

A Regular meeting of the Board of Selectmen was held on Tuesday, June 29, 2010 beginning at 7:30 p.m. in the Main Meeting Room of the Town Hall. The following members were present:

Nancy Mackenzie, Chairman  
Eric Kraus, Vice Chairman  
Michael Berry, Clerk  
Christopher Timson  
Clifton Snuffer

Also present:  
Michael Boynton, Town Administrator

Mrs. Mackenzie called the meeting to order at 7:30 p.m.

**Announcements and Proclamations**

Moment of Silence for James Horne who was elected as an RTM and past away before he could serve.

The Night Before the Fourth Celebration, parade at 6 p.m. and Fireworks at 9:30 p.m.

**Sponsored Agenda Items**

**Chief Bailey, Quarterly Update**

Chief Bailey reviewed the number of calls and inspections performed for the end of the fiscal year. He stated the ambulance receipts are on target and the issue with UMass has been resolved. The Fire Department finished better than anticipated with the budget. He had asked for moneys at the Spring Town Meeting and will be turning back salary money. He updated the Board on new staff and spoke to the three firefighters out on injury. He talked about equipment in the department, new defibrillators are in service, and upgraded to the ones we had before. Safety com is looking at the gear as they are replacing the turnout gear

Mr. Snuffer questioned when an employee has been out of work for 1 ½ years, when do you declare them not eligible for duty. He wanted to know with public safety, is there an insurance that the town can buy that would help defer some of these expenses. The Chief believes there is, but it is extremely expensive. Mr. Snuffer is trying to understand what the cost is to the town. When do you get to a point when we look at voluntary or involuntary disability retirement? He sees what it cost in terms of providing service and if someone is out in excess of a year where is that point of recovery. He would like regular updates on this.

Mr. Boynton noted that if you were to look at the last two years, it might make sense to purchase that type of insurance but if you look at normal years, it does not. The system has become difficult. You have to be able to demonstrate medical in point. It is something we have talked about.

Mr. Timson wanted to know in terms of overtime how are we doing now, since we changed the contract, are we doing better? The Chief said yes. Mr. Timson suggested it would be interesting to compare last year to this year on a quarterly basis. He would like to see procedural protocol, for independent exam, length of time for their injury. They should expect that we are going to see where they are with their injury.

6-36 **Susan Shocket, Friends of Adams Farm**

Coordinator for the community garden explained they received a grant in the amount of \$1,250 with the help of Stephanie, it has been a great help getting the money through. They used the funds to purchase hoses and fence. Mr. Knobel thanked Sue for everything she did for this. She prepared packets for the gardeners, she supervisors the Rules and Regulations. Thanked Josh Cole, who helps a lot, they handle the money that comes into the town. That money goes to the Recreation Department. He invited the Board to come up some time to see the garden and butterfly garden, the woman's club has done a great job. He would like the Committee to meet with the Selectmen in a

formal way to discuss the partnership with the Friends of A. Farm and the Town and to talk about the future of A. Farm, expansion of the garden and discussion about further use of the facilities. All funds go to Recreation Department. The Friends are a fundraising group. Come up and have a meeting.

The Board would like to hold a meeting at Adams Farm. They will choose a date for this summer.

MOTION moved by Mr. Kraus to accept the gift in the amount of \$1250 deposited into the Friends of A. Farm and to spend the funds, seconded by Mr. Snuffer, VOTED 5-0-0

#### 6-45 Adams Farm, Committee Charge

The Board had been presented with a recommended change to the Adams Farm Committee Charge. Mr. Knobel explained the Committee felt the Selectmen could read the proposal and vote it. It explains in further detail the duties of Committee and also that associate membership may be appointed as suggested by the Committee by approval of the Selectmen.

MOTION moved by Mr. Kraus to approve the new Adams Farm Committee charge, seconded by Mr. Snuffer, VOTED 5-0-0

#### 6-38 Jeff's Sports Cards

Jeffrey and Phyllis Khoshatefeh appeared before the Board seeking a Junk Dealer/Junk Collector license. Jeffrey is selling sports cards in a kiosk at the Walpole Mall. He has some autograph pictures and frame, baseballs.

