

**BOARD OF SELECTMEN
AGENDA
Monday, October 3, 2016**

Regular Meeting – 7:00 p.m.

Merritt Center, 600 Market Street

****NOTE****

This meeting is being recorded and transmitted via cable television.

7:00 p.m.

Pledge of Allegiance

Proposal for plaques on common benches

Discussion of field usage guidelines

Disposition of land sale, 325 Broadway

DPW director discussion/appointment

Resignation from Historical Commission

Appointment of election officers

Recommendations on warrant articles

Perley Burrill update

Union Hospital update

Reedy Meadow flooding update

Public comment period

Request for executive session under Mass. General Laws Chapter 30A, Section 21 (A) (3) to discuss strategy with respect to litigation for which an open meeting may have a detrimental effect on litigating position of the public body

Use of Town facilities:	None
Minutes:	None
Proclamations:	None
Administrative matters:	Signing of warrants

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into as of the ____ day of _____, 2014, by and between the **Town of Lynnfield Board of Selectmen and the Town of Lynnfield School Committee** in an effort to define the Terms of Use and scheduling for the recreational fields located in Lynnfield including those located at the various schools.

INTRODUCTION

The Board of Selectmen, through its appointed "Field Study Committee" received a "Plan of Action" (the Plan) including numerous recommendations to resolve the field shortage issues in Lynnfield. This Plan contains numerous recommendations for improvements to recreational playing fields located at various locations including the Huckleberry Hill School and Summer Street School. This Plan also provided comprehensive recommendations for improvements at the Middle School and High School. Implementation of these proposals will involve substantial expenditure by the Town of Lynnfield and result in: (a) improved field conditions for all athletes, (b) synthetic turf fields that will facilitate more continuous uses without replenishment, (c) compliance with MIAA regulations; and (d) improvements to make fields more useable during and after adverse weather conditions without regard for weather related wear and tear.

AGREEMENT

The Board of Selectmen recognizes that the school property on which the fields are located is under the control of the Lynnfield School Committee. It further agrees that the interest of students and student athletes on these fields for school related activities should always take priority over other activities. The Board of Selectmen further recognizes that maintenance of these fields and related auxiliary structures is the responsibility of the Town through its Board of Selectmen. The Board of Selectmen recognizes that policies for typical use of these fields during "non-school use" hours are primarily set by the Recreation Commission through the power granted to them by the Board of Selectmen under the Town Charter.

The School Committee recognizes that the fields to be built are located on property under the control of the Lynnfield School Committee. It recognizes that the fields that are located on school property are to be improved and/or constructed for the benefit of both the student athletes as well as recreational athletes at all levels. It agrees that the maintenance of these fields and structures is the responsibility of the Town of Lynnfield through its Board of Selectmen. The School Committee recognizes that policies for typical use of these fields during "non-school use" hours are primarily set by the Recreation Commission through the power granted to them by the Board of Selectmen under the Town Charter.

PURPOSE

The purpose of this document is to define the terms of use for these fields to ensure field availability to all authorized organizations in Lynnfield within the guidelines established by the Board of Selectmen in conjunction with the Recreation Commission and the School Committee.

