

Representative Town Meeting Appointment:

Prior to the Call to Order of The Spring Annual Town Meeting of May 2, 2005 the RTM's of Precinct 5 met at the Walpole High School Auditorium to fill a vacancy in their membership in accordance with Section 2-7(B) 1 of the Walpole Town Charter.

The following action was taken: Dawn Freiberger of 20 Concord Drive was elected to fill the vacant position in Precinct 5.

SPRING ANNUAL TOWN MEETING

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

FIRST MONDAY IN MAY, IT BEING THE SECOND DAY OF SAID MONTH, 2005

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 on the following articles:

Moderator Jon W. Rockwood called the meeting to order at 7:45 p.m. All rules and regulations concerning the call of a Spring Annual Town Meeting were fulfilled and a quorum was present.

The assembly pledged allegiance to the flag.

The National Anthem was sung by: the after school singers

Dignitaries present were: Congressman Stephen Lynch and State Senator James Timilty.

Town Clerk, Ronald A. Fucile, attested to the proper return of the Warrant. In accordance with the By-laws of the Town of Walpole, Article 1, the Selectmen gave notice of the Spring Annual Town Meeting by posting attested copies of the Warrant calling the same in two (2) public places in each of the eight (8) precincts in the Town of Walpole on February 10, 2005.

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

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

Tellers were: Bruce Bottomley, Patrick Grant, Paul Hoegler, Mary Campbell, Elizabeth Nashawaty, and Amy Fassett.

It was Moved and Seconded:

To Move Article 71 to a Time Certain on Monday, May 9, 2005.

Majority Vote Required

On Standing Vote the Motion Was:

So Voted: Yes: 79, No 29

It was Moved by Ralph Knobel, Seconded by Joseph Deneen:

To Adjourn the Spring Annual Town Meeting until the Special Town Meeting is concluded.

Motion Was: So Voted

SPECIAL TOWN MEETING, MAY 2, 2005

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

FIRST MONDAY IN MAY, IT BEING THE 2ND DAY OF SAID MONTH, 2005

at 8:00 p.m. then and there to see if the Town will vote to amend the Zoning By-laws to said Town and act on the following articles:

Moderator Jon W. Rockwood called the meeting to order at **8:15 p.m.** All rules and regulations concerning the call of a Special Town Meeting were fulfilled and a quorum was present.

The assembly pledged allegiance to the flag.

Town Clerk, Ronald A. Fucile, attested to the proper return of the Warrant. In accordance with the By-laws of the Town of Walpole, Article 1, the Selectmen gave notice of the Special Town Meeting by posting attested copies of the Warrant calling the same in two (2) public places in each of the eight (8) precincts in the Town of Walpole on March 23, 2005.

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

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

Tellers were: Bruce Bottomley, Paul Hoegler, Betty Nashawaty, Patrick Grant, Mary Campbell and Amy Fassett.

ARTICLE 1. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend the Walpole Zoning By-laws, Section 3-B, Schedule of Use Regulations, by changing the Section 3-B(4)(s) use entry to two separate entries to read as follows:

	RA	RB	GR	R	PSRC	B	CBD	HB	LM	IND
s. Animal or veterinary hospital	X	X	X	X	X	SP3	SP3	SP3	A	SP3
t. Kennel, Commercial	X	X	X	X	X	SP3	SP3	SP3	A	SP3

And to renumber the remaining uses t. through ee. to u. through ff.

And further to amend the Walpole Zoning Bylaws Section 1-C, Definitions, by adding the following language:

Kennel, Commercial-A pack or collection of more than five (5) dogs, cats, or other domestic animals on a single premises maintained for sale, commercial breeding, boarding, grooming, training, or for any other commercial purposes, and including any shop where dogs are for sale. However, kennels located on parcels of five (5) acres or more and located in the Rural (R) zone and which include the breeding and raising of animals are considered an agricultural use as per Section 3-B-2 (b) of the Zoning Bylaw and are protected by the agricultural exemption of M.G.L. c. 40A §3.

Animal Clinic or Animal Hospital- A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to the clinic or hospital use.

2/3 Vote Required

Motion Was: So Voted Unanimous - (Letter of Approval from Attorney General, August 23, 2005)

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

That the Town amend the Zoning By-laws Section 3-D (13), Enclosure of Uses by deleting the current section and replacing it with the following:

(13) The uses described in Section 3-B-4, lines q, t, w, x, y

2/3 Vote Required

Motion Was: So Voted Unanimous - (Letter of Approval from Attorney General, August 23, 2005)

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

That \$55,000 is appropriated for the cost of engineering and/or architectural services in connection with the study, design and/or project management of a new police facility or police and fire facility, including a feasibility study to examine alternative building designs and costs; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen is authorized to borrow \$55,000 under G.L. c.44, sec.7(21) or any other enabling authority; and that the Board of Selectmen is authorized to take any other action necessary to carry out the project.

2/3 Vote Required

On Standing Vote:

Motion Was: So Voted: 110 – Yes, 3 - No

SPECIAL TOWN MEETING, MAY 2, 2005

TOWN OF WALPOLE

COMMONWEALTH OF MASSACHUSETTS

NOTICE OF DISSOLUTION

Date: May 2, 2005

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

It was Moved by Ralph Knobel and Seconded by Joseph Denneen,

That this meeting be dissolved.

Motion Was: So Voted

Moderator Jon W. Rockwood so declared at 8:45 p.m. on May 2, 2005.

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

SPRING ANNUAL TOWN MEETING OF MAY 2, 2005

TOWN OF WALPOLE

THE COMMONWEALTH OF MASSACHUSETTS

Date: May 2, 2005

Pursuant to the foregoing adjournment of The Special Town Meeting, The Spring Annual Town Meeting reconvened and was called to order by **Moderator Jon W. Rockwood at 8:46 p.m.** All rules and regulations concerning the call of an adjourned Annual Town Meeting were fulfilled and a quorum was present.

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

That the Town approve the amendments to the Personnel By-laws as found on file in the Office of the Town Clerk.

The following are proposed changes to the Personnel By-laws. Changes are those words in bold print or strikethroughs

ARTICLE 9 - INCREASES:

*Progression through the rate ranges is NOT automatic and shall be on the basis of step increases of merit on recommendation of the Department Head and the Personnel Board. **If employees ~~who~~ leave the service of the Town after **the** first day of the year and an increase in pay is **approved** at the Annual Town Meeting, these employees will be paid such increases **for** the time worked during the year.***

NEW HIRES: ~~Employees who start work between January 1 and June 30 of any given year will be eligible for a merit or step increase~~

on July 1st of the following calendar year.

NEW HIRES:

Employees hired on or after January 1, 2005 - At the end of the one-year probationary period, the department head will complete a performance evaluation to determine the status of probationary to permanent. If the employee is recommended for permanent status, then he/she will advance a step if a rating of 75 or better is received. Thereafter, eligibility for step increases will be on the anniversary date. (Revised 1/05)

ARTICLE 27 - LONGEVITY PAY:

Effective July 1, 2005, the following longevity policy shall be in effect:

after five (5) years service	-	\$250.00	\$350.00
after ten (10) years service	-	\$350.00	\$450.00
after fifteen (15) years service	-	\$450.00	\$550.00
after twenty (20) years service	-	\$550.00	\$650.00

ARTICLE 33 - MATERNITY/ADOPTION LEAVE:

FAMILY, MEDICAL AND SMALL NECESSITIES LEAVE:

The Town is subject to the provisions of the Family and Medical Leave Act of 1993 (FMLA) and Small Necessities Leave Act of 1998 (SNLA). The FMLA and the SNLA shall not increase or decrease the length of leave available to eligible employees under the leave provisions set forth under these by-laws. When an employee is eligible for leave under the Personnel By-Laws for a reason which would entitle the employee to leave under the FMLA or SNLA, such leave will also be considered FMLA and SNLA leave entitlement. FMLA and SNLA leave is not cumulative and is not in addition to leaves currently available to the extent such leaves are for reasons covered by the FMLA and SNLA. (Policy on file) (Revised 1/05)

ARTICLE 35 - SEXUAL HARASSMENT:

The Town of Walpole is committed to the provision of a safe and non-discriminatory work place for all of its employees. Pursuant to this commitment the Board of Selectmen and the Personnel Board endorse and adopt the following policy and its adjunct procedures to educate employees, to comply with statutory mandates, to address real and potential incidents and to strive to secure a harassment-free work environment.

- I. It is illegal and against the policies of the Town of Walpole for any employee or Town Official, male or female, to sexually harass another employee by:
1. Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature, a condition of the employee's continuing employment, or
 2. Making submission to or rejection of such conduct the basis for employment decisions affecting the employee, or
 3. Creating and intimidating, hostile or offensive working environment by such conduct.

Examples of conduct which may constitute sexual harassment includes but not limited to:

- a. using one's position or authority, either implicitly or explicitly, to coerce an employee into complying with sexual favor;
- b. unwanted touching, fondling, patting, hugging, pinching, kissing, cornering or brushing;
- c. questions and compliments about a person's sexual behavior, sexually oriented jokes, or comments about a person's body or conversations filled with sexual innuendo and double meanings, and
- d. displaying sexually suggestive pictures or objects in the work place, leering or ogling in a sexually explicit manner, or gesturing and making lewd motions with one's body.
- e. **Viewing sexually explicit websites, sending sexually explicit emails or voicemails to or from the work place.**

II. Any employee who believes he or she has been the subject of sexual harassment should report the alleged act(s) and/or behavior to his or her department head and/or **Town Administrator, Assistant Town Administrator or Personnel and Benefits Coordinator at Walpole Town Hall, 135 School Street, Walpole, MA 02081, (508) 660-7289. Complaints should be made within a timely manner. Complaints may also be made through contacting either of the two government agencies below:**

Massachusetts Commission Against Discrimination
One Ashburton Place, Room 601
Boston, MA 02108 (617) 994-6000
Web site: www.mass.gov/mcad/hours.html

Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203 (800) 669-4000 or (617) 565-3200
Web site: www.eeoc.gov/boston/index.html

An investigation of all complaints will be undertaken immediately and in compliance with the Sexual Harassment Complaint Procedure. Any supervisor, agent or other employee who has been found by the administration after appropriate investigation to have sexually harassed another employee will be subject to appropriate sanctions, which range, depending upon the circumstances, from remedial training up to and including termination.

Any retaliation for filing a complaint or cooperating in an investigation is unlawful and is prohibited by the Town. Retaliatory action shall be regarded as a separate and distinct cause for complaint under the Sexual Harassment Complaint Procedure, and as a basis for disciplinary action against the offending employee should investigation validate said complaint.

*III. The complaint procedure shall be implemented in instances of the alleged sexual harassment of employees by non-employees and on non-employees by employees occurring in the work place and within the jurisdiction of the complaint procedure of the Town of Walpole. Alleged occurrences which are not within the jurisdiction of the complaint procedure will be referred to an enforcement agency, if applicable. **If there is no available enforcement agency**, Administration will take reasonable steps to prevent such conduct.*

The Board of Selectmen and the Personnel Board affirm their responsibility to provide a work environment free of sexual harassment and recognize that such an environment is the result of continued responsible action and behavior by all employees. Any employee is encouraged to raise questions regarding sexual harassment or other barriers to equal employment opportunity with the Assistant Town Administrator.

*Submitted for approval as part of the Town of Walpole Personnel By-Law and Adopted by Board of Selectmen and Personnel Board.
(Revised 1/05)*

Sexual Harassment Complaint Procedure is on file in the Town Clerk's Office, Personnel and Town Administration.

Majority Vote Required

Motion Was: So Voted

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

That the Town approve the new salary schedule as recommended by the Personnel Board as found on file in the Office of the Town Clerk.

