

A Regular meeting of the Board of Selectmen was held on Tuesday November 1, 2011 beginning at 7:00 pm. at the Boyden Elementary School Cafeteria. The following members were present.

Eric Kraus, Chairman
Michael Berry, Vice Chairman
Mark Gallivan, Clerk
Nancy Gallivan
Christopher Timson

Also present: Michael Boynton, Town Administrator

Mr. Kraus called the meeting to order.

ANNOUNCEMENTS

Rep Rogers has stated we will be getting the \$750,000 and \$32, 000 as being the prison host. We should get it by the end of the year.

OPEN FORUM

Mr. Kraus read the following statement into the record. On behalf of the Board of Selectmen we thank you for attending this meeting. We are committed to taking our meeting on the road. On behalf of the Board, I want to thank you all for attending tonight's meeting. The Selectmen are committed to taking our meetings on the road from time to time, and given the current buzz, there's no better place to hold tonight's meeting. Before we begin with why we're here, let me ask our Town administrator to give us an update on the impact of Saturday evening's storm. Michael...

Town Administrator's Storm Update

Mr. Boynton reported on the damage from the storm on Saturday and into Sunday. The emergency declaration started on Sunday. We have talked to NSTAR re outages. As of 5 p.m. we are down to 6%. As you can see the damage is extensive, the DPW workers are doing a great job. We will be at this for days into next week, until we have a full cleanup. The compost site is open all week it is also open on the weekends. We will reevaluate to see if it needs to be open longer. I want to thank everyone for their patience. We are staying at it. We have shelter open for two nights. You can call 211 for a list of shelters open. Hope to have power on in the next 24 hours. They will work on individual homes last. The Fire and police have done a great job. We are down on fire apparatus. Very active three day period. He asked the Board to reaffirm the Declaration of Sunday at 8 a.m.

MOTION moved by Mrs. Mackenzie, to reaffirm the declaration of the town on Sunday, October 30, 2011 at 8:00 a.m., seconded by Mr. Berry, VOTED 5-0-0

OPEN FORUM CONTD.

Mr. Kraus welcomed Senator Timilty and Rep Winslow and Jean Hogan from Representative Rogers office and Mark from Representative Kafka's office.

Mr. Kraus stated the BOS is concerned with media reports from neighboring Foxboro.

Mr. Kraus read the following into the record. Thanks, Mike ... Like you, we too are most concerned with the media reports coming out of Foxborough. For the past 40 years, Walpole, and particularly South Walpole residents, has dealt with the effects and impacts of having a major venue just across our border. Traffic and noise are just a few of the issues that our residents have endured since the building of Schaefer Stadium in 1971.

During that time, I am most comfortable in saying that we have been outstanding neighbors. We have worked with Foxborough officials throughout the years, and have developed a good working relationship with both the Town and the stadium. Yet the developments, or more appropriately rumors, coming from our neighbors are what bring together tonight. The scope and size of the presumed development within feet of our community and our residents raises many red flags, and we as a Town must be in a position to prepare and respond.

In a moment I will ask the Town Administrator to give us an update on what we know currently. As I just mentioned, nearly everything we are hearing at this time is simply rumor. It has been said that in the absence of true facts, speculation and conjecture are left to run amok.

In addition, the absence of true intent or actual development plans is very troubling from an operational perspective. Because we are unable to address actual impacts, we are forced to react to, and plan for a worst case scenario.

Casinos, wind turbines, and trains. None of the above are found in our "desirable" column. Some, all, or none may ever come to fruition, but tonight we must act as if all will. The floor for the next 90 minutes is yours. We have assembled this neighborhood meeting to hear your concerns, suggestions, and general input. We are not here to preach or proclaim, as we are ourselves not fully in the "know" of what our neighbors are planning.

However, it is our hope that at the conclusion of tonight's discussion, we will be better armed with the feedback of those who are set to be most impacted, you our residents.

Before we begin, I ask your indulgence on a few housekeeping matters. First, please try to limit remarks to three minutes to give everyone who wishes to speak a chance to do so. I am not going to be timing folks, but I do request the courtesy for all speakers.

