

**MINUTES FOR SPECIAL TOWN MEETING  
MONDAY, OCTOBER 17, 2022**

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 17, 2022, 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 198 voters were inside the meeting.

Moderator Jeanne Craigie dedicated the Town Meeting to longtime resident Shirley Murray who had passed away at the age of 96. Mrs. Craigie acknowledged Mrs. Murray's commitment to the community and all of her volunteer efforts over the years. After making introduction of all of the town official present, Moderator Craigie then asked the Girl Scout Troop to lead the Pledge of Allegiance.

The meeting was called to order in the Town Hall Auditorium at 7:04 PM and the warrant was read.

Mrs. Craigie allowed the School Building Committee Co-Chairs, Marie Christie and David Bois, to give a report on the High School Building Project.

Mrs. Craigie explained as a matter of procedure that there would be out of town department heads and consultants asked to speak to the Town Meeting body. A motion was made and seconded to allow this. The motion passed per moderator.

Moderator Craigie then asked for the town meeting body to allow article 17 to be taken out of order. It was so moved and seconded. The motion passed per moderator and article 17 was the first article of the night.

**Article 17.** To see if the Town will vote to amend the Stoneham Town Code Chapter 20 by deleting sections 20-125 and 20-126 in their entirety, as shown by strikethroughs.

**~~Section 20-125. Definitions~~**

~~Non-Medical Marijuana Establishment: A non-medical marijuana establishment shall include all types of marijuana establishments as defined in Mass. Gen. L. c. 94G, exclusive of facilities that are licensed for medically prescribed purposes, to include marijuana cultivators,~~

~~marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other type of licensed marijuana related businesses.~~

~~**Section 20-126. — Marijuana Not Medically Prescribed.**~~

~~Consistent with Mass. Gen. L. c. 94G, §3(a)(2), all types of non-medical marijuana establishments as defined in Mass. Gen. L. c. 94G §1(j), to include marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other type of licensed marijuana related businesses shall be prohibited within the Town of Stoneham.~~

Or do anything in relation thereto.

**George Seibold, 1 Toms Way**

**Article 17. Voted** that the Town amend the Stoneham Town Code, Chapter 20 by deleting Sections 20-125 and 20-126 in their entirety as written in Article 17 of the Special Town Meeting Warrant.

**Motion to Move the Question**

**Question was Moved**

**Secret Ballot**

**Yes No**

**85 113**

**Fails Per Moderator**

**Motion for Reconsideration**

**Cannot Be Reconsidered**

**Article 1.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-law by amending the Zoning Map and amending Section 4.24 as follows:

1. To renumber Section 4.24 to Section 4.25 and add a new Section 4.24 entitled North Main Mixed Use Residential Overlay (NMMURO) District as follows:

**NORTH MAIN MIXED USE RESIDENTIAL OVERLAY DISTRICT**

4.24 *North Main Mixed Use Residential Overlay District*

4.24.1 *Purpose:* The purpose of the North Main Mixed Use Residential Overlay District (NMMURO) is to encourage the development of mixed residential and non-residential uses within the Highway Business District on Main Street. This bylaw is adopted as an overlay district for all properties within Highway Business District that directly abut the east side of Main Street from Elm Street north to Collincote Street, and sets forth the design and dimensional standards that apply to all developments in the NMMURO.

4.24.2 *Uses in the North Main Mixed Use Residential Overlay District:* Uses within the District are permitted by Site Plan Review granted by the Stoneham Select Board as follows:

1. Mixed Use Residential Development
2. Multi-family

4.24.3 The construction of eight or more dwelling units in the NMMURO will require compliance with Section 6.12 “Inclusionary Housing”.

And further to amend the Official Zoning Map dated October 15, 2018, by adding the North Main Mixed Use Residential Overlay District for all properties within the Highway Business District that abuts Main Street on the east side, north of Elm Street and south of Collincote Street, and adding North Main Mixed Use Residential Overlay District to the legend. Or do anything in relation thereto.

