

**Board of Selectmen's Meeting
Open Session Meeting Minutes
35 Central Street – Town Hall
1st Floor Hearing Room
April 12, 2016**

Members Present: Selectman Thomas Boussy, Selectwoman Caroline Colarusso, Selectwoman Ann Marie O'Neill, Selectman George Seibold, and Selectman Anthony Wilson

Also Present: Attorney William Solomon

Call to Order: Chairman Boussy called the meeting to order at 7:13 p.m. (To view this meeting in its entirety go to Stoneham TV on Demand available from the Town's homepage at www.stoneham-ma.gov)

Agenda Item 1: Pledge of Allegiance

Agenda Item 2: Site Plan Hearing/Kaluta LLC c/o Brickpoint Properties, Inc./45 North Street/Cicatelli (Time 2:00 on Stoneham TV on Demand) Selectman Wilson moved that the Board take Agenda Items 2 and 3 out of order so that the Board could reorganize prior to the hearing on the 45 North Street Site Plan. This motion was seconded by Selectwoman O'Neill.

Voting in Favor:

Chairman Boussy
Selectwoman Colarusso
Selectman O'Neill
Selectwoman Seibold
Selectman Wilson

Motion carries (5-0).

Agenda Item3: Reorganization of Board (Time 2:19 on Stoneham TV on Demand) Selectwoman Colarusso nominated Selectwoman O'Neill to be the Chairwoman. Selectman Seibold nominated Selectman Wilson to be the Chairman.

Voting in Favor of Selectwoman O'Neill:

Selectman Boussy
Selectwoman Colarusso
Selectwoman O'Neill
Selectman Wilson

Voting in Favor of Selectman Wilson:

Selectman Seibold

Selectwoman O'Neill is the Chairwoman (4-1).

Selectwoman O'Neill nominated Selectwoman Colarusso to be Vice Chairwoman.

Voting in Favor of Selectwoman Colarusso:

Selectman Boussy
Selectwoman Colarusso
Selectwoman O'Neill
Selectman Wilson

Abstaining:

Selectman Seibold

Selectwoman Colarusso is the Vice Chairwoman (4-1).

Selectwoman O'Neill nominated Selectman Wilson to be Secretary.

Voting in Favor of Selectman Wilson:

Selectwoman O'Neill
Selectman Boussy
Selectwoman Colarusso
Selectman Seibold
Selectman Wilson

Selectman Wilson is the Secretary (5-0).

Agenda Item 2: Site Plan Hearing/Kaluta LLC c/o Brickpoint Properties, Inc./45 North Street/Cicatelli (Time 5:30 on Stoneham TV on Demand) Attorney Steven Cikatelli appeared on behalf of the petitioner, Kaluta LLC. The purpose of the Site Plan is to amend an existing Site Plan and allow the construction of a maintenance building. The Petitioner applied for and received a Special Permit allowing the building of the maintenance building in a Highway Business District as an "extension of a pre-existing non-conforming use." Attorney Cikatelli stated that changing the Site Plan will do nothing to the footprint of the existing structure and only adds a "shed" to the back of the property. No concerns were noted in the department review. Selectman Wilson asked if all setback requirements will be satisfied. Attorney Cikatelli stated that all setback requirements are exceeded on this property. The Hearing was open to public comment and there was none. Selectman Boussy moved that the Board approve the Site Plan. Selectman Seibold seconded the motion.

Voting in Favor:

Chairwoman O'Neill
Selectman Boussy
Selectwoman Colarusso
Selectman Seibold
Selectman Wilson

Motion carries (5-0).

Agenda Item 4: Hallmark Health Annual Auction (Time 10:40 on Stoneham TV on Demand) Selectman Wilson stated that Hallmark Health VNA/Hospice requested a donation of 50 minutes of ice time for its annual fundraising auction. Selectman Wilson stated that he has had very positive experiences with this organization. Attorney Solomon stated that the public purpose of such a donation is as a marketing tool for both the Arena and Town. Selectwoman Colarusso moved that the Board approve this donation. Selectman Wilson seconded the motion.

Voting in Favor:

Chairwoman O'Neill
Selectman Boussy
Selectwoman Colarusso
Selectman Seibold
Selectman Wilson

Motion carries (5-0).

