

A Regular meeting of the Board of Selectmen was held on Thursday, December 1, 2011 Beginning at 7:00 p.m. in the Main Meeting Room of the Town Hall. Mr. Timson was absent the following members were present.

Eric Kraus, Chairman
Michael Berry, Vice Chairman
Nancy Mackenzie
Mark Gallivan

Also present:
Michael Boynton, Town Administrator

Pledge of Allegiance

Announcements & Proclamations:

Mr. Kraus read the following into the record.

We have a full agenda this evening, and we will start with a public hearing in just a minute. First under announcements I would like to provide a brief update on our efforts to schedule a meeting with the Town of Foxborough. As you know, we invited the Foxborough Selectmen to meet with our Board regarding Route 1 development and zoning issues that have surfaced over the last few months. Last week, we were notified by Foxborough's Town Manager that they will not meet with our Board until zoning articles actually are placed upon a Town Meeting warrant. His letter indicates that Foxborough's ZBA will take up the matter after the first of the year. Please be assured that we will stay in contact with Foxborough officials on this topic.

On the subject of possible commuter rail expansion to Gillette Stadium, we have an agenda item scheduled tonight on that topic, and more information will be presented at that time.

Mr. Berry recognized the High School Football team, 61 men raised \$12, 000 dollars for research efforts with children with Cancer. Kudos to those at the High School

Sponsored Agenda Items

Classification Public Hearing

MOTION moved by Mr. Berry to open the public hearing for the classification hearing for FY2012, seconded by Mr. Gallivan VOTED 3-0-0 (Mrs. Mackenzie was not in the room)

Mr. Gallivan read the public hearing notice from the Walpole Times.

The public hearing is open.

Mr. Kraus explained tonight the Board will consider and vote on the Residential Factor for Fiscal Year 2012. This is commonly referred to as "The Shift", where a percentage of the annual tax responsibility can be reallocated among the different classes of properties. Since 2004, the Town has been operating at a 1.25% shift, which simply translated means that Commercial and Industrial taxpayers have assumed a greater portion of the annual tax obligation to provide residential taxpayers with some relief.

This is the topic before the Board tonight. It is not a political debate, but rather a technical process that we by statute must undertake. After our vote, the tax rate itself is computed by the Board of Assessors and submitted to the DOR for approval. The Town needs this process completed in entirety by the end of December for 3 Quarter "Actual" tax bills to be sent out. Failure to get this done could disrupt cash flow and result in a need for short-term tax-anticipation-note borrowing. That would be expensive and completely unnecessary. As such, I respect the timing needs of the Assessors, and we will, as each Board has done in years past, complete this process tonight. As I stated, tonight is a PUBLIC HEARING. This hearing has been advertised, and residents and business owners alike are able to attend and have input should they so desire.

The procedure for the hearing will go as follows:

- 1) I will recognize the Chair of the Board of Assessors for their presentation.
- 2) Next I will invite any member of the EDC who wishes speak on the position of their Board.
- 3) I will then ask for questions and comments from the Board members.
- 4) Finally, I will open the floor up for questions and comments from the public.

Jack Fisher, Chairman of the Board of Assessor's provided Board members with two handouts. He explained how they determine the real estate taxes; property assessment, tax rate. They use the Assessed value as of January. They do careful analysis of sales, and determine individual assessments.

Individual Property Assessment:

- Valuation is determined as of 1-Jan preceding beginning of Fiscal Year (i.e. 1-Jan-11) - some exceptions for new construction
- Valuation is determined by sales analysis of preceding year(s) and characteristics of the individual property
- Determined by Board of Assessors, certified by MA DOR

Residential Tax Rate:

- Planned expenditures by Town i.e. Tax Levy. Determined by Town Meeting (Normal expenditures subject to 2 14limitations) or Voters (Operational or Capital Expenditure Override)

- Total assessed valuation of all Real and Personal property. Determined by Board of Assessors, certified by MA DOR
- Residential Factor - Percent of total Residential assessment to be shifted to CIP property. Determined by Board of Selectman.

Current (2011) Factor = .959755 or Shift = 125%

Residential Tax rate- how much money you are going to spend is determined by Town Meeting and overrides are determined by voters.