DEFINITIONS

- **Organized Activity** = any group of individuals that communicate and meet on a regular basis
- **Permit** = a set of documents provided by the Recreation Commission, including but not limited to a calendar of approved dates and organizations, Regulations for Use, and safety information
- **Priority Use** = the order of preference when allocating the use of facilities to organizations
- **Non-Profit** = an organization formed as a 501c3 for which proof must be provided, including certificate, copy of constitution and table of organization with list of paid employees
- **For-Profit** = any business, group, individual or organization not certified as a 501c3.
- **Traditional Use** = includes, but not limited to, practices, games or meets between two teams
- **Special Events** = includes, but not limited to, clinics, tournaments, round-robins, practice-only organizations, charity events, carnivals, multi-inning/quarter games; approved only for events sponsored by Lynnfield Recreation Commission, Lynnfield Public Schools or a Lynnfield based non-profit organization
- **Standing water** = puddles that remain on the facility surfaces after inclement weather
- **Authorized Maintenance** = tasks undertaken by an organization, approved in advance by the Recreation Commission and the DPW Director
- **Legacy Organization** = a Lynnfield-based organization that has used facilities for several years prior to the establishment of updated policies in 2013; Recreation Commission to provide a list of these organizations upon implementation of this policy.
- **Waiver** = a determination made by vote of the majority of the Recreation Commission and/or Board of Selectmen that a specific organization may not meet all the requirements for a priority user group, but is determined eligible based on written documentation provided that determines organization's value to the community or requirements of league
- **Lynnfield Residency** = In order to be considered 100% Lynnfield residency, the participants must live in Lynnfield, attend Lynnfield Public Schools or a private school located in Lynnfield, or have 100% of participants employed by Lynnfield-based business.
- **Spring Season** = April 1st through third Sunday in June (Lynnfield High may start prior to April 1st based on MIAA schedule)
- **Summer Season** = Monday immediately after third Sunday in June through August 31st
- **Fall Season** = September 1st through third Sunday in November (Lynnfield High may use fields through Thanksgiving and post-season game schedule)
- **Senior Field** = those generally used by High School, adults and older youth
- **Junior Field** = those generally used by elementary aged and younger youth
- **Field Maintenance Fee** = fee charged to assist with costs related to maintenance of facilities that is deposited into a designated fund within the Recreation Commission's Revolving Fund

- **Field Administration Fee** = fee charged to account for the cost of the administrative tasks undertaken by the Recreation Commission and deposited into the Town of Lynnfield's General Fund

Permitted Uses:

1. Organized activity (not to include Lynnfield Public School events) held at Lynnfield's parks, athletic fields and related facilities shall require a permit.
2. All permit applications must be submitted in writing to the Recreation Commission. Applications received past the established deadlines will be processed on an as available basis, regardless of priority status. No action will be taken on incomplete applications.
3. Requests to use athletic fields or parks that are deemed by the Recreation Commission to be non-traditional or that will place a higher burden on the facility than typical use must be put in writing on a Special Event Request Form. Special events must be approved by the Recreation Commission and/or the Board of Selectmen.
4. Facility allocation will be managed by the Recreation Commission and will be based on the categories listed in the next section, but may also take into account field conditions, scheduled renovations, age and history of organization, past practices of organization (positive and negative), age appropriate sized facilities, and impact on the neighborhood.
5. In general, younger youth will be scheduled on junior (smaller) fields and older youth and adults will be scheduled on senior (larger) fields.
6. Priority use on 60' and 90' diamonds is given to baseball and softball organizations; priority use on multi-purpose fields will be given to organizations that play on rectangular fields, including but not limited to football, soccer, lacrosse and field hockey.
7. All permit holders agree to abide by the most current set of Regulations for Use as provided by the Recreation Commission.
8. An athletic field with standing water is automatically closed. No unauthorized maintenance work may be done to move the standing water and use the closed field excepting the infield clay of a baseball field where speedi-dry may be applied to make the field playable. Permits may be revoked from organizations allowing use of athletic fields with standing water, and a fine may be charged to cover the costs related to the needed repairs.
9. A representative of the organization holding the permit must be present at the facility while in use, to represent the organization when there are questions and insure that all regulations are followed. The representative may be a coach or league official.
10. All trash must be removed from the fields and facilities and placed in proper trash receptacles or removed from the school or park. A permit may be revoked from organizations leaving trash behind after use.
11. The Police Department will be notified when organizations allow coaches, parents, and/or participants to park illegally, or obstruct access to neighborhood homes or access by safety vehicles.
12. A permit may not be sub-let to a different organization. The Recreation Commission will work with current permit holders on any exchanges when both permit holders agree to the exchange. Unauthorized permit sub-letting shall result in an immediate loss of permit.

13. Permits may be revoked if an organization does not abide by the Regulations for Use, or allows a facility to be damaged through its actions or lack of action. Organizations with revoked permits may be denied permits in the future.
14. For-profit individuals and/or organizations will not be given permits for use of athletic fields or parks, for the purpose of raising private funds, without a majority vote of the Recreation Commission and/or the Board of Selectmen.

User Organization Categories:

These categories place non-school/non-Park and Recreation organizations into scheduling categories that are listed in the following priority use levels.

