

Approved July 19, 2011

A Regular meeting of the Board was held on Tuesday, June 14, 2011, beginning at 6:45 p.m. in the Main Meeting Room of the Town Hall. The following members were present.

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

Mr. Kraus called the meeting to order at 6:55 p.m.

**Pledge of Allegiance**

**Sponsored Agenda Items**

Thanked Nancy Mackenzie for her service as Chairman for the past year and welcomed Mark Gallivan to the Board.

**Fire Fighter Interview**

Chief Bailey introduced Paul Belham Jr for consideration for the vacancy on the dept. To fill the full time vacancy we had three members leave over the past few months. He had a great interview. He became an EMT while a senior in high school and became a call FF while in High School. He works for Fallon paramedic since 2008.

Paul Belham was born and raised in N. Attleboro and knew he always wanted to be a firefighter. As a Freshman in High school did a job shadow day and went to the Fire Station. Really wanted to be a FF after that. I did an internship at the Fire station. In 2005 became a Call FF. I went to EMT, before I graduated High School and had my basic. I was recently hired in Plainville.

He has pediatric experience as he does transfers on Tuesdays, hospital to hospital and he sees a lot of pediatric patients. Does not have PALS currently

Mr. Berry wanted to know what the biggest encounter you have met so far. Mr. Belham stated that paramedic school was hard, it takes a lot of time, no spare time at all. He wants to stay close to home and this is a great opportunity. He went on to talk about how he save a person's life with CPR and she made a full recovery and that was very rewarding.

MOTION moved by Mr. Berry to appoint Paul J. Belham, Jr. to the Walpole Fire Department on June 27, 2011 as a firefighter/paramedic conditional upon successful completion of all pre employment testing, seconded by Mrs. Mackenzie, VOTED 5-0-0

**ANNOUNCEMENTS**

Mr. Kraus informed the public for most of the meetings we will be starting at 7:00 p.m. not 7:30. We are looking to having a 7:00 p.m. start.

**Agenda Items Contd.**

6-1 Street Acceptances

Ms. Walker, T. Engineer explained this is the final process in Acceptance of the Streets.

6-2 Bird Estate Subdivision

MOTION moved by Mr. Berry to accept the Orders of Taking for Endean Drive, and to file documents in the office of the Town Clerk , seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Berry to accept the Orders of Taking for Hildene Drive and to file documents in the office of the Town Clerk , seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Berry to accept the Orders of Taking for Olympic Court, and to file documents in the office of the Town Clerk, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Berry to accept the Operation and Maintenance Covenant and Plan with the Town of Walpole, and the Conveyance of Easements and utilities for Bird Estates Subdivision, seconded by Mrs. Mackenzie, VOTED 5-0-0

6-3 New Fisher Lane Subdivision

MOTION moved by Mr. Berry to accept the Orders of Taking for New Fisher Lane, and to file documents in the office of the Town Clerk, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Berry to accept the Orders of Taking for Cornfield Lane, and to file documents in the office of the Town Clerk, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Berry to accept the Operation and Maintenance Covenant and Plan with the Town of Walpole, and the Conveyance of Easements and utilities and the

Minutes of June 14, 2011

Board of Selectmen

assignment of easement for New Fisher Lane Subdivision, seconded by Mrs. Mackenzie,  
VOTED 5-0-0

6-4 Leo McCormack, EDIC

MOTION moved by Mrs. Mackenzie to re-appoint Leo McCormack to the EDIC for a three year term, seconded by Mr. Berry, VOTED 5-0-0

6-5 Chapter 90 projects

MOTION moved by Mrs. Mackenzie to approve the Chapter 90 Requests as submitted by Robert O'Brien on June 3, 2011, seconded by Mr. Berry, VOTED 5-0-0

6-6 Paul Cesary, PBC

The Library Trustees are asking if the Board will allow Paul Cesary to remain on the PBC as their representative as he is no longer a trustee. Mr. Boynton suggested you can advertise for a new member, or to allow the representatives to remain. Mr. Kraus would like a budgetary update from one of these people. You should have the new Chair of the library trustees come in. Mr. Boynton further noted the unique part of this the newest member of the library trustees is already a member of the PBC. If you allow he to remain, Paul would be a voting member of the PBC. I understand the confusion over this, there is only a few months left in this project.

