

FALL ANNUAL TOWN MEETING, OCTOBER 15, 2007

TOWN OF WALPOLE

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To any constable in the Town of Walpole

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Walpole, qualified to vote in elections in town affairs, to meet in the Auditorium of the Walpole High School in said Walpole on the

***THE THIRD MONDAY IN OCTOBER, IT BEING THE
15th DAY OF SAID MONTH, 2007***

at 7:30 p.m. then and there to see if the Town will vote to amend the By-laws and Zoning By-laws to said Town and act on the following articles:

Moderator Jon Rockwood called the meeting to order at 7:35 p.m. All rules and regulations concerning the call of a Fall Annual Town Meeting were fulfilled and a quorum was present.

The Assembly pledged allegiance to the Flag.

The National Anthem was sung by: Walpole High Singers

Dignitaries Present: Congressman Stephen Lynch

Town Clerk, Ronald A. Fucile attested to the proper return of the Warrant. In accordance with the bylaws of the Town of Walpole, Article 1, the Selectmen gave notice of the Fall Annual Town Meeting by posting attested copies of the Warrant calling the same in two (2) public places in each of eight precincts on September 9, 2007.

It was Moved and Seconded:

To waive the reading of the Warrant.

Motion Was: So Voted

It was Moved and Seconded:

That all Motions of the Finance Committee be Main Motions.

Motion Was: So Voted

Town Counsel was represented by: Joyce Frank of Kopelman & Paige, P.C.

Miscellaneous Information:

In attendance were the Walpole American Little Leaguers and their coaches.

Resolutions were presented for the Walpole American Little League Allstars and for former RTM and Registrar, Charles Brassil.

Library Trustee, Maura Rudolph updated Town Meeting on the progress of the Library Project. Planning Board Chairman, Jack Conroy & Town Planner, Don Johnson spoke regarding the rewrite of the Zoning Bylaws and a date of March 10, 2008 was chosen for a Special Town Meeting for the zoning issue. Superintendent Lincoln Lynch was introduced

Introduction by Moderator Jon Rockwood:

The Summer of 2007 was one that Walpole will never forget. Their many accomplishments have been well chronicled, but tonight we as a Town pay our own tribute to the Walpole Americans, their coaches and families.

Boys, just a word about who we are. As you learned in social studies class, in Washington, DC, we have Congress that makes the laws which the whole country follows, in Boston, where you have been, is the State Legislature, which make laws for the State. Well, this is Walpole Town Meeting, an ancient form of local government – we are the legislature that makes the laws the Town must follow. We pass the town budget and make local laws called by-laws.

Here before you are your neighbors, teachers, doctors, plumbers, policemen, firemen, dads and moms just like yours, - representatives elected from all aspects of the Walpole Community. But these people, elected to these positions, have a special interest in the Town. These people decided what to spend our tax dollars on and how much. Really, they decide the character of the Town. It's not easy and these people take pride in the community of Walpole to do the very best for the Town.

Now you have already been to so many exciting places, and met some exciting people. And so why is it important for this group of people to recognize you here tonight?

In the movie Miracle about the 1980 Olympic Hockey Team, Coach Brooks says to his team at a critical time, “The name on the front of the jersey is a heck of a lot more important than the name on the back.”

Well you boys exemplified that ideal your whole way through the summer in every game you played. Not only did you play with great skill and heart, but we also learned and heard that off the field, you conducted yourselves like gentlemen. Throughout the summer you were ambassadors- first to the state, then to New England, then to the whole world- for the Town of Walpole. So, your actions on and off the field brought great pride to our Town of Walpole – to the whole community. You brought great honor to the name Walpole, Massachusetts. So, in gratitude, Walpole Town Meeting, the caretakers of our great town, want to honor you tonight by celebrating both how you played, and who you are.

A Resolution to the Walpole Little Leaguers:



**TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS**

RESOLUTION

Resolved that: The Representative Town Meeting Members inscribe upon the record of the 2007 Fall Annual Town Meeting our recognition of the excellence achieved by THE WALPOLE AMERICAN LEAGUE ALLSTARS winning the State and New England Regional Championship;

Whereas: The excellent performance, dedication, and commitment of these young men along with their coaching staff, and parents have proven to be a source of admiration and inspiration to the citizens of Walpole;

And Further: As the representatives at the Little League World Series, captured the imagination of all by their good sportsmanship and inspired team play;

Therefore: Be it resolved that the Representative Town Meeting Members express the Town's pride and honor the Walpole American Leaguers All Star Team and coaching staff for their outstanding achievements;

And That: The Town Clerk provides a copy of this resolution to each team member and their coaches.