Category A

- Lynnfield Non-Profit Youth organization
 - 100% “Lynnfield residents” (see definition)
- Youth Legacy Organization
- Game and Practice Schedules, only

Category B

- Lynnfield Non-Profit Adult organization
 - 100% “Lynnfield residents” (see definition)
- Adult Legacy Organization
- Game and Practice Schedules, only

Category C

- Lynnfield Non-Profit Youth or Adult organization
- Less than 100% Lynnfield residents
- Regional Non-Profit Teams, based in Lynnfield (Select, AAU, etc.)

Category D

- Non-Lynnfield Based Non-Profit

Category E

- Any organization not listed in prior categories

Priority Uses:

The Recreation Commission shall use the following priority order as a determining factor for providing permits, along with those listed under *Permitted Uses # 6*. Groups listed within each level have equal standing.

Level One

- Lynnfield Public Schools: weekdays from 7:30 AM – 3:00 PM (September-June)
 - Lynnfield Public Schools: pre-season and post-season activity, as determined by the Massachusetts Interscholastic Athletic Association
 - Lynnfield High Athletics: weekdays from 3:00 -6:00 PM (September-June)
- Priority Order: Varsity, Junior Varsity, Freshmen, Middle School, Clubs/Activities*

- Lynnfield High Athletics Conference League Games, including Varsity Football, Soccer, Lacrosse and Field Hockey night games (September-June). Varsity Football will be allowed up to four night games per season (September-November). Other varsity teams will be allowed a maximum of two night games per Varsity TEAM PER season defined as: Fall-Boys and Girls Soccer; Field Hockey. Spring-Boys and Girls Lacrosse, Girls Softball, Boys Baseball (if lit).
- Lynnfield Recreation Commission sponsored programs
- Lynnfield Public School PTO events at their own school (September-June)
- Approved Special Events of Current Permit Holders
- User Organization Category A: weeknights and weekends (September-June)
- General Guidelines on Hours of Use on school fields: 6:00-9:00PM lit fields, 6:00PM – Dusk unlit fields, 8:00AM start on weekends; individual field guidelines are shown below

Level Two

- Lynnfield High Athletics: weekends (September-June)
Includes practices, non-league games and scrimmages
- Lynnfield High Athletics: nights (September-June), excluding Level One definition.
Includes practices, non-league games and scrimmages
- User Organization Category A: weekdays
- Lynnfield Public Schools Community Education

Level Three

- User Organization Category B

Level Four

- User Organization Category C
- Special Events from organizations not holding permit in that season

Level Five

- User Organization Category D and E
- Late applications

Field Designations and Schedule

The following descriptions and user designations are for fields that are currently projected as part of the “plan”:

High School

Field 1 – Lynnfield High School – Senior Field - Multi-purpose Stadium Field with press box, lighting, amenities building and seating for 826 spectators.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through June from 7:30 a.m. to 6:00 p.m.*
 - *Friday nights from September through June from 6:00 to 9:00 p.m.*
 - *Saturdays from September through November from 6:00 a.m. to 6:00 p.m.*

Field 2 - Lynnfield High School – Senior Field - Multi-purpose synthetic turf field located south of the proposed stadium field and adjacent to the wetlands area.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through November from 7:30 a.m. to 5:00 p.m.*

Field 3 – Lynnfield High School – Senior Field - Multi-purpose synthetic turf field located south of the proposed stadium field and closest to the high school.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through June from 7:30 a.m. to 6:00 p.m. — turf*

Field 4 – Lynnfield High School – Senior Field - Multi-purpose natural grass playing area at the rear of the High School utilizing the outfield area of the baseball field and adjacent grass area to create this optional field.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through June from 7:30 a.m. to 6:00 p.m.*

Baseball Field 1 – Lynnfield High School – Senior Field - 90' Baseball diamond located at the rear of the high school; orientation to be determined during engineering phase.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through February from 7:30 a.m. to 3:00 p.m.*
 - *All weekdays from March through June from 7:30 a.m. to 6:00 p.m.*

Softball Field 1 – Lynnfield High School – Senior Field - 60' Softball diamond located at the rear of the high school on the west side.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through February from 7:30 a.m. to 3:00 p.m.*
 - *All weekdays from March through June from 7:30 a.m. to 6:00 p.m.*

