

A Regular meeting was held on Tuesday, May 19, 2015 beginning at 7:00 pm in the Main Meeting Room of the Town Hall.

Mark Gallivan, Chairman  
Christopher Timson, Vice Chairman  
Nancy Mackenzie, Clerk  
Clifton Snuffer  
James Stanton

Also present James Johnson, Town Administrator  
Nancy Genesky, Principal Clerk

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

### **Announcements and Proclamations**

Eagle Scout Proclamation for Carleton Heromin Coffin. Mr. Coffin of troop #44 received his Eagle Scout Rank on 6/14/14 for displaying perseverance and commitment to community service. He has made an exemplary contribution to his community through his service project to the VFW Post activities area by painting and replacing a 50ft fence, replaced horse shoe pits and updated the scoreboards.

MOTION moved by Mrs. Mackenzie to sign the proclamation for Carleton Heromin Coffin, seconded by Mr. Snuffer. VOTED 5-0-0

Mr. Timson noted as a representative of the Walpole Drug Collation drug alert that targets kids and teens called NBOMe causing seizures and even death. Asking Walpole parents to be aware and talk

### **Sponsored items**

#### **5-17 Bonding**

Marilyn Thompson, Finance Director explained the General Obligation Municipal Purpose Loan of 2015 Bonds. Mr. Johnson commended Marilyn on her hard work. Mr. Snuffer would like the option to pay down on a quicker rate for the future. Marilyn will check into this.

MOTION moved by Mrs. Mackenzie to approve the voted bond as written from the memo dated May 14, 2015 seconded by Mr. Timson, VOTED 5-0-0

Letter Dated 5/14/15

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Walpole, Massachusetts (the "Town"), certify that at a meeting of the board held May 19, 2015, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$445,000 borrowing authorized by the vote of the Town passed May 8, 2013 (Article 14, Motion #2) is hereby determined pursuant to G.L. c.44, §7(9) to be as follows:

Purpose Borrowing Amount Maximum Useful Life

Fire Engine \$445,000 10 Years

Further Voted: that the sale of the \$7,414,000 General Obligation Municipal Purpose Loan of 2015 Bonds of the Town dated May 28, 2015 (the "Bonds"), to FTN Financial Capital Markets at the price of 7,663,608.30 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on May 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2016	\$449,000	3.00%	2025	\$390,000	3.00%
2017	445,000	3.00	2026	350,000	2.25
2018	440,000	3.00	2027	350,000	2.50
2019	425,000	2.00	2028	350,000	2.50
2020	425,000	2.00	2029	350,000	2.50
2021	400,000	2.00	2030	350,000	2.65
2022	395,000	3.00	2031	305,000	2.75
2023	395,000	3.00	2033	600,000	3.00
2024	395,000	3.00	2035	600,000	3.50

Further Voted: that the Bonds maturing on May 15, 2033 and May 15, 2035 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due May 15, 2033 Year Amount

2032 \$300,000 2033\* 300,000

**\*Final Maturity**

Term Bond due May 15, 2035

Year	Amount
2034	\$300,000
2035	300,000

**\*Final Maturity**

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 21, 2015, and a final Official Statement dated May 5, 2015 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: May 19, 2015

Clerk of the Board of Selectmen

**5-18 Constable, Paul Terrio**

MOTION moved by Mrs. Mackenzie to reschedule the appointment of Paul Terrio as Town Constable until Police Chief Rick Stillman responds to this request.

MOTION moved by Mrs. Mackenzie to defer until next meeting 6-2-15, seconded by Mr. Timson  
VOTED 5-0-0

**5-19 Robin Chapell, Solid Waste Contract**

Robin Chapell, asking the Board to re-sign the Solid Waste Contract to correct the administrative error. Robin noted that they are currently working with this contract since January 2015.

MOTION moved by Mrs. Mackenzie to resign the Solid Waste Contract with Wheelabrator Technologies to correct an administrative error, seconded by Mr. Timson, VOTED 5-0-0

**5-20 Michael Buckman, Ponds Committee**

Michael Buckman is seeking an associate seat on the Ponds Committee; he can bring both physical and engineering expertise to expand the pond committee.