MOTION moved by Mr. Kraus to approve the junk dealer junk collector application for Jeff's Sports Cards at the Walpole Mall, seconded by Mr. Snuffer, VOTED 5-0-0

#### 6-46 MPIC Request, School Committee

Mr. Berry thought it would be a good idea to have someone from the School committee serving on the Master Plan Implementation Committee (MPIC).

Mr. Timson would like to hear from the School Committee if they are supportive of this. Mr. Berry knows they did have it as an agenda item, maybe we can ask Brian Walsh to come in or find out what they talked about. Mrs. Mackenzie believes the MPIC would welcome the addition.

Mr. Snuffer would like to know how the current charter reads for the MPIC. How many members form this committee? He noted there had been talk about inviting a Finance Committee member to participate as well. He would like the discussion tabled until the Board can view the current charge.

#### 6-47 Ponds Committee Membership

MOTION moved by Mr. Kraus to appoint David Sullivan to the Ponds Committee as a regular member, seconded by Mrs. Mackenzie, VOTED 5-0-0

#### 6-48 Ponds Committee Gift Fund

Between Roger Turner and Dan Ryan they are fundraising. It is an important role. The largest issue is storm water management. There was discussion about revitalization of Memorial Pond. Water Chestnut harvesting was important. We are going to have to invest in the ponds. Nice job by the committee. If the Ponds Committee were interested in dredging that would become an item of discussion. There could be some state of federal funding. It was noted the ponds and water management is something that has suffered in the past ten years. This year the budget is zero for the ponds committee.

MOTION moved by Mr. Kraus to accept all eight gifts for the Ponds Fund from Kevin McLean, Computer Technologies Inc, Daniel Ryan, Audiomax Inc.. Donna Ryan, James

Delaney Funeral Home, Datasmith Network solutions, System Recovery Inc, seconded by Mr. Berry, VOTED 5-0-0

6-57 Gift, Concerts on the Common

MOTION moved by Mr. Kraus to accept the gift from Sharon Credit Union in the amount of \$450.00 seconded by Mr. Berry, VOTED 5-0-0

6-37 Patriots Tavern, Keno License

Tom Geraghty, 100 Main Street and owner of patriots tavern explained they have looked at this before. It was noted the building inspector said it is ok. Mr. Timson wanted to be sure there was adequate seating in the establishment

MOTION moved by Mr. Berry that the Board of Selectmen grant a license to operate a Keno Machine at Patriots Tavern, seconded by Mr. Kraus, VOTED 5-0-0

6-58 Knights of Columbus, One Day license

MOTION moved by Mr. Kraus to approve the one day liquor license for the Knights of Columbus, seconded by Mr. Snuffer, VOTED 5-0-0

8:20 Home for Little Wanderers

The Home for Little Wanderers is currently before the Planning Board and numerous neighbors appeared before the Board of Selectmen to discuss their concerns regarding the expansion of this establishment. Mr. Mosetich explained Lincoln Road is a Scenic Road and the expansion is a concern of the neighbors, as well as, the site plan and the public safety issue. He explained they have a facility in Jamaica Plain and want to bring those students over to Walpole. Back in July 2009 the neighbors were approached, and they told them they were thinking of a little bump out. Back in February they were presented with the new proposal and there had been no dialogue from June to February. We had a number of neighbor meetings and he does not think they took them seriously.

Gene Gilmore of 349 Lincoln Rd explained the road has not been developed and still is very rural. In order to be designated a scenic road there must be mature trees, stone walls, agricultural conservation or recreation land. This view will all but disappear. Lincoln Road has other vistas as well, Glengreen farm has always been farmed. There are hay fields on Lincoln Rd. In addition there are pleasing sites. Barns used for storage. Abundance of stone walls and 47' of this stone wall will be removed for the perimeter road. In addition to the views, Lincoln road has a number of historic buildings. Hidden tavern, George Washington was here. There is a lime Kiln, off Lincoln Rd and Kingsbury St is the Plains Cemetery. All the homes are different nothing really out of place. The buildings Longview farm is proposing is something that can change the neighborhood. We do not feel it is in the spirit of the scenic road.

