

Approved 5/4/2010

A Regular meeting of the Board of Selectmen was held on Tuesday, March 23, 2010 beginning at 7:30 p.m. in the Main Meeting Room of the Town Hall. The following members were present.

Christopher Timson, Chairman
Al DeNapoli, Vice Chairman
David Sullivan, Clerk
Clifton Snuffer
Nancy Mackenzie

Mr. Timson called the meeting to order at 7:45 p.m.

ANNOUNCEMENTS AND PROCLAMATIONS

Mr. Boynton extended Congratulations to Jim Johnson for the birth of his daughter Savannah.

Proclamations for Philip Macchi, John Anderson, and Richard Shields. Each of them is recognized .

MOTION moved by Mr. DeNapoli that we approve and sign the proclamations for J. Anderson, P. Macchi and R. shields for the Friends of the Council on Aging award, seconded by Mr. Snuffer, VOTED 4-0-0

Recreation- Duck Race, fundraiser will benefit Walpole rebels and boosters. Selling ducks at area businesses and on line.

MOTION moved by Mr. DeNapoli that we approve the wacky quaky duck road race, seconded by Mr. Sullivan, VOTED 4-0-0

7:50 p.m. **Sewer and Water Articles**

R. Mattson appeared before the Board to discuss articles 7, 8 and 18 of the Spring Town Meeting. He gave the board a brief explanation of what each article is for.

Article 7 the expenses are level funded. The salary section of that budget there is a 3.9% increase for 10 DPW and 2 Clerical staff.

MOTION moved by Mr. DeNapoli to recommend Favorable Action on article 7, seconded by Mr. Sullivan, VOTED 4-0-0

MOTION moved by Mr. DeNapoli to recommend Favorable Action on article 8, seconded by Mr. Snuffer, VOTED 4-0-0

Article 18 includes maintenance to the equipment. And replacement of air strip towers and media. Without those Washington well could not be operated. That is most expensive part.

MOTION moved by Mr. DeNapoli to recommend Favorable Action on article 18, seconded by Mr. Sullivan, VOTED 4-0-0

Emergency Declaration

Mr. Boynton wanted to thank the Department for the Job well done on installing sewer. Have indeed seen in excess 1 million dollars savings. Bob O'Brien has been busy with the weather. There is a sink hole on Washington St that Bay State Gas will need to repair.

Storm Declaration on the 14th of March at 4 p.m. we went into an emergency declaration. The letter has been sent into MEMA. At this point I would ask you to affirm the emergency declaration. And discontinue

MOTION moved by Mr. DeNapoli to affirm the emergency declaration and close at this time, seconded by Mr. Snuffer VOTED 4-0-0

8:00 P.M. 3-23 Naming of Bird Middle School Softball Field

Jim Duffy, Walpole High School Varsity Coach stated that Chauncey Smith has given 60 years to this town, past superintendent, principal, volunteered for many years to the Girls Softball Team. He retired last year. He is 80 years old. The Girls Softball Team thinks it would be nice to have the field name after him. No expense to the town. He had spoken to School Committee and they advised him to speak to the Board of Selectmen. They will put the plaque up.

The Board members thought it was a great idea.

MOTION moved by Mr. DeNapoli. to approve the naming of the BMS girls softball field to the Chauncey Smith Field, seconded by Mr. Snuffer, VOTED 4-0-0

3-24 Non Binding Petition

Mr. Blais explained his wife owns A little something bakery in E. Walpole. This is a non binding question. It would require restaurants, supermarkets, and schools to list pesticides used. Daughter's cholesterol is very high. I started wondering what is in our food. So I started doing investigating, most foods have highest pesticide load. In 1993 the Fed government noted there were too many pesticides. They have not done anything with it. I want to start a conversation about it. We do not know what pesticides are on the fruit we buy. It is inside the food and he is trying to start a conversation about this. Wants to know what he is actually eating.

Mr. Snuffer noted that he has qualified and certified to have the ability to put something on the ballot, I asked if you understood the T. Meeting process as under article 1 you have the ability to speak to T. Meeting. Would you like to take that step first?

Mr. Blais, I am hoping to be able to put out ads in the times. I think we have to start conversation about this subject.

Mr. Timson asked if he has looked into whether he can do this, does the FDA have the field, so you can not require them to do more than what is required. Mr. Blais, I am not for government controlling everything we do. Just want to get people interested.

