

A Regular meeting of the Board of Selectmen was held on Tuesday, April 20, 2010, beginning at 7:30 p.m. in the Main Meeting Room of the Town Hall. Mr. DeNapoli and Mr. Snuffer were absent, the following members were present

Christopher Timson, Chairman  
David Sullivan, Clerk  
Nancy Mackenzie

Also present  
Michael Boynton, Town Administrator

Mr. Timson called the meeting to order.

### **Announcements**

Household Hazardous Waste Day is April 24, 2010 at Fisher School.

### **Appointments**

#### **4-20 Subway, Common Victualler's**

Mrs. Patel appeared before the Board to seek a Common Victualler's license for Subway at the Walpole Mall. The Subway has been there for several years, she is now taking ownership.

MOTION moved by Mr. Sullivan to accept and approve the application for Subway at the Walpole Mall, Providence Highway, seconded by Mrs. Mackenzie, VOTED 3-0-0

#### **7:32 Civil Service List, Police Department**

Chief Stillman would like to move forward to fill a vacancy and is asking permission to seek the civil service list to fill that position.

MOTION moved by Mr. Timson that we request the Civil Service list to fill a position on Police Department, seconded by Mr. Sullivan, VOTED 3-0-0

#### **4-21 Public Hearing, Used Car License**

Brad Lucas, 325 Washington St. is applying for class II used car license. He is involved in that business and is looking to obtain cars for resale. He believes that he has met all the requirements. He received a Special Permit from the Zoning Board of Appeals. Has a written agreement for auto repairs with the business next door, Bobby Hidaya.

MOTION moved by Mr. Timson to open the hearing, seconded by Mrs. Mackenzie, VOTED 3-0-0

2 April 20, 2010

Dan Valey lives at 1191 Main St in front of 1171 Main St. He stated he really does not have an objection just concerned about the hours of operation. Have had people out there at midnight and he has some concern. Is he going to be open on Sundays? It sounds like a legitimate business. As long as it is not detrimental to the neighbors he would not have a problem.

Mr. Timson questioned Mr. Lucas as to what hours he was planning. Mr. Lucas stated he is only selling cars. Work by appointment only. No set hour. I will not be making any noise. Was asked if he would be willing to limit the hours you would have appointments. No later than 8 p.m. would you agree to that? Mr. Lucas felt 10 p.m. would be reasonable. Mr. Timson stated that it seems to me if we were going to issue a license, 8 p.m. on weekdays and 6 p.m. on Sundays seems reasonable. Mr. Lucas stated that it would be limiting to him. He wants to be able to show a person a car when they want to see one.

Mr. Timson noted that when considering whether or not to issue a license, they usually look at whether or not a use car license is necessary. The first thing I saw is that it is in a residential area. There are already existing businesses. He read into the record the note from the Deputy Fire Chief and Building Inspector.

Mr. Lucas stated that Donnell Murphy went to the ZBA he answered some questions.

Mrs. Mackenzie noted this is a recommendation from Deputy Fire chief. Where do you do your advertising? Mr. Lucas stated he does it on the internet. Mrs. Mackenzie reviewed the conditions from ZBA. You have one parking space. Three vehicles stored inside six outside. It is very congested and dark in the evening and she does not think it is set up for business after hours. Find out if the other car dealers have set time and if they do not have time we should consider that when we renew their license.

Mr. Lucas stated he does have lit bay and is sure Donnell has lighting in the area. The Board would like to know the final comments from the Deputy Fire Chief and the Building Inspector and what the typical hours of operation are for the existing car dealer licenses in town.

MOTION moved by Mr. Timson to continue the hearing to May 4 at 8:15, seconded by Mrs. Mackenzie, VOTED 3-0-0

8:00 p.m. Walpole Youth Football, Stone Field

Bob Conrad looking for fields for use for football. Most of the Board members and some of the head coaches are present. Their goal is to beautify stone field and turn into park and multi use field and improve the conditions and safety of the field for the existing activities. The field gets a lot of use and there has been a lot of damage from wear and tear of the field. We have had discussion about looking an alternate location for the carnival. Modify the license and relocate the equipment. DPW has been great with us.