Middle School

Field 5 - Lynnfield Middle School – Senior Field - Multi-purpose synthetic turf field and track located south of the Middle School at the site of the current stadium field.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through February from 7:30 a.m. to 3:00 p.m.*
 - *All weekdays from March through June from 7:30 a.m. to 6:00 p.m.*

Field 6 - Lynnfield Middle School - Senior Field - Multi-purpose natural grass playing area at the rear of the Middle School utilizing the outfield area of the baseball field and adjacent grass area to create this optional field.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through February from 7:30 a.m. to 3:00 p.m.*
 - *All weekdays from March through June from 7:30 a.m. to 6:00 p.m.*

Baseball Field 2 - Lynnfield Middle School - Senior Field - 90' Baseball diamond located at the rear of the middle school.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through February from 7:30 a.m. to 3:00 p.m.*
 - *All weekdays from March through June from 7:30 a.m. to 6:00 p.m.*

Softball Field 2 – Lynnfield Middle School - Senior Field - 60’ Softball diamond located at the rear of the Middle School on the east side.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through February from 7:30 a.m. to 3:00 p.m.*
 - *All weekdays from March through June from 7:30 a.m. to 6:00 p.m.*

Summer Street School

Softball/Little League Field 3 – Summer Street School – Junior Field - 60’ softball/Little League diamond adjacent to the playground.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through June from 7:30 a.m. to 3:00 p.m.*

Softball/Little League Field 4 – Summer Street School - Junior Field - 60’ softball/Little League diamond located behind the school

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through June from 7:30 a.m. to 3:00 p.m.*

Huckleberry Hill School.

Field 7 – Huckleberry Hill School - Junior Field - Multi-purpose natural grass playing area adjacent to the Huckleberry Hill School that is undersized for anything other than youth sports.

- *Field designated for use by the Lynnfield Public Schools as shown below:*
 - *All weekdays from September through June from 7:30 a.m. to 3:00 p.m.*

St. Maria Goretti Field

Softball/Little League Field 5 – St. Maria Goretti - Junior Field - 60’ softball/Little League diamond located behind the church

Field 8 – St. Maria Goretti - Junior Field - Multi-purpose natural grass playing area that is undersized for anything other than youth sports located in the outfield area of the softball field at the rear of the church.

Jordan Park

Field 9 – Jordan Park - Junior Field -Multi-purpose natural grass playing area currently used for soccer.

Field 10 – Jordan Park - Junior Field -Multi-purpose natural grass playing area currently used for soccer.

Glen Meadow Park

Little League Field 6 – Glen Meadow Park - Junior Field - 60’ natural grass Little League diamond

Newhall Park

Little League Field 7 – Newhall Park - Junior Field - 60’ natural grass Little League diamond

Little League Field 8 – Newhall Park - Junior Field - 60’ natural grass Little League diamond

All uses of any field, by any organization other than the Lynnfield Public Schools and all uses of any field by the Lynnfield Public Schools except for the specific time periods and locations denoted above shall require a permit issued by the Lynnfield Recreation Commission.

Permit Application Process:

Permit applications must be submitted on official forms, as provided by the Recreation Commission. All required forms must be submitted in order for action to be taken on the request. No action will be taken on incomplete applications. Required forms include, but are not limited to, contact information, specific dates/schedules, insurance certificate, and signed agreements.

Applications must be submitted within the required timetables, as follows. Level eligibility will not be honored with late or incomplete applications.

Season	Due Date: Schools, Special Events	Due Date: All Others	Permits Issued by:
Spring	January 15	January 30	March 15
Summer	March 15	March 30	April 30
Fall	July 1	July 15	August 15

An organization that has held a permit in the past but is changing its program to include additional teams, additional age levels, or other change to the prior season schedule for games/practices must submit these changes in writing on a “New Program” form.

An organization that has not held a permit in the past must provide all information about its organization in writing on a “New Program” form. The organization must include all documentation for the organization as delineated under “non-profit” in *Definitions*. Additionally, the organization must provide a Certificate of Insurance naming the Town of Lynnfield as an additional insured and as the Certificate holder.

Any organization that would like to offer activities, such as but not limited to, clinics, tournaments, round-robins, practice-only organizations, charity events, carnivals, multi-inning/quarter games must submit a Special Event Request.

A written request for a waiver must be provided in order to extend a permit beyond the designated dates.

