

A Regular meeting of the Board of Selectmen held on Tuesday, October 28, 2014 beginning at 6:00pm in the Main Meeting Room of the Town Hall. The following members were present.

Mark Gallivan, Chairman  
Christopher Timson, Vice Chairman  
Nancy Mackenzie, Clerk (arrived 7:00)  
Clifton Snuffer  
James Stanton (arrived 6:45)

Also present:  
James Johnson, Acting Town Administrator  
Cindy Berube, Executive Assistant

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

#### **SPONSORED AGENDA ITEMS**

##### Municipal Facilities Plan

Mr. Gallivan reported this is the final presentation before the election. Mr. Timson gave a brief overview of the Board's approach to the facilities problem. The Board approached this problem in a very thoughtful and comprehensive cost effective plan which includes the Police station, Fire station, DPW, and Senior Center. We looked at this five years ago and we heard back then there was a more piecemeal approach to this. The MPIC looked at this and resulted in an independent study by the Maguire group. The town received that report back in June 2013, done by professionals which looked at all municipal buildings. Want to set this up in a fiscally responsible way. We have saved one time money and put towards this and increased our debt budget. It will cover about 30% of the cost. Looking at green sustainable buildings. Will cost less money for taxpayers for heating and other utilities. Important to keep the fire station downtown if you change the location it can impact taxpayers homeowners insurance. We are trying to phase this. The only building we will have to vacate is the Fire Dept.

Deputy Chief Carmichael reviewed the PowerPoint portion for the police station. Spoke about security, adequate space. Never past state inspection for the cellblocks. It is costly to renovate. Does not support modern technology.

Courtney Riley spoke about the existing conditions of the Senior Center. Spoke of all the functions they do. Spoke of the one Bathroom facility in the room. The new centers attract new people and they attendance has gone up. I would like to see the building used for other uses by the town.

Mr. Gallivan spoke of the South Street site which will be a great use for the town to put that site back to use.

Ms. Chapell explained in 1980 we learned we had a contaminated site. EPA and DEP did an immediate temporary clean up. In 1994 it came on the superfund priority list. All the contamination is in the ground. We have been working with the responsible parties and they must clean up underground. They are taking the Mill building down. Take down the inside, back of the build, sides and then south street side. We are seeing progress. They have a timetable to clean up the sites. Start that in 2015.

Chief Bailey spoke of the need for a new Fire station. The current one was built in 1954. This was never built for a full time department. There are space constraints due to the size of equipment. There are issues with technology. Sub standard living and working conditions. Our newest truck, we had to take a foot or more because it was too long and would not fit in the building. Showed the vehicles being stored in the back of the Fire Station.

Bob O'Brien spoke of the DPW facility needs. Mr. Gallivan reported that Town Meeting voted favorable on 15, 16 and 17, The voters need to vote on November 4, 2014. Phase 1 design 2015. It will all depend on how the projects come together. The average increase to average home is \$160.00. Reviewed the funding scenario. This is a very good plan, less impact on voters.

#### ANNOUNCEMENT

##### Texas Roadhouse, Alcohol and Drug Awareness

Worthy cause, Alcohol and drug awareness, teamed up with Texas Roadhouse. If you go out to eat on November 12 and print one of these off their website and bring it, they will donate 10% to the Alcohol and drug awareness plan.

#### SPONSORED AGENDA ITEMS

##### 10-16 & 10-17 Public Shade Trees

Robert LeBlanc Tree Warden was present. He is charged with holding public shade tree hearings whenever we have a need to remove public shade trees. The Downtown project he presented the Board with the inventory of trees and their condition. Doing some replanting and removal. Gave this presentation on March 11 to EDC, twice again March 31 to Downtown business and Chamber. Nothing in this plan has changed. Went thru Town Meeting last spring. Try to get the right tree to the right place. Currently thirty trees, sidewalk improvements, plant 11 new ones and 8 will be saved. 10/15 had the hearing and he received an objection in writing. The meeting we had was a great discussion; some different species were talked about. The reason why he has chosen the Thornless honey locust it is tried and true. They are located at Faneuil hall, downtown Norwood, Burlington VT, and they are resistant to salt and pollution, heat and draught tolerant. Looking for a tree that fits those categories. The Downtown currently has Bradford tree. There are some improvements. He knows the honey locust is tried and true. It works into an urban environment. Mr. Snuffer appreciates that he agreed to take in commentary after the fact. One person who wrote to the BOS talked about the Downtown being a sense of place. I agree with that. An 8-10 foot tree is cute and looks good. A 25 and 30 foot encroaches on signage. I chatted with a few merchants. From everything I gather they liked your plan. He respects that you have done your homework and chosen what you feel is the tree. I do support your plan, but need to hear what people have to say.