Agenda Item 5: Beautification Update (Time 13:00 on Stoneham TV on Demand) Chairwoman O'Neill stated that she placed this item on the agenda to update the public on the status of the program. She stated that both landscaping and irrigation RFQs were issued by the Town Planner and that sponsorship renewal letters have been sent to previous sponsors. Chairwoman O'Neill stated that she would like to see this program grow and that there are opportunities for any corporation or individual who would like to participate. Selectman Seibold stated that he was concerned that the cost of this program seems to be increasing, and that he believed the cumulative cost to be \$60,000. Chairman O'Neill stated that it is her hope that this program will become self-sustaining and in order to make the Town attractive to both businesses and residents, it is imperative that we put our best face forward. Selectwoman Colarusso stated that because we were starting early this year she felt that the project would break even. Chairwoman O'Neill stated that the Town's website would be updated with sponsor/donor/volunteer information.

Agenda Item 6: Eric J. Bernat Memorial (Time 20:47 on Stoneham TV on Demand) Selectman Boussy stated that a friend of the Bernat family wished to donate a bench as a memorial to Firefighter Bernat. Dava Kilbride, Secretary to the Board, stated that Chief Grafton was unavailable, but wanted the Board to know that the bench could be placed in the small park that is beside the fire station. Selectman Wilson moved that the Board accept this donation and the suggested location. Selectman Seibold seconded the motion.

Voting in Favor:

Chairwoman O'Neill
Selectman Boussy
Selectwoman Colarusso
Selectman Seibold
Selectman Wilson

Motion carries (5-0).

Agenda Item 7: Screening Committee Vote (Time 22:15 on Stoneham TV on Demand) Chairman Boussy stated that Board entered into a contract with the Collins Institute to recruit a new Town Administrator. The Institute has interviewed the Selectmen and is putting together a job description for the position. The Institute anticipates 20 applicants for the position and would like a Screening Committee to assist in the screening of candidates prior to the Board interviewing the top five candidates. The Institutes recommended that the Committee consist of two members of the Board of Selectmen; the Town Moderator; one member of the Finance and Advisory Board; and the Superintendent of Schools. Selectman Seibold stated that he did not give the Institute much input during his interview because he would like to rehire Town Administrator Ragucci and eliminate the need for the Collins Institute. He also stated that if there is a Screening Committee he would like to see members of the Planning Board and some School Committee members included, and the Town Moderator excluded as he has nothing to do with the Town budget. Selectman Wilson stated that he would like to see public safety personnel included in the Screening Committee. Selectman Boussy stated that he felt that they should follow the recommendation of the Collins Institute and move forward. Selectman Seibold stated

that he would like to keep Town Administrator Ragucci in his position. Chairwoman O'Neill stated that the Board already voted on Mr. Ragucci's contract and the minutes of that executive session have been released. She stated that Mr. Ragucci can reapply for the position or that the Board could entertain a motion to reopen the discussion. Selectman Seibold stated that if Mr. Ragucci reapplies and gets the position, the Town is wasting money. He stated that with the anticipated Weiss Farm project and contract negotiations, the time is not right to hire a new Town Administrator. Chairman O'Neill stated that she supports his concerns, but that a vote was taken and, after careful consideration, the Board decided not to renew the Administrator's contract. Selectman Seibold moved to reopen the discussions regarding Mr. Ragucci's contract renewal. Chairwoman O'Neill seconded the motion.

Voting in Favor:

Selectman Seibold

Voting against:

Chairwoman O'Neill

Selectman Boussy

Selectwoman Colarusso

Selectman Wilson

Motion does not carry (1-4).

Selectman Boussy moved to accept the Collins Institute recommendation to form a Screening Committee consisting of two members of the Board of Selectman; the Town Moderator; one member of the Finance and Advisory Board; and the Superintendent of Schools. Selectwoman Colarusso seconded the motion.

Selectman Seibold moved to amend that motion and accept the Collins Institute recommendation to form a Screening Committee, but to remove the Town Moderator and add a public safety employee. That motion was seconded by Selectman Wilson.

Selectman Wilson moved to amend Selectman Seibold's amendment and add a public safety employee but leave the Town Moderator on the Committee. This motion was not seconded.