Mrs. Mackenzie questioned if in fact Mr. Cesary would be eligible for this position. Mr. Timson agreed and suggested they do nothing until they get a firm answer on the legality of this.

6-7 Boyden School A-Frame

MOTION moved by Mr. Berry to approve the annual Fun Run for Sunday October 30, 2011 and to have a police detail at the event for safety, seconded by Mr. Gallivan, VOTED 4-0-1 (Mrs. Mackenzie abstained)

MOTION moved by Mr. Berry to approve the placement of an A-Frame sign on the common next to the banner poles from October 16 to October 30, seconded by Mr. Gallivan, VOTED 5-0-0

6-8 Labor Day Road Race

MOTION moved by Mr. Berry to approve the annual Labor Day Road Race on September 5, 2011 at 10:00 a.m. seconded by Mrs. Mackenzie, VOTED 5-0-0

6-9 Apple Harvest Fair

4

Minutes of June 14, 2011

Board of Selectmen

MOTION moved by Mrs. Mackenzie to approve the annual harvest fair on Saturday September 17, 2011 and to make Rhoades Ave a one way street on fair date from 10:00 a.m. to 3:00 p.m., seconded by Mr. Berry, VOTED 5-0-0

7:35 p.m. Open forum

No One present

6-10 Re-Precincting

Mr. Fucile appeared before the Board seeking their approval on the map and legal definition of the town and the block. That will take us to the next step. Tried to get a copy of the final map so we can put on web page. Once we approve it we will put on Web. Sit with Maggie tomorrow to make sure that is the description we want. The Federal Government does block listings. If the Board does not approve this they will do it anyway. That does not mean you can not make some changes. I think the map is as good as it can be. By August 25 they will adopt and send everything back to us. If someone's precinct has changed they must be notified by T. Clerk's office. I can not tell you anything that will happen at the state level. We know there has to be some change.

The draft map is on the web site. That went up about three days after he received it. Mr. Fucile noted that would have been a couple of weeks ago. There was very little movement. There is minimal movement to the RTM. Each RTM will have to submit a letter of intent that they are going to run, that is by Charter.

MOTION moved by Mr. Berry to approve the draft precinct map, legal description and block listing of the Precincts in Walpole as drafted by the Commonwealth of Massachusetts, William Francis Galvin, Secretary of the Commonwealth, and to instruct the Town Clerk to take all steps necessary to complete the reprecincting process, seconded by Mrs. Mackenzie, VOTED 5-0-0

6-26 Raven's Nest

They have withdrawn their request for outside dining.

6-17 T. Forest Committee, Resignation

MOTION moved by Mr. Timson to accept the resignation of Jeffrey Mattson from the Town Forest Committee with regret, seconded by Mr. Gallivan, VOTED 5-0-0

6-18 Award of Bid, Chip Seal

MOTION moved by Mr. Berry to award bid contract No. 2011-19 to All State Asphalt, Inc., Sunderland, MA for a total of \$62,303.10 using a unit price of \$1.94 sq. yd for an estimated 32,115 sq yds., seconded by Mrs. Mackenzie, VOTED 5-0-0

Minutes of June 14, 2011

Board of Selectmen

6-19 Award of Bid, Water Treatment Chemicals

MOTION moved by Mrs. Mackenzie to award bid contract no. 2011-24 to various qualified bidders for Water Treatment Chemicals for the unit prices bid and outlined in a memo from Richard Mattson dated June 7, 2011, seconded by Mr. Berry, VOTED 5-0-0

6-20 Gift Acceptance

MOTION moved by Mrs. Mackenzie to accept the gift of \$500 from Richard Schultz photography for the Fire Gift account, seconded by Mr. Berry, VOTED 5-0-0

6-21 Animal control officer warrant

MOTION moved by Mr. Berry to issue and sign the annual Animal Control Officer Warrant, seconded by Mr. Gallivan, VOTED 5-0-0

