

A Regular meeting of the Board of Selectmen was held on Tuesday, January 27, 2009 beginning at 6:30 p.m. in the Main Meeting Room of the Town Hall. The following members were present.

Catherine Winston, Chairman
Clifton Snuffer, Vice Chairman
David Sullivan, Clerk
Al DeNapoli
Christopher Timson

Also present:
Michael Boynton, Town Administrator

AGENDA ITEMS

7:30 p.m. **Zoning Re-Write Committee**

Don Johnson and Ed Forsberg appeared before the Board to update them on what the Zoning Re-Write Committee has been doing. There will be two articles on the Spring Town Meeting Warrant, the first to amend the buffer zone section 5G and the second is the use table. On February 5, 2009 the Committee will update the Planning Board and on February 10th they plan to have a public forum. At the public forum they will not take comments, but comments can be given to the Town Planner. Invitations have been sent to Town Meeting Members, Boards and Committees. Their goal is to try to make this table easier to understand. The NCIS codes will give a clearer understanding.

Mr. Snuffer noted that the Selectmen have a meeting that evening. The community and people and Board responses were clocked to end at 5 p.m. tonight and he has never seen this document. His comments are dedicated to the document from before. It seems to me that we got rid of the any lawful use and we are replacing it with anything anywhere. He believes that interpretation by the people in the beginning of the Master Plan document clearly state that they want light industry office environment. Walpole stopped being a heavy industrial town 40-50 yrs ago. Within the framework that were studied, was aquifer protection brought into this picture, the best I can say is this is the same as when the power plant came into be. Now if you take a look at the map and you find out where the impacts are going to be and you see proximity to residents, I for one do not believe this bylaw, is any where near prime time. I would not vote to place it on the Spring Town Meeting warrant.

Ms. Winston noted they have three months before town meeting. What is the harm with a place holder and if you come back and say we can not meet the placeholder, it will come off. Mr. Forsberg stated that the Committee had talked about waiting until the fall but does not think that will work out.

Mr. Timson suggested with complex articles like this it would be best to put it on and get the true venting which can make it better. It was suggested to not include the use table itself in the warrant article as it may change.

Mr. DeNapoli noted the Committee has worked hard and he respects and applauds the work they have done. He is concerned that there is going to be a lot of comments once it gets out there. He agrees with Mr. Timson that if you don't get it out there you will not have full exposure. It will get town meetings critique. We owe it to them to put it on and keep the language vague.

Mr. Boynton pointed out with a Zoning change, if it goes forward and fails it takes two years to bring it back, unless there is a favorable recommendation from the Planning Board to bring it back. There is a risk, with a 2/3 required vote.

Mr. Forsberg stated that by the end of the public forum they should have a good idea of where this is going. It can always be pulled off the warrant. Jack Conroy Chairman of the Planning Board felt that it should move forward and if anything needs to be fixed it can be done. It is the next phase in the zoning rewrite.

Mr. Snuffer sees many issues that concern him. He sees there could be an increase in nonconforming uses. He suggested taking the time to do it correctly and put it where it belongs on the Fall Town Meeting warrant. Mr. Timson disagreed and felt that the article needed to get out there for the public to discuss. He suggested that when "Any Lawful Use" was deleted from the zoning it left a hole in zoning and the town could loose out on businesses.

Mr. DeNapoli agrees with Cliff and believes there are some industries the town may not want and he suggested the town move forward with the article.

MOTION moved by Mr. Timson to include the zoning land use table on the warrant subject to review by Town Counsel as to format, seconded by Mr. DeNapoli

Mr. Snuffer stated that he is going to vote in the negative, because if this is the document after commentary and committee debate he thinks it is a failed document.

VOTED 4-1-0 (Mr. Snuffer opposed)

8:00 p.m. Coney Street Bond Reduction

A Performance Bond was submitted and accepted by the Town for work on Coney Street that is being done in conjunction with the Walpole Mall expansion. Ms. Walker had given the Board a memo recommending a reduction in the bond for the work that has been completed. She is recommending a release of \$302,381.14. The outside road work is essentially complete, with exception of minor punch work. She is recommending a bond reduction with the agreement of the stipulation that the applicant agree that the items listed in her memo are punch list items that must be completed before any further reductions.

MOTION moved by Mr. Timson to approve the request to release the portion of the bond that the town holds \$302,381.14 with the agreement of the stipulation that the applicant agree that the items listed in the memo from the Town Engineer are punch list items that must be completed before any further reductions as agreed with RP Realty, seconded by Mr. DeNapoli, VOTED 5-0-0

1-18, 1-13 Allied Recycling, Change in bond

Allied had requested to change the surety deposit the town is holding for their Class II license to a second hand motor vehicle dealer bond. Western Surety Company is a company in good standing and therefore their request is in good order.

