

ANNUAL SPRING TOWN MEETING WARRANT

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
THIRD DAY OF SAID MONTH, 2010**

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

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

ARTICLE 2: To see if the Town will vote to approve any amendments to the Personnel By-laws as found on file in the office of the Town Clerk, or do or act anything in relation thereto (Petition of the Personnel Board)

ARTICLE 3: To see if the Town will vote to approve the new salary schedule as recommended by the Personnel Board as found on file in the office of the Town Clerk, or do or act anything in relation thereto. (Petition of the Personnel Board)

ARTICLE 4:: To see if the Town will vote to appropriate by transfer a sum of money to offset the financial impact of the snow and ice deficit on the current year tax levy, or to take any action relative thereto. (Petition of the Board of Selectmen)

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 2010 (July 1, 2009 to June 30 2010) and to see what budgets for Fiscal year 2010 will be reduced to offset said appropriations or reduced due to reductions in local aid, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 6: To see if the Town will vote to fix the salary and compensation for elected officials of the Town as provided for by the General Laws, Chapter 41, section 108, for their services for the fiscal year commencing July 1, 2010 and to see what sum or sums of

money the Town will raise and appropriate or transfer from available funds to defray departmental and incidental expenses of the Town for the fiscal year commencing July 1, 2010 not otherwise provided for, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Water Service Enterprise fund to operate the Town of Walpole Water Service Department or to take any other action relative thereto. (Petition of the Sewer and Water Commissioners)

ARTICLE 8: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Sewer Enterprise fund to operate the Town of Walpole Sewer Department or to take any other action relative thereto. (Petition of the Sewer and Water Commissioners)

ARTICLE 9: 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: 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 11: 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: 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 purchase of capital equipment, including but not limited to vehicles, machinery, and computer/network systems, for the various departments of the Town of Walpole or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 13: To see if the Town will vote to raise and appropriate, borrow and/or transfer a sum or sums of money 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 or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 14: To see if the Town will vote to appropriate a sum of money for the improvements to various streets within the Town, consisting of the construction, reconstruction or resurfacing of public ways or the extension or widening thereof, including land damages and the cost of concrete, macadam or other pavement or road material of similar lasting character and sidewalks constructed or reconstructed in connection with such

improvements; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 15 : To see if the Town will vote to raise and appropriate, borrow 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 or the Board of Selectmen)

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 17: To see if the Town will vote to transfer a sum of money from the Ambulance Fund for the purpose of funding the Paramedic Training and Early Separation programs for Walpole Firefighters, or act or do anything in relation thereto. (Petition of the Board of Selectmen).”

ARTICLE 18: To see if the Town will vote to appropriate an additional sum of money for improvements to the Edward J. Delaney Water Treatment Plant; to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto. (Petition of the Sewer & Water Commission)

ARTICLE 19: To see if the Town will vote to appropriate an additional sum of money for making roof repairs to the Bird Middle School; to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 20: To see if the Town will vote to authorize the use of the following revolving funds pursuant to G.L. c.44 Section 53E ½ for the fiscal year beginning July 1, 2010 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 | RESTRICTIONS /COMMENTS |
|------------------|--|---------------------------------|--|-----------------------|-------------------------------|
| Library Services | Receipts from copiers, the computer center, lost materials and | Library Trustees | Support of copiers, computer center services | \$35,000 | None |

| | | | | | |
|------------------------------------|---|----------------------|--|-----------|------|
| | instructional classes | | and instructional classes | | |
| Senior Citizen Health Services | Medicare reimbursement of flu and pneumococcal 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. | \$448,000 | 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 |
| Turco Field Maintenance Fund | User Fees | Parks Department | Field maintenance, repairs, equipment and supplies including salaries and expenses | \$50,000 | None |

or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 21: To see if the Town will vote to authorize the Board of Selectman to acquire, for public parking purposes, the following described land on behalf of the Town by gift or otherwise from Omega Associates:

That certain parcel of land with all improvements thereon, commonly known as and numbered 133-135 Washington St, Walpole, Massachusetts, located on the corner of Washington Street and Mansion Drive (f/k/a Bird Drive), and more particularly described on that certain plan entitled: "133-135 Washington Street," Plan of Land in Walpole, MA prepared by Guerriere & Halnon, Inc., dated August 27, 2009, a copy of which is on file with the Town Clerk. The property is further described on said plan as follows:

Beginning at a point, at the northerly intersection of Mansion Drive and Washington Street;

Thence, westerly by a curve along Mansion Drive, having a radius of 30.00 feet, a distance of 39.99 feet, to a point;

Thence, westerly by a curve along Mansion Drive, having a radius of 196.00 feet, a distance of 51.30 feet, to a point;

Thence N89° 41' 30" W, by Mansion Drive, a distance of 10.65 feet, to a point;

Thence N 28° 55' 35" E, by land N/F of the Bird Estate Limited Partnership, a distance of 122.69 feet, to a point;

Thence S 61° 04' 25" E, by land N/F of the Bird Estate Limited Partnership, a distance of 80.00 feet to a point;

Thence 28° 55' 35" W, by Washington Street, a distance of 70.00 feet, to the point of beginning.

