

Stoneham Board of Selectmen – Minutes of Meeting December 16, 2013

Chairman Robert W. Sweeney called the meeting to order at 7:00 p.m. Also present were Selectman Boussy, Selectman John F. DePinto, Selectwoman Ann Marie O’Neill, Selectman Vallarelli, Town Administrator David Ragucci and Town Counsel William H. Solomon.

Pledge of Allegiance

Chairman Sweeney wishes everyone a Merry Christmas, Happy New Year and Happy Holidays from the Board of Selectmen.

Site Plan Hearing/140 ½ Franklin Street/Attorney Charles Houghton

Attorney Charles Houghton was present to represent Justin A. Rotondi and Sharon M. Rotondi d/b/a Rotondi Motors, to add a used auto sales area in the rear of the property located at 140 ½ Franklin Street, Stoneham, MA on land owned by Charles W. Penna, 140 ½ Franklin Street, Stoneham, MA 02180. Selectman Vallarelli read the legal notice. Selectman DePinto read Department Recommendations – Charlie Houghton agrees with all DPW Engineering, Police Department, Board of Health, Fire Department and Inspectional Services. Selectman Boussy asks how will they know for sure there will be no cars parked in the lot? Attorney Houghton states that is one of the stipulations with the Planning Board that there will no cars parked on the lot. Selectwoman O’Neill asks if they could enforce a fine if that stipulation is violated? Town Counsel Solomon answers yes. Attorney Houghton agreed to this stipulation. Chairman Sweeney opened the hearing to the public. Maryann Reinold would like to make sure that the conditions are in the site plan approval letter. John Reinold wants to know who will be responsible for revoking the license if the conditions are violated. Chairman Sweeney states that the selectmen are responsible to revoke the license. And Chairman Sweeney also states that if the license is revoked it will be permanent. Michael Mustone’s concern wants to know if there is a carry over from the prior license. It was stated this is a new license application. Town Counsel suggests these stipulations to cover everyone concerns: (1) No vehicles at anytime will be located on the property, (2) the applicant will not seek an amendment at any time to add vehicles, (3) if vehicles are on the property for this business that upon written request the license will be returned to the Town, (4) if vehicles are on the property there will be a penalty of \$300.00 per day. Attorney Charles Houghton agrees to all of these. Selectman Vallarelli closes the public hearing, seconded by Selectman DePinto. Selectman DePinto made motion to approve site plan for 140 ½ Franklin Street with the following conditions: (1) No vehicles at anytime will be located on the property, (2) the applicant will not seek an amendment at any time to add vehicles, (3) if vehicles are on the property for this business then upon written request the license will be returned to the Town, (4) if vehicles are on the property there will be a penalty of \$300.00 per day and the conditions by the Planning Board, seconded by Selectman Vallarelli. Chairman Sweeney doesn’t agree with the stipulations but will support for the sake of license approval. A roll call vote was taken.

Voting in Favor:

Selectman Boussy
Selectman DePinto
Selectwoman O’Neill
Selectman Vallarelli
Chairman Sweeney

Motion was unanimously voted (5-0).

Approve Class II License/140 ½ Franklin Street/Charlie Houghton

Attorney Charles Houghton was present to represent Justin A. Rotondi and Sharon M. Rotondi d/b/a Rotondi Motors. Selectman Vallarelli read the legal ad. Chairman Sweeney opens public hearing. Selectman Vallarelli closes public hearing, seconded by Selectman DePinto. Selectman Vallarelli moved for approval Justin A. Rotondi and Sharon M. Rotondi d/b/a Rotondi Motors, to operate a Class II used car business, at the property located at 140 ½ Franklin Street, Stoneham, MA on land owned by Charles W. Penna, 140 ½ Franklin Street, Stoneham, MA with the following conditions: (1) No vehicles at anytime will be located on the property, (2) the applicant will not seek an amendment at any time to add vehicles, (3) if vehicles are on the property for this business that upon written request the license will be returned to the Town, (4) if vehicles are on the property there will be a penalty of \$300.00 per day. Attorney Charles Houghton agrees to all of these. Selectman Vallarelli closes the public hearing, seconded by Selectman DePinto. Selectman DePinto made motion to approve site plan for 140 ½ Franklin Street with the following conditions: (1) No vehicles at anytime will be located on the property, (2) the applicant will not seek an amendment at any time to add vehicles, (3) if vehicles are on the property for this business then upon written request the license will be returned to the Town, (4) if vehicles are on the property there will be a penalty of \$300.00 per day and the conditions by the Planning Board , seconded by Selectman Boussy. A roll call vote was taken.