TOWN OF WALPOLE															
PROFESSIONAL COMPENSATION & CLASSIFICATION PLAN														Effective	7/1/2005
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
Town Administrator															
P-37	93,593	95,465	97,374	99,321	101,308	103,334	105,401	107,509	109,659	111,852	114,089	116,371	118,698	121,072	123,494
P-36	84,995	86,695	88,429	90,197	92,001	93,841	95,718	97,633	99,585	101,577	103,608	105,681	107,794	109,950	112,149
DPW Director, Fire Chief, Police Chief															
P-35	76,399	77,927	79,486	81,076	82,697	84,351	86,038	87,759	89,514	91,304	93,130	94,993	96,893	98,831	100,807
Asst Town Administrator, Finance Director															
P-34	70,740	72,155	73,598	75,070	76,572	78,103	79,665	81,258	82,884	84,541	86,232	87,957	89,716	91,510	93,340
Bldg Insp/Comm - Community Devel Dir - Deputy Fire Chief - Deputy Police Chief															
P-33	65,499	66,808	68,145	69,508	70,898	72,316	73,762	75,237	76,742	78,277	79,842	81,439	83,068	84,729	86,424
Accountant-Appraiser-Computer Network Admin-Engineer-Health Agent-Library Dir-Police Lt-Supt of Bldgs-Supt of Hwy & Pks-Supt of S & W															
P-32	60,658	61,872	63,109	64,371	65,659	66,972	68,311	69,678	71,071	72,492	73,942	75,421	76,930	78,468	80,038
Supt of Highways, Supt of Parks, Town Planner															
P-31	56,161	57,284	58,430	59,598	60,790	62,006	63,246	64,511	65,801	67,117	68,460	69,829	71,225	72,650	74,103
Asst. Engineer-Asst. Supt of Hwy & Parks-Asst. Supt of S & W-Economic Development & Grant Officer-Recreation Dir															
Supt of Vehicle Maint- Town Clerk															
P-30	52,001	53,041	54,102	55,184	56,288	57,414	58,562	59,733	60,928	62,146	63,389	64,657	65,950	67,269	68,615
Adult Service Librarian/Asst. Dir, Conservation Agent, Council on Aging Dir, Purchasing Agent															
P-29	48,147	49,110	50,092	51,094	52,116	53,159	54,222	55,306	56,412	57,541	58,691	59,865	61,062	62,284	63,529
Animal Contr Officer/Veteran's Agt, Asst.Treasurer/Collector, Dep Health Agt, GIS Coord/Sr. Eng Aide, Pers & Benefits Coord															
P-28	44,616	45,509	46,419	47,347	48,294	49,260	50,245	51,250	52,275	53,320	54,387	55,475	56,584	57,716	58,870
Adm Secretary, Asst. Acct., Children's Librarian, Recreation Coordinator, Ref. Services Librarian, Tech Services Librarian															
P-27	41,280	42,105	42,948	43,806	44,683	45,576	46,488	47,418	48,366	49,333	50,320	51,326	52,353	53,400	54,468
Adm. Asst, Animal Contr Officer , Asst. Recreation Coord, Engineer Insp, PC Support Tech, Plan Review/Central Permit Adm															
P-26	35,906	36,624	37,356	38,103	38,866	39,643	40,436	41,244	42,069	42,911	43,769	44,644	45,537	46,448	47,377
Engineering Aide															
P-25	32,770	33,426	34,094	34,776	35,472	36,181	36,905	37,643	38,396	39,164	39,947	40,746	41,561	42,392	43,240
TOWN OF WALPOLE															
HOURLY & ADMINISTRATIVE/PROFESSIONAL SALARY SCHEDULE														Effective	7/1/2005
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
H-16	27.11	27.65	28.21	28.77	29.35	29.93	30.53	31.14	31.77	32.40	33.05	33.71	34.38	35.07	35.77
H-15	24.88	25.37	25.88	26.40	26.93	27.47	28.02	28.58	29.15	29.73	30.32	30.93	31.55	32.18	32.82
Deputy Building Inspector, Sanitarian															
H-14	22.83	23.28	23.75	24.22	24.71	25.20	25.71	26.22	26.75	27.28	27.83	28.38	28.95	29.53	30.12
Library/School/Community Liaison															
H-13	20.93	21.35	21.78	22.21	22.66	23.11	23.57	24.04	24.52	25.01	25.51	26.02	26.54	27.08	27.62

GRADE	POSITION	Min	Max	
ELECTION				
E-1	Election Officer		7.57/hr	
E-2	Election Deputy Warden, Clerks, Deputy Clerks		9.34/hr	
E-3	Election Registrar, Election Warden		11.20/hr	
E-6	Member, Board of Assessors		2752/yr	Delete
E-7	Chairman, Board of Assessors		2952/yr	Delete
**Rates are set by Town Meeting Vote				Delete

FIRE		Min	Max
F-1	Fire Alarm Maintenance Technician	8.87	10.92
F-2	Deputy Supt. of Fire Alarm Maintenance	9.27	11.33
F-3	Call Firefighter - Trainee	11.73	14.34
F-4	Call Firefighter - Private	13.09	15.98
F-5	Call Firefighter - Lieutenant	14.45	17.65
F-6	Fire Company Clerk (retainer)		120/yr
F-7	Fire Truck Checker (retainer)		525/yr
F-8	Fire Janitor Steward (retainer)		525/yr

SAFETY		Min	Max
S-1	School Traffic Officer		13.17
S-2	Police Matron	10.78	13.15
	Interpreter	"	"
S-3	Special Police (town paid)		10.18
S-4	Special Police (non-town paid)		30.25

INSPECTION		Min	Max
I-1	Inspector/Deputy Inspector		19.60
I-2	Supt. Insect/Pest Control (stipend)		400/yr
I-3	Tree Warden (stipend)		700/yr
I-4	Animal Inspector (stipend)	3850/yr	5,000/yr
I-5	Inspector of Weights and Measures	3378/yr	4650/yr
I-6	Deputy Tree Warden (stipend)		500/yr

PUBLIC WORKS:		Min	Max
PW-1	Seasonal Snow Removal Operator		20.00

GRADE	POSITION	Min	Max
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RECREATION

R-6	Program Specialist Water Safety Instructor	11.20 "	13.161 "
R-5	Program Supervisor (For day camp, tennis, floor hockey and girls softl	9.52 "	11.54 "
R-4	Lifeguards	8.96	10.64
R-3	Program Instructors (Adult and children's programs, umpires, referees)	8.41 "	10.03 "
R-2	Gate Attendants Program Aides	7.18 "	8.96 "
R-1	Specialized Instructors	10.00 - 50.00 per hour 5.00 - 60.00 per participant	

GRANT SCHEDULE

		Min	Max		
<i>G-1</i>	<i>Tobacco Control Coordinator</i>	3978	4774	(3hrs/wk)	Delete
<i>G-2</i>	<i>Tobacco Control Director</i>	33137	44554	(35hrs/wk)	Delete
<i>G-3</i>	<i>Tobacco Control Asst. Director</i>	27846	33415	(35hrs/wk)	Delete
<i>G-4</i>	<i>Tobacco Control Office Assistant</i>	6.89/hr	8.61/hr		Delete
<i>G-5 to G-1</i>	Coordinator for Volunteer Services Sr. Citizen Computer Data Base Coordinator	9.69/hr "	15.81/hr "		
<i>G-6</i>	<i>Tobacco Control Coalition Compliance Inspector</i>	15.30/hr	20.81/hr		Delete

Majority Vote Required

Motion Was: So Voted

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

That the Town raise and appropriate from Taxation the sum of \$4,400 to defray certain salary increases for non-union personnel as recommended by the Personnel Board.

Majority Vote Required

Motion Was: So Voted

ARTICLE 5. To see if the Town will vote to borrow and/or transfer from available funds, a supplemental sum or sums of money to the various operating budgets for Fiscal Year 2005(July 1, 2004 June 30, 2005, and to see what budgets for Fiscal Year 2005 will be reduced to offset appropriations or reduced due to reductions in local aid, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 5. 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 6. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town fix the salary & compensation for elected officials of the Town as provided for by General Laws, Chapter 41, Section 108, for their services for the fiscal year commencing July 1, 2005 and that the Town vote to appropriate the following sums for the operation of municipal and school departmental and incidental expenses of the Town for Fiscal Year 2006 (July 1, 2005 to June 30, 2006) and that the sum of \$54,170,372 be raised from the following fund sources:

Taxation	\$ 52,213,278
Ambulance Fund	\$ 450,000
Free Cash	\$ 375,000
Overlay Surplus	\$ 50,000
Prison Mitigation Fund	\$ 69,581
Sale of Bond Premium	\$ 282,342
Sale of Cemetery Lots	\$ 3,000
Septic Loan Program	\$ 1,500
Water Enterprise Fund Revenue	\$ 506,337
Sewer Enterprise Fund Revenue	\$ 219,334
TOTAL	\$54,170,372

Majority Vote Required

Motion Was: So Voted

<u>BUDGET</u>	<u>LINE ITEM</u>	<u>FY'2003</u>	<u>FY'2004</u>	<u>FY'2005 DEPT.</u>	<u>FY'2006</u>	<u>FY' 2006 FinCom</u>
	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>EXPENDED</u>	<u>BUDGET</u>	<u>REQUEST</u>	<u>RECOMMEND</u>
01114 Town Moderator						
	TOTAL EXPENSES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL TOWN MODERATOR:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
01122 Selectmen						
	TOTAL PERSONNEL SERVICES	\$60,854.98	\$44,158.62	\$51,599.00	\$55,604.00	\$55,604.00
	TOTAL EXPENSES	\$8,610.50	\$8,022.76	\$14,208.00	\$14,228.00	\$13,723.00
	TOTAL SELECTMEN:	\$69,465.48	\$52,181.38	\$65,807.00	\$69,832.00	\$69,327.00
01123 Administration						
	TOTAL PERSONNEL SERVICES	\$316,479.47	\$308,359.31	\$321,129.00	\$342,094.00	\$335,704.00
	TOTAL EXPENSES	\$18,174.96	\$18,902.81	\$28,570.00	\$28,735.00	\$26,785.00
	TOTAL ADMINISTRATION:	\$334,654.43	\$327,262.12	\$349,699.00	\$370,829.00	\$362,489.00
01131 Finance Committee						
	TOTAL PERSONNEL SERVICES	\$6,651.37	\$7,286.38	\$8,502.00	\$8,950.00	\$8,950.00
	TOTAL EXPENSES	\$8,255.60	\$7,100.51	\$12,115.00	\$11,150.00	\$10,600.00
	TOTAL FINANCE COMMITTEE:	\$14,906.97	\$14,386.89	\$20,617.00	\$20,100.00	\$19,550.00
01132 Reserve Fund						
	TOTAL EXPENSES	\$0.00	\$0.00	\$150,000.00	\$150,000.00	\$150,000.00
	TOTAL RESERVE FUND:	\$0.00	\$0.00	\$150,000.00	\$150,000.00	\$150,000.00
01133 Finance Director						
	TOTAL PERSONNEL SERVICES	\$73,319.18	\$76,669.73	\$82,479.00	\$86,232.00	\$86,232.00
	TOTAL FINANCE DIRECTOR:	\$73,319.18	\$76,669.73	\$82,479.00	\$86,232.00	\$86,232.00
01135 Town Accountant						
	TOTAL PERSONNEL SERVICES	\$124,229.98	\$120,864.16	\$138,245.00	\$146,487.00	\$147,364.00
	TOTAL EXPENSES	\$2,890.12	\$1,918.26	\$2,850.00	\$4,650.00	\$4,000.00
	TOTAL TOWN ACCOUNTANT:	\$127,120.10	\$122,782.42	\$141,095.00	\$151,137.00	\$151,364.00
01138 Municipal Office Expenses						
	TOTAL EXPENSES	\$38,258.02	\$33,174.44	\$58,600.00	\$58,900.00	\$54,900.00
	TOTAL CENTRAL PURCHASING:	\$38,258.02	\$33,174.44	\$58,600.00	\$58,900.00	\$54,900.00
01141 Board Of Assessors						
	TOTAL PERSONNEL SERVICES	\$181,221.43	\$192,503.51	\$191,652.00	\$195,774.00	\$194,694.00
	TOTAL EXPENSES	\$34,870.42	\$43,113.72	\$41,950.00	\$58,535.00	\$46,060.00
	TOTAL ASSESSORS:	\$216,091.85	\$235,617.23	\$233,602.00	\$254,309.00	\$240,754.00
01145 Treasurer						
	TOTAL PERSONNEL SERVICES	\$82,351.13	\$88,861.17	\$93,926.00	\$96,768.00	\$96,768.00
	TOTAL EXPENSES	\$36,860.73	\$35,233.69	\$39,625.00	\$58,197.00	\$56,675.00
	TOTAL TREASURER:	\$119,211.86	\$124,094.86	\$133,551.00	\$154,965.00	\$153,443.00
01146 Collector						
	TOTAL PERSONNEL SERVICES	\$98,664.58	\$91,584.69	\$95,678.00	\$92,691.00	\$92,691.00
	TOTAL EXPENSES	\$52,217.60	\$49,301.40	\$62,460.00	\$64,465.00	\$62,965.00
	TOTAL COLLECTOR:	\$150,882.18	\$140,886.09	\$158,138.00	\$157,156.00	\$155,656.00
01151 Legal Services						
	TOTAL EXPENSES	\$161,513.38	\$128,477.63	\$150,000.00	\$150,000.00	\$150,000.00
	TOTAL LEGAL SERVICES:	\$161,513.38	\$128,477.63	\$150,000.00	\$150,000.00	\$150,000.00
01152 Personnel Board						
	TOTAL PERSONNEL SERVICES	\$2,873.28	\$3,030.59	\$0.00	\$0.00	\$0.00
	TOTAL EXPENSES	\$8,745.00	\$13,853.07	\$11,750.00	\$12,750.00	\$11,750.00
	TOTAL PERSONNEL BOARD:	\$11,618.28	\$16,883.66	\$11,750.00	\$12,750.00	\$11,750.00

