

**MINUTES FOR SPECIAL TOWN MEETING  
MONDAY, OCTOBER 15, 2018**

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

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 Auditorium, 35 Central Street, Stoneham**, on

**Monday, October 15, 2018, at 7:00 p.m.**

to act upon the following articles of this Warrant:

Tellers were appointed to check the names of voters entering the Town Hall and the checklist showed 106 voters were inside the meeting.

Moderator Jeanne Craigie invited members of the Stoneham Youth Action Coalition to lead the Pledge of Allegiance. Pastor Henry Schoenfield was present to give the invocation

Moderator Craigie recognized the passing of former school and town employees Theodore Schwalb, Tess Hurley, William McNulty Jr, Ann Marie Gailis, Marguerite Muir, Betty Luciano and Margaret Donahoe.

The meeting was called to order in the Town Hall Auditorium at 7:02 PM and the warrant was read.

**Article 1.** To see if the Town will vote to amend Stoneham Town Code, Chapter 16, Board of Selectmen, by inserting a new Article VII, Social Host Responsibility, as follows:

Sec. 16-154. Prohibition against consumption of alcoholic beverages or drugs by minors on private property.

(a) *Legislative Intent & Purpose.* It is the purpose of this section to protect the public interest, welfare, health and safety within the Town of Stoneham by prohibiting the service to and consumption of alcoholic beverages and drugs by persons under the age of twenty-one (21) on private property located within the Town. The Select Board finds that the occurrence of social gatherings at private premises where alcoholic beverages or drugs are served to or consumed by persons under the age of twenty-one (21) is harmful to such persons themselves and a threat to public welfare, health and safety. The Select Board finds further that persons under the age of twenty-one (21) often obtain alcoholic beverages or drugs at such gatherings and that persons who rent, own or otherwise control the premises at which such service and/or consumption is occurring will be more likely to ensure that alcoholic beverages and drugs are neither served to nor consumed by persons under the age of twenty-one (21) at these gatherings.

(b) *Definitions.* For purposes of this section, the following terms shall be defined as follows:

“Alcoholic beverage” means any liquor, wine, beer, spirits, cider or other liquid or solid, patented or not, composed of or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person.

“Control” means the authority and ability to regulate, direct, or dominate.

“Drug” means any substances recognized as drugs in the official United States Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; or any substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; or any substances, other than food, intended to affect the structure or any function of the body of man and animals.

“Open House Party” means a social gathering at a residence or other private property with minors present

“Person” means a human being, and where appropriate, a public or private corporation, company, an unincorporated organization or association, or a partnership.

“Premises” means a home, yard, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, whether occupied as a dwelling, party or other social function, and whether owned, leased, rented or used with or without compensation. The term “premises” shall also include private functions held at public facilities within the Town of Stoneham.

(c) *Prohibition.* Any person who owns, rents or otherwise controls any premises shall be responsible when an open house party takes place at said residence where any alcoholic beverage or drugs is being unlawfully possessed, served to or consumed by persons under the age of twenty-one (21) at these gatherings at said premises.

(d) *Exceptions.* The provisions of this section shall not apply to:

- (1) The possession or consumption of a drug for which the individual has a current, valid prescription or as otherwise permitted by any other applicable law;
- (2) The use of alcoholic beverages, which occurs exclusively between a person under the age of twenty-one (21) and his/her parent or legal guardian; and
- (3) The practice of legally recognized religious observances

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

- (1) *Fines.*
  - a. A first violation of this ordinance shall be punishable by a warning which shall be issued by the Chief of the Stoneham Police Department
  - b. A second violation of this ordinance at the same premises or by the same person, within a twelve (12) month period shall be punishable by a fine of \$150.00
  - c. A third or subsequent violation of this ordinance at the same premises or by the same person, within a (12) month period shall be punishable by a fine of \$300.00
- (2) *Prosecution.* Any violation hereof may also be prosecuted under the applicable provisions of Gen. L. c. 138 §34.