Said property contains 8,339 sq. ft. according to said plan.

Or take any other action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 22: To see if the Town will 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 set forth therein for FY2011. or take any other action relative thereto. (Petition of the Board of Assessors)

ARTICLE 23: To see if the Town will vote to appropriate a sum of money to pay costs of (i) designing, constructing, originally equipping and furnishing a new police station, including the payment of project management and all other costs incidental and related thereto, and (ii) designing a new fire station, including the payment of project management and all other costs incidental and related thereto; to determine whether this appropriation

shall be raised by borrowing or otherwise; or to take any other action relative thereto.
(Petition of the Board of Selectmen)

ARTICLE 24: To see if the Town will vote to amend the Zoning By-Laws thereof as follows:

1. By adding in 5. WHOLESale, INDUSTRIAL: Table 5-B.1 Use Table in Section 5-B, Schedule of Use Regulations, the following use:

| | USE DESCRIPTION | RA | RB | GR | R | PSRC | B | CBD | HB | LM | IND | PARKING CODE |
|----|------------------------|----|----|----|---|------|---|-----|----|----|-----|--------------|
| v. | Biotechnology Facility | X | X | X | X | X | X | X | A | A | A | 5 |

And to further amend Section 14: Definitions, 2. Selected Words and Terms:

1. By modifying the definition of “Biotechnology Facility” as follows:

BIOTECHNOLOGY FACILITY – A research, experimental, ~~or~~ testing *or product development* laboratory *or manufacturing facility utilized* for the ~~application of~~ scientific study of biological and life processes for medical *application instruction* and/or commercial purposes, *but limited to uses which satisfy the safety requirements described herein as Biosafety Level 1 and Biosafety Level 2 as defined in Section 14 of the Zoning Bylaw and as otherwise regulated by the Town of Walpole. Any activity that includes a Biosafety Level above 2 is prohibited, except as otherwise expressly permitted elsewhere in the Zoning By-law.*

2. By inserting, in order, the following definitions to read as follows:

Biosafety Level 1: Biosafety Level I include activities, practices, equipment, safety equipment, and facility design and construction that are appropriate for undergraduate and secondary educational training and teaching laboratories, and for other laboratories in which work is done with defined and characterized strains of viable microorganisms not known to consistently cause disease in healthy adult humans. Biosafety Level 1 represents a basic level of containment that relies on standard microbiological practices with no special primary or secondary barriers recommended, other than a sink for hand washing.

Biosafety Level 2: Biosafety Level 2 includes activities, practices, equipment, safety equipment, and facility design and construction that are appropriate for and applicable to clinical, diagnostic, teaching, and other laboratories in which work is done with the broad spectrum of indigenous moderate-risk agents that are present in the community and associated with human disease of varying severity. To qualify for this designation such agents shall be, with good microbiological techniques, capable of being used safely in activities conducted on the open bench, provided the potential for producing splashes or aerosols is low. Hepatitis B virus, HIV, the salmonellae, and Toxoplasma spp. are representative of microorganisms assigned to this containment

level. Biosafety Level 2 shall be deemed appropriate when work is done with any human-derived blood, body fluids, tissues, or primary human cell lines where the presence of an infectious agent is be unknown. Even though organisms routinely manipulated at Biosafety Level 2 are not known to be transmissible by the aerosol route, procedures with aerosol or high splash potential that may increase the risk of such personnel exposure shall be conducted in primary containment equipment, or in devices such as a safety centrifuge cup. Other primary barriers shall be used as appropriate, such as splash shields, face protection, gowns, and gloves. Secondary barriers such as hand washing sinks and waste decontamination facilities shall be available to reduce potential environmental contamination.

Or to take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 25: To see if the Town will vote to amend the Walpole Zoning By-Laws by inserting a new Section 13 entitled Walpole Biotech Overlay District (WBOD), the text of which is on file and can be viewed in the offices of the Town Clerk, Board of Selectmen, and Planning Board, and to further amend the Zoning By-Laws by renumbering Section 13 Site Plan Review as Section 14 and Section 14 Definitions as Section 15, and to make all other housekeeping changes, including repagination and appropriate amendments to the Table of Contents, necessary for the insertion of this section 13, or act or do anything in relation thereto. (Petition of the Board of Selectmen).

ARTICLE 26: To see if the Town will vote to amend the Zoning Bylaw, Section 7: Sign Regulations, the text of which may be found in the office of the Town Clerk, Planning Board, and Board of Selectmen, and further to vote to amend the Zoning Bylaw, Section 14: Definitions, 2. Selected Words and Terms thereof as follows:

1. By adding to the definition of “SIGN, CHANGEABLE”, the following words:

SIGN, CHANGEABLE — A sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable signs include the following types:

- (1) Manually Activated: Signs whose alphabetic, picto-graphic, or symbolic informational content can be changed or altered by manual means; and
- (2) Electrically Activated: Signs whose alphabetic, picto-graphic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:
 - (a) Fixed Message Electronic Signs: Signs whose basic informational content has been pre-programmed to include only certain types of information projection, such as time, temperature, predictable traffic conditions, or other events subject to prior programming; and
 - (b) Computer Controlled Variable Message Electronic Signs: Signs whose informational content can be changed or altered by means of computer-driven electronic impulses; *and*
- (3) Electronic Message Centers: Signs capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.

