

The Board of Selectmen met on Tuesday, June 2, 2015 beginning at 7:00pm in the Main Meeting Room of the Town Hall . The following members were present

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

Also present:  
James Johnson, 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**

#### 6-1 Applebees, Change in Manager

##### Michael Szabo

Mr. Szabo introduced himself to the members and talked about his past employment history. Everything is in order.

MOTION moved by Mrs. Mackenzie to approve the Change in Manager from Ashley Tougas to Michael Szabo, seconded by Mr. Snuffer, VOTED 5-0-0

#### 6-2, 5-34 Vintage Farm Easement

The pool at 15 Vintage Farm Road encroaches on the drainage easement. In order for the owners to sell the house this item needed to be cleared up legally. The town worked with Attorney Brady to ensure that there will be an easement by only moving a small portion of the easement.

Attorney James Brady worked with Town Counsel on an agreement to modify the easement it shows you the pool encroaches upon the easement and the easement other than that change stays were it is. There are two documents before the Board.

1. Plan: A plan showing the portion to be released – it is referred to “Abandoned Access & Utility Easement” and contains approximately 1,750 sf;

2. Agreement: An Agreement between the Town and the owners, where the Town agrees to release the encroachment area from the easement provided that the owners provide us with an attorney's certificate stating that the McCallum's are the current owners of the property, and reimbursing the Town's legal fees, up to \$1,000. The Agreement also states that the Agreement does not affect Parcel 4C, which is shown on the plan; and
3. Amendment: An Amendment formally releasing the Town's rights in the encroachment area, which will be recorded. The Amendment provides that the Amendment does not affect the easements that the Town has on the rest of the property, in Vintage Farm Lane, and in other portions of the subdivision.

MOTOIN moved by Mrs. Mackenzie that the Walpole Board of Selectmen, acting pursuant to G.L. c.83, §4, hereby releases from the Conveyance of Easements and Utilities recorded with the Norfolk Registry in Book 16080, Page 137, the Town's access and utility easement in a portion of the property located at 15 Vintage Farm Lane, which portion contains 1,748 sf, more or less, and is shown on a plan dated June 1, 2015, prepared by Glossa Engineering, it being declared that the easement on said portion is not required for the purposes stated above., seconded by Mr. Snuffer VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to sign the documents as prepared by Counsel, seconded by Mr. Snuffer, VOTED 5-0-0

The homebuyer questioned if the town could ever go back on this easement. Mr. Timson, stated it is not likely the town would do that but it would be only under eminent domain. You should be fine.

#### Mark Fine , SWAP Collaborative

Mr. Fine reported he has been working with Chris and a number of other officials, working on a project that is funded with a group of Selectmen in areas where communities can come together. MAPC does this. Identified areas for collective procurement. Working with officials to track progress on the project. We are working on facilities management, plumbing, electrical ,maintenance fire alarm testing and more. Better vendor pool. Geographic information services. Interviewing town officials, what are towns bidding for now. We think it is positive, public works contracts. We have invited new communities. Public work service contract, line painting, catch basin cleaning etc. One vendor is chosen to service all the communities needs. Those are things we have been doing for a while. Continue to work to develop specifications for those areas and see what can and can not work. Some of the findings is the bid process is

variable. A variety of ways communities are bidding these out now. We may not end up doing all the areas we talked about but hope some of them will work.

One area is doing a public works equipment inventory. Compare and contrast, what is on the capital wish list. It may be helpful to look at them in a collaborative way. Reporting back to the group. I would encourage another BOS member or town official take Chris spot. My dept. at MAPC is the non-planning and this is a big part of what we do. We are involved in a range of activities. A lot of the projects we do are municipal services. Few towns wish to merge a fire dept. or regional 911. Town Officials have been very helpful.

Mr. Timson stated they try to come up with something as a success, we all do a joint salt bid, we started to build on that, other areas, get better prices. Some smaller bid projects HVAC, when we bid it out it is a small potato. That is where we started; once MAPC became involved they have a lot of information on procurement. Want to build on that. I hope the Board will see the benefit to this, once you have a partner things roll.

Mr. Snuffer noted we are probably the only town that will have two \$ 150,000 sidewalk plows and we may be able to share that. Mr. Timson talked about pot hole machine. That is the type of machine we may not need full time, if we bid in with another town it may be affordable.

Mr. Fine explained if we do an inventory we can compare and contrast. Mr. Timson agreed, you could take all the equipment and figure out who needs what when some type of collaboration. We are trying to get immediate things going

The Board members thought it was a great idea, better service for lower costs

MOTION moved by Mrs. Mackenzie to support the effort, seconded by Mr. Timson, VOTED 5-0-0

### 6-3 Subway, Common Victuallers

Mr. Timson noted there was a small error on the Workers Compensation affidavit page. He checked off there are no employees but has the insurance.

