

The Board of Selectmen met on Tuesday, June 26, 2012 beginning at 7:00 p.m. in the Main Meeting Room of the Town Hall. Mr. Gallivan was absent. The following members were present.

Eric Kraus, Chairman
Michael Berry, Vice Chairman
Christopher Timson
Nancy Mackenzie arrived

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

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

6-38 Deb Burke, PBC library liaison

MOTION moved by Mr. Timson to appoint Deborah Burke to PBC as the Library Liaison, seconded by Mr. Berry, VOTED, 3-0-0

6-30 Jon Cogan, Veterans Agent Memorial Committee

Mr. Cogan reported to the Board he is working on a charge for a Veteran's Memorial Committee to recognize Veterans. We have several memorials for Veterans. There was a Memorial committee in 1998, this committee would recognize service men and women. The VFW has already offered use of his building to get together. The Board members discussed recognizing those serving our country. It was suggested we recognize them on a monthly basis. Would like to keep them in the public spot light.

He is going to try to get the right people on the committee and get the Connor family involved. He gets welcome home letters from those returning overseas.
Mr. Timson would like to be involved in the Committee.

Mr. Berry noted that when he proposed the idea of having this committee, with the different activities going on in town. This Committee could fill the void of the Memorial Committee as well as having a committee that remembers the veterans and honors the ones that came home and families that are with us. I would suggest changing title ever so slightly, a number of young veterans returning home. Could have a committee with a broader scope to work on ways to honor the veterans. I think we could meet two goals. Call it the Veterans Service Committee. Handle all subjects like that. He would like to see some of the members be Veterans. Want to be sure they are heard.

Board of Selectmen

June 26, 2012

Mr. Boynton noted the idea of the committee was the naming or honoring of deceased veterans in whatever would be appropriate. The Selectmen have allowed the honoring of other civic leaders in town. Several things have come up, that part of overall memorializing, still has to be finalized with the Selectmen. The final design of plaques should be through the Board.

Mr. Timson spoke of the state level with the Fallen Heroes, which not only honors veterans, but police and fire. He would like to see Mr. Cogan and Mr. Berry work together on this and broaden their scope. It was suggested there be seven members with a certain number of them being Veterans. Mr. Cogan will return to a meeting with a final version of the charge and make up of the Committee.

6-29 Mr. Barry Greener, Proclamation

Mr. Greener has retired as Coach and teacher from the Town. He has worked for forty years for service to the Town. Mr. Berry read the proclamation into the record.

MOTION moved by Mr. Berry that the Board endorse the Proclamation for Barry Greener, seconded by Mr. Timson, VOTED 3-0-0

Mr. Greener spoke to how he has enjoyed these past forty years; it is amazing how fast it went. I am looking forward to being part of the town for the near future. You have great kids in this town and have enjoyed working with them. It is a great town to bring up your family. We have a great staff at the High School, we feel very blessed to end up in the town. I was fortunate enough to be brought here.

Town Administrator Update

Foxborough Selectmen – Country music festival, there will be a plan to mitigate the traffic on Route one. State police will monitor lots on RT1. There is a contingency plan in place in case of traffic backup. We have a good relationship with the Stadium. We will be geared up on this one. Thanks to Foxboro Board of Selectmen for listening to us.

Clock Tower Update- Access Changes, minor modifications will have to come back before you, inbound traffic only off of Chestnut St.

Plimpton St project- approved by Planning Board, asking for brush cutting to improve site distance.

Mr. Timson felt this was a historic area and hopes they are proposing something that is sensitive to that. He is interested in what we are going to see after they clear the brush

Truck Traffic, Pleasant Street- we reached out to Norwood, and had a positive email for site supervisor from CertainTeed. Limitation to what can and can not be done. This is

Board of Selectmen

June 26, 2012

something that is a resident concern, my understanding of truck exclusions. Any roadway that has a terminus at the town line is not eligible for one way. Meeting on July 9th with Norwood T. Manager and Police chief. Want to try to mitigate truck traffic. The asphalt plant is opening again.

July 4th events: Mr. Boynton reviewed the schedule for upcoming "Night Before the Fourth" events.

Building Inspection fees dispute- have received a complaint about the way the fees are given in the Building dept.

Allied unannounced sound testing was performed and there were no violations. We still do get complaints. No able to verify noise violations

Library project- The PBC is resolving final punch list issues, \$100,000 in items, actively trying to get TLT to finish the project. Two demands for payment until work has been completed. If they are unable to reach a satisfactory outcome we will go to the next step.