Selectman Seibold's amended motion was then voted on:

Voting in Favor:

Selectman Seibold

Selectman Wilson

Voting against:

Chairwoman O'Neill

Selectman Boussy

Selectwoman Colarusso

Motion does not carry (2-3).

Selectman Boussy's motion to accept the Collins Institute recommendation was then voted on.

Voting in Favor:

Chairwoman O'Neill

Selectman Boussy

Selectwoman Colarusso

Selectman Wilson

Voting against:

Selectman Seibold

Motion carries (4-1).

Selectman Boussy moved to make Chairwoman O'Neill a member of the Screening Committee. This motion was seconded by Selectwoman Colarusso.

Selectman Seibold moved to make Selectman Anthony Wilson a member of the Screening Committee. The motion was seconded by Selectman Boussy.

Selectwoman Colarusso moved to make Selectman Boussy a member of the Screening Committee. The motion was seconded by Selectman Boussy.

A vote was taken where each Selectman chose two of the nominees. Selectman Seibold voted for Selectman Wilson and Chairwoman O'Neill. Selectwoman Colarusso voted for Selectwoman O'Neill and Selectman Boussy. Selectman Wilson voted for Selectman Wilson and Chairwoman O'Neill. Selectman Boussy voted for Selectman Boussy and Chairwoman O'Neill. Chairwoman O'Neill voted for Selectman Boussy and Selectman Wilson. Since Chairwoman O'Neill, Selectman Boussy, and Selectman Wilson each received three votes, a vote was taken where only one of the three could be selected.

Voting for Chairwoman O'Neill:

Selectman Seibold

Selectman Wilson

Voting for Selectman Boussy:

Selectman Boussy

Selectwoman Colarusso

Selectwoman O'Neill

The Screening Committee members are Chairwoman O'Neill and Selectman Boussy.

Agenda Item 8: FY17 Water and Sewer Rates (Time 39:25 on Stoneham TV on Demand) Scott LeBeau, Chairman of the Water and Sewer Review Board, appeared before the Board to discuss water and sewer rates for FY17. He stated that based on the MWRA's website, the Town's preliminary water assessment is down 5.7% and the preliminary sewer assessment is up 3.2%. Based on this assessment, as well as Bob Grover's statements that he is working to shift employees from the water and sewer payroll back into the DPW payroll, trends in health insurance rates for retirees, and the status of the Enterprise Fund, the Water and Sewer Review Board voted to decrease the Town's water rate by \$0.25 or \$5.75/HCF and hold the sewer rate at \$9.05/HCF. Bob Grover, head of DPW, stated that the Town is continuing to perform construction and maintenance on water and sewer lines out of the debt service account, but that money will be needed for FY18. Grover also stated that, according to the MWRA, Stoneham is rated fourth on the list of MWRA communities, and that our water mains will be fully lined after the replacement of the lines on Williams Street. Scott LeBeau went on to discuss his concerns about the Treasurer disregarding the water bills of Town departments. This practice began back in 2007, when budget shortfalls forced the Town to allow departments to put funds that had been allocated for water bills, back into their budgets. LeBeau noted that the School Department has continued

to budget for water, but does not pay a water bill. Selectwoman Colarusso thanked the Board members for their service and reiterated the need to allocate the right number of employees to the water and sewer department. She also stated that the cost of the Atlantic Gelatin closing will be mitigated, on part, by increased water use and this year's rate drop.

Agenda Item 9: Approval of Minutes (Time 72:50 on Stoneham TV on Demand) Chairwoman O'Neill stated that she would like to amend the Meeting Minutes for March 29, 2016, by adding that the Board requested that Eversource remove the white square markers that it has placed throughout the Town. Selectman Boussy moved to approve the minutes pending the requested amendment. Selectwoman Colarusso seconded the motion.

Voting in Favor:

Chairwoman O'Neill
Selectman Boussy
Selectwoman Colarusso

Abstaining:

Selectman Seibold
Selectman Wilson

Agenda Item 10: Annual Town Meeting – Recommendations on Warrant Article (Time 73:55 on Stoneham TV on Demand) Selectman Boussy stated that the Selectman should take an issue on each warrant article, even if it was submitted by the Board.