3 April 20, 2010

We have looked at the municipal parking lot and it is used half during the day. Suggested the carnival using that parking lot for one week. It would be a shame to do this entire field over and have the carnival destroy it.

He explained their responsibility for construction will pay the first three phases of the proposal. The first phase would cost approximately \$13-15,000. They would like to put irrigation in the field, and improve the lighting system. They would need the town to help partnership a subcommittee regarding usage of the field. The goal would be to start after Walpole Day. Josh Cole, Recreation Director gave them time tables to get the work done.

Mr. Timson reiterated that the Football program is not looking to displace anyone. You are looking to make it safer for those that play football. Mr. Conrad stated they will need help watering it. Pay to keep the maintenance project going.

Mr. Autiore just wants a great practice facility for youth football. They have been able to raise the funds and he thinks the whole town can benefit from it. Would like to see a post and rail out there and benches. They are not looking to have any games, just practice.

Mrs. Mackenzie thinks it is a great plan, consistent with master plan, great for safety. She is concerned about the watering issuing. That has to be a plan agreed upon and done. She noted they use a big container for their equipment and suggested maybe a shed would be nicer looking. As far as the carnival goes, I think we are going to have to find a new home for it. I do not want it on the green space. I think we need to go ahead with this plan and then decide that.

Mr. Autiore, the watering from the town is in the beginning when the seed is new. If we knew the carnival was not coming back.

Mr. Boynton appreciates their thought on the carnival, but this is an opportunity to get that field back to how it was. The damage from the carnival is there. If the field is overhauled, then that vision of the green space now comes to life. I believe although talked about many years, now is the time to send a message to find a new location, it is a great plan. If the carnival is going to stay where it is then there will be no field. Would not want to see them spend dollar one if that carnival goes back on the field. Need to make sure that everyone has a place to go while it is being constructed.

Mr. Timson supports the idea and the carnival is an issue.

MOTION moved by Mrs. Mackenzie to enter into an agreement and allow Pop Warner Football to move ahead with their plan provided kinks are worked out, seconded by Mr. Sullivan

VOTED 3-0-0

4 April 20, 2010

Mr. Boynton suggested inviting the American Legion in to a meeting to discuss the issue. I think it is integral for them to know how much they want to put in.

Mrs. Mackenzie suggested if we do not find a new home for the carnival they make it smaller and use pavement. Need to let them know where they can go. Need to give Pop Warner an answer so they may move forward.

Mr. Boynton will have discussions with the Carnival supporters as to finding another location.

Mr. Timson is not suggesting that we make a motion for the carnival tonight. At a minimum we could do a configuration.

MOTION moved by Mrs. Mackenzie that we notify the American Legion (Carnival group) that they will not be using the Stone field for a carnival after this year and we will work with them to find a new location seconded by Mr. Timson for discussion

Discussion:

Mr. Timson would like at a minimum to change the configuration of the field and look to moving them. He feels they should have them in prior to voting. Mr. Boynton felt that is sending the wrong message to the Pop Warner group. Mr. Timson feels they should be present when the Board takes the vote.

Mrs. Mackenzie noted we are offering to help find them a new location and thinks there is enough room to have the carnival at another location.

Mr. Sullivan agrees with Nancy that Pop Warner wants to move forward.

VOTED 2-1-0 (CT opposed)

MOTION moved by Mr. Timson that the Board notify the American Legion that we are going to put them on the agenda for the purpose of discussing relocating the carnival in order to commence the project that was proposed tonight, seconded by Mrs. Mackenzie  
VOTED 3-0-0

#### **4-22 Library Endowment**

Mr. Boynton explained the New Library project at the corner of School and Stone had three sources of funding. One of them was from the Library Trustees who had stated they would have one million in donations. This is the first contribution they are making.

