

**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
SEVENTH DAY OF SAID MONTH, 2012**

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 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 3: 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 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 2012 (July 1, 2011 to June 30 2012) and to see what budgets for Fiscal year 2012 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, 2012 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, 2012 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 transfer the sum of \$250,000 from Water Enterprise Fund Retained earnings to be used as an additional funding source for the Fiscal Year 2013 Water Department operational budget, or act or do anything in relation thereto. (Petition of the Sewer and Water Commission).

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 appropriate or transfer a sum or sums of money from available funds for the purpose of supplementing the fund known as the Other Post Employment Benefits Liability Trust Fund (OPEB) as authorized by Chapter 32B, Section 20 of the Massachusetts General Laws, or take any action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 12: 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 July 1, 2011 through a term to be determined, or do or act anything 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 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 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 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 15: 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 16: 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 17: 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 18: 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 19: 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, 2012 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 And/or Comments
Council on Aging Programs	User Fees	Council on Aging	COA Programs and Services	\$100,000	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 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 & Turf Replacement Fund	User Fees	Parks Department	Turf replacement and Field maintenance, repairs, equipment and supplies including salaries and expenses	\$508,584	None
Turner Pond Fund	Fees, and sale of goods	Pond Management Com & Conservation Com	Upkeep, repairs, maintenance & utilities and services for Turner Pond & Turner Pond Lodge	\$45, 000	None

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

ARTICLE 20: To see if the Town will vote to raise and appropriate or transfer a sum of money for technical services of a consultant, appraisal firm, and/or hiring temporary personnel, along with related expenses to assist the Board of Assessors in the implementation of the State

Mandated Assessment Certification Program, or take any action in relation thereto. (Petition of the board of Assessors)

ARTICLE 21: To see if the Town will vote to accept M.G.L. Chapter 59, Section 5, Clause 54, added by Chapter 159, Section 114 of the Acts of 2000, and to establish a minimum fair cash value requirement of \$5,000 for personal accounts to be taxed effective the fiscal year beginning July First, Two Thousand and Thirteen, or take any action in relation thereto. (Petition of the Board of Assessors)

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 FY2013, or take any other action relative thereto. (Petition of the Board of Assessors)

ARTICLE 23: (Reserved)

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen to sell, lease, or otherwise convey all or a portion of the former Walpole Library property located at the corner of Common Street and Lewis Avenue, described in a book recorded with the Norfolk Registry of Deeds in Book 915, Page 121, and shown on Assessors Map 33 as Lot 221, including any structures and other improvements thereon, for a sum and, if applicable, for a term, which may be up to fifty (50) years, that the Board of Selectmen shall determine appropriate, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 25: (Reserved)

ARTICLE 26: (Reserved)

ARTICLE 27: To see if the Town will vote to amend the Walpole General Bylaws by adding to Part I Administrative Bylaws a new chapter sequentially numbered, as follows:

Chapter 125: Meetings of Town Boards

§125-1. Open Sessions of Meetings of Elected Boards to be Available for Broadcast by Cable Television

All elected boards within the town shall make open sessions of their meetings available for recording and broadcast by cable television, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. At the beginning of each meeting, the chair shall inform attendees of any such recordings and/or broadcast.

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

ARTICLE 28: To see if the Town will vote to accept MGL c.138 section 33B, to authorize the Board of Selectmen, as local licensing authority, to authorize holders of on premises pouring licenses under M.G.L. c. 138, § 12 to sell alcoholic beverages between the hours of 10:00 a.m. and noon on Sundays and certain legal holidays, or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 29: To see if the Town will vote to amend the Walpole General Bylaws by adding to Part III Regulatory Bylaws a new chapter sequentially numbered, as follows:

Chapter 237: Abandoned Buildings, Structures and Properties; Registration and Maintenance of

A complete copy of the text is on file with the Town Clerk and the Board of Selectmen's office. Or take any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 30: (Reserved)

ARTICLE 31: To see if the Town will vote to authorize the Board of Selectmen to acquire on behalf of the Town by gift, purchase or otherwise a perpetual right and easement, for public way purposes, including, without limitation, for traffic control purposes in, on, and under the parcel of land now or formerly owned by the Commonwealth of Massachusetts and shown on a plan entitled "EASEMENT PLAN (concept) HIGH PLAIN STREET (ROUTE 27) WALPOLE, MA," dated 2/15/12, encompassing approximately 5,200 s.f. (which plan is on file with the Town Clerk), and to raise and appropriate, transfer from available funds, and/or borrow a sum of money for the foregoing acquisition and costs related thereto, or taken any other action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 32: To see if the Town will vote to accept as a public way the altered layout of a portion of High Plain Street, as shown on a plan entitled "ALTERED LAYOUT PLAN (CONCEPT) HIGH PLAIN STREET (ROUTE 27) WALPOLE, MA," dated 2/15/12 (which plan is on file with the Town Clerk), and to include within the altered layout of said portion of High Plain Street the parcel of land shown on a plan entitled "EASEMENT PLAN," dated 2/15/12 (which plan is on file with the Town Clerk), and further to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, for public way purposes, perpetual easements in said land and any related drainage, access, or utility easements, or to take any other action related thereto. (Petition of the Board of Selectmen)