MOTION moved by Mr. Sullivan to permit the petition for a non binding question on the ballot, seconded by Mr. Snuffer, VOTED 3-0-1 (Mr. DeNapoli abstained)

8:15 p.m. **Reserve Fund Transfer, Police Dept**

Chief Stillman explained a cruiser was totaled and the insurance company was willing to pay \$16,380. We are going to take a dodge charger, need a balance of \$12,487 to cover the cost of the vehicle. It will need a new radio. The radio does still work, but we need to upgrade.

Mr. Timson has been considering we should as a town try to buy vehicles that get 30 mpg, it may not work with police vehicles. Chief Stillman explained the administrators cars are good to look for better gas mileage. Your line cars have to be substantial, running all day, the smaller engines do not last long. I agree but police vehicles you will not find a savings.

MOTION moved by Mr. DeNapoli to approve the RFT for the Police Department, seconded by Mr. Sullivan , VOTED ,3-0-0- (Mr. Snuffer left the room)

3-42 Reserve Fund Transfer, Veterans Dept

An additional \$6,000 is needed in the budget. Mr. Timson noted they are deserving of this help. A portion of the savings of health insurance is going to the Veterans

MOTION moved by Mr. DeNapoli to approve the request for \$ 6,000 for Veterans, seconded by Mr. Sullivan, VOTED 4-0-0

3-29 **Unleaded fuel, Award**

MOTION moved by Mr. DeNapoli to approve the award of contract 2010-24 for use of unleaded fuel for one year to Wright Express financial services, seconded by Mr. Snuffer, VOTED 4-0-0

3-31 **One Day Liquor License**

MOTION moved by Mr. DeNapoli to approve the one day liquor license for Walpole Fish and Game, Club, seconded by Mr. Sullivan, VOTED 4-0-0

3-32 Banner Request, All Nations Worship Center

MOTION moved by Mr. DeNapoli to approve the request to place a banner to announce Easter Sunday Service, seconded by Mr. Snuffer, VOTED 4-0-0

3-33 USDA Permission, Beetle traps

The U.S. Department of Agriculture is conducting a survey of exotic wood boring and bark beetles on town property and are seeking permission to do so. Given the devastation from the Asian long horn beetle it is a worthwhile endeavor

MOTION moved by Mr. DeNapoli that we authorize the USDA to conduct the survey of exotic wood borings and bark beetles, seconded by Mr. Sullivan, VOTED 4-0-0

8:30 Public Hearing, 204 Restaurant, Transfer

MOTION moved by Mr. DeNapoli to open the hearing, seconded by Mr. Sullivan, VOTED 4-0-0

David Churchetta representing 204 Restaurant. Both Bradford Brooks manager of record and Joe Chitvanni are present. They have been in E. Walpole since 1992 and what we have done due to some family planning and found it advantageous to change the corporation. Mr. Brooks will remain the manager he is TIPS certified. They are cleaning up corporate records. The record keeping was not satisfactory, no operational changes.

MOTION moved by Mr. DeNapoli to close the hearing, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. DeNapoli that we approve the transfer of the All Alcoholic CV License from Carolina inc to 204 Partners Inc, d/b/a 204 Restaurant, seconded by Mr. Snuffer, VOTED 4-0-0

Mr. Snuffer left the meeting at 8:35 p.m.

3-28 Insurance Bid Award

A letter from Mr. Johnson explained the insurance Advisory Committee reviewed both of the proposals the town received from Property/Casualty, worker comp and police and Fire accident insurance overages. The Committee had voted 3-0-0 to recommend award of property/Casualty and Workers com to MIIA and police and fire accident to Berry Insurance.

Mr. Boynton stated this year we went out back to bid, given the circumstances with economy and town and watch all dollars. He determined to put it out. Insurance is not subject to 30B. Both are qualifying, the package in the past has been awarded in it's entirety, in the past the low bidder has had both. Change this time, we have been well served by Berry ins. This time out, by a slim margin of 300 dollars, the recommendation of the insurance advisory was to recommend property casualty and workers comp to MIIA and Police and Fire to Berry. You heard C. Stillman talk about the coverage for the cruiser. We have had good service.

David Labonte of MIIA has been working with TA office in putting together a competitive insurance. proposal. The proposals are close in cost. Coverage we are comfortable, we differ from Berry Insurance in risk management services. Over 380 entitles in our program. We have the MIIA awards program. Given over 10 million dollars back to towns. By participating in the program, the credits can be applied to your renewal or return. We bring loss grant program.

