

**Board of Selectmen**  
**Hearing Room**  
**Stoneham Town Hall**  
 Tuesday, May 10, 2016  
 7:00 PM

ITEM	TIME	DESCRIPTION	DISPOSITION
1	7:00 PM	Pledge of Allegiance	
2	7:01 PM	57 Franklin Street - Site Plan Approval - Charles Houghton	
3		TIF Update - Erin Wortman	
4		Approve Minutes (5/2/16)	
5		Fire House Centennial Celebration Parade - committee formation - Anthony Wilson	
6		See Clix Fix - David Ragucci	
7		Weiss Farm - discussion of original warrant article and legal fees- George Seibold	
8		Attorney Fees Discussion - George Seibold	
9		Alcohol Bylaw - George Seibold	
10		Trash Fee Reduction - Caroline Colarusso	
11		Arbor Day Proclamation	
12		Communications Liason - Tom Boussy	
13		Town Administrator - David Ragucci	
14		Miscellaneous	

*Charles F. Houghton*

*Attorney - At - Law*

271 Main Street - Suite 202, Stoneham, Massachusetts 02180

Telephone: (781) 438-7442 Fax: (781) 438-2078

TOWN OF STONEHAM  
BOARD OF SELECTMEN  
2016 APR -8 P 12:00

*Christopher J. Gordon*  
*Attorney*

*Mark E. Mulligan*  
*Attorney*

*Janel E. Ewell*  
*Attorney*

*Maria D'Alelio*  
*Paralegal*

April 8, 2016

Ms. Cheryl Noble, Building Inspector  
Stoneham Town Hall  
35 Central Street  
Stoneham, MA 02180

RE: Site Plan, 57 Franklin Street, Stoneham, MA 02180

Dear Ms. Noble:

Please be advised that I represent Frank M. Walsh and Debera A. Walsh, Trustees of the D.K.L. Two Realty Trust, regarding the proposed site plan for the property at 57 Franklin Street, Stoneham, MA 02180.

My client is proposing to demolish the existing structure and to construct a new three-family dwelling. My client is applying for site plan approval pursuant to Section 4.17.2.1 as required by Section 4.17.2. My client was granted Special Permit approval on March 30, 2016 from the Planning Board and my client obtained Board of Appeals approval by a decision dated January 13, 2016 permitting said use. I have scheduled this matter with the Selectmen for a hearing on May 10, 2016.

Enclosed please find my check in the amount of Three Hundred Dollars (\$300.00) and eighteen copies of my client's site plan are filed herewith.

If you need any additional information, please contact me at the above number.

Sincerely,



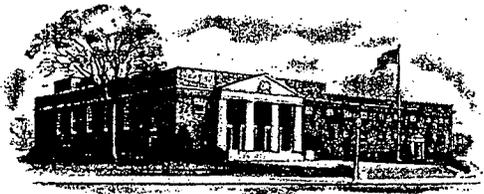
Charles F. Houghton, Esquire

CFH:meh  
Enclosures  
cc: Selectmen's Office

RECEIVED

APR 8 2016

INSPECTORIAL SERVICES



TOWN OF STONEHAM  
BOARD OF SELECTMEN

Town APR 8 P 12:00  
STONEHAM  
MASSACHUSETTS  
BUILDING AND WIRE DEPARTMENT

### SITE PLAN HEARING APPLICATION

Date: 4/5/2016

The undersigned, owner of the property, hereby applies for a Site Plan Hearing according to the Provisions of Chapter 16 of the Town Ordinance.

- I. A. The applicant shall complete two copies of this form and submit 18 copies of the "Site Plan" by a Registered Engineer.
- B. Submit a letter from the owner describing the type of building being constructed, renovated, altered and the proposed use of said building.
- C. Attach a copy of the Special Permit and Board of Appeals Decision (if applicable).

II. Fill in the following data as required for this hearing.

- A. Location of Property 57 Franklin Street, Stoneham, MA 02180
- B. Name of Owner Frank M. Walsh and Debera A. Walsh, Trustees of the D.K.L. Two Realty Trust,
- C. Address of Owner 3 Bancroft Place, Stoneham, MA 02180
- D. Business Name (If Different from Owner) \_\_\_\_\_
- E. Telephone Number of Owner 1-781-844-4626
- F. Present Use of Building or Property to demolish the existing structure and to construct a new three-family dwelling
- G. Height of existing and/or proposed structure approx.. 28' at front and apprx. 33' at rear
- H. Has there been a previous Site Plan on this property? Yes \_\_\_\_\_ No X  
If "YES" give the dates  
\_\_\_\_\_  
\_\_\_\_\_
- I. Zoning District Business

III. PREPARE AND FILE WITH THIS FORM A "SITE PLAN". STATE THE ZONING DISTRICT IT LIES WITHIN. SHOW THE LOT, ITS AREA, DIMENSIONS, AN ACCURATE COMPLETE OUTLINE OF THE PROPOSED AND ANY EXISTING STRUCTURES THEREON, DISTANCES FROM ALL BOUNDARY LINES, PARKING, COMPUTATIONS FOR ALL REQUIRED PARKING. SITE PLAN SHALL BE PREPARED AND STAMPED BY A REGISTERED PROFESSIONAL ENGINEER/SURVEYOR.

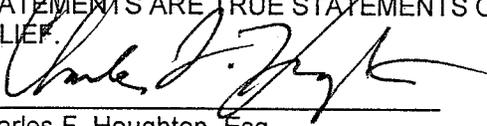
A. NAME & ADDRESS OF THE ENGINEER \_\_\_\_\_  
Andy Bramhall, Benchmark Survey,  
41 Elm Street, Stoneham, MA 02180

IV. PROVIDE SUPPLEMENTARY DRAWING TO SHOW THE NATURE AND CHARACTER OF THE PROPOSED STRUCTURE.

V. PROVIDE A DESCRIPTION OF YOUR PROPOSAL INCLUDING THE INTENDED USE OF THE PROPERTY. NOTE: THIS DESCRIPTION WILL APPEAR IN THE LEGAL NOTICE OF THE NEWSPAPER, AND IS SUBJECT TO REVIEW BY THE OFFICE OF THE BOARD OF SELECTMEN.

\_\_\_\_\_ to demolish the existing structure and to construct a new three-family dwelling \_\_\_\_\_

VI. I, THE UNDERSIGNED - OWNER OF PROPERTY, AFFIRM THAT THE FOREGOING STATEMENTS ARE TRUE STATEMENTS OF FACT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNED  STREET # 271 Main Street, Suite 202  
Charles F. Houghton, Esq.

TOWN Stoneham STATE MA 02180 PHONE NO. 781-438-7444

VII. FILE ONE COPY OF THIS APPLICATION WITH A CHECK IN THE AMOUNT OF \$300.00, PAYABLE TO THE TOWN OF STONEHAM.

- VIII. A. A NEW SITE PLAN IS REQUIRED FOR ANY CHANGES AFTER THE WORK ON AN EXISTING SITE PLAN HAS BEEN COMPLETED AND FINAL APPROVAL RECEIVED.
- B. A NEW SITE PLAN IS ALSO REQUIRED IF THE DATE HAS EXPIRED ON AN EXISTING SITE PLAN.

IX. FILE ONE COPY OF THIS APPLICATION WITH THE TOWN CLERK FOR RECORD.

- X. SITE PLAN AMENDMENT:
- A. AMENDED SITE PLANS ARE SUBJECT TO A NEW HEARING BEFORE THE BOARD OF SELECTMEN.
- B. NEW APPLICATION SHALL BE SUBMITTED.
- C. FEE: THREE HUNDRED (\$300.00) DOLLARS.
- D. CHANGES DURING WORK TO AN EXISTING SITE PLAN IS CONSIDERED AN AMENDED SITE PLAN.
- E. FEE OF \$ 100.00, PAYABLE TO THE TOWN OF STONEHAM.