	\$404,800
	\$823,100
	\$623,100

The amount of money you can raise as a town is 2 ½ New Growth is the levy limit can increase by new growth. An increase in assessed value because of improvements to the property. Most tax growth is from Single Family homes. About 65% comes from NSTAR, Verizon, Bay state gas and Comcast. New Growth for FY2012 resulted in \$607,341 of additional tax revenue.

Mr. Fisher reviewed what the tax rate would be at different shifts. If the shift stays at 125%, the average tax bill will go up \$206.00 a year. He went on to show a comparison with other towns.

Mr. Fisher talked about residential and small commercial exemption. Great deal of analysis that goes into that to see who qualifies for it. It takes a lot of work to do it Only fourteen communities have adopted the residential exemption. We do not have a lot of non owner occupied properties in town, we recommend not going forward at this time but you may wish to look at it next year. Only ten communities have adopted the small commercial exemption.

Paul Millette, Chairman of the EDC referred to the memo the committee sent dated November 22, 2011 asking the Board to maintain the current shift. They are trying to attract business to the town.

Mr. Berry read the following into the record. Tonight's discussion regarding the tax rate and, more specifically, the shift differential between the residential and commercial tax assessments is a difficult one. The economic climate locally, across the state, nationwide, and indeed all over the world remains very volatile. However, the financial climate for homeowners in Walpole is just as precarious and just as volatile, if not more so.

This is the thought process I have guiding me tonight through this very important discussion. We are charged tonight with deciding the share of tax rates paid by residents versus commercial entities and, more specifically, how much extra tax burden we will ask our businesses to shoulder. The bad news, taxes will be going up for everyone. Unfortunately, as I see it, there is no good news.

Much of this discussion will center upon Walpole needing to maintain a competitive tax rate to attract more businesses to our community, which, I would venture to say, is something the entire town wants. However, I think we need to be honest with ourselves as to how much of a role our tax rate plays in economic development considering that our commercial tax rate is noticeably less than the neighboring communities of Norwood, Attleboro, Canton, Dedham, Needham, Westwood, and Stoughton. Of the communities in our region with split tax rates, only Mansfield shifts a smaller burden on to their businesses than Walpole.

The fact remains that 86% of Walpole is comprised of residential property and, unfortunately, there is little I see on the horizon that can begin to reverse this trend. Moreover, the marketplace around us is showing that even communities with twice the commercial property we are still shifting a higher proportion of their tax levy onto their businesses.

In our struggle to incentive economic development in our community and allow businesses to grow and flourish, it should be a priority of this board to ensure Walpole remains an affordable community for young families and seniors alike. According to the data provided to us by the Assessors office, since 1993, Walpole residents have seen their average tax bill increase by 60% compared to 53% on the commercial side. The economy is forcing nearly all of us to make difficult decisions and tonight's is no different. Are we going to try to help the 86% or the 14%?

It is with this in mind that I recommend to this board tonight that we consider moving from a shift of 1.25 % to 1.28%. Make no mistake about it, this will still mean a tax increase for the residents and a larger tax increase for the businesses in our community.

In my mind, this is a situation in which no one wins. However if we can reduce the financial obligation on the homeowner in Walpole while still maintaining a competitive tax rate, than I believe this is something we can live with. In my opinion, Walpole is flirting dangerously close with having our average tax bill reach the echelon of Norfolk's, Sharon's, and Medfield's. Combined with the school committee's likely pursuit of an override, the tax implications only look to further worsen amidst a difficult economy.

I'll conclude my remarks Mr. Chairman by saying the larger part of this discussion centers on the need for greater economic development and a more diverse tax base. I think we, as elected officials and as a Walpole community need to get serious about what types of businesses we want to attract in this town and identify the obstacles that are impeding that progress. For seven years, our commercial tax rates have remained the same, lower than many neighboring communities, and we have little to show for it. Indeed, we lost one particular company, Stergis Windows & Doors and their 100 jobs to the town of Attleboro when the city rolled out a Tax Increment Financing incentive to bring them over. Clearly this tells me that there are other symptoms getting in the way of Walpole's economic development progress and I hope that in the coming months and

future we can diagnose these problems and continue to move Walpole forward in a way that benefits both residents and businesses alike.

The Board discussed if there is a disadvantage if they change the tax rate to more on businesses. Ms. Mercandetti explained most of Walpole's businesses are small business and it could be a burden.