Mr. Timson questioned how difficult is it to obtain the savings you are talking about. Dave we have regional workshops across the state. There are certain policies and procedures the town must abide by and there are training programs. Things the school may be doing, conservation. We look at the DPW how they maintain the system. I estimate a 3% return that is \$13,000.00. Some communities earn more because they have been in the company for a long time.

Mr. DeNapoli questioned how many times have you bid on it? Mr. Boynton says since he has been here they have bid three times.

Mr. Timson had spoken with Mr. Berry and he is looking for the opportunity to discuss with the Insurance Advisory Committee and asking for a delay to do that.

Bob Berry explained he has been in town for 18 years. We first got involved, MIIA had the account and , there was an accident with a Selectmen and the town had to take MIIA to court. He assisted the town with this endeavor. Three weeks they put in a bid and it was \$300 difference. It is presented as two equal programs, we gave you an addition \$12 million on buildings, we gave you 3 million more. The pricing was the same. I was dismayed why the Insurance Advisory Committee would do this. We saved this town over \$60,000 a year. We have served this town for 18 years and not once has anyone had a problem. I would like to hear from the Insurance Advisory Co. This awards program sounds great but you have to change to meet those requirements. Over 18 years, we have worked with people. MIIA owed the town \$30,000, but my efforts with Mr. Johnson we worked to get it. Our total package is \$15,000 less then MIIA. It has been a pleasure to work for the town, I have lived here since 1970. In FY 2006, the total bill was \$416,000 and this year we are talking \$413,000. Someone has been doing some pretty good work for the town. You have more cars, buildings. The change over will require a lot of paperwork.

Mr. DeNapoli asked as to umbrella coverage, over the last years, have we ever had to exceed or go into the coverage at all. Mr. Berry, stated no, in 1983, the Board decided not to carry an umbrella. We have about 25 municipal clients and none have ever used that coverage.

Mr. DeNapoli questioned when a decision has to be made. Mr. Boynton stated the sooner the better, as there is a substantial amount of paperwork

Dave Labonte rebutted the comments regarding the rewards program. There is some work in the program. But that is up to me to see what makes sense for the town. We will tailor programs. The coverage is comparable. We just bring more for risk management services.

Mr. Timson noted we have a 3-0-0 recommendation from the Insurance Advisory Committee. Do you know what the factors were? The risk management programs, competition of the process. Looking at the overall package that was offered. I am confident whomever you choose will be good.

Mr. DeNapoli asked if any of the bidders in past made presentations to the Insurance Advisory Committee? Mr. Boynton stated no, not since I have been here. Mr. Berry we did when Marjorita Doherty was here and I have done it once with Mr. Johnson.

Mr. DeNapoli noted the Board can not force the Insurance Advisory to invite both candidates in but appreciates everything Mr. Berry has done, and it seems to me they have done things the way they have done in the past, he has asked us a reasonable request to ask Insurance Advisory if they want to hear from each. Mr. Berry is a resident and served us for 18 years and I would like them to give him an opportunity to be heard.

9:05 Ms. Mackenzie arrived

MOTION moved by Mr. DeNapoli that we continue this bid award providing the Insurance Advisory Committee to decide if they want to invite MIIA and Mr. Berry to make a presentation to them, depending on that they advise us of their recommendation and we vote then, seconded by Mr. Sullivan, VOTED 4-0-0

3-25 Trio Auto Clinic LLC, Class II license

Mr. Nassar needs to sell cars. Have been there for four years. Ms. Mackenzie noted you have outlined the spaces where they would be. Not up to the curb. Mr. Nassar stated, No.

Mr. Timson stated if this was not at a gas he would not be supportive of this. Mr. DeNapoli questioned if he services cars in the building, if you fill up these stations with used cars, were will be putting the cars you will be servicing?

Mr. Nassar stated he has space inside for four vehicles.

MOTION moved by Mr. DeNapoli to close the hearing, seconded by Mr. Sullivan, VOTED 4-0-0

MOTION moved by Mr. DeNapoli to approve the request for a class II license under the conditions imposed by the ZBA, seconded by Mr. Sullivan, VOTED 4-0-0

Annual Re-appointments

MOTION moved by Mr. DeNapoli to approve the following re-appointments for those requesting, seconded by Mr. Timson, VOTED 4-0-0

