

**MINUTES FOR TOWN MEETING
MONDAY, OCTOBER 21, 2024**

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

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 October 21, 2024, at seven o'clock in the forenoon to act on the following articles of the warrant:

Tellers were appointed to check the names of voters entering the Town Hall and the checklist showed 98 voters were inside the meeting.

The meeting was called to order by Moderator Jeanne Craigie at 7:00 PM in the Auditorium of Town Hall. Mrs. Craigie acknowledged the Town department heads and officials in attendance. She asked DPW Director Brett Gonsalves to lead the Pledge of Allegiance.

Article 1. To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-law by amending the following sections related to ACCESSORY DWELLING UNIT with deletions shown as strikeouts and additions shown as underlines, as shown herein:

Chapter 15, Section 4.2 RESIDENCE A DISTRICTS:

4.2.2 Uses Permitted:

4.2.2.4 Accessory Dwelling Unit

~~4.2.4 Uses Permitted on a Special Permit Granted by the Planning Board:~~

~~4.2.4.1 Accessory Dwellings (family apartments)~~

~~(a) Owner occupancy required: The owner(s) of the single family lot and dwelling upon which the accessory dwelling unit, or family apartment, is located or to be located shall occupy at least one (1) of the dwelling units on the subject property. The Special Permit shall be issued to the owner of the subject property and shall be filed with the Registry of Deeds and the Planning Board shall forward a copy to the Inspector of Buildings. In the event there is a change in ownership of the subject property via a transfer to a family member an amendment to the Special Permit must be applied for. The Planning Board retains rights of rescission should any portion of conditions be violated.~~

~~(b) In the event a change in residence of either family member occurs, or a conveyance occurs that is to someone other than a family member, or a voluntary surrender of the Special Permit, the subject property will automatically revert to a single family dwelling and no longer enjoy the rights granted under the Special Permit that allowed for the accessory dwelling. This does not preclude a new application for a Special Permit in accordance with the described use at any time in the future.~~

~~(c) The gross floor area of the accessory dwelling, or family apartment, shall not exceed 750 square feet under any circumstance or condition. The accessory dwelling unit must be attached to the subject property primary dwelling unit by way of minimum shared wall coverage of 75% (of length). In addition all utility services shall be single service (meter) to the subject property primary dwelling and accessory dwelling.~~

~~(d) One additional parking space shall be provided for the accessory dwelling, or family apartment, in addition to a minimum of two spaces for the principal unit, or other parking requirements as determined by the Planning Board.~~

~~(e) Occupancy of the accessory dwelling, or family apartment, shall be limited to two people and may not be used for business or commercial purposes.~~

~~(f) A deed restriction for the affected lot must be filed with the Registry of Deeds to the effect that principal dwelling or accessory dwelling, or family apartment, be owner occupied as a condition for the issuance of an occupancy permit for the subject accessory dwelling, or family apartment.~~

~~(g) Construction and occupancy of the accessory dwelling, or family apartment shall comply with all applicable state, federal, and local laws and regulations. No Certificate of Occupancy shall be issued until evidence of the recording of the Special Permit and Deed Restriction has been provided to the Planning Board and Building Inspector.~~

~~(h) Ownership of the principal dwelling and the accessory dwelling, or family apartment, shall be one and the same, and may not be separated. There shall be one accessory dwelling allowed per single family dwelling. There is to be no other apartment or accessory dwelling unit on the subject lot.~~

6.3.3 Minimum Number of Spaces by Use:

Use	Requirement
1. Residential	
<u>f) Accessory Dwelling Unit</u>	<u>1 per dwelling unit</u>

or do anything in relation thereto.

Planning Board

Article 1. Voted that the Town amend the Stoneham Town Code, Chapter 15, Section 4.2 and 6.3.3 as set forth in Article 1 of the October 21, 2024 Special Town Meeting Warrant.

**Majority Vote Required
Passed Per Moderator**

Article 2. 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 May 1, 2023 to add to the Residence B District the following described property at 134 Elm Street, Stoneham, Massachusetts.