01162 Elections & Registrars						
	TOTAL PERSONNEL SERVICES	\$51,066.61	\$35,228.36	\$48,921.00	\$41,418.70	\$41,920.00
	TOTAL EXPENSES	\$19,763.67	\$17,639.58	\$15,100.00	\$18,300.00	\$16,150.00
	TOTAL ELECTIONS & REGISTRARS:	\$70,830.28	\$52,867.94	\$64,021.00	\$59,718.70	\$58,070.00
01113 Charter Review Committee						
	TOTAL PERSONNEL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL EXPENSES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL CHARTER REVIEW COMM.:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
01171 Conservation Commission						
	TOTAL PERSONNEL SERVICES	\$45,365.56	\$47,748.68	\$52,160.00	\$58,378.00	\$54,053.00
	TOTAL EXPENSES	\$4,151.74	\$5,713.48	\$5,650.00	\$5,700.00	\$5,200.00
	TOTAL CONSERVATION COMM:	\$49,517.30	\$53,462.16	\$57,810.00	\$64,078.00	\$59,253.00
01119 By-Law Review Committee						
	TOTAL PERSONNEL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL EXPENSES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL BY-LAW REVIEW COMM.:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
01175 Planning Board						
	TOTAL PERSONNEL SERVICES	\$69,568.06	\$67,552.85	\$98,511.00	\$101,565.00	\$97,089.00
	TOTAL EXPENSES	\$4,644.16	\$10,117.19	\$8,590.00	\$12,550.00	\$10,150.00
	TOTAL PLANNING BOARD:	\$74,212.22	\$77,670.04	\$107,101.00	\$114,115.00	\$107,239.00
01176 Zoning Board Of Appeals						
	TOTAL PERSONNEL SERVICES	\$33,138.87	\$23,402.24	\$25,231.00	\$26,384.00	\$25,358.00
	TOTAL EXPENSES	\$1,865.80	\$2,649.23	\$2,900.00	\$2,700.00	\$2,500.00
	TOTAL ZONING BOARD OF APPEALS:	\$35,004.67	\$26,051.47	\$28,131.00	\$29,084.00	\$27,858.00
01179 Ponds Management Committee:						
	TOTAL EXPENSES	\$0.00	\$571.00	\$6,500.00	\$25,000.00	\$6,500.00
	TOTAL PONDS MGMT COMM.:	\$0.00	\$571.00	\$6,500.00	\$25,000.00	\$6,500.00
01182 Economic Development Committee						
	TOTAL PERSONNEL EXPENSES	\$0.00	\$0.00	\$50,733.00	\$57,414.00	\$57,414.00
	TOTAL EXPENSES	\$8.27	\$514.00	\$6,000.00	\$5,750.00	\$4,750.00
	TOTAL ECONOMIC DEVEL. COMM.:	\$8.27	\$514.00	\$56,733.00	\$63,164.00	\$62,164.00
01189 Permanent Building Committee						
	TOTAL PERSONNEL SERVICES	\$12,612.20	\$8,223.15	\$9,485.00	\$9,918.00	\$9,918.00
	TOTAL EXPENSES	\$52.73	\$21.83	\$250.00	\$250.00	\$250.00
	TOTAL PERM. BLDG. COMMITTEE:	\$12,664.93	\$8,244.98	\$9,735.00	\$10,168.00	\$10,168.00
01192 - DPW: Building Maintenance						
	TOTAL PERSONNEL SERVICES	\$472,703.45	\$476,703.50	\$505,768.00	\$513,724.00	\$481,225.00
	TOTAL EXPENSES	\$817,994.43	\$972,460.40	\$906,925.00	\$1,096,750.00	\$956,025.00
	TOTAL BUILDING MAINT.:	\$1,290,697.88	\$1,449,163.90	\$1,412,693.00	\$1,610,474.00	\$1,437,250.00
01195 Town Report & Annual Audit						
	TOTAL EXPENSES	\$23,016.60	\$24,266.34	\$24,500.00	\$24,500.00	\$24,500.00
	TOTAL TOWN REPORT & AUDIT:	\$23,016.60	\$24,266.34	\$24,500.00	\$24,500.00	\$24,500.00
01199 Trust Fund Commission						
	TOTAL PERSONNEL SERVICES	\$0.00	\$0.00	\$250.00	\$250.00	\$250.00
	TOTAL EXPENSES	\$181.00	\$74.00	\$375.00	\$375.00	\$375.00
	TOTAL TRUST FUND COMM.:	\$181.00	\$74.00	\$625.00	\$625.00	\$625.00
TOTAL GENERAL GOVERNMENT:		\$3,090,767.32	\$3,190,971.77	\$3,545,827.00	\$3,902,046.70	\$3,636,718.00

01244 Weights & Measures						
	TOTAL PERSONNEL SERVICES	\$0.00	\$0.00	\$784.00	\$0.00	\$0.00
	TOTAL EXPENSES	\$0.00	\$9,250.00	\$5,800.00	\$5,800.00	\$6,300.00
	TOTAL WEIGHTS & MEASURES:	\$0.00	\$9,250.00	\$6,584.00	\$5,800.00	\$6,300.00
01291 Emergency Management						
	TOTAL PERSONNEL SERVICES	\$5,881.98	\$6,330.00	\$6,801.00	\$7,110.00	\$7,110.00
	TOTAL EXPENSES	\$4,286.30	\$6,812.90	\$5,823.00	\$15,840.00	\$7,840.00
	TOTAL EMERGENCY MGMT.:	\$10,168.28	\$13,142.90	\$12,624.00	\$22,950.00	\$14,950.00
01292 Animal Control						
	TOTAL PERSONNEL SERVICES	\$29,488.00	\$30,198.00	\$32,375.00	\$33,513.00	\$33,513.00
	TOTAL EXPENSES	\$8,268.60	\$7,430.37	\$8,345.00	\$8,980.00	\$8,880.00
	TOTAL ANIMAL CONTROL:	\$37,756.60	\$37,628.37	\$40,720.00	\$42,493.00	\$42,393.00
TOTAL PUBLIC SAFETY		\$5,187,176.31	\$5,573,874.32	\$6,002,664.00	\$6,516,727.00	\$6,360,146.00
01300 Walpole Public Schools						
	TOTAL PERSONNEL & EXPENSES	\$23,675,802.55	\$23,999,270.72	\$25,295,585.00	\$26,853,760.00	\$26,265,000.00
	TOTAL WALPOLE PUBLIC SCHOOLS:	\$23,675,802.55	\$23,999,270.72	\$25,295,585.00	\$26,853,760.00	\$26,265,000.00
01301 Tri-County Vocational						
	TOTAL EXPENSES	\$570,306.00	\$511,497.00	\$600,890.00	\$680,000.00	\$673,670.00
	TOTAL TRI-COUNTY VOC. TECH:	\$570,306.00	\$511,497.00	\$600,890.00	\$680,000.00	\$673,670.00
TOTAL PUBLIC EDUCATION:		\$24,246,108.55	\$24,510,767.72	\$25,896,475.00	\$27,533,760.00	\$26,938,670.00
01411 DPW: Engineering						
	TOTAL PERSONNEL SERVICES	\$201,329.62	\$169,831.70	\$182,920.00	\$232,613.00	\$189,702.00
	TOTAL EXPENSES	\$26,137.04	\$20,230.53	\$37,965.00	\$55,219.00	\$39,010.00
	TOTAL ENGINEERING:	\$227,466.66	\$190,062.23	\$220,885.00	\$287,832.00	\$228,712.00
01421 DPW: Administration						
	TOTAL PERSONNEL SERVICES	\$119,346.75	\$130,654.95	\$127,090.00	\$171,578.00	\$172,623.00
	TOTAL EXPENSES	\$6,603.18	\$8,602.18	\$8,750.00	\$8,900.00	\$8,150.00
	TOTAL DPW ADMINISTRATION:	\$125,949.93	\$139,257.13	\$135,840.00	\$180,478.00	\$180,773.00
01422 - DPW: Highway Division						
	TOTAL PERSONNEL SERVICES	\$407,795.98	\$399,073.40	\$433,552.00	\$471,867.00	\$468,402.00
	TOTAL EXPENSES	\$68,177.53	\$180,793.54	\$138,160.00	\$186,830.00	\$143,450.00
	TOTAL HIGHWAY DIVISION:	\$475,973.51	\$579,866.94	\$544,499.00	\$658,697.00	\$611,852.00
01423 DPW: Snow & Ice Removal						
	TOTAL PERSONNEL SERVICES	\$171,095.84	\$102,399.63	\$92,000.00	\$100,120.00	\$93,000.00
	TOTAL EXPENSES	\$498,433.16	\$399,494.14	\$228,750.00	\$253,850.00	\$233,750.00
	TOTAL SNOW & ICE REMOVAL:	\$669,529.00	\$501,893.77	\$320,750.00	\$353,970.00	\$326,750.00
01424 DPW: Street Lighting						
	TOTAL EXPENSES	\$262,513.61	\$291,770.67	\$317,000.00	\$390,700.00	\$322,250.00
	TOTAL STREET LIGHTING:	\$262,513.61	\$291,770.67	\$317,000.00	\$390,700.00	\$322,250.00
01433 Solid Waste & Recycling						
	TOTAL EXPENSES	\$1,201,612.83	\$1,297,957.76	\$1,447,536.00	\$1,661,081.00	\$1,520,642.00

01491 DPW: Cemetery						
	TOTAL PERSONNEL SERVICES	\$86,607.00	\$95,648.55	\$95,222.00	\$107,426.00	\$105,081.00
	TOTAL EXPENSES	\$9,620.01	\$10,760.28	\$11,800.00	\$13,737.00	\$12,140.00
	TOTAL CEMETERY:	\$96,227.01	\$106,408.83	\$107,022.00	\$121,163.00	\$117,221.00
01499 - DPW: Vehicle Maintenance						
	TOTAL PERSONNEL SERVICES	\$172,055.58	\$141,303.79	\$149,399.00	\$194,232.00	\$154,205.00
	TOTAL EXPENSES	\$52,507.15	\$48,133.03	\$62,250.00	\$66,850.00	\$62,775.00
	TOTAL VEHICLE MAINT.:	\$224,562.73	\$189,436.82	\$211,649.00	\$261,082.00	\$216,980.00
TOTAL PUBLIC WORKS:		\$3,283,835.28	\$3,296,654.15	\$3,305,181.00	\$3,915,003.00	\$3,525,180.00
01510 Board of Health						
	TOTAL PERSONNEL SERVICES	\$166,449.15	\$150,477.41	\$156,835.00	\$163,967.00	\$163,967.00
	TOTAL EXPENSES	\$38,302.20	\$38,619.52	\$47,669.00	\$58,268.00	\$54,669.00
	TOTAL BOARD OF HEALTH:	\$204,751.35	\$189,096.93	\$204,504.00	\$222,235.00	\$218,636.00
01541 Council On Aging						
	TOTAL PERSONNEL SERVICES	\$99,295.34	\$105,429.96	\$114,609.00	\$161,085.00	\$125,179.00
	TOTAL EXPENSES	\$3,470.90	\$3,027.13	\$3,825.00	\$6,780.00	\$4,555.00
	TOTAL COUNCIL ON AGING:	\$102,766.24	\$108,457.09	\$118,434.00	\$167,865.00	\$129,734.00
01543 Veterans Services						
	TOTAL PERSONNEL SERVICES	\$32,329.20	\$31,623.48	\$35,049.00	\$36,432.00	\$37,478.00
	TOTAL EXPENSES	\$3,069.73	\$11,552.05	\$7,395.00	\$17,450.00	\$17,450.00
	TOTAL VETERANS SERVICES:	\$35,398.93	\$43,175.53	\$42,444.00	\$53,882.00	\$54,928.00
TOTAL HEALTH & HUMAN SERVICES		\$342,916.52	\$340,729.55	\$365,382.00	\$443,982.00	\$403,298.00
01610 Library Department						
	TOTAL PERSONNEL SERVICES	\$436,966.44	\$417,446.43	\$449,017.00	\$488,478.00	\$462,775.00
	TOTAL EXPENSES	\$129,325.90	\$123,811.93	\$138,188.00	\$140,318.00	\$139,113.00
	TOTAL LIBRARY DEPARTMENT:	\$566,292.34	\$541,258.36	\$587,205.00	\$628,796.00	\$601,888.00
01630 Recreation						
	TOTAL PERSONNEL SERVICES	\$86,042.68	\$92,745.66	\$98,751.00	\$160,624.00	\$118,519.00
	TOTAL EXPENSES:	\$35,844.49	\$26,485.24	\$26,930.00	\$56,610.00	\$26,330.00
	TOTAL RECREATION:	\$121,887.17	\$119,230.90	\$125,681.00	\$217,234.00	\$144,849.00
01650 DPW: Parks Division						
	TOTAL PERSONNEL SERVICES	\$306,906.50	\$232,368.94	\$283,302.00	\$289,195.00	\$286,820.00
	TOTAL EXPENSES	\$89,518.05	\$89,799.62	\$103,590.00	\$116,865.00	\$103,930.00
	TOTAL PARK AND TREES:	\$396,424.55	\$322,168.56	\$386,892.00	\$406,060.00	\$390,750.00
01691 Historical Commission						
	TOTAL PERSONNEL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL EXPENSES	\$284.96	\$115.00	\$525.00	\$515.00	\$515.00
	TOTAL HISTORICAL COMM.:	\$284.96	\$115.00	\$525.00	\$515.00	\$515.00
01692 Town Celebrations						
	TOTAL PERSONNEL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL EXPENSES	\$0.00	\$0.00	\$1,500.00	\$1,500.00	\$1,500.00
	TOTAL TOWN CELEBRATIONS:	\$0.00	\$0.00	\$1,500.00	\$1,500.00	\$1,500.00
01699 Trail Committee						
	TOTAL EXPENSES	\$0.00	\$0.00	\$500.00	\$500.00	\$500.00
	TOTAL TRAIL COMMITTEE:	\$0.00	\$0.00	\$500.00	\$500.00	\$500.00
TOTAL CULTURE & RECREATION:		\$1,084,889.02	\$982,772.82	\$1,102,303.00	\$1,254,605.00	\$1,140,002.00
01710 Retirement Of Debt						
	TOTAL EXPENSES	\$3,250,748.42	\$3,546,820.40	\$3,544,040.00	\$3,967,854.80	\$3,959,870.00