MOTION moved by Mrs. Mackenzie to appoint Michael Buckman to the Ponds Committee as an associate member, seconded by Mr. Timson, VOTED 5-0-0

**5-21 Mark Dalton Jr., Pond Management Committee**

Mark Dalton Jr. is seeking an associate seat on the Ponds Committee; Mr. Dalton noted he can do whatever is needed.

MOTION moved by Mrs. Mackenzie to appoint Michael Buckman to the Ponds Committee as an associate member, seconded by Mr. Timson, VOTED 5-0-0

**5-23 Reappointment to EDIC**

MOTION Moved by Mrs. Mackenzie to reappoint Bernie Goba to the Economic Development Industrial Commission as a regular member, seconded by Mr. Timson, VOTED 5-0-0

**5-24 Reappointment to EDIC**

MOTION Moved by Mrs. Mackenzie to reappoint Richard Shield to the Economic Development Industrial Commission as a Regular member, seconded by Mr. Timson, VOTED 5-0-0

**5-26 Bid Award 2015-27**

MOTION moved by Mrs. Mackenzie to award bid No. 2015-27 to Sealcoating Inc. Braintree, MA in the amount of \$285,425.97 seconded by Mr. Timson VOTED 5-0-0

**5-27 Bid Award 2015-24**

MOTION moved by Mrs. Mackenzie to award bid No. 2015-24 to Aggregate Industries of Saugus, MA in the amount of \$841,115.75 seconded by Mr. Timson, VOTED 5-0-0.

**5-28 Bid Award 2015-28**

MOTION moved by Mrs. Mackenzie to award bid No. 2015-28 to LAL Construction Co. in the amount of \$429,051.32 seconded by Mr. Timson VOTED 5-0-0

**5-29 Election Warrant**

MOTION moved by Mrs. Mackenzie to sign the Annual Election Warrant for Saturday, June 6, 2015 seconded by Mr. Timson VOTED 5-0-0

**5-30 Farmers Market**

MOTION moved by Mrs. Mackenzie to approve 2015 Summer Farmers Market scheduled to open on Friday, June 19<sup>th</sup> from 1:30 to 6:00 pm and to allow no parking on Front Street as posted, seconded by Mr. Timson VOTED 5-0-0

**5-31 Gift Acceptances**

MOTION moved by Mrs. Mackenzie to accept the gift of \$200 from Joseph and Patricia Healey for the ambulance gift fund, seconded by Mr. Timson. VOTED 5-0-0

**5-32 Gift Acceptances**

MOTION moved by Mrs. Mackenzie to accept the gift of \$750 from Rockland Federal Credit Union for the Concerts on the Common, seconded by Mr. Timson. VOTED 5-0-0

### **Town Administrator update:**

- Two citizens have submitted petitions for the Fall Town Meeting requesting charter changes. Mr. Johnson just wants to keep the Board informed.
- Permission to pursue overlay district for landfill for Solar Energy. Cliff noted to be careful of hidden requirements. Mr. Johnson replied that the liability would be placed on the solar company.
- Mr. Johnson would like to request a reserve fund transfer \$80K, for the Fire Department over-time cost. This figure has come down from \$100,000 to \$80,000 thanks to Chief Bailey. Requesting this vote so the Finance Committee may consider it at their next meeting.

MOTION moved by Mrs. Mackenzie to approve reserve fund transfer of \$80,000 for the Fire Department over-time cost, seconded by Mr. Timson, VOTED 5-0-0