**TO: STONEHAM INDEPENDENT**

Please publish the following legal notice of a SITE PLAN HEARING on the following dates:

Wednesday, April 20, 2016

and

Wednesday, April 27, 2016

Bill should be sent to:

Charles F. Houghton, Esq.  
271 Main Street – Suite 202  
Stoneham, MA 02180

**NOTICE OF HEARING**

The Stoneham Board of Selectmen will hold a public hearing in accordance with provisions of the Zoning By-Laws on Tuesday, May 10, 2016 at 7:01 pm. in the Hearing Room of the Town Hall on the petition of **Frank M. Walsh and Debera A. Walsh, Trustees of the D.K.L. Two Realty Trust** to demolish the existing structure and construct a three-family dwelling in a business zone, at the property located at **57 Franklin Street, Stoneham, MA** on land owned by Frank M. Walsh and Debera A. Walsh, Trustees of the D.K.L Two Realty Trust, 3 Bancroft Place, Stoneham, MA 02180.

Plan may be seen in the office of the Building Inspector

**BOARD OF SELECTMEN**

**Dates to be published: 04/20/16 & 04/27/16**

Paid \_\_\_\_\_

**Stoneham Certified Abutters List Request:**

Subject Property Location 54 Franklin St  
Parcel ID of the Subject Property 13-398  
Applicant's Name Dara Kilbride (BOS)  
Applicant's Telephone Number 279-2680

**Purpose of Abutters List**

- Zoning Board of Appeals (Variance or Special Permit)**  
includes all abutters of the subject property within a 300 Foot Radius
  
- Planning Board**
  - Accessory Dwelling or In-Law Apartment - 300 Foot Radius
  - Special Permit - 300 Foot Radius
  - Sub-Division - Direct Abutters Only
  - Warrant Articles - No Abutters
  
- Site Plan**  
includes all abutters of the subject property within a 300 Foot Radius
  
- Liquor License**  
includes direct abutters and all churches, school and hospitals within 500 Feet
  
- Utility (Fee will be billed at a later date)**  
A review of the proposed utility work must be presented to the Director of Department of Public Works. The scope of the proposed work will be analyzed and a map will be created indicating the abutters in need of notification. This map must then be provided to the Assessors Office for a Certified Abutters List to be generated.

\* The cost of any abutters list is \$25.00

## Kilbride, Dava

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**From:** Noble, Cheryl  
**Sent:** Tuesday, May 03, 2016 8:21 AM  
**To:** Kilbride, Dava  
**Cc:** Wortman, Erin  
**Subject:** 57 Franklin St

This office has reviewed the proposed site plan and offer the following:

- Fencing is required during demolition and construction
- Landscaping is required and must be maintained in all areas that are not required to be paved
- The proposed three unit dwelling must be sprinklered

Cheryl Noble  
Building Inspector  
Town of Stoneham



TOWN OF  
STONEHAM  
MASSACHUSETTS 02180

Public Works Department  
16 Pine Street

781-438-0760  
Fax 781-438-8183

March 25, 2016

To: August S. Niewenhous, Chairman  
Stoneham Planning Board

From: Robert E. Grover, Director  
Public Works Department

Re: 57 Franklin Street

1. According to the records of this office the water service in the street is 60 years old and  $\frac{3}{4}$ " copper. The service should be sized to accommodate the number of plumbing fixtures.
2. The sewer service must be televised and the video sent to the office for review. Dependent upon the review the sewer may need to be replaced.
3. A leaching catch basin should be installed in the rear of the house to prevent run-off to adjacent property,
4. Upon completion of the work this Department will inspect the street and sidewalk conditions and repairs must be made as required.

## Kilbride, Dava

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**From:** Grafton, Matt  
**Sent:** Thursday, April 21, 2016 3:10 PM  
**To:** Kilbride, Dava  
**Cc:** Noble, Cheryl; Wortman, Erin  
**Subject:** 57 Franklin St

Hi All

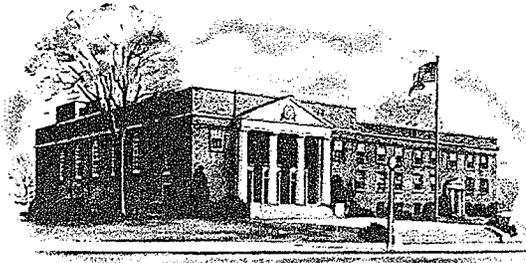
Unfortunately I will be out of state next week and will not be able to make the meeting regarding 57 Franklin St.

The Fire Department will require:

- Sprinkler System Permit
- Sprinkler System Installed
- Fire Alarm Permit
- Fire Alarm System Installed and monitored by Central Monitoring Company
- House number mounted so visible from street

Respectfully

Chief Grafton



TOWN OF  
STONEHAM  
MASSACHUSETTS

[www.stoneham-ma.gov](http://www.stoneham-ma.gov)

OFFICE OF TOWN PLANNER  
35 CENTRAL STREET  
STONEHAM, MA 02180-2087  
TEL: 781-507-2445  
FAX: 781-507-2605  
[cwortman@stoneham-ma.gov](mailto:cwortman@stoneham-ma.gov)

ERIN WORTMAN

TOWN PLANNER

March 29, 2016

The Stoneham Planning Board  
Town Hall, 35 Central Street  
Stoneham, MA 02180

RE: TOWN PLANNER COMMENTS ON SPECIAL PERMIT APPLICATION FOR FRANK  
M. WALSH AND DEBERA A. WALSH, TRUSTEES OF THE D.K.L. TWO REALTY  
TRUST AT 57 FRANKLIN STREET

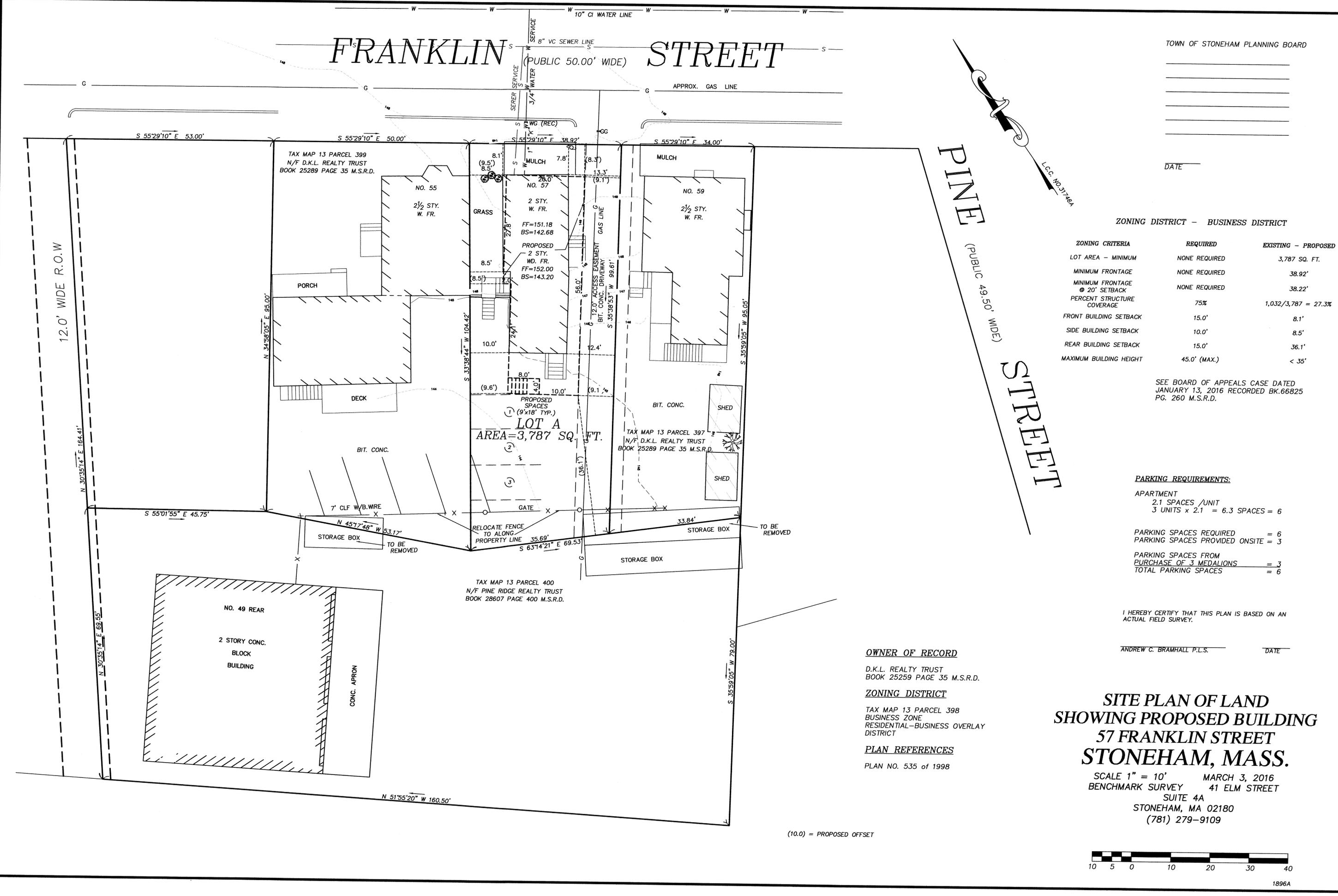
Dear Chairman Niewenhous and Planning Board members:

The Town Planner Department has reviewed the request to demolish the existing structure and to construct a new three-family dwelling at 57 Franklin Street. The plans were prepared by Benchmark Survey and dated March 3, 2016. Per Section 4.17.2.1 of the Town Code, the Planning Board by special permit and Board of Selectmen by site plan approval may allow such development of housing within the Residential/Business Overlay District provided that no more than five (5) dwelling units shall be allowed in a building. Petitioner is seeking three units which falls within the five dwelling units maximum for this zoning district. Additionally, the petitioner is required to provide six parking spaces off-site to comply with the 2 spaces per unit parking requirement. The application states that they will provide three spaces onsite with three spaces provided via public space medallions to be used at nearby municipal lots. The proposed onsite spaces should comply with Stoneham zoning.

I take no further exception to this special permit request. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Erin Wortman  
Town Planner



TOWN OF STONEHAM PLANNING BOARD

DATE \_\_\_\_\_

**ZONING DISTRICT - BUSINESS DISTRICT**

ZONING CRITERIA	REQUIRED	EXISTING - PROPOSED
LOT AREA - MINIMUM	NONE REQUIRED	3,787 SQ. FT.
MINIMUM FRONTAGE	NONE REQUIRED	38.92'
MINIMUM FRONTAGE @ 20' SETBACK	NONE REQUIRED	38.22'
PERCENT STRUCTURE COVERAGE	75%	1,032/3,787 = 27.3%
FRONT BUILDING SETBACK	15.0'	8.1'
SIDE BUILDING SETBACK	10.0'	8.5'
REAR BUILDING SETBACK	15.0'	36.1'
MAXIMUM BUILDING HEIGHT	45.0' (MAX.)	< 35'

SEE BOARD OF APPEALS CASE DATED JANUARY 13, 2016 RECORDED BK.66825 PG. 260 M.S.R.D.

**PARKING REQUIREMENTS:**

APARTMENT  
 2.1 SPACES /UNIT  
 3 UNITS x 2.1 = 6.3 SPACES = 6

PARKING SPACES REQUIRED = 6  
 PARKING SPACES PROVIDED ONSITE = 3

PARKING SPACES FROM PURCHASE OF 3 MEDALLIONS = 3  
 TOTAL PARKING SPACES = 6

I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY.

ANDREW C. BRAMHALL P.L.S. \_\_\_\_\_ DATE \_\_\_\_\_

**OWNER OF RECORD**

D.K.L. REALTY TRUST  
 BOOK 25259 PAGE 35 M.S.R.D.

**ZONING DISTRICT**

TAX MAP 13 PARCEL 398  
 BUSINESS ZONE  
 RESIDENTIAL-BUSINESS OVERLAY DISTRICT

**PLAN REFERENCES**

PLAN NO. 535 of 1998

**SITE PLAN OF LAND SHOWING PROPOSED BUILDING 57 FRANKLIN STREET STONEHAM, MASS.**

SCALE 1" = 10' MARCH 3, 2016  
 BENCHMARK SURVEY 41 ELM STREET  
 SUITE 4A  
 STONEHAM, MA 02180  
 (781) 279-9109



(10.0) = PROPOSED OFFSET

# Town of Stoneham Project Review Department Review

Project: **57 Franklin Street**

Representative: Charles F. Houghton

Status: Project Review for Site Plan Approval

Date: May 3, 2016

Review Team: John Fralick, Matthew Grafton, Robert Grover, James McIntyre, Cheryl Noble,  
Erin Wortman

The information contained herein is subject to review and a final determination by the Board of Selectmen. The purpose of the Project Review is to provide the applicant with an opportunity to understand regulatory mandates, and to further receive input from Town Departments relative to the proposed project. At no time are non-regulatory conditions to be considered final and binding until such time that the Board of Selectmen has agreed to the same and/or others when applicable.

Department	Issues Raised	Applicants Response
1. DPW/Engineering	<ul style="list-style-type: none"><li>* Service should be sized to accommodate plumbing fixtures;</li><li>*Sewer should be televised And reviewed by DPW;</li><li>*Leaching catch basin should be installed in rear of house;</li><li>*Upon completion of the above, street and sidewalk should be inspected and repaired if required.</li></ul>	Agreed
2. Police Department	The SPD approves the current site plan without changes.	Agreed
3. Board of Health	The SBH approves the current site plan without changes.	Agreed
4. Fire Department	<ul style="list-style-type: none"><li>*Sprinkler system permit;</li><li>*Sprinkler system installed;</li><li>*Fire alarm permit;</li><li>*Fire alarm system installed and monitored by Central Monitoring Company;</li><li>*Mounted/visible house number.</li></ul>	Agreed

Department	Issues Raised	Applicants Response
5. Town Planner	*The proposed project Requires six parking spaces. The applicant will provide three Spaces onsite and three spaces via public space medallions to to be used at municipal lots.	Agreed
6. Inspectional Services	*Fencing is required during demolition and construction; *Landscaping is required and must be maintained in all non-paved areas; *The dwelling must have a sprinkler system.	Agreed

This document has been provided to each of the department heads and a copy has been transmitted to the applicant.

Respectfully submitted,

Dava F. Kilbride  
 Secretary to Board of Selectmen

Decision of the  
STONEHAM PLANNING BOARD  
Special Permit Granting Authority

TOWN CLERK  
REGISTRARS

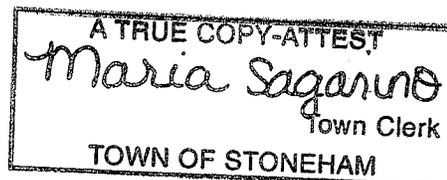
Petition of  
Frank & Debra Walsh, 2016 MAY -9 A 10: 11  
Trustees of D.K.L Two Realty Trust, u/d/t dated 12/03/22014, recorded Bk. 64633 Pg. 444  
3 Bancroft Place Stoneham, MA 02180  
Premises at  
57 Franklin Street, Stoneham, MA 02180  
Book 64633 Page 450

April 30, 2016

A duly advertised, noticed and called public hearing was held on March 30, 2016 and at a meeting immediately following the conclusion of said hearing on March 30, 2016, the Planning Board voted unanimously to grant Special Permit upon the Petition of Frank & Debra Walsh, Trustees of D.K.L Two Realty Trust, 3 Bancroft Place Stoneham, MA pursuant to The Stoneham Code, Chapter 15, Zoning Bylaw, Section 4.17.2.1 to demolish the existing structure and construct a new three (3) residential units, at the property located at 57 Franklin Street, Stoneham, Massachusetts as shown on the plan entitled "Site Plan of Land Showing Proposed Building 57 Franklin Street Stoneham, Mass." by Benchmark Survey, Andrew C. Bramhill, PLS, dated March 3, 2016 hereinafter referred to as the "Plan of Record," subject to the following conditions:

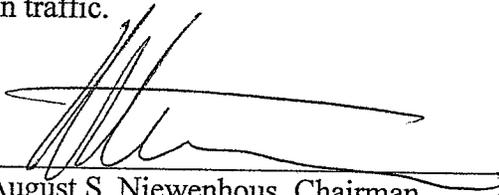
1. The building is to be substantial conformance with Plan of Record of the locus incorporated by reference and made a part of this decision.
2. Compliance with the Decision of the Board of Appeals dated January 13, 2016, recorded at Bk: 66828 Pg.: 260, incorporated by reference and made a part of this decision.
3. The petitioner will provide three of the required parking on the locus. The other three will be provided on abutting property owned by the petitioner or an entity under its control. Alternatively, the petitioner may purchase permits for spaces in adjacent municipal parking lots.
- 4 The departmental recommendations:  
Public Works Department, dated March 25, 2016,  
Town Planner, dated March 29, 2016,  
Fire Department, dated March 25, 2016, and  
Police Department, dated March 28, 2016  
are incorporated by reference and made a part of this decision.
5. All permits required under this decision are to be obtained within two years of the filing date of this decision.