A Field Scheduling Summit may be held with groups preparing to request permits in order to assist organizations with the handling of potential conflicts. Conflicts worked out amongst groups prior to the submission of permit requests are preferred.

Youth organizations must submit the prior season's game and practice schedule with their permit requests. For those seeking to be in a higher priority category, written proof must be submitted stating that the organization only allows Lynnfield residents, as defined under *Definitions*.

Adult organizations must submit team rosters. In order to prove Lynnfield residency requirements, as defined under *Definitions*, proof of residency or employment in a Lynnfield business is required. An authorized league roster or a copy of a driver's license (or similar legal document) will be accepted. The Recreation Commission has the right to require proof of identification and/or residency upon submission of the roster or at the field at the time of use. Failure or refusal of team members to produce identification shall result in an immediate suspension of the field permit.

Fee Schedule:

The Recreation Commission with the approval of the Board of Selectmen will charge the following fees, based on the type or category of use.

The Recreation Commission will provide a bill with a due date listed on the bill. All fees must be paid by the listed due date. In the event a fee is not paid, the permit may be revoked or an organization may become ineligible to apply for future permits. All fees due to be paid prior to the first use of the field.

Youth Programs (ages 18 and under)

- \$20 per participant per season, of which \$10 is deposited as Field Maintenance Fee, \$5 is deposited as Field Administration Fee and \$5 is deposited into a Trust Fund for capital improvements to athletic fields and facilities or for the cost of new fields.
- Fees are not charged to Lynnfield Public Schools

Adult Programs (above the age of 18)

- \$30 per participant per season, of which \$15 is deposited as Field Maintenance Fee, \$5 is deposited as Field Administration Fee and \$10 is deposited into a Trust Fund for capital improvements to athletic fields and facilities or for the cost of new fields.

Clinics/Camps

- This fee is not charged when event is approved special event only for members of a permitted organization during its regular season
- Clinics and camps being run by a Lynnfield organization for the benefit of its members but outside of the regular season shall be subject to the following fees:
 - \$5 per participant per day for Lynnfield residents.
 - \$10 per participant per day for non-Lynnfield residents at clinics/camps, *if proof of residency cannot be provided.*
- The majority of the fee will be deposited into a Trust Fund for Capital Improvements to Athletic Fields and Facilities. A small portion may be deposited into the Field Maintenance Fund to assist with repairs after the event.
- *This section is not intended to include Lynnfield based coaches who are conducting training camps and clinics for which a fee is charged. Those would fall under special events as shown below.*

Special Events

- The Recreation Commission will determine the events that fall under this fee structure, based on type of organization requesting and type of use. In general, Special Events officially sponsored by the Recreation Commission, Lynnfield Public Schools and Lynnfield-based non-profits will not be charged.
- \$250 per day on natural grass field or other facility, for event scheduled for four hours or less of actual use.
- \$500 per day on synthetic turf field, for event scheduled for four hours or less of actual use.
- \$500 per day on natural grass field or other facility, for event scheduled for four hours or more of actual use.
- \$1,000 per day on synthetic turf field, for event scheduled for four hours or more of actual use.

Repair and Maintenance

In the event an organization uses an athletic field or facility in a manner that results in damage, the organization shall be charged the full cost of repair and renovation, determined by the Director of the DPW in consultation with the Recreation Commission. Failure to pay the amount owed shall result in suspension of future field use by that organization.

Appeals Process:

- A. Any organization or individual, whose permit has been altered, changed, modified, denied or revoked from its original request, may request reconsideration by the Recreation Commission and shall be granted a hearing before the Recreation Commission designee provided that such person shall file in writing to the Recreation Commission within five (5) business days after receipt of the decision. The written petition must provide a brief statement for the grounds for reconsideration, and when possible provide a solution to the purported permit issue. Upon receipt of such petition, the Recreation Commission designee shall set a time and place for such a hearing and shall give the petitioner written notice thereof.

The hearing shall take place not more than ten (10) business days after such petition is received by the Recreation Commission. After such hearing, the Recreation Commission designee may, by order, sustain or deny the petition, and shall notify the petitioner in writing of the reasons for such decision.

