

A Regular meeting of the Board of Selectmen was held on Tuesday, November 19, 2013. Beginning at 6:30PM in the Main Meeting Room of the Town Hall. The following members were present.

Mark Gallivan, Chairman
Michael Berry, Vice Chairman
Nancy Mackenzie, Clerk
Christopher Timson
Clifton Snuffer

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

Mr. Gallivan called the meeting to order at 6:30pm followed by the Pledge of Allegiance.

INTERVIEWS

Chief Bailey explained he had another vacancy and he advertised and received eleven applications. He is bringing three candidates to the Board; David Jenks, Brian Clough and Andrew McAllister.

Each candidate was given ample time to tell the Board about themselves. They were asked a variety of questions from the Board members as to their experience, their desire to be a Firefighter Paramedic and how they plan to improve their skills. Mr. Snuffer asked each candidate if they felt the Firefighting business has changed as the majority of calls today are EMS.

After the interviews were complete, Mr. Boynton explained that he sat in on the second round of interviews and is recommending David Jenks as the candidate of choice. Mr. Berry expressed his displeasure with the Town Administrator making recommendations. He felt it should come from the Fire Chief. The Chief explained he should have been clearer in his memo but they were in order of how they were ranked. He recommends David Jenks. Mr. Berry explained that he felt that Brian Clough was more qualified.

MOTION moved by Mrs. Mackenzie to appoint David Jenks as the Firefighter/Paramedic conditional upon pending completion of background checks, physical exams, PAT and psychological testing and attendance and graduate from Massachusetts Firefighting Academy certified to the level of Firefighter I/II, seconded by Mr. Berry

Discussion: Mr. Berry questioned whether or not there is an issue with the fact that David's father is on the dept. Chief Bailey explained there are brothers in the dept and there have been other relatives as well. They usually work different shifts. If there is a

call for all hands than they will be working together. There are many departments across the state where relatives work in the same department.

Motion VOTED 3-0-1 (Mr. Berry abstained. It was not because of a conflict of interest)

Fire Truck Purchase

After the interviews the Chief spoke to the board members about the purchase of the new fire truck. Through the state bid he would like to enter into an agreement with KME Fire Apparatus for the new truck. It is well under the \$445,000 agreed upon and authorized by Town Meeting with the trade in. This truck would be purchased under a joint purchasing contract under MAPC & FCAM where KME is one of three eligible vendors. He wanted to know if any of the members had an issue with this and if they would allow the Town Administrator to sign the contract. Mr. Snuffer had no issue, but would like it to be brought back for the Board to award.

MOTION moved by Mrs. Mackenzie to authorize the Town Administrator to enter into a contract with KME Fire Apparatus for the new Fire Truck, seconded by Mr. Berry, VOTED 4-0-0

ANNOUNCEMENTS AND PROCLAMATIONS

The Meeting is being televised from this point. Mr. Gallivan announced to the audience that the Board had interviewed candidates for Firefighter/Paramedic and chose Mr. David Jenks.

SPONSORED AGENDA ITEMS

11-16 Cultural Council

Jennifer Wolf appeared before the Board seeking an appointment to the Cultural Council. She is from Vermont and has experience organizing the Vermont Festival of the Arts for the past three years.

MOTION moved by Mrs. Mackenzie to appoint Jenifer Wolf to the Cultural Council seconded by Mr. Berry VOTED 4-0-0

Board of Health and Sewer and Water, Fluoride

Request from S&W if the Selectmen would entertain placing a question on the ballot regarding Fluoride in the water. The Commission has not taken a vote. Health Director Robin Chapell informed the Board that the Board of Health is supportive of keeping Fluoride in the water in Walpole. The Board of Health urges you not to put this question on the ballot as it is a great thing. It was added in 1977, there are 140 communities that have it. It helps with tooth decay. It is safe and effective. Fluoride added to drinking

water is safe inexpensive and a great method to prevent tooth decay. Numerous studies have been done that it causes any diseases. Would like to keep it in the water supply.