The Board discussed whether there was any recourse through DCAM. TLT is a well known contractor and would think it would be important for them to want to close out a project on good terms and leave the town feeling we got the job done. It was explained if they get a rating below 80 it becomes a problem for them for future projects. Mr. Boynton is optimistic they will complete the necessary work. A letter has been drafted and the PBC is discussing the issue this evening. Trying to get the final completion.

7:40 OPEN FORUM

Lori Celentano of 14 Country club drive- She explained she went to the library trustees and expressed concern of hours, we discussed the budget for the library, the budget needs to be increased. Some regulation by the State to be open so many hours based on our population. We are 47 hours in Summer and in the Fall they increase to 52. Our library is closed on Saturdays since May 26th. I provided them with information on surrounding communities; I put some bar graphs together for them. Some communities close Saturdays in July.

Once we reach 25,000 residents need to be open 59 hours. I ask that you talk about that budget. I think there are issues. I think taking away Saturdays when our schools are still open. Should look at the hours of the library. She is asking that you look at those hours at the next budget. Mr. Kraus explained the town has a significant list of priorities. I appreciate your research. It comes down to the budget. We will look at it and see what the costs are.

Mr. Boynton explained operations, pure logistics over hours is the Library Trustees, the budget, we can take another look at it. It is a big trial fiscal year. We will be looking at

Board of Selectmen

June 26, 2012

the numbers. The budget that was approved at Town Meeting is what they asked for. We increased it slightly. When budget season comes this Fall will take a look.

Lori-our downtown really needs visitors. More people need to come to the downtown. I understand it can not happen right away.

Mr. Berry spoke of the library hours and the reallocation of hours is a reasonable request. I wish I had been there for discussion. Communities of 24,000 or less how are there hours matched up? Maybe their hours are reflective of what is going on in those communities. There may be collective bargaining issues.

Mr. Boynton explained hours are under the library trustees but that does not mean there are no collective bargaining issues.

Lori then talked about recycling. A few weeks ago I read the Robbins Road facility, I was easily able to bring cardboard. Is there anything for small businesses for recycling?

Mr. Boynton explained- there is no place for commercial recycling but we can look at it. Lori I know my company would consider paying for it.

Lori-our Athletic field lights are never turned on at night. The High School lights are not on. Mr. Kraus explained to keep those on every night for youth programs could be costly. The lights are turned off at 10 pm .

Mr. Boynton explained for those that live in that area it is a fine balance, to provide a spot for the youth. Also, provide tranquility of a neighborhood.

Mr. Timson suggested she bring her ideas to the Coalition. We have set up a number of events. Mostly focusing on younger group that would be worthy of us to consider.

Bill Hamilton-I asked about the Railroad crossing on Summer Street, the freight train is running during the day. When CSX took away the gates they said they would not run during those hours. The issue is the pilot program. They do not blow the horn when they approach that turn, the worst part is that we still have false alarms. Mr. Timson asked if he has experience that the passenger train did not blow the horn. The passenger trains do not blow their horn.

Nancy arrived at 8 p.m.

Mr. Kraus explained we sent a letter to CSX and a representative met with us. It is totally DOT call. Mr. Hamilton stated when they took the gates down, and they did determine they would only run freight trains early in the morning. That freight line was in decline and would not be in use much longer. It is very dangerous and no warning for engineers approaching. The gates were taken down in the late 1980's.

Board of Selectmen

June 26, 2012

Mrs. Mackenzie stated there were no gates there. She grew up in that area and crossed that track on the school bus and never recalls seeing gates. Mr. Boynton will reach out to Senator Timilty to see where we are now.

6-33 Public hearing, Kilani Bros, Used Car License

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

Mr. Kilani is looking to support his Gas Station and Repair business.

Mr. Timson is looking for the license in the name of corporation and the land is owned by a trust, what is the arrangement between the trust and business. If we are going to issue a license, to Kilani, we want to be sure they have the right to operate on that property. Is there a written lease? Is it verbal?

Mr. Kilani, I am the president of the business. I am the one that has all the licenses. Kilani Bros operates the business between the trust and Kilani Bros. Someone in your family owns the land through a trust. The Brothers including me own the trust. He is on both sides of the equation.

Mr. Timson asked if he is planning to make any upgrades to the property. Mr. Kilani, redecorate the parking lot and office. The gas and oil separator in. It is a requirement. The state is requiring us to do that. Mr. Timson questioned if he is going to stripe spots, where you are putting the cars. When you buy and sell cars from Kilani Bros. Mr. Kilani explained they will stripe the spaces where the cars are being kept.