October 15, 2007

ARTICLE 1: To hear and act on the report of any committee or to choose any committee the Town may think proper and transact any other business that may legally come before the Town. (Petition of the Board of Selectmen)

ARTICLE 2. *On Motion by the Finance Committee; It was Moved and Seconded:*

the Town vote to amend the Fiscal Year 2008 Budget adopted under Article Six of the Spring Annual Town Meeting on May 1, 2007, and appropriate the sums shown below as follows:

Employee Fringe Benefits	\$ 15,223
Reserve Fund	12,452

And to meet this appropriation the sum of \$27,675 be raised from Taxation

Majority Vote Required

Motion Was: So Voted

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer a sum or sums of money from available funds for the purpose of supplementing the stabilization fund as authorized by Chapter 40, Section 5B of the Massachusetts General Laws as amended, or take any action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 3: *On Motion by the Finance Committee; It was Moved and Seconded:*

That the Town take No Action

Majority Vote Required

Motion Was: So Voted: No Action

ARTICLE 4: *On Motion by the Finance Committee; It was Moved and Seconded:*

That in accordance with G.L. c. 40, sec 5B to create a special purpose Stabilization Fund, to be know as the Capital Reserve Stabilization Fund, to be used to finance the purchase of capital items and the funding of capital projects, as well as for payment of debt service on borrowings incurred to finance such capital items and capital projects and to transfer \$754,329 to such fund from Free Cash.

2/3 Vote Required

Motion Was: So Voted 2/3: Moderator So Declared

ARTICLE 5: *On Motion by the Finance Committee; It was Moved and Seconded:*

The Town vote to transfer the sum of \$623,479 from Free Cash to the FY08 School Budget.

Majority Vote Required

Motion Was: So Voted

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ARTICLE 6: *On Motion by the Finance Committee; It was Moved and Seconded:*

That the Town vote to appropriate the sum of \$548,720 for street and drainage improvements and to meet this appropriation the sum of \$548,720 be transferred from Chapter 90 Funds.

Majority Vote Required

Motion Was: So Voted

ARTICLE 7: *On Motion by the Finance Committee; It was Moved and Seconded:*

That the Town vote to appropriate the sum of \$125,000 for the following purposes:

Deacon Willard Lewis House Improvements

OPR School Portable Classroom Sprinklers

Engineered Plan for Building Smoke Alarms

And that this sum of \$125,000 be transferred from Free Cash.

Majority Vote Required

Motion Was: So Voted

ARTICLE 8: *On Motion by the Finance Committee; It was Moved and Seconded:*

That the Town appropriate the sum of \$3057.29 to pay for an unpaid bill from FY06 and to meet this appropriation the sum of \$3057.29 be transferred from Free Cash.

4/5 Vote Required

Motion Was: So Voted Unanimous

ARTICLE 9: To see if the Town will vote to support the Town of Walpole Housing Production Plan the text of which is on file with the Town Clerk, or act or do anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 9: On Motion by the Finance Committee; It was Moved and Seconded:

Refer Back to Committee

Majority Vote Required

Motion Was: So Voted

ARTICLE 10: On Motion by the Finance Committee, It was Moved and Seconded:

That the Town vote to rezone land near the intersection of US Route 1, Old Post Road and Common Street, from a Residence B Zoning District to a Highway Business Zoning District and to amend the Town's Zoning Map to accomplish this change, said land being at or near the Walpole/Sharon Town line, as shown on the Town of Walpole Assessor's Map as a portion of Parcels 49-4, 49-6 and 49-7 and as further show on a plan of land entitled "Rezoning Site of Land in Walpole, Massachusetts" dated January 9, 2007 prepared by Merrikin Engineering, LLP, 2 Millstone Road, Suite 1C, Millis, Massachusetts 02054 and more particular describe as follows:

PARCEL A, A PORTION OF LOT 2A

Beginning at a point, said point being the southwesterly corner of Lot 2A at the Walpole/Sharon Town line, thence;

Running by land now or formerly of Charles A. and Corrine F. Hershman, along the Westerly property line of Lot 2A in three courses, northwesterly a distance of 152.57 feet more or less, northwesterly a distance of 88.25 feet more or less, and northwesterly a distance of 292.38 feet more or less, thence;

Turning and running by land now or formerly Charles A. and Corrine F. Hershman, along the northerly property line of Lot 2A, in three courses, northeasterly a distance of 68.60 feet more or less, northeasterly a distance of 235.18 feet more or less, and northeasterly a distance of 142.87 feet more or less, thence

Turning and running by land of Stephen P. Pajotte and Julienne M. Carty, southeasterly a distance of 88.16 feet more or less, thence;

Turning and running by land now or formerly of 995 Old Post Road Realty Trust in two courses, southeasterly a distance of 189.32 feet more or less, and southeasterly a distance of 6.57 feet more or less to the existing zone line, thence;

Turning and running along the existing zone line southwesterly a distance of 202.18 feet more or less to a corner of the Walpole Town line, thence;

Turning and running along the Walpole/Sharon Town line in two courses, southwesterly a distance of 444.04 feet more or less, and southwesterly a distance of 9.70 feet more or less to the point of beginning.