ARTICLE 33: To see if the Town will vote to amend the Zoning Bylaw as set forth below:

Amend Zoning Bylaw §4.Establishment of Districts.3.B, by deleting same and substituting therefore the following:

- B. The locations, boundaries and zoning designations of the Flood Plain District for the Town of Walpole shall be as shown on the Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency, dated July 17, 2012, on file with the Town Clerk.

and

Amend Zoning Bylaw §11.Flood Plain Protection Overlay District.2.District Delineation. A by deleting same and substituting therefore the following:

- A. The Flood Plain District is hereby established as an overlay district. It includes all special flood hazards areas within the Town of Walpole designated as Zone A, AO, and AE on the Norfolk County Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA), for the administration of the National Flood Insurance Program (NFIP). The map panels of the Norfolk County FIRM that are wholly or partially within the Town of Walpole are panel numbers 25021C0159E, 25021C0167E, 25021C0168E, 25021C0169E, 25021C0178E, 25021C0186E, 25021C0187E, 25021C0188E, 25021C0189E, 25021C0331E, 25021C0332E, 25021C0333E, 25021C0334E, and 25021C0351E, dated July 17, 2012.

The exact boundaries of the Flood Plain District are defined by the 100-year base flood elevations shown on said maps and are further defined by the Norfolk County Flood Insurance Study Report prepared by the Federal Emergency Management Agency, dated July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk and Town Engineering office.

In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

and

Amend Zoning Bylaw §11. Flood Plain Protection Overlay District.3.Use Regulations by deleting the initial paragraph thereof and substituting therefore the following:

The Flood Plain District is an overlay district as established above. All development within the Flood Plain District, including all structural and non-structural activities, whether allowed as of right or by special permit or variance, shall comply with the following state requirements:

- The Wetlands Protection Act (i.e., G.L. c.131, §40);
- Sections of the State Building Code (780 CMR) as may be currently in effect, that address construction in floodplain areas;
- DEP Wetlands Protection Regulations (i.e., 310 CMR 10.00);
- DEP Inland Wetlands Restrictions (i.e., 310 CMR 13.00); and
- The State Sanitary Code (i.e., 310 CMR 15).

Any deviation from the requirements of the above referenced state provisions may be granted only in accordance with the required variance procedures for the relevant provision.

and

Amend Zoning Bylaw §11.Flood Plain Protection Overlay District.3.Use Regulations. A, by adding the following new allowed uses, to be added to the existing list of allowed uses:

9. Forestry and nursery uses;
10. Wildlife management areas

and

Amend Zoning Bylaw §11.Flood Plain Protection Overlay District.3.Use Regulations, by adding the following new subsection:

3.C. Riverine Situations.

In a riverine situation, the Conservation Agent or Building Inspector shall notify the following of any known alteration or relocation of a watercourse:

- Abutting Communities;
- NFIP State Coordinator, Massachusetts Department of Conservation and Recreation, 251 Causeway Street, Suite 600-700, Boston, MA 02114-2104.
- NFIP Program Specialist, Federal Emergency Management Agency, Region I, 99 High Street, 6th Floor, Boston, MA 02110.

and

Amend Zoning Bylaw §11.Flood Plain Protection Overlay District.3.Use Regulations, by adding the following new subsection:

3.D. Larger Development Requirements

1. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is lesser, in an unnumbered A zone.
2. All subdivision proposals and other developments shall be designed so that:
 - a) The potential for flood damage is minimized
 - b) All utilities and facilities shall be located and constructed to minimize or eliminate flood damage; and

- c) Storm water runoff shall be controlled as to rate and volume, post construction, to minimize or eliminate flood damage and, in any event, shall not be greater when post-construction drainage calculations are compared to pre-construction drainage calculations.

and

Amend Zoning Bylaw §11.Flood Plain Protection Overlay District.3.Use Regulations, by adding the following new subsection:

3E. Other Use Regulations

1. Within Zone AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
2. In Zone AE along watercourses in the Town of Walpole that have a regulatory floodway designated on the Norfolk County FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. or take any other action relative 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 3rd day of April in the year two thousand and twelve.

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

443031/WALP/0001
2/14/2012
2/21/12
3/29/2012