IT RESOLVED by the legal voters of the Town of Stoneham, Massachusetts that tough new anti-corruption laws must be passed by the Massachusetts General Court as well as the US Congress to remove the corrupting influence of money on our political system. Laws such as these would prohibit politicians from taking campaign money from industries they regulate; increase transparency for campaign funding; empower all voters through a tax rebate voucher to contribute to the candidates they support; prohibit representatives and senior staff from all lobbying activity for five years after leaving office; and place limits on Super PACs.

Public Petition

Before Article 27 the Moderator states that action should be taken on all articles. She then asked the Town Meeting body for a vote in the affirmative on Article 1 the Annual Town Election and Article 2 The selection of Town Officers. The articles were then passed unanimously.

Moderator Craigie then stated that we don't usually offer resolutions but that she would allow this one to be read, then we would take a vote prior to the meeting being dissolved.

Article 27. Voted to accept the following resolution as read by Angela Simonelli 29 Lincoln Street:

Stoneham Anti-Corruption Resolution:

WHEREAS, the current and increasing role of money in politics threatens the democratic ideals upon which our republic was founded; and

WHEREAS, in an effort to restore voter confidence in our democracy, a non-partisan, grassroots movement known as "Represent.Us" is working for legislative reforms to reduce the opportunity for corruption within the political system in our country by supporting a legislative reform bills modeled after the "American Anti-Corruption Act" (the Act); and

WHEREAS, the Act targets bribery by preventing lobbyists from donating to politicians and offering them deals that could influence policymaking, ends secret money by mandating full transparency, enables citizens to fund elections, closes the "revolving door" between Congress and lobbying firms, and enhances the power of the Federal Election Commission.

NOW, THEREFORE, BE IT RESOLVED by the legal voters of the Town of Stoneham, Massachusetts that tough new anti-corruption laws must be passed by the Massachusetts General Court as well as the US Congress to remove the corrupting influence of money on our political

system. Laws such as these would prohibit politicians from taking campaign money from industries they regulate; increase transparency for campaign funding; empower all voters through a tax rebate voucher to contribute to the candidates they support; prohibit representatives and senior staff from all lobbying activity for five years after leaving office; and place limits on Super PACs.

Passed Per Moderator

Town Meeting Dissolved at 10:55PM.

Respectfully Submitted:

A handwritten signature in cursive script that reads "Maria Sagarino".

**Maria Sagarino
Town Clerk**