Mr. Snuffer had the opportunity to be at one of S&W Commission meeting to answer some of his questions. One thing you can do take a look at point counterpoint, there are a lot of information on both sides some substantiated by study. The conclusion, the only history you have is the local one. That to me was evident enough to keep it.

Ms. Mackenzie thanked her for the memo and she agrees that it is a major public health initiative.

Mr. Spillane explained they never took a vote, but over the years people said it should be out of the water supply. The cost is very low.

Mr. Gallivan had spoken to a Doctor and he felt it was a public health issue. If the Board of Health wanted something different. He does not support a question on the Ballot.

MOTION moved by Mrs. Mackenzie to Reaffirm the importance of the policy of continued fluoride in the drinking water, seconded by Mr. Berry, VOTED 4-0-0

Sewer and Water, RT1A Extension of Sewer

Mr. Boynton explained it is a joint effort moving towards sewer into the Industrial Park. There were a number of proposals. The possibility of extension of sewer into Hitching Post and Clarkson Drive and residents along Main Street. The Commission sent a letter to the neighbors for Interest. He showed the four options proposed.

M Berry discussed what brought this discussion and it was the RT1A Feasibility Study done in 2010. What we could do with that industrial park. Power plant had been the big discussion and noxious uses. The town tried to take a pro active approach. The park could be improved upon. While acknowledging that big companies are not going to walk thru the door. We reviewed what type of uses

William Duggan owner of property on Industrial Road spoke of the renovations he has done to make his property better. He would like to expand and is willing to pay a larger portion to have sewer. He explained he has done a lot of work on his property. Worked with Ms. Hershey from Conservation. The betterments are in the two million range. Long term, he would demolish both buildings if sewer was brought in.

Nancy talked about the adopt an island program. Improve the curb appeal. It is great to be leading so your neighbors will follow suit. WD he pays his employees to cut the grass and clean up the paper. I take good care of it so customers do not think that he is a slob. Mr. Duggan stated he would like to cut down the trees and pay to have better things planted. Would like to improve the fence. There is a neighbor that does not want to do anything.

Mr. Snuffer talked about the property abutting him which is owned by the Town. He had spoken to Mr. Boynton a year or so ago about a different piece of property, but was told to wait for the right time.

Mr. Gallivan appreciates his improvements and agreeable to pay above his fair share for the sewer. Difficult thing at this point. Disappointed that homeowners did not want to have sewer. I think it is more valuable. Long term value to having sewer.

M. Berry we have a business owner willing to pay more funds than required. Industrial Park is a disgrace. There are two discussions, one hooking up the park and neighbors and development. In terms of economic development we have some good plans here. I feel that nothing is going to change if we are not willing to make an investment. There is potential and to say it is difficult.

Mr. Berry would like the BOS move forward in principal with a private extension line down production and industrial roads and we engage the Finance Committee. Mr. Gallivan asked if he has done any cost benefit analysis. I have asked for this meeting for two years, we have cost estimates. If we do not want to move forward, how do we ask Ms. Mercandetti to keep working on this. There has to be an interest. I do not hear there is any interest. I am willing to get on board and move this forward.

Mr. Gallivan suggested we are throwing out numbers that don't tie back. The issue is we have some information and one landowner interested. Need to get the other landowners involved. If this has a chance, get enough people interested and have a workshop.

Mr. Snuffer we are not the S&W Com, that is the board on that, if we learned anything from WPS we know. Not that we do not have a say in it whether 75% of the residents want it.

Mrs. Mackenzie thinks about the Board supporting sewer in the area for economic development in this area, yes, but she thinks about public money we have available. We have a lot of needs and the needs of the Senior Center or public safety facility and a school. Concrete road that needs to be done and our downtown we have sidewalk issues. It is a big cost for sewer and there are not a lot of residents and the betterments can be costly. When I wanted to move on with bio safety rating, which could have brought in companies. Had we done that step and the sewer would have moved up in the ranks. It is not that she does not see the need for it, she can not justify moving it up in the needs.