MOTION moved by Mrs. Mackenzie to accept the gift in the amount of \$150,000 from the Library Trustees for the construction of the new library, seconded by Mr. Sullivan,  
VOTED 3-0-0

#### **4-23 Article #30**

Attorney Macchi had sent in a memo requesting cancelling this appointment.

8:45 **Robin Chapell, Solid Waste options**

Ms. Chapell was asked to look at savings if the town reduces the number of bags households can place at the curbside each week. The average household puts out 1.6 bags of trash a week. Most people do not put out 6 bags which is allowed. If we were to reduce it you could save \$71.00 a ton. She noted that 10% of households do put out more than the average. She feels about 3% of households put out six bags a week on average. If the number of households is 10% it could be a \$136,000 savings and if it is 3% it would be a savings of \$41,000. It is really asking the residents who put out a lot of trash to cut way back and recycle.

Mr. Timson noted the Town has been moving in this direction and it makes sense. Mr. Boynton stated, what is being asked what the procedure is. Do you project in advance or do you observe over a period of months. That would be a big change for those that put out more than two bags. Town dumpsters would have to be locked. You can not allow the trash going out on the curb to go into the dumpsters. There could be a possible charge for a large item. Ms. Chapell stated they do about 30 bulk stops a week. Mr. Boynton is aware the issue of trash is equally sensitive in town; we recognize the discussion of fees. It is not fair for those that put out one trash bag and neighbors put out six or more. For every ton of trash we do not send we save \$71.00.

The Board discussed if in the agreement with the company if there was an amount promised to them. There is not. Mr. Boynton noted the Town pays \$270,000 to have recycling picked up. Mrs. Mackenzie feels there will be a need for further recycling education. Mrs. Mackenzie further suggested the town would need to let the business owners know.

Mr. Timson asked if there were any large families in town and what would we do if we have hardship. Mrs. Chapell believes that most families can put out two bags. Mr. Boynton noted that if we go to single stream there would have to be a cost associated with it.

Mrs. Chapell would need to know how many bags and if you want to charge for bulky items. This is only changing the rules and regulations. I think 6 bags is too much, do you want to reduce to two or three. The average is 1.6. The recommendation is two bags or one trash barrel.

MOTION moved by Mr. Timson to change our trash pick up rules to limit each household trash to two (2) bags or one barrel that equals 60 gallons and to start charging \$10 for bulk item pick up unless you are over age 68 effective July 1, 2010, seconded by seconded by Mr. Sullivan, VOTED 3-0-0

6 April 20, 2010

Mrs. Mackenzie talked about a fundraiser idea for recycle bins as the town no longer supplies them.

#### **4-31 Little League Parade**

MOTION moved by Mrs. Mackenzie to approve the request for the annual Little League parade, seconded by Mr. Sullivan, VOTED 3-0-0

#### **4-24 Citizens Petition, Meals and Hotel Tax**

John Desmond and Nancy Gallivan appeared before the Board to discuss their petition to have an article placed on the warrant. Talked about the Teachers taking a cut in their health insurance. In Walpole we will have those designs, in exchange for that we are seeking support from the Selectmen. The School Committee is planning on cutting \$650,000 from our FY2011. That will leave us with a gap of \$700,000. This represents positions; most of these are classroom teachers. They expect on the boards action to be addressing the meal tax at town meeting. We would like the Board to vote on these requests. The other action is trash disposal and I applaud you for doing that. Money saved or raised goes to the town. It would be most helpful to the schools if you support this.

Ms. Gallivan explained they are there as individuals, not members of the School Committee. They have been looking at a large gap for a while. Looking for a community solution for a while. We are not saying the teachers caused the problem. Some people will say we protected salaries. When you bargain you can not go after everything. We have a need to remain competitive, This is a budget data. We focused on Health Ins., Cost. Reviewed their current fee structure. We would be remiss not to thank the parents for their contribution.