Second, please do not offer any personal attacks, whether on Walpole or Foxborough people. That would be counter productive to our goal of a fact based, well thought out and objective response. And, as I mentioned, we have earmarked 90 minutes for this portion of our meeting. I'm sure this isn't the last time our Board will be soliciting your feedback and or participation.

Again, I thank you for being part of tonight's dialogue, and I will ask Mr. Boynton to give us a brief update on what we do know from recent meetings.

Mr. Boynton reported the town does not know much. We became aware of a study, VHB engineering firm that came about in late August. During a meeting at stadium about country festival, two chiefs, myself, Foxborough and state police. We were given a map. We have not been contacted by any group.

1. There was an invitation to last Tuesdays to Planning Board meeting in Foxborough to see presentation, we represented our concerns. We have not been consulted in any way
2. Scheduled meeting with Rep Winslow, we met with Senator Timilty to meet with DOT, as well as legal aide from DOT, at that time pure speculation. It became clear that the T wants to move forward with a pilot plan, a Fairmont line train, to Foxboro thru Walpole, we expressed concern over this. Financial impacts on town budget, and impacts for those that live near the line, this is a concern and we have expressed that. That is all we know to date. We are here to get feedback.

Senator Timilty commended the Board for their actions and echoed Mr. Boynton's comments. We do not know much, I have been invited to the stadium for a meeting. He was informed about a meeting in Westboro. He was not apprised of this 495 metro west partnership. It seems to be some vague information about who paid for this study. He discussed this with the Kraft group and is aware of the MBTA finances. It is an agency that is on the brink. The reason why they are in debt they were not forward funded. If it were private business they would be jeopardy. They expanded and never paid for it. They want to bring service to an area that has regional service now. Regardless of how many plans, they can't do any type of expansion at this point. They have already taken millions to expand to Fallriver. You are going to short change your customers who are waiting for trains. He does not know where they think they are getting the money. He is going to do everything he can to stop this as there is no need for it. The government that works for us, those public employees work for us and need to be accountable. They have not been able to address any safety concerns. Myself and colleagues share concerns and are going to do everything to fight this bad plan. Nothing he can see that would benefit Walpole. There are times during events, where they are trapped in their homes. You have to plan your weekend around events, any further expansion would impact this town. You should have the ability to sit around the table.

Rep Winslow agreed with Senator Timilty. He has stated the challenges we are confronting. What the economic consequence would be. They would loose 4 million a year on top of what they are loosing. From Walpole to Foxborough to run commuter

trains. He has asked them to be straight with us and transparency. They should first check with the people impacted by the town. His staffer, Joann Muti has been on this for the last three months. If you see any work on the rail beds. He needs the community to be the eyes and the ears. This is crazy to do this. There is a proposal to put that bridge back over RT1. There was a proposal to change the zoning, to allow hotels that would require people to walk by the S. Station, to go to the Fox center. We think we have a good cause. This is a stupid idea and will stand against it.

C. Snuffer- Precinct 4-While this is being conducted in South Walpole as we are under attack, we are one town and community and if they can help it would be a blessing. The lack of transparency, when he was a member of the Selectmen he went to meetings about a train coming to Walpole and it was never mentioned that the Bird Machine site would be used to park the trains. How can you be part of the community when you take that part of the plan and hide it. They will lose 60 million. We here raising of gasoline tax to help fund transportation, 300' bldg is what is proposed in zoning, the stadium is 185' tall, 500' wind turbines, The bridge going across, he feels the taxpayer is under attack. He feels S. Walpole is under attack and would suggest the Kraft family should not receive a gain when all Walpole receives is the pain.

