

A Regular meeting of the Board of Selectmen was held on Tuesday, August 13, 2013 beginning at 7:00 p.m. in the Main Meeting Room of the Town Hall. Mr. Berry and Mrs. Mackenzie were absent. The following members were present:

Mark Gallivan, Chairman  
Christopher Timson  
Clifton Snuffer, Jr.

Also present:  
Michael Boynton, Town Administrator  
Cindy Berube, Executive Assistant

Mr. Gallivan called the meeting to order followed by the Pledge of Allegiance.

#### ANNOUNCEMENTS AND PROCLAMATIONS

#### SPONSORED AGENDA ITEMS

##### R. Stillman, Quarterly

7% increase calls of service, police initiated up 10%, Arrests down 11%, crimes against persons 33%. 21% decrease for property crimes. Situations down 47%, Court cases down 10%. Crime 17% decrease.

Officer Thayer worked with middle school about use of Marijuana. Mission Statement,(need a copy) Coalition summer has been kind of off, busy with alcohol regulations. Coffee with cops in April and worked out very well. Issues: joined other towns for emergency communications study in final draft, it is not feasible under the form they came up with for us it would cost us \$450,000 more. Somehow Foxboro ends up better in the deal. Unless they missed something on it, we are done on that issue. Longview Farm: it seems to have stabilized, calls for service have calmed down, the number one issue is missing child. Located very quickly.

Personnel: Tom Hart and Taylor Bethoney are in field training. 12 weeks with another officer. If I have the staff on hand they will ride with another officer. Rate them at the end of shift and review it with them. Very happy with activities. Number of officers received accommodations for live saving, and the Mass police council awarded them.

Program in house where an officer can nominate another officer. The end of the year we do the same for officer of the year, Scott Koenig recognized as hard working, good attitude, motorcycle officer, very talented guy. Fire arms trainer, helps out when ever he can.

Promotional assessments waiting for Civil Service to certify the list.

Mr. Timson asked about the accreditation and the Chief explained they have finished training on policy and procedures and working on Rules and Regulations which they expect to be done by the end of the year. Those are the biggest hurdles. On track by this time next year, we should be certified.

Mr. Timson spoke of the decreases in arrests, tickets etc. and wanted to know if adding the officers, does that help this positive trend. Need to get back up to 41 officers and they could do extra things. Now we respond to calls and they keep growing. Not able to follow thru. Officers are out doing work and they do not have time to follow up.

Mr. Snuffer spoke of community policing, and respect to the Longview, he questioned seeing missing persons, is that runaway? The Chief replied yes. Their staff is security and when they feel the situation is out of control, they call us. There are times the calls should have been made earlier. The Chief explained they spend more time at Wal-mart and Kohls than they do at Longview Farm. He does not think they rely on us, they prefer not to have to call us. Edy understands, they should handle the problem if they can and if not call the police. Whenever she is there we have no problem. We deal with similar situations all over town. It happens everywhere.

Mr. Gallivan spoke of the Country Fes and the Chief thinks they are in a good position. Should help, better situation than last year, not promising anyone anything. Stay away from Route 1 in Walpole that day. It is a major headache.

The Chief explained the need to change the Part time dispatcher to a full time dispatcher. The town has 5.5 dispatchers and this would help save overtime expenses. There is one dispatcher 24/7 the PT is on the 4-12 shifts, those two blank nights. We work on a six day week; the ft will overlap two nights. Whenever a dispatcher is out, I have to fill, and then if I can't get them in I have to use a certified officer. They are good at what they do.

Mr. Boynton stated there is roughly \$100,000 in state aide. There is sufficient funding and the net would be \$17,000 for a year.

Mr. Snuffer read a comment from a magazine as to what a dispatcher does. It is all panic time, with your understanding of the budget, it is something we can put our arms around, in advance of public safety this is something we can do. The work environment, not most pleasant, I ask the question of you, what type of shape is your equipment. Chief you said you would talk about that in capital budget. Like the Board to think about using Prison Mitigation for funding public safety. MG supports the Full Time.

MOTION moved by Mr. Snuffer that we approve the request to change the dispatch position to Full time, seconded by Mr. Timson, VOTED 3-0-0

Chief talked about patrol SGTS. Currently have 5. When a day Sgt. Is out I use the Deputy some times. They lose a days work they should be doing. If we promote one more patrolman to Sgt. Not asking for a backfill at this time, most of the time when a Sgt out another is available, it would not happen everyday. Minimal cost and make things more efficient. Looking for approval, the funding I can live within the budget.

The Board discussed the cost and the Chief explained it is \$4,000 a year the first year. The Chief stated it fits in well. When you look at other departments we are not top heavy. This is a good first step, and he eventually would like to have eight (8) Sgts.