The Board concurred that the requirements of Section 4.17.2.1 were met. The locus is in the Business District and all off street parking as required under Section 6.3.3.1 (b) is provided.



In considering its decision the Board found that the specific site is an appropriate location for such use as it meets the requirements for the issuance of a Special Permit contained in the Stoneham Town Code, Chapter 15, 7.4.3.1 (a) – (e), more particularly:

- a. *The specific site is an appropriate location for such use, structure or condition.* The locus has been historically a multi-family or mixed-use location consistent with the district. The proposed residential use is an appropriate location as there are several multi-family residences nearby.
- b. *The use as developed and operated will not adversely affect the neighborhood.* The site is being transformed to a completely new three family.
- c. *There will be no nuisance or serious hazard to vehicles or pedestrians.* There will likely be little if any increase in vehicular traffic as a result of the modification of use.
- d. *Adequate and appropriate facilities will be provided for the proper operation and proposed use.* The site is accessed by a paved public roadway.
- e. *Access to the site over streets is appropriate for the type of vehicles involved.* The area is sufficient to handle the little, if any, increase in traffic.



August S. Niewenhous, Chairman

Voting in the affirmative to grant:

K. Dolan, T. Dolan, Moynihan, Niewenhous and O'Grady

For the Petitioner: Charles F. Houghton, Esq.

40

THE COMMONWEALTH OF MASSACHUSETTS  
STONEHAM

BOARD OF APPEALS



2016 00026973

Bk: 66828 Pg: 260 Doc: DECIS  
Page: 1 of 4 02/22/2016 08:35 AM

NOTICE OF VARIANCE  
Conditional or Limited Variance or Special Permit  
(General Laws Chapter 40A, Section 18 as amended)

Notice is hereby given that a Conditional or Limited Variance or Special Permit has been granted

To Frank & Debera Walsh, Trustees of the D.K.L. Two Realty Trust  
3 Bancroft Place  
City or Town Stoneham, Massachusetts 02180

Identify Land Affected

by the Board of Appeals affecting the rights of the owner with respect to the use of premises on

57 Franklin Street Stoneham, Massachusetts  
Street City or Town

the record title standing in the name of Frank & Debera Walsh, Trustees of the D.K.L. Two Realty Trust  
*valid dtb 12-3-14 @ BK 64633 pg 444*

whose address is 3 Bancroft Place Stoneham, Massachusetts  
Street City or Town State

by a deed duly recorded in the Middlesex County Registry of Deeds in

Book 64633 Page 450 Registry District of the Land

Court Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

The decision of the said Board is on file in the office of the Town Clerk, Town Hall, Stoneham, MA  
Certified this 26th day of January 26, 2016.

Board of Appeals:

Charles F. Houghton, Esquire  
271 Main Street  
Suite 202  
Stoneham, MA 02180

Robert Saltzman Chairman  
[Signature] Clerk

Received and entered with the Register of Deeds in the County of \_\_\_\_\_

Book \_\_\_\_\_ Page \_\_\_\_\_

ATTEST

\_\_\_\_\_  
Register of Deeds

Notice to be recorded by Land owner

STONEHAM  
TOWN CLERK  
REGISTRARS

TOWN OF STONEHAM  
BOARD OF APPEALS

January 13, 2016

*Decision of the Board of Appeals on the appeal and petition of*

The Application by Frank M. Walsh and Debera A. Walsh, Trustees of D.K.L Two Realty Trust of 3 Bancroft Place, Stoneham, Massachusetts request to remove the existing dwelling and construct a new three-family dwelling at 57 Franklin Street, Stoneham, MA. Section 5.2.1 requires a minimum front setback for Business District of Fifteen (15') feet. The proposed front setback is Eight and one tenth (8.1') feet. In addition, Section 5.2.1 requires a minimum side setback for Business District of Ten (10') feet. The proposed setback is Eight and five tenths (8.5') feet. Section 6.3 requires that the number of parking spaces for a three-family dwelling is six (6) spaces. The proposed number of parking spaces is three (3) spaces. Section 6.3.4.2 (3) requires an aisle width for two way traffic of Twenty-four (24') feet. The proposed aisle width is Twelve (12') feet. Additionally, Section 6.5.2.3 requires a four (4') foot wide area of landscaping where setbacks are required. The plan does not proposed this at all areas.

Petitioners have owned the property for over twenty years. According to their attorney, Charles Houghton, there are numerous multi unit dwellings in the neighborhood (a maximum of 5 units are permitted) and repair and renovation of the existing structure is not feasible. Petitioners propose to replace the existing structure with a three apartments using the existing building footprint. The parking of cars behind the building, on Franklin Street, or elsewhere in the neighborhood is permitted. No one spoke against the plan.

The board considered the question of variance. A variance may be granted if, among other things, the board of appeals finds as "to particular land . . . that owing to circumstances relating to the soil conditions, shape, or topography of such land . . . but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the . . . by-law would involve substantial hardship" to the landowner. G.L.c. 40A, § 10 (1990 ed.). We focus on the words "circumstances relating to the soil conditions, shape, or topography of such land" which must be the reason for any substantial hardship to the owner. Unless circumstances relating to the soil conditions of the land, the shape of the land, or topography of the land cause the hardship, no variance may be granted lawfully. Tsagronis v. Board of Appeals of Wareham, 415 Mass. 329, 331 (1993).

Here there was no question that the requirements for a variance were met. The economic hardships here pertain to the existing structure where no economic incentives to justify repair. The proposed relief does not derogate from the intent of the bylaw and allowance of same clearly furthers the public good. Accordingly, the Board voted to grant the petition by a 5-0 vote.

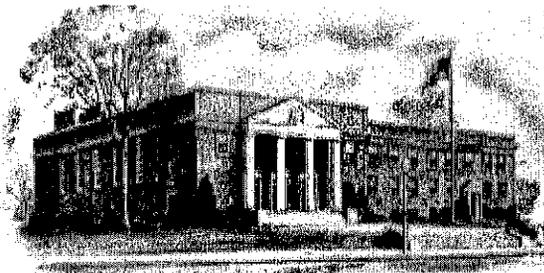
Any person aggrieved by this decision of the Board of Appeals may appeal to the appropriate court. Pursuant to Mass.Gen.L., ch. 40A, Section 17, within twenty (20) days after the filing of this decision with the Town Clerk. Notice of such appeal with a copy of the complaint must also be filed with the Town Clerk within the same 20 days as provided in

Chapter 40A, Section 17. All permit applications pursuant to this decision must be submitted within one year of this date.

A handwritten signature in cursive script, reading "Robert Saltzman", written over a horizontal line.

Robert Saltzman, Chairman  
Stoneham Board of Appeals

Members present and voting; Saltzman, Sullivan, Dufour, Rotondi, and Shulman voted in favor, (5-0 vote).