Ralph Knobel-Adams Farm	Scott Bushway-Constable
Richard Stillman-Constable	William Conlon-Cultural Council
Ann Marie Bielenin-Cultural Council	Lisa DeMaio-EDC
Michael McGrath-EDC	John Keefe-EDC
Robert Toran-Historical Com	Roger Turner-Historical Com
Kevin Feeley-Ins. Advisory	Cameron Daly-PBC
Bernard Goba-PBC	Sara Olson-Registrar of Voters
Dennis Rici-Recreation	Lorraine Dundon-Recreation
Richard McCarthy-Recreation	Rita Barrett Crosby-Recreation
Annelilse Fair-Recreation	Richard Ryan-Special Police
Jeffery Abate-Special Police	Ron Lestan-Trust Fund Com
Brenda Burke-Trails	Margaret Kundert-ZBA

MOTION moved by Mr. DeNapoli to send thanks you letters to the following members that do not wish to be reappointed, seconded by Ms. Mackenzie 4-0-0

Clem Boragine-Adams Farm	Nancy Murray-EDC
Susan Glancy-Cultural Council	Nancy Nelligan-Teen Advisory
Marilyn Hawley-Education Fund	Douglas Dione-Trails

Town Meeting Articles

Mr. Boynton stated that Mr. Snuffer had to leave for a family emergency and asked the Board not to vote the police station article.

Article 2 and Article 3

Mr. Boynton explained these are housekeeping articles. Mr. Timson questioned if you are not scheduled to work on the holiday do you still get the holiday? Mr. Boynton stated no.

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article 2, seconded by Mr. Sullivan, VOTED 4-0-0

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article 3, seconded by Mr. Timson, VOTED 4-0-0

Mr. Timson stated that as we go forward, we need to come up with a system for union contracts, a regulator that when the towns revenue is not good there are no raises.

Article #10

MOTION moved by Mr. DeNapoli to recommend No Action on Article #10, seconded by Mr. Sullivan, VOTED 4-0-0

Article #13

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article #13, seconded by Mr. Sullivan, VOTED 4-0-0

Article #17

MOTION moved by Mr. DeNapoli to recommend No Action on Article #17 with \$35,000 from the ambulance fund, seconded by Mr. Sullivan, VOTED 4-0-0

Article #20

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article #20, seconded by Mr. Sullivan, VOTED 4-0-0

Article #21

Article 21 would create a parking area in E. Walpole at no cost to the town. Provide additional municipal services to the town. Ms. Mackenzie feels it is great if that clock tower property ever happens it will create extra.

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article #21 seconded by Ms. Mackenzie, VOTED 4-0-0

Article #22

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article #22, seconded by Ms. Mackenzie, VOTED 4-0-0

Article #23, Police Station Facility

Mr. Timson noted that Mr. Snuffer is not here, but he did say he would allow one resident of Robbins Road to speak. Dominic Ianno lives on Robbins Road, there has been a misconception that we do not want anything on that property, we do not outright oppose a police station on Robbins Road. What we have seen really bothers us as tax

payers, proper due diligence, we do not believe the cost estimates can be done, we ask that you reconsider a vote on this in June. Four years ago this was rejected by the voters. Last week at fin com, we hear the station can go anywhere but we do not have cost estimates for those locations. Most alarming to the neighbors is the lack of details about the building, layout and actual cost. The cost we see now says 7.9 million dollars. We also concerned about transparency of the communication tower, it has never been mentioned, absent from the layout he showed Fincom last week. A tower raises many concerns, visual, noise, we do not know anything budgeted for that, no moving or relocation cost, nothing talking about the current disposition of the existing building.

The Police Chief talks about 3 acres and Mr. Snuffer says 5 acres. The cost override numbers have changed too. There are traffic issues, flooding, grading issues, the last thing that concerns us, last week letters went out regarding concessions that were made with teachers. Tough times do call for tough choices, is it right time to ask for funding. Are you sure you know what you are voting on, are you comfortable with numbers, what is town's no one priority. Is it the police station or school system? We plan to fight it.

Mr. Boynton stated a lot of people have put a lot of work into this. I understand it being there and concerns to the taxpayer. Everything we do is out in the open. In 2005 we were looking at a larger facility. Talked about the tower, the height is a result of the needs of the department. At a police station you have an antenna.

Mr. Ianno stated a 100 foot tower is very tall. Mr. Boynton felt it is a decision of the community. We respect concerns of the neighbors.