MOTION moved by Mr. Timson to approve the chiefs request to promote an officer to Sgt, seconded by Mr. Gallivan VOTED 3-0-0

Mr. Boynton explained the Police Chief is trying to get back to 41. Looking at all the depts., we are doing fairly well. Doing more for public safety is more of a concern for him. Police officers are not tax collectors but there is a financial impact. The current population has not changed in ten years and we are noticing the types of calls have grown. There is a lot of paperwork. It is something to think about. Maybe find a way to stagger on in FY14 and one in FY15. Maybe delegate officers for traffic safety. The other dept is the fire dept. Think about an option an introduction in March.

#### 8-1 K. Tracey, Street Opening, High St

Request from K. Tracey for a street opening on High Street to connect to sewer. There is also an additional lot. The moratorium ends Oct 2013. He does not see an issue. Ms. Walker, Town Engineer noted there will be some special conditions. The Tree warden is taking a look at the trees under the Scenic Rd. Hearing. There will be a traffic safety officer.

Mr. Snuffer questioned if he created Lot 5 as shown on the plan and Mr. Tracey stated no, he has owned it and it has always been there. Ms. Walker noted they are talking about a three week prior to the end of the moratorium.

Mr. Snuffer questioned if we talk about betterment? Ms. Walker noted he is doing a sewer connection. Mr. Snuffer is talking about betterments as a policy, enhances the value of an existing property. It should be something we think about. Ms. Walker explained there is not extension of the main. That is when the town is covering the cost of installation. He is talking about doing the work himself and no cost to the town. It does not mean the value of the lot has not changed. A sewer line passing by lot 5 may change the value.

MOTION moved by Mr. Timson to approve the Street opening permit on High Street subject to the conditions set forth in the memo from Town Engineer dated August 7, 2013 being adhered to, seconded by Mr. Snuffer, VOTED 3-0-0

OPEN FORUM NO ONE PRESENT

8-2 Housing Partnership appointment

David Sullivan is very involved and on several committees. He has been recommended by the Vet Committee to serve.

MOTION moved by Mr. Timson to appoint David Sullivan to the Housing Partnership Committee representing the Veterans Committee, seconded by Mr. Snuffer, VOTED 3-0-0

8-3 PBC appointment

MOTION moved by Mr. Timson to appoint E. Hunt Bergen to the PBC as the Library liaison until the project is complete seconded by Mr. Snuffer, VOTED 3-0-0

8-4 Villar's Bench

The Board reviewed the request from Villar's for a bench and two flower barrels to be placed in front of the business. The Board wants to be sure this is not a permanent approval as there is future work being proposed on the sidewalks downtown.

MOTION moved by Mr. Timson to approve the request of Villari's to place a bench and planter in front of their facility against the building not in traveled way for pedestrians as indicated by the Building Commissioner for a one year trial period, Subject to the towns rights and requirements to remove it any time if we need to do work or the town finds it creates a hazard, seconded by Mr. Snuffer VOTED 3-0-0

8-5 NSTAR hearing

MOTION moved by Mr. Timson to open the hearing for a petition to install one pole on Lafayette Drive seconded by Mr. Snuffer, VOTED 3-0-0

The T. Engineer has provided comments. Christine Cosby from Nstar is present. They are looking to install a pole on Lafayette drive, electric service for a new home.

Carl 15 Lafayette Drive wanted to whether the pole is going to be the left of his driveway. Ms. Cosby stated it is there is a stake along the mailbox. The pole will not change site distance.

MOTION moved by Mr. Timson to close the hearing, seconded by Mr. Snuffer,  
VOTED 3-0-0

MOTION moved by Mr. Timson to approve the request of NSTAR and Verizon to install one pole 377/4A on Lafayette Drive to provide electric service for two new homes. Subject to the applicant making sure the pole is located within the public way and not blocking driveway of 15 Lafayette drive, seconded by Mr. Snuffer,  
VOTED 3-0-0

#### 8-6 Adams Farm Sign

The Building Commissioner has asked the board to vote on this. Mr. Wiley appeared before the Board to show them the design for a sign at Adams Farm. Mr. Timson noted it says hiking trails, but aren't some of them mountain biking trails. Would like to keep the space at the bottom of sign open for additional information when needed. Mr. Wiley stated they can make it hiking/biking trails. Mr. Timson would like the sign to reflect various activities, would like volleyball court.

MOTION moved by Mr. Timson to approve the placement of a sign at the entrance of A. Farm which reads; Butterfly Garden, Community Garden and bicycle/Hiking Trails, Volleyball seconded by Mr. Snuffer VOTED 3-0-0

Mr. Wiley asked if they have a preference for the T. Seal or barn on the sign and the Board members would like the Town Seal.