6-22 Teen Band

MOTION moved by Mrs. Mackenzie to grant permission for the Recreation Department to host a Teen Band night on June 18<sup>th</sup>, seconded by Mr. Berry, VOTED 5-0-0

6-23 Veterans Benefits, RFT

MOTION moved by Mrs. Mackenzie to approve the Reserve fund transfer for the Veterans services in the amount of \$800.00, seconded by Mr. Berry, VOTED 5-0-0

6-29 Award of Bid, 2011-21A

MOTION moved by Mr. Berry to award contract 2011-21A unit price for items 1 and 4 for estimated ton quantities to Riley Brothers, Inc., Stoughton, MA and for the unit price for items 2 and 3 for estimated ton quantities to T.L. Edwards, Avon Ma. With the items to be ordered and picked up as needed using the per item bid prices, seconded by Mr. Gallivan, VOTED 5-0-0

6-30 Award of Bid, 2011-23

MOTION moved by Mr. Berry to award contract 2011-23 for the fisher School lower gym floor demotion and abatement to F and D Trucking Company, Inc. Millbury, MA, seconded by Mrs. Mackenzie, VOTED 5-0-0

6-32 Police Department, Transfer of Funds

Minutes of June 14, 2011

Board of Selectmen

This is transfer of funds within the budget not a reserve fund transfer. To move money within the department is allowed. It can be done only with your approval and the Finance committee approval.,

MOTION moved by Mr. Berry to grant permission for the police department to transfer \$2,000 from the salary account to the expense account, seconded by Mr. Gallivan, VOTED 4-0-1 (Mrs. Mackenzie abstained)

### Budgets

Mr. Boynton thanked the department heads and staff for making the budgets worked. Mr. Timson wanted to know how he explains to people who say see they can survive with less money. Mr. Boynton noted we are down in some of the programs we do. We have not lost on essential services; we have to be very frugal in the way we do business. We have cut out a number of things; we have cut out a lot of development training. Mr. Timson felt it might be a good idea, maybe you can ask the Department Heads to provide a list innovative things that have been done to deal with some of the situations.

Mrs. Mackenzie noted the Town has privatized the fields, our DPW was cut in ½ and the qualities of the field went down, the other thing is the pond management. By not letting out staff go to courses they are not able to bring back that creative information t ous. The T. Hall, the Dept heads have done a great job hiding what they have cut but I think it will hurt later. There has been a lot of cutting. We are at the end point. We need to let everyone know and why.

### MINUTES

MOTION moved by Mrs. Mackenzie to accept the minutes of May 2, 2011, seconded by Mr. Berry, VOTED 4-0-1 (Mr. Gallivan abstained)

MOTION moved by Mrs. Mackenzie to accept the minutes of May 3, 2011, seconded by Mr. Berry, VOTED 4-0-1 (Mr. Gallivan abstained)

MOTION moved by Mrs. Mackenzie to accept the minutes of May 17, 2011, seconded by Mr. Berry, VOTED 4-0-1 (Mr. Gallivan abstained)

### T. ADMINISTRATOR'S UPDATE

Health Insurances- Updated the Board on the Retiree billing efforts of the West Suburban Health Group. It may allow communities that are drawing medical insurance to bill back prior communities an employee may have worked in .

Pool Water bills- Not abated by S&W we owe abut \$12,352 for pool costs. He is working with Josh on this.

Mrs. Mackenzie wanted to know what are their feelings with regards to pools. We have taken on more costs within our budgets and he will have to review the Recreation and Parks budget. Mr. Timson noted the Town treated like another Rate Payer. It is an account that you have to pay for the water coming out.

Leveling and Chip Seal- This will begin as soon as the weather improves.

LEPC - Updated the Board with regards to the storm aftermath in Central Mass. We are preparing for tabletop exercises.