<u>BUDGET</u>	<u>LINE ITEM</u>	<u>FY'2003</u>	<u>FY'2004</u>	<u>FY'2005 DEPT.</u>	<u>FY'2006</u>	<u>FY' 2006 FinCom</u>
	<u>DESCRIPTION</u>	<u>EXPENDED</u>	<u>EXPENDED</u>	<u>BUDGET</u>	<u>REQUEST</u>	<u>RECOMMEND</u>
01911 Employee Retirement Assessment						
	TOTAL EXPENSES	\$1,293,411.00	\$1,301,341.00	\$1,549,372.00	\$1,874,525.00	\$1,874,525.00
	TOTAL EMPLOYEE RETIREMENT:	\$1,293,411.00	\$1,301,341.00	\$1,549,372.00	\$1,874,525.00	\$1,874,525.00
01913 Unemployment Compensation						
	TOTAL EXPENSES	\$63,623.00	\$145,984.70	\$70,000.00	\$70,000.00	\$70,000.00
	TOTAL UNEMPLOYMENT COMPENSATION:	\$63,623.00	\$145,984.70	\$70,000.00	\$70,000.00	\$70,000.00
01914 Employee Fringe Benefits						
	TOTAL PERSONNEL SERVICES	\$11,589.41	\$12,473.75	\$20,193.00	\$27,501.00	\$21,111.00
	TOTAL EXPENSES	\$4,857,166.80	\$5,435,605.63	\$5,950,595.00	\$6,682,975.00	\$6,712,893.00
	TOTAL EMPLOYEE BENEFITS:	\$4,868,756.21	\$5,448,079.38	\$5,970,788.00	\$6,710,476.00	\$6,734,004.00
01945 Casualty Insurance						
	TOTAL EXPENSES	\$403,330.49	\$385,298.18	\$463,000.00	\$496,805.00	\$428,950.00
	TOTAL CASUALTY INSURANCE:	\$403,330.49	\$385,298.18	\$463,000.00	\$496,805.00	\$428,950.00
<u>TOTAL ASSESSMENTS & FRINGE BENEFITS</u>		<u>\$6,629,120.70</u>	<u>\$7,280,703.26</u>	<u>\$8,053,160.00</u>	<u>\$9,151,806.00</u>	<u>\$9,107,479.00</u>
<u>TOTAL OVERALL BUDGET:</u>		<u>\$46,124,562.13</u>	<u>\$47,693,303.08</u>	<u>\$50,785,041.00</u>	<u>\$55,785,784.59</u>	<u>\$54,170,372.00</u>

<u>TOTAL OVERALL BUDGET:</u>		<u>\$46,124,562.13</u>	<u>\$47,693,303.08</u>	<u>\$50,785,041.00</u>	<u>\$55,785,784.59</u>	<u>\$54,170,372.00</u>
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ARTICLE 7. On Motion by the Finance Committee; It was Moved and Seconded:

That the following sums be expended under the direction of the Department of Public Works for the purpose of operating the Water Department in FY2006:

Personnel Services:	\$	648,794.
Expenses:	\$	974,600.
Debt Service:	\$	1,533,737.
Capital Outlay:	\$	240,175.

And that the \$3,397,306.00 be raised as follows:

User Fees:	\$	2,540,563.
Retained Earnings:	\$	240,175
Misc.Receipts & MWPAT:	\$	616,568.

Majority Vote Required

Motion Was: So Voted

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

That the following sums be expended under the direction of the Department of Public Works for the purpose of operating the Sewer Department in FY 2006:

Personnel Services:	\$	163,603.
Expenses:	\$	2,612,851.
Debt Service:	\$	382,935.

And that the \$3,159,389.00 be raised as follows:

User Fees:	\$	2,876,436.
Miscellaneous Receipts	\$	282,953.

Majority Vote Required

Motion Was: So Voted

ARTICLE 9. To see if the Town will vote to 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 9. 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 10: To see if the Town will vote to raise and appropriate, and/or transfer such sum or sums of money as may be required for payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Walpole, or to take any action relative thereto.(Petition of the Board of Selectmen)

ARTICLE 10. 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 11. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town appropriate \$487,167 to offset the financial impact of the snow and ice deficit to the FY'2006 levy, and that to meet this appropriation the sum of \$300,000 be transferred from Overlay Surplus and the sum of \$187,167 be transferred from the Stabilization Fund.

2/3rds Vote Required

Motion Was: So Voted Unanimous

**THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF WALPOLE
SPRING ANNUAL TOWN MEETING OF MAY 2, 2005**

ADJOURNMENT NOTICE

Date: May 2, 2005

On Motion by Carol Lane, Seconded by Mark Trudell:

It was voted to adjourn until Wednesday, May 4, 2005 at 7:30 p.m. in Auditorium of the Walpole High School.

Motion Was: So Voted

Moderator Jon W. Rockwood so declared at 10:15 p.m.

Ronald A. Fucile, Town Clerk

SPRING ANNUAL TOWN MEETING OF MAY 2, 2005

TOWN OF WALPOLE

THE COMMONWEALTH OF MASSACHUSETTS

Date: May 4, 2005

Pursuant to the foregoing adjournment of May 2, 2005, The Spring Annual Town Meeting was called to order by **Moderator Jon W.**

Rockwood at 7:40 p.m. All rules and regulations concerning the call of an adjourned Annual Town Meeting were fulfilled and a quorum was present.

The Assembly pledged allegiance to the Flag.

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

Tellers: Patrick Grant, Mary Campbell, Paul Hoegler, Tom Scotti, Betty Nashawaty and Deborah Burke.

A Substitute Motion was made by Carol Lane, Seconded by Tom Bowen:

To Reconsider Article 6.

2/3 Vote Required

Motion Was: Defeated

ARTICLE 12. To see if the Town will vote to raise and appropriate, borrow and /or transfer a sum or sums of money to implement a Capital Improvement Program, to protect, improve, and/or modify the physical infrastructure, including but not limited to municipal buildings, facilities, parking lots, fields and other properties, of the Town of Walpole or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 12. Substitute Motion by William P. Ryan, Seconded by Joseph M. Denneen:

That the Town separate the High School Bleachers from all other items in Article 12.

Majority Vote Required

Motion Was: So Voted

ARTICLE 12. Substitute Motion by William P. Ryan, Seconded by Joseph M. Denneen:

That the Town raise and appropriate by transferring from Free Cash, the sum of \$803,500 to protect, improve and/or modify the physical infrastructure, including but not limited to municipal buildings, facilities, parking lots, fields, cemetery improvements and other property of the Town of Walpole.

Majority Vote Required

Motion Was: DEFEATED

ARTICLE 12. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town raise and appropriate by transferring from Free Cash, the sum of \$788,500 to implement a Capital Improvement Program, to protect, improve, and/or modify the physical infrastructure, including but not limited to municipal buildings, facilities parking lots, fields and other property of the Town of Walpole.

Majority Vote Required

Motion Was: So Voted

ARTICLE 12. Substitute Motion by William P. Ryan, Seconded by Joseph M. Denneen:

That the Town raise and appropriate by transferring from Stabilization, the sum of \$310,000 to replace the High School Bleachers.

2/3 Vote Required

On Standing Vote – 113 Voting

Motion Was: So Voted: So Voted: 79 -Yes, 34 - No

ARTICLE 13. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town raise and appropriate by transferring from Free Cash the sum of \$702,725 for the purchase of capital equipment, including but not limited to vehicles, machinery, and computer/network systems for the various departments of the Town of Walpole.

Majority Vote Required

Motion Was: So Voted

ARTICLE 14: To see if the Town will vote to raise and appropriate, borrow and /or transfer a sum or sums of money as may be required for the lease of equipment for the various departments of the Town of Walpole, or to take any action relative thereto. (Petition of the Board of Selectmen).

ARTICLE 14. 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

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF WALPOLE

SPRING ANNUAL TOWN MEETING OF MAY 2, 2005

ADJOURNMENT NOTICE

Date: May 4, 2005

On Motion by William Ryan, Seconded by Patrick Grant:

It was voted to adjourn until Monday, May 9, 2005 at 7:30 p.m. in the Auditorium of the Walpole High School.

Motion Was: So Voted

Moderator Jon W. Rockwood so declared at 10:50 p.m.

Ronald A. Fucile, Town Clerk

SPRING ANNUAL TOWN MEETING OF MAY 2, 2005

TOWN OF WALPOLE

THE COMMONWEALTH OF MASSACHUSETTS

Date: May 9, 2005

Pursuant to the foregoing adjournment of May 4, 2005, The Spring Annual Town Meeting was called to order by **Moderator Jon W. Rockwood at 7:40 p.m.** All rules and regulations concerning the call of an adjourned Annual Town Meeting were fulfilled and a quorum was present.

The Assembly pledged allegiance to the Flag.

Town Counsel: Kathleen O'Donnell of Kopelman & Paige, P.C.

Tellers: Paul Hoegler, Patrick Grant, Brian Cherella, Betty Nashawaty and Terri Thornton.

A RESOLUTION

Be it resolved that the Representative Town Meeting of Walpole inscribe upon the Record of the 2005 Annual Spring Town Meeting our recognition and sincere Appreciation to WILLIAM ABBOTT for his service to this body and to the Town of Walpole as a Sewer & Water Commissioner from 1982 to the present The Town Meeting Members thank BILL for his years of diligence and His energy in protecting our most important resource and imparting the Knowledge to the Representative Town Meeting Members to make the necessary Decisions.

And further as an acknowledgement of the Towns appreciation that the Town Clerk Provide Bill with a copy of this resolution.

Resolution Was: So Voted

ARTICLE 71. It was Moved by Joseph M. Denneen, Seconded by William P. Ryan:

That Debate on Article 71 be limited to Twenty (20) Minutes for the entire debate.

Majority Vote Required

Motion Was: So Voted Unanimous

ARTICLE 71. On Motion by the Finance Committee; It was Moved and Seconded:

BE IT RESOLVED that that Town of Walpole affirms the rights of all people within the Town in accordance with the Bill of Rights and the Fourteenth Amendments of the U.S. Constitution; and

BE IT FURTHER RESOLVED THAT Walpole Town Meeting calls upon our elected U. S. Congressional delegation to monitor and actively seek the repeal of all those provisions of the USA PATRIOT Act and associated executive orders that violate the fundamental rights and liberties guaranteed by the United States Constitution, the Bill of Rights,

BE IT FURTHER RESOLVED THAT the Town Clerk be directed to send a copy of this article to the President of the United States, our members of the Massachusetts Congressional delegation, our representatives in the Massachusetts House and Senate, the Massachusetts United States Attorney, the United States Attorney General, and the Norfolk County District Attorney

Majority Vote Required

On Standing Vote: (108 Voting) The Resolution Was Defeated: No – 63, Yes - 45

ARTICLE 15. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town raise and appropriate by transfer from Free Cash, the sum of \$600,520 to resurface, repair and/or reconstruct certain streets and/or sidewalks, to make drainage improvements in certain Town roads and to rebuild certain manholes and catch basins in the Town.

Majority Vote Required

Motion Was: So Voted

ARTICLE 16: To see if the Town will vote to accept awarded grants from State, Federal, private, and/or non-profit Agencies and to expend said funds without further appropriation and to raise and appropriate, borrow, and/or transfer a sum of money for required matches to such grants or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 16. 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 17. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town authorize the use of the following revolving funds pursuant to G.L. c44, section 53E ½ for the fiscal year beginning July 1, 2005 to be credited with receipts from the following revenue sources, to be expended under the authority and direction of the following agencies or officials for the following stated purposes, not to exceed the following spending limits, respectively:

Fund	Revenue Source	Authority to Spend Funds	Use of Fund	Spending Limit	Restriction Comments
Early Childhood Ed Program	Tuition Payments	School Committee	Expenses & Salaries for Early Childhood Program	\$200,000	None
Student Transportation	Bus Fees	School Committee	Expenses related to student transportation	\$174,996	None
Library Services	Receipts from copiers, the computer center, lost materials and instructional classes	Library Trustees	Support of copiers, computer center services and instructional classes	\$35,000	None
Senior Citizen Health Services	Medicare reimbursement of flu and pneumonococcal vaccines	Council on Aging	Senior Citizen Health Related Expenses	\$20,000	None
Compost Bins	Sale of Bins	Board of Health	Purchase of Compost Bins	\$10,000	None
Recreation	Receipts from recreational programs	Recreation Committee	Recreational Programs & Services including salaries & expenses	\$300,000	None
Fire Alarm Maintenance	Fire Alarm Master Box Charges	Fire Department	Maintenance of Town Fire Alarm System, including salaries & Expenses	\$20,000	None
Engineering Services & Inspections	Inspection Fees	Planning Board	Inspections of roadways, drains, utilities & related construction of site plans, subdivisions & roads, including salaries & expenses	\$100,000	None

Majority Vote Required

Motion Was: So Voted

ARTICLE 18. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town vote in accordance with the provisions of Chapter 126 of the Acts of 1988, amending Section 4 of Chapter 73 of the Acts of 1986; for those who qualified under Chapter 59, Section 5; additional real estate tax exemption of 50% of exemptions for which said taxpayer qualify under the provisions as forth therein for FY2006.

Majority Vote Required

Motion Was: So Voted

ARTICLE 19. To see if the Town will vote to authorize the Walpole Board of Selectmen to enter into a contract for the disposal of solid waste pursuant to General Laws Chapter 30B, section 12 (f), for a term not to exceed twenty years, or to take any other action relative thereto. (Petition of the Board of Health)

ARTICLE 19. 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 20: To see if the Town will vote to require the department of public health to cause the rubbish/trash/recyclables to be picked up and disposed of at all dwellings in Walpole whether single, two family and three family buildings, condominiums, cooperatives and, to raise an appropriate a sum of money sufficient for such purposes, or take any action in relation thereto. (Petition of Carolyn Lawless etal.)

On Substitute Motion by Kathleen A. Peterson, Seconded by Kathleen Garvin:

To see if the town will vote to require the Department of Public Health to cause the rubbish/trash/recyclables to be picked up and disposed of at all dwellings in Walpole, whether single, two family, three family buildings, condominiums and cooperatives and to raise an appropriate sum of money sufficient for such purpose.

Majority Vote Required to Become the Main Motion

Motion Was: Defeated: Unanimous

ARTICLE 20. 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 21: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town raise and transfer from Free Cash, the sum of \$34,000 to the Walpole Public School Budget as money received from parking fees.

Majority Vote Required

Motion Was: So Voted

ARTICLE 22 : To see if the Town will vote to raise and appropriate, borrow and/or transfer a sum or sums of money as may be required for the design and project management of a new police station or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 22. 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 23: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town authorize the Library Trustees of the Walpole Public Library and/or the Board of Selectmen to apply for, accept, and expend any state grants which may be available for the project and to accept the preliminary design for the Walpole Public Library at the corner of Stone and School Streets.

