

**Stoneham Board of Selectmen – Minutes of Meeting September 10, 2013**

Vice Chairman Thomas Boussy called the meeting to order at 7:02 p.m. Also present were Selectman DePinto, Selectwoman Ann Marie O'Neill, Selectman Frank Vallarelli, Town Administrator David Ragucci and Town Counsel William H. Solomon. Chairman Robert W. Sweeney arrived at 7:20 p.m.

**Pledge of Allegiance**

**Amended Site Plan Hearing/21 Manison Street/Attorney Charles Houghton**

Attorney Charles Houghton states that he is representing the Rotondi Family and he would like to withdraw the amended site plan. Mike Rotondi owner of the property states he is working to remove the fill that was in the railroad right away and they are making progress. Selectman DePinto read the Notice of Hearing. Selectman DePinto moves to accept the withdrawal, seconded by Selectwoman O'Neill. Larry Means asks if this will be coming back. Attorney Charles Houghton states no. A roll call vote was taken.

Voting in Favor:

Selectman DePinto  
Selectwoman O'Neill  
Selectman Vallarelli  
Vice Chairman Boussy

**Motion was unanimously voted (4-0).**

**Approve Class II License/21 Manison Street/Charlie Houghton**

Attorney Charles Houghton would like to withdraw the request for the Class II license. Selectman DePinto moves to accept the withdrawal, seconded by Selectwoman O'Neill. A roll call vote was taken.

Voting in Favor:

Selectman DePinto  
Selectwoman O'Neill  
Selectman Vallarelli  
Vice Chairman Boussy

**Motion was unanimously voted (4-0).**

**MWRA Discussion/Fred Laskey/Selectman DePinto**

Selectman DePinto states that Fred Laskey from the MWRA will be at the October 8, 2013 Selectmen's meeting. He states that will be the night that MWRA will be here to answer any questions. Also, informed that Senator Clark and Representative Lewis will be at the September 24, 2013 Selectmen's Meeting.

**Appoint Associate Member to Conservation Commission**

Selectman Vallarelli moved to appoint Herlinda Carpentier Saitz to a (1) one-year term as an associate member on the Conservation Commission, seconded by Selectman DePinto and **unanimously voted (4-0)**.

**Appoint Member to Mystic Valley Elder Services Board of Directors**

Selectwoman O'Neill moved to appoint Gene Ferullo to a (1) one-year term on the Board of Directors for Mystic Valley Elder Services, seconded by Selectman DePinto and **unanimously voted (4-0)**.

**Approve Block Parties on Drury Lane, Longbow Road and Windsor Road**

Selectman DePinto made a motion to approve block party on Drury Lane, seconded by Selectman Vallarelli and **unanimously voted (4-0)**. Selectman DePinto made a motion to approve block party on Windsor Road, seconded by Selectwoman O'Neill and **unanimously voted (4-0)**. Selectman DePinto made a motion to approve block party on Longbow Road, seconded by Selectwoman O'Neill and **unanimously voted (4-0)**.

**Site Plan Hearing/38 Pleasant Street/Steven Cicatelli**

Selectman DePinto read the Notice of Hearing. Attorney Steven Cicatelli was present to represent Saraceno Construction LLC, to allow the conversion from a group home to a four (4) unit residential condominium at the property located at 38 Pleasant Street, Stoneham, MA. Selectman DePinto read Department Recommendations - Attorney Cicatelli agrees with all DPW Engineering, Police Department, Board of Health, Fire Department and Inspectional Services. Vice Chairman Boussy opened the hearing to the public. Geraldine Whelan, 137 Franklin Street asks what happened to the half way house. Attorney Cicatelli states it has been vacant for some time. Vice Chairman Boussy closes public hearing. Selectman DePinto made motion to approve the site plan for 38 Pleasant Street, seconded by Selectwoman O'Neill. A roll call vote was taken.

Voting in Favor:

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

**Motion was unanimously voted (5-0).**

Meeting was recessed at 7:27 p.m.

Meeting reconvened at 7:32 p.m.