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

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

(g) *Inconsistency with Other Laws.*

- (1) If any part of provision of this section is inconsistent with any federal or state statute, law, rule, or regulation, then such statute, law, rule, or regulation shall prevail.
- (2) If any part of provision of this section of the applicability thereof to any person or circumstance be adjusted invalid by a court of competent jurisdiction, such judgement shall be confined in its operation to the part or provision of or application directly involved in the controversy in which such judgement shall have been rendered and shall not affect or impair the validity of the remainder of this section, or the application thereof to other persons or circumstances.

or do anything in relation thereto.

**Board of Selectmen**

**Article 1.** **Voted** that the Town amend the Stoneham Town Code, Chapter 16, Board of Selectmen, by inserting a new Article VII, Social Host Responsibility, as written in Article 1 of the Special Town Meeting Warrant.

**Passes Unanimous**

**Article 2.** To see if the Town will vote to amend portions of the Stoneham Town Code, Chapter 15, Zoning, by amending or adding the following sections of said zoning bylaw related to the definition of the term “Kennel” with additions shown as underlines:

**Chapter 15, Section 2.1.41 DEFINITIONS:**

Chapter 15, Section 2.1.41 – *Kennel*: Facilities for keeping three (3) or more dogs or cats three (3) months old or older on a single premise, whether maintained for daytime care, breeding, boarding, sale, training, hunting or other purposes and including any shop where dogs or cats are customarily kept for sale.

or do anything in relation thereto.

**Planning Board**

**Article 2.** **Voted** that the Town amend the Stoneham Town Code, Chapter 15, Zoning, by amending the existing definition of the term “Kennel” to include the concept of “daytime care” for dogs and cats as written in Article 2 of the Special Town Meeting Warrant.

**$\frac{2}{3}$ Vote Required**  
 **$\frac{2}{3}$  Passes Per Moderator**  
**Motion for Reconsideration**  
**Cannot be Reconsidered**

**Article 3.** To see if the Town will vote to amend Stoneham Town Code, Chapter 15, Zoning, inserting a new Section 2.1.1.1, Accessory Dwelling, and further by deleting Section 4.2.4.1 in its entirety inserting a new Section 4.2.4.1, Accessory Dwellings, as follows:

2.1.1.1 *Accessory Dwelling*: An accessory dwelling is a separate dwelling unit located within an owner occupied, single family home containing both a bathroom with a sink, toilet and tub or shower and a kitchen with a stove, sink and refrigerator, accessory to a single-family residential dwelling.

4.2.4.1 Accessory Dwellings

(a) Purpose: To enable single family dwellings to be converted to include one accessory dwelling allowing family members to remain in their homes and

neighborhoods, to provide for affordable housing options while protecting and maintaining the appearance of the home as a single-family home and character of the surrounding neighborhood as a single family neighborhood. Family members as used herein shall include a spouse, person residing in the same household, in-laws, mother, father, sister, brother of the whole or half blood, son, daughter, adopting parent or adopted child, step parent, step child, uncle, aunt, niece, nephew, grandparent, great grandparent, grandchild, great grandchild.

(b) **Procedural Requirements:** An applicant seeking a Special Permit for an accessory dwelling shall comply with the procedural requirements for Special Permits set forth in Chapter 17 of the Stoneham Town Code.

(c) **Review Criteria/Standards:** A single-family dwelling may be converted for the incorporation of one accessory dwelling in the Residence A or Residence B District subject to the granting of a Special Permit from the Planning Board based on the following criteria:

1. Only one accessory dwelling shall be allowed per single family dwelling. Only single-family dwellings, whether they be located in Residence A or Residence B, are eligible to add an accessory dwelling.
2. The accessory dwelling shall be designed so that the appearance of the building remains that of a single-family dwelling. In general, any new entrance shall be located on the side or rear of the existing single-family residence. All stairways to second or third stories shall be enclosed within the exterior walls of the dwelling. The Planning Board, in its discretion, may permit a reasonable deviation from this requirement when necessary to facilitate access and mobility for disabled persons and other bona fide reasons.
3. The accessory dwelling must comply with all applicable state, federal and local laws and regulations and no certificate of occupancy shall be issued until evidence of the Special Permit Decision and Deed restriction has been recorded with the Middlesex County Registry of Deeds and proof of recording or registration has been delivered to the Planning Board and Building Department.
4. The owner(s) of the single-family lot and dwelling shall occupy at least one (1) of the dwelling units on the subject property as his/her principal residence as a fee simple owner or an inalienable life estate as evidenced by legal documentation satisfactory to the Planning Board and occupancy of the accessory dwelling shall be limited to the owner or family members as defined herein. A notarized affidavit certifying that the owner or life estate is one of the occupants of the dwelling shall be submitted to the Planning Board as part of the application for a Special Permit. 5. The lot must meet the minimum lot size of single-family lots; i.e. 10,000 square feet, 90 feet of frontage and comply with the current front, rear and side setbacks in the Residence A District unless applicant obtains a variance therefrom from