Mrs. Mackenzie likes the new tree, the canopy is bigger. Mr. LeBlanc stated the Trees are over 24 years old. I think the trees are just surviving. Some of them were not planted correctly and we will be sure the trees are planted correctly.

Lisa Van Der Linden- Honey locus at the corner of Main and RT27. I think the crown would be a problem. If there are problems with the 24 year old trees we could replace with more Bradford trees. The honey locus , I love the tree, they get web worm. Out of the thirty-two at Stop and shop they only have eight doing well. Not looking good. The choice could be improved. Polka dotting the downtown is not classy. I think we need to take more time with this plan. Twenty-four years someone had a plan. If we take the trees away it is a strip mall. I understand the ramps need replacing, is it 100% necessary while doing the sidewalk.

Lisa asked if all the trees on the East side will come out as she thinks it will look like a commercial district. I think we can do better. Get the sidewalk done and don't rip out the trees.

Peter Musto business on Main Street, looked over the plan and the trees the way they placed them works very well. We have a problem with signage and the DPW cleaning snow around them. The plan they have is fine. The people he talked to just realized they do not see their signs. I think the town plan does a nice job of it.

Mr. Snuffer noted the Board had previously voted this (August 5, 2014) and does not think they need to vote again. Mr. Timson has not heard a compelling case that they should not move forward.

#### 10-18            Solar Crossing Signal, Maple and Main Street

Mr. Leblanc asked the Board if they would approve. It will provide light onto the crosswalk. Gives the motorist in the area more time to react. The sidewalk cutouts are there, it can accommodate ADA, within Town limits, these types of devices, are designed for midblock. I He had emailed the two Chiefs about this. West Street and School and East, a very busy location. Short and Polly was also brought up. This area is not part of the state road. This is within the Town's road. Mrs. Mackenzie expressed concern if you put up a crosswalk and having kids go across it, a busy area, quite a backup. I would not want my kids to push the button and see that it is alright to cross. Mr. LeBlanc noted the site distance there is more than what is required for that. The button is activated when someone pushes it. Mrs. Mackenzie she is concerned with the area. It is a heavy commuting area. Mr. LeBlanc there is currently a sidewalk there and hoping to add to the safety of this location. There is one in front of the Johnson Middle School. The cost is \$14,000 which was approved by Capital Budget.

Mrs. Mackenzie stated she knows we have had a pedestrian accident at JMS. Should have them at all of our schools before anything else. It does not make parenting sense. Mr. Gallivan mentioned that he drives that way many times a day they run across the street. He thinks it is a good site for something. He was asked if there is an overall plan to put these in as well. Mr. LeBlanc noted there are some that would be great but they do not meet what would be required. He did speak with DC Carmichael and he thought it was a good area.

MOTION moved by Mr. Timson to amend the Traffic Rules and Orders section VIII-A by including a solar powered pedestrian crossing signal at Main and Maple, seconded by Mr. Gallivan, VOTED 4-1-0 (Mrs. Mackenzie opposed)

10-19            High Plain at Johnson Drive

Maggie Walker explained the Norfolk County Commissioners are trying to get rid of a paper layout. I put this to you back in March with the caveat that I look over the plan. It changes nothing in Walpole.

MOTION moved by Mrs. Mackenzie to send a letter to the County Commissioners indicating the Board has no concerns and are satisfied with the plan as amended, seconded by Mr. Snuffer for discussion

Mr. Snuffer questioned if this played into the Walmart decision? Ms. Walker stated that it did not. Board would like to know what is coming on the other side. She is not aware of anything. Mr. Timson wants to see ownership and size of the lot. Ms. Walker will research and report back to the Board.

Mrs. Mackenzie withdrew her motion.

10-20            Kiosk Trails Map

Gary Riggott, Trails Committee explained as part of the Spring brook park Ed Forsberg asked me to look at a Kiosk. Kris White, Building Department said the plan is fine but it is on town property and would need your approval. Showed roughly where the Kiosk would be. Not sure of the size. Most of this will be paid for by the Trails committee budget and some from Trails alliance. Showed a picture of what this will look like. Right next to 27. It will have to go to the MPIC. This will look nice. The back side is dedicated to the Bay circuit trail.