Article #24

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article #24, seconded by Ms. Mackenzie, VOTED 4-0-0 (Mr. Snuffer was not present)

Article #25

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article #25, seconded by Ms. Mackenzie, VOTED 4-0-0

Article #26

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article #26, seconded by Ms. Mackenzie, VOTED 3-1-0 Ms. Mackenzie opposed.
(Ms. Mackenzie questioned if the Board should wait until the PB hearing)

Article #27

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article #27, seconded by Ms. Mackenzie, VOTED 4-0-0

Article #28

MOTION moved by Mr. DeNapoli to recommend Favorable Action on Article #28, seconded by Ms. Mackenzie, VOTED 4-0-0

Article #29

MOTION moved by Mr. Sullivan to recommend Favorable Action on Article #29, seconded by Ms. Mackenzie, VOTED 3-0-0 (Mr. Timson left room)

TA Update

1. Wal-Mart expansion would have to go to site plan, one element they are looking at is a traffic signal at High Plain exit.
2. Mass common cause- Town received the 2010 e government award with distinction.
3. The BOS voted to change health insurance for non union employees to a different plan. Delay the COL increase until January. Friday the teachers ratified a contract. The savings could be \$409,000. Looking at a 4% cut in state aide.
4. Bird Pond Dam-The State has already chosen an engineer to do an assessment on it. We should invite State Dam Officials in.
5. Regional Services Meeting-April 8th at Rafael's

Minutes

MOTION moved by Mr. DeNapoli to approve the minutes of Feb 23, 2010, seconded by Ms. Mackenzie, VOTED 3-0-0 (Mr. Sullivan had left room)

School Committee Health Insurance Update

John Desmond, Chairman of the School Committee explained they came to a vote with the Teachers union. It is a historic vote and was helpful to the budget but they still face a large gap. As we discussed we need more. We look forward to options with the town.

Nancy Gallivan explained they talked with our teachers union the theme we struck, lets see what we can do here locally. During good and bad times it is us to balance services with taxpayers ability to pay. She stated that 25% of elementary classes have over 25 students. Level service is shaky at best. Concessions made reduce the cost for Walpole by 15%, and she believes the majority of the teachers union feels the integrity of the school system was at risk. It is not typical of unions; they were willing to do something. We hope that we could convince the union will help the rest to follow. Our cafeteria workers did this last year. We have been working with the state to not have to bargain

health insurance. What we have learned it may happen. There is a chance we will not have to bargain health insurance totally but percentages. People will complain that education is expensive and we have to be fiscally responsible. Massachusetts requires masters' degree within 5 years and no students left behind has driven up the cost of teacher's salary. Average salaries, we were in the bottom 18%, and are asking you to help us find a way to close the gaps. We are open to any ideas. We want to talk about using stabilization, consider hotel and meals tax, and reduce the trash budget. We will continue pressure on state and federal government.

Mr. Timson is open to a couple of options. Talked about reasonable limitation on how much we put out for trash. Worth discussing, need to know what the numbers would be. The other thing worth looking at is the meals and hotel tax. There might be people who will want to go out to help contribute to the schools. He does not like the idea of going into the stabilization fund, does not like that idea. Not reasonable way to go.

Mr. Sullivan, I do not want to touch the taxes for Restaurants and motels. I do not want to go down that path. Maybe get the other unions to open their contracts. The state has already increased the taxes. I am hoping the other unions see what is going on and compromise.

Ms. Mackenzie thanked them for all your work. I understand the size of classes. I think cutting back if we can reduce our trash fees. Raising taxes, I spoke to four local restaurant owners who have seen a decline. The business has not been as it was. If we go up to 7%, it would be an almost 40% increase for restaurants. The towns around us have not added the meals tax. If we are trying to be business friendly, the taxes should not be increased. We are going in the right direction to get businesses to come here. Feels we need to work on long term.

I do not want to do something that will have a long term impact.

Mr. DeNapoli echoes what Nancy said. I have been on the Mass Restaurant Board. I look at trash fees at something other towns have implemented. I think it is something that is put next to the value of education; I believe that is something residents would embrace. I would be supportive of looking into trash fees. Stabilization, I do not think there is enough money there. I see that as emergency fund.

Mr. Timson would like to get the numbers regarding the trash. Maybe at our next meeting we could have Robin come in to review. The School Committee will continue to work towards getting the Unions to consider.

MOTION moved by Mr. DeNapoli to move into executive session for the purpose of discussing Collective Bargaining matters and will return to the regular session to adjourn, seconded by Ms. Mackenzie VOTED 4-0-0 by roll call; Ms. Mackenzie-Aye, Mr. Timson-Aye, Mr. Sullivan-Aye and Mr. DeNapoli Aye

The Board had moved out of Executive session.

Approved 5/4/2010

MOTION moved by Mr. Sullivan to adjourn at 11:30 p.m. seconded by Ms. Mackenzie,
VOTED 4-0-0