Voting in Favor:

Selectman Boussy
Selectman DePinto
Selectwoman O’Neill
Selectman Vallarelli
Chairman Sweeney

Motion was unanimously voted (5-0).

Site Plan Hearing/Angelo’s/239 Main Street

Selectman DePinto read the Notice of Hearing. Attorney Charles F. Houghton was present to represent Caruso Main Street LLC, d/b/a Angelo’s Pizzeria & Ristorante, Inc., to amend the site plan approval of 12/12/2006 to construct an exterior cooler/freezer 8’ x 13’ to the existing building and exterior stairs, on the property located at 239 Main Street, Stoneham, MA on land owned by Caruso Main Street LLC, d/b/a Angelo’s Pizzeria & Ristorante, Inc., 239 Main Street, Stoneham, MA 02180. Selectmen DePinto read Department Recommendations – Attorney Charles F. Houghton

agrees with all DPW Engineering, Police Department, Board of Health, Fire Department and Inspectional Services. Chairman Sweeney opened the hearing to the public. Selectman DePinto closes public hearing, seconded by Selectman Boussy. Selectman DePinto made motion to approve amended site plan and two years allowed for completion, seconded by Selectman Boussy. A roll call vote was taken.

Voting in Favor:

Selectman Boussy
Selectman DePinto
Selectman O'Neill
Selectman Vallarelli
Chairman Sweeney

Motion was unanimously voted (5-0).

Response to MassHousing Regarding Application

Selectman DePinto moves to approve and mail the response letter and authorizes the Town Administrator to make any final changes he deems necessary and notify the Board of any and all changes, seconded by Selectman Boussy. Selectman Boussy asks if Colonial Park is mentioned in the letter. Town Counsel will discuss with Attorney Jon Witten on Colonial Park being listed/mentioned in the letter.

Appoint Conservation Commission Member

Selectman DePinto moved to appoint Rachel Rennard to a (1) one-year term as an associate member on the Conservation Commission, seconded by Selectwoman O'Neill and **unanimously voted (5-0)**.

Access Agreement between Town of Stoneham and Stoneham Community Access (Stoneham TV)

Selectman DePinto moved to approve agreement and sign agreement, seconded by Selectwoman O'Neill and **unanimously voted (5-0)**. Stoneham TV President Charles F. Houghton speaks on raising money for Stoneham TV.

Liquor Licensing Authority

Selectman DePinto moved to go into Liquor Licensing Authority and return as the Board of Selectman, seconded by Selectman Vallarelli.

Voting in Favor:

Selectman Boussy
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli
Chairman Sweeney

Motion was unanimously voted (4-0).

Meeting recessed at 7:55 p.m. to go into Liquor Licensing Authority.

Meeting reconvened at 8:05 p.m.

Approve Common Victualler License Renewals

Selectman DePinto moves approval of the following Common Victualler renewals contingent on all the paper being submitted: Dairy Dome/474 Main Street, Jagat Enterprise d/b/a Rang Indian Bistro/5 Central Street, Tsamak's Pizza d/b/a Deliworks/62F Montvale Avenue, Portugal Donuts d/b/a Dunkin Donuts/2 Lynn Fells Parkway, Sunnyhurst Donuts d/b/a Dunkin Donuts/196 Main Street, R&W DiNunzio Corp d/b/a Taste of Siam/499 Main Street, Angelo's Pizzeria & Ristorante/239 Main Street, Gaetano's/271 Main Street, S&A Ventures, Inc. d/b/a Aldo's Café/125 Main Street, Richu W.Y. Inc., d/b/a Kyotoya Japanese Restaurant/58 Montvale Avenue, Felicia's Inc./423 Main Street, Kromel's LLC d/b/a Melissa's Main Street Bistro/407 Main Street, Moon Glow Restaurant d/b/a China Moon/170 Main Street, Adson Oliveira d/b/a PizzaMia/67 Franklin Street, RCM Group, Inc. d/b/a J.J. Grimsby & Co/301 W. Wyoming Avenue, JK Stoneham Inc., d/b/a Honey Dew Donuts/362 Main Street, Jeanne Hagan d/b/a Café Central/8 Central Street **Motion was unanimously voted (5-0)**. Selectman DePinto discloses that he is the Accountant for Gaetano's.

