

**MINUTES FOR TOWN MEETING  
MONDAY, MAY 2, 2022**

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

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Stoneham qualified to vote in elections and Town affairs to meet in the Town Hall, 35 Central Street, on April 5, at seven o'clock in the forenoon to act on the following articles of the warrant:

**Article 1.** To choose the following officers:

Two (2) Select Board Members for three (3) years. **George Seibold & Heidi Bilbo**

One (1) Town Clerk for three (3) years. **Maria Sagarino**

One (1) School Committee Member for three (3) years. **Betty Chu Pryor**

One (1) Board of Health Member for three (3) years. **Teresa Dean**

One (1) Planning Board Member for (5) years. **Marcia M. Wengen**

One (1) Board of Assessors Member for three (3) years. **Eric Josephson**

Two (2) Library Trustees for three (3) years. **Patricia DiPietro & Susan Waldman Fixman**

For consideration of the following Articles, the meeting shall be adjourned to meet in the Town Hall, 35 Central Street, at seven o'clock in the evening on Monday, May 2, 2022 in accordance with provisions of Article II, section 2-3 of the By-Laws of the Town of Stoneham.

Tellers were appointed to check the names of voters entering the Town Hall and the checklist showed 100 voters were inside the meeting.

The meeting was called to order by Moderator Jeanne Craigie at 7:16 PM in the Auditorium of Town Hall. Mrs. Craigie asked DPW Director Brett Gonsalves to lead the Pledge of Allegiance after which Father Mario Arrigo gave the invocation. Mrs. Craigie acknowledged the department heads in attendance, fire fighter Paul McIntyre and Police Lieutenant Tony Kranefuss. Mrs. Craigie asks the Town Meeting body to allow non-resident department heads to speak on articles if necessary. A motion was made and seconded with all in favor to make this allowance. The Moderator then made introductions of Board members present as well as introducing Town Counsel and the Town Clerk.

Mrs. Craigie explained the process for consent agenda. She asked for a motion to allow for consent agenda which was made and seconded. The Town Meeting body was in favor. Mrs. Craigie held Article 3 out for the School Building Committee to provide a report. She invited Co-Chairs Marie Christie and David Bois to provide such report. They reported that the project was on schedule and on budget after making twelve million dollars in cuts due to market impacts.

The Moderator then proceeded to read the motion for the consent agenda of articles 1, 2, 3, 4, 14 & 15

**Voted** that the Town take out of order Articles 1, 2, 3, 4, 14, and 15, that they be “passed by consent” in accordance with the motions shown on the “2022 Stoneham Annual Town Meeting Consent Agenda” as made available to Town Meeting attendees.

**Passes per Moderator**

**Article 2.** To choose all other necessary Town officers for the ensuing year in such a manner as the Town may determine.

**Select Board**

**Article 2.** **Voted** that the Town choose necessary Town officers for Fiscal Year 2023.

**Passes per Moderator**

**Article 3.** To hear reports of Town officers and committees and to act thereon and to choose committees, or do anything in relation thereto.

**Select Board**

**Article 3.** **Voted** that the Town receive the reports of Town officers and committees.

**Passes per Moderator**

**Article 4.** To see if the Town will vote to fix the salaries of the several elected officers and the Boards of the Town for Fiscal Year 2022 as follows:

Town Moderator	\$200
Board of Assessors	\$1,200
Select Board	\$3,000
Town Clerk	\$86,177

or do anything in relation thereto.

**Select Board**

**Article 4.** **Voted** that the Town fix the salaries of the Town Moderator at \$200, members of the Board of Assessors at \$1,200, members of the Select Board at \$3,000 and Town Clerk at \$86,177.

**Passes per Moderator**

**Article 14.** To see if the Town will vote to transfer the sum of \$190,000 from the Water Enterprise Fund Retained Earnings to the account of Current Water Revenue to be used and applied by the Town Administrator to reduce water rate(s), or do anything in relation thereto.

**Select Board**

**Article 14.** **Voted** that the Town appropriate the sum of \$190,000 from the Water Enterprise Fund Retained Earnings and transfer said sum to the account of Current Water Revenue to be used and applied by the Town Administrator to reduce water rate(s).

**Passes per Moderator**

**Article 15.** To see if the Town will vote to transfer the sum of \$290,000 from the Sewer Enterprise Fund Retained Earnings to the account of Current Sewer Revenue to be used and applied by the Town Administrator in the reduction of sewer rate(s), or do anything in relation thereto.

**Select Board**

**Article 15.** **Voted** that the Town appropriate the sum of \$290,000 from the Sewer Enterprise Fund Retained Earnings and transfer said sum to the account of Current Sewer Revenue to be used and applied by the Town Administrator in the reduction of sewer rate(s).

**Passes per Moderator**

**Article 5.** To see if the Town will vote to pursuant to Gen. L. c. 40 §5H to establish a 300<sup>th</sup> Centennial Celebration Fund for the purpose of receiving and investing such sums as may be appropriated by the Town of Stoneham, any and all sums received by way of income from the sale of commemorative items, and any and all sum from admission charges for commemorative ceremonies or events; and, provided further that Treasurer shall keep such funds separate from other moneys, funds or property of the town, and the principal and interest thereof may, from time to time upon the authorization of the majority of any special committee established to plan such celebration and the written approval of the Town Administrator, be expended for the purposes of such celebration in the year of such celebration and in the year preceding or succeeding same and that any surplus remaining in said special fund after such celebration is concluded shall be transferred by the Treasurer into the general fund of the town, or do anything in relation thereto.

**Select Board**

**Article 5.** **Voted** that pursuant to Gen. L. c. 40 §5H the Town establish a 300<sup>th</sup> Centennial Celebration Fund for the purpose of receiving and investing such sums as may be appropriated by the Town of Stoneham, any and all sums received by way of income from the sale of commemorative items, and any and all sum from admission charges for commemorative ceremonies or events; and, provided further that Treasurer shall keep such funds separate from other moneys, funds or property of the town, and the principal and interest thereof may, from time to time upon the authorization of the majority of any special committee established to plan such celebration and the written approval of the Town Administrator, be expended for the purposes of such celebration in the year of such celebration and in the year preceding or succeeding same and that any surplus remaining in said special fund after such celebration is concluded shall be transferred by the Treasurer into the general fund of the town, or do anything in relation thereto.

**Passes per Moderator**

**Article 6.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 3 Animals and Fowl, by adding a new Section 3-3 and a new Section 3-4 as follows and thereby amending

the Stoneham Town Code, Chapter 1 General Provisions, Section 1-4A Non-Criminal Disposition to include these new sections:

### **Sec. 3-3 Dog License and Tag Requirement**

The Town Clerk shall issue dog licenses and tags in accordance with Massachusetts General Laws, Chapter 140, Sec. 137. The Town Clerk shall record for each license issued, the name, address and telephone number of the owner or keeper of each dog so licensed, the tag number issued, date of expiration of last rabies vaccination, breed, age, color, or other description of the dog. Each tag shall contain the tag number and the year of issue.

The owner or keeper of a dog, once it becomes six months or older, kept within the Town of Stoneham shall cause that dog to be licensed annually. The license period shall be from January 1<sup>st</sup> to December 31<sup>st</sup> of each calendar year.

The owner or keeper shall cause said dog to wear around its neck or body a collar or harness to which he/she shall securely attach the tag issued. In the event that any tag is lost, defaced or destroyed, replacement tags shall be obtained by the owner or keeper from the Town Clerk.

The fee for each dog license shall be a reasonable fee fixed by the Town Clerk in accordance with the provisions of Chapter 40, Section 22F of the Massachusetts General Laws and the licensing provisions and requirements of the Massachusetts General Laws as contained in Chapter 140.

A license shall not be issued for any dog unless the owner or keeper provides the Town Clerk with a veterinarian's certificate verifying that the dog is currently vaccinated against rabies or indicating that, because of infirmity, other physical condition or regimen of therapy, said vaccination is deemed inadvisable. The rabies vaccination expiration date shall be recorded on the license record.

The owner or keeper of any dog shall provide proof of said license upon request of the Animal Control Officer, Police Officers or Select Board.