**Erin Wortman, Director of Planning and  
Community Development**

**Anthony Wilson, 181 Central Street made a motion to amend as follows, adding bolded language and deleting line shown with strikethrough:**

4.24.1 *Purpose:* The purpose of the North Main Mixed Use Residential Overlay District (NMMURO) is to encourage the development of mixed residential and non-residential uses **between 168 and 180 Main Street.** ~~within the Highway Business District on Main Street. This bylaw is adopted as an overlay district for all properties within Highway Business District that directly abut the east side of Main Street from Elm Street north to Collincote Street,~~ and sets forth the design and dimensional standards that apply to all developments in the NMMURO.

4.24.4 Mixed Use Residential Development and Multi-Family uses in this Overlay district will comply with Residence B dimensional requirements shown in Chapter 15 Section 5.2.1

**Town Counsel Robert Galvin explained to the Town Meeting body that the language Mr. Wilson was adding as section 4.24.4 was outside the scope of the article. He further explained that if approved this amendment runs the risk of violating State uniformity under MGL.**

**Mr. Wilson amended his motion to remove 4.24.4, so the amendment was to Section 4.24.1 as follows, with additions in bold and deletions shown as strikethrough:**

4.24.1 *Purpose:* The purpose of the North Main Mixed Use Residential Overlay District (NMMURO) is to encourage the development of mixed residential and non-residential uses **between 168 and 180 Main Street.** ~~within the Highway Business District on Main Street. This bylaw is adopted as an overlay district for all properties within Highway Business District that directly abut the east side of Main Street from Elm Street north to Collincoote Street,~~ and sets forth the design and dimensional standards that apply to all developments in the NMMURO.

**Article 1.** **Voted** that the Town amend the Stoneham Town Code, Chapter 15, Section 4.24 and the Zoning Map as written in Article 1 of the Special Town Meeting Warrant.

**Motion to Move the Question  
Question is Moved  
Vote of the Motion as Amended  
Amendment Fails Per Moderator  
Vote on Main Motion  
Majority Vote Required  
Passes Per Moderator**

**Article 2.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning Bylaw by amending Central Business District Section 4.6, and Off-Street Parking Requirements Section 6.3 with deletions shown as strikethroughs and additions shown with underlines, to read as follows:

#### 4.6 CENTRAL BUSINESS DISTRICT:

4.6.1 Purpose: The purpose of the Central Business District is to preserve and improve the character and qualities of Stoneham Square.

4.6.2 Uses Permitted:

4.6.2.1 All the uses permitted in the Business District, subject to the same conditions.

4.6.3 Uses Permitted on a Special Permit Granted by the Planning Board and Site Plan Approval by the Select Board: (10-21-85, Art. 15; 5-4-87, Art. 15 - See editor's note below)

4.6.3.1 Dwellings above the first floor of a building used for one of the uses allowed in Section 4.6.2.

4.6.3.2 Dwellings on the first floor of a building provided that fifty percent of the gross floor area of the first floor of the building is used for one of the uses allowed in Section 4.6.2 and that the uses allowed in Section 4.6.2 occupy except for entrances, the entire first floor area of the building adjacent to a street. (5-6-13, Art. 5)

4.6.3.3 Off-Street Parking, Layout, and Loading Requirements for Central Business District shall be in accordance with Section 6.3 Off-Street Parking Requirements except as follows:

1. One (1) parking space for every dwelling unit.

2. There will be no off-street parking requirement for any existing structure in the Central Business District, provided that any alteration, rehabilitation or addition to any existing structure does not increase the requirements as outlined in Section 6.3.3.

3. No requirement for off-street loading area for residential use.

### 6.3.2 Location of Parking Facilities:

6.3.2.1 Parking shall be on the same lot as the principal use, with the following exceptions for off-site parking:

Central Business District:

~~1. A Special Permit by the Planning Board subject to the provisions of section 6.3.8 and Site Plan Approval by the Select Board when required.~~

1-2. There will be no off-street parking requirement for any existing structure in the Central Business District, provided that any alteration, rehabilitation or addition to any existing structure does not increase the requirements as outlined in Section 6.3.3.

6.3.2.2 Location on Site: Such parking facilities may be provided within a structure, above or below ground, or outside at grade level.