We have made decisions in Walpole and we need to define what level of service we want. If we are trying to provide quality services. We either have to pay with a residential tax base or do something with our commercial tax base. We felt the meals and hotel tax are from people who are using discretionary funds. If there child is in a classroom where there are too many children in a classroom would the mind paying this extra tax. They will bring this to the School Committee for a vote on the 27<sup>th</sup>.

Mr. Timson explained the Board is required to put on the Spring Town Meeting warrant. Mr. Boynton explained how these articles should be placed on the warrant.

MOTION moved by Mrs. Mackenzie to open the Spring Town Meeting Warrant, seconded by Mr. Sullivan, VOTED 3-0-0

MOTION moved by Mrs. Mackenzie to withdraw article 30 at applicants request and noted as withdrawn, seconded by Mr. Sullivan, VOTED 3-00

7 April 20, 2010

MOTION moved by Mrs. Mackenzie that we add Article 36 be the occupancy Tax , seconded by Mr. Sullivan, VOTED 3-0-0

MOTION moved by Mrs. Mackenzie that we add Article 37to impose the local meals tax, seconded by Mr. Sullivan, VOTED 3-0-0

MOTION moved by Mrs. Mackenzie to close the warrant, seconded by Mr. Sullivan, VOTED 3-0-0

MOTIN moved by Mrs. Mackenzie to sign the STM dated April 20, 2010, seconded by Mr. Sullivan, VOTED 3-0-0

Mrs. Mackenzie talked about going into the state house on April 27<sup>th</sup>. Mr. Timson noted there are many times when a group comes forward for more money this year it is different the union says they are willing to pitch in. If we work together, that is how you get things done. The teachers did not cause the problem. It costs \$11,000 a year per child to educate.

#### **4-25 Housing Partnership**

J. Rockwood and Don Johnson appeared before the Board. The Selectmen had asked them to look into the reuse of the library as affordable housing. Bernie Goba has offered us some services as to what would have to be done to accommodate housing. Don Johnson made the Housing Partnership aware of the grant. We are going to apply for this grant. No matching funds, \$35,000 is the maximum grant. If we get this grant what the MHP will provide for us. They will help with development , site assessment, site planning and design, construction cost. The application is due April 30<sup>th</sup>, takes 4-6 weeks to hear back. There is support from the Housing Authority and MPIC and they are asking for Board's support on this.

Mrs. Mackenzie noted this is just a feasibility study. Mr. Rockwood agreed, they would like to see this as what we can do. Mrs. Mackenzie feels it is a good idea to look into this.

MOTION moved by Mr. Sullivan that we support and authorize filing of the grant with a letter, seconded by Mrs. Mackenzie, VOTED 3-0-0

#### **4-28 Capital Budget Items**

Mr. Boynton reviewed the Capital budget items with the board members and talked about the work at Fisher School.

MOTION moved by Mrs. Mackenzie to recommend Favorable Action on Article 11 , seconded by Mr. Sullivan, VOTED 3-0-0

8 April 20, 2010

MOTION moved by Mrs. Mackenzie to recommend Favorable Action on Article 12 , seconded by Mr. Sullivan, VOTED 3-0-0

MOTION moved by Mrs. Mackenzie to recommend Favorable Action on Article 14 , seconded by Mr. Sullivan, VOTED 3-0-0

MOTION moved by Mrs. Mackenzie to recommend Favorable Action on Article 19 , seconded by Mr. Sullivan, VOTED 3-0-0

MOTION moved by Mr. Timson to recommend No Action on Article 9, seconded by Mrs. Mackenzie, VOTED 3-0-0

MOTION moved by Mr. Sullivan to reconsider articles 32-35, seconded by Mrs. Mackenzie, VOTED 3-0-0

MOTION moved by Mr. Timson to recommend no action on articles 32-35, seconded by Mrs. Mackenzie, VOTED 3-0-0

#### **Gift Acceptance**

MOTION moved by Mrs. Mackenzie to accept the gift from Rockland Credit Union for concerts on the common, seconded by Mr. Sullivan, VOTED 3-0-0

#### **Adams Farm appointment**

There is an opening for regular membership on A. Farm Committee. Mr. Chamberlain is currently serving as an associate.