Penalty for violation of this bylaw may be enforced by the Animal Control Officer or any Police Officer pursuant to Section 1-4 or by non-criminal disposition in the manner provided by Section 1-4A and the Massachusetts General Laws, Chapter 40, Section 21D. The specific non-criminal disposition penalty which shall apply to a violation of this bylaw, in addition to any other penalties provided by law, shall be \$50.00. The penalty for failure to license said dog within 30 days of notification of violation of this section shall be \$75.00.

### **Sec. 3-4 Vaccination Against Rabies**

The owner or keeper of a dog six months of age or older, housed or sheltered in the Town of Stoneham, shall cause such animal to be vaccinated against rabies by a licensed veterinarian using a licensed vaccine according to the manufacturer's directions and shall cause such dog to be revaccinated at intervals recommended by the manufacturer.

Unvaccinated dogs acquired or moved into the Commonwealth shall be vaccinated within 30 days after the acquisition or arrival of such animal into the Commonwealth or upon reaching the age of 6 months, whichever last occurs.

Such owner or keeper shall procure a veterinarian's certification that such animal has been vaccinated and setting forth the following information: the owner's name and address; a description of the animal, including breed, sex, age, name and distinctive markings; the date of vaccination; the rabies vaccination tag number; the type of rabies vaccine used; the route of vaccination; the expiration date of the vaccine; and the vaccine lot number or a notarized letter from a veterinarian that a certification was issued.

A licensing authority may grant an exemption from this section for a dog that:

- a. the local board of health has declared exempt from the rabies vaccination requirement upon presentation of a veterinarian's certificate stating that because of an infirmity, other physical condition or regimen of therapy, such inoculation is considered inadvisable for a specified period of time for such reasons;
- b. is in transit; or
- c. was brought into the Commonwealth temporarily for the sole purpose of display in a show or for exhibition.

This section shall not apply to a dog housed in a research institution.

The owner or keeper of a dog shall present certification of rabies vaccination upon demand of the Animal Control Officers, police officers or other authorized officials of the Town.

Penalty for violation of this bylaw may be enforced by the animal control officer or any police officer pursuant to Section 1-4 or by non-criminal disposition in the manner provided by Section 1-4A and the Massachusetts General Laws, Chapter 40, Section 21D. The specific non-criminal disposition penalty which shall apply to a violation of this bylaw, in addition to any other penalties provided by law, shall be \$50.00. The penalty for failure to vaccinate said dog within thirty (30) days of notification of violation of this section shall be \$75.00.

#### **Animal Control Officer**

**Article 6.** **Voted** that the Town amend the Stoneham Town Code, Chapter 3 Animals and Fowl, by adding a new Section 3-3 and a new Section 3-4 as follows and thereby amending the Stoneham Town Code, Chapter 1 General Provisions, Section 1-4A Non-Criminal Disposition to include these new sections:

#### **Sec. 3-3 Dog License and Tag Requirement**

The Town Clerk shall issue dog licenses and tags in accordance with Massachusetts General Laws, Chapter 140, Sec. 137. The Town Clerk shall record for each license issued, the name, address and telephone number of the owner or keeper of each dog so licensed, the tag number issued, date of expiration of last rabies vaccination, breed, age, color, or other description of the dog. Each tag shall contain the tag number and the year of issue.

The owner or keeper of a dog, once it becomes six months or older, kept within the Town of Stoneham shall cause that dog to be licensed annually. The license period shall be from January 1<sup>st</sup> to December 31<sup>st</sup> of each calendar year.

The owner or keeper shall cause said dog to wear around its neck or body a collar or harness to which he/she shall securely attach the tag issued. In the event that any tag is lost, defaced or destroyed, replacement tags shall be obtained by the owner or keeper from the Town Clerk.

The fee for each dog license shall be a reasonable fee fixed by the Town Clerk in accordance with the provisions of Chapter 40, Section 22F of the Massachusetts General Laws and the licensing provisions and requirements of the Massachusetts General Laws as contained in Chapter 140.

A license shall not be issued for any dog unless the owner or keeper provides the Town Clerk with a veterinarian's certificate verifying that the dog is currently vaccinated against rabies or indicating that, because of infirmity, other physical condition or regimen of therapy, said vaccination is deemed inadvisable. The rabies vaccination expiration date shall be recorded on the license record.

The owner or keeper of any dog shall provide proof of said license upon request of the Animal Control Officer, Police Officers or Select Board.

Penalty for violation of this bylaw may be enforced by the Animal Control Officer or any Police Officer pursuant to Section 1-4 or by non-criminal disposition in the manner provided by Section 1-4A and the Massachusetts General Laws, Chapter 40, Section 21D. The specific non-criminal disposition penalty which shall apply to a violation of this bylaw, in addition to any other penalties provided by law, shall be \$50.00. The penalty for failure to license said dog within 30 days of notification of violation of this section shall be \$75.00.

### **Sec. 3-4      Vaccination Against Rabies**

The owner or keeper of a dog six months of age or older, housed or sheltered in the Town of Stoneham, shall cause such animal to be vaccinated against rabies by a licensed veterinarian using a licensed vaccine according to the manufacturer's directions and shall cause such dog to be revaccinated at intervals recommended by the manufacturer.

Unvaccinated dogs acquired or moved into the Commonwealth shall be vaccinated within 30 days after the acquisition or arrival of such animal into the Commonwealth or upon reaching the age of 6 months, whichever last occurs.

Such owner or keeper shall procure a veterinarian's certification that such animal has been vaccinated and setting forth the following information: the owner's name and address; a description of the animal, including breed, sex, age, name and distinctive markings; the date of vaccination; the rabies vaccination tag number; the type of rabies vaccine used; the route of vaccination; the expiration date of the vaccine; and the vaccine lot number or a notarized letter from a veterinarian that a certification was issued.

A licensing authority may grant an exemption from this section for a dog that:

- a. the local board of health has declared exempt from the rabies vaccination requirement upon presentation of a veterinarian's certificate stating that because of an infirmity, other physical condition or regimen of therapy, such inoculation is considered inadvisable for a specified period of time for such reasons;
- b. is in transit; or
- c. was brought into the Commonwealth temporarily for the sole purpose of display in a show or for exhibition.

This section shall not apply to a dog housed in a research institution.

The owner or keeper of a dog shall present certification of rabies vaccination upon demand of the Animal Control Officers, police officers or other authorized officials of the Town.

Penalty for violation of this bylaw may be enforced by the animal control officer or any police officer pursuant to Section 1-4 or by non-criminal disposition in the manner provided by Section 1-4A and the Massachusetts General Laws, Chapter 40, Section 21D. The specific non-criminal disposition penalty which shall apply to a violation of this bylaw, in addition to any other penalties provided by law, shall be \$50.00. The penalty for failure to vaccinate said dog within thirty (30) days of notification of violation of this section shall be \$75.00.

### Passes per Moderator

**Article 7.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning by-law by deleting Section 4.22 Residential Overlay Fallon Road District in its entirety and by amending Section 4.13 Commercial Mixed Use District, with strikethroughs showing deletions and new language shown underlined, as follows:

**4.13** ~~COMMERCIAL~~ FALLON ROAD MIXED USE DISTRICT: (10-15-12, Art. 2)

- 4.13.1 *Purpose:* The purpose of the ~~Commercial District~~ Fallon Road Mixed Use District is to provide for the development and redevelopment of the Fallon Road area. The district provides for commercial, office, and light industrial use.
- 4.13.2 *Uses in the ~~Commercial District~~ Fallon Road Mixed Use District Permitted As Of Right:*
- 4.13.2.1 Restaurant, public dining room or lunch room with a gross floor area not greater than five thousand (5,000) square feet
- 4.13.2.2 Retail store, service establishment, and retail business with gross square floor area not greater than fifty thousand (50,000) square feet.
- 4.13.2.3 Medical and dental offices, laboratories and clinics.
- 4.13.2.4 Office Buildings.
- 4.13.2.5 Office Parks.
- 4.13.2.6 Research and Development Laboratory engaged in any one of the following: experimental research and testing activities and production, including but not limited to the fields of life sciences, biology, chemistry, electronics, engineering, geology, medicine and physics excluding nuclear and hazardous biological uses.
- 4.13.2.7 Light Manufacturing.
- 4.13.2.8 Industrial Parks.
- 4.13.2.9 Elder Congregate housing, resident care living facility, including without limitation, nursing facility, assisted living facility, hospice care facility and long term care facility.
- 4.13.2.10 Storage warehouses and distribution buildings.
- 4.13.3 *Uses in the Fallon Road Mixed Use District Permitted with a ~~Special Permit~~ Special Permit Granted by Planning Board Site Plan Approval by the Select Board:*

#### 4.13.3.1 Mixed Use Residential Development

#### 4.13.3.2 Multi-Family Housing

~~4.13.3.1~~ ~~Wireless Service Facility (including its supports) subject to the provisions of 6.11 Wireless Service Facility Regulations and Restrictions. (This is being renumbered to 4.13.4.1)~~

4.13.4 *Uses Permitted with a Special Permit Granted by the Planning Board and Site Plan Approval by Select Board:* (10-21-85, Art. 15; 5-4-87, Art. 12 – See editor’s note below)

4.13.4.1 Wireless Service Facility (including its supports) subject to the provisions of 6.11 Wireless Service Facility Regulations and Restrictions.