the Zoning Board of Appeals prior to applying for the accessory dwelling before the Planning Board.

6. The accessory dwelling and principal dwelling must comply with all applicable State Building Codes; and, in the case of any home renovation, approved water conservation devices shall be required in the accessory dwelling including, without limitation, low-flow shower heads and water-efficient toilets.
7. The gross floor area of the accessory dwelling shall not exceed 750 square feet under any circumstance or condition and must be attached to the principal single-family dwelling unit by minimum shared wall coverage of 75% of the length of the wall.
8. One additional off-street parking space shall be provided for the accessory dwelling in addition to the minimum of two off-street parking spaces for the principal single family dwelling, or other parking requirements as determined by the Planning Board which may include but not be limited to suitable screening either in the form of a fence or landscaped buffer, or both to minimize the visual impact on abutters and to maintain the single family appearance of the neighborhood;
9. All utility services shall be by a single service meter for both the principal single-family dwelling and accessory dwelling.
10. Occupancy of the accessory dwelling shall be limited to two people and may not be used for any business or commercial purposes, and there shall be no borders or lodgers permitted within either the principal single-family unit or the accessory dwelling.
11. Any Special Permit issued under this bylaw shall expire upon a change in the ownership of the property or a change in the residence of either the principal dwelling or accessory dwelling and, upon such occurrence, the permitted use of the property shall automatically revert to a single-family dwelling with no accessory dwelling. As a requirement for the continuance of an approved accessory dwelling, the owner of the principal single-family dwelling shall submit a notarized affidavit to the Planning Board by January 31st of each year certifying conformance to all applicable regulations and that the occupants, facts and circumstances present when the initial Special Permit was issued remain unchanged. If such affidavit is not filed, the accessory dwelling shall cease to exist and revert to a single-family dwelling.
12. Any Special Permit issued under this bylaw shall be exercised within two years of the date of the issuance or shall lapse.
13. In reviewing and evaluating an application for an accessory dwelling and in making a final determination, the Planning Board, shall also apply the criteria detailed in sections 7.4.3.1 (a)-(e) and 7.4.3.2 (a)-(f) of the bylaw.

- (d) Special Permits for accessory dwellings can be issued by the Planning Board up to a limit of ten per cent (10%) of all single-family dwellings in the Town of Stoneham as such number of single family dwelling exist according to the Town Assessor's records at the time of application.

or do anything in relation thereto.

### **Planning Board**

**Motion to amend Article 3 made by Oswald Zappa 7 Forest Street:** To be inserted at end of paragraph 4.2.4.1 © Accessory Dwellings paragraph 11: The owner shall remove all modifications made pertaining to the accessory dwelling. In particular all plumbing and wiring as well as appliances (stove, oven, microwaves, refrigerators, etc.) associated with a second kitchen or revisions of the initial dwelling. These revisions are to be accomplished within a period of less than six (6) months period of the failure to comply with the applicable regulations, occupancy facts and circumstances present when the initial permit was issued. Failure to comply will result in fines to be assessed each month. To be inserted instead of paragraph 4.2..4.1 (d): Town wise permits are limited to those extent 15 October 2018 as recorded by the Planning Board. Single family accessory dwelling permits will be issued only as granted permits fail to observe the regulations outlined above and after all accessory modifications have been made to the dwelling of the vacated permit. All subsequent permits will be granted by popular vote at the Annual Town Meeting. The number of permits issued shall be limited to the number of certified vacated permits.