MOTION moved by Mrs. Mackenzie that we promote Ken Chamberlain from Associate to Regular member on the Adams Farm Committee, seconded by Mr. Sullivan, VOTED 3-0-0

#### **4-32 Council on Aging, Appointments**

MOTION moved by Mr. Sullivan to appoint Theresa Lehrman, Jim Pellegrine as associate members and Mary Rich as a regular member to the council on aging as nominated by the Council on aging nominating committee, seconded by Mrs. Mackenzie, VOTED 3-0-0

#### **4-33 Silver Star Banner Day**

This is the second year the board approves this proclamation.

MOTION moved by Mr. Timson to execute the proclamation for Silver Star Banner Day, seconded by Mr. Sullivan, VOTED 3-0-0

#### **4-34 Bid Award 2010-03, I/I Removal Program**

MOTION moved by Mr. Sullivan to award the bid to New England pipe Cleaning Company, for an amount of \$498,007.90, this amount reflects base bid plus alternate No.1, seconded by Mrs. Mackenzie, VOTED 3-0-0

**4-35 Bid Award 2010-37, Cleaning/Redevelopment Gravel packed Wells**

MOTION moved by Mrs. Mackenzie to award the bid to maher Services, Inc., North Reading, MA for a lump sum price of \$38,910, seconded by Mr. Sullivan, VOTED,3-0-0

**4-36 Junk Dealer/Junk Collector Renewals**

Mr. Boynton noted they received from Allied their proposed stormwater plan

MOTION moved by Mrs. Mackenzie to hold Allied Recycling Center until we hear back and continue to May 4, 2010, seconded by Mr. Sullivan, VOTED 3-0-0

MOTION moved by Mrs. Mackenzie to renew all the other Junk dealers/junk collectors, seconded by Mr. Sullivan, VOTED 3-0-0

**4-39 Boy Scouts Signs, Enrollment**

Boy Scout organization is seeking permission to place signs on the commons to announce enrollment.

MOTION moved by Mrs. Mackenzie to allow the placement of signs on the common, seconded by Mr. Sullivan, VOTE 3-0-0

**Town Administrator's Update**

1. Safe routes to school program grant award. Engineering funding for Elm Street.
2. BOH State Sentinel site Selection.
3. Regional services meeting working on animal control and veterans administration.
4. Pine St Trench update, had a problem with groundwater flow under the street. We will put the base down but not the top coat. Mrs. Mackenzie suggested sending a letter to the residents, to let them know what is going on. Thought Maggie was working with neighbors regarding issues on their property.
5. Open Meeting Law Changes-Significant changes to open meeting law. Recording and saving all the information can be costly. Mr. Timson questioned why they could not keep records in digital format. Mrs. Mackenzie suggested putting a letter together regarding this proposal and the cost that will be associated with it for the town.
6. Billboard meeting next week regarding the billboards on Route 1.
7. Turco Field Lighting project- They are close to completing fundraising for the lights project.

10 April 20, 2010

8. Next Thursday Regional breakfast Neponset Valley Chamber of Commerce.

**MINUTES**

MOTION moved by Mr. Timson to approve the minutes of March 10, 2010, seconded by Mr. Sullivan, VOTED 3-0-0

**Executive Session**

MOTION moved by Mrs. Mackenzie to enter Executive Session to discuss Pending Litigation and Collective bargaining and continue to Regular session to adjourn, seconded by Mr. Sullivan Roll call vote ; Mr. Sullivan-Aye, Mrs. Mackenzie-Aye and Mr. Timson-Aye

The Board moved out of Executive session.

MOTION moved by Mr. Timson to adjourn at 10:56 p.m., seconded by Mrs. Mackenzie, VOTED 3-0-0

Respectfully submitted,

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David Sullivan, Clerk