John Spillane explained they have never seen the plans. Serious money problems coming up, dead end lines are going to be a problem.

Mr. Berry is passionate about this, when we have an economic development. The parcels we have are few and far between and have to work with what we have. He supports the other needs. We have RT1A everyday and he says are we doing everything we can to support that parcel. Sewer is far more environmentally friendly, he disagrees that we can

not add this. We have a sewer enterprise funds that grows every year. There are potential grant monies out there. To look at the 11 million dollar price tag and say we can't do this. I do not want to dismiss this. Will make sure the information goes before the Sewer and Water Commission. The industrial park is one of those areas and we have to deal with it. Like to engage the business owners there. This strategy is not new. If we need more facts or data lets do that. Does not want to kill this tonight.

Mrs. Mackenzie likes the idea. Really like to sit down and get the numbers to see how much we could get this down to. Sit down and make it look better from the street. Those properties on Route one are for sale, we need to be ceasing that. This next month, I would hope our economic development are putting together plans there.

Mr. Boynton suggested scheduling a workshop with the Sewer and Water Commission. A sewer extension permit would be required. Mrs. Mackenzie suggested we need to do numbers. Mr. Boynton suggested they need to have conversations with property owners. After the holiday season we should have a workshop and see if there is sewer to be discussed. Mr. Gallivan agrees need to find out the level of interest. Get the right people in the room to discuss options.

OPEN FORUM- No one present

11-38 Bond

Marilyn Thompson, Finance Director is present to answer any questions.

MOTION moved by Mrs. Mackenzie to waive the reading, seconded by Mr. Berry, VOTED 4-0-0

Mr. Boynton explained the town is going out for the bans and bonds.

MOTION moved by Mrs. Mackenzie to approve of the sale of bonds and notes as presented, Seconded by Mr. Berry, VOTED 4-0-0

I, Nancy Mackenzie the Clerk of the Board of Selectmen of the Town of Walpole, Massachusetts (the "Town"), certify that at a meeting of the board held November 19, 2013, 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:

MOTION moved by Mrs. Mackenzie that the sale of the \$2,815,000 General Obligation Municipal Purpose Loan of 2013 Bonds of the Town dated November 26, 2013 (the "Bonds"), to Robert W. Baird & Co., Inc. at the price of \$2,894,235.90 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on November 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2014	\$255,000	2.00%	2022	\$125,000	3.00%
2015	240,000	3.00	2023	125,000	3.00
2016	235,000	3.00	2024	105,000	3.00
2017	210,000	3.00	2025	105,000	3.00
2018	205,000	3.00	2026	105,000	3.00
2019	130,000	3.00	2027	105,000	3.00
2020	130,000	3.00	2030	315,000	4.00
2021	125,000	3.00	2033	300,000	4.00

Further Voted: that the Bonds maturing on November 1, 2030 and November 1, 2033 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due November 1, 2030

<u>Year</u>	<u>Amount</u>
2028	\$105,000
2029	105,000
2030*	105,000

*Final Maturity

Term Bond due November 1, 2033

<u>Year</u>	<u>Amount</u>
2031	\$100,000
2032	100,000
2033*	100,000

*Final Maturity

Further Voted: to approve the sale of the \$802,000 1.00 percent General Obligation Bond Anticipation Notes of the Town dated November 26, 2013, and payable November 13, 2014 (the “Notes”), to Eastern Bank at par and accrued interest, if any, plus a premium of \$4,143.49.

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 November 12, 2013, and a final Official Statement dated November 18, 2013 (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 in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated November 12, 2013, and a final Official Statement dated November 18, 2013, 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 continuing and significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes.

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., seconded by Mr. Snuffer , VOTED 4-0-0

I Nancy Mackenzie 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 and Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

11-19 Change in Manager, German Club

MOTION moved by Mr. Snuffer to approve the Change in Manager from Karl Nestelberger to Hans Toegel, seconded by Mr. Berry, VOTED 4-0-0

At the German club we are 140 years old next year and moved out to Walpole in 1985. We have a 300 student in a school in Lexington to learn German. We also have adult German school at the club for about 40 adults, dinner dancers. Recognized as a 501C3, so we can attract grant funds.