Mrs. Mackenzie thinks it is great plan. Need to be sure it is back far enough from the road for site distance.

MOTION moved by Mr. Timson to approve the request to place a Kiosk on Town Property as part of the Spring Brook Park project subject to the proper location being agreed to by the Building Department and site distance with the police department, seconded by Mr. Snuffer, VOTED 5-0-0

10-21            St. Opening Permit, Gill St

Ms. Walker explained this is based on a request from Columbia Gas. This is a Main Leak repair. It must be repaired within a certain time frame. Mr. Snuffer asked if there is a leak don't we have a policy to get it on the emergency basis. Ms. Walker explained that would be a class 1.

Chivonne brought her expert with her. He can explain the different classes. Chuck Venada, on our leak classifications we have 1, we have been mandated by the state to have grade 2. Going over the DPI, our service tech goes out, he classified this a grade 2 leak and think it could be in a sidewalk. We do not know until we dig it. You just recently constructed your sidewalks and streets and we are up against the old criteria. Mr. Snuffer wants to be sure there is no public safety issue. Mr. Venada explained winter frost goes into the ground we are required to do this within a year.

MOTION moved by Mr. Snuffer to waive the moratorium and allow for the issuance of a Street Opening Permit in front of 34 Gill Street to repair the leak in the main subject to the conditions set forth in the Town Engineer Memo dated October 22, 2014 , seconded by Mrs. Mackenzie, VOTED 5-0-0

### **OPEN FORUM**

Bob O'Leary discussion on 765 Washington Street. We were going to ask if we could provide documents that we have and determination from the Building dept. We felt that it be required for everyone involved. Christine Cochrane of Peach Street. Noted that on June 24 the Selectmen approved a waiver of a street opening for 765 Washington Street later Town Counsel gave an opinion that lot 765 Washington Street is not a legally buildable lot. On October 23, 2014 the Walpole Historical Commission voted the Barn on the lot is architecturally and historically significant and preferably preserved. She submitted to the Board a petition from over 100 residents the Board vote to rescind the street opening permit. The Board accepted the petition but took no action.

### **New Recreation Director , Michael Doyle**

The staff is great and everyone is welcoming. Trying to get the history of the town and familiar with the land around town. Looking forward to get going with this.

### **10-22 BAN for New Projects**

Kathy Hutchinson explained the town does not issue a bond for these projects and the rates were very attractive. We are borrowing short term. They can be rolled 3-5 years.

Mr. Snuffer at a .5 % interest rate. I was interested in the bid process. As they both came in first. He would like to see that imbedded into a policy. Mr. Timson asked if they are approaching this differently than we have in the past. Ms. Hutchinson explained the interest rates are better when you go short term. These are used by many many towns. I am not familiar with them. She did not have to get legal opinion on this. You can 4-5 years and then you have to pay them down.

MOTION moved by Mr. Timson to approve the sale of the \$774,872 0.50 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated November 13,2014, and payable November 13,2015, to Eastern Bank at par., seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Timson\_ 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 October 15,2014, and a Final Official Statement dated October 22, 2014, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted., seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Timson that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events 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 physical certificate evidencing the Notes for the benefit of the holders of the Notes from time to time., seconded by Mrs. Mackenzie VOTED 5-0-0

MOTION moved by Mr. Timson 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 Mrs. Mackenzie 5-0-0

#### 10-23 Entertainment License, Tee T's

Monica Burke and David Wakefield appeared before the Board seeking an entertainment license. They received their special permit from the ZBA. The only comment to note is from the Fire Department and they want a Fire Alarm installed.

MOTION moved by Mrs. Mackenzie to grant an entertainment license for Tee-T's Restaurant Inc. to allow entertainment to issue upon the installation of the Fire Alarm system and approved by the Fire Department, seconded by Mr. Timson

Mr. Timson talked about the side of the Building and beautifying. Mr. Wakefield explained we do not own it.

VOTED 5-0-0

#### 10-24 Proposed Snow Plow Rates

Drew Hand stated the rates you see are based on a survey. We seem to have rates similar to Norwood. We are significantly higher than Norfolk. There are a lot of different trucks out there. The 10 wheeler with a plow and sander. You may consider reducing. Mr. Snuffer you say that you are pleased with the current plowers. You may need to look at a system that rewards loyalty.