### 6.3.3 Minimum Number of Spaces by Use:

Use	
1. Residential	a) 2 per dwelling
a) Single or two Family	b) <del>2-1</del> <u>1.7</u> per dwelling unit, any space requirement in excess of 2.0 per dwelling unit shall not be assigned, conveyed or transferred and shall be clearly marked for visitor or guest parking.
b) Greater than two family	c) .75/ bedroom
c) Congregate living	d) .4/ living unit
d) Assisted living, long-term care	e) <del>2-1</del> <u>1.7</u> per dwelling unit, any space requirement in excess of 2.0 per dwelling unit shall not be assigned, conveyed or transferred and shall be clearly marked for visitor or guest parking.
e) SRO	

Requirement

### 6.3.8 Special Permits for Parking:

6.3.8.1 Special permit for a change in parking space requirements: the number of off-street parking spaces required by Section 6.3.3, of this bylaw for a use or uses ~~in the Central Business District and~~ in the Commercial I District for Banquet Facilities, Function Halls and Dinner Theaters may be changed by Special permit in accordance with the following provisions: (7-28-03, Art. 4)

**Erin Wortman, Director of Planning and  
Community Development**

**Article 2.** Voted that the Town amend the Stoneham Town Code, Chapter 15, Zoning Bylaw, Sections 4.6 and 6.3 as written in Article 2 of the Special Town Meeting Warrant.

**Majority Vote Required  
Passes Per Moderator**

**Article 3.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning Bylaw by amending Inclusionary Housing Section 6.12., with deletions shown as strikethroughs and additions shown with underlines, to read as follows:

#### **6.12 INCLUSIONARY HOUSING:** (5-3-21, Art. 8)

##### 6.12.1 Purpose and Intent

The purpose of this bylaw is to outline and implement a coherent set of policies and objectives for the development of affordable housing in compliance with G.L. c. 40B §20-23 and ongoing programs within the Town of Stoneham to promote a reasonable percentage of housing that is affordable to moderate income buyers (“affordable housing units”). It is intended that the affordable housing units that result from this Bylaw meet the programmatic requirements for the same as specified by the Department of Housing and Community Development (DHCD) and, that said units count toward and are placed on, the Town’s Subsidized Housing Inventory as maintained by DHCD.

##### 6.12.2 Definitions

1. Affordable housing unit. A dwelling unit available at a cost generally of no more than 30% of gross household income of households at or below 80% of the Middlesex County median income as reported by the U.S. Department of Housing and Urban Development, such that the dwelling unit is included in the Town of Stoneham’s Subsidized Housing Inventory.
2. Qualified affordable housing unit purchaser or tenant. An individual or family with household incomes that do not exceed 80% of the median income, with adjustments for household size, as reported by the United States Department of Housing and Urban Development (HUD) and DHCD or as otherwise established by DHCD such that the housing unit is included in the Town of Stoneham’s Subsidized Housing Inventory.

### 6.12.3 Applicability

1. Division of Land. This Bylaw shall apply to the division of land into eight (8) or more lots ~~and shall require a special permit from the Planning Board under Section 7.4 et seq. of the Zoning Bylaw. A special permit shall be required for land divisions under G.L. c.40A §9. (5-5-22, Art.8)~~
2. Multiple Units. This Bylaw shall apply to the construction of eight (8) or more dwelling units, whether on one or more contiguous parcels, ~~and shall require a special permit from the Planning Board pursuant to Section 7.4 except a Special Permit from the Planning Board shall not be required in the Fallon Road Mixed Use District for the construction of eight (8) or more dwelling units. (5-5-22, Art.8)~~

### 6.12.4 ~~Mandatory Provision of Affordable Units~~ Methods of providing affordable units

1. ~~The Planning Board shall, as a condition of approval of any development referred to in Sections 6.12.3 (1) and 6.12.3 (2), require that the applicant for special permit approval comply with the obligation to provide affordable housing pursuant to this Bylaw and more fully described in Section 6.12.5. Construction of affordable units on the locus of the development shall be permitted as of right in any development and is the preferred method of providing affordable units under this article and more fully described in Section 6.12.5~~
2. ~~The Planning Board may grant a special permit for one or more of the following alternative methods, including any combination thereof. In granting a special permit hereunder, the Planning Board may impose any conditions it deems necessary to assure compliance with this article:~~
  - a. Payment of a fee in lieu of affordable units to the Town of Stoneham Affordable Housing Trust Fund. This provision shall apply only to developments of homeownership units. The fee per affordable unit shall be determined by the Section 6.12.11.
  - b. Donation of developable land in the Town of Stoneham to the Stoneham Housing Authority, Stoneham Affordable Housing Trust, or a comparable entity determined at the discretion of the Planning Board, provided the receiving organization agrees in writing to accept the land and the application demonstrates to the Planning Board's satisfaction that said land is developable for an equivalent number of affordable units in conformance with this chapter. Donated land does not need to be located in the same zoning district as the development and shall be subject to a deed restriction limiting its use to mixed-income or affordable housing.