Or act or do anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 27: To see if the Town will vote to authorize the Board of Selectmen to acquire, on behalf of the Town, by purchase, gift or eminent domain, the fee to and/or permanent and temporary easements for public way purposes, including without limitation, drainage, utility, sidewalk, slope, construction and other related easements on the following Assessor parcels located on Washington Street, to facilitate construction of the project entitled **Sidewalk/Roadway Improvements**, shown on plans on file with the Town Clerk. 42-259, 42-258, 42-258, 42-256, 42-253, 42-251, 42-250, 42-249, 42-248, 42-247, 42-246, 42-245, 42-244, 42-242, 47-3, 47-4, 47-5, 47-88, 47-87, 47-86, 47-85, 47-84, 47-83, 47-82, 47-81-2, 47-81-1, 47-81, 47-80, 47-55, 47-54, 47-53, 47-52, 47-51, 47-50, 47-49, 53-271, 53-270, 53-269, 53-250, 53-249, 53-248, 53-247, 53-246, 53-245, 53-244, 53-243, 53-242, 53-241, 52-78, 53-239, 53-238, 53-237, 52-236, 53-234, 53-230, 53-225, 53-226, 53-272, 53-223, 53-222, 57-1, 53-221, 53-220, 53-219, 53-216
And to raise, appropriate, transfer from available funds, or borrow a sum of money for any and all costs associated with said sidewalk/roadway improvement project, or take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 28: To see if the town will vote, pursuant to M.G.L. c41 §110A, to determine whether any public office in the Town may remain closed on any or all Saturdays, or take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 29: To see if the Town will vote to authorize the Board of Selectmen to acquire, on behalf of the Town, Sight Distance Easements A and B, shown as “Proposed Sight Distance A 4893 sf +/-” and “Proposed Sight Distance B 1307 sf +/- both as shown on that certain plan of land entitled “Easement Plan, Oakwood Estates, a Residential Subdivision, a Definitive Subdivision Plan of land in Walpole MA,” dated August 28, 2007, recorded as Plan 68 in Plan Book 576, and to appropriate a sum of \$152.00 for recording said documents at the Registry of Deeds, or take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 30: To see if the Town will vote to amend the Water Resource Protection Overlay District map as identified in Section 12.2.B of the Town of Walpole Zoning Bylaw, to change those portions of Assessors Parcel 54-13 which are designated Area 2, Potential Water Supply Area, to Area 3, Primary Recharge Area, such that the entire assessors parcel will be designated Area 3, Primary Recharge Area; said parcel being shown on a plan of land entitled “Water Resource Protection Overlay District Map Change Plan of Land in Walpole, MA” with a scale of 1”=60’ and a date of January 8, 2010, prepared by Merrikin Engineering, LLP, 2 Milliston Road, Suite 1C, Millis, MA 02054; or any other action relative thereto. (Petition of Donnell W. Murphy et al.)

ARTICLE 31: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the Walpole Permanent Firefighters 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 commencing July 1, 2011 through a term to be determined, or act or do anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 32: To see if the Town will vote to 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 and to raise and appropriate and/or transfer a sum of money to defray the costs of said agreement for the period commencing July 1, 2011 through a term to be determined, or do or act anything in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 33: To see if the Town will vote to 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 Union and to raise and appropriate and/or transfer a sum of money to defray the costs of said agreement for the period commencing July 1, 2011 through a term to be determined, or act or do anything in relation thereto.(Petition of the Board of Selectmen)

ARTICLE 34: To see if the Town will vote to 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 Library Workers Union and to raise and appropriate and/or transfer a sum of money to defray the costs of said agreement for the period commencing July 1, 2011 through a term to be determined, or act or do anything in relation thereto.(Petition of the Board of Selectmen)

ARTICLE 35: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the Massachusetts Coalition of Police (IUPA, AFLCIO) Local 115 Walpole and to raise and appropriate and/or transfer a sum or sums of money to defray the cost of said agreement for the period commencing July 1, 2011 through a term to be determined, or act or do anything in relation thereto. (Petition of the Board of Selectmen)

And you are hereby directed to serve this warrant by posting attested copies thereof in at least two public places in each precinct in said Town not less than seven days before the day appointed for said meeting.

Hereof fail not make due return of this warrant with your doings thereon to the Town Clerk before the day set for said meeting.

Given under our hands and the seal of the Town this _____ day of _____ in the year two thousand and ten.

BOARD OF SELECTMEN

By virtue of the within warrant I have notified the inhabitants of the Town of Walpole qualified to vote in elections and town affairs, to meet at the time and place for the purpose mentioned in said warrant by posting attested copies thereof in at least two public places in each precinct of said town not less than seven days before the day appointed for said meeting.

Constable

Date Posted

Updated April 1, 2010