Warrant Article 1: Selectman Wilson moved to view Warrant Article 1 favorably. Selectman Boussy seconded this motion. **Unanimously voted.**

Warrant Article 2: Selectman Wilson moved to view Warrant Article 2 favorably. Selectman Boussy seconded this motion. Unanimously voted.

Warrant Article 3: Selectwoman Colarusso moved to view Warrant Article 3 favorably. Selectman Boussy seconded this motion. **Unanimously voted.**

Warrant Article 4: Selectwoman Colarusso moved to view Warrant Article 4 favorably. Selectman Boussy seconded this motion. **Unanimously voted.**

Warrant Article 5: Selectman Seibold stated his concern that hiring a Recreational Director could create problems with field maintenance and create undue competition between the Boys and Girls Club, School sponsored sports teams, the YMCA, and the newly formed Recreation Department. Chairwoman O'Neill stated that it will not be the role of the Recreation Department to take over already sponsored or sanctioned athletics and/or activities. Rather, it will fill the void by offering activities appropriate for small children and seniors, enhance already existing programs, or offer activities/athletics that are missing from the Town. The Recreation Department will not duplicate existing programs or take over the care and maintenance of the Town fields. It is her hope that families will be drawn to a town with an active Recreation Department and/or put their children in activities in this Town, rather than take them to another town for a program. Selectwoman Colarusso added that the Recreation Department may offer such things as parenting classes, fencing classes, cultural activities, and attract families to this Town. She also stated that there would be scholarships available for certain programs.

Selectman Wilson stated that he too was concerned about redundancy, but that this type of program will fund itself. He stated that some residents are looking for nontraditional sport programs and this is a way that the Town can offer that. He also hoped that there would be programs for the developmentally disabled. Selectman Boussy moved to view Warrant Article 5 favorably. Selectwoman Colarusso seconded this motion. Selectman Seibold voted to view this Warrant Article unfavorably. The remaining Selectmen **voted favorably (4-1)**.

Warrant Articles 6, 7, 8, 9, 10, 11: Selectman Boussy moved to view Warrant Articles 6, 7, 8, 9, 10, and 11 favorable. Selectman Seibold seconded this motion. **Unanimously voted.**

Warrant Article 12: The Selectman deferred discussion on this matter until the next meeting,

Warrant Article 13: Selectman Seibold stated that as a Town we need a turf field to be competitive with surrounding towns. He also stated a concern with the quality and safety of the product. Selectman Wilson stated that he does not believe that John DePinto wants to move forward with this Article. He also voiced his concern with the safety of synthetic fields. Selectman Boussy stated his concern with the safety of the field and that the time is not right for this matter since there is going to be some type of construction at the High School. Selectwoman Colarusso concurred regarding the health risks of synthetic fields. Selectman Wilson moved to view this matter unfavorably. Selectman Boussy seconded that motion. Selectman Seibold voted to view this Warrant Article favorably. **Voted unfavorable (4-1)**.

Warrant Article 14: The Selectman deferred discussion on this matter until the next meeting.

Warrant Article 15: Selectman Wilson explained that this Article establishes a trust to fund retiree health insurance, but there does not appear to be a funding source or a dollar amount assigned to the trust at this time. Selectwoman Colarusso stated that the Town has to do this in order to properly plan for the retirees. Stephen Dapkiewicz, Chairman of the Finance and Advisory Committee, explained that Finance Board would like to amend this article on the floor to establish the trust now and fund it at the October Town Meeting. Larry Means, Town Moderator explained that this Article could be amended on the floor and also opined that there is an escrow account from the sale of school property that could be used to fund a portion of this trust. Selectman Wilson moved to view this matter favorably. Selectwoman Colarusso seconded that motion. **Unanimously voted.**

Warrant Article 16: Selectman Wilson moved to view Warrant Article 16 favorably. Selectman Boussy seconded this motion. **Unanimously voted.**

Warrant Article 17: Stephen Dapkiewicz, Chairman of the Finance and Advisory Board stated that the FAB voted to view this matter unfavorable based on the increase in unfunded liability that it could create. Selectwoman Colarusso stated that since this matter is specific to RIFs, she supported this Article. Selectman Seibold moved to view Warrant Article 17 favorably. Selectwoman Colarusso seconded this motion. Selectman Wilson voted to view this matter unfavorable. **Voted favorably (4-1)**.

