

The Board of Selectmen met on Tuesday, September 24, 2013 beginning at 6:00 p.m. in the Main Meeting Room of the Town Hall. Mrs. Mackenzie was absent. The following members were present.

Mark Gallivan, Chairman  
Michael Berry, Vice Chairman  
Christopher Timson  
Clifton Snuffer

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

Mr. Gallivan called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

### **SPONSORED AGENDA ITEMS**

#### **Sergeant appointment**

The Board interviewed Brian Becker, Robert Kilroy and Jim Moses for the promotion of Sergeant. Each candidate was given ample time to talk about themselves and explain why they wanted to be a Sergeant and what makes them the candidate of choice. The Board members asked questions of each candidate and gave them sufficient time to respond.

Mr. Gallivan noted that all three candidates were great and could do a great job. He takes a lot of weight with the Chief's recommendation.

MOTION moved by Mr. Berry to promote Officer Brian Becker to the position of Sgt seconded by Mr. Snuffer, VOTED 4-0-0

#### **Police Lt. appointment**

The Board interviewed Sergeants Christopher Mackenzie, John White and Martin McDonough for the promotion of Lieutenant. Each candidate was given ample time to talk about themselves and explain why they wanted to be a Lieutenant and what makes them the candidate of choice. Board members asked questions of each candidate and gave them sufficient time to respond.

Chief Stillman noted that they are great candidates, but one stands out with a lot of leadership qualities. They are all quality candidates. The Board members agreed they are all great candidates.

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MOTION moved by Mr. Berry to promote Sgt Christopher Mackenzie to the position of Lt. seconded by Mr. Snuffer, VOTED 4-0-0

The Board took a short five minute break and Mr. Gallivan re-opened the meeting at 8:08 p.m.

**OPEN FORUM**

Jim Taylor spoke to the S&W meeting last night they voted to take the Walpole Park South pump station and he did not support it. Mr. Boynton noted that Mr. Taylor is a member of the Sewer and Water. Mr. Timson noted the S&W have the ability to vote to take it. Mr. Taylor stated that before John Spillane got on the Board they voted 4-0-0 not to take the pump station Mr. Snuffer noted the Commissioners voted 3 in favor and 2 opposed. He is concerned the sewer rates will go up. He stated he watched the Selectmen's meeting and Mr. Snuffer had voted no. Mr. Gallivan explained the Selectmen have not voted on this issue. Unilaterally the Sewer and Water can take the pumping station.

9-21 Junk Dealer License

Representing ECOAtm, Paul Cashmen.

This is a company based out of San Diego. They want to place a kiosk in the Walpole Mall which will collect cell phones and other electronics. It is responsible recycling. The items are brought back to San Diego. Security, the first thing the individual has to present an ID, we have cameras taking pictures back to us at real time, verifying the ID matching the person and the person is over 18 making sure the individual is the person to sell the device. Offer a price to the person. As a final step, take a thumb print, device gets in the machine and we dispense the cash. Give all the information to the Police Department online, or PDF. Hold all merchandise for 30 days. We can get the devices back to the victim if something is stolen.

Mr. Snuffer wanted to know Mr. Cashmen's position in the company. He stated he is the Licensing specialist. They use Assuritect scanner. Takes a clear picture and scans the id on the back.

Mr. Berry questioned how many do you operate nationwide. Paul we are approaching 800 in 42 states and have been in business for four years.

Mr. Timson noted the police departments appear to be satisfied with the request. The goal is to make people recycle. Mr. Gallivan is in favor of electronics re used.

They have a protocol if there is a malfunction. If someone has an issue getting cash, we have a customer service. You report that, we promptly get them a check.

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MOTION moved by Mr. Berry to approve the Junk Dealer license for ECO Atm at the Walpole Mall subject to the licensee agreeing to the conditions requested by the Police Dept. seconded Mr. Snuffer, VOTED 4-0-0

9-22 Benny Street Opening

John Glossa, engineer appeared before the Board representing the owner of 18 Benny St. I have been here for a long time. He did not do soil testing at 18 Benny Street, but based on the water table in the area it is very unlikely that this will perc. No sewer in front of the home. When I did 26 we pumped up to Summit Street. No sewer brought across Washington street. It is on the West side. It is expensive to bring sewer across a main street. A few weeks ago the town brought sewer across to Benny Street. Come out of the house down the gutter hoping not to be in the pavement. Trying to leave this open cut within Benny Street. Maybe 20-25 feet long.

Ms. Walker, Town Engineer explained the only comments she has are the ones in my memo to you. She knows the people selling the property have a problem. We worked with them. We have three more years. We would maintain the contractor be responsible for one year. Mr. Snuffer noted Benny St is not wider than a driveway, when you are at the mouth of the Street, the stub that S&W did is it on the left or right. Ms. Walker believes it is on the left. This is a single home service. One of the things that comes into play is they see the human aspect. Unless it went along that edge, it would really mess that whole road up.