Richard Mazocca, talked about the notice the Planning Board received from Foxborough Planning Board these zoning amendments we drafted a letter and sent to the Foxborough Planning Board. These articles would change the character of this area; Route 1 will become a small city. That has no place in this part of the state. We are talking about very compacted building and the current zoning allows 100' in this area, they can put in a 100' bldg and it has to be set back 300' from any district, now it has to be set back any zoning district in the town. They were trying to ignore the homes along RT1 put up 300' building with no setback, and the Planning Board was not aware of that. The Kraft's attorney drafted the language and what is being proposed would devastate the S. Walpole area. The wind turbines would be illuminated at night, a Casino would be lit all night, traffic, crime, would ruin the area. We have informed them we are opposed and would ask this board join us in opposing what is going on in Walpole.

John Murtaugh stated the traffic is a concern. What is going to happen when Foxborough becomes a nightmare. It will fill up Wrentham Center, Walpole Center, It is going to shut down the center of town. He would like the Board to call a joint meeting with Foxborough to work out the issue.

Ann Marie Kannally is in opposition to this development, as it is in the Town's backyard. There would be devastation in all parts of the town, impact our schools, with the rail, looked at the study, two train lines that go down Foxborough. Any ridership they are projecting she does not see additional ridership. Bringing a rail in from Worcester, thru providence. It is very clear infrastructure aimed at development. To use taxpayer money to help him develop his property is offensive to me. With all the cuts to local aid, the idea of people sleeping on the common. This project is a highjacking of our government. I oppose it and ask for your support.

Glenna Moody- I live on Water Street before or after any game, Water Street is lined with taxis, limos etc , we have had situations where we can not get in our driveway. Thanked everyone for her concerns.

Deb Burke- I read the study and put together a map of the train schedule, so you could get a sense of what is being talked about. Showed the existing Franklin line, with the proposed study, three options, would come up to Fairmont. Would not go to Back Bay. She spoke about the different train routes. Put together a list of all the streets. It is not just here in S. Walpole there are twenty five streets that are affected. On game day the trains go 10 MPH, they are talking up to 36 trains, which is an impact on all of the people that live on these streets. We do not believe the people of Medfield are aware of this. There are many red flags that the MBTA should not go thru with this proposal. The T says if they go forward, a layover facility has to be built.

We do not want diesel engines sitting on the Baker Hughes property. They have talked about the Train would have to be 850' long, big scale operation. I am sure the people in the neighborhood do not want that in their back yard. We would have 35 trains running a day and it would devastate this area and center of town. Have to build a second track. I want to give you facts that are in the study.

Jack Wiley-during the country concert, the stadium had the lots closed until 3 hours before. I think the Police department decided to allow them to pull into Boyden School parking lot. There should be some coordination, as to how these events are handled. The parking lots should have been opened to let the people in. I would ask the Board if they could work with the Town of Foxborough to alleviate some of the problems we have heard tonight.

Mr. Boynton talked about the Festival, we went to the stadium , met with the State police, stadium officials, unless that situation is resolved before that license is issued, we will take action in court to put a stop to such an event. We have had a decent relationship with the Fox officials. That is not enough to resolve.

Mike Obrien- yrs ago Westwood project and the town of Canton found it obnoxious, they had to hire counsel and had success,, it is not nearly what it was going to be. Is there something we can do from a legal standpoint. It seems like a runaway train and do we have to do something legally.

Mr. Boynton noted that part of the challenge is knowing what we need to fight, we do not have real information as to what is proposed.

Bill Hamilton had attended the Planning Board meeting and talked about the Zoning Articles and one was in favor of the wind turbines, as he thought it would help get power back to Foxboro. Any excess from that turbine is going back to the grid.

The pilot program, we have been tricked in the past, to bring the passenger train to Foxborough which crosses Summer St. without gates. He believes there has to be passenger gates. In a situation is the line of site. The Engineer was very familiar with

this, to put radar control gates. You have to have a line of site. That is an issue, talking about pilot program. It is a hazardous situation on that street. The trains can not stop. I think the MBTA is negligent for not putting gates there.