4.13.5 *Uses Permitted with a Special Permit Granted by the Planning Board and Site Plan Approval by Select Board:* (This had previously been section 4.13.3)

~~4.13.4.1~~ 4.13.5.1 Restaurant, public dining room or lunch room with gross floor area of greater than five thousand (5,000) square feet with or without drive through facilities.

~~4.13.4.2~~ 4.13.5.2 Retail store, service establishment, and retail business with gross floor area greater than fifty thousand (50,000) square feet.

~~4.13.4.3~~ 4.13.5.3 Hotels including both full service and extended stay and related accessory uses in support of a hotel such as fitness and dining facilities, business center, restaurant, meeting rooms and retail shops wholly within the premises.

~~4.13.4.4~~ 4.13.5.4 Electric utility substation.

~~4.13.4.5~~ 4.13.5.5 Auto repair services provided that:

- (a) All service is performed within an enclosed structure.
- (b) Such building shall be located not less than one hundred (100’) feet from properties used or zoned for residential purposes, and not less than six hundred (600) feet from a school.
- (c) Such building shall be set back at least fifty (50) feet from the street right-of-way.
- (d) No motor vehicles in an inoperative condition are to remain on such site for more than a two (2) week period unless enclosed in a building or fenced or screened from abutting properties.

~~4.13.4.6~~ 4.13.5.6 Banquet Facilities, Function Halls, and Dinner Theaters.

~~4.13.5~~ 4.13.6 Off-Street Parking, Layout, and Loading Requirements for ~~Commercial District H Fallon Road Mixed Use District~~ shall be in accordance with Section 6.3 Off-Street Parking Requirements except as follows:

- ~~(a) Parking spaces shall be on the same lot as the principle use except that parking spaces may be provided on an adjacent lot provided there is a special permit granted for said parking by the Planning Board. (This is being renumbered to (e))~~
- ~~(b) A minimum of one (1) off street loading area per office, commercial or retail building.~~
- (a) Minimum required parking of 1.7 parking spaces per dwelling unit.
- (b) Parking spaces shall be a minimum of eight (8’) feet by sixteen (16’) feet.
- (c) Minimum aisle width of twenty-two (22’) feet.
- (d) No minimum or maximum for the number of driveways permitting entrance to and exit from a lot to a street.
- (e) Parking spaces shall be on the same lot as the principle use except that parking spaces may be provided on an adjacent lot provided there is a special permit granted for said parking by the Planning Board.



**Article 7.** Voted that the Town amend the Stoneham Town Code, Chapter 15, Zoning by-law by deleting Section 4.22 Residential Overlay Fallon Road District in its entirety and by amending Section 4.13 Commercial Mixed Use District, with strikethroughs showing deletions and new language shown underlined, as follows:

**4.13** ~~COMMERCIAL/~~ FALLON ROAD MIXED USE DISTRICT: (10-15-12, Art. 2)

4.13.1 *Purpose*: The purpose of the ~~Commercial District H~~ Fallon Road Mixed Use District is to provide for the development and redevelopment of the Fallon Road area. The district provides for commercial, office, and light industrial use.

4.13.2 *Uses in the* ~~Commercial District H~~ Fallon Road Mixed Use District Permitted As Of Right:

4.13.2.1 Restaurant, public dining room or lunch room with a gross floor area not greater than five thousand (5,000) square feet

4.13.2.2 Retail store, service establishment, and retail business with gross square floor area not greater than fifty thousand (50,000) square feet.

4.13.2.3 Medical and dental offices, laboratories and clinics.

4.13.2.4 Office Buildings.

4.13.2.5 Office Parks.

4.13.2.6 Research and Development Laboratory engaged in any one of the following: experimental research and testing activities and production, including but not limited to the fields of life sciences, biology, chemistry, electronics, engineering, geology, medicine and physics excluding nuclear and hazardous biological uses.

4.13.2.7 Light Manufacturing.

4.13.2.8 Industrial Parks.

4.13.2.9 Elder Congregate housing, resident care living facility, including without limitation, nursing facility, assisted living facility, hospice care facility and long term care facility.

4.13.2.10 Storage warehouses and distribution buildings.

4.13.3 *Uses in the Fallon Road Mixed Use District Permitted with a Special Permit Granted by Planning Board* Site Plan Approval by the Select Board:

4.13.3.1 Mixed Use Residential Development

4.13.3.2 Multi-Family Housing

~~4.13.3.1~~ ~~Wireless Service Facility (including its supports) subject to the provisions of 6.11 Wireless Service Facility Regulations and Restrictions. (This is being renumbered to 4.13.4.1)~~

4.13.4 *Uses Permitted with a Special Permit Granted by the Planning Board and Site Plan Approval by Select Board*: (10-21-85, Art. 15; 5-4-87, Art. 12 – See editor’s note below)

4.13.4.1 Wireless Service Facility (including its supports) subject to the provisions of 6.11 Wireless Service Facility Regulations and Restrictions.

4.13.5 *Uses Permitted with a Special Permit Granted by the Planning Board and Site Plan Approval by Select Board*: (This had previously been section 4.13.3)

~~4.13.4.1~~ 4.13.5.1 Restaurant, public dining room or lunch room with gross floor area of greater than five thousand (5,000) square feet with or without drive through facilities.

- ~~4.13.4.2~~ 4.13.5.2 Retail store, service establishment, and retail business with gross floor area greater than fifty thousand (50,000) square feet.
- ~~4.13.4.3~~ 4.13.5.3 Hotels including both full service and extended stay and related accessory uses in support of a hotel such as fitness and dining facilities, business center, restaurant, meeting rooms and retail shops wholly within the premises.
- ~~4.13.4.4~~ 4.13.5.4 Electric utility substation.
- ~~4.13.4.5~~ 4.13.5.5 Auto repair services provided that:
- (a) All service is performed within an enclosed structure.
  - (b) Such building shall be located not less than one hundred (100') feet from properties used or zoned for residential purposes, and not less than six hundred (600) feet from a school.
  - (c) Such building shall be set back at least fifty (50) feet from the street right-of-way.
  - (d) No motor vehicles in an inoperative condition are to remain on such site for more than a two (2) week period unless enclosed in a building or fenced or screened from abutting properties.
- ~~4.13.4.6~~ 4.13.5.6 Banquet Facilities, Function Halls, and Dinner Theaters.
- ~~4.13.5~~ 4.13.6 Off-Street Parking, Layout, and Loading Requirements for ~~Commercial District H~~ Fallon Road Mixed Use District shall be in accordance with Section 6.3 Off-Street Parking Requirements except as follows:
- ~~(a) Parking spaces shall be on the same lot as the principle use except that parking spaces may be provided on an adjacent lot provided there is a special permit granted for said parking by the Planning Board. (This is being renumbered to (e))~~
  - ~~(b) A minimum of one (1) off-street loading area per office, commercial or retail building.~~
  - (a) Minimum required parking of 1.7 parking spaces per dwelling unit.
  - (b) Parking spaces shall be a minimum of eight (8') feet by sixteen (16') feet.
  - (c) Minimum aisle width of twenty-two (22') feet.
  - (d) No minimum or maximum for the number of driveways permitting entrance to and exit from a lot to a street.
  - (e) Parking spaces shall be on the same lot as the principle use except that parking spaces may be provided on an adjacent lot provided there is a special permit granted for said parking by the Planning Board.
  - (f) Tandem parking spaces are allowed for Town house use.
  - (g) One level of parking within the building footprint is allowed beneath the uses permitted as described in 4.13.3.1 and 4.13.3.2 above in which case the height regulation of Section 5.2.1 Table One will be raised ten (10') feet for that building.
  - (h) No requirement for off-street loading area for Apartment Building or Town house design residential use. (10-1-12, Art. 2)
  - (i) A minimum of one (1) off-street loading area per office, commercial or retail building.

And to amend Section 5.2.1 of the Table One Dimensional Requirements in the area shown highlighted with deletions shown by strikethrough and to replace the “Residential Overlay Fallon Road District” with “Fallon Road Mixed Use District” and to remove the maximum density- 20 units/acre as shown by strikethrough so that Table One – Dimensional Requirements reads as follows:

TABLE ONE - DIMENSIONAL REQUIREMENTS

District	Minimum Lot Size in Square Feet	Frontage & Lot Width in Feet <sup>(2)</sup>	Percent Coverage <sup>(3)</sup>	Minimum Setback in Feet			Height in Feet
				Front	Side <sup>(4)(15)</sup>	Rear <sup>(15)</sup>	
<i>Residence A</i>	10,000 <sup>(1)</sup>	90	30	20	10 <sup>(5)</sup>	15 <sup>(8)(10)</sup>	30
<i>Residence B</i>	7,000 <sup>(5)</sup>	75 <sup>(7)</sup>	20 <sup>(24)</sup>	15 <sup>(8)</sup>	10 <sup>(5)(25)</sup>	15 <sup>(6)(8)(10)(25)</sup>	30
<i>Neighborhood Business</i>	10,000	100	50	15	15	15	30
<i>Business</i>	None Required	None Required	75	15	10	15	45
<i>Central Business</i>	None Required	None Required	100	None	None	None	45
<i>Highway Business</i>	10,000	100	75	20 <sup>(9)</sup>	5	5	45
<i>Commercial</i>	20,000	100	75	15	10	10	65 <sup>(8)</sup>
<i>Residential-Overlay Fallon Road Mixed Use District</i>	200,000 <sup>(22)</sup> Maximum density – 20 units/acre	150	30	20	20	10	65 <sup>(19)</sup>
<i>Medical<sup>(11)</sup></i>	40,000	150	40	40	20	50	65
<i>Recreation/Open Space</i>	40,000	150	5	40	20	50	30
<i>Education<sup>(12)</sup></i>	50,000	45	35	20	13	20	55
<i>Medical/Office Residential</i>	200,000/200,000/200,000	150/150/150	30/30/30	40 <sup>(13)</sup> /30 <sup>(13)</sup> /30 <sup>(13)</sup>	20 <sup>(13)</sup> /20 <sup>(13)</sup> /10 <sup>(13)(14)</sup>	20 <sup>(13)</sup> /20 <sup>(13)</sup> /10 <sup>(13)(14)</sup>	97/97/65
<i>Railroad Right-of-Way Overlay District</i>	None <sup>(17)</sup>	None <sup>(17)</sup>	75 <sup>(17)</sup>	5 <sup>(16)(17)</sup>	5 <sup>(16)(17)</sup>	5 <sup>(16)(17)</sup>	20
<i>East School Multi-Family Overlay District</i>	20,000	Frontage – 150 Width – 130	50	40 <sup>(20)</sup>	10 <sup>(20)</sup>	30 <sup>(20)</sup>	40 <sup>(21)</sup>
<i>North Elementary School Overlay District</i>	100,000	Frontage – 50 Width - 50	20	Front 20 <sup>(20)</sup>	Side 10 <sup>(20)</sup>	Rear 30 <sup>(20)</sup>	40 <sup>(22)</sup>

And further to amend the Official Zoning Map dated October 15, 2018 by deleting the Residential Overlay Fallon Road District and renaming the Commercial/Mixed Use District to Fallon Road Mixed Use District on the legend.

And to amend Table 2 Commercial, I,II & III District to read “Commercial I, III & Fallon Road Mixed Use District” with deletions shown with strikethrough and additions shown underlined so that the district table heading reads as follows:

**Table 2- Permitted Signs by Zoning District**

**Commercial I, H, & III & Fallon Road Mixed Use District**

Sign Type Allowed	Permit Required	Max. Sign Area	Max Height Ft.	Front Setback	Side Setback	Max. Number	Comment
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And to amend Section 2.0 to add the following new definition to read as follows:

2.1.54.2 *Mixed Use Residential Development:* A mix of residential and allowable non-residential uses in one building or in separate buildings on a single parcel or development site.

**2/3 Vote Required**  
**2/3 Vote Passes per Moderator**

**Article 8.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning by-law by amending Inclusionary Housing Section 6.12.3 Applicability, with deletions shown as strikethroughs, to read as follows:

**6.12.3 Applicability**

1. Division of Land. This Bylaw shall apply to the division of land into eight (8) or more lots and shall require a special permit from the Planning Board under Section 7.4 et seq. of the Zoning Bylaw. A special permit shall be required for land divisions under G.L. c.40A §9. ~~as well as for “conventional” or “grid” divisions allowed by G.L. c.41 §81-L and §81-U, including those divisions of land that do not require subdivision approval.~~

- Multiple Units. This Bylaw shall apply to the construction of eight (8) or more dwelling units, whether on one or more contiguous parcels ~~and shall require a special permit from the Planning Board pursuant to Section 7.4.~~

**Charles Houghton  
15 Kimball Drive**

**Article 8. Moved** that the Town amend the Stoneham Town Code, Chapter 15, Zoning by-law by amending Inclusionary Housing Section 6.12.3 Applicability, with deletions shown as strikethroughs, to read as follows:

### **6.12.3 Applicability**

- Division of Land. This Bylaw shall apply to the division of land into eight (8) or more lots and shall require a special permit from the Planning Board under Section 7.4 et seq. of the Zoning Bylaw. A special permit shall be required for land divisions under G.L. c.40A §9. ~~as well as for “conventional” or “grid” divisions allowed by G.L. c.41 §81-L and §81-U, including those divisions of land that do not require subdivision approval.~~
- Multiple Units. This Bylaw shall apply to the construction of eight (8) or more dwelling units, whether on one or more contiguous parcels ~~and shall require a special permit from the Planning Board pursuant to Section 7.4.~~

**Charles Houghton, 15 Kimball Drive made a motion to amend** after the Planning Board encouraged some changes so that the Board could recommend favorable action. The strikethroughs were removed from 6.12.3 subsection 2 and “except a Special Permit from the Planning Board shall not be required in the Fallon Road Mixed Use District for the construction of eight (8) or more dwelling units.” was then added to the end of 6.12.3 subsection 2.

**Vote on the Amendment  
Amendment Passes per Moderator**

**Article 8. Voted** that the Town amend the Stoneham Town Code, Chapter 15, Zoning by-law by amending Inclusionary Housing Section 6.12.3 Applicability, with deletions shown as strikethroughs, to read as follows:

### **6.12.3 Applicability**

- Division of Land. This Bylaw shall apply to the division of land into eight (8) or more lots and shall require a special permit from the Planning Board under Section 7.4 et seq. of the Zoning Bylaw. A special permit shall be required for land divisions under G.L. c.40A §9. ~~as well as for “conventional” or “grid” divisions allowed by G.L. c.41 §81-L and §81-U, including those divisions of land that do not require subdivision approval.~~
- Multiple Units. This Bylaw shall apply to the construction of eight (8) or more dwelling units, whether on one or more contiguous parcels and shall require a special permit from the Planning Board pursuant to Section 7.4 ~~except a Special Permit from the Planning Board shall not be required in the Fallon Road Mixed Use District for the construction of eight (8) or more dwelling units.~~

**Vote on Main Motion As Amended  
2/3 Vote Required Passes per Moderator**

**Article 9.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning by-law by amending Section 4.3 Residence B District as follows:

To amend Section 4.3.1 to add the underlined language as follows:

4.3.1 Purpose: The purpose of the Residence B District is to provide residential areas of medium intensity with a variety of housing types and recreational and educational not-for-profit uses.

and to add a new section 4.3.4.5 as follows:

4.3.4.5 Conversion of an existing building that is in existence at the time of the adoption of this Section to allow not-for-profit recreational and educational uses provided that the lot size is 20,000 square feet or greater.

and further to amend Section 6.7.6 to add the underlined language as follows:

6.7.6 Permitted signs:

(a) Table 2 – Permitted Signs by Zoning District to add to Residence B Wall Signs for recreational use – sign permit required – Max. sign area 18 square feet.

**Charles Houghton  
15 Kimball Drive**

**Article 9.** **Voted** that the Town amend the Stoneham Town Code, Chapter 15, Zoning by-law by amending Section 4.3 Residence B District as follows:

To amend Section 4.3.1 to add the underlined language as follows:

4.3.1 Purpose: The purpose of the Residence B District is to provide residential areas of medium intensity with a variety of housing types and recreational and educational not-for-profit uses.

and to add a new section 4.3.4.5 as follows:

4.3.4.5 Conversion of an existing building that is in existence at the time of the adoption of this Section to allow not-for-profit recreational and educational uses provided that the lot size is 20,000 square feet or greater.

and further to amend Section 6.7.6 to add the underlined language as follows:

6.7.6 Permitted signs:

(a) Table 2 – Permitted Signs by Zoning District to add to Residence B Wall Signs for recreational use – sign permit required – Max. sign area 18 square feet.

**$\frac{2}{3}$  Vote Required  
 $\frac{2}{3}$  Vote Passes per Moderator**

**Article 10.** To determine whether the Town will vote to adopt the Town of Stoneham Municipal Affordable Housing Trust Bylaw as follows, or take any other action relative thereto.

Town of Stoneham  
Municipal Affordable Housing Trust Bylaw

Section 1. Municipal Affordable Housing Trust

There shall be in the Town of Stoneham an Affordable Housing Trust created pursuant to the authority set forth in Massachusetts General Laws c. 44, § 55C.

Section 2. Name of the Trust

The Trust shall be called the “Stoneham Municipal Affordable Housing Trust” (the “Trust”)

Section 3. Purpose

The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Stoneham for the benefit of low and moderate income households and for the funding of community housing, as defined in and in accordance with the provisions of chapter 44B.

Section 4. Trustees

There shall be a Board of Trustees (the “Board”), which shall include no less than five (5) and no more than seven (7) Trustees, including one member of the Select Board, each of whom, to the extent possible, have a background or interest in affordable housing, and in finance, law, real estate or real estate development.

All Trustees shall be appointed by majority vote of the Select Board.

All Trustees shall be appointed by majority vote of the Select Board. Trustees shall serve for a term of two (2) years, except that one less than a majority of the initial Trustee appointments shall be for a term of one (1) year. Trustees may be reappointed for up to two (2) additional terms.

Nothing in this subsection shall prevent the Select Board from appointing the Town Administrator as a Trustee.

Only persons who are residents of Stoneham shall be as appointed as a Trustee. Any Trustee who ceases to be a resident of the Stoneham shall cease to be a Trustee hereunder and shall promptly provide a written notification of change in residence to the Board and to the Town Clerk.

The Town Administrator, if appointed as a Trustee, need not be a resident of Stoneham. A Trustee may be removed by the Select Board for cause. Any Trustee may resign by written instrument signed and acknowledged by such Trustee and duly filed with the Town Clerk. Vacancies shall be filled by the Select Board for the remainder of the unexpired term.

If any Trustee is absent from five (5) consecutive, regularly-scheduled meetings of the Trust, except in the case of illness, such Trustee’s position shall be deemed vacant and shall be filled with a new appointment as set forth above.

The Trustees shall elect officers annually consisting of a Chair, Vice Chair and Clerk. The Trustees may establish subcommittees or ad hoc related committees to carry out the purpose of the Trust.

A majority of Trustees then serving may exercise any or all of the powers of the Trustees hereunder and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all the Trustees. No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust Estate.

No Trustee shall be liable for the acts, negligence, or defaults of any other Trustee or any employee, agent, or representative of the Trustees selected with reasonable care, not for errors in judgment, nor mistakes of law or facts made in good faith, nor in reliance in good faith on advice of counsel, nor any other acts or omissions in good faith.

Neither the Trustees nor any agent or officer of the Trust shall have the authority to bind the Town of Stoneham.

#### Section 5. Meetings of the Trust

The Trust shall meet at least quarterly at such time and at such place as the Trustees shall determine.

The Trust is a governmental body for purposes of Massachusetts General Laws c. 30A, §§ 18-25 (the "Open Meeting Law"). Notice of all meetings of the Trust shall be given in accordance with the provisions of the Open Meeting Law, as may be amended from time to time, including provisions regarding remote participation.

The Clerk shall prepare minutes of meetings of the Trust and shall maintain records thereof.

A quorum at any meeting shall be a simple majority of the Trustees then serving.

#### Section 6. Powers of the Trustees

The powers of the Board, all of which shall be carried out in furtherance of the purposes set forth herein, shall include the following powers, except that the Board shall require prior approval of the Select Board: to borrow money; to mortgage or pledge trust assets; or to purchase, accept, sell, lease, exchange, transfer, abandon, or convey any interest in real, personal, or mixed property.

1. To accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with any bylaw or any general or special law or any other source, including money from Massachusetts General Laws c. 44B;
2. To purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;
3. To sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust

property as the Board deems advisable notwithstanding the length of any such lease or contract;

4. To execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Board engages for the accomplishment of the purposes of the Trust;
5. To employ advisors and agents, such as accountants, appraisers and lawyers as the Board deems necessary;
6. To pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Board deems advisable;
7. To apportion receipts and charges between income and principal as the Board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
8. To participate in any reorganization, recapitalization, merger or similar transaction; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
9. To deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Board may deem necessary and appropriate;
10. To carry property for accounting purposes other than acquisition date values;
11. To borrow money on such terms and conditions and from such sources as the Board deems advisable, to mortgage and pledge Trust assets as collateral, but any mortgage or pledge of assets as collateral greater than the extent of the Trust's assets requires approval by a super-majority vote of an Annual or Special Town Meeting;
12. To make distributions or divisions of principal in kind;
13. To compromise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this Trust, to continue to hold the same for such period of time as the Board may deem appropriate;
14. To manage or improve real property; and to abandon any property which the Board determined not to be worth retaining;
15. To hold all or part of the Trust property uninvested for such purposes and for such time as the Board may deem appropriate;
16. To extend the time for payment of any obligation to the Trust;
17. To make recommendations on proposals to Town Meeting when such proposals create or support affordable housing for low- and moderate-income households.

18. To develop policy goals and statements, consistent with the Town's adopted housing goals, and subject to approval by the Select Board, to serve as guidelines for the Trust; and
19. To exercise such additional powers consistent with the provisions of this bylaw and Massachusetts General Laws c. 44, § 55C, as may be amended from time to time.
20. To compensate Town employees for services provided to the Trust in connection with the Trust's activities, including but not limited to dedicated staff to Trustees, engineering support for project-specific activities, and other Town services, as requested by the Trustees to the Town Administrator and authorized by the Town Administrator;
21. To establish criteria and qualifications for recipients and expenditures in accordance with Trust's stated purposes;
22. To serve as a lottery and monitoring agent for affordable housing, and to accept compensation for providing such services into the Trust.

Notwithstanding any general or special law to the contrary, all moneys paid to the Trust in accordance with any Town bylaw or regulation, or private contribution shall be paid directly into the Trust and need not be appropriated or accepted and approved into the Trust. General revenues appropriated into the Trust become Trust property and to be expended these funds need not be further appropriated. All moneys remaining in the Trust at the end of any fiscal year, whether or not expended by the Board within 1 year of the date they were appropriated into the trust, remain Trust property.

#### Section 7. Treasurer as Custodian of Funds

The Town of Stoneham Treasurer shall be the custodian of the Trust's funds and shall maintain separate accounts and records for the Trust's funds.

The Treasurer shall invest the funds in the manner authorized by Massachusetts General Laws c. 44, § 55 (Public Funds on Deposit; Limitations; Investments,) § 55A, (Liability of Depositor for Losses Due to Bankruptcy), and § 55B (Investment of Public Funds).

Any income or proceeds received from the investment of funds shall be credited to and become part of the Trust.

Expenditures by the Trust shall be processed through the Town's payment warrant but shall be subject to the provisions of Massachusetts General Laws c. 44, § 55C. The Trust's approved annual budget, and any approved budget revisions, shall be submitted to the Select Board.