11-20 Becketts, Pledge of License, Change in d/b/a

Attorney James Brady was present. He wants to call this the same as his other restaurants. Doing a wonderful job on the renovations.

MOTION moved by Mrs. Mackenzie to approve the pledge of license agreement for The K. Club Inc., seconded by Mr. Berry voted 4-0-0

MOTION moved by Mrs. Mackenzie to approve the Change in d/b/a from Becketts to Napper Tandy's, seconded by Mr. Berry, VOTED 4-0-0

11-21 Common Vic and Entertainment, Farmer in the Dell

Adam Farm to table concept, café bakery market. Chef driven foods. Food from local farms. The partners and I have been in business since 15 years old. This will be something new. Hope to do a friends and family on December 14th. Will have a ribbon cutting ceremony. Hours 7am to 8pm. They will be closed on Sundays. Entertainment is a radio.

MOTION moved by Mrs. Mackenzie to approve the Common Victualler's license and Entertainment license for Farmer in the Dell, seconded by Mr. Berry, VOTED 4-0-0

11-22 Stormwater Collaborative Grant

Landis is here for a grant application. Landis explained she went to a meeting with MAPC and NEPRWA and they are putting together a grant and asking various towns to participate. These towns would get together to talk about the stormwater permit requirements. It would also be putting together the tasks, providing towns information needed to help with the requirements of the new permit. There are 9 different tasks. Have to rank all the different outflow structures. It is a great opportunity to save money and work with other towns. Allowing us to do regionalization of our stormwater management.

Mr. Snuffer asked what the in-kind service would be. Take a town person outside of their normal job. Landis explained most of the information will be from MAPC and NEPRWA. Should not be a large burden for the town.

MOTION moved by Mrs. Mackenzie to have the Chairman sign the Community Innovation Challenge Grant, seconded by Mr. Snuffer, VOTED 4-0-0

11-23 Chapter 90

MOTION moved by Mrs. Mackenzie, to sign the Chapter 90 Report for Elm, Pemberton, Plimpton and Washington Streets, seconded by Mr. Berry, VOTED 4-0-0

11-25 Knights of Columbus, One Day liquor

MOTION moved by Mrs. Mackenzie to grant the one day liquor license for Knights of Columbus for November 23, 2013, seconded by Mr. Berry, VOTED 4-0-0

11-26 Tee-Tee's One day entertainment

MOTION moved by Mrs. Mackenzie to approve the one day entertainment license for Tee-Tee's Restaurant For November 29, seconded by Mr. Berry, VOTED 4-0-0

11-27 Acceptance of Gift, COA

MOTION to accept the gift from Gayl Sanzi with thanks

11-28 Parade and Christmas Tree Lighting

MOTION to approve the annual Santa parade and Christmas Tree lighting ceremony on November 30, 2013

11-29 A-Frame, Lacrosse

MOTION to grant permission to place an A-Frame on the Town Common from November 20-November 30

11-30 Bid Award 2014-18, Electrical Service of Sewer and Water Facilities

MOTION to award contract 2014-18 to Anderson Electrical Contractors Inc. of Walpole

11-36 Bid Award 2014-14, Electrical Service, Town of Walpole Buildings

MOTION to award contact 2014-14 to Anderson Electrical Contractors Inc. of Walpole

11-32 Amendment to Polices

MOTION to amend Section 103-006, T. Administrators Annual performance review

11-33 TA Annual Evaluation Tool

MOTION to approve the proposed annual evaluation tool for the T. Administrator

11-35

Chairman's declaration:

I hereby declare that:

- Under G.L. c.30A, §21(a)(4) the purpose of the executive session will be
 - to discuss the deployment of security devices 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 that the Board go into executive session, under G.L. c. 30A, Section 21 (a)(4) 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 ROLL CALL VOTE: