

POLICY FOR THE INSTALLATION OF COMMEMORATIVE BENCHES AND TREES IN THE TOWN OF STONEHAM

I. Purpose

This policy is implemented to ensure a thoughtful, consistent and appropriate process of commemorating members of the community by and through the donation of benches and trees to be placed on Town-owned property in Stoneham.

II. Policy

The final approval for the installation of a commemorative bench or tree shall be granted by the Town Administrator. There shall be no further right of appeal from any denial. Certain Town-owned properties are under the jurisdiction of the Conservation Commission and/or School Committee and will require separate review and approval for any commemorative benches and trees through the Commission or Committee; in that event, the Town application still also applies. All commemorative trees shall also be additionally approved prior to the Town Administrator's approval by the Director of Public Works or the Stoneham Tree Warden. Requests will only be considered for individuals with significant and established ties to the Town of Stoneham. Approved benches and trees shall meet the established specifications contained in this policy. Preference will be given to the location of the bench or tree and must be selected from a pre-approved list of locations.

III. Process

Applications may be submitted to the Town Administrator's office. Approval for installation of a commemorative bench or tree shall be at the sole discretion of the Town Administrator. All language inscribed on the plaques accompanying the bench or tree must be approved in writing in advance by the Town Administrator and will be limited to the name of the honoree(s), the date(s) to be commemorated, relevant title(s)/relation to town (board, committee, employment, resident), military service years/rank.

IV. Fee

The application fee for seeking an approval for the installation of a commemorative bench or tree is \$25.00. This fee is nonrefundable and will be used to cover administrative costs. In

addition, the applicant shall be solely responsible for the cost of the purchase and/or installation of a bench or tree and the cost of any associated shipping or handling of said bench, or tree shall be borne by the party making the request. All fees will be listed on the application and will be subject to change.

V. Upkeep/Useful Life

The Town will replace donated trees within one year of the planting date if the Town deems it necessary. Tree donation includes the cost of care and pruning. The Town does not guarantee commemorative trees or benches against the effects of weather, vandalism, or theft. The Town reserves the right to remove or repair damaged or deteriorated trees and benches at the sole discretion of the Town and at the expense of the Town. Should a commemorative tree or bench be determined by the Town to be at the end of its useful life and require removal, the applicant shall be given the option of replacement before any other application is considered. All plaques previously placed with a tree or bench will be removed and installed with the new tree or bench if they are in good repair and it is possible to do so. Otherwise, the applicant will be allowed to replace the plaque, at their expense, utilizing its existing inscription.

VI. Violations

Any bench or tree that is installed without the written approval of the Town Administrator or otherwise fails to meet the specifications herein may be removed at the expense of the party who installed the bench or tree.

VII. Non-Discrimination Statement

All installations must comply with and may not create a condition on any Town-owned property that violates the Americans with Disabilities Act or any other federal, state or local law or regulation. In the approval process, the Town of Stoneham does not and shall not discriminate on the basis of race, color, religion, gender expression, age, national origin, disability, marital status, in any of its operations or activities.

VIII. Select Board Administrator Act

Nothing in this policy is intended to nor shall modify or supersede any provision of the Select Board-Administrator Act. (Stoneham Town Code, Act-1)

Approved: _____