Warrant Article 18: Unanimously voted at the Board's meeting of March 29, 2016.

Warrant Article 19: Attorney Charles Houghton appeared on behalf of the developer of the Winship properties and explained that certain developments seek to have private ways turned into public ways to benefit from public services. Selectman Boussy moved to view this matter favorably. Selectwoman Colarusso seconded that motion. **Unanimously voted.**

Warrant Article 20: Selectman Boussy moved to view this matter favorably. Selectman Wilson seconded that motion. **Unanimously voted.**

Warrant Article 21: Attorney Charles Houghton appeared on behalf of a homeowner seeking to remove the underground drainage easement on Cabot Road that is no longer in use. Bob Grover stated that the drainage pipes at issue are no longer in use and there is no record of them at DPW. Selectman Wilson moved to view this Warrant Article favorably. Selectman Seibold seconded that motion. **Unanimously voted.**

Warrant Article 22: No action taken.

Warrant Article 23: No action taken.

Agenda Item 11: Special Town Meeting – Accept, Number, Sign-Warrant (Time 125 on Stoneham TV on Demand) Chairman O’Neill stated that the Warrant Articles for the Special Town Meeting must be accepted and numbered so that they can be posted.

Selectman Wilson moved to accept Attorney Solomon’s article regarding electronic billboards as Warrant Article Number 1. Selectman Boussy seconded this motion. **Unanimously voted.** Selectman Boussy moved to accept this Warrant Article as number one. Selectman Wilson seconded that motion. **Unanimously voted.** No recommendation was made.

Matthew Sordillo appeared on Arthur Sordillo’s behalf. Selectman Wilson stated his concern that the language Mr. Sordillo used in his Warrant Article was confusing and should be amended. Selectman Wilson moved to accept and number Arthur Sordillo’s article regarding gas station convenience store hours as Warrant Article Number 2. Selectman Boussy seconded this motion. **Unanimously voted.** No recommendation was made.

Selectman Boussy stated that the Spaulding Road Warrant Article should have been included in the Warrant Articles for the Town Meeting, but that due to administrative error it was omitted. Attorney Houghton filed this Article and was present for this discussion. He had no objection to this matter being included in the Special Town Meeting as a corrective measure. Selectman Wilson moved to accept and number this matter as Article Number 3. Selectwoman Colarusso seconded this motion. **Unanimously voted.** Selectman Boussy moved to view Warrant Article 3 favorably. Selectman Wilson seconded this motion. **Unanimously voted.**

Agenda Item 12: Annual Committee Appointments (Time 138:25 on Stoneham TV on Demand) Selectman Boussy stated that it is time to make annual appointments to various Boards and Committees. He requested that a link be placed on the Town’s website regarding available positions. He also requested that the appointing authority for each Board or Committee be determined before the next meeting.

Agenda Item 13: Town Employee Dress Code (Time 143:30 on Stoneham TV on Demand) Selectman Wilson stated his concern that the draft of the Town Employee Dress Code before the Board did not contain a definition of “business casual.” He will supply a definition for insertion. This matter will be placed on the Board’s Agenda for April 26, 2016.

Agenda Item 14: Miscellaneous (Time 145:58 on Stoneham TV on Demand) Selectman Seibold stated his concerns about the Town’s spending on the Weiss farm litigation/negotiations. He stated that he believed \$84,000 of the \$250,000 approved by Town Meeting has been spent on negotiating the land swap. He stated that he believed that put the Town \$20,000 over budget on this matter. Chairman O’Neill stated that she would like to hold a meeting, in executive session, with the purpose of bringing the new Selectmen up to date on the

Weiss Farm matter. The meeting was set for April 21, 2016, at 5:00 p.m. Chairman O'Neill stated that she wanted to hold a meeting on policies and procedure and to create an operating bylaw for the Board. The meeting was set for April 27, 2016, at 5:30 p.m.

Selectman Boussy made a motion to adjourn, seconded by Selectman Wilson **and unanimously voted (5-0)**.

Meeting adjourned at 9:50 p.m.

Respectfully submitted,

Dava Felch Kilbride
Secretary to the Board of Selectman