Meaning and intending to describe a portion of Lot 2A as show on a plan entitled "Plan of Land in Walpole, Mass: Norfolk County, By Walter E. Sampson Dated Jan. 19, 1979 and filed in the Norfolk County Registry of Deeds as Plan No. 340 of 1979, in Plan Book 275.

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In addition, as to said Parcel A, the Board of Selectmen is authorized to petition the Legislature under Amended Article 97 of the Massachusetts Constitution, to release a portion of the “open space/buffer zone” use restriction set forth in a deed from the Town’s Treasurer to 1600 Realty Trust, dated November 30, 2006 and recorded at the Norfolk Registry of Deeds at Book 24348, Page 563, regarding land in Walpole, on 699 Common Street, shown as Parcel 304-1-2 on Assessors’ Map F03, (now described on Assessors Map 49, Lot 4) as described in a deed recorded at the Norfolk Registry of Deeds at Book 7925, Page 508, by continuing to prohibit all uses at the subject land for a term of 99 years, except the following specific commercial uses: commercial parking, lighting, fencing, underground utilities, above ground utilities, driveways, drainage facilities, water and sewer, landscaping, filling and grading as required to perform the above noted items.

PARCEL B, A PORTION OF LOT 2B

Beginning at a point, said point being the northerly corner of Lot 2B at Common Street, thence;

Running along the southerly sideline of Common Street by a curve to the right with a radius of 120.00 feet, a distance of 102 feet more or less to the zone line, thence;

Turning and running along the zone line, southwesterly a distance of 213.16 feet more or less to the southeasterly sideline of Lot 2B, thence

Turning and running by land of 995 Old Post Road Realty Trust in two courses, southwesterly a distance of 70.17 feet more or less, and southeasterly a distance of 75.00 feet more or less to a lot corner, said lot corner being approximately at the zone line, thence;

Turning and running by land now or formerly of 995 Old Post Road Realty Trust, southwesterly a distance of 11.18 feet more or less to a point, thence;

Turning and running by land of 1600 Realty Trust (Lot 2A) northwesterly a distance of 189.32 feet more or less to a lot corner, thence;

Turning and running by land nor or formerly of Stephen P. Pajotte and Julienne M. Carty in two courses, northeasterly a distance of 134.00 feet more or less, and northeasterly a distance of 107.00 feet more or less to the point of beginning.

Meaning and intending to describe a portion of Lot 2B as shown on a plan entitled “Plan of Land in Walpole, Mass: Norfolk County, by Walter E. Sampson Dated Jan. 19, 1979 and Filed in the Norfolk County Registry of Deeds as Plan No 340 of 1979, in Plan Book 275.

PARCEL C, A PORTION OF 995 OLD POST ROAD

Beginning at a point, said point being the intersection of the northerly property line of 995 Old Post Road and the zone line, thence;

Running southwesterly along the zone line a distance of 113.75 to a lot corner of 995 Old Post Road, thence;

Turning and running along the southwesterly lot line of Lot 2B, a distance of 75.00 feet more or less to a lot corner, thence

Turning and running by Lot 2B northeasterly a distance of 70.17 feet more or less to the point of beginning.

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PARCEL D, A PORTION OF LOT 995 OLD POST ROAD

Beginning at a point, said point being the southwesterly corner of Lot 2B at the zone line, thence;

Running southwesterly along the zone line a distance of 10.31 feet to the easterly lot corner of land of 1600 Realty Trust (Lot 2A), thence;

Turning and running by land of 1600 Realty Trust (Lot 2A), northwesterly, a distance of 6.57 feet to a lot corner, thence

Turning and running by land of 995 Old Post Realty Trust (Lot 2B), southwesterly a distance of 11.18 feet to the point of beginning.

Said parcels containing approximately 264,058 square feet more or less in total, and to take any other action as may be necessary thereto.

2/3 Vote Required

Motion Was: So Voted 2/3: Moderator So Declared

**TOWN OF WALPOLE
THE COMMONWEALTH OF MASSACHUSETTS
FALL ANNUAL TOWN MEETING**

DISSOLUTION NOTICE

October 15, 2007

There being no further business to come before this Fall Annual Town Meeting:

It Was Moved by Betty Nashawaty, Seconded by Patrick Grant:

That this meeting be dissolved.

Motion Was: So Voted

Moderator Jon W. Rockwood so declared at 10:00 p.m.

**Ronald A. Fucile, Town Clerk
A True Copy Attest**