### **Amendment Fails Per Moderator**

**Article 3.** **Voted** that the Town amend the Stoneham Town Code, Chapter 15, Zoning, by inserting a new Section 2.1.1.1, Accessory Dwelling, by deleting the existing Section 4.2.4.1 in its entirety, and inserting a new Section 4.2.4.1, Accessory Dwellings as written in Article 3 of the Special Town Meeting Warrant.

**2/3 Vote Required**

**Hand Count Taken**

**Yes No**

**50 40**

**Fails Per Moderator**

**Motion for Reconsideration**

**Article 4.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning, by amending the Zoning Map to add to the Recreation/Open Space District the following described property:

A certain former segment of railroad right-of-way known as the Stoneham Branch, so-called, situated in the Town of Stoneham, Middlesex County, Massachusetts commencing at the City of Woburn / Town of Stoneham town line at Engineering Station 40+00 as shown on Valuation Section 13.5 Map 2, and running in a generally easterly direction for approximately 912 +/- linear feet and ending on the southerly sideline of Maple Street in Stoneham at Engineering Station 49+15.6 as shown on Valuation Section 13.5, Map 2 as shown on Right-of-Way and Track Map, Boston and Lowell R. R. Corp., Operated by the Boston and Maine R. R., Station 40+0 to Station

80+0, Valuation Section 13.5, Map 2, the above referenced plans all previously recorded at the Middlesex County Registry of Deeds (Southern District) at Book 442, Sections A, B, and C

or do anything in relation thereto.

### **Planning Board**

**Article 4.** **Voted** that the Town amend the Stoneham Town Code, Chapter 15, Zoning, by amending the Zoning Map to include a portion of the former railroad right of way known as the Stoneham Branch in the Recreation/Open Space District, as described in Article 4 of the Special Town Meeting Warrant.

**$\frac{2}{3}$ Vote Required**

**$\frac{2}{3}$ Vote Passes Per Moderator**

**Article 5.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning, Section 3.2 Location of Districts by deleting the date April 1, 2008 and substituting October 15, 2018, so that it will read as follows:

#### **3.2 LOCATION OF DISTRICTS:**

Said districts are hereby established as shown on a map entitled “Stoneham, Massachusetts Official Zoning Map,” dated October 15, 2018. A true copy of which is on file in the office of the Town Clerk. Said map, together with all explanatory information thereon, is hereby incorporated into and made a part of this bylaw.

or do anything in relation thereto.

### **Planning Board**

**Article 5.** **Voted** that the Town amend the Stoneham Town Code, Chapter 15, Zoning, by amending provisions of the bylaw referring to the date of the former Zoning Map to include the current date of the new Zoning Map and to adopt and incorporate the new Zoning Map dated October 15, 2018 as described in Article 5 of the Special Town Meeting Warrant.

**$\frac{2}{3}$ Vote Required**

**$\frac{2}{3}$  Passes Unanimous**

**Article 6.** 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 Energy Revolving Fund for use by certain town departments, boards, committees, agencies or officers under Mass. Gen. L. Chapter 44, Section 53E $\frac{1}{2}$  as follows:

#### **Sec. 2-60B. Revolving Fund Bylaw.**

(e) *Authorized Revolving Funds.*

(5) Energy Revolving Fund.

- (a) Fund Name. There shall be a separate fund called the Energy Revolving Fund for the use of the Board of Selectmen.
- (b) Revenues. The Town Accountant shall establish the Energy Revolving Fund as a separate account and credit to the fund all of the revenue received by the Town from energy rental surcharges and any type of incentive payments from utility companies received after a project is completed (a/k/a pay for performance payments).
- (c) Purposes and Expenditures. During each fiscal year, the Town may incur liabilities against and spend monies from the Energy Revolving Fund to cover the costs associated with energy efficient upgrades and energy-related projects.
- (d) Fiscal Years. The Energy Revolving Fund shall operate for fiscal years that begin on or after July 1, 2018.

or do anything in relation thereto.

**Board of Selectmen**

**Article 6.** **Voted** that the Town amend the Stoneham Town Code, Chapter 2, Administration, Article IX, Treasurer and Tax Collector, Sec. 2-60B - Revolving Funds by adding a new Energy Revolving Fund as written in Article 6 of the Special Town Meeting Warrant.