MOTION moved by Mrs. Mackenzie to accept the proposed rates with a change to a 10 wheeler greater than 30 to \$110 and the 10 wheeler 11' to \$140 for the 2014-2015 snow plow rates, seconded by Mr. Timson, VOTED 5-0-0

#### 10-25-10-26 10-35 and 10-37 Change in Sunday hours to 10am

MOTION moved by Mrs. Mackenzie to approve the change in Sunday hours to 10am for E. Walpole Package Store, Sam's Package Store, J and E Beer Wine Deli and Holy Cross Investments Inc., seconded by Mr. Timson, VOTED 5-0-0

#### 10-27 One day Beer & Wine, Take a seat for the Arts

MOTION moved by Mrs. Mackenzie to approve the One day beer and wine for November 6 at Blackburn Hall for Take a Seat for the Arts, seconded by Mr. Timson, VOTED 5-0-0

10-28 One Day, All alcoholic, Knights of Columbus

MOTION moved by Mrs. Mackenzie to approve the one day license for knights of Columbus for November 15, seconded by Mr. Timson, VOTED 5-0-0

10-29 Santa Parade, Tree Lighting

MOTION moved by Mrs. Mackenzie to approve the annual Santa Parade on 11/29 at 11 am and the Tree Lighting on 11/29 At 6pm, seconded by Mr. Timson, VOTED 5-0-0

10-30 Cable Advisory Resignation

MOTION moved by Mrs. Mackenzie to accept the resignation of Matt Fearnley from the Cable Advisory Committee, seconded by Mr. Timson VOTED 5-0-0

10-31-10-33 Gifts

MOTION moved by Mrs. Mackenzie to accept with thanks the gifts from Junior Women's Club, Ponds/Lodge gift account \$250.00 , seconded by Mr. Timson VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to accept with thanks from Various donors, Walpole Youth Sports account \$2,500.00 , seconded by Mr. Snuffer, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to accept with thanks from Various donors, Smiling Eyes Project account \$10,480.00 , seconded by Mr. Timson VOTED 5-0-0

10-36 Veterans Day

MOTION moved by Mrs. Mackenzie to approve the request to use the T. Common on November 11, 2014 at 11am for Veterans Day and to block the area of Elm St between the common from 10am to 2pm, seconded by seconded by Mr. Timson, VOTED 5-0-0

**MINUTES**

MOTION moved by Mrs. Mackenzie to approve the minutes of September 16, 2014, seconded by Mr. Snuffer VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to approve the minutes of September 30, 2014, seconded by Mr. Snuffer, VOTED 5-0-0

**A-Frame, Shopping Night**

MOTION moved by Mrs. Mackenzie to approve the placement of an A-Frame on the Common for Shopping Night at the VFW , seconded by Mr. Snuffer, VOTED 5-0-0

**OLD BUSINESS**

Mr. Timson talked about regional planning and the Town will host a meeting on Dec 4<sup>th</sup>. We will come up with 1-3 items.

Mrs. Mackenzie talked about habitat for humanity project. Put on agenda. Maybe invite MPIC in to discuss a parcel. Put on the beginning of January.

### **Town Administrator update**

The hearing will be November 6 for Sharon country Day with DEP. The budget process will be getting started. Draft memo started to department heads.

Mr. Snuffer spoke to the Capital Budget and he knows the town is doing a lot . He thinks we need to put the dredge plan on capital.

Mrs. Mackenzie spoke of the columns on Blackburn Hall, the maintenance that needs to be done.

### **EXECUTIVE SESSION**

Chairman Gallivan's Declaration

Executive Session, under MGL, Chapter 30A, Sec21 (a)(3) that the purpose of the executive session will be

- To discuss strategy with respect to collective bargaining with the Police and All municipal and school unions
- That a discussion of the foregoing issues in open session could compromise the purpose for the executive session ; and
- That the Board of Selectmen shall return to open session at the conclusion of the executive session

MOTION moved by Mrs. Mackenzie to enter Executive Session for the purposes and reasons stated by the Chairman and the board will return to open session at the conclusion of the executive session, seconded by Mr. Timson ROLL CALL VOTE Mr. Snuffer-Aye, Mr. Timson-Aye, Mr. Gallivan-Aye, Mrs. Mackenzie-Aye and Mr. Stanton-Aye

MOTION moved by Mr. Timson to adjourn at 10:10pm, seconded by Mr. Snuffer, VOTED 4-0-0 (Mrs. Mackenzie had left during Executive Session)