Majority Vote Required

Motion Was: So Voted

ARTICLE 24: On Motion by the Finance Committee; It was Moved and Seconded:

That \$354,500 is appropriated for the repair and rehabilitation of the North Walpole Water Tank, including the repainting and recoating of such tank; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$354,500 under G.L. c.44, sec 8(7C) or any other enabling authority; and that the Sewer and Water Commission is authorized to take any other action necessary to carry out this project.

2/3 Vote Required

Motion Was: So Declared 2/3 by the Moderator

ARTICLE 25: To see if the Town will vote to authorize the Board of Selectmen to acquire, for the purpose of conveyance for affordable housing, from the Walpole Housing Authority a parcel of land recorded with the Norfolk County Registry of Deeds in Book 2825, Page 295 as confirmed by Deed dated October 6, 1949 and recorded with said Registry of Deeds in Book 2867, Page 184, Lot 15, Parcel D and Lots 16 and 17 and to authorize the Board of Selectmen to convey said parcel to South Shore Habitat for Humanity for the purpose of building two units of affordable housing and to authorize conveyance, for such consideration and upon such terms and conditions as the board of Selectmen deem appropriate, which shall include an affordable housing restriction, or take any action in relation thereto. (Petition of John Forbes etal.)

ARTICLE 25: 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 26: To see if the will vote to amend the town by-laws by inserting a new Section 4 in Article XXV, Sewer Bylaws that reads as follows

Section 4 Any residence connecting to the Walpole sewer system after July 1, 2005 shall recharge all roof runoff to the groundwater. The recharge system shall be designed by a Registered Professional Engineer or Registered Land Surveyor and shall be capable of recharging at least one-inch (1") of rainfall from the roof.

A. If the recharge of roof runoff is impractical or cost prohibitive, the Board of Sewer and Water Commissioners may waive this requirement.

B. The Board of Sewer and Water Commissioners may adopt any rules and regulations necessary to implement this provision of they bylaw.

Or take any other action in relation thereto. (Petition of the Sewer and Water Commissioners)

ARTICLE 26: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town take No Action- Refer Back to Committee

Majority Vote Required

Motion Was: So Voted: No Action –Refer Back to Committee

ARTICLE 27: To see if the Town will vote to authorize the Board of Sewer and Water Commissioners to enter into an intermunicipal or such other agreement as deemed appropriate among the Town of Walpole, Town of Foxboro, Funway Café and Christina's, its successors and assigns for the purpose of furnishing of Walpole sewer to these two establishments

Or take any action in relation there to (Petition of the Sewer and Water Commissioners)

ARTICLE 27: 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

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF WALPOLE

SPRING ANNUAL TOWN MEETING OF MAY 2, 2005

ADJOURNMENT NOTICE

Date: May 9, 2005

On Motion by Susan Maguire, Seconded by Clifton Snuffer:

It was voted to adjourn until Wednesday, May 11, 2005 at 7:30 p.m. in Auditorium of the Walpole High School.

Motion Was: So Voted

Moderator Jon W. Rockwood so declared at 10:25 p.m.

Ronald A. Fucile, Town Clerk

SPRING ANNUAL TOWN MEETING OF MAY 2, 2005

TOWN OF WALPOLE

THE COMMONWEALTH OF MASSACHUSETTS

Date: May 11, 2005

Pursuant to the foregoing adjournment of May 9, 2005, The Spring Annual Town Meeting was called to order by **Moderator Jon W. Rockwood at 7:43 p.m.** All rules and regulations concerning the call of an adjourned Annual Town Meeting were fulfilled and a quorum was present.

The Assembly pledged allegiance to the Flag.

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

Tellers: John O'Leary, Patrick Grant and Mary Campbell

Miscellaneous Information:

Nancy Gallivan of the School Committee organized a group to attend a rally at the State House in Boston to lobby their State Senators to increase Chapter 70 funding for fiscal year 2006 as well as to lobby House leadership to do the same. Attending were: Nancy Gallivan, Cheryl Caron, Ellen Nadeau, Nancy O'Neil, Michelle Markatos, Mary Jane Brady and Madeline Doherty. The group also met with Representative Richard Ross, who was very supportive of the need to increase Chapter 70 funds.

ARTICLE 28: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article II Legal Affairs, Section 4 of the Town of Walpole By-laws by adding the following language to the second sentence of said section and deleting the word “try” and substituting the word “prosecute” and deleting the word “Also” and deleting the word “required” and substituting “requested” as follows:

When requested by said boards or any committee of the Town, after such committee has received written authorization to submit an inquiry to Town Counsel from the Board of Selectmen or it’s authorized agent unless the need to request such inquiry is deemed an emergency by such board of committee or there is a conflict preventing the Board of Selectmen from being impartial, counsel shall furnish to such board of committee and the Board of Selectmen a written opinion on any legal question that may be submitted in writing to counsel, and counsel shall at all times furnish legal advice to any officer of the Town who may require Counsel’s opinion on any subject concerning the duties incumbent on such an officer by virtue of this office. Counsel shall, when required by Town officers, prosecute any suits ordered to be brought by the Town, and shall appear at any court in the Commonwealth in defense of any action or suits brought against the Town or its officers, in their official capacity. Counsel shall also, whenever counsel’s services may be required, prosecute and argue any and all cases whether in law or equity, to which the Town shall be party before any tribunal in the Commonwealth or before any board or referees or commissioners, and appear at any and all hearings in behalf of the Town.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 29: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town vote to amend Article III Financial Affairs, Section 9 the Town of Walpole By-laws by adding Section 9E as follows:

E. Pursuant to the authority provided by M.G.L. Chapter 41, Section 38A, the Collector of Taxes shall collect, under the title of Town Collector, all accounts due the Town and shall in the collection of such accounts have all the powers, duties and remedies described in said Section 38A.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 30: To see if the Town will vote to amend Article VII Building Maintenance Advisory Committee by removing it in its entirety and reserving Article VII for future legislation as follows:

ARTICLE VII

Deleted. Reserved for future legislation.

~~BUILDING MAINTENANCE ADVISORY COMMITTEE~~

~~Section 1. A Building Maintenance Advisory Committee shall be appointed by the Moderator; this Committee shall consist of no less than six members whose terms of office shall be three years. The Town Administrator shall be considered as a permanent advisor to the Committee. Members of the Building Maintenance Advisory Committee shall serve without personal remuneration.~~

~~Section 2. The Building Maintenance Advisory Committee shall at least once a year make an inspection of all public buildings and grounds and make a written report to the Board of Selectmen, with copies to the Finance Committee and Town Clerk, specifying any and all repairs and alterations deemed necessary. This Committee shall also act in an advisory capacity to any building committee. Or take any other action in relation thereto. (Petition of the By-Law Study Committee)~~

ARTICLE 30: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article VII, Building Maintenance Advisory Committee by removing it in its entirety and reserving Article VII for future legislation.

On Substitute Motion by Tom Bowen, Seconded by Carol Lane:

That the Town take No Action on Article 30.

On Standing Vote: 85 Voting

Majority Vote Required

Motion Was: So Voted: No Action: Yes - 50, - No - 35

On Motion that the Substitute Motion become the Main Motion.

Majority Vote Required

As the Main Motion: So Voted: No Action

ARTICLE 31: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article VIII Street Names and Numbers, Section 1B and 1D of the Town of Walpole By-Laws to read as follows:

B. The police and fire chiefs or their designees shall provide street names for proposed streets. They shall maintain a list of approved, unused street names. As part of the subdivision approval process they shall also act on the proposed names, either from the Town maintained list or proposed by the applicant. Names shall be chosen to avoid sound-alike or similar street names. A subdivision plan shall be submitted to the Planning Board. The Planning Board shall submit the applicants proposed name(s) to the Police and Fire Departments for review and approval. The police and fire chiefs or their designees shall provide a street name within 35 days of receipt of an application therefore.

D. Police and Fire Chiefs or their designees shall advise the Planning Board and Board of Selectman as to the public safety issues raised by any proposed new or changed street name.

Majority Vote Required

As the Main Motion: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 32: To see if the Town will vote to amend Article X Health By-laws, Section 1 by removing it in its entirety and reserving Article X Section 1 for future legislation as follows:

Deleted. Reserved for future legislation.

~~Section 1. The owner or occupant of any building upon land abutting on a public or private way in which there is a common sewer and is located in Area 1 of the Aquifer Overlay District, shall within one year; or is located in Area 2 of the Aquifer Overlay District, shall within two years; or if located in Area 3 of the Aquifer Overlay District, shall within three years; or if located in Area 4 of the Aquifer Overlay District, shall within four years, connect the same therewith by a sufficient drain. A waiver from the requirement may be granted by the Board of Health on the following conditions:~~

~~A. That said land, by reason of its grade of level or any other cause cannot be drained into such sewer, until such incapacity is removed and, further, provided that a private septic system is installed which meets the requirements of the Board of Health, said waiver to be only for so long as said system continues to meet those requirements as they may be amended or revised, and;~~

~~B. The owner covenants and agrees to hook up to the sewer distribution system of the Town of Walpole immediately following at least one of the following events:~~

~~1. Failure of the present septic system determined in the sole discretion of the Board of Health.~~

~~2. Sale of the property, and~~

~~C. The owner covenants and agrees to sign a sewer hookup agreement with the Board of Health of the Town of Walpole through its agent and agrees to record this agreement at Norfolk County Registry of Deeds (Norfolk Registry of the Land Court).~~

~~D. Failure to comply with this By law is a violation and the property owner shall be fined in the amount of \$50.00 for each violation. Each day on which any violation exists, shall be deemed to be a separate violation.~~

~~Or take any other action in relation thereto. (Petition of the By-Law Study Committee)~~

ARTICLE 32. On Motion of the Finance Committee; It was Moved and Seconded:

That the Town take No Action.

ARTICLE 32. On Substitute Motion by Philip R. DuBois, Seconded by Roger F. Turner, Jr.:

That the Town vote to amend Article X Health By-Laws, Section 1 by removing it in its entirety and reserving Article X for future legislation as follows: **Deleted. Reserve for future legislation.**

Majority Vote Required

Motion Was: So Voted

Motion then made by Cliff Snuffer, Seconded by Susan Lawson:

To Table Article 32

2/3 Vote Required

Motion Was: Defeated

Substitute Motion Was: So Voted

ARTICLE 32. On Motion that the Substitute Motion be made the Main Motion:

Majority Vote Required: So Voted

As the Main Motion:

So Voted: (Article X Section 1 –Deleted) – Reserve for future legislation

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 33: To see if the Town will vote to amend Article X Health By-laws, Section 2 by removing it in its entirety and reserving Article X Section 2 for future legislation as follows:

Deleted. Reserved for future legislation.

~~Section 2. No trade or employment which may result in a nuisance or be harmful to the inhabitants, injurious to their estates, dangerous to the public health, or may be attended by noisome and injurious odors shall be established in Walpole except in such a location as may be assigned by the Board of Health after a public hearing has been held thereon, subject to the provisions of Massachusetts General Laws, Chapter 40A and the Zoning By laws of the Town of Walpole, and said Board may condition or prohibit the exercise thereof within the limits of the Town of Walpole, in any event. Such assignments shall be entered in the records of the Town of Walpole, and may be revoked when the Board shall think proper, all assignments of the Board shall be subject to provisions of Massachusetts General Laws, Chapter 111, Section 143.~~

Or take any other action in relation thereto. (Petition of the By-Law Study Committee)

ARTICLE 33: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article X Health by-laws, Section 2 by removing it in its entirety and reserving Article X, Section 2 for future legislation.

Majority Vote Required

Motion Was: Defeated

ARTICLE 34: To see if the Town will vote to amend Article X Health By-laws, Section 3 by removing it in its entirety and reserving Article X Section 3 for future legislation as follows:

Deleted. Reserved for future legislation.