The land in Stoneham, Middlesex County, Massachusetts, known and numbered as 134 Elm Street and shown on a plan of land entitled “Plot Plan 134 Elm Street Stoneham, Mass.” dated October 26, 2017, drawn by Edward J. Farrell, more particularly bounded and described as follows:

- EASTERLY: by land now or formerly of the Town of Stoneham, as shown on said plan, three hundred and forty five hundredths (300.45') feet;
- NORTHERLY: by land now or formerly of the Town of Stoneham, as shown on said plan, one hundred forty six and twenty two hundredths (146.22') feet;
- WESTERLY: by land now or formerly of Roman Catholic Archbishop Corp. Sole, as shown on said plan, three hundred sixty four and one hundredths (364.01') feet; and
- SOUTHERLY: by Elm Street, as shown on said plan, one hundred sixty five (165.00') feet.

Containing, according to said plan, 45,810 square feet, more or less.

or do anything in relation thereto.

Planning Board

Article 2. **Voted** that the Town amend the Stoneham Town Code, Chapter 15, and the Official Zoning Map as set forth in Article 2 of the October 21, 2024 Special Town Meeting Warrant.

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

Article 3. To see if the Town will vote to authorize the Select Board to grant a sewer easement to Robert E. Mellett and his successors and assigns for the property at 134 Elm Street, Stoneham, Massachusetts on such terms and conditions as the Select Board shall deem reasonable and in compliance with applicable law said easement is more particularly bounded and described as follows:

- WESTERLY: by land now or formerly of Robert E. Mellett, twenty (20.00') feet;
- NORTHERLY: by land of the Town of Stoneham, fifteen (15.00') feet;
- EASTERLY: by land of the Town of Stoneham, twenty (20.00') feet;
- SOUTHERLY: by land of the Town of Stoneham, fifteen (15.00') feet;

Or in the alternative

WESTERLY: by land now or formerly of Robert E. Mellett, ten (10.00') feet;
SOUTHERLY: by land now or formerly of Robet E. Mellett, ten (10.00') feet;
WESTERLY: by land of the Town of Stoneham, fifteen (15.00') feet;
NORTHERLY: by land of the Town of Stoneham, twenty-nine and twenty-two hundredths (29.22') feet;
EASTERLY; by land of the Town of Stoneham twenty-nine and twenty-two hundredths (29.22') feet;
SOUTHERLY: by land of the Town of Stoneham, fifteen (15.00') feet.

Said easement being shown on a plan entitled, "Sewer Easement Plan of Land of 134 Elm Street in Stoneham, MA." By PJF and Associates dated August 28, 2024; and further, that the Town Administrator and Select Board be hereby authorized to take any actions necessary to grant said easement, or do anything in relation thereto.

Director of Public Works

Article 3. **Voted** that the Town authorize the Select Board to grant in accordance with applicable law a sewer easement to Robert E. Mellett and his successors and assigns for the property at 134 Elm Street, Stoneham, Massachusetts, as set forth in Article 3 of the October 21, 2024 Special Town Meeting Warrant on terms and conditions acceptable to the Select Board and in a form acceptable to Town Counsel; and further, that the Town Administrator and/or Select Board be hereby authorized to take any actions necessary to grant said easement.

Passed Per Moderator

Article 4. To see if the Town will vote to authorize the Select Board to accept a Variable Width Town Drain and Sewer Easement in a form acceptable to Town Counsel running from Coventry Lane to Cowdrey Street shown on a plan entitled, "Easement Plan of Land 2 & 4 Coventry Lane & 5 Cowdrey Street, Stoneham, Mass." dated September 4, 2024 drawn by Benchmark Survey. Containing a total area of 9,339 square feet; and further, that the Town Administrator and Select Board be hereby authorized to take any actions necessary to accept said Variable Width Town Drain & Sewer Easement, or do anything in relation thereto.