Gerald Pike, 340 Lincoln Rd, present facility was built ten years ago. Administration at that time worked with the neighbors to site this building back. This is about one hundred fourteen long and was pushed back to keep the visual appearance. They are proposing to construct a tower. The towers are similar to those at the Wrentham mall. They are proposing an eighty foot curb cut opposite the Rice driveway. They are talking about a dormitory which is one hundred feet long and twenty five feet high. The neighbors would like to see a 200 foot buffer to abutters.

The neighbors are asking the Selectmen and the Planning Board not to approve the removal of stone walls. The neighbors are asking board to fully disapprove the application. Have the licenses to operate the home reviewed by the state agencies for the purpose of having them revoked.

Traffic Safety- According to the neighbors, Lincoln Road can be very busy, the expansion will exasperate the situation. There could be large construction vehicles. All increased traffic will be on a twenty foot road. They already have large truck delivering food to the school which causes problems.

Longview farm has been in town since 1940 and since January of this year there have been 283 incidents at the farm. These include; Rape, child abuse, larceny, assault, disorderly conduct, drug possession, multiple MWOL incidents. Numerous ambulance and fire calls. They can't control what they have. They need to control what they currently have.

Mrs. Mackenzie thanked them for the presentation. We are lucky to have the scenic roads; the site plan and scenic road do come under the purview of the planning board. The safety concerns that you have, the police chief has been actively discussing this issue. The chief has been vocal and has concerns for safety of the residents and the students that are there.

Chief Richard Stillman briefly discussed some issues at Longview Farm over the last two to three years. There has been a change to the farm. In 2006 there was a bump up, in 2007 they saw more. He grew up on Lincoln Road and the farm has changed significantly. The calls for service have become intolerable and unsustainable, if we continue to service at this rate we are putting the other parts of the community at risk. It is in a very remote area of town. When you pull officers to that location there are less elsewhere in town. He understands the Board is limited in what they can do. The thought they are going to expand is ridiculous. He explained the calls are high for a rural area. The representatives do great work there, they do not control the front door, they get contracts to accept students and they have no choice. They do work towards moving those students that are a problem out of there.

Mrs. Mackenzie feels they are not managing the safety of the students and it is trickling out to the neighbors. Even if we had the manpower, it should not leave the site. In 2007 something changed.

Mr. Snuffer noted the Board's jurisdiction is limited. He believes as Road Commissioners they could have some standing regarding the scenic road. The needs of the children, the change you talk about, he thinks that could be challenged, it used to be a school. The reality is it is a holding institution.

Mr. Berry echoed the statement by Mr. Snuffer in regards to Road Commissioners. Thanked the neighbors for a great presentation. There are Public safety issues, alarming, to say the least, when we talk about staffing issues. To look at the resources we are putting in to this area of town. The town needs to figure out what we can do.

Mr. Kraus wanted to know if the neighbors were given any reason why there has been a lack of communication over that time?

Mrs. Mackenzie would like us pursue thru counsel and draft a letter to trustees mention concerns, had a safe environment up to a certain date, they need to get back there before moving forward.

MOTION moved by Mr. Kraus to send a letter to the Planning Board to express our concerns about the curb cut and removal of the stone wall. Effect on the neighborhood and character of the scenic rd., seconded by Mr. Berry, VOTED 5-0-0

MOTION moved by Mr. Kraus to invite the Home for Little Wanderers to a meeting to discuss, public safety, seconded by Mr. Snuffer, VOTED 5-0-0

#### 9:30 Quarterly Update, Chief Stillman

Chief Stillman reviewed statistics with various incidents and reported on various arrests that have been made. The parking enforcement officer has been out already and it is working well. The civil service list is very cumbersome but he hopes he will have two people for the Board to hire. One of the long term Injured on Duty persons is now on light duty. Hopefully everyone will be back to work soon.