~~Section 3. Nuisance By law~~

~~A. Authority and Purpose~~

~~In accordance with the general powers derived by Article 89 of the Amendments to the Massachusetts Constitution, this By law is adopted for the removal and prevention of nuisances within the Town of Walpole.~~

~~B. Definitions~~

~~Nuisance—Any substantial interference with the common interest of the general public in the maintenance of safe and sanitary property and neighborhoods having a reasonable relation to the public health. Specific conditions which characterize a nuisance shall include, but not be limited to, a gross accumulation of junk, debris or garbage over a prolonged or extended period of time; the creation and maintenance of unnatural areas conducive to the breeding of mosquitoes, inasmuch as such areas are not considered to be retention or detention basins designed to mitigate stormwater runoff or public ways; and the deliberate or unintentional creation and nuisance of areas conducive to the harborage and breeding of rodents and other feral animals.~~

~~Interested Parties—The owner, abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet (300') of the owner's property line as they appear on the most recent Town tax list, notwithstanding that the land of any such abutter or owner is located in another city or Town.~~

~~Owner—The person with record title to the property upon which a nuisance is alleged or determined to be present, or an authorized agent or representative of such person.~~

~~Petition—A written document prepared by the Health Agent to the Board of Selectmen and Board of Health stating the address of the alleged nuisance, owner of the subject property, a brief description of the facts of the complaint, and a list of proposed remedial actions to alleviate said nuisance.~~

~~C. Administration~~

~~1. Remedial Order—Upon written complaint or upon the Board of Health's own initiative, and within a reasonable amount of time, the Health Agent shall inspect and investigate any condition upon property within the Town of Walpole which may constitute a nuisance. If, in the opinion of the Health Agent, the condition does constitute a nuisance, the agent shall make a written report to the Board of Selectmen and the Board of Health of such condition, together with a petition for remedial action and shall file a copy of the petition for remedial action with the Town Clerk.~~

~~Upon receipt of such petition and report, the Board of Health shall set a date for a hearing before said Board, not more than 30 days after the date of filing of the petition with the Town Clerk. Notice of said hearing shall be posted, published and sent to interested parties not less than 14 days before the date of said hearing. Notice of the hearing shall state the subject matter sufficient for proper identification and the date, time and place of the hearing.~~

~~Within fifteen (15) days after the hearing, the Board of Health shall determine whether or not the condition constitutes a nuisance, and shall determine what action shall be taken by the owner to remedy the nuisance. The Board of Health shall issue a Remedial Order to the owner to abate such nuisance within 24 hours after service of such order, or within such other time as it considers reasonable.~~

~~2. Penalties — An owner shall forfeit twenty five dollars (\$25.00) for every day during which he/she willfully violates such a Remedial Order, unless state law requires a different amount.~~

~~3. Service of Remedial Order — The Town Clerk shall deliver a copy of the Remedial Order to an officer qualified to serve civil process, who shall forthwith serve an attested copy thereof to the owner. Such a Remedial Order shall be in writing, and shall be served on the owner in the manner specified by M. G. L. Chapter 111, Section 124.~~

~~4. Appeal to Superior Court — A person aggrieved by such an order may appeal to Superior Court in accordance with applicable provisions, if any, of the Massachusetts General Laws.~~

~~D Reservation of Rights by Board of Selectmen and other Municipal Boards and Officials.~~

~~The provisions contained within this By law are intended to complement the powers, duties and responsibilities of the Board of Selectmen as they relate to common nuisances caused by burnt, dilapidated or dangerous buildings or structures as provided in M.G.L. Chapter 139, Sections 1-3B; the powers, duties and responsibilities of the Board of Health as they relate to any nuisance, source of filth or cause of sickness under M.G.L. c. 111, Sections 123-125 or to dwellings unfit for human habitation under M.G.L. Chapter 111, Sections 127A-127C; the power, duties and responsibilities of the local inspector as they relate to dangerous structures under M.G.L. Chapter 143, Sections 6-11; and other municipal powers, duties and responsibilities as set forth in the~~

~~Massachusetts General Laws, and said provisions shall not be construed to supersede or otherwise abrogate such powers, duties and responsibilities.~~

~~Or take any other action in relation thereto. (Petition of the By-Law Study Committee)~~

ARTICLE 34: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town take No Action.

ARTICLE 34. On Substitute Motion by Christopher Timson, Seconded by Cheryl Caron:

For favorable action on Article 34.

Motion Was: So Voted

On Motion to make the Substitute Motion the Main Motion:

Majority Vote Required

As the Main Motion:

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 35: To see if the Town will vote to amend Article XI Enforcement, Section 3 by removing the line Article X, Sec 1 Nuisance-By-Law as follows.

<u>By-Law Fine</u>	<u>Enforcing Person(s)</u>
.....	
Art X, Sec 1 Nuisance By Law	\$50.00 Health Agent

Or take any other action in relation thereto. (Petition of the By-Law Study Committee)

ARTICLE 35. On Motion of the Finance Committee; It was Moved and Seconded:

That the Town take No Action.

ARTICLE 35. On Substitute Motion by Christopher Timson, Seconded by Cheryl Caron:

For favorable action for Article 35.

Majority Vote Required

Motion Was: So Voted

ARTICLE 35: On Motion to make the Substitute Motion the Main Motion:

Majority Vote Required.

As the Main Motion: Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 36. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XI Enforcement, Section 3 by changing the fee for Article XIII Police Regulations, Sec. 23 Handicapped Parking from \$25 to \$100 as follows:

<u>By-Law Fine</u>	<u>Enforcing Person(s)</u>
.....	
Art XIII, Sec 23 – Handicapped Parking	\$100.00 Police Officers

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 37. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XI Enforcement, Section 3 by changing the fee of Article XIII Police Regulations, Sec. 20 Off Road Vehicles as follows:

<u>By-Law Fine</u>	<u>Enforcing Person(s)</u>
.....	
Art XIII, Sec 20 – Off Road Vehicles	\$300.00 Police Officers
.....	

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 38. On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XI, Enforcement, Section 3 by removing the line Article XIII Police Regulations, Sec. 23 Temporary Placards.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 39: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XI Enforcement, Section 3 by changing the fee for Article XIII, Police Regulations, Sec. 27 Anti-Noise from \$100 to \$ 100 1st offense and \$250 subsequent offenses as follows:

<u>By-Law Fine</u>	<u>Enforcing Person(s)</u>
....	
Art XIII, Sec 27 – Anti-Noise	\$100.00 1 st offense Police Officers \$250.00 subsequent offenses
.....	

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 40: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XI Enforcement, Section 3 by changing the fee for Article XV, Sec.2-C False Fire Alarms from \$200 to \$0 1st offense, \$100 2nd offense, \$200 3rd offense, and \$300 4th & subsequent offenses.

<u>By-Law Fine</u>	<u>Enforcing Person(s)</u>
...	
Art XV, Sec 2-C – False Alarms	\$ 0.00 1 st offense Fire Chief or Designee \$100.00 2 nd offense \$200.00 3 rd offense \$300.00 4 th and subsequent offenses

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 41: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XI Enforcement, Section 3 by changing the fee for Article XV, Sec.3, Key Access from \$50 to \$50 per day until violation is corrected as follows:

<u>By-Law</u>	<u>Fine</u>	<u>Enforcing Person (s)</u>
Article XV, Sec 3 – Key Access	\$50.00 per day Each day of violation counted as a separate violation.	Fire Chief or Designee

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 42: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 1 of the Town of Walpole By-laws to read as follows:

Section 1. No person shall, by any means or in any manner, willfully frighten any horse or play at any game which a ball or any other object is used, fly any kites, or throw stones, missiles, discharge paint balls or other objects in any street, public way or sidewalk. Nor shall any person throw, drop or allow or cause to fall any stone, missile or other object from any bridge, upon a street, public way or sidewalk; or shoot with bows and arrows upon, or cause or allow an arrow to fall within a street, public way or sidewalk.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 43: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 4 and 4A of the Town of Walpole By-laws to read as follows:

Section 4. No person shall discharge any gun, including paint ball guns, fowling piece, pistol, or firearm or release an arrow from a bow or hunt or trap or set fire to any material known as fireworks, or other combustible matter, in any of the public ways, streets or places of the Town, including but not limited to conservation land and other Town owned property, or within one half of a mile of the South Walpole Common, the Walpole Town Hall or the East Walpole Square, or within one half of a mile of any of the wells or water tanks or other structures operated for the purpose of supplying and storing drinking water for the people of the Town; or within one half of a mile of any one of the public schools of the Town; except on such occasions and of such character and mind as the Chief of Police may, with the approval of the Board of Selectmen, by public notice, permit, provided; however, this section shall not apply to any person abating a nuisance or in the exercise of duty required by law.

No person shall, except with the written consent of the landowner or his authorized agent and where not otherwise prohibited by law, fire or discharge any firearm of any caliber or gauge, or a CO2 or an air rifle, or paintball gun, or release an arrow from a bow on any private property or hunt or trap in the Town; provided, however, that the provisions of this By-law shall not apply to Police Officers in the performance of their duties, nor to the use of such weapons at any military exercise or at an established shooting range, or sportsmen's club, or in the lawful defense of the person, family or property of any citizen, or except as otherwise authorized or required by law.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 44: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 15 of the Town of Walpole By-laws to correct a typographical error as follows:

Section 15. No person shall, without proper authority or permission from the Board of Sewer & Water Commissioners or their agent, intermeddle with or willfully break or injure any water line, Town drain, sanitary sewer or appurtenances.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 45: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 17D (Licensing of Solicitors and Canvassers) of the Town of Walpole By-laws to read as follows:

C. Registration Fee.

Each applicant for registration or re-registration shall pay a fee of \$10.00 to the Town.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 46: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII, Police Regulations, Section 20C of the Town of Walpole By-laws to read as follows:

- C. Penalty for operating without registration and written permission shall be confiscation of vehicle for one month or a fine of \$300.000. Vehicle shall be impounded until payment of fine.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 47: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 21 of the Town of Walpole By-laws to read as follows:

Section 21. No resident, tenant, property owner, or registered vehicle owner, shall have, or store, or permit to be stored more than one unregistered vehicle, truck, or parts thereof, ungaraged, on any lot, residence, or premises within a residential district at any time. No unregistered vehicle, truck, or parts thereof, shall be kept, or stored in the front yard or the front side yard of any residence. An unregistered vehicle in the rear yard shall be placed in a manner so that its view from any abutting public way is screened by natural vegetation or fencing.

ARTICLE 47. On Substitute Motion by Mary H. Murphy, Seconded by Barbara J. Coates:

[Delete Article] – Delete Section 21 of the Article 13 of the Police Regulations.

Moderator ruled Substitute Motion is Out of Order.

ARTICLE 47. As the Original Finance Committee Motion

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 48: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 23A of the Town of Walpole By-laws to read as follows:

Handicapped Parking Spaces

A. No person shall park a motor vehicle, motorcycle or like means of transportation in a designated parking space that is reserved for vehicles owned and operated by disabled veterans or by handicapped persons unless said vehicle bears the distinctive number plates authorized by Section Two of Chapter 90 of the General Laws. Any person or body that has lawful control of a public or private way of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, recreational facilities, cultural centers, residential dwelling, or for any other place where public has right of access as invitees or licensees shall be required to reserve parking spaces in said off-street parking areas for any vehicle owned or operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by Section Two of Chapter 90 according to the following formula:

If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five percent of such spaces but not less than two (2) parking spaces; more than forty but not more than one hundred, four percent of such spaces, but no less than three; more than one hundred but not more than two hundred, three percent of such spaces but not less than four; more than two hundred but not more than five hundred, two percent of such spaces but not less than six; more than five hundred but not more than one thousand, one and one-half percent of such spaces, but not less than ten; more than one thousand but not more than two thousand, one percent of such spaces but not less than fifteen; more than two thousand but less than five thousand, three fourths of one percent of such spaces but not less than twenty; and more than five thousand, one half of one percent of such spaces but not less than thirty.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 49: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 23D (Requirement for Handicapped Parking Spaces) of the Town of Walpole By-laws to read as follows:

D. Penalty. The penalty for violation of this By-law is one hundred dollars.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 50. To see if the Town will vote to amend Article XIII Police Regulations, Section 23 E of the Town of Walpole By-Laws to delete it in its entirety as follows:

~~E. The Chief of Police, his designee, or the Town Clerk may issue a Temporary Handicapped Parking Permit to any person upon application with supporting medical affidavit signed by a licensed physician designating the applicant as physically handicapped.~~

~~Said temporary permit shall be issued with an expiration date not to exceed sixty (60) days from the date of issue and shall be displayed in the front right windshield of any vehicle parked in a designated handicapped parking space.~~

~~If medically necessary, the permit may be extended.~~

~~The authorized use a Temporary Permit shall be punishable by a fine of \$50.00 and vote to accept [that the Town Massachusetts General Laws, Chapter 147, Section 10F, Parking Control Officers.]~~

~~Or take any other action in relation thereto. (Petition of the By-Law Study Committee)~~

ARTICLE 50: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 23E of the Town of Walpole By-laws to delete it in its entirety.

ARTICLE 50. On Substitute Motion by Christopher Timson, Seconded by Susan Lawson:

To leave the last sentence in.

Majority Vote Required

Motion Was: So Voted

ARTICLE 50: On Motion to make the Substitute Motion the Main Motion:

Majority Vote Required.

As the Main Motion:

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 51: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 27A of the Town of Walpole By-laws to read as follows:

Section 27 Anti-noise By-law

A. It shall be unlawful for any person or persons to engage in commercial, industrial or manufacturing operations, including construction for hire, excavation, pile driving or trash or rubbish collection, between the hours of 8PM and 8AM Sunday and if the effect of such activities is to create loud or annoying sounds, as defined herein, in any residential area of the Town of Walpole unless such activities are necessitated by exigent emergency circumstances impacting upon life, safety or protection of property. For purposes of this By-law, noise which is plainly audible at a distance of one hundred and fifty feet from such activities shall constitute prima facie evidence of loud or annoying sounds in violation of this By-law.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 52: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XIII Police Regulations, Section 27B (Anti-noise By-law) of the Town of Walpole By-laws to read as follows:

B. Any person violating the provisions of this by-law shall be punished by a fine not to exceed one hundred (\$100.00) dollars for the first offense, and \$250 for each subsequent offense.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 53: On Motion by the Finance Committee; It was Moved and Seconded:

The Town amend Article XV Fire Department Regulations, Section 2C of the Town of Walpole By-laws to read as follows:

C. False alarms within a twelve month period resulting from mechanical failure, malfunction, improper installation or negligence of the user of a fire alarm system may result in the following fines:

First Offense:	No Charge
Second Offense:	\$100.00
Third Offense:	\$200.00
Fourth Offense:	\$300.00 for each subsequent offense"

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 54: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XV Fire Department Regulations, Section 3 of the Town of Walpole By-laws to read as follows:

Section 3. Fire Alarm and Fire Protection Systems - Secured Key Access - Any building other than a residential building or less than six (6) units which has a fire alarm system or other fire protection system shall provide a secure key box installed in a location accessible to the Fire Department in case of emergency. The key box shall contain keys to fire alarm control panels and other keys necessary to operate or service fire protection systems. The key box shall be a type approved by the Chief of the Walpole Fire Department and shall be located and installed as approved by the Chief.

Any building owner violating this By-law after receiving due notice by the Fire Department shall be subject to a fine of fifty dollars (\$50.00) per day, each day of violation counted as a separate violation..