#### 8-7 One Day Wine Only, Fancy That

Sarah and Bill obtaining a license to serve pink sparkling wine. Sarah we are doing one ticket. Mr. Timson asked if they are going to have someone watching the door? Either Brad or I will be there, TIP certified bartender to serve. Set up an antique sideboard. The bartender will pour and use disposable glasses. They do not expect a huge crowd.

They started this ten years ago, vintage rental, china, tea cups. Sarah grew up in Norwood, we had a lot of response from community, we opened a retail shop three years ago. Tea Room, we began that in the spring and going very well.

MOTION moved by Mr. Timson to approve the one day wine only license for Fancy Than on main Street for September 6, 2013, second by Mr. Snuffer, VOTED 3-0-0

#### 8-8 One Day All Alcohol/ One Day Entertainment

Request British Beer company. This is an event made called Blue Valor ride. Honoring victims of Boston Marathon and Sean Colliler. It is a law enforcement event. This is not indoor event; so they need one day all alcohol license, secure area.

MOTION moved by Mr. Timson to approve a one day all alcohol license for Nancy Cowles for the British Beer parking lot as shown in the plan. Beer tent in the parking lot being an enclosed area and ids can be checked, the alcohol be sold be consumed in the tent. No alcohol sold in the parking lot may be brought inside and no alcohol bought inside may be brought outside per State Regulations. Seconded by Mr. Snuffer, VOTED 3-0-0

MOTION moved by Mr. Timson to approve the one day live entertainment from noon to 6pm in the parking lot of British Beer, seconded by Mr. Snuffer, VOTED 3-0-0

#### 8-9 Hartshorn Road & Norton Ave

The town invested \$38,000 to improve these two roads. This is a pass way off East Street out to Main St. The improvements were done very well. We ran into a dilemma of using public funds on a private way, These roads were not subject to Subdivision control law, number of private ways in town. Among the issues that need to be addressed, STM process can't do it for Fall, need to have Norfolk County Engineers assist us. Base layout of the Roadway. Ms. Walker must learn if the physical road is in the layout of the road, we do not have a good sense of that. A building in that area shows that the road may not be in the layout of the rd. If you do not get the layout of the Roadway in public way it can be a problem.

There is a cost to do the legal work, title research, legal documents, it is about \$6,000. That is not what we do in house. How we want to approach that.

Mr. Timson noted they have gone down that path. We are not doing this for every private way. The bigger issue, if we are going to make this public, that is not up to standards, quid pro qua that put to the owners on the Street. I can see arguments for and against. It is the fairest way to do this.

Mr. Snuffer would not want to see anything going forward, quid pro quos, the risk and liability aspects, if we do A, B is resulted. No good deed goes unpunished. Absolve the town from responsibility. We would want sign offs, want to make sure that everyone is on board that we are doing this. Release the town from future liabilities. Mr. Timson is looking for a memorandum of understanding with the neighbors and the town. The document would have to bind each property. It would be recorded. What are we doing about the legal costs? How do we want to approach that? I think the residents are supportive, the question about the road not being up to standard. Ms. Walker noted one document in this case, waiver of appraisals and damages. The residents will not seek triple damages.

Mr. Timson asked if they are possibly creating zoning issues? Ms. Walker explained that no one loses any land. Mr. Timson stated if we are going to do this, we should figure out the layout, if it goes onto people property, we should put together a draft

MOU. Mr. Boynton noted the key is the layout, we want 100% buy in. If someone's property is going to change they will want to know that too.

Jack Fisher stated this started 2 yrs ago they signed off. There are 100 units that use these two streets. It seems unfair to put betterment charges on the few residents of the town. There are no situations like this in any other part of the town.

Mr. Snuffer is not ready to deal with this tonight. I do not know the advantage. Mr. Gallivan does not know if he can answer w/o the layout. Mr. Timson agrees. Ms. Walker explained the Norfolk County Engineers do this at no cost to the town. It should help make it clear to residents if they want to buy into this or not. We can not put town's resources until we get a sign off.

MOTION moved by Mr. Timson that we send the request to the Norfolk County Engineers to prepare a field survey to ensure traveled ways are not on private property for Hartshorn and Norton, seconded by Mr. Gallivan Voted 3-0-0

#### 8-10 Deerfield Drive

This was done in the 1980's bond was released and the developer walked away. Ms. Walker does not need the same kind of plan that Hartshorn and Norton Ave, this is legal issues, in order to accept the roads, who the owners were. Have to find the older developers; the rough cost is between \$3-5,000. Having a hard time with cost recovery, the folks that are there have been there as a duration. Bought when the road was new. We have plowing it since day one. This road is going to have to be repaved.

Mr. Timson stated the town did not do it's job in this one. We should have had funds to take it over. I can see that argument, the fact the way subdivision control is set up. The town is responsible for ensuring that process works. We did not do so.

Mr. Snuffer took a ride to the road, and based on the road surface of zero. It was a pretty good rd. He knows of streets in N. Walpole that have never had the road paved and the road looks pretty solid to me.