MOTION moved by Mrs. Mackenzie to approve the Common Victuallers license to Shahidul Mannan, d/b/a Subway, 951 Main Street, seconded by Mr. Timson, VOTED 5-0-0

### 6-12 Block Party, Kristina Jacobson

MOTION moved by Mrs. Mackenzie to approve the request to hold a block party on June 27<sup>th</sup> with a rain date of June 28 As requested by Kristina Jacobson, 3-10 blocking the intersections, seconded by Mr. Timson, VOTED 5-0-0

6-4 Paul Terrio, Constable

Mr. Snuffer noted that if at the last meeting they had the information from the Chief this would have past. How many Constables do you think the town of Walpole needs? Mr. Terrio stated it is really a town charter issue it is a hard question to answer. Walpole is structured a bit differently and if you look at the types of work that Constables do. Working with Lawyers, in general more need for a Constable. How many should Walpole have 2-3 is probably sufficient. Mr. Snuffer noted that Paul has a great background. My conversations with others, the Chief and others, led me to what is the pie in the town and it is not very big. For someone to grow their business, would it hurt anyone if I were to vote in the affirmative? I think that it might, how do you feel about that type of conversation. Mr. Terrio explained that Don Weber who is a close friend of his is part of the association, when you get into the type of business, it really is based on the relationships you have with people. Constables can encompass a large area. Mr. Snuffer fears the potential for some local harm he is going to abstain.

Mr. Stanton agrees you have a great resume; head of the association, one thing you mentioned is association member. Town given its size 2-3 constables should be the amount. Looking thru your supplemental, are you anywhere else? Mr. Terrio explained he is in Norfolk, and Foxboro. Norwood requires you be a resident of the town.

The Chief came back with a great review. (The Board will come back to this subject at 8pm)

Richard McCarthy stated he has been a Constable since 1993 and I oppose this appointment and he knows that Don Weber is opposed as well. Mrs. Mackenzie wanted to know how people would get in touch with you? They can call the police dept. or the town hall. He is not appointed in any other town.

Mr. Gallivan learned a lot more about Constables. It is not clear that we do not need to appoint anyone. Mr. Stanton agrees and would encourage you to apply in April 2016. Mr. Terrio does not want to cause discord. He withdrew his request, so no action is needed by the Board.

6-5 Gary Riggott, musical performance

Mr. Riggott stated the walking tour has been in existence and walking the southern portion of the trail, last year they did the northern trail. Each town they pass through they do a musical performance. I will be joining them. The night of the performance from 6-7 they have local musicians, we have one group and one we are waiting to hear back from and one from the School of Rock. Couple of tables set up for T. Forest and Trails committee. Been in Touch with Aicha and she contacted musicians. Friends of Adams Farm will have a table as well and Bird Park will. Once that is done things will disband. Some promotion to do, trying to promotion on Cable TV, articles for the papers. Because the event will take place 6-8 I

encourage people to use local businesses in the downtown. Mr. Timson feels it is a great idea. But a police detail required.

MOTION moved by Mr. Snuffer to approve the request to allow a musical performance on June 23 from 6-8 pm at the Ramada at Spring Brook Park, a police detail will be required, seconded by Mr. Timson VOTED 5-0-0

6-6 Richard McCarthy, COA

Excited we are going to have a Senior Center. Helping Courtney and move on and start getting involved.

MOTION moved by Mrs. Mackenzie to appoint Richard McCarthy as a regular member on the Council on Aging for a three year term expiring April 1, 2018, seconded by Mr. Timson VOTED 5-0-0

6-7 Annual Night Before the Fourth event

The Board received the annual request from the Fire dept. to hold the Night Before the Fourth Celebration.

MOTION moved by Mrs. Mackenzie to approve the request to close the following streets on Friday July 3<sup>rd</sup> with a rain date of Monday July 6<sup>th</sup> for the annual Night Before the Fourth Celebration. Stone Street from Main to Diamond Street. School Street from Common Street to East Street.

And further approved;

The use of Morgan Field and immediate area for both dates; The use of the Town Hall field for both dates: The use of the restrooms at Blackburn Hall for both dates

As noted the Parade will begin at 6:00pm followed by the band concert at 6:30 and the Fireworks at 9:30pm., seconded by Mr. Timson VOTED 5-0-0

Mrs. Mackenzie noted that on June 12<sup>th</sup> musical bingo fundraiser at 8pm to save the fireworks at Finnegan's Wake.