As custodian, the Treasurer shall issue checks as directed by the Trustees. In accordance with Massachusetts General Laws c. 44, § 55C, the books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices for municipalities. Upon receipt of the audit by the Board, a copy shall be provided forthwith to the Select Board.

The Trustees shall keep a record of its activities and at the close of every fiscal year, shall make a report thereof to the Select Board. The report shall include a description and source of funds received and expended and the type of affordable housing programs or properties assisted with the funding.

## Section 8. Miscellaneous

The Trust is a public employer and the members of the Board are public employees for purposes of Massachusetts General Laws c. 258. Trustees are designated as public agents for purposes of the constitution of the Commonwealth. The Trust shall be considered a municipal agency and the Trustees shall be considered special municipal employees and shall be subject to the provisions of Massachusetts General Laws c. 268A. The Trustees shall serve without compensation. The Trust is exempt from Massachusetts General Laws c. 59 and c. 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any political subdivision thereof. The Trust is a Board of the Town for purposes of procurement under Massachusetts General Laws c. 30B and c. 40 § 15A; but agreements and conveyances between the Trust and agencies, Boards, commissions, authorities, departments and public instrumentalities of the Town of Stoneham shall be exempt from Massachusetts General Laws c. 30B. Trustees shall not receive a salary, stipend, bonus or other means of compensation for their service as a Trustee, nor shall they be eligible for any benefits from the Town of Stoneham. Trustees may be compensated for reasonable out-of-pocket expenses for travel and other Trust-related expenses. All such out-of-pocket expenses shall be fully documented with receipts for expenses prior to payment by the Trust.

## Section 9. Recordings: Amendments

The Trustees are hereby authorized to record a Declaration of Trust and a Certificate of Trustees for the Trust with the Middlesex South District Registry of Deeds and the Registered Land Division of the Land Court Registration Office. The Declaration of Trust may be amended from time to time except as to those provisions specifically required under Massachusetts General Laws c. 44, § 55C, by an instrument in writing signed by all of the Trustees then serving and approved at a meeting called for that purpose, and approved by the Select Board provided that in each case, a certificate of amendment shall be recorded with the Middlesex South District Registry of Deeds and, if necessary, the Registered Land Division of the Land Court.

## Section 10. Duration of the Trust

The Trust shall continue so long as authorized under the Laws of the Commonwealth of Massachusetts. Notwithstanding the foregoing, The Trust may be terminated by a majority vote of the Town Meeting in accordance with Massachusetts General Laws c. 44, § 55C, provided that an instrument of termination together with a certified copy of the Town Meeting vote are duly recorded with the Middlesex South District Registry of Deeds and, if necessary, the Registered Land Division of the Land Court.

Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held by the Select Board for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Select Board, sell all or any portion of the Trust property and distribute the net proceeds thereof or they may distribute any of the Trust's assets in kind. The powers of the Trustees shall continue until the affairs of the Trust are concluded.

## Section 11. Record to be Conclusive, Certificate as to Facts

Every contract, deed, mortgage, lease and other instrument executed by a majority of the Trustees then serving as appears from instruments or certificates recorded with the Registry of

Deeds and Registered Land Division of the Land Court to be Trustees hereunder shall be conclusive evidence in favor of any person relying thereon or claiming thereunder, that at the time of the delivery thereof this Trust was in full force and effect and that the execution and delivery of such instrument was duly authorized by the Trustees except that instruments of amendment pursuant to Section 9 and an instrument of termination pursuant to Section 10 hereof shall be conclusive only if it appears that the delegations, amendments or termination have been executed by all of the Trustees then serving. Any person dealing with the Trust property or the Trustees may rely on a certificate signed by any person appearing from instruments or certificates so recorded to be a Trustee hereunder as to the identity of the then current serving Trustees or as to the existence or non-existence of any fact or facts which constitute conditions precedent to acts by the Trustees or in any other manner germane to the affairs of the Trust.

### **Director of Planning and Community Development**

**Article 10.** **Voted** that the Town adopt the Town of Stoneham Municipal Affordable Housing Trust Bylaw as written in Article 10 of the Annual Town Meeting Warrant and further, that the Town Clerk be authorized to assign a section number, and make clerical, editorial or other adjustments to insert same in the Town Code, if applicable, and effectuate the purposes hereof.

### **Passes per Moderator**

**Article 11.** To see if the Town will vote to raise and appropriate from taxation or transfer from available funds, such sums as may be necessary to defray Town charges for the ensuing year, including debt and interest and a reserve fund, or do anything in relation thereto.

### **Select Board**

#### **Article 11.**

- A.** **Voted** that the Town raise and appropriate the sum of \$83,957,968 for a total General Fund Operating Budget, to provide for a reserve fund and to defray the expenses of the Town, and for the purposes as itemized in Exhibit A, and to meet said appropriation transfer the sum of \$40,000 from the Overlay Reserve Account, the sum of \$879,490 from Free Cash, and raise the sum of \$83,056,477 from the FY2023 Tax Levy.
- B.** **Voted** that the Town appropriate the sum of \$7,018,973 for costs of operations of the Sewer Enterprise Fund as itemized in Exhibit A, and to meet said appropriation raise \$6,728,973 from Sewer Receipts.
- C.** **Voted** that the Town appropriate the sum of \$5,120,225 for costs of operations of the Water Enterprise Fund as itemized in Exhibit A, and to meet said appropriation raise \$4,930,225 from Water Receipts.

Exhibit A

Town of Stoneham Summary of Revenues and Expenditures July 1, 2022					
	APPROVED TAX RATE FY22	DEPARTMENT REQUEST FY23	ADMINISTRATOR RECOMMENDED FY23	SELECT BOARD RECOMMENDED FY23	FINANCE & ADVISORY RECOMMENDED FY23
<b>I. REVENUES</b>					
TAX LEVY	53,671,242	55,678,569	55,678,569	55,678,569	55,678,569
DEBT EXCLUSION	1,542,623	7,750,627	7,750,627	7,750,627	7,750,627
NEW GROWTH	649,313	500,000	500,000	500,000	500,000
<b>SUBTOTAL</b>	<b>55,863,178</b>	<b>63,929,196</b>	<b>63,929,196</b>	<b>63,929,196</b>	<b>63,929,196</b>
LOCAL RECEIPTS	6,175,000	6,536,797	6,536,797	6,536,797	6,536,797
SBA REIMBURSEMENT	341,825	341,825	341,825	341,825	341,825
EST CHERRY SHEET	10,283,252	11,147,853	11,147,853	11,147,853	11,147,853
FREE CASH					
INTERGOVERNMENTAL	1,039,766	1,100,806	1,100,806	1,100,806	1,100,806
<b>SUBTOTAL</b>	<b>17,839,843</b>	<b>19,127,281</b>	<b>19,127,281</b>	<b>19,127,281</b>	<b>19,127,281</b>
<b>TOTAL REVENUE</b>	<b>73,703,021</b>	<b>83,056,477</b>	<b>83,056,477</b>	<b>83,056,477</b>	<b>83,056,477</b>
<b>II. EXPENSES</b>					
TOWN BUDGETS	17,526,818	19,083,001	18,038,691	18,038,691	18,038,691
SCHOOL BUDGET	30,963,029	33,311,271	32,100,420	32,100,420	32,100,420
VOCATIONAL SCHOOL	1,485,880	1,690,036	1,690,036	1,690,036	1,690,036
SHARED EXPENSES					
HEALTH INSURANCE	8,822,472	9,401,762	9,401,762	9,401,762	9,401,762
RETIREMENT	6,880,229	7,058,350	7,058,350	7,058,350	7,058,350
MEDICARE	575,000	595,000	595,000	595,000	595,000
PROPERTY & CASUALTY INSURANCE	616,781	678,459	678,459	678,459	678,459
WORKER'S COMPENSATION	309,537	340,491	340,491	340,491	340,491
UNCOMPENSATED BALANCES	-	-	-	-	-
RESERVE FUND	125,000	125,000	125,000	125,000	125,000
DEBT	2,964,572	9,141,016	9,141,016	9,141,016	9,141,016
TOWN AUDIT	85,000	85,000	85,000	85,000	85,000
CAPITAL STABILIZATION(Non Operational)	203,037	280,663	280,663	280,663	280,663
STABILIZATION (Non Operational)	327,173	498,827	498,827	498,827	498,827
OPEB TRUST FUND (Non Operational)	100,000	100,000	100,000	100,000	100,000
OVERLAY PROVISIONS	225,000	225,000	225,000	225,000	225,000
ASSESSMENTS/OFFSETS	2,986,353	3,617,253	3,617,253	3,617,253	3,617,253
STM		-	-	-	-
AMOUNT RAISED ON TAX RATE					
PRINCIPLE PAYMENT					
TAX TITLE					
<b>TOTAL EXPENSES</b>	<b>74,195,881</b>	<b>86,231,129</b>	<b>83,975,968</b>	<b>83,975,968</b>	<b>83,975,968</b>
<b>BALANCE AVAILABLE</b>	<b>(492,860)</b>	<b>(3,174,652)</b>	<b>(919,490)</b>	<b>(919,490)</b>	<b>(919,490)</b>
<b>ONE TIME REVENUES</b>					
FREE CASH	630,210	879,490	879,490	879,490	879,490
OVERLAY SURPLUS	40,000	40,000	40,000	40,000	40,000
<b>EXCESS(DEFICIT)</b>	<b>177,350</b>	<b>(2,255,162)</b>	<b>(0)</b>	<b>(0)</b>	<b>(0)</b>
<b>ENTERPRISE FUNDS</b>					
WATER RECEIPTS	5,301,606	5,120,225	5,250,225	5,120,225	5,120,225
SEWER RECEIPTS	6,858,756	7,018,973	7,018,973	7,018,973	7,018,973
SEWER EXPENSES	6,858,756	7,018,973	7,018,973	7,018,973	7,018,973
WATER EXPENSES	5,301,606	5,120,225	5,250,225	5,120,225	5,120,225
<b>TOTAL BUDGET</b>	<b>86,356,243</b>	<b>98,370,327</b>	<b>96,245,166</b>	<b>96,115,166</b>	<b>96,115,166</b>

Passes per Moderator

**Article 12.** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$1,875,700 for the capital projects set forth below, including all incidental and related costs and to authorize the Treasurer with the approval of the Select Board, to borrow all or a

portion of said sum under the applicable provisions of M.G.L. c. 44 or any other enabling authority, and further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or do anything in relation thereto.

Department	Amount	FY23 Funded Projects (Bonding)	Funding Source
DPW	\$ 100,000.00	Streets and Sidewalks	Bonding
DPW	\$ 198,000.00	6 Wheel Dump Truck w/ plow	Bonding
DPW	\$ 55,000.00	One-ton Dump Truck	Bonding
Facilities	\$ 359,700.00	Town roof restoration and design studies	Bonding
Facilities	\$ 50,000.00	Town Wide ADA improvements	Bonding
Fire	\$ 35,000.00	4 Portable Radios & Chargers (8,666/each)	Bonding
Fire	\$ 60,000.00	Vehicle Replacement	Bonding
Golf	\$ 38,000.00	Install drainage on 7th fairway	Bonding
Library	\$ 30,000.00	Library Windows	Bonding
Police	\$ 70,000.00	Marked Police Vehicle	Bonding
Schools	\$ 50,000.00	South School Site Rehab-Playground and Park Lot Design	Bonding
Water	\$ 830,000.00	Rehabilitation and construction projects	MWRA Loan
<b>Total</b>	<b>\$ 1,875,700.00</b>	<b>General Fund Funding</b>	

### Select Board

**Article 12.** Voted that Town appropriate the sum of \$1,875,700 for the capital projects set forth in the chart set forth under Article 12 of the Town Meeting Warrant, and to meet this appropriation that the Treasurer, with the approval of the Select Board, be authorized to borrow all or a portion of said sum under the applicable provisions of M.G.L. c. 44 or any other enabling authority to cover said costs, including all incidental and related costs; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Department	Amount	FY23 Funded Projects (Bonding)	Funding Source
DPW	\$ 100,000.00	Streets and Sidewalks	Bonding
DPW	\$ 198,000.00	6 Wheel Dump Truck w/ plow	Bonding
DPW	\$ 55,000.00	One-ton Dump Truck	Bonding
Facilities	\$ 359,700.00	Town roof restoration and design studies	Bonding
Facilities	\$ 50,000.00	Town Wide ADA improvements	Bonding
Fire	\$ 35,000.00	4 Portable Radios & Chargers (8,666/each)	Bonding
Fire	\$ 60,000.00	Vehicle Replacement	Bonding
Golf	\$ 38,000.00	Install drainage on 7th fairway	Bonding
Library	\$ 30,000.00	Library Windows	Bonding
Police	\$ 70,000.00	Marked Police Vehicle	Bonding
Schools	\$ 50,000.00	South School Site Rehab-Playground and Park Lot Design	Bonding
Water	\$ 830,000.00	Rehabilitation and construction projects	MWRA Loan
<b>Total</b>	<b>\$ 1,875,700.00</b>		

**2/3 Vote Required**  
**2/3 Vote Passes per Moderator**

**Article 13.** To see if the Town will vote to vote to appropriate from the PEG Access Enterprise Fund a sum or money to be transferred to Stoneham Community Access Television to be used to support PEG access services consistent with the cable franchise agreements during fiscal year 2023 as set forth in the below table, or take any other action relative thereto.

	<b>Department Requested FY23</b>	<b>Administrator Recommended FY23</b>	<b>Select Board Recommended FY23</b>	<b>Finance Committee Recommended FY23</b>
<b>PEG Access Enterprise Fund</b>				
Expenses	600,000	600,000	600,000	600,000
Total Expenses	<b>600,000</b>	<b>600,000</b>	<b>600,000</b>	<b>600,000</b>
<b>Total PEG Access Budget</b>	<b>\$ 600,000</b>	<b>\$ 600,000</b>	<b>\$ 600,000</b>	<b>\$ 600,000</b>

**Select Board**

**Article 13.** **Voted** that the Town appropriate the sum of \$600,000 from the PEG Access Enterprise Fund, and that said sum be transferred to Stoneham Community Access Television for the support PEG access services consistent with the cable franchise agreements during fiscal year 2023 as set forth in the table in Article 13 of the Annual Town Meeting Warrant.

	<b>Department Requested FY23</b>	<b>Administrator Recommended FY23</b>	<b>Select Board Recommended FY23</b>	<b>Finance Committee Recommended FY23</b>
<b>PEG Access Enterprise Fund</b>				
Expenses	600,000	600,000	600,000	600,000
Total Expenses	<b>600,000</b>	<b>600,000</b>	<b>600,000</b>	<b>600,000</b>
<b>Total PEG Access Budget</b>	<b>\$ 600,000</b>	<b>\$ 600,000</b>	<b>\$ 600,000</b>	<b>\$ 600,000</b>

**Passes per Moderator**

**Article 16.** To see if the town will vote to fix the maximum amount that may be spent during Fiscal Year 2023 beginning on July 1, 2022 for the revolving funds established in the town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E1/2, or do anything in relation thereto.

<b>Revolving Fund</b>	<b>Department, Board, Committee, Agency or Officer</b>	<b>FY2023 Spending Limit</b>
Recreation	Recreation Director	\$ 100,000
Farmers' Market	Farmers' Market Committee	\$ 20,000
Council on Aging	COA Director	\$ 85,000
Health Services	Health Director	\$ 25,000
Energy	Director of Planning & Community Development	\$ 100,000
Prevention & Outreach	Stoneham Coalition	\$ 20,000

**Select Board**

**Article 16.** Voted that the Town fix the maximum amount that may be spent during Fiscal Year 2023 beginning on July 1, 2022 for the revolving funds established in the town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E1/2 as set forth in the chart in Article 16 of the Annual Town Meeting Warrant.

Revolving Fund	Department, Board, Committee, Agency or Officer	FY2023 Spending Limit
Recreation	Recreation Director	\$ 100,000
Farmers' Market	Farmers' Market Committee	\$ 20,000
Council on Aging	COA Director	\$ 85,000
Health Services	Health Director	\$ 25,000
Energy	Director of Planning & Community Development	\$ 100,000
Prevention & Outreach	Stoneham Coalition	\$ 20,000

**Passes per Moderator**

**Article 17.** To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to amend the Fiscal Year 22 departmental budgets approved under Article No. 14 of the May 3, 2021 Annual Town Meeting, as amended, or do anything in relation thereto.