### 6.12.5 ~~Provision of~~ Requirements for Affordable Units

1. The Planning Board shall deny any application for a special permit for development under Sections 7.0 of the Zoning Bylaw if the applicant for special permit approval does not comply, at a minimum, with the following requirements for affordable units:

- (a) At least twelve (12) percent of the housing units in a division of land or multiple unit development subject to this Bylaw for developments up to thirty (30) dwelling units, and at least fifteen (15) percent of the housing units in a division of land or multiple unit development subject to this Bylaw for developments greater than thirty (30) dwelling units, shall be established as affordable housing units either through new construction or rehabilitation of an existing structure(s) on the locus subject to the special permit.
- (b) If the percentages applied to the required number of affordable units results in a fraction, the required number of affordable units shall be rounded up to the next whole number. Example: A twenty dwelling unit development requires 2.4 affordable housing units (20 multiplied by 12%). Rounding up to the next whole number is 3. Three (3) affordable dwelling units are required.
- ~~(c) The applicant may offer, and the Planning Board may accept, up to a fifty (50) percent reduction in the total number of affordable dwelling units required to be constructed on the locus subject to this Bylaw where the required number of affordable housing units is greater than ten (10), if and only if, the applicant pays, upon receipt of the special permit issued pursuant to this Bylaw and the expiration of all appeal periods governing the same, fees in lieu of each affordable housing unit not constructed in the amount of \$200,000 per dwelling unit. The fees shall be paid to the Town of Stoneham for the dedicated use by the Town for affordable housing purposes. - Example: - An eighty (80) dwelling unit development requires twelve (12) affordable housing units (80 multiplied by 15%). - The applicant may offer and the Planning Board may accept a reduction of six (6) affordable housing units provided the applicant pays, upon receipt of a special permit and the lapse of relevant appeal periods, \$1,200,000 to the Town for affordable housing purposes.~~
- (c) The Planning Board may, as part of any Special Permit decision, modify the number of affordable units as required by Section 6.12.5. (1)(a) upon a finding that due to unique conditions effecting the property, project location, or other beneficial site designs, that the affordable unit requirements of this section would unreasonably restrict the use of the property or would be detrimental to the orderly development of the area or would create a better project. In granting such modifications, the Board may impose conditions it deems necessary to protect the purpose of this section. ~~In no case shall the percentage of affordable units be reduced to less than twelve (12) percent.~~

1. Siting of affordable units. All affordable units constructed or rehabilitated under this Bylaw shall be situated within the development so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units.
2. Minimum design and construction standards for affordable units. The exterior of the affordable housing units within market rate developments shall be integrated with the rest of the development and shall be compatible in design, appearance, construction and quality of materials with other units.
3. Timing of construction or provision of affordable units or lots. Where feasible, affordable housing units shall be provided coincident to the development of market-rate units, but in no event shall the development of affordable units be delayed beyond the schedule noted below:

<u>MARKET-RATE UNIT %</u>	<u>AFFORDABLE HOUSING UNIT %</u>
Up to 30%	None required
30% plus 1 unit	At least 12%
Up to 50%	At least 30%
Up to 75%	At least 50%
75% plus 1 unit	At least 70%
Up to 90%	100%

Fractions of units shall be rounded to the higher numerical value in counting the number of affordable units.

4. For a development that provides affordable units through a fee in lieu of units, no building permit shall be issued until the applicant pays at least 10% of the total required fee to the Stoneham Affordable Housing Trust. Additionally, no more than 50% of the certificates of occupancy shall be issued until the applicant pays at least 50% of the total required fee to the Stoneham Affordable Housing Trust. Ten percent of the total number of certificates of occupancy shall be withheld until the applicant submits evidence that is acceptable to the Planning Director that the remaining balance has been paid to the Stoneham Affordable Housing Trust Fund. The Planning Board may modify the schedule for fee payment for projects covered by a single occupancy permit.
5. For a development that provides affordable units through a land donation, no building permits shall be issued until the applicant submits evidence acceptable to the Planning Director that the land has been conveyed to the receiving organization identified in the Planning Board's special permit and an affordable housing deed restriction has been recorded at the Middlesex County Registry of Deeds.

