

Approved July 19, 2011

A Regular meeting of the Board of Selectmen was held on Tuesday, May 31, 2011 beginning at 7:00 p.m. in the Main Meeting Room of the Town Hall. The following members were present.

Nancy Mackenzie, Chairman (arrived at 7:28 p.m.)
Eric Kraus, Vice Chairman
Michael Berry, Clerk
Christopher Timson
Clifton Snuffer

Also present:

Michael Boynton, Town Administrator

Mr. Kraus called the meeting order at 7:10 p.m.

Pledge of Allegiance

Public Forum for Walpole Woodworkers

No one being present the Board will move forward with agenda items.

Announcements and Proclamations

Officer Tim Sullivan is the employee of the month for April

Eagle Scout Proclamation for Joseph Reynold Spadoni. Mr. Boynton read the proclamation into the record.

MOTION moved by Mr. Kraus to sign the proclamation for Eagle Scout Spadoni, seconded by Mr. Snuffer, VOTED 4-0-0

5-52 **Rally for Ally, Motorcycle Run**

MOTION moved by Mr. Kraus to allow the Motorcycle Run on June 26, 2011 for Rally for Ally, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Kraus to approve the A-Frame sign request for Rally for Ally, seconded by Mr. Snuffer, VOTED 4-0-0

5-42 **MPIC Dominick Ianno**

MOTION moved by Mr. Boynton to re-appoint Dominick Ianno as the Board of Selectmen representative on the MPIC, seconded by Mr. Kraus, VOTED 4-0-0

5-43 EDIC Resignation

MOTION moved by Mr. Kraus to accept the request of William O'Connell to not seek re-appointment to the EDIC, seconded by Mr. Snuffer, VOTED 4-0-0

5-44 Acceptance of Gifts

Mr. Boynton reviewed all the gifts.

MOTION moved by Mr. Kraus to accept the Gift for the Turner Pond Lodge in the amount of \$538, seconded by Mr. Berry, VOTED 4-0-0

5-45 to 5-47 Acceptance of Gifts

MOTION moved by Mr. Kraus to accept the Gifts for the concerts on the common from Dedham Savings for \$500, Walpole Police Union for \$100, and Walpole Community TV for \$750, seconded by Mr. Snuffer, VOTED 4-0-0

5-48 Bid Award, 2011-20

MOTION moved by Mr. Kraus to award Contract 2011-20 to Maher Service Inc., North Reading Ma for a lump sum price of \$32,000 seconded by Mr. Snuffer, VOTED 4-0-0

5-49 Special Police Appointments

Chief Stillman is asking the Board to appoint Special Police officers from other towns for coverage at the court house.

Each town assigns a different officer to the court and it is a cooperative effort. Each town has a police prosecutor if for some reason one is not there it could be dismissed you can get coverage from one of the other special officers. Maybe an attorney or judge came up with this. A lot of times our officers do not know the cases, they are generally quick studies. If there is no one there to prosecute, someone could walk, as long as this action corrects the situation Mr. Boynton is for it. The town has only one officer. These officers do not get benefits from the town.

MOTION moved by Mr. Kraus to appoint the individuals listed in the letter from Chief Richard Stillman as Special Police Officers, seconded by Mr. Snuffer, VOTED 5-0-0

Nancy arrived at 7:28 p.m.

5-50 One Day Liquor License, Sportsman's Club

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MOTION moved by Mr. Kraus to approve the one day liquor license an live entertainment to the Walpole Sportsman's Club For June 19, seconded by Mr. Snuffer, VOTED 5-0-0

No Shooting after noon.

T. Administrator's Update

Ravens Nest, Outside seating- This is town property and you would have to grant permission to use the property, it requires a vote of the Planning Board for Special Permit. Before they go thru that process, you may want to discuss whether you want to allow them to use Town Property.

Mr. Timson suggested they should meet with the Board first regarding the use. Mr. Boynton agreed it is better to give them the idea if you even support this request.

Mr. Berry would like to know the feasibility and the limited access. He thinks on Raven's nest it is a different scenario. He believes it is a good sign they are looking for this, but is there enough room to do this.

Mrs. Mackenzie suggested they touch base with the Planning Board as to what they actually do.

Mr. Snuffer wanted to know if there are any bylaw considerations. Mr. Timson questioned do we need to have someone examine the bylaws that maybe something would need to be changed.

Mr. Berry stated we should consider setting precedence as we could have two other restaurants in the downtown that might ask for this and how it could impact the down town sidewalks. Mr. Boynton believes the physical layout will be the biggest issue.

Liquor License Violations- Mr. Boynton wants to know how the Board wishes to proceed in this matter. You can warn, suspend and possibly revoke. I think you may need a separate night and town counsel present. We have to give them 7 days notice of the hearing.