Mrs. Mackenzie wanted to know what the hours of operation would be. He stated his current hours are 8-6 and Sunday 10-4. Mrs. Mackenzie does not want any showings after hours. You are still repairing vehicles. She notices on the plan where the cars for sale are being parked and she wanted to know where the cars he is repairing are going to be parked. Mr. Kilani explained it would depend on whatever we have. I do not think we will start with six vehicles. How many cars can you store at a time on this lot? Mr. Kilani stated seven is enough for me.

Mr. Boynton explained the ZBA approved fourteen parking spaces and there be no more than 14 vehicles on site, including the six that are for sale. They can have six for sale and a total of sixteen spaces. The overnight storage shall be no more than 14.

Michael Viano- 2 Norton Ave, I have been a service customer for over 15 years, it is a good size parcel, and I have never seen a situation where there is too many cars.

Cathy of the neighboring Salon is concerned people looking to buy cars parking in her lot to go look at cars. We are putting up a chain so that does not happen. I don't have a problem with him selling cars.

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

MOTION moved by Mr. Berry to grant a Class II license to North Walpole Sunoco, Kilani Brothers Inc. located at 215 Main Street, for no more than six (6) vehicles and to adhere to the conditions set forth in the Zoning Board of Appeals Special Permit Case No. 20/11 and to add the hours of operation consistent with other like business and no more than fourteen vehicles parked outside overnight, seconded by Mrs. Mackenzie, VOTED 4-0-0

6-31 R. Fucile, September Primary

Mr. Fucile wanted the Board to review his letter to the Elections Division regarding the date of the State Primary and added costs to the Town. The Board had no problem with the letter.

MOTION moved by Mr. Kraus to approve the sending of a letter to the Elections Division from the Town Clerk, seconded by Mrs. Mackenzie, VOTED 4-0-0

6-32 Lot 5, Atlantic Court

Jack Wiley, Chairman of the Conservation Commission thanked Mr. Michael Viano for his generous donation of about fifteen acres off Atlantic Court. It is located to the right of the Rock on Plimpton Street. There is a trail. Mr. Timson asked if there could be any issue with the body of water. Any time you are taking a body of water you want to be sure there are no issues. He was told there are no issues.

MOTION moved by Mrs. Mackenzie to accept as a donation to the Town for Conservation purposes 16.6 acres of land known as Lot 5 Atlantic Court Subdivision. Thanks to the developers, planning board and Conservation Commission it is really a huge nice decision to our trail system in town, seconded by Mr. Berry, VOTED 4-0-0

6-34 Change in Manager, Chili's, Casey Bourret

Mr. Bourret was present and stated he is TIP certified. He took the crowd control course.

MOTION moved by Mr. Timson to approve the Change in Manager for Chili's Grill & Bar located at 120 Providence Highway from Mathew Dillon to Casey Bourret, seconded by Mr. Berry VOTED 4-0-0

6-35, 6-36 Walpole Lacrosse, Use of Upper Turco Field

Board of Selectmen

June 26, 2012

Paul Millette, representing the Walpole Youth Lacrosse explained they have met with the Fields committee and what we are asking for are three things.

1. Adopt a field, upper Turco field, we would pay annual user fee for maintenance, seeding , cutting, in return the TA has drafted the language that would be satisfactory to us.
2. Letter of understanding with the town to use the turf field during the season, march 15 to June 15th. We do understand this is a High School facility and they would need certain events, that has been drafted with TA , they get first right of refusal. Pay all user fees, assume payment of fees, for cleaning. Electrical for the lights. We are certainly willing to join in the campaign for re-turfing the field. Largest youth sports donor to the town.
3. General acknowledge, we are going to have to find other places, all of our needs are not satisfied with those two fields.

It was noted this is similar to the agreement with Walpole Youth Football.

MOTION moved by Mrs. Mackenzie to enter into adopt a field agreement with the Walpole Youth Lacrosse for the use of Upper Turco Field, seconded by Mr. Berry
VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to sign a letter of understanding with Walpole Youth Lacrosse for use of the Turco Turf Field seconded by Mr. Berry, VOTED 4-0-0

6-37 Mark Resnick, Italian Ice, Hawkers and Peddlers License

Mr. Resnick explained few years ago we did this and we would like to start this back up again. We purchase the ice from Penguin ice out of New Jersey. It is water based one. He and his son sell the Italian ice during the concerts on the common.

Mr. Timson raised the issue of provide did we discuss insurance. Mr. Resnick stated he has not sought out to get insurance. I signed the indemnity. Mr. Timson recommended he look into single event coverage. We allow users on Town property, now we have had some user groups and require insurance. I would like to observe best practices. I see you are only going to be a small user. As a town if you are going to operate on the town property we must protect ourselves.