Director of Public Works

Article 4. **Voted** that the Town authorize the Select Board to accept a Variable Width Town Drain and Sewer Easement in a form acceptable to Town Counsel running from Coventry Lane to Cowdrey Street shown on a plan entitled, "Easement Plan of Land 2 & 4 Coventry Lane & 5 Cowdrey Street, Stoneham, Mass." dated September 4, 2024 drawn by Benchmark Survey. Containing a total area of 9,339 square feet; and further, that the Town Administrator and Select Board be hereby authorized to take any actions necessary to accept said Variable Width Town Drain & Sewer Easement.

Passed Per Moderator

Article 5. To see if the Town will amend the Stoneham Town Code Chapter 10, Section 10-63 School Traffic Directors as follows, with deletions shown in Strikethrough and new language added in **bold**, or do anything in relation thereto:

Sec. 10-63. ~~School~~Traffic Directors.

~~School~~ Traffic directors shall be under the supervision of the Chief of Police, **the Parking Clerk** and the ~~Select Board~~ **Town Administrator** and shall have the power and authority, only while on duty, **to perform the duties and responsibilities of school crossing guards and to enforce all state and local parking law, bylaws and regulations.** ~~the operation, standing or use of vehicles.~~

Police Chief

Article 5. **Voted** that the Town amend the Stoneham Town Code Chapter 10, Section 10-63 School Traffic Directors as follows, with deletions shown in Strikethrough and new language added in **bold**:

Sec. 10-63. ~~School~~Traffic Directors.

~~School~~ Traffic directors shall be under the supervision of the Chief of Police, **the Parking Clerk** and the ~~Select Board~~ **Town Administrator** and shall have the power and authority, only while on duty, **to perform the duties and responsibilities of school crossing guards and to enforce all state and local parking law, bylaws and regulations.** ~~the operation, standing or use of vehicles.~~

Passed Per Moderator

Article 6. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to survey a vacant six (6) acre parcel to the rear of Lindenwood cemetery for cemetery uses including burials and further, to accept any grants or gifts for those projects, or do anything in relation thereto.

Director of Public Works

Article 6. **Voted** that the Town appropriate the sum of \$25,000 to survey a vacant six (6) acre parcel to the rear of Lindenwood cemetery for cemetery uses including burials and further, to accept any grants or gifts for those projects, or do anything in relation thereto; and to meet said appropriation transfer said sum from the Cemetery Sale of Lots Receipts Reserve Fund

Passed Per Moderator

Article 7. To see if the Town will appropriate a sum of money to pay costs of implementing certain rehabilitation and construction projects on the Town's sanitary sewer system under Phase 14 of the Massachusetts Water Resources Authority Assistance Program; to determine whether this amount shall be raised by borrowing or otherwise, including a borrowing through the Massachusetts Water Resources Authority, or to take any other action relative thereto.

Director of Public Works

Article 7. **Voted** that the Town to appropriate the sum of \$1,090,000 to pay costs of implementing certain rehabilitation and construction projects on the Town's sanitary sewer system under Phase 14 of the Massachusetts Water Resources Authority Assistance Program; that to meet this

appropriation, the Town Treasurer, with the approval of the Select Board, is authorized to borrow said amount in accordance with G.L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and further, all or any portion of this amount may be borrowed through the Massachusetts Water Resources Authority's Assistance Program; and further, that the Select Board be authorized to apply for, accept and expend any and all grants or gifts that may be available to the Town in connection with this project.

2/3 Vote Required
2/3 Vote Passed Per Moderator

Article 8. To see if the Town will vote to authorize the Select Board to accept a gift/deed to the town of fee simple interest, of a certain parcel of land known as Lot M-2, containing approximately 62,727 square feet (1.44 acres) of vacant land (the "Premises"), situated off of Woodland Road in Stoneham, Massachusetts, shown as "Proposed Lot M-2" on the Plan entitled "Approval Not Required", 3-5 Woodland Road, Stoneham, MA, prepared by Allen & Major Associates, Inc. and dated October 23, 2009 recorded with the Middlesex South Registry of Deeds as Plan No. 57 of 210 (the "Plan") under the applicable provisions of Massachusetts General Laws c. 40 §14 for general municipal purposes, and further, to execute any and all instruments as may be necessary to affect said gift of land, or do anything in relation thereto.