**Stoneham Bike Greenway/Bike Committee/Anthony Wilson**

Anthony Wilson states thank you to everyone who came out. He presents a status update, benefits to Stoneham and commonly asked questions. Russ Wilson asked why some abutters have been allowed to stay. Anthony Wilson states that they have not and that their leases are expiring. It is something that would have to change at town meeting. George Seibold asked wouldn't leaving them help the businesses stay in town instead of running them out? Anthony Wilson states he agrees but then they won't have a greenway because of the businesses. Attorney Bill O'Leary from Winchester represents Dale Halchak. Dale Halchak has agreed to remove the material behind 17 Manison Street. Anthony Wilson asks how do we make sure this is done in a timely manner and handled appropriately. Town Administrator states that it is not the property of Stoneham. Bob Levita from TRA (MBA representative) states the town does has rights where they lease the land. Selectman Sweeney asks if the town has the authority to make people move. Bob Levita's states to the best of his knowledge the town can do what they want. They need to clear the way to get a 99 year lease. MBTA is willing tomorrow to sign a deed over to the town of Stoneham. Attorney Solomon states the town together with the MBTA need to make it very clear what fill needs to be removed. Bob Levita states it needs to be removed property line to property line. The land needs to be surveyed to find property lines; the fill needs to be removed down to the tracks. There is a concern about stability and want to make sure an engineer is involved. Bikeway Committee will come back to the next Selectmen's meeting to update. Larry Means states if it was Lexington, Winchester this would not have happened. The deadline should be next week not December. Selectwoman O'Neill would like the Committee to present the Selectmen on Sept 24<sup>th</sup> a letter with all the deadlines and an action plan. Attorney Solomon and Anthony Wilson both agree. Chairman DePinto makes a motion to accept the recommendations of the committee at the 9/12/13 meeting and to work through the Town Administrator and immediately require the removal of all fill and survey the land to find and mark the right of way within two weeks, seconded by Selectman Sweeney and **unanimously voted (5-0)**.

**Accept Guidelines for Sidney Hill Trust Fund/Maureen Canova**

Maureen Canova Director of Senior Center presents the guidelines that will be used to determine the use of the Sidney Hill Trust Fund. Selectman DePinto moves to accept, seconded by Selectman Sweeney and **unanimously voted (5-0)**.

**By Law Changes/Speaking Limits and Submission of Written Motions/Larry Means**

Larry Means asks that the board accept the article without signatures. He is requesting that everyone submit their motion in writing to the town Clerk three days prior to a Town Meeting. Selectman Sweeney makes a motion to support this article, seconded by Selectman DePinto and **unanimously voted (5-0)**.

**Appoint Democratic Election Officers**

Selectman DePinto moved to appoint the following Republican Election Officers: Clerk – August S. Niewenhaus; Deputy Clerk – Megan Day; Inspector – Joseph Caiazzo; Deputy – Shirley Murray, seconded by Selectman Sweeney and **unanimously voted (5-0)**.

**Approve Minutes**

Selectwoman O'Neill moved to accept minutes of 7/16/2013, seconded by Selectman Vallarelli and **unanimously voted (4-0-1)**. Selectman DePinto abstained. Selectman DePinto moved to accept the minutes of 7/16/2013 of executive session minutes and not to release, seconded by Selectwoman O'Neill and **unanimously voted (4-0-1)**. Selectman Sweeney abstained. Selectman DePinto moved approval of the 7/30/13, seconded by Selectwoman O'Neill and **unanimously voted (4-0-1)**. Selectman Sweeney abstained. Selectman DePinto moved to accept the minutes of 8/13/2013, seconded by Selectwoman O'Neill and **unanimously voted (4-0-1)**. Selectman Sweeney abstained. Selectman DePinto moved to accept the minutes of 8/13/2013 of executive session minutes and not to release, seconded by Selectwoman O'Neill and **unanimously voted (4-0-1)**. Selectman Sweeney abstained. Selectman DePinto moved to accept the minutes of 9/3/2013, seconded by Selectwoman O'Neill and **unanimously voted (4-0-1)**. Selectman Sweeney abstained.

**Approve Renewal Miniature Golf License/Strazz, LLC d/b/a Hago Harrington's Miniature Golf/160 Main Street**

Selectman DePinto moves to approve the license, seconded by Selectman Sweeney and **unanimously voted (5-0)**.

**Ravine Road/DePinto**

Selectman DePinto states he is getting calls from residents at Ravine Road complaining that DCR has not completed what they were supposed to do over there. Cars are still speeding and driving on the wrong side of the island. Selectman DePinto requests the Town Administrator send a letter to DCR to see if they have a time frame on when they plan on finishing

**Access Agreement with Stoneham Community Access – Financial Terms/Town Counsel**

Selectman DePinto made motion to authorize payment of four and one half percent (4.5%) of gross annual revenues from Comcast and Verizon PEG Access operating payments for May and August 2013, seconded by Selectman Sweeney and **unanimously voted (5-0)**. DePinto says thank to Bill for all his hard work with Cable.