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 55: On Motion by the Finance Committee; It was Moved and Seconded:

The Town amend Article XV Fire Department Regulations, Section 4B of the Town of Walpole By-laws to read as follows:

B. FIRE LANES – It shall be unlawful to obstruct or park a vehicle in any Fire Lane, such Fire Lanes must comply with 527 CMR 10.03 (10).

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 56: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XV Fire Department Regulations, Town of Walpole By-Laws, by adding a new section 5 entitled “Class II and III Second Hand Motor Vehicle Licenses Holder Regulations” which reads as follows:

Section 5. Class II and III Second Hand Motor Vehicle Licenses Holder Regulations.

- a) Prior to license issuance or renewal the fire department will conduct a fire and safety inspection. Any violations that are noted must be corrected prior to the renewal or issuance of the license.
- b) No storage of flammable or combustible liquids in quantities greater than five (5) gallons will be allowed without a permit from the fire department. Applications are available at Fire Headquarters.
- c) No storage of flammable or combustible gases in quantities greater than forty (40) cubic feet will be allowed without a permit from the fire department. Applications are available at Fire Headquarters.
- d) All rubbish and debris will be kept in an approved steel rubbish container with a cover. The cover will remain closed at all times.
- e) Used batteries shall be stored in liquid tight containers.
- f) Storage of tires, new and used, shall be limited to an area of no more than 500 cubic feet. All tires shall be stacked or piled tightly to reduce flow of air through the pile. Bulk storage of tires, greater than 500 cubic feet, will not be allowed without a permit from the fire department. Storage of bulk tires shall comply with NFPA chapter 231D. Twenty-five (25) feet shall separate bulk tire piles from exposures and combustibles. Maximum pile length will be one hundred (100) feet.
- g) Maintain at least two feet of clearance between all vehicles on display.
- h) A keyed lock box is required for all main gates. The lock box shall be mounted at the gate. Applications for a keyed lock box are available at Fire Headquarters.
- i) The use of guard dogs will be allowed, however, the fire department must first be notified and emergency contact phone numbers must be provided for the guard dog owner.
- j) The facility must keep an up-to-date list of emergency contacts at the fire station.
- k) An access road is required through the property-minimum width of this access road will be twelve (12) feet and the road will start at the main entrance.
- l) Parking of vehicles, not related or incidental to the operation of the business, that store flammable or combustible liquids or gases

will not be allowed on the site.

m) All cutting and welding operations shall comply with the requirements of 527 CMR39.

n) No open burning will be allowed on the site at any time.

o) The licensee must maintain a supply of spill containment equipment on site as approved by the Fire Chief. Any spills of flammable or combustible liquids greater than one gallon must be immediately reported to the fire department.

p) Portable fire extinguishers will be required at the facility, the number and location of same to be determined by the fire department.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 57: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XVI Junk Dealers and Collectors, Section 1 of the Town of Walpole By-laws to read as follows:

Section 1. The Board of Selectmen may, pursuant to the General Laws of the Commonwealth and the local Zoning By-laws, license suitable persons to be dealers in and keepers of shops for the purchase, sale and barter of junk, old metals, second-hand articles, precious metals and precious stones in the Town. They may license suitable persons as junk collectors to collect, by purchase or otherwise, junk, old metals, second-hand articles, precious metals and precious stones from place to place in the Town; and they may provided that such collectors shall display badges on their persons or their vehicles or upon both, when engaging in collecting, transporting or dealing in junk, old metals or second-hand articles, precious metals and precious stones, and may prescribe the design thereof. They may also provide that such shops and all articles of merchandise thereof and any place, vehicle or receptacle used for the collection or keeping of the articles aforesaid, may be examined at all times by the Chief of Police or by any police officer so authorized or the Building Inspector. They may also require screening of such merchandise which is kept outside the structures on the premises for more than a twelve hour period to be screened from view of abutting public or private ways by screening consisting of natural vegetation (trees or shrubs) or fencing.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 58: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XVII Animal Regulations – Section 6 by deleting the notation at the end of this section.

**At heel meaning a dog under complete control of a person of adequate age and discretion to control its actions as adequately as a dog that is on lead.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 59: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XVII Animal Regulations, Section 7 to read in pertinent part as follows:

...The pickup fee shall be twenty dollars with said fee to go to the Town of Walpole unless the pound is maintained by the Dog Officer.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 60: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XVII Animal Regulations, Section 9A of the Town of Walpole By-laws to read as follows:

The Selectmen shall appoint one full-time Animal Control Officer to enforce the Rules and By-laws concerning dogs and warm-blooded animals in the Town of Walpole. In the absence of the Animal Control Officer, the Police Department will act as the Animal Control Officer coordinating with the full time Animal Control Officer or such other Animal Control Officer(s) as the Town may from time to time employ, including Animal Control Officers from neighboring towns.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 61: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XVII, Animal Regulations, Section 12C of the Town of Walpole By-laws to read as follows:

C. Dog Bite – The Animal Control Officer must make judgment as to the severity and provocation of a bite to determine processing and procedure of this violation .

1 st Offense	\$25.00
2 nd Offense	\$50.00
3 rd Offense or subsequent offense	\$100.00

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 62: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XVII Animal Regulations, Section 12E of the Town of Walpole By-laws to read as follows:

E. Complaints such as, but not limited to, barking, littering or defecating on sidewalks or private property.

1 st Offense	\$15.00
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2 nd Offense and subsequent offense	\$25.00
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Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 63: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend Article XXVI Scenic Roads, Section 3-F of the Town of Walpole By-laws to read as follows:

F. Enforcement

No person shall perform any repairs, maintenance, construction, reconstruction or paving on any road designated as a Scenic Road, involving the cutting or removal of trees or the tearing down or destruction of a stone wall or portion thereof along any road designated as a scenic road, without the prior written consent of the Planning Board as set forth in this By-law. The provisions of this By-law shall be enforced by the Tree Warden and any police officer of the Town of Walpole.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 64: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend the Title of Article XXVII of the Town of Walpole By-laws to correct a typographical error as follows:

ARTICLE XXVII DEMOLITION DELAY BYLAW/HISTORIC PROPERTY (BUILDING AND/OR STRUCTURE)

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 65: On Motion by the Finance Committee; It was Moved and Seconded:

That the Town amend the Article XXVII, Section 4D of the Town of Walpole By-laws to correct a typographical error as follows:

D. Within fifteen (15) working days after receipt of the application for a demolition permit by the Commission, the Commission shall make a Determination of Architectural and/or Historical Significance. Upon determination by the Commission that the building and/or structure is not architecturally and/or historically significant, the Commission shall so notify the Inspector in writing. Upon receipt of such notification, or after the expiration of twenty (20) working days from the date of submission to the Commission, if the Inspector has not received notification from the Commission, the Inspector may issue the demolition permit.

Majority Vote Required

Motion Was: So Voted

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 66: To see if the Town will vote to amend Section 3-J(5)(e) of the Zoning Bylaws by adding the following sentence thereto:

The aforesaid Rate of Development of dwelling units per year may be increased should it be determined appropriate to the AQV and be in the interest of the town, and further to take any other such action as may be necessary thereto. (Petition of Philip H. Macchi et al.)

ARTICLE 66: WAS WITHDRAWN

ARTICLE 67: To see if the Town of Walpole will vote to rezone portions of those parcels of land on and off Summer Street, Neponset Street and Washington Street currently Zoned Industrial (IND) and Residence B (RB) to Limited Manufacturing (LM) as shown on the Town of Walpole Assessor's Map as Parcel 78 on Map 52 and Parcel 59 on Map 52 and more particularly shown on a plan entitled "RE-ZONING PLAN, Neponset Street, Walpole, MA prepared by Beals and Thomas, Inc. dated January 6, 2005" containing four (4) sheets captioned Z-a, Z-2, Z-3 and Z-4 appended hereto and incorporated herein by reference as Exhibits "A", "B", "C" and "D" and more particularly described by four (4) Metes and Bounds Descriptions appended hereto and incorporated herein by reference as Exhibits "E", "F", "G" and "H" and to take any other such action as may be necessary thereto.

(Exhibit E)

Metes and Bounds Description: Parcel of land to be Rezoned from Residence B to Limited Manufacturing, Walpole, Massachusetts, 1782.04

A certain parcel of land in the Commonwealth of Massachusetts, County of Norfolk, Town of Walpole, situated on the westerly side of Washington Street. More particularly bounded and described as follows:

Beginning at a point on the westerly sideline of Washington Street at the northerly line of Willow Street, thence running;

N 37° 11' 10" W 253.16 feet to a point, said course being by land now or formerly of Reilly-Watson, thence running;

S 75° 50' 10" W 386.92 feet to a point, said course being in part by land now or formerly of Reilly-Watson and in part by land now or formerly of McKillop, thence turning and running;

N 31° 10' 10" W 158.05 feet to a point at the boundary of the existing Industrial Zoning District, said course being by land now or formerly of Belcher, thence turning and running;

N 55° 10' 01" E 182 feet more or less by the existing Industrial Zoning District Boundary, thence turning and running;

Northeasterly 767 feet more or less by the existing Industrial Zoning District Boundary, thence turning and running;

Northwesterly 238 feet more or less by the existing Industrial Zoning District Boundary to the centerline of the Neponset River, thence turning and running;

Northerly and Northeasterly along the centerline of the Neponset River, said line being the boundary of the existing Industrial Zoning District, 1,223 feet more or less to a point at land now or formerly of the Town of Walpole, thence turning and running;

S 48° 11' 16" E 50 feet more or less to a point, thence turning and running;

S 16° 51' 36" W 216.00 feet to a point, thence turning and running;

S 15° 25' 10" W 109.89 feet to a point, thence turning and running;

S 17° 49' 52" W 19.25 feet to a point, thence turning and running;

S 27° 31' 40" W 54.47 feet to a point, thence turning and running;

S 46° 25' 04" E 91.99 feet to a point, thence turning and running;

N 86° 08' 28" E 281.26 feet to a point, thence turning and running;

N 85° 40' 27" E 324.07 feet to a point, said last eight courses being by land now or formerly of the Town of Walpole, thence turning and running;

S 04° 00' 05" E 160.00 feet to a point, said course being in part by land now or formerly Melanson and in part by land now or formerly of WP Lacivita Realty Trust I, thence turning and running;

N 85° 59' 55" E 9.63 feet to a point of curvature, thence turning and running;

Easterly by a curve to the right having a radius of 120.00 feet and a length of 67.70 feet to a point of tangency, thence running;

S 61° 40' 40" E 50.48 feet to a point of curvature, thence and running;

Northeasterly by a curve to the left having a radius of 30.00 feet and a length of 47.12 feet to a point, said last four courses being by land now or formerly of WP Lacivita Realty Trust I, thence turning and running;

S 28° 19' 20" W 100.00 feet to a point, said course being by the westerly line of Washington Street, thence turning and running;

Westerly by a curve to the left having a radius of 30.00 feet and a length of 47.12 feet to a point of tangency, thence turning and running;

N 61° 40' 40" W 50.48 feet to a point of curvature, thence turning and running;

Westerly by a curve to the left having a radius of 80.00 feet and a length of 45.13 feet to a point of tangency, thence turning and running;

S 85° 59' 55" W 64.19 feet to a point, said last four courses being by land now or formerly of the Town of Walpole, thence turning and running;

S 28° 19' 20" W 399.74 feet to a point, said course being in part by land now or formerly of the Town of Walpole and in part by land now or formerly of Dellavale and in part by land now or formerly of Leardo and in part by land now or formerly of Steve R. Mitulski Realty Trust, thence turning and running;

S 44° 53' 20" E 145.02 feet to a point of curvature, thence turning and running;

Easterly by a curve to the left having a radius of 30.00 feet and a length of 55.91 feet to a point, said last two courses being by land now or formerly of Steve R. Mitulski Realty Trust, thence turning and running;

S 28° 19' 20" W 104.45 feet to a point, said course being by the westerly line of Washington Street, thence turning and running;

Northwesterly by a curve to the left having a radius of 30.00 feet and a length of 38.33 feet to a point of tangency, thence turning and running;

N 44° 53' 20" W 86.21 feet to a point, thence turning and running;

S 45° 06' 40" W 153.07 feet to a point, thence turning and running;

S 44° 53' 20" E 154.68 feet to a point, said last four courses being by land now or formerly of Agahigian, thence turning and running;

S 28° 19' 20" W 367.29 feet to a point, thence turning and running;

S 28° 35' 20" W 368.05 feet to the point of beginning, said last two courses being by the westerly sideline of Washington Street

(Exhibit F)

METES AND BOUNDS DESCRIPTION Parcel of land to be rezoned from Residence B to Limited Manufacturing, Walpole, Massachusetts, 1782.04 Walpole.

A certain parcel of land in the Commonwealth of Massachusetts, County of Norfolk, Town of Walpole, situated on the easterly side of the Neponset River, westerly of Georgia Drive. More particularly bounded and described as follows:

Beginning at a point on the most northerly corner of the parcel herein described at the Neponset River and land of the Town of Walpole, thence running;

S 77° 44' 57" E 8 feet more or less to a point, said course being by the existing division line between the Residence B and Residence A Zoning Districts, thence turning and running;

S 15° 05' 14" W 629.68 feet to a point, thence turning and running;

S 89° 38' 31" W 86 feet more or less to the centerline of the Neponset River, said last three courses being by land now or formerly of the Town of Walpole, thence turning and running;

Northeasterly by the centerline of the Neponset River and the existing Industrial Zoning District boundary, 866 feet more or less to the point of beginning.