**TOWN OF  
STONEHAM  
MASSACHUSETTS 02180**

**OFFICE OF THE TOWN CLERK**  
Telephone: (781) 279-2650  
FAX: (781) 279-2653  
Email: [town.clerk@ci.stoneham.ma.us](mailto:town.clerk@ci.stoneham.ma.us)

**Maria Sagarino  
Town Clerk**

February 18, 2016

RE: 57 Franklin Street, Stoneham, Massachusetts 02180

I, Maria Sagarino, Town Clerk of Stoneham, Massachusetts hereby certify that the decision of the **Stoneham Board of Appeals** regarding the above property was filed on **January 26, 2016 at 12:57 PM** and no appeal has been filed in the twenty (20) days following this decision.

*Maria Sagarino*  
Maria Sagarino  
Town Clerk

**Meal Tax Income**

	<b>New Meal Tax Income for Town</b>
Year 1	\$ 4,125
Year 2	\$ 4,331
Year 3	\$ 4,548
Year 4	\$ 4,775
Year 5	\$ 5,014
Year 6	\$ 5,265
Year 7	\$ 5,528
Year 8	\$ 5,804
Year 9	\$ 6,095
Year 10	\$ 6,399
<b>TOTAL</b>	<b>\$ 51,884</b>

**Building Permit Revenue:** **\$39,000**

**TOTAL REVENUE INCREASE FOR TOWN: \$ 259,915**

**Assumption**

\$550,000 Restaurant Meal Income  
5% annual increase in meal revenue

**Meal Tax %** 0.75%  
**Yr 1 Restaurant Meal Income** \$ 550,000

### 370-380 Main Street - TIF Proposal

	Current Assessed Value*	Current Tax	Estimated New Assessed Value^	Estimated New Tax	Exemption % of Increase	Relief to C&S	New RE Tax Income for Town
Year 1	\$ 939,000	\$ 17,505	\$ 2,375,000	\$ 53,556	100%	\$ 36,051	\$ -
Year 2	\$ 962,475	\$ 17,943	\$ 2,434,375	\$ 56,268	100%	\$ 38,325	\$ -
Year 3	\$ 986,537	\$ 18,391	\$ 2,495,234	\$ 57,674	100%	\$ 39,283	\$ -
Year 4	\$ 1,011,200	\$ 18,851	\$ 2,557,615	\$ 59,116	90%	\$ 36,239	\$ 4,027
Year 5	\$ 1,036,480	\$ 19,322	\$ 2,621,556	\$ 60,594	80%	\$ 33,017	\$ 8,254
Year 6	\$ 1,062,392	\$ 19,805	\$ 2,687,095	\$ 62,109	50%	\$ 21,152	\$ 21,152
Year 7	\$ 1,088,952	\$ 20,300	\$ 2,754,272	\$ 63,662	40%	\$ 17,344	\$ 26,017
Year 8	\$ 1,116,176	\$ 20,808	\$ 2,823,129	\$ 65,253	30%	\$ 13,334	\$ 31,112
Year 9	\$ 1,144,080	\$ 21,328	\$ 2,893,707	\$ 66,884	20%	\$ 9,111	\$ 36,445
Year 10	\$ 1,172,682	\$ 21,861	\$ 2,966,050	\$ 68,557	10%	\$ 4,670	\$ 42,026
<b>TOTAL</b>						<b>\$ 248,526</b>	<b>\$ 169,032</b>

	Current Tax	Assessed Value	Tax
10 Central St	\$	269,200	\$ 3,430
370 Main St	\$	577,700	\$ 12,333
380 Main St	\$	92,100	\$ 1,742
<b>Total</b>	\$	<b>939,000</b>	<b>\$ 17,505</b>

**Municipal Commercial Tax Rate:** \$22.55

**\*Annual Inflationary Tax Increase** 2.50%

**^Estimated New Tax Assumption** NOI of \$190,000 @ 8% Cap Rate, and also includes 2.5% annual inflationary increase

**Board of Selectmen's Meeting  
Open Session Meeting Minutes  
35 Central Street – Town Hall  
2<sup>nd</sup> Floor Conference Room  
May 2, 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; Town Administrator David Ragucci

**Call to Order:** Chairman O'Neill called the meeting to order at 6:30 p.m.

**Agenda Item 1: Pledge of Allegiance**

**Agenda Item 3: Weiss Farm – Selectman Preparation** Chairwoman O'Neill requested that Selectman Boussy leave the room for this Agenda Item as he has recused himself from this matter. Selectman Boussy left the room. She inquired when Selectmen Wilson and Seibold felt they might be ready to sit down as a board, discuss and possibly vote on the matter. Selectman Seibold stated that he wanted to recuse himself from this matter as he does not believe that the language contained in the warrant article - providing the Selectmen funds to litigate this matter - allows them to negotiate a land swap. Chairwoman O'Neill stated that it was Selectman Seibold's right to recuse himself and that they could continue with this matter with the three remaining Selectman. Selectman Wilson noted that he was prepared and would provide his availability at a later date. Attendee Ellen McBride called to Chairwoman O'Neill's attention that this matter was taken out of order. Chairwoman O'Neill apologized stating that she did not realize that this was not Agenda Item 2 and that they could repeat the matter again after Agenda Item 2.

**Agenda Item 2: Preparation for Town Meeting** Selectman Boussy reentered the meeting. The warrant articles were divided among the Selectmen for presentation at Town Meeting.

**Agenda Item 3: Weiss Farm – Selectman Preparation** Chairwoman O'Neill noted that since no additional public members entered the meeting, there was no need to repeat Agenda Item 3.

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

**Meeting adjourned at 6:41 p.m.**

Respectfully Submitted,

Dava Feltch Kilbride  
Secretary to the Board of Selectmen



# Fundraising by a Municipality

## Overview

There are several ethics opinions that cover fundraising by municipalities. Details can be found at the following links.

- <http://www.mass.gov/ethics/ethics-commission-issues-formal-advisory-opinion-on-fundraising-by-municipalities.html>
- <http://www.mass.gov/ethics/opinions-and-rulings/advisory-opinions/adv-section-23/adv-section-23b2/ec-coi-12-1.html>
- <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter44/Section53A>

The guidance within this document applies to any town employee, official, committee, advisory group or even volunteers acting on behalf of the town. A general summary is provided within this document but the original opinions and MGL should be checked if there is any question. The major focus of the guidance is to assure any donations are not and cannot be viewed as coercive or as providing favoritism to an individual.

To simplify the discussion, a distinction is made in this document between targeted and non-targeted fundraising because the ethics rules are more nuanced if targeting specific businesses or individuals for donations.

**Non-Targeted Fund Raising:** General solicitations for donations to the public or a group. Examples would include ads in the paper, a booth at a public event, a website or letters to a Chamber of Commerce list. In general, this is acceptable if the fundraising is for a public purpose and the money is tracked and spent for that public purpose.

**Targeted Fund Raising:** Targeted fundraising means asking an individual, specific business or even a small group of select businesses for donations. This may be in person or through other correspondence. Targeted fundraising has a higher bar in the ethics decisions to assure there is no coercion or appearance of favoritism. Before contacting an individual or organization, the town must assure there is no matter current or anticipated with the town. This could be anything from a planning board hearing to a parking ticket. Clear documentation is required to show the town checked for any open business, who and when and individual was contacted and any donations provided.

Fundraising Guidelines: *Other than tracking of money and ethics rules, this is a working list for the town of Stoneham and not dictated by MGL.*

1. Fundraising must be for a public purpose.
2. Fund raising initiative by the town must first be approved in advance by the \_\_\_\_\_
3. The fundraising group will clearly identify the fundraising activities (especially targeted or non-targeted)
4. Anonymous giving in small amounts or through small purchases does not need to be tracked by individual or business donating. (Small cash donation in a jar or a cash coin purchase.)
5. Donations by identified individuals must be recorded identifying the name and address. (mailing in a donation regardless of values)
6. Donations will be kept in a separate account managed by the Town Accountant
7. The BOS must vote to accept donations. Donations may be pooled into one larger vote.
8. A town employee with the proper authority has final say on expenditures (i.e. TA)
9. Assure town employees or committees involved in the fundraising have completed the required conflict of interest training.
10. Fundraising must be in compliance MGL and state ethics guidance.
11. Municipal employees can certainly do private fundraising but must assure they do not use their position in any way. This includes equipment as well as their title or position with the town whether direct or implied.