Mr. Resnick does not believe that you require people to have insurance for car wash.
Mrs. Mackenzie noted most of them are fundraisers.

Mrs. Mackenzie would support this if there is insurance. You are consuming a product, you should have insurance. It is a liability for the town.

Mr. Berry would like to be sure the Board has a standard policy for requiring insurance. He would like to know how other towns handle this.

Mr. Resnick my plan is to only go to three events and sell Italian ice.

Mr. Boynton stated the Board usually requires a liability insurance and addendum.

Mr. Kraus explained a consensus is you should have insurance. Mr. Timson applauds him for showing his kids what the business is about, showing them how to do that right, I do not want to see the risk. I bet you can get single event insurance.

MOTION moved by Mr. Timson to approve the request, subject to the Board receiving a certificate of insurance naming the town as a holder, and approval from the Board of Health, through to and including Labor Day, seconded by Mrs. Mackenzie VOTE

VOTED 4-0-0

6-39 Norfolk Street Drainage Design Award

MOTION moved by Mr. Berry to award the design services for Norfolk Street Drainage Improvement Project to CDM Smith and to authorize the Town Administrator to sign the agreement, seconded by Mr. Timson, VOTED 4-0-0

6-40 Gift Acceptance

MOTION moved by Mr. Timson to accept the Gift from The Raven's Nest and Walpole Wine & Spirit for the Coalition for Alcohol and rug Awareness, seconded by Mrs. Mackenzie, VOTED 4-0-0

6-41 Concerts on the Common

MOTION moved by Mr. Timson to approve the concerts on the common schedule
Seconded by Mrs. Mackenzie, VOTED 4-0-0

6-42 Animal Control Annual Warrant

MOTION moved by Mr. Berry to sign the Animal Control Officer Warrant, seconded by Mrs. Mackenzie, VOTED 4-0-0

Article 1, Special T. Meeting

MOTION moved by Mrs. Mackenzie to recommend Favorable Action on Article #1, seconded by Mr. Timson, VOTED 4-0-0

Goals and Objectives- Have the regular meeting on August 7th for Goals and Objectives.

The Board members discussed various ideas with their Goals and Objectives. They are considering an evaluation at the end .

Mr. Boynton noted these were adopted on January 3rd and less than six months into them. What is the target date you are looking for new goals. Mr. Kraus thinks some of these are very relevant. I still think the calendar year.

Mr. Boynton noted that Goal 6 that is an ongoing operational goal. Mr. Kraus noted the Board adopted these in early January and a lot that we have accomplished. Some of these are ongoing and some are very specific. I think we are well on our way.

Mr. Timson, historically, the goals and objectives ran more on the fiscal year. I think it is good to get them done early for the fiscal year.

Mr. Berry would like to separate some of the ideas that are theory, and those we have a hard deadline for. There are ongoing goals in terms of how we operate as a Board. Send goals to Cindy by the end of July.

New Business: Today Chief Bailey met with candidates for Captains and Lieutenant. Meeting on the 10th you start at 6:15 p.m. to interview the candidates. Will bring the top candidate of each to you. Mr. Timson will not be in attendance as he will be away.

OLD BUSINESS

Mrs. Mackenzie stated that her oldest nephew is one of the people this Board appointed on the Historical Commission and she thinks he will be a huge asset to the town. He graduated from Walpole and graduated from Stonehill College. He will soon graduate from Norwich University Masters in Military History programs. He currently works for the town of Lexington as an assistant tourism coordinator and historical tour guide. He is charged with events that surround the American War for Independence and the Battles of Lexington and Concord. Next year he is going to be the person in charge of running battle reenactments. We are lucky that he wanted to volunteer his time.

Mr. Berry would like an update on the Senior work off program, how it is operating? Not next meeting, but soon.

NEW BUSINESS

Recycling at Robbins Road, one of the things we talked about is making a recycling component more accessible. People do not have the space to hold on to recycling for two weeks.

Mr. Boynton noted the site is authorized as a compost site through zoning. Not a recycling site.

MINUTES

10

Board of Selectmen

June 26, 2012

MOTION moved by Mr. Berry to approve the Minutes of May 29, 2012, seconded by Mr. Timson, VOTED 3-0-1 (Mr. Kraus abstained as he was absent

MOTION moved by Mr. Berry to approve the Minutes of June 4, 2012, seconded by Mr. Kraus, VOTED 4-0-0

MOTION moved by Mr. Berry to approve the Minutes of June 11, 2012, seconded by Mr. Kraus, VOTED 4-0-0

MOTION moved by Mr. Berry to adjourn, seconded by Mrs. Mackenzie, VOTED 4-0-0

Respectfully submitted,