6-8 & 6-9 Acceptance of Gifts

MOTION moved by Mrs. Mackenzie to accept the gifts from the Walpole Youth Boys Lacrosse for the parks dept. and the Walpole Youth Girls Lacrosse for the fields account both in the amount of \$4,931 , seconded by Mr. Timson, VOTED 5-0-0

6-10 Memorandum of Agreement, Mitigation Plan Health Insurance

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*Board of Selectmen*

*Minutes of June 2, 2015*

*Approved June 15, 2015*

Mr. Johnson has not received a response from the employee group, this reduced each employees rate . Waiting for their response, Board will delay action on this item.

6-11 Proclamations

MOTION moved by Mrs. Mackenzie to approve and sign the proclamations as presented, seconded by Mr. Timson, VOTED 5-0-0

6-13 Request for Live Music, 40 Front St

Mr. Snuffer recalls that Fred was the main driver to get the fireworks. He is an individual who does not ring his own bell. He deserves thanks for helping our fireworks. When there was not enough money at the end he covered the costs. Mrs. Mackenzie agreed that he was always there to make up the difference

MOTION moved by Mrs. Mackenzie to approve the request for live music from 8-9 pm (and 10-midnight) at 40 Front St on July 3, 2015, seconded by Mr. Snuffer, VOTED 5-0-0

**TOWN ADMINISTRATOR'S UPDATE**

Asst. Town Administrator Tom Gregory did a great job while he was gone.

**Continue**

Sharon Wason's passing

**NEW BUSINESS**

The developers will produce their own water and sewer treatment plant at the old pondville.

Went to the Open House for Girl Scouts, the ladies work very hard, what they have as a need, they can expand the services if they had bathroom facilities updated. Somehow, I am going to help that happen. If you think about that type of thing, that gives back to the community. I thanked them for their years of service.

**OLD BUSINESS**

Talked about closing the downtown I think it would be fun to try that. Walpole Day would be a good day. When enhancements are done Downtown it would make a better idea. JJ we are thinking about doing something like that for sometime in September. It is in the works.

Give thank you to the Board and Cindy and Jim and Michael was a big part. I am proud of the service I gave to the town. MG gave him the picture to hand in his office and we appreciate all the years you have put in.

## EXECUTIVE SESSION

### Chairman Declaration:

•Under G.L. C.30A, §21A(a)(3) that the purpose of the executive session will be to discuss To conduct contract negotiations with non-union personnel, Timothy Bailey That a discussion of the foregoing in open session could compromise the purpose for the executive session and that the Board will return to open session

MOTION NM to enter Executive session for the purposes as stated by the Chairman, CT roll call vote YES by all.

MG Discussion on T. Bailey's Contract. Likes the idea of tying them up for a three year time. I think it is good for the Town. I worry if you lose people unexpectedly it can be a problem for the town. I am all in favor of this. CS I believe this is good for the town, I was thrilled when Tim said he wanted to discuss it. It is essential for us. They participate in growing their successors, when you look at the historical vote for the police station and other facilities. We are blessed with a Chief like Tim who is 24/7 kind of guy. You know he is always there and it is a pleasure to work with Mark and Tim and urge you to hear what we are saying. Do you want to go section by section?

CT I have no problem with the contract. It started back with Cathy Winston. I am assuming that everyone has no problem. With Jim's contract I tried to start a new path on a few issues. Sick time control of health insurance copay. I hit Jim on to make a statement and continue that going forward. In terms of the dollars and cents. I can live with it. I would like to see those couple of items stay the same so they are consistent going forward.

CT I would like to keep it in line with those two issues. I noticed it was not the same. JJ one sick day so I would get 12 not fifteen. In terms of buyback is that consistent.

CS Section 17 was not an easy section. Mark and I had concerns about the inconsistency, we had K. Feeley take a look at it, there is some concern, what we should do is adopt a certain statute

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*Board of Selectmen*

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*Approved June 15, 2015*

and language. MG in talking to Kevin there is inconsistency, new standard agreement that is a starting point. He will give us a better contract.

NM comfortable with the contract and appreciate what you have done. CT talked about how the Union will re-act. TB they will use it during the next negotiations. CT I think you are doing a good job. MG I feel good that you are the Chief, If I did not have faith in the three of you I would worry about what is going on. We may want to consider meeting with the chiefs more often.

MOTION NM to exit Executive Session, seconded by Ct 5-0-0

MOTION NM to approve and sign the three year contract between the town of Walpole and Fire Chief Timothy Bailey Ct 5-0-0

Motion to adjourn at 9:15pm