Mr. Berry wanted to know what would be the process for this Board to adopt a formal protocol to deal with these violations. If anyone of these were caught again, that they would then have to have further action. Something put on paper. He would like a written protocol.

Mr. Timson cautioned, that he does not think all of these are one size fits all. Every set of circumstances has their own reason. Board will meet on June 21, 2011 at 7:30 p.m. for these hearings.

OPEN FORUM

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Joanne Damish stated she is here representing the citizens and thanking Clifton Snuffer for serving. Thank you for all you have done. He has served the town in many ways. We are going to miss you. I hope you will come forward and speak up.

Pond Management Committee-Daniel Ryan thanked Mr. Snuffer for everything he has done for the Town.

Clifton Snuffer Jr. wanted to thank his Dad for all the work he has done in the Town. On behalf of his five children we couldn't be more proud and thank you for keeping your promise to MOM.

Mrs. Mackenzie thanked Cliff for all the bantering. It has been a lot of fun. You have done a lot of great things. You always have your passions. We all do it because it is important for us.

7:50 p.m. R. Fucile, Re Precincting

Mr. Fucile reported this is all computer generated. As you can see, the five precincts most affected are 1-5 with minimal impact to the remaining. There is not significant change. There are some split streets; he will not know what the town is going to look at. I will get on the June 14th Agenda

Mr. Timson wanted to know how this has been communicated to the public. Mr. Fucile explained nothing yet, we then communicated to those impacted. You are the final say. It is something in your wisdom you say this is what it has to be. For us to get public input you can invite everyone to come on the 14th but I think it would premature for us to get the final map. The only thing that would be different would be the RTM. The lines were changed ten years ago, you are obligated to do this. The Federal government requires us to get involved. The Secretary of State drafted this map and you have to realize you have a plus or minus of 2931, that is the basis of what they have done for us. For us to go certain streets, you have to find something to offset the change. The deadline is the 15th of June. If we go by the 15th the State will appoint a master and take a draft map. This vote will get us to the next level. That would be a final vote. I am not saying the public shouldn't have an input.

Mr. Fucile explained how MCI is handled into the count. They can not vote but they are counted as part of the total for the Town. They talked about the RTM and it was noted that more than likely would stand.

MOTION moved by Mr. Kraus to approve the draft re-precinct map as submitted by William Francis Galvin, Secretary of the Commonwealth 2010 Census Liaison , seconded by Mr. Snuffer VOTED 5-0-0

Mr. Snuffer would like to see the final map go up on the web.

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8:10 p.m. Anna Cesary, Volleyball Courts

Ms. Cesary appeared before the Board to further discuss relocation of the Volleyball courts. The group of citizens took it upon themselves and accepted the spot behind Morgan Field, after further review, we have come to realize that it can not be accomplished as a volunteer effort. So we have taken a look at other sites.

Spoke to Recreation Dept. and through the volunteer effort, PJ Hayes has volunteers, Tony Lorusso has agreed to donate sand, and the DPW has agreed to keep the loam. We met with A. Farm Com, T. Admin and Recreation, despite my efforts to learn what site is chosen, the A. Farm Committee has voted not to support the location of the Court at Adams Farm. One part of the project we need 75 x 75 spaces, what we should have asked for is 75 x 80 feet, during the discussion with A. Farm Committee, play in volleyball falls outside the lines of the court. We would require open space around the courts. When we met with them, we were told the space we chose is not a good place as the Lions club uses it for parking during their annual event. The footprint of the courts would not hold more than 12 cars. The group is only asking for what we already had, we have a volunteer group .

J. Wiley Chairman of A. Farm Committee asked them to look at the pictures. The pictures the field means to you when you come in. What is asked to be done is to relocate the Volleyball Courts . The location they are looking at consumes a large portion of the side field. That is the last place to put this in the middle of this field. Not the place to locate them. Look at this gem that Walpole has and what was the reason for purchasing this 14 years ago. And all the resources that have come in to update this farm is to keep it in its current state. We have gotten interesting comments.

We have a haying agreement. The proposed location is in the middle of the haying of the field. Over the years we have made over 500 and 1,000 trail maps, A. Farm gets a lot of activity.

Mrs. Mackenzie agrees it is used by a lot of people but the Board asked A. Farm Committee to meet and pick a place. Mr. Wiley noted, if it has to be at A. Farm it would be at the end. It is the least obstructive to placement in the field and does not interfere with haying operation.

Mr. Wiley explained the Conservation Commission reviewed the plan submitted and they are willing to work with the Volleyball group to site the courts at the Morgan Field. The Con Com voted not to recommend them to site the courts at A. Farm. A. Farm is used as passive recreation, did it give reason for them to vote on it, just support, we had approved the area at Morgan field. The plan as presented was not workable but we want to work with the group

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Mr. Kraus wanted to know what they suggested be done with the brush at the area behind Morgan Field. Mr. Wiley suggested, netting would be suggested to keeping ball in playing area. He does not think that is an expensive item.