6.12.7 Local Preference

The Planning Board shall require the applicant to comply with local preference requirements, if any, as established by the Select Board or Stoneham Housing Authority pursuant to applicable law.

6.12.8 Marketing Plan for Affordable Units

Applicants under this bylaw shall submit a marketing plan or other method approved by the Planning Board, to the Planning Board for approval, which describes how the affordable units will be marketed to potential homebuyers or tenants. This plan shall include a description of the lottery or other process to be used for selecting buyers or tenants.

6.12.9 Maximum Incomes, Sale and Rental Prices

1. The maximum sale or rental price for an affordable housing unit shall be as established by DHCD for the type, size and tenancy of the housing unit.

6.12.10 Preservation of Affordability; Restrictions on Resale and Rental

1. Each affordable unit created in accordance with this bylaw and made available for sale, shall have limitations governing its resale. The purpose of these limitations is to preserve the long-term affordability of the unit and to ensure its continued availability for affordable income households. The resale controls shall be established through the execution of an affordable housing restriction pursuant to G.L. c.184, ss.31-32 and shall be in force in perpetuity or for the longest period permitted by law.

(a) Resale price. The resale price of any affordable housing units created pursuant to this Bylaw shall be determined based upon then current formulas set by the Department of Housing and Community Development such that the resold unit will remain on the Town's Subsidized Housing Inventory.

(b) ~~The Planning Board shall require, as a condition for special permit under this Bylaw, that the~~ The applicant shall comply with the affordable housing unit requirements and accompanying restrictions on affordability, including the execution and recording of an affordable housing restriction pursuant to G.L. c.184, ss31-32. The Building Commissioner shall not issue an occupancy permit for any affordable unit until an affordable housing restriction for each relevant dwelling unit has been recorded at the Middlesex County Registry of Deeds.

(c) For developments subject to this Bylaw where the affordable housing units are made available for rental purposes, the Building Commissioner shall not issue an occupancy permit for any

affordable unit until an affordable housing restriction pursuant to G.L. c.184, ss.31-32 has been recorded against the affordable unit at the Middlesex County Registry of Deeds. (5-3-21, Art.8)

6.12.11 Fee In Lieu of Units

1. Applicants may apply for a special permit to pay a fee in lieu of creating affordable units. This provision applies to homeownership developments only. For each affordable unit provided through a fee in lieu of units, the cash payment shall be equal to 35% of the median of single-family home or condominium sale prices in Stoneham for the three fiscal years immediately prior to the current fiscal year in which the application is made. The Town of Stoneham Assessors' Office will verify the numbers provided by the applicant prior to any special permit approval.
2. If there were no sales during any of the three prior fiscal years, the applicant shall rely on appropriate, comparable sales, as determined by the Town of Stoneham's Assessors' Office.
3. Fees in lieu of units shall be paid to the Town's Affordable Housing Trust Fund. Fee in lieu of unit payments shall be made in accordance with Section 6.12.6.

**Erin Wortman, Director of Planning and  
Community Development**

**Article 3.** Voted that the Town amend the Stoneham Town Code, Chapter 15, Zoning Bylaw, Section 6.12 as written in Article 3 of the Special Town Meeting Warrant.

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

**Article 4.** To see if the Town will vote to authorize the Superintendent of Schools with the approval of the School Committee to lease for term of years a portion of the premises known as Stoneham High School and located at 149 Franklin Street, Stoneham, Massachusetts, including but not limited to the project site in compliance with Mass. Gen. L. c. 30B, for solar facilities, solar and storage energy services, and to execute such other and further documents as may be necessary to effectuate the terms hereof, or do anything in relation thereto.

**Superintendent of Schools**

**Article 4.** Voted that the Town authorize the Town, acting by and through Superintendent of Schools, with the approval of the School Committee, to lease for term of years a portion of the premises known as Stoneham High School and located at 149 Franklin Street, Stoneham, Massachusetts, including but not limited to the project site in compliance with Mass. Gen. L. c. 30B, for solar facilities, solar and storage energy services, and upon approval of Town Counsel as to form and terms, to execute said lease and such other and further documents as may be necessary to effectuate the terms thereof.