Example of Acceptable Activities:

1. Sales of T-Shirts or similar commemorative items
2. Sales of advertising space
3. Public & non-targeted collections at events
4. Hosting a fund-raising party advertised to the public  
*(please see ethics links for more details)*

Example of Activities to Avoid (List is not exhaustive)

1. Wearing a town uniform to a business to request a donation.
2. Language that makes the donation sound required.
3. Sending a friend to collect money who identified themselves as connected with the municipality.
4. Creating a list of frequent donors to call without checking for ongoing or expected matters in front of the town.
5. Suggesting any form of degraded or improved service for a donation or lack of donation, even as a joke.  
*(please see ethics links for more details)*

The following examples of different possible ways to form a firefighter committee

**Stoneham Committee Appointed by the BOS**

The committee would be established by the BOS. I suggest the board establish an XX member committee with 3 Firefighters as voting ex-officio members. As the board is establishing the committee, it may set guidelines for operation as deemed necessary. Standard fundraising guidelines for the town will apply. i.e. targeted vs non targeted. I assume this would be an advisory committee so the TA (or official we choose) would have final decision making authority and control over the funds.

A few common questions are outlined in the table below.

Fundraising	YES	BOS Approval of Donations/Expenditures	YES	Ex-Officio members & voting	YES
Tax Deductible**	YES	Financial Tracking Required	YES	Open Meeting Law	YES
Town Insurance	YES	Expenditure Approval	YES		

\*\* Check with your tax accountant

**Advisory Group Established by the TA:**

There is very little practical difference between the advisory group appointed by the TA and the committee appointed by the BOS. The group is still acting on the behalf of the town. The group would also not be subject to the open meeting law.

A few common questions are outlined in the table below.

Fundraising	YES	BOS Approval of Donations/Expenditures	YES	Ex-Officio members & voting	YES
Tax Deductible**	YES	Financial Tracking Required	YES	Open Meeting Law	NO
Town Insurance	YES	Expenditure Approval	YES		

\*\* Check with your tax accountant

**Private Group**

A private group can form to plan and fundraise for the 100<sup>th</sup> celebration of the fire station. The town will have no input and no control outside of the standard permitting process. That said, any employee or committee member of the town would need to be careful to avoid conflicts with the ethics rules when fundraising.

A few common questions are outlined in the table below.

Fundraising	YES	BOS Approval of Donations/Expenditures	NA	Ex-Officio members & voting	NA
Tax Deductible**	NO	Financial Tracking Required	NA	Open Meeting Law	NO
Town Insurance	NO	Expenditure Approval	NA		

\*\* Check with your tax accountant



**TOWN OF**  
**STONEHAM**  
MASSACHUSETTS 02180

OFFICE OF THE TOWN CLERK

Telephone: (781) 279-2650

FAX: (781) 279-2653

Email: [town.clerk@ci.stoneham.ma.us](mailto:town.clerk@ci.stoneham.ma.us)

**Maria Sagarino**  
Town Clerk

September 4, 2013

To whom it may concern:

I, Maria Sagarino, duly elected and qualified Town Clerk of Stoneham, Massachusetts hereby certify that the following vote was passed at the Special Town Meeting held on September 3, 2013 as follows:

**Article 1.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum on money to review and/or comment on any application or request for approval to the Town or the Commonwealth of Massachusetts, for, regarding, accessory to or otherwise related to the construction of residential dwelling units at 170 Franklin Street (also known as Weiss Farm), to include the hiring of legal counsel, and to further include the defense or pursuit of any legal action in furtherance of a decision or position of the Town or any board, commission or official which is permissible under law and which opposes the construction of residential dwelling units at 170 Franklin Street (also known as Weiss Farm).

No funds shall be expended from said money appropriated or transferred pursuant to the motion for this warrant article if said funds are otherwise available to the Town pursuant to applicable state law or town bylaw or regulations, including, but not limited to, M.G.L. c.44, sec. 53G.

Or do anything in relation thereto.

**Russell Wilson**  
Tamarock Terrace  
Stoneham, MA

**Article 1.** **Voted** that the Town transfer and appropriate from free cash the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00), to review and/or comment on any application or request for approval to the Town of Stoneham and/or the Commonwealth of Massachusetts and/or any of its' semi-autonomous/independent entities for, regarding, accessory to or otherwise related to the development of residential dwelling units at 170 Franklin Street (also known as Weiss Farm), specifically the hiring of legal counsel, and to further include the defense or pursuit of any legal action in furtherance of a decision or position of the Town or any board, commission, or official which is permissible under law, and which opposes the construction of residential dwelling units at 170 Franklin Street (also known as Weiss Farm) which are shown to be in violation of any of the following:

- i) The State Wetlands Protection Act,
- ii) The State Title V Septic System Regulations,
- iii) Deemed by Environmental Experts selected by the Town as inappropriate for the Weiss Farm site
- iv) Which imperil the health and safety of occupants or Town residents,
- v) Which endanger the natural environment,

No funds shall be expended from said money appropriated or transferred pursuant to the motion for this warrant article if said funds are otherwise available to the Town pursuant to applicable state law or town bylaw or regulations, including but not limited to Massachusetts General Law Chapter 44 Section 53G.

Said funds shall be under the jurisdiction and control of the Town Selectmen and Selectwoman, as assisted by a standing committee comprised of two members of the Stoneham Selectmen and Selectwoman as follows: John DePinto and Thomas Boussy; and six members consisting of Town residents Paul Armano, John Eaton, Paula Sarno, James Sullivan, Angelo Mangino and Bob Verner. Any legal counsel retained shall work with and report to the Board of Selectmen as assisted by this standing committee.