Asked the Board about the Deputy Chief as to what you want to do. I would like to see that move forward. Mr. Berry stated that as it relates to deputy chief, the current fiscal I would like to review this and determine whether we would be better not filling that position and putting more police officers on the force.

Mr. Kraus questioned what was the reason for changing from Lt to Deputy Chief? The Chief explained he needed to have one of them as an executive officer that work directly with him. They would have authority over the Lt. In his absence the Deputy Chief would be in charge.

Mr. Berry knows it would a re allocation of funding. We keep talking about more and more calls. We are talking about Longview Farm, just an increase amount of service, if the Deputy Chief position did not become available due to limited budget circumstances, it does not look like we can add to the ranks of the Police. He wants what is in the best interest in the community.

Chief Stillman explained the patrolmen are dealing with the immediate issue but there is a lot going on behind the scenes. There is so much administrative work and that all requires reporting to the state and everyone else. The way it has been since Scott Bushway retired, he has been doing things that he has not done since he was a Lt. It sounds right to have more patrolmen, but not at the cost of losing administrator.

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Mr. Boynton stated not minimizing putting more bodies on the street, his concern when times get tight, that anyone who has an assistant, deputy, vice are the ones who get cut and those positions perform critical tasks. He is concerned that we miss things in the bigger picture. You have to see what the position does and he would not recommend the cutting of the Deputy Chief.

Chief Stillman spoke to the Deputy Chief civil service process, fire arms, those require interviews, purchasing review, all internal investigations, division commander, writes policies, patrol overview. Deputy reviews all arrests. Makes recommendation on personal changes, makes personal reviews. The duties were performed by a Lt prior to the Deputy Chief.

MOTION moved by Mr. Timson to authorize the chief to begin the process of hiring a Deputy Chief, seconded by Mr. Snuffer

Discussion: The members questioned what is the time line, job description etc. Prior to election there was a draft job description. The Chief can resend it out. Then the position would be posted. Advertised in the newspaper, you can request to post in Beacon. The Board wishes to see the job description and then after that meeting the job may be posted.

VOTED 4-1-0 Mr. Berry opposed

#### 6-59 Veteran's Agent Position

The functions and duties are the same as the previous Veterans Agent. More detailed examples of work. This position is appointed by the Board of Selectmen. The grade for posting is P-26. Mr. Boynton will need a little more than \$8,000 put back in this budget and he is asking the Board to support. Talked about clerical position, we will have a full time agent and part time Animal Control officer. The position is critical to Animal Control and asks that the position be moved to the T. Clerk office as they will be taking over the licensing

It was discussed that the Veteran's Agent be a more proactive position and this person would come in to a meeting and update the Board as to what is going on.

MOTION moved by Mr. Berry to approve the Veteran's Agent job description with changes as noted, seconded by Mr. Kraus, VOTED 5-0-0

MOTION moved by Mr. Kraus to authorize the relocation of the clerical position from Veterans office to Town Clerk's office, seconded by Mr. Snuffer, VOTED 5-0-0

MOTION moved by Mr. Kraus to have the job posted, seconded by Mr. Berry

Discussion- Members questioned if the application has to be a resident. If not they should consider where it is posted. Suggested the Veteran's Administration system.  
VOTED 5-0-0

#### Town Administrator's Update

Pools- They are all open. Some level of vandalism at the center pool. Mr. Snuffer attended the ribbon cutting. The DPW showed him the work at the pool and the work they are doing for safety for children. The staff was very pleased and wished we would tour more of what they do. We need to see the effectiveness of our employees.

FY11 Budget Update- The numbers are very positive. Not making any major changes.

Kennel Options Update- Sat down with Mark Nicholson and we are going to give it a try. We have set up a schedule. We will have office hours 8-10 a.m. and he is prepared to do this. He is working on certifications. Mark will need to have to find an alternate for the position. I can't emphasize how good we have had it with John Spillane. I want to thank John for everything he has done for this town. He will be missed.