Approve Class II Renewals

Selectman DePinto moved approval of the Class II License renewal for AutoCraft Collision, Inc., d/b/a Stoneham Auto Sales/16-18 Gould Street. Motion was seconded by Selectwoman O'Neill and **unanimously voted (5-0)**.

Approve Entertainment License Renewals

Selectman DePinto moved approval of the Entertainment License Renewals for Felicia's/423 Main Street. Motion was seconded by Selectwoman O'Neill and **unanimously voted (5-0)**.

Approve Auto Amusement License Renewals

Selectman Boussy moved approval of the Auto Amusement License for Stoneham Elks Lodge 2211/470 Main Street, seconded by Selectman DePinto and **unanimously voted (5-0)**.

Approve Minutes

Selectman Boussy moves to accept minutes of 12/03/2013, seconded by Selectwoman O'Neill and **voted (4-0-1)**. Selectman DePinto abstained. Selectman Boussy moved to accept the minutes of 12/03/2013 of executive session minutes and not to release, seconded by Selectwoman O'Neill and **voted (3-0-1)**. Selectman DePinto abstained.

Railroad Right of Way Removal of Fill/Manison Street Area

Selectman DePinto moved to bring this matter up in Executive Session, seconded by Selectman Vallarelli and **unanimously voted (5-0)**.

Miscellaneous

Selectman DePinto would like to suggest two Selectmen and the Town Administrator draft up a list of potential violations. He suggests setting up criteria on this issue. Town Counsel states he is working with the Building Inspector at looking at increasing the number of on non criminal disposition matters. Town Counsel agrees with having a committee on this matter would be helpful. Selectwoman O'Neill and Selectman Boussy also agree. Selectwoman O'Neill asks where we stand on the website running the complaint tracking program. Chairman Sweeney would like the Town Administrator address the Veterans Agent letter and the Little League letters that are in miscellaneous packet. Selectwoman O'Neill updates on the island cleanup moving forward.

Town Administrator Reports

Town Administrator Ragucci informs the Board that the Town of Wakefield is asking for two houses in the Greenwood area to be on our system. He states they are negotiating this at this time. He is interested in putting an addendum to the Wincrest Agreement and submit to the Board at the next meeting. Selectman Vallarelli asks about the trucks using Macarthur Road. Town Administrator Ragucci will notify the Police Department on this issue. The golf RFP is out and he is working on this. Mr. Ragucci notifies the Board that the High School renovation project did not receive the grant that was applied for. Mr. Ragucci congratulates now Congresswoman Clark. He also states there will be another Special Election in Stoneham on March 4, 2014 and the Primary is scheduled for April 1, 2014. Mr. Ragucci states at the goals meeting there was discussion on the Greens Community and he has looking into all the criteria and will be looking to move forward at the beginning of the year. Town Administrator Ragucci states that he has taken a bunch of complaints from residents regarding properties in town. He has asked the Department Heads to look into these complaints and gives the Board an update of where these complaints stand. Mr. Ragucci notifies the Board that the Veterans Tax Work Off program is in the making. He would like to make a presentation to the Board at one of the January meetings. Mr. Ragucci will be meeting with the Little League Organization regarding installing lights at Rec and Beacon Street parks. Town Administrator Ragucci tells the Board that the last storm cost the Town \$80,000.00.

Executive Session

Selectman DePinto moved to go into executive session, pursuant to Chapter 30A of the General Laws to discuss Appeal by Montvale Fuel Regarding Denial of Liquor License, Lumbermen's Mutual Casualty Company v. Town of Stoneham et al, Department of Industrial Accidents and Railroad Right of Way Removal of Fill/Manison Street Area and not to return as the Board of Selectmen. Motion was seconded by Selectwoman O'Neill and was **unanimously voted (5-0)**.

Voting in Favor:

Selectman Boussy
Selectman DePinto
Selectwoman O'Neill
Selectman Vallarelli
Chairman Sweeney

Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Erin Sinclair