Mr. Timson noted the lot is about 6,500 feet if there is an issue you can do a raised system. Mr. Glossa stated no, that has nothing to do with percolation rate. If you have percolation rate more than 90 minutes, his only option to connect to sewer, pump up to highland or go gravity to Washington. Mr. Timson was disappointed that he had not performed the soil test. Mr. Glossa stated he has a lot of experience in town and soil does not change that quickly from one lot to the next. The house has two sump pumps.

MOTION moved by Mr. Berry to approve the Street Opening Permit for 18 Benny Street to allow them to connect to sewer subject to the conditions set forth in the letter from the Town Engineer, seconded by Mr. Gallivan VOTED 4-0-0

9-23 118 North Street Opening

The homeowner explained they contacted the Gas Company because the meter is in the house. It is more of a safety issue; they would need to dig up a portion of North Street. Brad from Columbia Gas explained they need to go all the way back to the Main. Simply moving that meter outside we need to get on to the tea. We only need a 4 x 3 hole and insert the pipe through the old steal line all the way to the house. Mr. Boynton does not see an issue with this.

Mr. Snuffer does not know who would be an expert. How unsafe the situation is. Brad from Columbia Gas explained there are multiple ignition issues there. That service was

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put in 1961. Brad there is no leak on that line. Looking at this picture, he would say that needs to be moved outside. Need to have a discussion with Columbia Gas performance bonds.

MOTION moved by Mr. Berry to approve the Street Opening permit for 118 North Street subject to the conditions set forth in the letter from the Town Engineer seconded by Mr. Snuffer 3-1-0 (Mr. Timson opposed)

Mr. Timson would like them to follow the procedure that they find if the pipe is safe or not before digging up the road.

Columbia Gas , East Street

Trying to resolve the issues with the street work over the next few weeks. Ms. Walker has walked every inch of East Street. They do have in the pipe line with a replacement Main, until one of the jobs is done she is not going to free up anymore mains. Mr. Boynton saw that the area around the trenches have been marked out.

Mr. Snuffer suggested the Board may need a workshop to discuss whether their policy should change relative to street openings. Carl Aiello of Columbia Gas we marked out several areas on East Street. The crew that is finishing up on the Cedar St project and move them to the East St job.

Mr. Boynton noted the people from Columbia Gas and they sub out contractors that are expected to perform under their name. His preference would be do have the other company we use to have come in and fix this. I am going to want to know the subcontractors before issuing a permit. He is concerned with the work that is being done.

Mr. Aiello informed the Board if they are driving along and hit a trench we will come take a look at it.

9-24 Norfolk Street, Acceptance of Easements

MOTION moved by Mr. Berry to accept the easements from the Homes at Swan Pond Condominium by its Board of Trustees signed September 14, 2013, seconded by Mr. Timson VOTED 4-0-0

MOTION moved by Mr. Berry to accept the easements from Rolls Royce Marine North America, Inc dated August 26, 2013, seconded by Mr. Timson, VOTED 4-0-0

MOTION moved by Mr. Berry to endorse said Acceptances and have each notarized and recorded at the Norfolk Registry of Deeds, seconded by Mr. Timson, VOTED 4-0-0

MOTION moved by Mr. Berry to accept the Right of Entry from Carl Swanson, 131 Norfolk Street and Homes at Swan Pond Condominium, seconded by Mr. Timson, VOTED 4-0-0

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9-25 Use of Adams Farm

MOTION moved by Mr. Timson to approve the use of A. Farm for the Drag Hunt on October 1, 2013, seconded by Mr. Berry, VOTED 4-0-0

9-26 Conservation Commission Appointment

MOTION moved by Mr. Timson to appoint Emidio Divirgilio, Jr. to the Conservation Commission to fill the unexpired term until April 1, 2014, seconded by Mr. Snuffer, VOTED 4-0-0

9-27 Cultural Council Appointment

MOTION moved by Mr. Timson to appoint Amy Anglin to the Cultural Council seconded by Mr. Snuffer, VOTED 4-0-0

9-28 Buttimer Property

MOTION moved by Mr. Berry to waive the town's right of first refusal for the land located at 654-656 North Street containing 76.03 acres of land seconded by Mr. Snuffer

Discussion to amend the motion to insure that the back taxes are to be paid prior to the final release and before the Board mails the notice, prorate amount the date of closing.

Mr. Snuffer wants to be sure that is the first debt due. Mr. Boynton explained after 120 days they can move forward. He will reach out to Attorney Gelerman regarding the Board's request.

VOTED 4-0-0

9-29 One Day Entertainment

MOTION moved by Mr. Berry to approve the one day entertainment license for Tee-T's Restaurant, Inc for September 28, 2013, seconded by Mr. Snuffer, VOTED 4-0-0

9-30 & 9-31 Gift Acceptance

MOTION moved by Mr. Berry to accept the gift to the Fire Department and Police Department from the Takacs family seconded by Mr. Gallivan, VOTED 4-0-0

9-32 Award of Bid 2014-09

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MOTION moved by Mr. Berry to award contract No. 2014-09 to Electric Light Co., Inc Cape Neddick, Me, seconded by Mr. Snuffer, VOTED 4-0-0

9-33 Award of Bid 2014-07

MOTION moved by Mr. Berry to award contract No. 2014-07 to Superior Sealcoast, Inc. seconded by Mr. Snuffer VOTED 4-0-0

9-35 Use of Ball field, Norfolk Agricultural

The school is seeking permission to use the Old Fisher ball field for parking during their open house.