Mr. Snuffer is not comfortable in voting on this. I think we have to be careful. Mr. Boynton explained this issue is not going away. I need to know the information you would like for the next conversation. Mr. Gallivan agrees the town dropped the ball, and the expectation was this was going to be a public way.

MB we have gone thru every private way. We are not aware of any other situations like this. If you want to do a betterment, when you met in march. I would say, in looking at other private ways that may come before you. If that is the direction you want to go. It will be clear ou will have folks saying not my fault. CT how do we tackle the issue of betterment. Do we have an executive session. Mb you can.

MOTION moved by CT authorize the TA and engineering to work with T. Counsel to put together the necessary information documentation in order to move forward with St. Acc for Deerfield drive, MG 2-1-0 (CS opposed)

#### 8-11 MBTA Advisory Board

MOTION moved by Mr. Timson to appoint M. Boynton to the MBTA Advisory Board, seconded by Mr. Snuffer VOTED 3-0-0

#### 8-12 to 8-16 Gift Acceptances

MOTION moved by Mr. Timson to accept the gift Georgia Joyce, COA, Denise Floyd, Janet , Conchita with thanks, seconded VOTED 3-0-0

#### 8-17 Mass DOT

MOTION moved by Mr. Timson to sign the Chapter 90 project Request for North Street Circle, seconded Mr. Snuffer VOTED 3-0-0

#### 8-19 Board of Health Technician

The changes have been made. Has been accepted by Personnel Board.

MOTION moved by Mr. Snuffer to approve the job description for the BOH Technician, seconded by Mr. Timson , VOTED 3-0-0

#### TOWN ADMINISTRATOR'S UPDATE:

Fairfield-behind on their project, still moving forward. Several site related issues, do expect to want to meet with Design review team after labor day. Did stress the town's concerns. They wanted an update on Moosehill project. They should not be surprised on mitigation.

Boyden school playground-is underway, the DPW is assisting with weed removal. Building maintenance is setting up forms, volunteer led project. Very nice setup when done.

\*\*Pointing needs to be done on the school. Long term capital project.

Budget Update-Closeout to be completed. Noticed a spike in Motor Vehicle excise. Does not want to be surprised. Most of the data runs first thru MV. The cycles are all wrong. Before making adjustments sit down with Jodi and Marylyn. Interest rates have not been helpful to us. Talked about building permit fees. It is a transition year, and the new finance dept is picking up on things.

MIIA Insurance rewards-\$38,764 training helps count for rewards. Last week Tom Driscoll asked about health insurance. Take a look at our rates if we were not West Suburban, but self insured. We are starting to get responses. I am not proposing to leave West Suburban. We may continue, I am not sure what the benchmarking on that data will be. He asked what group strategies does. Full scope of services in the RFP.

Security Cameras- walk thru, technical questions on locations, we are moving along with that.

Tennis Courts- lights not working right, trying to resolve this issue. It was not shutting off.

Fire Truck Damage-driver lost control and struck the engine in the bay. She sustained serious injuries. This is the truck we are trading in. The insurance adjuster was out looking at it. May have to extend the deadline on the bid. The value of the truck is \$70,000. We have replacement coverage on those trucks. If it is repaired, the trade in estimate was done last December. Will they have the same comfort level if the truck is repaired.

Solar PILOT- 2<sup>nd</sup> meeting, we have not made any agreements with this. The reason is not to provide a tax break. Marching orders, what the comparables are and other type of agreements that have been negotiated. If there is a change in legislation, we would be covered with a PILOT agreement. Mr. Gallivan questioned how should you value the PILOT when some are never been built.

Group Home letter-We have gotten responses from other towns to your letter. The general reaction is that they new it was coming.

### New Business

Mr. Snuffer discussed subdivisions- my thinking at some point to discuss a sunset clause, after 5 years of non responsiveness we can just pull the bond.

### 8-18 Executive Session

Chairman's declaration:

I hereby declare that:

- Under G.L. c.30A, §21(a)(6) the purpose of the executive session will be
  - to discuss the purchase, exchange, or value of real estate, and that I determine that discussing the matter at an open meeting may have a detrimental effect on the town's position.

- That the Board of Selectmen shall return to open session only for the purposes of adjourning.

MOTION moved by Mr. Gallivan that the Board go into executive session, under G.L. c. 30A, Section 21 (a)(6) for the purposes and reasons declared by the Board's Chairman, with the Board returning to open session at the conclusion of the executive session for the purposes of adjourning , seconded by Mr. Timson ROLL CALL VOTE: Mr. Timson -Yes, Mr. Snuffer-Yes, Mr. Gallivan-yes

The Board moved out of executive session.

MOTION moved by Mr. Timson to adjourn at 10:11, seconded by Mr. Snuffer, VOTED 3-0-0