**Passes per Moderator**

Sincerely,

Maria Sagarino  
Town Clerk

EFF DATE	AMOUNT	CHECK NO	WARRANT	VOUCHER	VENDOR NAME	PURPOSE
2/19/2016	\$11,461.00	267942	1635	2827	HUGGINS & WITTEN, LLC	TOWN'S ATTORNEY IN WEISS FARM MATTER
12/17/2015	\$5,100.00	266413	1625	1952	HUGGINS & WITTEN, LLC	TOWN'S ATTORNEY IN WEISS FARM MATTER
12/03/2015	\$16,797.00	266031	1624	1842	HUGGINS & WITTEN, LLC	TOWN'S ATTORNEY IN WEISS FARM MATTER
08/14/2015	\$16,513.43	1269472	1608	1994	HUGGINS & WITTEN, LLC	TOWN'S ATTORNEY IN WEISS FARM MATTER
02/29/2015	\$19,396.00	259084	1535	2616	HUGGINS & WITTEN, LLC	TOWN'S ATTORNEY IN WEISS FARM MATTER
12/15/2014	\$10,140.50	257776	1525	1917	HUGGINS & WITTEN, LLC	TOWN'S ATTORNEY IN WEISS FARM MATTER
09/04/2014	\$17,066.85	255026	1511	1920	HUGGINS & WITTEN, LLC	TOWN'S ATTORNEY IN WEISS FARM MATTER
03/04/2014	\$3,571.48	250726	1436	2908	HUGGINS & WITTEN, LLC	TOWN'S ATTORNEY IN WEISS FARM MATTER
12/12/2013	\$5,182.40	248941	1424	1841	HUGGINS & WITTEN, LLC	TOWN'S ATTORNEY IN WEISS FARM MATTER
	<b>\$105,228.66</b>					
4/21/2016	\$9,522.50	269287	1644	3672	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
4/04/2016	\$7,377.50	268827	1641	3420	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
3/18/2016	\$14,551.87	268617	1639	3234	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
12/17/2015	\$15,822.50	266490	1625	1971	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
12/03/2015	\$4,615.00	266192	1624	1841	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
12/03/2015	\$4,617.50	266192	1624	1834	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
09/08/2015	\$2,275.00	263984	1611	1614	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
06/22/2015	\$7,605.00	262283	1552	4105	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
06/01/2015	\$6,272.50	261161	1549	3751	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
05/11/2015	\$9,457.50	260748	1546	3613	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
03/09/2015	\$4,842.50	259390	1537	2836	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
12/15/2014	\$7,540.00	257912	1525	1918	ROBINSON & COLE LLP	LAND SWAP NEGOTIATION & DEVELOPMENT AGREEMENT
	<b>\$94,499.37</b>					
08/14/2015	\$3,883.75	263470	1608	453	HAYES ENGINEERING, INC	LOT STAKING & IDENTIFY WETLANDS AT STONEHAM OAKS
11/17/2014	\$8,520.00	256716	1521	1525	HAYES ENGINEERING, INC	PERIMETER SURVEY FOR STONEHAM OAKS
10/20/2014	\$1,737.50	256209	1517	1257	HAYES ENGINEERING, INC	PERIMETER SURVEY FOR STONEHAM OAKS
	<b>\$14,141.25</b>					
01/08/2016	\$937.50	266937	1629	2246	RIMMER ENVIRONMENTAL CON	WETLAND DELINEATION AT STONEHAM OAKS
08/03/2015	\$919.40	263091	1606	246	RIMMER ENVIRONMENTAL CON	WETLAND DELINEATION AT STONEHAM OAKS
	<b>\$1,856.90</b>					
06/29/2015	\$390.00	262369	1553	4214	NIXON PEARBODY, LLP	ADVICE ON ZONING AND CH40B FOR WEISS FARM
01/08/2016	\$3,525.00	266769	1629	2182	ADVISORE	REAL ESTATE ADVISORY SERVICES FOR LAND SWAP
06/08/2015	\$15,300.00	261217	1550	3938	ADVISORE	REAL ESTATE ADVISORY SERVICES FOR LAND SWAP
	<b>\$18,825.00</b>					
09/18/2016	\$9,774.38	268563	1639	3215	LINCOLN PROPERTY CO.	REAL ESTATE COUNSELING ON WEISS FARM PROJECT
05/11/2015	\$6,256.25	260708	1546	3614	LINCOLN PROPERTY CO.	REAL ESTATE COUNSELING ON WEISS FARM PROJECT
03/09/2015	\$6,017.50	259342	1537	2835	LINCOLN PROPERTY CO.	REAL ESTATE COUNSELING ON WEISS FARM PROJECT
	<b>\$21,048.13</b>					
09/04/2014	\$1,520.00	254987	1511	716	CBI CONSULTING, INC.	WEISS FARM DEVELOPMENT REVIEW
06/27/2014	\$10,885.99	253654	1453	4506	CBI CONSULTING, INC.	WEISS FARM DEVELOPMENT REVIEW
	<b>\$12,205.99</b>					
07/22/2014	\$1,193.99	254159	1504	54	FAY SPOFFORD/THORNDIKE	ENGINEERING SERVICES FOR WEISS FARM
01/10/2014	\$1,800.00	249694	1429	2290	PIERCE DAVIS & PERRITANO, LLP	EVALUATE CIVIL RIGHT CLAIMS TO WARRANT ARTICLE
12/12/2013	\$250.00	248959	1424	1847	WILLIAM J. MALLIO, PHD	ENVIRONMENTAL SITE ASSESSMENT OF WEISS FARMS
01/08/2016	\$4,457.00	266924	1629	2178	PETRINI & ASSOCIATES	WEISS FARM CH40B PROJECT
01/08/2016	\$5,500.00	267005	1629	2250	WESTON & SAMPSON ENGINEERS	WEISS FARM RECREATION/FEASIBILITY STUDY
	<b>\$282,396.29</b>					

APPROPRIATED ACCOUNT #029046	\$250,000.00
SPECIAL FUND #4364	\$30,000.00
UNCLASSIFIED DEPT #919	\$2,396.29
EXPENDED THRU 12/17/2015	(\$282,396.29)
BALANCE REMAINING	\$0.00

# Chapter 9

## Offenses — Miscellaneous

### Section

- Sec. 9-1. Alcoholic beverages - Drinking or possessing open container in public.
- Sec. 9-2. Barriers, signs, protective covers, etc. Removing, altering, defacing, etc.
- Sec. 9-3. Graffiti and defacement of property.
- Sec. 9-4. Closing of parks, playgrounds, commons, etc.
- Sec. 9-5. Discharging firearm, air rifle, etc.
- Sec. 9-6. Disorderly conduct.
- Sec. 9-7. Fires - Kindling on highways or town lands.
- Sec. 9-8. Handbills, circulars, programs or advertising slips - Distribution.
- Sec. 9-9. Interfering with hydrants, fire alarms, etc.
- Sec. 9-9.1. Fire Lanes.
- Sec. 9-10. Loitering.
- Sec. 9-11. Peeping into house or spying on others.
- Sec. 9-12. Public addresses, sermons, sale of goods, etc., on public grounds.
- Sec. 9-13. Singing or playing musical instruments in public way.
- Sec. 9-14. Closing of restaurants.
- Sec. 9-15. Closing of retail establishments.
- Sec. 9-16. Littering on Town Property – Prohibited.

**Cross reference** - General penalty for code violation, Ch. 1, Sec. 1.4. Non-criminal disposition, Ch. 1, Sec. 1-4A.

### **Sec. 9-1. Alcoholic beverages—Drinking or possessing open container in public.**

No person shall drink any alcoholic beverages as defined in Chapter 138, Section 1 of the General Laws of Massachusetts or shall have in his possession any open container or containers whose seal has been broken and recapped of such beverage, while on, in or upon any public way or upon any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, park or playground, or private land or place without consent of the owner or person in control thereof. All alcoholic beverages being used in violation of this section shall be seized and safely held until final adjudication of the charge against the person arrested or summoned before the court, at which time they shall be returned to the person entitled to lawful possession. (10-29-73, Art.3)

**Trash Fund Analysis**  
**May 4, 2016**

<u>Trash Fund Balance as of 5/4/16</u>	<u>Projected Trash Fund Balance as of 6/30/16</u>
\$ 407,762	\$ 455,000

	<u>FY17 Projections Based on No Fee Reduction</u>	<u>Projections Based on \$20 (12.5%) Fee Reduction</u>	<u>Projections Based on \$30 (18.5%) Fee Reduction</u>	<u>Projections Based on \$40 (25%) Fee Reduction</u>
Total Revenues	\$ 1,026,000	\$ 898,000	\$ 837,000	\$ 770,000
Total Expenditures	<u>(1,157,000)</u>	<u>(1,157,000)</u>	<u>(1,157,000)</u>	<u>(1,157,000)</u>
Net Change - FY17	(131,000)	(259,000)	(320,000)	(387,000)
Est. FY17 Beg Bal	<u>455,000</u>	<u>455,000</u>	<u>455,000</u>	<u>455,000</u>
<b>Est. FY17 End Bal</b>	<b>324,000</b>	<b>196,000</b>	<b>135,000</b>	<b>68,000</b>

**HILTZ WASTE DISPOSAL, INC**

FY16	\$ 665,215	YTD Expenditures - 2 remaining payments totaling approx. \$135,000
FY15	\$ 796,212	

# *Town of Stoneham*

## *A Proclamation*

**Whereas,** the legislature of this State has adopted an Act designating Arbor Day and that Act has designated the last Friday in April; and

**Whereas,** trees can moderate the temperature, cut heating and cooling costs, clean the air, produce oxygen and provide habitat for wildlife, while at the same time, trees increase property values, enhance the economic vitality of business areas, and beautify our communities, and wherever they are planted are a source of joy and spiritual renewal; and

**Whereas,** a Tree Planting Program will ensure that we can pass on an enduring heritage of a vital natural resource to succeeding generations;

**Now, therefore, we, the Stoneham Board of Selectmen,** do hereby proclaim **April 24, 2016** as

### **ARBOR DAY**

and urge all citizens of Stoneham able to do so to observe this day by planting one or more trees and by participating in one or more programs that the sponsors of ARBOR DAY may provide.

Given at the Executive Chamber of the Board of Selectmen, the Town of Stoneham, this tenth day of May, in the year of our Lord, two thousand sixteen.