Mr. Kraus stated this came before us, we as a board have received many memos and letters and emails and a lot of misinformation. This is taxpayer land, I see the list, I do not see how volleyball courts are going to interrupt use up there. When you look at A. Farm, the town wanted passive recreation, this board has approved fox hunts, mountain bikes, horseback riding, and they can be far more aggressive than volleyball courts. I think Volleyball fits within the definition. People saying this is a precursor to allow athletic fields up there, the town is under constraints and to have the upkeep of our fields, until the current fields can be as good as they can why would we allow fields up at A. Farm. We can argue over utilized, the Volleyball do not have an option behind Morgan field, we asked them to work with you to find a suitable site at A. Farm. They will pay for them and maintain them. I would hope that the committees would have worked hard with these people. My vote is to move forward with this.

Mr. Berry wanted to know were the parties involved with the Volleyball courts told about the discussion of the Conservation Commission. Mr. Wiley stated the plan as presented is not the way the courts should be. The point was to take these questions out and let them know this can be rearranged.

M. Berry when they were given the Morgan site last year they were told there were restrictions from Con Com. Up to this point, have those restrictions been changed or relaxed.

Mr. Wiley stated there was a brush line shown, and the plan as presented stayed out of that. We thought we should let them know we would be willing to work with them. There was an issue with poison ivy I think they can fit side by side. No set dimension. In looking at the footprint it is more than 75x80'. It does take a larger footprint.

Mr. Berry agrees A. Farm is a gem and significant resource, but believes this issue was brought to the Board by a citizen, we were not asked what site was best or to find them a suitable site. We were asked if they could site this at A. Farm at no expense to the town. I am sympathetic to those comments of those that feel we are going to construct athletic fields. I will say tonight it is not a priority of mine to spend taxpayer dollars on the development of new fields when we have a litany of immediate needs ahead of fields and struggle to maintain the ones we do have. I would be in favor of drafting a MOA on behalf of the board that would communicate to you. I would like to add, the A. Farm com is appointed by the Selectmen and acts as an advisory board, and from time to time we may disagree. I would say that it should be the privy that we are not bound by the votes taken by the committees vote. I appreciate the discourse on both sides.

Mr. Snuffer wanted to know if the town expended money on the Morgan Field site. Mr. Boynton is not am aware of any funds being spent. Mr. Snuffer continued that he comes as close as Jack and Ralph, the early stage guys in the purchase of A. Farm, conservation

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and preservation. I have heard over the last several weeks that A. Farm is a bunch of wasted space, if you take a look at it and you see nothing happening on it you see what this is. What did the citizen accomplish this, preserved and protected 100 acres of land. The jewel known as A. Farm will be owned by the town. Governor Celluci gave the town the highest honor. It helped protect a bird populations, not a bunch of asphalt, habitat for animals, brought together a community spirit I have never seen in my life. We allowed for the building at no cost to taxpayer, thru the A. Farm and Friends have paid for those. It allowed for the creation of 60+ mini farms and donation of food to those in need. These are the natural activities. We also received a \$300,000 grant, help defer some of the cost. I am passionate about the A. Farm. If this is a bunch of wasted space I want more of it.

Mr. Timson agrees Mr. Snuffer makes some great points. He was looking for more activity up there. He came to see the wisdom of their position. He thought if the volleyball courts go in that portion of the field, they can put up natural screening. Mr. Wiley feels that netting should be provided around the courts no matter where they go. Mr. Timson wanted to know if with the relaxed Conservation Commission attitude at Morgan Field area would the courts fit? Mr. Wiley believes they will.

Mr. Wiley showed the plan that was before the Con Com. If they could be kept at that is the best outcome, but I see no evidence of that. He believes they can be built back to back or side to side.

Mr. Timson suggested continue looking at Morgan Field area.

Mr. Wiley felt the Morgan area is a fairly large area and you could move the courts to get away from the trees and underground lines.

Mrs. Mackenzie felt the Town is lucky to have A. Farm, it gets used a lot. Being strong supporter of the community preservation act, this is a recreation activity. Sand volleyball, when you bring people out to ride horses. It is a great place to have A. Farm. I think a lot of people are afraid we are going to be putting in fields there. We have done a lot of great work with less staff and our current fields are not in the quality they should be. We are not looking for other fields. I think it will be a great place for people to go and play.