**Passes Unanimous**

**Article 7.** To see if the Town will vote to set Fiscal Year 2019 total expenditure limitations for the Revolving Fund authorized under Article 5 of this Special Town Meeting Warrant as follows:

<u>Revolving Fund:</u>	<u>Not to Exceed Expenditure Limit:</u>
Energy Revolving Fund	\$100,000

or do anything in relation thereto.

**Board of Selectmen**

**Article 7.** **Voted** that the Town establish the total expenditure limit for the Energy Revolving Fund established by Article 6 of this Special Town Meeting at \$100,000.

**Passes Unanimous**

**Article 8.** To see if the town will vote to accept Chapter 54, section 16A of the Massachusetts General Laws. In any city or town which accepts this section, if the warden, clerk or inspector, or the deputy of any such officer, if any, is not present at the opening of the polls, the city or town clerk may appoint a person to fill such vacancy who shall be an enrolled voter of

the same political party as the absent officer, if any competent person enrolled in such party is present and willing to serve.

**Town Clerk**

**Article 8.** **Voted** that the Town accept the provisions of Mass. Gen. L. c. 54 sec. 16A.

**Passes Unanimous**

**Article 9.** To see if the Town will vote to raise and appropriate a sum of money to implement certain rehabilitation and construction projects on the Town's sanitary sewer system under Phase 11, 12 and 13 of the Massachusetts Water Resources Authority Assistance Program and the Town Treasurer, with the approval of the Board of Selectmen, be authorized to sell from time to time, as the occasion requires, town notes, bonds or other evidence of indebtedness in the amount not to exceed \$2,910,000 in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws and further to accept any grants or gifts for those projects, or do anything in relation thereto.

**Department of Public Works**

**Article 9.** **Voted** that the Town appropriate \$1,455,000 and to meet said appropriation, authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum for the rehabilitation and construction projects on the Town's sanitary sewer system necessary under Phase 11, 12 and 13 of the Massachusetts Water Resources Authority Assistance Program and to issue notes and bonds therefore; and further, that the Town be authorized to accept any federal, state or local grant funds; and further 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

**$\frac{2}{3}$  Vote Required**

**$\frac{2}{3}$  Passes Per Moderator**

**Article 10.** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$25,000 for the purpose of embellishing Lindenwood Cemetery by hiring part time help, purchasing equipment, or do anything in relation thereto.

**Department of Public Works**

**Article 10.** **Voted** that the subject matter of article 10 be indefinitely postponed.

**Passes Per Moderator**

**Indefinitely Postponed**

**Article 11.** To see if the Town will vote to raise and appropriate or transfer from available funds, sum of \$45,000 for a combined Purchasing Agent for the Town and School, or do anything in relation thereto.

**Town Administrator and School Superintendent**

**Article 11.** **Voted** that the subject matter of Article 11 be indefinitely postponed.

**Passes Per Moderator  
Indefinitely Postponed**

**Article 12.** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$670,000 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 said sum under the applicable provisions of Mass. Gen. L. c. 44 or any other enabling authority, or do anything in relation thereto.

**Capital Committee**

**Article 12.** **Voted** that the Town authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow a sum not to exceed \$670,000 for the Capital Projects set forth below, said funds to be expended under the general supervision of the Town Administrator and supervision of the department head for which the sums have been appropriated:

Department	Amount	Description
Police	\$ 140,000.00	<b>Cruisers</b> - Replacement of two (2) Police Cruisers.
Fire	\$ 75,000.00	<b>Feasibility Study</b> - A consultant would develop space requirements for the department's programs. Using that information, potential sites would be identified, followed by a conceptual design and floor plans and preliminary cost estimates. Much of this work is technical and depends on deep knowledge of requirements for and best practices in the field of fire protection and emergency medical services. Once funds for the study are approved, the Town would contract with a consultant that has extensive experience in designing and completing fire stations.
Schools	\$ 375,000.00	<b>Security Upgrades</b> - Installation of security camera's in various schools.
Town	\$ 80,000.00	<b>Munis Upgrade</b> - This upgrade will include a requisition system, upgrade our utility billing system and purchase a cash station for the Treasurer/Collector's office.

and further, 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 Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

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

**Article 13.** To see if the Town will vote to amend Stoneham Town Code by adding Chapter 24 as follows:

**Chapter 24: Trees**

#### § 24-1 Intent and purpose

It is the intent of this bylaw to sustain environmental health, enhance the economic well-being and maintain the quality of life for the citizens of the Town of Stoneham. Public trees make an important contribution to the character and heritage of Stoneham's neighborhoods. This bylaw establishes policy for ensuring the health and longevity of the Town's trees.