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Ann Marie O'Neill, Chairwoman

---

Caroline Colarusso, Vice Chairwoman

---

Anthony Wilson, Secretary

---

Thomas Boussy

---

George Seibold

May 5, 2016

Dear Madam Chair and Board of Selectmen,

As members of the Fire Station Centennial ad hoc/advisory group we wish to thank you for your interest in our project to honor the first 100 years of service from this classic centerpiece of the downtown and to celebrate the same milestone for Girl Scouting in Stoneham.

We understand the Board's focus on assuring the committee is formed and functions by our town bylaws, but we need to express concerns raised in the process. The delay shortens an already short fund raising process and one member has found the process too complex causing him to leave the group. Member Firefighter McLaughlin said it best, "We have two requirements. This ad hoc group needs to keep it simple and everyone must have an equal vote."

On behalf of our members we respectfully request that this issue be finalized Tuesday May 10<sup>th</sup> allowing us to continue as an ad hoc group for the remaining 5+ months required to plan this October 1st Celebration.

If you have any remaining questions or concerns, please reach out so that the issues can be addressed in advance of the meeting. Our volunteers are eager to focus on recognizing the Centennial, our Girl Scouts and all the firefighters who work diligently to protect Stoneham.

Thank you for taking time to bring this to conclusion.

Tara Lawler/Marcia Wengen, Co-Chairs  
Fire Station Centennial Project

Town of Stoneham Board of Selectmen

TOWN OF STONEHAM  
BOARD OF SELECTMEN  
2016 MAY -5 P 12: 02

To the Board of Selectman of Stoneham,

Please be aware that we the undersigned residents of Stoneham have joined together in signing this petition in order to get the BOS to reconsider their position on not renewing Town Administrator David Ragucci's contract. The residents of Stoneham are not in favor of letting Mr. Ragucci end his term during this critical time. The many large projects coming through the Town of Stoneham over the next 3-5 years, and the transition of new department heads, town counsel, and future retirees is of major concern. Mr. Ragucci has been a great administrator and has a great record with getting "our house" in a fiscally sound, and prosperous place, then in past years.

We the citizens implore you to reconsider the decision made in April of 2016.

	<b>Name</b>	<b>From</b>	<b>Comments</b>
1.	Raymie Parker	Stoneham, MA	
2.	Karen Gennari	Stoneham, MA	
3.	Laura Gilson	Stoneham, MA	
4.	JOSEPH Meoli	Stoneham, MA	
5.	Cindy Rosa	Stoneham, MA	
6.	Kim Plourde	Stoneham, MA	
7.	Keri Verity	Stoneham, MA	
8.	Jenna Boccelli	Stoneham, MA	
9.	Gail Kelly	Stoneham, MA	
10.	Darlene Brady	Stoneham, MA	
11.	Kathleen Hennessey	Stoneham, MA	
12.	Christine Mastrocola	Stoneham, MA	
14.	Bill Previdi	Stoneham, MA	I think that reconsidering replacement of the TA at this time is warranted for the reasons stated in the petition and because the 2 new Selectmen should have a say in this important decision.

	<b>Name</b>	<b>From</b>	<b>Comments</b>
15.	Haydn Kilty	Stoneham, MA	
16.	Jeanne Craigie	Stoneham, MA	
17.	Paul Craigie Craigie	Stoneham, MA	I really think this decision needs a second look. The timing is poor, and I agree that some continuity at this particular time is needed.
18.	Kathy Rolli	Stoneham, MA	
20.	Megan Henaghan	Stoneham, MA	
21.	Heatha DeSano	Stoneham, MA	
22.	Richard Rotondi	Stoneham, MA	
23.	Paula Kravitz	Stoneham, MA	
24.	Margaret-Rose Principato	Stoneham, MA	
25.	Nancy Donahue	Stoneham, MA	
26.	Laraine Drohan	Stoneham, MA	
27.	Margaret Okeefe	Stoneham, MA	
28.	John Rolfe	Stoneham, MA	
29.	Stephen Rotondi	Stoneham, MA	
30.	Vincent Festino	Stoneham, MA	
31.	john scullin	stoneham, MA	
32.	deborah gudzevich	stoneham, MA	
33.	frank Petrillo	Stoneham, MA	
34.	Pamela Gill	Stoneham, MA	
35.	karen griswold	stoneham, MA	
36.	Angelo Caruso	Stoneham, MA	
37.	John Bekkenhuis	Stoneham, MA	
38.	Paul Ryder	02180, MA	
39.	carol neal	Stoneham, MA	
40.	Elysia Cirino	Stoneham, MA	
41.	Randy Perillo	FARM HILL, MA	Stoneham has thrived since Mr. Ragucci began his work here in 2007. I would feel more confident about our town's future with Mr. Ragucci continuing his work. There is no heir apparent at this time, no one ready to work on July 1, 2016.
42.	Michael Gearin	Stoneham, MA	
43.	Margaret Sylvester	Stoneham, MA	
44.	Elizabeth Smith	Stoneham, MA	with all the projects going on in town how is a new person going to catch up.
45.	William Mccabe	Stoneham, MA	Dave has always done a wonderful job for this town

	<b>Name</b>	<b>From</b>	<b>Comments</b>
46.	michael davis	stoneham, MA	We deserve to know why he is not being extended. Seems to have put our pocketbooks, and our families first
47.	Frances Carino	Stoneham, MA	David has done a great job as town administrator. He is so knowledgeable about town issues. Stoneham's great loss if he leaves.
48.	Judith Angelosanto	Stoneham, MA	
49.	Janet Merlino	Stoneham, MA	
50.	Paul Plourde	Stoneham, MA	
51.	Pamela O'Keefe	Stoneham, MA	
52.	Paula Sasso	Stoneham, MA	
53.	Eileen and Rich Bongiorno	Stoneham, MA	
54.	Joe Rolli	Stoneham, MA	I have worked with many Town Administrators and without a doubt, Dave Ragucci is the best.....fair, honest, and genuine.
55.	Tina Maurer	Stoneham, MA	
56.	Heidi Bilbo	Stoneham, MA	
57.	Heather West	Stoneham, MA	
58.	Janeen Canavan	Stoneham, MA	
59.	JEAN CARLINO	STONEHAM, MA	
60.	Christine Pizzi	Stoneham, MA	
61.	Haley Stevens	stoneham, MA	
62.	Lisa Gallagher	Stoneham, MA	
63.	Maureen McGinness	Stoneham, MA	
64.	Sandra Enokian	Stoneham, MA	
65.	Rachael Kilty	Stoneham, MA	
66.	Cheryl Walsh	Stoneham, MA	
67.	Lorraine Jackson	Stoneham, MA	
68.	Michelle Basteri	Stoneham, MA	
69.	Frances Sanford	Stoneham, MA	
70.	Harriet Fitch	Stoneham, MA	
71.	Bill Jordan	Stoneham, MA	
72.	Anne Cucchiara	Stoneham, MA	

## **About This Petition**

On April 12, 2016 the Stoneham Board of Selectmen voted 4-1 against reopening contract negotiations with the Town Administrator regarding his contract. We the citizens of Stoneham are concerned with the upcoming retirements of our Town Council and Town Accountant and feel that changing the Town Administrator at this critical point in time will be detrimental to the Town. The Board of Selectmen voted to spend \$14,000.00 with The Collins Institute to conduct the search of a new Town Administrator. The spending of this money is not fiscally responsible at this time. Mr. Ragucci has been deeply involved in the negotiations on major projects that will have enormous impact on the Town of Stoneham. Some of these projects include MWRA (this project will run from Spot Pond to Reading underground), Eversource (this project will run from West to East from Woburn to Wakefield underground), Weiss Farm (40B Housing Project on Franklin Street/possible land swap with Stoneham Oaks). Since Mr. Ragucci has been our Town Administrator he has led us through some difficult financial times and has brought us to a stable financial position. Let's not halt the important forward progress we have been making as a community! Please sign and show the Board of Selectmen you support continued progress, and Mr. Ragucci staying on as the Town Administrator!