8:20 Jon Rockwood, Housing Partnership, Library re-use

Mr. Rockwood reported at the direction of Mr. Timson , the Housing Partnership took a look at the library re-use. We did apply and Stephanie and Don did a great job getting the grant. We met the last year with Mass Housing at the library. In our meeting in March Mass housing came with a performer, the bottom line it is not economically feasible. If you look at the development cost, there is about a 1.9 million dollar gap. Now we know that approach will not work. Bernie Goba submitted another alternative view of the library. I believe he submitted that to Mass Housing and that is where we stand.

Mr. Rockwood felt it is a good idea to bring the neighbors in for input.

Mr. Boynton felt it is unfortunate this will not work . It gives an idea for municipal re use. The cost of renovating that building would be cost prohibitive. The final disposition of the library would be best done with feedback from the residents. I believe you have an off night on August 2, 2011, and invite residents in. The Board wishes to proceed with the August 2, 2011 meeting.

8:30 p.m. Volleyball Courts

Mr. Kraus stated that after the last meeting, we advised go back out and take a look at Morgan field, to see if they would sustain two courts with area around them. Mr. Boynton reported staff went out there and met with reps from A. Farm and Friends of Volleyball. Jimmy has a map, the error of \$10,000 for netting is too high. You can see several technical issues for two courts to fit in. Today we went to A. Farm and had a good discussion with Ralph and Jack and talked about potential sites at A. Farm. With our T. Engineer, DPW, Recreation, JJ, Staked out two spots one is a problem, you can fit it but requires a lot of leveling work, another area other side has leveling issues, but from people there it seems to be workable. The upper level of the Field is also available, but in terms but in the operation of A. Farm for haying, it does create a challenge. We were trying to compromise; it could be a costly behind Morgan Field. We are looking at the S. W. Corner at A. Farm. JJ and I met with Volleyball Committee they may have some thoughts. You are not going to find a spot that is 100% satisfaction to both.

Minutes of June 14, 2011

Board of Selectmen

The Volleyball had two courts that have been taken by the library. This is not the first choice of the A. Farm, Ralph and Jack had great conversation with us.

Mr. Kraus noted this is the third time this has been on our agenda. At last meeting, we asked people to look behind Morgan field and come up with a possible plan. It can be done there, but should not be done there.

It was noted this site was proposed for skate park for the town and there was a huge outcry for removal of trees. You might please one group but bring another group in about neighborhood impacts. The location at A. Farm is doable. There is not dollar one budgeted for this, we can put staff time into it. He asked the Board to authorize him to work with the groups.

J. Wiley- the reason for Skate board park denial was the impervious area. The volleyball courts that was not an issue. Mr. Johnson noted that three stumps would have to be removed and one tree that is diseased. Mr. LeBlanc said he can work with it. There is room to go beyond the grass area. Mr. Wiley stated the Conservation Commission is willing to work with everyone to make it work. There is Bittersweet that will need to be removed.

Mrs. Mackenzie, so the GIS picture from Engineering shows 105 x 100, then looking the map from J. Anderson, the entire volleyball court is within the buffer. Mr. Wiley stated yes, no unlike many home. You can build within 100 foot buffer zone with a 25' no disturb area. Mr. Kraus questioned what would be the cost to do this. Mr. Wiley stated there would be cost to remove the soil and plant some grass. The Con Com has reviewed this and feels this is a minor alteration.

Mr. Kraus would like the Volleyball committee speak to this plan. Anna Cesary stated the total footprint is 100 x 105 feet. The reason we are asking this as this is a significant decrease in the space. Mr. Kraus wants them to keep in mind this is a compromise

Jim Kofsky, going out there for the fourth time. One of the corners is probably 8 feet away from the swamp. We would have to dig that out and loam and seed it, and going into the swamp. A. Farm has wide open space no restrictions.

Mr. Kraus wanted to know if they have priced out the other costs like netting for the Morgan Field site. Mr. Timson wanted to know if netting would help with the issue of being close to the swamp.

Mr. Kofsky stated that is why A. Farm works better. Mr. Timson stated we all feel it works better downtown. We are sitting here tonight without the answers. We want to move this along. Mr. Timson stated whether this goes to A. Farm or Morgan field, if you are putting this together it is still something anyone can use.