#### § 24-2 Tree Warden

The care and management of public trees shall be the responsibility of the Tree Warden, appointed in accordance with MGL c. 41 § 106, or that official's designee. The Tree Warden is responsible for planting, maintaining and removing trees from streets, parks and other designated public places in accordance with MGL c. 87, § 2.

#### § 24-3 Public shade trees

It shall be the policy of the Town of Stoneham to encourage the conservation of public shade trees (as defined in MGL c. 87 § 1) and to establish a planned program of replacement on a one-for-one basis of all public shade trees removed due to disease, death, public nuisance, construction or safety. The Tree Warden shall determine the type and size of the replacement tree. While the goal under this policy is to have a public shade tree planted in the same location as the removed tree, the replacement tree may instead be planted in an alternate location at the discretion of the Tree Warden if necessary.

#### § 24-4 Tree Committee

There shall be a Tree Committee to facilitate and encourage the long term health of Stoneham's public trees. Said committee, once appointed, shall develop and administer a comprehensive tree management program to guide the Town and the Committee's activities. Such activities include, but are not limited to the following:

- (1) Facilitating and encouraging the long term health of Stoneham's public trees and promoting native tree species;
- (2) Performing tree surveys, inventories and evaluations;
- (3) Creating manuals or guidance for planting, maintaining and removing trees from streets, parks and other designated public places;
- (4) Developing best management practices for urban forestry and silvicultural work;
- (5) Working in conjunction with the Tree Warden to seek grants or other assistance concerning the preservation and maintenance of trees in Town; and
- (6) Performing public education and coordination with civic groups to promote Arbor Day and other special events related to public trees.

The duties and responsibilities of the Committee shall include, but not be limited to:

- (1) Writing and updating an annual community forestry work plan;
- (2) Advising the Town Administrator in matters related to the care and management of Town owned properties that contain public trees;
- (3) Advising the Select Board, Department of Public Works, Conservation Commission, the Open Space and Recreation Committee and other local organizations on projects and activities involving public trees in Town;
- (4) Advising the Tree Warden on planting, maintaining and removing trees from streets, parks and other appropriate public places; and
- (5) Engaging in projects and activities that promote sustainable forestry and the long term health of public trees in Town, including programs and community events.

The Committee shall consist of five members appointed by the Town Administrator. In the beginning, two members shall be appointed for a term of three years, two members shall be

appointed for a term of two years, and one member shall be appointed for a term of one year. Thereafter, each member shall be appointed to a term of three years. Each term shall expire at the end of the appropriate fiscal year.

§ 24-5 Private tree planting

All contractors, builders, companies, corporations or individuals who or which promote the construction of multiple houses, housing units or developments or the erection of three or more houses in a given area shall be required to plant two trees for each lot and four trees for every corner lot. Such planting shall be done before the street is paved and must be in accordance with the specifications as prescribed by the Tree Warden.

**Susan Keeler and 100 Others**

**Article 13. Moved** that the Town amend the Stoneham Town Code, by adding a new Chapter 24, Trees, as written in Article 13 of the Special Town Meeting Warrant.

**Motion to amend made by Shelly MacNeill, 1159 Franklin Street, Board of Selectmen Chair, as follows:**

Adding language to the last paragraph of Section 24-4 so that it reads “The committee shall consist of five members appointed by the Town Administrator and will include three ex-officio members which shall be one member of the Conservation Commission, one member of the Open Space & Recreation Advisory Committee and the Tree Warden.”

**Vote on the Motion as Amended  
Amendment Passes  
Main Motion as Amended  
Passes Per Moderator**

**Town Meeting Dissolved at 9:22 pm**