Select Board

Article 8. **Voted** that the Town authorize the Select Board to accept a gift/deed to the town of fee simple interest, of a certain parcel of land known as Lot M-2, containing approximately 62,727 square feet (1.44 acres) of vacant land (the "Premises"), situated off of Woodland Road in Stoneham, Massachusetts, shown as "Proposed Lot M-2" on the Plan entitled "Approval Not Required", 3-5 Woodland Road, Stoneham, MA, prepared by Allen & Major Associates, Inc. and dated October 23, 2009 recorded with the Middlesex South Registry of Deeds as Plan No. 57 of 2010 (the "Plan") under the applicable provisions of Massachusetts General Laws c. 40 §14 for general municipal purposes, and further, to execute any and all instruments as may be necessary to effectuate the gift of said land.

Passed Per Moderator

Article 9. To see if the Town will vote to transfer from Free Cash, the sum of \$183,735 to the School Special Education Trust fund, or do anything in relation thereto.

Select Board

Article 9. **Voted** that the Town transfer from Free Cash, the sum of \$183,735 to the School Special Education Trust fund.

Passed Per Moderator

Article 10. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for capital projects, or do anything in relation thereto.

Select Board

Article 10. Voted that the Town appropriate, the sum of \$1,546,771 for the capital projects set forth in the chart below, 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.

Department	Amount	FY25 Capital Projects requested	
Police	\$ 296,700.00	Phase 2 of Police/Fire radio system	\$ 296,700.00
Library	\$ 570,400.00	Library facility improvement project	\$ 570,400.00
Schools	\$ 80,000.00	Redistricting design	\$ 80,000.00
DPW	\$ 75,000.00	Utility Body Truck	\$ 75,000.00
Total	\$ 1,022,100.00	FY25 request	\$ 1,022,100.00

Department	Amount	Matching Funds Requested	
Community Dev.	\$ 325,000.00	Wetlands restoration project town portion(Grant funded \$ 2,647,126)	\$ 325,000.00
Community Dev.	\$ 40,000.00	Town Hall auditorium Window replacement (DOER Grant of 75,000)	\$ 40,000.00
Library	\$ 159,671.00	Library Heat Pumps (\$225k in Green Comm, \$147,542 in Utilities)	\$ 159,671.00
Total	\$ 524,671.00		\$ 524,671.00

Passed Per Moderator

Article 11. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to amend the Fiscal Year 2025 department budgets approved under Article No. 7 of the May 6, 2024 Annual Town Meeting, or do anything in relation thereto.

Select Board

Article 11. Voted that the Town appropriate the sum of \$866,403.00 to support the amended FY25 budget as set forth and itemized in Exhibit A; and to meet this appropriation, raise and appropriate the sum of \$636,344.00 from taxation and transfer the sum of \$230,059.00 from Free Cash.