**Appointing/retaining special counsel for Weiss Farm land use and related matters**

Selectman DePinto makes motion to retain Attorney Witten, seconded by Selectwoman O'Neill and **unanimously voted (5-0)**. Marylou Bracciotti 36 Broadway asks if there is a strategy going forward with a 40B project. Attorney Solomon says yes this will be a part of this process. She also asks if we have a current inventory of housing in the town. Town Administrator states he will check into the state and see if they have something. She would like to see us developing a long term plan. Russ Wilson asks how many attorneys were looked at and accessed. Attorney Solomon states that there were two Attorneys that made presentations. Attorney Solomon states that residents expressed their interest in Attorney Witten. A resident states that according to the article we can hire attorneys, legal counsel and experts which means we can hire multiple attorneys with different expertise if needed. Attorney Solomon agrees this would be the best course of action.

**Select date for informational seminar on 40B Projects with special counsel**

Selectman DePinto moves to hold the Information Seminar on 40B Projects on October 1, 2013 at the Town Hall at 7:00 p.m., seconded by Selectman Sweeney and **unanimously voted (5-0)**.

**Civil Fingerprint Bvlaw Proposal – Update/Town Counsel**

Selectman DePinto moves to allow this warrant article and add secondhand dealers to the article and make any changes deemed necessary to the article, seconded by Selectwoman O'Neill and **unanimously voted (5-0)**. Chief McIntyre says this would cover soliciting, canvassers and ice cream vendors as it is written now. Attorney Solomon states that where these areas would cover places where children are involved. There is a census this is a good start and we can add to it after we set this in motion.

**Update on Trash Discussion/Boussy**

Selectman Vallarelli and Selectmen Boussy state what is being looked at in changing our system and the reasons behind it. Director of Public Works Robert Grover states his recommendation on changing our trash system. Residents ask their questions and state their concerns with the new system being offered. Selectwoman O'Neill suggests having another meeting where things can be explained and residents can ask questions. Selectman Vallarelli moves to table this item until the meeting on September 24, 2013, seconded by Selectman DePinto and **unanimously voted (5-0)**.

**Meeting was recessed at 11:00 p.m.**

**Meeting reconvened at 11:10 p.m.**

Selectman Sweeney and Selectman Vallarelli left meeting at 11:00 p.m.

**Approve use of Durgin Fund**

Town Administrator Ragucci states that Superintendent Olson would like to see this fund used for school lunch that is not covered by the State. Town Administrator Ragucci states he would like to get more in writing from Dr. Olson and ask if he can present more on this issue at September 24, 2013 Selectmen's meeting.

**Liquor Licensing Authority**

Selectman DePinto moved to go into Liquor Licensing Authority and return as the Board of Selectman, seconded by Selectwoman O'Neill.

Voting in Favor:

Selectman DePinto  
Selectwoman O'Neill  
Chairman Boussy

**Motion was unanimously voted (3-0).**

**Meeting recessed at 11:15 p.m. to go into Liquor Licensing Authority.**

**Meeting reconvened at 11:18 p.m.**

**Town Administrator Reports**

Administrator Ragucci states he met with the Chamber regarding parking and one request he would ask for would be the Board support in moving a bus stop down to the Library and the other side of Main to be in front of the Hardware Store. Selectmen DePinto makes motion to support moving the bus stops and to have the Town Administrator find some spots in the municipal lot for 4 hour parking, seconded by Selectwoman O'Neill and **unanimously voted (3-0)**. Administrator Ragucci is looking for the Boards thoughts on making an area to the right way corner of Lindenwood Cemetery making it a parking lot that could hold approximately 30 cars. He would be interested in putting this area out to bid for leasing to a Montvale Ave business. Administrator Ragucci would like to say that AP Rounds did a fantastic job on the park. There will be a grand reopening on September 21, 2013 at 2:00 p.m. and asked for everyone to attend. Administrator Ragucci states that the Golf Course is out of contract. It is the last golf year after this year we will have to go out to bid. He would like to know what direction the Board would like to go with the Golf Course. He would like a Selectman or two sit and go over the long term plan. Selectman DePinto and Vice Chairman Boussy stated interest.

**Miscellaneous Correspondence**

Selectman DePinto asks Attorney Solomon regarding the cable checks. Attorney Solomon confirms that they are correct. Selectman DePinto also would like to thank the Chamber of Commerce for putting on the concerts this summer.

**Executive Session**

Selectman DePinto moved to go into executive session, pursuant to Chapter 30A of the General Laws to discuss Stockwell and not to return as the Board of Selectmen. Motion was seconded by Selectwoman O'Neill and was **unanimously voted (3-0)**.

Voting in Favor:

Selectman DePinto  
Selectwoman O'Neill  
Vice Chairman Boussy

Meeting adjourned at 11:28 p.m.

Respectfully submitted,

Erin Sinclair