We did the RFP process and we received nothing. He worked with Mark Sharon, Medfield animal shelter for 2-3 months. We need to set up a perfect fit for the kennel. It is a cost and he does not have a final number here. Mrs. Mackenzie would like to know what other towns are spending a year.

FEMA- reimbursement for floods, \$54, 242. Great job all the way around.

New Open Meeting Law- starts Thursday, we will move forward again.

Mr. Timson wanted to sound a word of caution what we put in emails, so that we don't run a foul of email. We can talk about scheduling.

RT 1A reconstruction- We will continue to lobby for full depth reconstruction. Will reach out to District 5 that the South portion of RT1A was going to be repaved. Better roadway maintenance.

Library project update-sub bids are opening Thursday

DOC roadside trash pick up program.

#### New Business

Mrs. Mackenzie would like the Boards and Committees in town to know where the AED is located.

Mr. Snuffer noted as part of the conversation with DPW and reflecting on conversations with fields. We could use two part time seasonal employees. Ten weeks with two people for about \$8,000 and that might help with clean up of the fields. In the FEMA there is a \$25,000 profit, he has spoken with Bob and Mike they were supportive of that concept. Mr. Boynton needs the Board's approval to go back to FTM for funding.

Mr. Berry questioned what would the season be? Mr. Snuffer stated about eight to ten weeks. Mr. Kraus noted that from April to June we have a lot of kids playing baseball, I would only question kicking in that. He applauds Mr. Snuffer for the thought, but does not know what the field usage is during the summer. He would like to see the numbers.

Mr. Timson feels any maintenance that you do should benefit next years season.

Mr. Berry would like to see it on paper where the money is coming from. Seasonal position framed in such a way that it would go to a local resident.

Mrs. Mackenzie would like to see a plan for the fall. Seeding and watering. Mr. Boynton explained you are talking about \$30,000. He does not want to loose site of adopt a field program. We do have plans on how to do these things.

MOTION moved by Mr. Timson that we authorize Town Administrator to post and interview and hire himself two seasonal workers, with a budget not to exceed \$8,000, seconded by Mr. Kraus

Mr. Berry had hoped we would have another meeting before we vote on this. Would not vote to support this now, would like to think on it and to have something on paper. He does not feel they appropriate any funds at this time.

VOTED 3-2-0 (Mrs. Mackenzie and Mr. Berry Opposed)

### NEW BUSINESS

Mr. Berry was on Housing Partnership and worked with Don Johnson to apply for a grant to look at possible uses for the library. What are we doing to be proactive with abutters to the library He would like to see the Board draft a letter to residents of Lewis Ave, update as to what the town is doing to investigate uses, let them know that we are applying for grants.

Mr. Timson explained that he had drafted that type of letter. Let them know we are applying for a grant.

Mr. Timson spoke of the Grossman property; consider charging EDC to work with Planning Board to come up with an overlay or zoning that would allow for more significant development.

Mr. Kraus thinks there are other marketable parcels. Begin the process to utilize to the towns benefit. Utilize the EDC as an aggressive marketable .

### OLD BUSINESS

Mr. Snuffer sees zero value of the rail expansion to the town of Foxboro.

### Minutes

MOTION moved by Mr. Timson to approve but not release the two Executive session minutes of December 29, 2009 and May 18, 2010 seconded by Mrs. Mackenzie, VOTED 3-0-2 (Mr. Berry and Mr. Kraus abstained)

MOTION moved by Mr. Timson to approve the regular minutes of May 4, 2010 May 18, 2010 and June 1, 2010, seconded by Mrs. Mackenzie VOTED 3-0-2 (Mr. Kraus and Mr. Berry abstained)

MOTION moved by Mr. Kraus to approve the June 7, 2010 minutes, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Timson to adjourn at 11:20 p.m., seconded by Mrs. Mackenzie, VOTED 5-0-0

Respectfully submitted,

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Michael C. Berry, Clerk