Mr. Knobel feels let down, Mr. Berry spoke of the petition that was brought to you, I feel we have the equal petition against putting this there. There are 353 people who are paying the bills up there. I do not think you have considered the JMS field, the Robbins Road site. We have 353 members that feel it should not go there, it is an ascetic thing, I have been working for this for 14 years. We get people that volunteer up there all the time. That is the nature of what we did and I think that gives us some standing. I believe we have petitions. It seems like you have already decided, consider other locations, look in to the details of the Morgan field. We are maintaining it, we are paying for the port a potty the haying fields, I think it gives us standing and you should recognize that.

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Mr. Knobel thinks they are being too quick with this. Mr. Snuffer believes it belongs downtown.

Gary Riggott, occasional volleyball person, the MPIC is formulating a plan to create a downtown park and have a bridge over here across the brook. To create a downtown campus. Moving the activity to A. Farm is such a remote location. He would like the Board to give them the opportunity to work more on the Morgan Field location. He had contacted a netting manufacturer for pricing and the cost was \$260.00. It would require posts to hang them on.

MOTION moved by Mrs. Mackenzie to have T. Engineering, conservation and conservation agent, tree warden and three representatives chosen by Anna, and A Farm chosen three Representatives get together and return to 14 days to ascertain whether Morgan field is viable and what expense and that being done this Board can take the necessary action, seconded by Mr. Kraus

Maggie, Cons Commission, Agent, Drew Hand, three members from Volleyball and A. Farm and Josh Cole,

VOTED 5-0-0

9:50 P.M. Use of A. Farm, Cat Clinic

MOTION moved by Mr. Kraus to reconsider the vote to deny the Cat Clinic, made on April 12, 2011, seconded by Mr. Berry, VOTED 5-0-0

Judy Ambrose, have been involved in Animal Rescue, The cat population. Access to low cost spayed or neutered. Easy access. The normal cost would be 300, our clinic is about 75. We assist those that can not afford that.

Mr. Timson noted the issue the last time was he did not want biohazard. Ms. Ambrose explained It is a mobile clinic. Everything is on a van, twenty cats, each cat gets checked in. Surgical suite van, everything is done in the van, they go in the van and then they wait in the barn. It is self contained. It is about a twelve foot van. No fluids outside the vehicle. Each cat is in the carrier. The only thing that happens is they wait in the carrier. We do these clinics in a variety of locations. It was noted they do not partner with other Vets in town as they are not interested in providing low cost spaying and neutering.

MOTION moved by Mr. Kraus to approve the Cat clinic at A. Farm for one time and request that they come back for review for any additional requests and that the clinic not

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conflict with other events at A. Farm seconded by Mr. Snuffer, VOTED 4-1-0 (Mrs. Mackenzie opposed)

5-41 Fountain at Clarks Pond

Eric Skogseth appeared before the Board to discuss the donation of a floating fountain to be installed at Clarks pond in memory of his late father and brother Steven. His dad was very involved in Pop Warner football. This would be no cost to the taxpayer to the installation of this, Paul Hurley will do labor and materials for free. We will manage the fountain. No issue with taxpayer dollar. The fountain will be named the Skogseth memorial Fountain.

MOTION moved by Mr. Kraus to approve the installation of a floating fountain in Clark's Pond named the Skogseth Memorial Fountain, seconded by Mr. Snuffer, VOTED 5-0-0

5-43 EDIC, Resignation

MOTION moved by Mr. Kraus to accept with regret the decision of William O'Connell to not seek re appointment to the EDIC, seconded by Mr. Snuffer, VOTED 5-0-0

Town Administrators Update

Ravens nest- they have withdrawn their request to come before the Board regarding outside seating.

Turco Field landscaping- The Friends of the Walpole Athletic Complex will do work, thanks to the group for all that they do.

Upper Turco- Adopt a field-draft letter to Lacrosse

Relay for life- they wanted lights on the field all night and that was denied. There is concern for the neighbors. The relay for life will go on but no lights at night

FY11 budget coming to close expect a Reserve Fund Transfer for Veterans benefits.

Executive Session

MOTION moved by Mr. Kraus to move into Executive session to discuss contract negotiations with non union personal and to exit for the purposes of finishing the agenda,

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seconded by Mr. Snuffer VOTED by Roll call vote; Mr. Snuffer-Aye, Mr. Berry-Aye, Mr. Kraus-Aye, Mr. Timson-Aye and Mrs. Mackenzie-Aye

The Board moved back to regular session.

Ratification of Contracts

MOTION moved by Mr. Kraus to ratify the Town Administrator's new contract seconded by Mrs. Mackenzie, VOTED 5-0-0

Mrs. Mackenzie left the meeting at 11:10 p.m.

MOTION moved by Mr. Kraus to ratify Chief Stillman's new Contract, seconded by Mr. Snuffer, VOTED 4-0-0

MOTIN moved by Mr. Snuffer to adjourn at 11:11 p.m. ,seconded by Mr. Timson, VOTED 4-0-0

Respectfully submitted

Michael Berry, Clerk