- Mr. Johnson wanted to note that the Board of Health rejected the request for an Islamic cemetery; the reason stated was to protect the water supply and conservation of Walpole water system. Mrs. Mackenzie asked is there any way they can pursue the cemetery again. Mr. Johnson stated they cannot go forward among Town Boards but could possibly pursue within the court system. Town Counsel is assisting the Planning Board to legally close the original request.
- Commerce Bank Visa Card program, this program will allow the School and Town to benefit from the credit card cash back program. Visa cash back for purchases could involve credits up to \$50K per year. These funds will be used for capital purchases.
- Mr. Johnson noted that negotiations are ongoing for a UGT draft Pilot and Net metering credit. Update to follow.
- Owners Project Manager for Municipal facilities, Bid specifications for the OPM job description for an employee to serve as OPM has been drafted. Mr. Johnson would like to move forward with both options and see what the response is. This position would oversee the Police, Fire and Counsel on Aging facilities. Mr. Gallivan noted he liked the dual approach.
- Walpole Day was held on Saturday and Mr. Johnson would like to thank the Recreation Department, DPW, Police and Fire Departments for their tremendous efforts. The day was a great success.
- Memorial Day ceremony is on Monday May 25<sup>th</sup>, at the flag pole on the Town Common at 12pm.

### **5-33 Police Union Contract**

Motion moved by Mr. Timson to sign the Police Union Contract dated July 1, 2014 through June 30, 2017, seconded by Mr. Stanton. VOTED 4-0-1 (Mrs. Mackenzie abstained)

### **5-34 Discussion of Easement on Vintage Farm Lane**

Attorney Brady is here to represent the owners of 15 Vintage Farm Lane, Mr. and Mrs. McCallum. They are in the process of selling their home and the mortgage survey plan concluded that when the pool was built it encroached on an easement. Mr. Brady is seeking agreement from the Board to remove the cloudy title and have a clean title so the owners can sell the property. The licensing approval will alleviate the issue so the clients will have a clear mortgage survey. Mr. Brady noted that his clients own the easement and have maintained clean drainage over the past 10 years. When they pulled the permit for pool they had no idea they were on the easement until the mortgage survey was completed for the clients to sell this property. To go forward the plan is to clear that land and make an 8ft wide pathway so a vehicle can access that area. Mrs. Walker the Town Engineer, agrees with this plan. Town Counsel approves of the refinement of the easement also. The client will be responsible for the expense of the reallocation of the easement. Mr. Mahoney will do the work; he is also an abutter to this non buildable area. Mr. Brady would like to be put on the agenda for next BOS meeting and at that time all the work will be completed. Mr. Timson believes this is an easy fix for all parties.

Mr. Timson asked why did we issue a building permit originally, Ms. Walker noted that the previous Building Commissioner issued a permit for the pool but did not send to the ZBA for proper clearance. Mr. Snuffer noted we need to get the easement locked in so we do not have a problem in the future.

Mrs. Mackenzie asked Mrs. Walker if there is any water in the easement, Mrs. Walker said when she inspected the area it was bone dry. Mr. Walker said they just cut down some brush and all that is needed is to level off the area and some additional brush cut. Mrs. Walker noted the Conservation Agent was very happy with the work. Attorney Brady also stated the Conservation Agent was very happy and the owners will pay \$3K to have the work completed.

### **5-22 Kathleen Watson, Conservation**

Kathleen Watson is seeking Regular Membership to the Conservation Commission she has taught for 31 years teaching natural science. Ms. Watson has a pesticide license and an abundant of horticulture experience. Mr. Snuffer noted your skill sets will be very valuable to the Town.

MOTION moved by Mrs. Mackenzie to appoint Kathleen Watson to the Conservation Commission as a Regular member, seconded by Mr. Timson, VOTED 5-0-0

### **5-25 Name Change, Hess**

Hess Retail Operations, LLC located at 2285 Providence Hwy, is requesting a name change from Hess #21213 to Speedway #2410, Hess Retail Operations will remain the licensed entity.

MOTION moved by Mrs. Mackenzie to approve a name change for Hess Retail Operation LLC, to be renamed Speedway #2410 located at 2285 Providence Hwy, seconded by Mr. Timson VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to approve the minutes of April 21, 2015 and May 5, 2015, seconded by Mr. Timson, VOTED 5-0-0

**Old Business**

**New Business**

MOTION moved by Mrs. Mackenzie to adjourn at 8:40 pm, seconded by Mr. Timson VOTED 5-0-0