**Passes per Moderator**

**Article 5.** To see if the Town will vote to authorize the Town Administrator to negotiate and execute a PILOT (Payment in Lieu of Taxes) agreement to be negotiated by the Select Board and/or Town Administrator with the successful proposer of solar facilities on the premises at Stoneham High School, 149 Franklin Street, Stoneham, Massachusetts for the purposes of a solar array or do anything in relation thereto.

**Town Administrator**

**Article 5.** **Voted** that the Town authorize the Town Administrator to negotiate and execute a PILOT (Payment in Lieu of Taxes) Agreement to be negotiated by the Select Board and/or Town Administrator, on terms approved by Town Counsel, with the successful proposer of solar facilities on the premises at Stoneham High School, 149 Franklin Street, Stoneham, Massachusetts for the purposes of a solar array.

**Passes per Moderator**

**Article 6.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning Bylaw by amending Section 4.3 Residence B District with deletions shown as strikethroughs, to read as follows:

4.3.1 Purpose: The purpose of the Residence B District is to provide residential areas of medium intensity with a variety of housing types and recreational ~~and educational~~ not-for-profit uses.

4.3.4.5 Conversion of an existing building that is in existence at the time of the adoption of this Section to allow not-for-profit recreational ~~and educational~~ uses provided that the lot size is 20,000 square feet or greater.

**Erin Wortman, Director of Planning and  
Community Development**

**Article 6.** **Voted** that the Town amend the Stoneham Town Code, Chapter 15, Zoning Bylaw by amending Section 4.3 Residence B District as written in Article 6 of the Special Town Meeting Warrant.

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

**Article 7.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, zoning By-Law, by amending the Official Zoning Map of the Town of Stoneham dated October 15, 2018 to add to the Central Business District the following described property at 72 Central Street, Stoneham, Massachusetts from its current split zone of Residence B District and Central Business District to all Central Business District:

the land in said Stoneham, with the buildings thereon, situated on the westerly side of Central Street and bounded and described as follows:

Beginning at the Northeasterly corner of the premises at a stake at said Central Street and by land now or formerly of Michael Kenney; thence the line runs

WESTERLY: by said Kenney land, 76  $\frac{2}{3}$  feet to a stake at land now or formerly of the heirs of John Steele; thence

SOUTHERLY: by said Steele heirs' land, 102 ½ feet to a stake at land now or formerly of John Claffey; thence  
 EASTERLY: by said Claffey land, 22.0 feet to a stake; thence  
 SOUTHEASTERLY: still by said Claffey land, 20.0 feet to a stake; thence  
 SOUTHERLY: still by said Claffey land, 6.0 feet to a stake at land now or formerly of George E. Hyde; thence  
 EASTERLY: by said Hyde land, 60.0 feet to said Central Street; and thence  
 NORTHERLY: by said Central Street, 121 ¾ feet to the bound first mentioned.

Containing 9573 square feet of land, more or less, be said contents and measurements more or less or however otherwise bounded, measured or described. *See* MSRD Book 80268, Page 443.

**Charles Houghton, 15 Kimball Drive**

**Article 7.** Voted that the Town amend the Stoneham Town Code, Chapter 15, Zoning By-Law, by amending the Official Zoning Map of the Town of Stoneham dated October 15, 2018 as written in Article 7 of the Special Town Meeting Warrant.

**⅔ Vote Required  
 Passes per Moderator**

**Article 8.** To see if the Town will vote to appropriate the sum of \$80,000 (eighty thousand dollars), or any other sum, from the unexpended funds originally appropriated in Article 9 at the June, 2020 Annual Town Meeting for the purchase of a dump truck for the Department of Public Works use and/or or for the purposes of purchasing a street sweeper, said funds to be expended under the direction of the Town Administrator, or do anything related thereto.

**Select Board**

**Article 8.** Voted that the Town appropriate the sum of \$80,000 (eighty thousand and 00/100 dollars) from the unexpended funds originally appropriated in Article 9 at the June, 2020 Annual Town Meeting (for the purchase of a dump truck for the Department of Public Works' use) for the purposes of purchasing a street sweeper, said funds to be expended under the direction of the Town Administrator.