Mr. Berry feels this site has undergone a lot of stretching. At the end of the day we are trying to squeeze 10 lbs of material into a five pound bag. I feel we can keep going

Minutes of June 14, 2011

Board of Selectmen

back in forth on this. For two courts it does not seem adequate if we were talking one court it would work there. My mind the Morgan Field issue is settled.

Mr. Boynton talked about the areas at A. Farm, these are not the best sites but we believe they are doable, the one behind the butterfly garden is not a recommended site. There is an elevation on the other side, it could be about two feet. There is an area that has potential of being a good spot. Would not be detrimental to the haying operation, without the haying, we would have to buy a piece of equipment to hay. The haying is done for free in exchange for the hay. The cost to purchase such equipment could be 40,000-50,000 dollars.

Mr. Boynton explained they were looking at a cost of over \$5,000 a year to have it hayed.

Mrs. Mackenzie wanted to know what the cost could be to remove the soil. Mr. Boynton noted that the town can haul the loam and keep it. Mrs. Mackenzie, to know that you are not going to disturb the haying process and preserve streetscape, is that a working compromise. Mr. Wiley stated, if that has to be done than this is the site we would recommend.

Mr. Berry noted now we are talking about more construction and more time at A. Farm. Mr. Kofsky stated we would prefer the top of the field but we are willing to compromise. Mr. Kraus, so you are looking for town help? Mr. Berry wants them to accept it knowing what you will need to make it work.

Mr. Kraus pointed out at the end of the day, you have the area you need, you are getting enough space to play. Mr. Kofsky stated it will take work to get it done. Mrs. Mackenzie thinks there are people that will offer services to help.

MOTION moved by Mrs. Mackenzie to approve the location of two Volleyball Courts with measurements to be determined in total at Adams Farm to the south and west of the barn and parking area, provided that the Volleyball proponents provide for the installation at no cost to the Town, and further to direct and authorize the Town Administrator to address and resolve any concerns of the Volleyball group and Adams Farm Committee relative to final placement, including the use of Town staff and equipment and site adjustments as he may deem necessary to complete the project. , seconded by Mr. Timson

Mr. Timson would hope that in this process work with them on how you are going to be doing things there. Hope you can work together to make it fit. I would hope this is the way it will work.

VOTED 5-0-0

Ken Chamberlain, I have been sitting and listening, I get the feeling this was a cut and dry. You said for us to go over there and see if this would fit. I do not see why it would not fit over there, you are talking about 10 feet of excavation. Now you are putting it up at A. Farm. You are talking about a 20 foot net. I feel it will work over Morgan field and they will find the cost is less than using A. Farm. He is concerned that this will open up the farm for use of other fields.

Mr. Kraus stated this was not cut and dry and the first time these people saw this plan was tonight. We tried to find the most ideal location. The best is downtown, but these folks say it is not possible to put the two courts behind Morgan field. This is passive recreation and fits nicely into the use of A. Farm. We can agree to disagree but there is not a better location at this time.

### EXECUTIVE SESSION

MOTION moved by Mrs. Mackenzie to move into executive session to consider the purchase, lease or value of real estate and to discuss strategy with respect to collective bargaining, the public discussions of which would harm the Town's negotiating position, and to return to open session for the purposes of completing the agenda (ROLL CALL VOTE) Mrs. Mackenzie-Aye, Mr. Berry-Aye, Mr. Gallivan-Aye, Mr. Timson-Aye and Mr. Kraus-Aye

### NEW BUSINESS

New Business- Mr. Timson wanted to know how the business recognition program was coming. Would like Stephanie to come in.

Goal to find a spot of affordable senior housing

Mr. Kraus stated the performance Evaluations is something that should be done by the Board. Mr. Kraus would like to set some time up to close the door on our Goals and objectives and set up an appointment for 2012. Board talked about possibly meeting on July 12<sup>th</sup> for Goals and Objectives

MOTION moved by Mr. Berry to adjourn at 10:40 pm., seconded by Mrs. Mackenzie, VOTED 5-0-0

Respectfully submitted

---

Mark E. Gallivan