Mr. Timson spoke of his attendance at a meeting with the stadium concerning this train. The Board had sent a letter to DOT and we expressed a number of concerns, we did not hear anything for some time, than we saw the study. We are left in the dark as to how that happened. The pilot program is a done deal and we were never given the chance to say anything. We may get a voice in what is going on. The men from the State are dealing with CSX to upgrade the tracks, to allow higher speeds on commuter rails. Our concerns were never addressed. Because of that meeting, they are willing, if they enter into the deal, they would let us know and work our concerns into the process. They were told you could not come to us after the contract is set up. It was made clear that those items need to be addressed. He does not know what ability the town may have to stop CSX. They do not have to buy any new trains, use current staff.

M. Berry-Thanked everyone for coming out. As you know that during the stadium events we are a patient neighbor. Enough is enough, we are out of patience, and ready to speak, the BOS will depend on people in this room to make your voices heard. I think when we look at these issues, the Town of Foxborough. There seem to be a number of communities who want a Casino and not this one. They should not be on Route one.

Mark Gallivan-everyone has done a great job and impressed on the number of people, He suggested the Board let know the Town of Foxboro know what Walpole is thinking. It would be helpful to meet with them.

Andrea Flaherty, Winter St, feels her neighborhood would be most impacted. Her backyard for about 50 feet, her septic is only 30' from the tracks, can my foundation handle that. She is concerned the homes may not tolerate all the trains. She is concerned for the integrity of her home.

Mr. Kraus thanked everyone for attending and assured them the Board will continue to work on the issues.

Mr. Berry questioned the Casino bill and how the state was divided into areas. Rep. Winslow explained the regions and noted the Mass gaming commission will need to develop regulations. Expects a final bill by Thanksgiving and the Governor will sign soon after.

Mrs. Mackenzie thanked everyone for attending and would like the Board to support and cosign the Planning Board letter. Mr. Timson suggested the Board write their own letter with an indication we support the Letter and wish to work with the Town of Foxborough.

MOTION moved by Mrs. Makenzie to send a letter of support of the Walpole Planning Board's letter to the Foxborough Board of Selectmen and to draft our own letter to the

Foxborough Selectmen inviting them to a joint meeting with this Board to discuss the various issues, seconded by Mr. Timson VOTED 5-0-0

Discussion ended at 8:35p.m. and the Board took a five minutes recess.

Alcohol and Drug Coalition

Mr. Timson had requested the appointment. He is considering activating a Task Force which will work in cooperation with the Coalition. Chief Stillman has been working for five or six years now on the Coalition. We have worked together to come up with ideas of how to deal with this issue. It is a three prong effort, not just police, use the entire community, education, recreation and enforcement. We have worked with Recreation in having programs that the kids can do. Health agent and teachers in School. DARE funding is no longer available. There is a problem, it is not a town problem but regional program, the drug problem has gotten worse. It is a big concern. We know kids are going to experiment. A huge difference in their problem

Mr. Timson noted the age of onset is 10-12 age range. He had attended the coalition meeting and suggested the Selectmen need to take some ownership. He thought the Board needed their own committee, but in conversations since then, maybe the best thing to do is a task force.

Chief Stillman there is a number of us that attend the meetings. In terms of making up this task force, I want to establish that, the Police Chief, Health Director, School Dept and then have the deputy Chief, someone from Recreation Department and a member of the School Committee,

Chief would like student involvement, president of student counsel or their designee that would be great.

Supt Lynch suggested representation from Middle schools. The Chief agrees the middle schools are where the message needs to get to. There may be some budgetary issues. Need to continue to push the media.

Kristin Seastrand wants to acknowledge the alcohol coalition. They have been dealing with many issues. They have after hour programs beyond the school. Need to keep the kids active with extra curriculum activities.

Mrs. Mackenzie would like to see come out of this task force, how the "BOS can help, what you need from us, your wish list to get your goals reached. Hopefully we can find a way to give you those resources.

Mr. Timson suggested that would be the charge that would be the first goal. Come back with a plan and recommendations. A lot is being done. Maybe with our involvement we can kick it up a notch.

Bridget Gough, Principal BMS spoke to the three-prong effect of education, recreation, enforcement. Look for some type of funding for programs inside the school. Our HS students work with our middle school students. Funding is very important, trying to find ways is very important. The question is how to mesh the coalition with the task force.