**Passes per Moderator**

**Article 9.** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$751,500 (seven hundred fifty one thousand, five hundred dollars) for the capital projects set forth below, including all incidental and related costs and to authorize the Treasurer with the approval of the Select Board, to borrow all or a portion of said sum under the applicable provisions of Mass. Gen. L. c. 44 or any other enabling authority, or take any action in relation thereto.

Department	Amount	FY23 Funded Projects October 17, 2022	Funding Source
Facilities/Fire	\$ 114,000.00	Sprinkler and Fire Alarm Repairs-Town Wide	Free Cash
Facilities	\$ 430,000.00	Town Hall Roof Repair/Replacement	Free Cash
Historic Commission	\$ 27,500.00	Preservation Plan	Free Cash
DPW	\$ 80,000.00	Sweeper	Free Cash
Schools	\$ 100,000.00	Technology Upgrades/Equipment	Free Cash
<b>Total</b>	<b>\$ 751,500.00</b>	<b>General Fund Funding</b>	

**Select Board**

**Article 9.** Voted that the Town appropriate, the sum of \$671,500 (Six Hundred Seventy One Thousand, Five Hundred and 00/100 Dollars) for the capital projects set forth in the chart in Article 9 of the Special Town Meeting Warrant, exclusive of the “Sweeper” identified in the chart (funded by Article 8 of this Special Town Meeting), including all incidental and related costs, and to meet said appropriation transfer said sum from Free Cash, said expenditures to be made under the direction and supervision of the Town Administrator.

**Passes per Moderator**

**Article 10.** To see if the Town will vote to accept the provisions of the fourth paragraph of Mass. Gen. L. c. 40 Section 5B authorizing the establishment of special purpose stabilization funds, allowing the Town to dedicate, without further appropriation, all, or a percentage not less than 25 per cent, of a particular fee, charge or other receipt to any stabilization fund established pursuant to this section, or do anything related thereto.

**Select Board**

**Article 10.** Voted that the Town accept the provisions of the fourth paragraph of Mass. Gen. L. c. 40 Section 5B authorizing the establishment of special purpose stabilization funds, allowing the Town to dedicate, without further appropriation, all, or a percentage not less than 25 per cent, of a particular fee, charge or other receipt to any stabilization fund established pursuant to this section.

**Passes per Moderator**

**Article 11.** To see if the Town will vote to establish a special purpose stabilization fund pursuant to Mass. Gen. L. c. 40 Sec. 5B to be known as the Opioid Settlement Special Stabilization fund for the specific purpose of receiving receipts from settlements on behalf of the Town with persons and entities involved in the sale, distribution and manufacture of opioid products said account to be effective fiscal year beginning on July 1, 2023 which said funds may be appropriated and/or reserved for later appropriation for any lawful municipal purpose, or do anything related thereto.

**Select Board**

**Article 11.** Voted that the Town establish a special purpose stabilization fund pursuant to Mass. Gen. L. c. 40 Sec. 5B to be known as the Opioid Settlement Special Stabilization fund for the specific purpose of receiving receipts from settlements on behalf of the Town with persons and entities involved in the sale, distribution and manufacture of opioid products said account to be effective fiscal year beginning on July 1, 2023 which said funds may be appropriated and/or reserved for later appropriation for any lawful municipal purpose.

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

**Passes per Moderator**

**Article 12.** To see if the Town will vote to transfer the sum of \$31,719.02 (thirty one thousand, seven hundred nineteen dollars and two cents) into the Opioid Settlement Special Stabilization fund established pursuant to Mass. Gen. L. c. 40 Sec. 5B for the purpose of receiving receipts from settlements on behalf of the Town, or do anything related thereto.

**Select Board**

**Article 12. Voted** that the Town transfer the sum of \$31,719.02 (Thirty One Thousand, Seven Hundred Nineteen Dollars and Two Cents) into the Opioid Settlement Special Stabilization fund established pursuant to Mass. Gen. L. c. 40 Sec. 5B for the purpose of receiving receipts from settlements on behalf of the Town.

**Passes per Moderator**

**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 2023 department budgets approved under Article No. 11 of the May 3, 2022 Annual Town Meeting, as amended, or take any action in relation thereto.