- B. If such appeal results in a denial by the Recreation Commission designee, the permit holder may request, in writing, reconsideration of the matter by the Recreation Commission Appeal Committee and shall be granted a hearing before the Appeals Committee provided that such person shall file the written appeal to the Recreation Commission within five (5) business days after receipt of the decision of the designee. The written request must outline the reasons for disagreeing with the decision of designee.

The Fields Appeal Committee shall be made up of three members of the Recreation Commission appointed by the Chairman of the Recreation Commission. No member of Recreation Commission will participate in a hearing for an organization for which he/she has direct connection with, including but not limited to membership on the board of that organization, coach, or referee/umpire.

Upon receipt of such petition, the Fields Appeal Committee shall set a time and place for such hearing and shall give the petitioner written notice thereof. The hearing shall take place within ten (10) days after such petition is filed, unless the petitioner agrees in writing with the Fields Appeal Committee to a later date for such hearing.

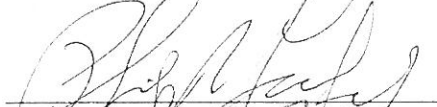
After such hearing, the Fields Appeal Committee may, by order, sustain or deny the petition in accordance with findings of the hearing and shall promptly notify the petitioner in writing of the decision.

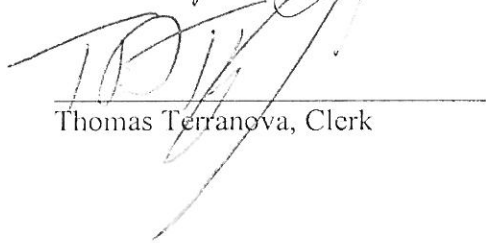
The decision of the Fields Appeal Committee is final.

IN WITNESS WHEREOF, the parties to this Memorandum of Agreement have caused their presence to be executed by their duly authorized representatives and their hands and seals to be affixed the date above first written.

BOARD OF SELECTMEN



David Nelson, Chairman


Philip Crawford, Vice Chairman

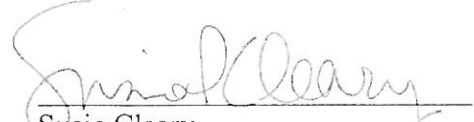

Thomas Terranova, Clerk

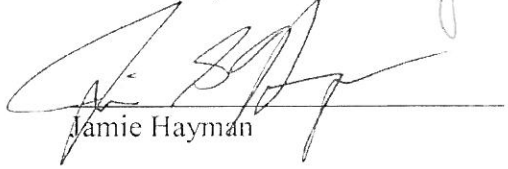
SCHOOL COMMITTEE


Christopher Barrett, Chairperson


Dorothy Presser


Salvatore Cammarata


Susie Cleary


Jamie Hayman

LYNNFIELD TOWN WARRANT
THE COMMONWEALTH OF MASSACHUSETTS
TOWN MEETING – OCTOBER 17, 2016

Essex, ss.

To the Constable of the Town of Lynnfield in the County of Essex, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet in the Middle School Auditorium, and in the Cafeteria and Gymnasium, if necessary, on Monday, October 17, 2017 at 7:30 p.m. then and there to act on the following articles:

ARTICLE 1. To see if the Town will vote to raise and appropriate or appropriate by transfer from available funds, sums of money to pay overdue bills of a prior fiscal year; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 2. To see if the Town will vote to raise and appropriate or transfer from available funds, sums of money to supplement certain accounts in the current 2017 Fiscal Year for various purposes; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 3. To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds or by borrowing, or from any or all such sources, a sum of money for required improvements to school grounds and athletic facilities, or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 4. To see if the Town will vote to appropriate by transfer from receipts reserved for appropriation a sum of money to be expended under the discretion of various town boards, committees, or officers; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 5. To see if the Town will vote, pursuant to G.L. c. 40, § 15A and all other applicable legal authority, to transfer from the Board of Selectmen to the Board of Library Trustees the care, custody, management and control of the land on Summer Street shown on that certain plan of land entitled “Plan of Land 175 Summer Street Lynnfield, MA” and dated July 8, 2016, consisting of 149,146 square feet, more or less, according to such plan, the Board of Selectmen having determined that such land is no longer needed for golf course purposes, provided that the Board of Library Trustees shall hold and use such land for the purpose of constructing and operating a new library building, or to take any other action in connection therewith.