MOTION moved by Mr. Berry to close the public hearing seconded by Mrs. Mackenzie, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to adopt the residential factor of 96.0474, seconded by Mr. Gallivan VOTED 3-1-0 (Mr. Berry opposed)

Taxation Aid Committee

We have had the funding and it would be nice to get the money back to some people who can use it. We have not had sufficient membership on this committee and there are three citizens who are interested in serving.

12-2 MOTION moved by Mr. Berry to appoint Aichia Kelley to the Taxation Aid Committee to serve as a Regular member, seconded by Mr. Gallivan VOTED 4-0-0

12-3 MOTION moved by Mr. Berry to appoint Lauren Macomber to the Taxation Aid Committee to serve as a Regular member, seconded by Mr. Gallivan, VOTED 4-0-0

12-4 MOTION moved by Mr. Berry to appoint Ora Mcguire to the Taxation Aid Committee to serve as a Regular member, seconded by Mr. Gallivan, VOTED 4-0-0

OPEN FORUM

No one present

Pond Management Committee

12-5 MOTION moved by Mrs. Mackenzie to accept the resignation from Matthew Fearnely from the Pond Management Committee, seconded by Mr. Gallivan, VOTED 4-0-0

12-6 MOTION moved by Mrs. Mackenzie to appoint Paul Stelmash to the Pond Management Committee as an associate member until April 1, 2012, seconded by Mr. Gallivan, VOTED 4-0-0

Cable Advisory Committee

Dennis Ricci seeking appointment to Cable Advisory Com. He comes with no Agenda other than to see that negotiations proceed. Feels it is a resource. Walpole Community TV has an interracial part in programming. That group has been very active.

12-7 MOTION moved by Mrs. Mackenzie to appoint Dennis Ricci to the Cable Advisory Committee as a Regular member, seconded by Mr. Gallivan, VOTED 4-0-0

**** To invite Josh in to a meeting for update.

MPIC Spring Meadow Brook Update

Gregory Sands and Paul Ylingling fourth year Northeastern university students have been working with the town on this project. They presented a plan to the Board showing the bridge, the picnic area, trash barrels the location of the fence. The bridge is 55' long for pedestrian use only. There will be crushed stone pathways. They have an order of conditions from Conservation and are in the process of meeting those conditions. They will be speaking with various bridge manufacturers over the winter months.

The Board members were pleased with the proposal.

Mr. Sands explained they are trying to get the ball rolling, getting it surveyed, some plans done by Roger Turner, he pushed it as far as he could. We placed the bridge with least vegetation disturbance and not come up to football field. The neighbors want it more open. They like the lighting. Mr. Kraus thanked them for their informative presentation.

EDC Update

Stephanie Mercandetti, Economic Development Officer gave the quarterly update, good news had new business come to town, Cozy Spa, E. Walpole Market and Deli, a new jeweler, Cruisers open, the KOKO fit club is opening soon, Fancy That , Bead Addiction, Texas Roadhouse, and Aspen dental. They started the business recognition program and gave out annual business awards at the business. It was our 5th annual, morning event and there were seventy five business owners present. Bridge Medica started in Walpole and they are looking to expand they are a great engineering company.

There has been a lot of work done downtown they have inventoried the area and surveyed them, we are compiling all that data. Parking is a big issue and is suggesting a meeting between town boards and the Walpole Chamber. Stephanie is working on benchmarking Walpole and how the town compares to other towns.

The winter Farmer's Market starts this Sunday at the VFW. Continue to buy local, there is still produce. She is working on a Public Arts Store initiative great way to fill vacant store fronts. We can fill them with art work, we do have a form, discussed with recreation dept. and there has been some interest.

Mr. Boynton spoke about the work the EDC has been doing and how beneficial it has been for the Town. The downtown has unique opportunities and there are a number of properties that are perfect for various reuse.

Discussion took place regarding the commercial base on Route One and how Walpole compared to other towns. There is limited space and need to decide how the residents wish to see the town. In terms of larger companies it is difficult because of building availability. Have had inquiries for high tech, manufacturing outlets, from 5,000 to 30,000 s.f. If the deals are structured those business will come to town.