(Exhibit G)

METES AND BOUNDS DESCRIPTION, Parcel of Land to be rezoned from Industrial to Limited Manufacturing, Walpole, Massachusetts, 178.02 Walpole

A certain parcel of land in the Commonwealth of Massachusetts, County of Norfolk, Town of Walpole, situated northerly of Neponset Street. More particularly bounded and described as follows:

Beginning at a point on the most northwesterly corner of Neponset Street, thence running;

S 34° 32' 16" W 159.53 feet to a point of curvature, said course being by the division line between the existing Industrial Zoning District and the existing Residence B Zoning District, thence turning and running;

N 59° 00' 14" W 99.15 feet to a point, thence turning and running;

N 60° 19' 04" W 217.04 feet to a point, said last two courses being by land now or formerly of Fox Pole Properties, thence turning and running;

N 18° 35' 54" W 597.79 feet to a point of curvature, thence turning and running;

Northerly by a curve to the right having a radius of 2,259.01 feet and a length of 1,136.28 feet to a point of tangency, thence running;

N 10° 13' 17" E 173 feet more or less to the centerline of Cedar Swamp Brook, said last three courses being by land now or formerly owned by Old Colony River Company, thence running;

Northeasterly by the centerline of Cedar Swamp Brook, 2,440 feet more or less to the centerline of the Neponset River, thence turning and running;

Southerly by the centerline of the Neponset River, 400 feet more or less to a point, said course being by the division line between the existing Industrial Zoning District and the existing Residence A Industrial District, thence running;

Southwesterly by the centerline of the Neponset River, 2,469 feet more or less to a point, said course being by the division line between the existing Industrial Zoning District and the existing Residence B Zoning District, thence turning and running;

Southeasterly 238 feet more or less to a point, thence turning and running;

Southwesterly 767 feet more or less to a point, thence turning and running;

S 55° 10' 01" W 182 feet more or less to a point, said last four courses being by the division line between the existing Industrial Zoning District and the existing Residence B Zoning District, thence turning and running;

S 55° 10' 01" W 72.26 feet to a point, thence turning and running;

S 78° 33' 06" W 5.71 feet to a point, thence turning and running;

S 43° 52' 06" W 13.79 feet to a point, thence turning and running;

S 28° 59' 06" W 16.99 feet to a point, thence turning and running;

S 23° 18' 06" W 16.67 feet to a point, thence turning and running;
 S 18° 53' 36" W 26.02 feet to a point, thence turning and running;
 S 33° 51' 54" E 3.50 feet to a point, thence turning and running;
 S 53° 21' 06" W 47.60 feet to a point, said last eight courses being by land now or formerly of Belcher, thence turning and running;
 Northerly by a curve to the left have a radius of 1,500 feet and a length of 171.61 feet to a point of tangency, thence running;
 N 34° 55' 24" W 100.00 feet to a point of curvature, thence turning and running;
 Northerly by a curve to the right having a radius of 1,091.91 feet and a length of 70.00 feet to a point, thence turning and running;

 S 58° 44' 59" W 40.00 feet to the point of beginning, said last four courses being by the sideline of Neponset Street and by the division line of the existing Industrial Zoning District and the Existing Residence B Zoning District.

(Exhibit H)

METES AND BOUNDS DESCRIPTION, Parcel of land to be rezoned from Industrial to Limited Manufacturing, Walpole, Massachusetts, 1782.04 Walpole

A certain parcel of land in the Commonwealth of Massachusetts, County of Norfolk, Town of Walpole, situated on the southeasterly side of Cedar Swamp Brook, northerly of Summer Street. More particularly bounded and described as follows:

Beginning at a point on the most northerly corner of the parcel herein described at the division line of the existing Industrial Zoning District and the existing Park, School, Recreation & Conservation District at a point on the westerly boundary of land now or formerly of Old Colony River Company, thence running;

S 10° 13' 17" W 156.95 feet to a point of curvature, thence turning and running;
 Southerly by a curve to the left having a radius of 2,325.01 feet, a length of 1,169.48 feet to a point of tangency, thence running;
 S 18° 35' 54" E 759 feet more or less to a point at the division line between the existing Industrial Zoning District and the existing Limited Manufacturing Zoning District, said last three courses being by land now or formerly of Old Colony River Company, thence turning and running;
 Westerly 1,323 feet more or less to a point, said course being by division line between the existing Industrial Zoning District and the existing Limited Manufacturing Zoning District, thence turning and running;
 N 46° 40' 07" W 68 feet more or less to a point, thence turning and running;
 N 52° 05' 02" W 282.80 feet to a point, said last two courses being by land now or formerly of Balduf, thence turning and running;
 N 32° 26' 56" E 583.10 feet to a point, thence turning and running;
 N 21° 35' 59" E 175.18 feet to a point; said last two courses being by land now of formerly of the Town of Walpole and the division line between the existing Industrial Zoning District and the existing Park, School, Recreation & Conservation Zoning District, thence turning and running;

 Northeasterly by the centerline of Cedar Swamp Brook and the division line between the existing Industrial Zoning District and the existing Park, School, Recreation & Conservation Zoning District, 1,710 feet more or less to the point of beginning said course being by land now or formerly of the Town of Walpole.

Or take any action in relation thereto. (Petition of Bird Machine Company, Inc by its attorney John J. Griffin etal.)

ARTICLE 67: WAS WITHDRAWN

ARTICLE 68: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town amend the Zoning By-laws, Section 4-B, Chart of Dimensional Regulations by:

A. Inserting the number “15,000” in the “Required Lot Area” column for the Business District, and the number “100” in the “Required Lot Frontage” column for the Business District and adding the phrase “but not more than 3 stories” to the “Maximum Building Height (feet)” column entry for the Business District

B. Changing the entries in the “Maximum Lot Coverage by Structures” and the “Maximum Lot Coverage by Structures & Impervious Surfaces” columns from 75% to 90% for the Central Business District (CBD), and adding the phrase “but not more than 4 stories” to the “Maximum Building Height (feet)” column entry for the Central Business District (CBD).

C. Adding a new footnote (r) in the Explanatory notes to the Chart to read as follows: “When at least 30 parking spaces are provided at or below grade, but under a building and screened from view, in the Highway Business or Industrial Districts, the building height may be increased by 12 feet or one additional story”; and by annotating the title of the “Maximum Building Height (feet)” column with the footnote (r) reference.

2/3 Vote Required

Motion Was: So Voted Unanimous

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 69: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town amend the Zoning By-laws as follows:

A. Amend Section 3B Schedule of Use Regulations by deleting the term “Boarding or lodging house”, at the beginning of the use description in Subsection 3-B(3)(j) and substituting therefore the term “Bed and Breakfast”. Amend the Section 3-B Schedule of Use Regulations by inserting the phrase “Rooming House”, at the beginning of the use description in Subsection 3-B(3)(m).

B. Add one new subsection to Section 3-F Temporary Uses as follows:

a. Temporary or seasonal uses such as Christmas tree sales shall be considered temporary uses and allowed in all commercial districts for a period not to exceed 35 days. A permit for temporary use from the building inspector shall be required. The building inspector may impose conditions to insure that public health and safety issues are served.

And to denote the existing paragraph in Section 3-F as subsection (b).

C. Add the following new definition of “Multi-Family Housing” to Section 1-C Definitions, after the definition of the term “Lot”:

Multi-Family Housing – Four (4) or more dwelling units in one building, or in multiple buildings, located on one lot.

2/3 Vote Required

Motion Was: So Voted Unanimous

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 70: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town amend Section 6 Sign Regulations of the Zoning By-laws as follows:

- A. Amend the first sentence of Section 6-F Accessory Signs in Non-Residential Districts by replacing the initial clause “In an area in a non-residential district”, with “In the CBD or B districts,” by changing the period (.) at the end of the first sentence to a colon (:), and by enumerating this first sentence as subsection (1).
- B. Convert existing subsections (1) through (3) to subsections of the newly created (1) above as (a) through (c)
- C. In new Section 6-F(1)(c) in the fifth line delete the language “existing dwelling or residential property boundary line” and replace it with “existing residential district zoning boundary line”.
- D. Create a new subsection 6-F(2) as follows:

In the LM, HB and IND districts, signs permitted under Section 6-D and 6-E and the following accessory signs are permitted.

- (a) Accessory signs attached to walls in the HB and IND districts shall be permitted to be 10 percent of the wall area to which they are attached but not more than 100 square feet, except if the sign is located along US Route 1 where 150 square feet shall be allowed.
- (b) Directory signs shall be determined on the basis of two (2) square feet for each establishment.
- (c) Standing signs shall be permitted to 100 square feet, except if located along US Route 1 where 150 square feet shall be allowed.
- (d) The bottom of the frame of standing signs shall not be less than eight (8) feet from ground level.
- (e) If a sign is illuminated, it shall be internally illuminated by a steady light.
- (f) As part of site plan review, the Planning Board may determine that an alternative exterior lighting plan is consistent with the materials used for the sign and the associated lighting plan is not detrimental to abutting uses.
- (g) A ground sign, defined as a standing sign attached to the ground along the base of the sign, may be substituted for a standing sign in the LM, HB and IND Districts, if it meets the setback and lighting requirements of a standing sign, and further that at no point does the sign exceed five feet in height.

2/3 Vote Required: Motion Was: So Voted Unanimous

(Letter of Approval from Attorney General, September 9, 2005)

ARTICLE 72: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town approve the monetary items in an agreement between the Town of Walpole and the Massachusetts Coalition of Police, Local 115 Walpole Police Union for the period of July 1, 2005 through June 30, 2008; and to appropriate the sum of \$66,573 to Fiscal Year 2006 Police Department Budget to defray the costs associated with said agreement; and to meet the appropriation, raise \$66,573 from taxation.

Majority Vote Required

Motion Was: So Voted

ARTICLE 73: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town approve the monetary items in an agreement between the Town of Walpole and the Walpole Permanent Firefighters Association for the period of July 1, 2005 through June 30, 2008; and to appropriate the sum of \$59,867 to Fiscal Year 2006 Fire Department Budget to defray the costs associated with said agreement; and to meet the appropriation, raise \$59,867 from Taxation.

Majority Vote Required

Motion Was: So Voted

ARTICLE 74: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town approve the monetary items in an agreement between the Town of Walpole and the American Federation of State, County and Municipal Employees, AFL-CIO State Council 93, Local 1957, Department of Public Works employees for the period of July 1, 2005 through June 30, 2008; and to appropriate the sum of \$52,382 to Fiscal Year 2006 various departments' budgets to defray the costs associated with said agreement; and to meet the appropriation, raise \$30,772 from Taxation, \$16,725 through Water User Fees, and \$4,885 through Sewer User Fees.

Majority Vote Required

Motion Was: So Voted

ARTICLE 75: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town approve the monetary items in an agreement between the Town of Walpole and the American Federation of State, County and Municipal Employees, AFL-CIO State Council 93, Local 1957, Town Hall Clerical employees for the period of July 1, 2005 through June 30, 2008; and to appropriate the sum of \$18,589 to Fiscal Year 2006 various departments' budgets to defray the costs associated with said agreement; and to meet the appropriation, raise \$16,280 from Taxation and \$2,309 through Water User Fees.

Majority Vote Required

Motion Was: So Voted

ARTICLE 76: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town approve the monetary items in an agreement between the Town of Walpole and American Federation of State, County and Municipal Employees, AFL-CIO State Council 93, Local 1957, Library employees for the period of July 1, 2005 through June 30, 2008; and to appropriate the sum of \$9,517 to Fiscal Year 2006 Library Department Budget to defray the costs associated with said agreement; and to meet the appropriation, raise \$9,517 from Taxation.

Majority Vote Required

Motion Was: So Voted

ARTICLE 77: To see if the Town will vote to approve the monetary items in an agreement between the Walpole School Committee and the Walpole Teachers Association and to raise and appropriate and/or transfer a sum or sums of money to defray the cost of said agreement for the period of July 1, 2005 through a term to be determined, or do or act anything in relation thereto. (Petition of the School Committee)

ARTICLE 77: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town take No Action.

Majority Vote Required

Motion Was: So Voted: No Action

ARTICLE 78: To see if the Town will vote to approve the monetary items in an agreement between the Walpole School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1957, Teachers' Aides and Cafeteria Employees Unit and to raise and appropriate and/or transfer a sum or sums of money to defray the cost of said agreement for the period of July 1, 2005 through a term to be determined, or do or act anything in relation thereto. (Petition of the School Committee)

ARTICLE 78: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town take No Action.

Majority Vote Required

Motion Was: So Voted: No Action

ARTICLE 79: To see if the Town will vote to approve the monetary items in an agreement between the Walpole School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1957, School Department Secretarial and Clerical Unit and to raise and appropriate and/or transfer a sum or sums of money to defray the cost of said agreement for the period of July 1, 2005 through a term to be determined, or do or act anything in relation thereto. (Petition of the School Committee)

ARTICLE 79: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town take No Action.

Majority Vote Required

Motion Was: So Voted: No Action

ARTICLE 80: To see if the Town will vote to approve the monetary items in an agreement between the Walpole School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1957, Custodial and Maintenance Unit and to raise and appropriate and/or transfer a sum or sums of money to defray the cost of said agreement for the period of July 1, 2005 through a term to be determined, or do or act anything in relation thereto. (Petition of the School Committee)

ARTICLE 80: On Motion of the Finance Committee; It was Moved and Seconded:

That the Town take No Action.

Majority Vote Required

Motion Was: So Voted: No Action

SPRING ANNUAL TOWN MEETING, MAY 2, 2005

TOWN OF WALPOLE

COMMONWEALTH OF MASSACHUSETTS

NOTICE OF DISSOLUTION

Date: May 11, 2005

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

It was Moved by Susan Lawson, Seconded by Ralph Knobel:

That this meeting be dissolved.

Motion Was: So Voted

Moderator Jon W. Rockwood so declared at 11:35 p.m. on May 11, 2005.

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