Submitted by BOARD OF LIBRARY TRUSTEES

ARTICLE 6. To see if the Town will vote to amend the Zoning Bylaws by adding the underlined text below to Section 4.1:

“In a Single Residence A, B, C and D District, the following uses are permitted:

- “1. Residential use of a one family detached house, with not more than one such house located on any lot, provided that no such property shall be leased or rented for a period of thirty (30) days or less unless specifically authorized by the Board of Appeals under Section 4.1.1.3, below.”

and by replacing Section 4.1.1.3, which currently authorizes a special permit for the following use:

- “3. Tourist home, boarding or lodging house (but not including overnight cabins, motels or hotels),”

with the following new, underlined text:

- “3. Intentionally Omitted.”

and by adding the underlined text below to Section 5.1.5:

“In Single Residence A, B, C and D District, the following uses are hereby specifically declared to be customary ‘accessory uses’ within the meaning of this bylaw:

- ...
“5. The regular renting of rooms or the furnishing of table board in a dwelling by prearrangement to not more than five (5) persons, provided that no such renting shall be for a period of thirty (30) days or less.”

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 7. To see if the Town will vote to amend § 13.6 of the Zoning Bylaws, entitled “Fines,” by repealing the text thereof and replacing it with the following:

“Any violation of these Zoning Bylaws shall be punishable by a fine of Three Hundred Dollars (\$300), and in the sole discretion of the Building Inspector may be made the subject of non-criminal disposition pursuant to G.L. c. 40, § 21D. Each day such violation continues shall constitute a separate offense. Such fines shall be recovered as provided by law and shall enure to the Town of Lynnfield.”

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 8. To see if the Town will vote to petition the Legislature to enact legislation to require the Massachusetts Bay Transportation Authority (the “MBTA”) to:

grant a perpetual, non-transferable license to the Town for the purpose of cleaning, enlarging, expanding, removing, replacing, renovating, removing debris and blockages from, and otherwise maintaining and rendering useful, at the sole expense of the Town, the culverts located beneath the railroad bed owned by the MBTA and located in that part of the Town known as “Reedy Meadow,” provided that the Town furnish the MBTA with an environmental insurance policy of the kind described in G.L. c. 23A, § 3I(a), such license to be granted at no cost to the Town and without any requirement that the Town furnish any other form of insurance, or any defense, indemnification or hold-harmless agreement with respect to any claims, injuries, costs, damages or other relief arising out of or related to the pre-existing release or threat of release of oil or hazardous materials, as those terms are defined in G.L. c. 21E, at or from the said railroad bed;

provided, that the Legislature may reasonably vary the form or substance of the requested legislation within the scope of the general public objectives of this petition; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 9. To see if the town will revise the dog licensing fees as currently listed in Section 115-7 of the Town’s general bylaws by deleting the following:

“D. Any owner or keeper of a dog who shall fail to comply with the provisions of this section by March in any year shall be subject to a penalty of \$10 per dog.”;

or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 10. To see if the Town will vote to raise and appropriate, or appropriate by transfer from available funds or by borrowing, or from any or all such sources, a sum of money for engineering services related to the Town-wide recreational fields program, or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

ARTICLE 11. To see if the Town will vote to accept the provisions of G. L. c. 90, § 17C, which would allow the Board of Selectmen, in the interests of public safety and without further authority, to establish a speed limit of 25 miles per hour on any roadway inside a thickly settled or business district in the city or town on any way that is not a state highway; or to take any other action in connection therewith.

Submitted by BOARD OF SELECTMEN

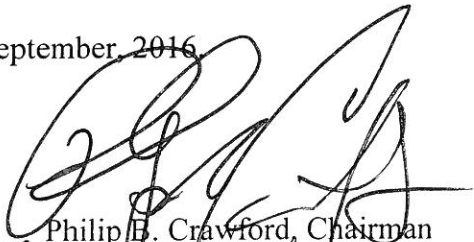
ARTICLE 12. To see if the Town will vote to accept the provisions of G. L. c. 90, § 18B, which would allow the Board of Selectmen, in the interests of public safety and without further authority, to establish designated safety zones on, at or near any way in the city or town which is not a state highway, and with the approval of the department if the same is a state highway. Such safety zones shall be posted as having a speed limit of 20 miles per hour; or to take any other action in connection therewith.