MOTION moved by Mr. Timson to approve the request of Allied Recycling that we substitute the bond of Western Surety Company for the surety deposit we currently hold, seconded by Mr. DeNapoli, VOTED 5-0-0

1-19 Spring Town Meeting Warrant

Mr. Boynton noted there are a few articles that need to be moved around. The budget article should be number 6. The warrant is ready to close.

MOTION moved by Mr. Snuffer to close the Spring Town Meeting Warrant, seconded by Mr. DeNapoli, VOTED 5-0-0

1-20 Chapter 90 Reimbursements

MOTION moved by Mr. Timson to sign the Chapter 90 Reimbursement totally \$376,403.85 as submitted by the DPW Director, seconded by Mr. Snuffer, VOTED 5-0-0

1-21 Cathy's Run

The Board is in receipt of Annual request to hold road race and to close a portion of High Street for 15 minutes.

MOTION moved by Mr. DeNapoli to approve the request for Cathy's run to close High Street , seconded by Mr. Sullivan, VOTED 5-0-0

1-22 Fisher School, Banner Request

MOTION moved by Mr. DeNapoli to approve the Request to hang a banner on the temporary poles to announce the Fisher School Silent Auction, seconded by Mr. Snuffer, VOTED 5-0-0

1-23, 1-24 **Acceptance of Gifts, Recreation Department**

MOTION moved by Mr. DeNapoli to accept the gift from PJ Hayes, seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mr. DeNapoli to accept the gift from League of Women Voters, seconded by Mr. Timson, VOTED 5-0-0

1-25 **Acceptance of Gift, Police Department**

MOTION moved by Mr. DeNapoli to accept the gift from Hollingsworth and Vose for the Police Safety Program, seconded by Mr. Sullivan, VOTED 5-0-0

1-26 **Housing partnership appointment**

MOTION moved by Mr. DeNapoli that we approve the appoint of Elizabeth Nashawaty to Walpole Housing Partnership Committee, seconded by Mr. Sullivan VOTED 5-0-0

1-28 **Proclamation, Tom Scotti**

MOTION moved by Mr. Snuffer to approve the proclamation for Tom Scotti, seconded by Mr. DeNapoli, VOTED 5-0-0

Town Administrator's Update

Snow and Ice-deficit is over \$310,000 and a storm is forecasted for tomorrow. One of our roads we just paved this fall already has cracks. The damage to our roads will be evident, and the highway crew will be busy. We recognize that there are hydrants that are not shoveled out, mailboxes that are damaged. We do not have the staff to dig out hydrants all over town. We have had wear and tear to the vehicles and the costs are significant. He will explain in his budget message how we plan to cover this deficit.

MMA- we attended the meeting in Boston. The news from the Governor was not good. He indicated that he is not touching education, any cuts to lottery to additional assistance affects the bottom line. This premise suggests that communities have a choice in how they allocate their funds. We have worked hard with our legislators. We have been extremely active and our legislators came out twice in one week. To try to bring them an understanding of what towns are facing.

Mr. DeNapoli was impressed by the letter the legislators all sent to the Governor. I would like to send a thank you letter to the Legislators for their hard work for us. To take the time to write a letter, great solidarity, that I would like to acknowledge.

For FY09 and FY10 we do not know what the cuts will be. We anticipate a 10% reduction. I have heard anywhere from 10-30%. It is a complete unknown. My budget is fairly well set.

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Ms. Winston discussed with layoffs, if we layoff a union person, can a non union person assume that job. Mr. Boynton noted that it depends on the circumstances. The Board asked Mr. Boynton to contact Kevin regarding this.

The Board had a lengthy discussion on the pickup of Christmas Trees. Ms. Winston would like to stop this starting November 1, 2009. It would be a cost savings to the town.

MOTION moved by Mr. Sullivan that we do not pickup Christmas trees starting November 1, 2009, seconded by (No second) No vote taken table until July

MINUTES

MOTION moved by Mr. Snuffer to accept the minutes of November 18, 2008; December 2, 2008 Executive Session Set 1; December 2, 2008 Executive Session Set 2; December 2, 2008; December 3, 2008; December 9, 2008; December 16, 2008; December 16, 2008 Executive Session; December 30, 2008 with no release of the executive session minutes, seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mr. Snuffer to enter into Executive session to discuss contractual matters, seconded by Mr. DeNapoli, voted 5-0-0 by roll call vote; Mr. Timson-Aye, Mr. Snuffer-Aye, Mr. Sullivan-Aye, Mr. DeNapoli-Aye and Ms Winston-Aye

The Board moved out of executive session.

MOTION moved by Mr. Timson to adjourn at 9:50 p.m. seconded by Mr. DeNapoli, VOTED 5-0-0

Respectfully submitted,

David Sullivan, Clerk