MOTION moved by Mr. Timson to set up a task force on drug and alcohol awareness and appoint a representative from ;

Police Department/Police Chief
Board of Health
School Committee
School Department
Recreation Department
Alcohol Coalition

Charge looking for a report back within thirty days, to make up the task force and various programs and set up a budget. Seconded by Mr. Gallivan, VOTED 5-0-0

MOTION moved by Mr. Timson to appoint himself as the Board of Selectmen representative to the Task Force Committee, seconded by Mr. Gallivan, VOTED 5-0-0

11-1 One Day Wine & Malt

MOTION moved by Mrs. Mackenzie to approve a one day wine license for the Blessed Sacrament School, 808 East Street for November 19, 2011, seconded by Mr. Berry, VOTED 5-0-0

11-2 Drag Hunt, A. Farm

MOTION moved by Mrs. Mackenzie to approve the Norfolk Hunt Club drag hunt on November 15, 2011 at A. Farm, seconded by Mr. Berry, VOTED 5-0-0

11-3 Chapter 90 Reimbursement

MOTION moved by Mr. Berry to approve the Chapter 90 Reimbursements as submitted, seconded by Mr. Gallivan VOTED 4-0-1(Mrs. Mackenzie abstained)

11-4 Job Description, Principal Clerk

MOTION moved by Mrs. Mackenzie to approve the revised Principal Clerk job description, seconded by Mr. Berry VOTED 5-0-0

11-5 Award of Bid, Guardrail Replacement

MOTION moved by Mrs. Mackenzie to approve the Bid Contract for Guardrail Replacement to Total Highway Services, Inc., Woburn, MA for a total price of \$19,982.00, seconded by Mr. Berry, VOTED 5-0-0

11-6 Gift Acceptance

MOTION moved by Mrs. Mackenzie to accept the Gift from John Hasenjaeger in the amount of \$9,343 for sidewalk construction , seconded by Mr. Berry, VOTED 5-0-0

11-7 Planning Grant, Final Quarterly report

MOTION moved by Mrs. Mackenzie to agree with the Final quarterly report submitted by Stephanie Mercandetti for the Planning grant, seconded by Mr. Berry, VOTED 5-0-0

TOWN ADMINISTRATOR UPDATE

Tri County- There is an opening on the Tri County School Committee. Advertise the opening, Post on Cable and Web

State Reversion Aid & Prison Mitigation Aid- this is half of what the town used to receive \$155,865 & \$32,000

OLD BUSINESS

Mr. Timson would like a report at the next meeting from Mark Good on Credit Cards that pay back.

Mr. Timson noted Mr. Boynton and he are reviewing the property list and will bring it back to the board when they have narrowed it down.

MINUTES

MOTION moved by Mr. Berry to approve the minutes of 10/17/2011, seconded by Mr. Gallivan, VOTED 5-0-0

MOTION moved by Mr. Berry to approve the Executive Session minutes of 9/20/11, seconded by Mr. Gallivan, VOTED 5-0-0

MOTION moved by Mr. Berry to approve the Executive Session minutes of 10/4/2011, seconded by Mr. Gallivan, VOTED 5-0-0

EXECUTIVE SESSION (*The Board moved to the Conference Room in the Boyden School*)

MOTION moved by Mr. Berry to move into executive session to discuss strategy relating to litigation as the Chairman has declared that discussing the strategy in open session may have a detrimental effect on the litigation position of the town and will reconvene in Open Session to adjourn the meeting, seconded by Mr. Gallivan VOTED by roll call: Mr. Berry-Aye, Mr. Gallivan-Aye, Mr. Kraus, Mrs. Mackenzie and Mr. Timson in favor

MOTION moved by Mr. Timson to move out of executive session at 10:35 p.m., seconded by Mr. Gallivan VOTED by roll call: Mr. Berry-Aye, Mr. Gallivan-Aye, Mr. Kraus, Mrs. Mackenzie and Mr. Timson in favor

MOTION moved by Mr. Timson to adjourn the meeting at 10:40 p.m., seconded by Mr. Gallivan, VOTED 5-0-0