Submitted by BOARD OF SELECTMEN

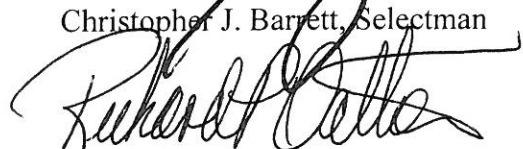
And you are further directed to serve this warrant, by posting up attested copies thereof, in at least six public places in said Town of Lynnfield, fourteen days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, or before hand as aforesaid.

Given under our hands this 27th day of September, 2016


Philip B. Crawford, Chairman


Christopher J. Barrett, Selectman


Richard P. Dalton., Selectman

A true copy
ATTEST: _____, Constable

Hi Bob

We've sold our home at 40 Wildewood Drive, and will be moving out October 24...and up the road to Middleton.

It's downsize/condo time.

Since i will be a non-resident in about a month, I submit my resignation effective October 24 as an alternate on the Lynnfield Historical Commission.

I've enjoyed the experience of participating in the work of this group, particularly in helping organize the town Bicentennial celebration.

My kind regards to the Selectmen, and all the best in the future for the town.

Best regards

Steven P Smith
September 28, 2016

ELECTION OFFICERS:

Town Clerk Trudy Reid has requested that the following be appointed as elections officers:

Annmarie Ventola
Pamela Scantalides
Carmella Dalton
Kathryn Rondeau
Valerie Rondeau
Cheryl Schepier

COPPOLA AND COPPOLA
ATTORNEYS AND COUNSELLORS-AT-LAW
40 SOUTH STREET, MARBLEHEAD, MA 01945

JAMES E. COPPOLA
JAMES E. COPPOLA, JR.
ELAINE A. BYRNE
DAVID J. COPPOLA

September 29, 2016

781/639-0140
FAX 781/639-4416

Mrs. Christine A. O'Sullivan
Town Treasurer
Town of Lynnfield
Town Hall
Lynnfield, MA 01940

Dear Mrs. O'Sullivan:

Enclosed herewith please find a check from the Land Court for \$97.30. This represents a refund of the unused balance of the deposit paid the Court in the Town's tax lien foreclosure case No. 10 TL 141734, against Joseph L. Pedoto, Trustee of The Little Joe Realty Trust, covering the property at 914 Salem Street (bldgs.), Parcel 843, Map 53.

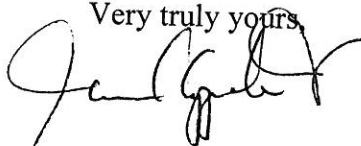
The judgment was entered on September 22, 2016. The Land Court costs were \$567.70, with estimated legal fees of \$3,718.75.

Since the Town became the owner of this property and thereby incurred all the benefits, responsibilities and liabilities of ownership, the Town should take immediate steps to secure the property, and have it insured.

I have recorded the judgment at the Registry of Deeds and will forward it to you for your records as soon as it is returned to me. Enclosed please find a copy of the judgment.

You should, in writing, notify the Town Accountant, Collector of Taxes, Board of Selectmen, and Board of Assessors of the foreclosure.

Very truly yours,



JEC;Jr.:ka
Enclosures

Land Court costs \$567.70 Legal Fees \$3,718.75

RE: 914 Salem Street (bldgs) - Parcel 843, Map 53

(SEAL)

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

Case No.: 10 TL 141734

JUDGMENT IN TAX LIEN CASE

Town of Lynnfield

vs.

Joseph L. Pedoto, Trustee of The Little Joe Realty Trust

This case came on to be heard and was argued by counsel, and thereupon, upon consideration thereof, it is

ADJUDGED and ORDERED that all rights of redemption are forever foreclosed and barred under the following deed(s) given by and/or the tax taking(s) made by the Collector of Taxes for the Town of Lynnfield in Essex County and said Commonwealth:

<u>Land Type</u>	<u>Tax Taking Date</u>	<u>Book No.</u>	<u>Page No.</u>	<u>Document No.</u>	<u>Certificate of Title No.</u>
Recorded	11/26/2007	27345	415		

By the Court: Deborah J. Patterson

Attest:

A TRUE COPY
ATTEST:

Deborah J. Patterson
RECORDER

Deborah J. Patterson
Recorder

Entered: September 22, 2016