Mr. Berry wants to be sure that the EDC feels empowered to come back to us with ideas. If you feel things that are out there. Feel free to come back, that is what you are there for. Talked about the 1A industrial what to do to make that a reality. Are we not doing enough together. What do we want in the industrial park and what we agree with and not agree with that study. Continue on and stay while it is hot. The industrial park is a great place to start.

Mrs. Mackenzie would like to have a joint meeting with EDC, Planning Board and Sewer and Water Commission for brainstorming sometime in the new year.

2012 Common Victualler's and Liquor License Renewals

12-8 MOTION moved by Mrs. Mackenzie to renew the licenses for 2012, as presented, seconded by Mr. Berry, VOTED 4-0-0

One Day Liquor

12-9 MOTION moved by Mrs. Mackenzie to approve the one day all alcoholic liquor license for the Kof C as requested, seconded by Mr. Berry, VOTED 4-0-0

Boyden School Fun Run

12-10 MOTION moved by Mrs. Mackenzie to approve the Boyden School Fun Run to be held on April 21, 2012, seconded by Mr. Gallivan, VOTED 4-0-0

Relay for Life

12-11 MOTION moved by Mrs. Mackenzie to approve the Relay for life to be held on June 15 to June 16, 2012 seconded by Mr. Gallivan, VOTED 4-0-0

Acceptance of Gifts

12-12 MOTION moved by Mrs. Mackenzie to accept the gift from the Chamber of Commerce for concerts on the common in the amount of \$750.00, seconded by Mr. Gallivan, VOTED 4-0-0

12-13 MOTION moved by Mrs. Mackenzie to accept the gift from the Junior Women Club in the amount of \$250.00 for Turner Pond Lodge Programs , seconded by Mr. Gallivan, VOTED 4-0-0

Spring Town Meeting Warrant

MOTION moved by Mrs. Mackenzie to open the Spring town meeting warrant , seconded by Mr. Gallivan, VOTED 4-0-0

12-16 Award of Bid, Backstop

MOTION moved by Mrs. Mackenzie to award the bid for contract 2012-17 for removal of existing backstop at Bird Middle School and Purchase and install new backstop to Budget Fence Co, Revere ma for a total price of \$16,374, seconded by Mr. Gallivan, VOTED 4-0-0

MBTA Rail Study

I asked for this agenda item to allow the Board of Selectmen to discuss our response to the Mirick (My-Rick) Study that has proposed an expansion of Commuter Rail service through Walpole to Gillette Stadium. Attorney Mirick sent a letter to the Town that we received on November 17 requesting our comments to that study.

On November 1, this Board held our regularly scheduled meeting in South Walpole to hear from residents about the possibility of train service passing along the CSX Freight line, as well as other immediate concerns relative to rumored development and possible zoning changes in Foxborough along our border. The response from the community was clear, concise, and overwhelming. Walpole is done putting up with the negative side effects of development and expansions along Route 1 and in the area of the Stadium. For forty years we have been good neighbors and have professionally addressed the negatives while Foxborough reaped the benefits. We continue to work in a collaborative fashion with our neighbors dealing with existing conditions, but our community is not interested in absorbing any more. These were the sentiments of our residents, and we as a Board concur.

As I mentioned, tonight we will discuss a response to the latest expansion proposal, the Mirick study. I will entertain comments and input from tile Board members, and it is my hope that we will agree upon a letter to be sent expressing the position of the Town of Walpole. To that end, in just a moment will read # DRAFT letter to be considered by our Board that should be perfectly clear to Attorney Mirick in terms of our position. This letter not only deals with feedback to some of the so-called technical findings study, but also included some of the comments we received from our residents.

In addition, we will direct that this letter be sent to The Governor, Congressman Lynch, our legislative delegation, and officials from the State Department of Transportation. After the Board has had a chance to discuss our letter, I will open the floor to anyone who

wishes to comment specifically on the study, or our letter. We will need to keep comments limited to this specific topic. He asked Mr. Boynton to read the letter addressed to Attorney John Mirick into the record.

The Board members were pleased with the letter and found it frustrating when they asked to meet with a representative no one would appear before the Board.

MOTION moved by Mrs. Mackenzie to sign the letter as presented with clerical corrections, seconded by Mr. Berry, VOTED 4-0-0

Mr. Boynton read letter addressed to the Governor concerning the i-496/Southwest Regional Commuter Rail and Operations Study.