Passed Per Moderator

Exhibit A

Town of Stoneham Summary of Revenues and Expenses July 1, 2024						
	DEPARTMENT	ADMINISTRATOR	SELECTBOARD	FINANCE ADV BOARD	STM	
	REQUEST	RECOMMENDED	RECOMMENDED	RECOMMENDED	RECOMMENDED	INCREASE/ DECREASE
	FY25	FY25	FY25	FY25	FY25	
I. REVENUES						
TAX LEVY	59,459,680	59,459,680	59,459,680	59,459,680	59,459,680	-
DEBT EXCLUSION	7,584,919	7,584,919	7,584,919	7,584,919	7,584,919	-
NEW GROWTH	650,000	650,000	650,000	650,000	735,000	85,000
SUBTOTAL	67,694,599	67,694,599	67,694,599	67,694,599	67,779,599	85,000
LOCAL RECEIPTS	7,092,244	7,480,183	7,562,653	7,577,653	8,055,688	478,035
SBA REIMBURSEMENT						-
EST CHERRY SHEET	12,876,650	13,014,819	12,965,110	13,264,775	13,338,084	73,309
FREE CASH						-
INTERGOVERNMENTAL	1,156,536	1,196,009	1,209,449	1,209,449	1,209,449	-
SUBTOTAL	21,125,430	21,691,011	21,737,212	22,051,877	22,603,221	551,344
TOTAL REVENUE	88,820,029	89,385,610	89,431,811	89,746,476	90,382,820	636,344
II. EXPENSES						
TOWN BUDGETS	20,434,323	19,386,317	19,492,873	19,507,873	19,796,478	288,605.00
SCHOOL BUDGET	37,346,979	35,428,373	35,428,373	35,496,978	35,796,978	300,000.00
VOCATIONAL SCHOOL	1,854,440	1,854,440	1,794,085	1,794,085	1,830,429	36,344.00
SHARED EXPENSES						
HEALTH INSURANCE	10,732,410	10,732,410	10,732,410	10,732,410	10,732,410	-
RETIREMENT	7,059,801	7,059,801	7,059,801	7,059,801	7,059,801	-
MEDICARE	660,000	660,000	660,000	660,000	660,000	-
PROPERTY & CASUALTY INSURANCE	750,000	750,000	750,000	750,000	750,000	-
WORKER'S COMPENSATION	374,540	374,540	374,540	374,540	374,540	-
UNCOMPENSATED BALANCES	-	-	-	-	-	-
RESERVE FUND	125,000	125,000	125,000	475,000	705,059	230,059.00
DEBT	8,400,807	8,400,807	8,400,807	8,400,807	8,400,807	-
TOWN AUDIT	95,000	95,000	95,000	95,000	95,000	-
CAPITAL STABILIZATION(Non Oper	337,875	392,872	392,872	392,872	392,872	-
STABILIZATION (Non Operational)	608,600	785,744	785,744	785,744	785,744	-
OPEB TRUST FUND (Non Operatio	200,000	200,000	200,000	200,000	200,000	-
OVERLAY PROVISIONS	225,000	225,000	225,000	225,000	225,000	-
ASSESSMENTS/OFFSETS	4,518,922	4,293,922	4,293,922	4,524,982	4,536,377	11,395.00
TOTAL EXPENSES	93,723,697	90,935,782	90,810,427	91,475,092	92,341,495	866,403.00
BALANCE AVAILABLE	(4,903,668)	(1,378,616)	(1,378,616)	(1,728,616)	(1,958,675)	230,059.00
ONE TIME REVENUES						
FREE CASH	1,378,615	1,378,616	1,378,616	1,378,616	1,608,675	230,059.00
GENERAL STABILIZATION				350,000	350,000	-
OVERLAY SURPLUS						-
EXCESS/(DEFICIT)	(3,525,053)	-	-	-	0	-
ENTERPRISE FUNDS						
WATER RECEIPTS	4,904,095	4,842,146	5,188,760	5,188,760	5,188,760	-
WATER RETAINED EARNINGS	375,000	375,000	375,000	375,000	375,000	-
TOTAL WATER REVENUE	5,279,095	5,217,146	5,563,760	5,563,760	5,563,760	-
SEWER RECEIPTS	7,052,215	7,163,936	7,248,675	7,248,675	7,248,675	-
SEWER RETAINED EARNINGS	300,000	300,000	300,000	300,000	300,000	-
TOTAL SEWER REVENUE	7,352,215	7,463,936	7,548,675	7,548,675	7,548,675	-
SEWER EXPENSES	7,435,437	7,463,936	7,548,675	7,548,675	7,548,675	-
WATER EXPENSES	5,293,262	5,217,146	5,563,760	5,563,760	5,563,760	-
TOTAL BUDGET	106,404,778	103,616,864	103,922,861	104,587,526	105,453,930	866,403.00

Respectfully submitted:

Maria Sagarino
Town Clerk