MOTION moved by Mr. Berry to approve the application from the Aggie, seconded by Mr. Timson VOTED 3-1-0 (Mr. Snuffer opposed)

2014 Fall Town Meeting projection

Mr. Boynton reviewed the numbers with the Board. He is trying to avoid budget spikes attempting to add to the debt budget. Budget smoothing exercise \$100,000 that will not be spent and combined with a facility fund that money will close out to free cash at the end of the year. Good news, also looking for SBAB reimbursements on the Fisher School projects. Met with financial team today, the \$100,000 would be appropriation in 2014 and will be there next year to help absorb costs. The debt costs are always non discretionary. Talked about the Town Counsel funding. The Town Clerk is seeking funding for preservation of the original 1724 minute book. It is disintegrating.

As we reach 25,000 residents the library must stay open 59 hours. Mr. Timson would like to advocate to appropriate \$20,000 to \$25,000 towards the Coalition for drug and alcohol awareness. It comes out of the police budget. It is not easy to get things done. It is time to look seriously at this and put a line item on this. It can help pay for various speakers that come in, trying to involve and get kids away from drugs. Trying to get computer monitors, worthy items for your consideration. He will ask the coalition to put together a budget to present. Mr. Boynton suggested maybe \$16,500 and be under the Board of Health or police budget.

It was noted the Fincom is meeting next week and Mr. Snuffer suggested he have a dialogue with FinCom earmarking some of the funds.

Mr. Boynton explained they are on good track with the budget. We are proposing savings. He is looking at Positive opportunities, down payment on the larger projects we are talking about. Designing projects and the impacts to the residents. Mr. Snuffer stated they are at risk expenditures. I am not proposing we do design before we get approval from the taxpayer.

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Of the 5.3 million some needs to be expended. He would like to put more funding in stabilization fund. In the spring up to 1.6 million that leaves you with money available \$386,000 we would leave the Spring T. Meeting with 2.6 million in free cash.

Mr. Boynton explained you can't look at free cash to help with the tax rate. It could be used to offset the levy and he sees it as quick fix with long term negative implications.

Mr. Timson is not unsympathetic to reducing taxes. We have a lot of projects coming up and we would risk making those projects less impacting on the residents. Mr. Berry feels it is a conversation worth having. He does not want to pretend we don't have a role in the tax process. We all continue to talk about the tax obligation; we do have the power to control it. I would like to see what that impact would be. I want them to know we are managing are budgets responsibly. I want to lay out the information on the table to residents.

Mr. Boynton knows that Joe Moraski will look at this, we had some extremely lean years. When you get an increase what drove this differently, if you are collecting a lot of ongoing revenue. The immediate reaction from some is to lower the obligation to the taxpayer.

Article 12 deals with the wading pool which is not ADA. Mr. Boynton does not know the grant guarantee. We assured the Fin Com that not one dime would be spent until we know if the grant was successful. Mr. Snuffer suggested they ask Robin about the type of pool they are talking about.

#### Town Administrator's Update

Allston Drive-Water main break, exploring the opportunity to prove that a hydrant was open there. Very old main and what we experienced with something simple. It would not be smart to put the asphalt down until we fix that pipe. It will stay in a ground down state until Spring.

Plympton St- the water main did break.

Health Ins Advisory Com- one of the items involves trying to get claim history for the town. Trigger points and administrative costs.

Downtown Rehab- Wait for workshop

Stadium traffic-Several complaints not being able to access Water Street. The barricades go up when traffic back ups. It is challenging. If route 1 stops than Water street stops.

#### New Business

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Mr. Timson informed the member he did a television on the new social host bylaw we are proposing,

We talked about a youth center. A lot of kids are looking for something to do and to have a place where they can go. In terms of offering ping pong or things that kids want to do. To have a physical space where kids would be welcome. Movement towards building on the superfund site and combine with Senior Center/Police. He has not looked at the costs. He would like to get support for it.

Mr. Gallivan talked about having them come up with programs that would attract kids. Let's see if we can offer programs that would draw kids. Mr. Berry mentioned about in the future, JMS being used as a senior/youth center. We have a lot of moving pieces and the reuse of older buildings has been an issue. Mike Berry talked about the combination of library and COA. Mr. Gallivan explained he spoke to the State he was told they would not support the funding for such a project.

**Minutes**

MOTION moved by Mr. Snuffer to approve the minutes of July 30, 2013, August 27, 2013, September 10, 2013 , seconded by Mr. Timson VOTED 4-0-0

MOTION moved by Mr. Gallivan to approve the minutes of August 13, 2013, seconded by Mr. Snuffer VOTED 3-0-1 (Mr. Berry Abstained)

MOTION moved by Mr. Timson to adjourn at 11:00 p.m. , seconded by Mr. Berry , VOTED 4-0-0