**Select Board**

**Article 17.** Voted that the Town appropriate the sum of \$350,000 to fund amendments to the Fiscal Year 22 departmental budgets approved under Article No. 14 of the Annual Town Meeting Warrant, and meet the appropriation of said sum with a transfer from the stabilization fund.

**2/3 Vote Required**  
**2/3 Vote Passes per Moderator**

**Article 18.** To see if the Town of Stoneham will vote pursuant to Section 19 of Chapter 188 of the Acts of 2010, which amends Section 103(j) of Chapter 32 of the Massachusetts General Laws, to increase the maximum base on which the annual cost of living increase is calculated for retirees of the Stoneham Retirement System in an amount not to exceed \$15,000, or do anything in relation thereto.

**Stoneham Retirement Board**

**Article 18.** Voted that the Town pursuant to Section 19 of Chapter 188 of the Acts of 2010, which amends Section 103(j) of Chapter 32 of the Massachusetts General Laws, increase the base on which the annual cost of living increase is calculated for retirees of the Stoneham Retirement System to the amount \$15,000.

**Passes per Moderator**

**Article 19.** To see if the Town will vote to raise and appropriate a sum of money to implement certain rehabilitation and construction projects under the Massachusetts Water Resources Authority Local Water System Assistance Program (LWSAP) and to pay costs incidental and related thereto, and the Town Treasurer, with the approval of the Select Board, be authorized to sell from time to time, as the occasion requires, town notes, bonds, or other evidence on indebtedness in the amount not to exceed \$700,000 in accordance with Chapter 44, Section 7 or 8 of the Mass General Laws or any other enabling authority, and further to accept any grants or gifts for these projects, and further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or do anything in relation thereto.

**Director of Public Works**

**Article 19.** **Voted** that the Town appropriate the sum of \$700,000, to implement certain rehabilitation and construction projects under the Massachusetts Water Resources Authority Local Water System Assistance Program (LWSAP), including removing existing water main and installing new 12 inch water main on Main Street from Elm Street to Maple Street and to pay costs incidental and related thereto, and to meet this appropriation, that the Treasurer, with the approval of the Select Board, be authorized to borrow said sum and issue notes, bonds, or other evidence of indebtedness in said amounts, or such lesser sum, in accordance with Chapter 44, Section 7 or 8 of the Mass General Laws or any other enabling authority, and further that the Town be authorized to accept any federal aid, state aid, grants or gifts for these projects, and that the Select Board is authorized to take any other action necessary to carry out these projects.

**$\frac{2}{3}$  Vote Required**

**$\frac{2}{3}$  Vote Passes per Moderator**

**Article 20:** To see if the Town will eliminate the Water and Sewer Review Board by rescinding the vote on Article two (2) of the May 5, 1983 Annual Town Meeting, Article six (6) of the October 27, 1997 Town meeting, Article Thirty (30) of the October 27, 1998 Town Meeting, and Article Sixteen (16) of the October 22, 2015 Town Meeting and transfer the duties previously assigned to the Water and Sewer Review Board as follows:

The Town Administrator, or his or her designee will hear water and sewer billing disputes and make a binding decision as to a remedy, if any.

The Finance Advisory Board shall meet yearly, to review the assessments and costs associated with the operation, maintenance and capital requirements of both systems to ensure such costs are just and equitable and in proportion to the benefits of the users.

The Finance Advisory Board and the Town Administrator shall hold a public hearing to receive citizens input on the current year, the proposed budget and rates for the next fiscal year and any other information as may be requested concerning the water and sewer departments. Said meeting shall result in a rate recommendation made by the Town Administrator prior to Annual Town Meeting.

or do anything in relation thereto.

**Select Board**

**Article 20.** **Voted** that the Town eliminate the Water and Sewer Review Board by rescinding the vote on Article two (2) of the May 5, 1983 Annual Town Meeting, Article six (6) of the October 27, 1997 Town meeting, Article Thirty (30) of the October 27, 1998 Town Meeting, and Article Sixteen (16) of the October 22, 2015 Town Meeting and transfer the duties previously assigned to the Water and Sewer Review Board as follows:

The Town Administrator, or his or her designee will hear water and sewer billing disputes and make a binding decision as to a remedy, if any.

The Finance Advisory Board shall meet yearly, to review the assessments and costs associated with the operation, maintenance and capital requirements of both systems to ensure such costs are just and equitable and in proportion to the benefits of the users.

The Finance Advisory Board and the Town Administrator shall hold a public hearing to receive citizens input on the current year, the proposed budget and rates for the next fiscal year and any other information as may be requested concerning the water and sewer departments. Said meeting shall result in a rate recommendation made by the Town Administrator prior to Annual Town Meeting.

### **Passes per Moderator**

**Article 21.** To see of the Town will vote to amend the Stoneham Town Code, Chapter 2, Article III, Finance and Advisory Board, Section 2-18, Matters to be Considered, by adding the underlined language as follows:

Sec. 2-18 Matters to be considered.

The finance and advisory board shall consider matters relating to the appropriation, the borrowing and the expenditures of money by the town; its indebtedness; the methods of administration of its various officers and departments: property valuation and assessments; revenue sources and other municipal affairs; the assessments and costs associated with the operation, maintenance and capital requirements of the Water and Sewer systems to ensure such costs are just and equitable and in proportion to the benefits of the users; hold at least one annual public hearing to receive citizens input on the current year, the proposed budget and rates for the next fiscal year and any other information as may be requested concerning the water and sewer departments; and make recommendations to the town, and any town board, officer or committee, relative to such matters.

or do anything in relation thereto.

### **Select Board**

**Article 21.** **Voted** that Town amend the Stoneham Town Code, Chapter 2, Article III, Finance and Advisory Board, Section 2-18, Matters to be Considered, by adding the underlined language as follows:

Sec. 2-18 Matters to be considered.

The finance and advisory board shall consider matters relating to the appropriation, the borrowing and the expenditures of money by the town; its indebtedness; the methods of administration

of its various officers and departments: property valuation and assessments; revenue sources and other municipal affairs; the assessments and costs associated with the operation, maintenance and capital requirements of the Water and Sewer systems to ensure such costs are just and equitable and in proportion to the benefits of the users; hold at least one annual public hearing to receive citizens input on the current year, the proposed budget and rates for the next fiscal year and any other information as may be requested concerning the water and sewer departments; and make recommendations to the town, and any town board, officer or committee, relative to such matters.

### **Passes per Moderator**

**Article 22.** To see if the Town will vote to increase the amount of gross income that seniors may have in the prior calendar year to be eligible to defer property taxes under Massachusetts General Laws, Chapter 59, Section 5, Clause 41A, from \$40,000 to \$60,000, with such increase to be effective for deferrals granted for taxes assessed for the fiscal year beginning on July 1, 2022, or do anything in relation thereto.

### **Select Board**

**Article 22.** **Voted** that Town increase the amount of gross income that seniors may have in the prior calendar year to be eligible to defer property taxes under Massachusetts General Laws, Chapter 59, Section 5, Clause 41A, from \$40,000 to \$60,000, with such increase to be effective for deferrals granted for taxes assessed for the fiscal year beginning on July 1, 2022.

### **Passes per Moderator**

**Article 23.** To see if the Town will vote to reduce the rate of interest that accrues on property taxes deferred by eligible seniors under Massachusetts General Laws, Chapter 59, Sec.5, Clause 41A, from 6% to 4%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2022, or anything in relation thereto.

### **Select Board**

**Article 23.** **Voted** that Town reduce the rate of interest that accrues on property taxes deferred by eligible seniors under Massachusetts General Laws, Chapter 59, Sec.5, Clause 41A, from 6% to 4%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2022.

### **Passes per Moderator**

Before ending the Town Meeting, the Moderator acknowledged and thanked the Office Manager for the Select Board, Dava Kilbride, for all of her hard work to put the Town Meeting booklet together and to display information on the screen during the meeting. Mrs. Craigie also thanked Amy, George and Paola from Stoneham TV for all they do to broadcast the Town Meeting on cable access. In closing, she mentioned the need for volunteers and all of the current openings on Town boards & committees.

Motion to adjourn was made and seconded.  
The Town Meeting was dissolved at 9:13 PM.

Respectfully submitted:

*Maria Sagarin*

Town Clerk