	Town Meeting Approved FY23	STM 10/17/2022
<hr/>		
<b>141 ASSESSOR</b>		
Expenses	\$ 62,200.00	\$ 87,200.00
<hr/>		
<b>132 RESERVE FUND</b>		
Expenses	\$ 125,000.00	\$ 300,000.00

**Select Board**

**Article 13. Voted** that the Town raise and appropriate the sum of \$200,000 (Two Hundred Thousand and 00/100 Dollars) to supplement the existing Fiscal Year 2023 department budgets approved under Article No. 11 of the May 3, 2022 Annual Town Meeting, as described under Article 13 of the Special Town Meeting Warrant.

**Passes per Moderator**

**Article 14.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 2, Administration, Article IX, Treasurer and Tax Collector, Sec. 2-60B - Revolving Funds, to establish and authorize a new 300<sup>th</sup> Anniversary Celebration Committee Revolving Fund for use by certain town departments, boards, committees, agencies or officers under Mass. Gen. L. c. 44, Sec. 53E½ as follows:

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

- (e) *Authorized Revolving Funds.*
- (6) 300<sup>th</sup> Anniversary Celebration Committee Revolving Fund.
  - (a) Fund Name. There shall be a separate fund called the 300<sup>th</sup> Anniversary Celebration Committee Revolving fund and be used by the 300<sup>th</sup> Anniversary Celebration Committee

- (b) Revenues. The Town Accountant shall establish the 300<sup>th</sup> Anniversary Celebration Committee Revolving Fund as a separate account and credit to the fund all of the revenue received by the Town from community engagements, programs and donations.
- (c) Purposes and Expenditures. During each fiscal year, the Town may incur liabilities against and spend monies from 300<sup>th</sup> Anniversary Celebration Committee Revolving Fund to cover the costs associated with the planning and organization of the Town of Stoneham's 300<sup>th</sup> anniversary.
- (d) Fiscal Years. 300<sup>th</sup> Anniversary Celebration Committee Revolving Fund shall operate for fiscal years that begin on or after July 1, 2022.

or take any action in relation thereto.

**Select Board**

**Article 14.** Voted that the Town 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 300<sup>th</sup> Anniversary Celebration Committee Revolving Fund for use by certain town departments, boards, committees, agencies or officers under Mass. Gen. L. c. 44, Sec. 53E½ as written in Article 14 of the Special Town Meeting Warrant.

**Passes per Moderator**

**Article 15.** To see if the town will vote to fix the maximum amount that may be spent during Fiscal Year 2023 beginning on July 1, 2022 for the revolving funds established in the town by-laws for certain departments, boards, committees, agencies or officers in accordance with Mass. Gen. L. c. 44, Sec. 53E1/2, or take any action do anything in relation thereto.

Revolving Fund	Department, Board, Committee, Agency, or Officer	FY22 Spending Limit
300 <sup>th</sup> Anniversary Celebration Committee	300 <sup>th</sup> Anniversary Celebration Committee	\$20,000

**Select Board**

**Article 15.** Voted that the Town fix the maximum amount that may be spent during Fiscal Year 2023 beginning on July 1, 2022 for the 300<sup>th</sup> Anniversary Celebration Committee Revolving Funds at \$20,000 and as written in Article 15 of the Special Town Meeting Warrant.

**Passes per Moderator**

**Article 16.** To see if the Town will vote to become a member in the East Middlesex Mosquito Control Program pursuant to Mass. Gen. L. c. 252, Sec. 5A and other applicable sections of said

law; and to meet this obligation, raise and appropriate by transfer from Free Cash, or otherwise provide a sum of \$5,463.75 to fund the FY23 membership fee or take any action in relation thereto.

**Select Board**

**Article 16.** **Voted** that the Town become a member in the East Middlesex Mosquito Control Program pursuant to Mass. Gen. L. c. 252, Sec. 5A and other applicable sections of said law; and further to appropriate the sum of \$5,463.75 (Five Thousand Four Hundred Sixty-Three Dollars and Seventy-Five Cents) to cover the membership costs and expenses of joining said program, and to meet this obligation, transfer said sum from Free Cash.

**Passes per Moderator**

**Motion to Dissolve.**

**Meeting dissolved at 10:10 PM**

**Respectfully submitted,**

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

**Maria Sagarino**  
**Town Clerk**