MOTION moved by Mrs. Mackenzie to endorse and send the letter to the Governor, seconded MG 4-0-0

Bill Hamilton- precinct 5, wondering if the BOS as Road Commissioners, indemnification if there was a tragic accident on Summer St. The town can put in the proper safety for that crossing. What you need to do so you are not liable if something happens here. Those passenger trains zip right thru those lights. Those lights only blink a few minutes. Contact whomever to make sure we are not liable.

Tima Lopez, 23 Auduborn Drive-would like to see the letters in the newspaper. The Board can ask the newspaper but they can have them posted on the web.

Deb Burke- Thanked the Board for writing the letters and asked the Board to continue to put pressure on the MBTA.

Joanne Muti- Thanked the Board for your leadership and as the legislative aid for Rep Winslow to get a meeting with the MBTA, she would be happy to do that. You might want to let the public know there is an open period people can write a letter. Senator Timilty and Rep Winslow did a great job of expressing the concerns of Walpole. She suggested keeping Congressman Lynch in the loop.

Kathleen Fitzpatrick- noticed a marker is surveying being done on the tracks.

Mr. Boynton noted tha DOT has been having conversations with CSX with potential upgrades of tracks in place. It would be nice if someone would tell us about conversations, it could be routine maintenance.

Mike Gilmartin, 23 Auduburn-thanked the Board doing what they are doing. Believes the only group that would benefit from the rail expansion is the Kraft group.

Mr. Kraus explained until there is more concrete plans, we will continue to update the town when new actions come in. If you have ideas please funnel them in.

MOTION moved by Mrs. Mackenzie to send a copy of the letter from the Walpole Planning Board to the Foxboro Planning Board regarding zoning articles to the Foxboro Board of Selectmen, seconded by Mr. Boynton, VOTED 4-0-0

Electricity Initiative

Mr. Boynton has reached out to Senator Timitly regarding the legislation. Read the letter into the record being sent to the Representatives regarding the disruptions of electricity service to Walpole Residents during Hurricane Irene and October 30th snowstorm.

Mr. Kraus asked that a copy of the letter be sent to NSTAR. There is a competing interest in NSTAR needs and what residents look for in street trees. Mr. Boynton has a concern with some of the work being done in North St, leaving pieces of trees that go over the road.

MOTION moved by Mrs. Mackenzie to send the letter to the delegation with copy to NSTAR regarding the electricity service disruptions and the assistance to design legislation to create locally controlled utility departments, seconded by Mr. Boynton, VOTED 4-0-0

Town Administrator Update:

Storms Costs Update & Reimbursement- A lot of debris removal costs. Reviewed all the costs associated with the storm. Requesting special dispensation, we did not meet the amount for reimbursement. We are asking FEMA to do the same.

Prison Mitigation money- Money has been received. Mr. Kraus asked that we invite our delegation in with a big check if possible.

Meals Tax Revenue- the number so far for the first quarter alone is up \$103,000. Another note, since 2007 to 2008 the average home value is up by \$1,000.

Electric utility creation update- upside the number from DOR value \$66.2 million .

Washington St project- preconstruction meeting will be held 12/7

A local power company would be similar to a housing authority. You would be creating a local board of directors and the Selectmen could be electrical commissioners.

NEW BUSINESS

Special thanks to Beth pelick, Kate abate and everyone to help bring Santa into town and tree lighting.

OLD BUSINESS

Mr. Gallivan asked for an update on the budget working group. Where do we stand on the municipal side? Mr. Boynton noted it will be great to get the group back together. He noted the municipal side still has loses from 2003. There have been challenges. I need some bodies back in parks, bldg inspection and we are stretching some offices thin. Mr. Berry noted that he and Mr. Kraus were the Board's representatives and he looks forward to meeting again.

Mr. Kraus would like regular updates from the Council on Aging.

Mr. Gallivan spoke of the town of Mansfield recently re turffing their field. It lasted for about ten years. Mr. Kraus noted it is not the use of the field but the sunlight that damages the turf.

MINUTES

MOTION moved by Mr. Berry to approve the minutes of October 18, 2011 and November 1, 2011 seconded by Mrs. Mackenzie, VOTED 4-0-0

MOTION moved and seconded to adjourn at 9:40 p.m. VOTED 4-0-0