

A Regular meeting of the Board of Selectmen was held on Tuesday, June 1, 2010 beginning at 7:30 p.m. in the Main Meeting Room of the Town Hall. The following members were present:

Christopher G. Timson, Chairman
Al DeNapoli, Vice Chairman
David Sullivan, Clerk
Clifton K. Snuffer
Nancy Mackenzie

Also present:
Michael Boynton, Town Administrator

Mr. Timson called the meeting to order at 7:30 p.m.

ANNOUNCEMENTS and PROLCAMTIONS

Mr. Timson stated it may be his last meeting as Chairman. Also, Mr. DeNapoli to my left, it is his last meeting on the Board. He has served for six years and has been Chairman, Vice Chairman, and Clerk. He has given a lot of competent input and advice that has been valuable to this Board. Mr. Timson presented a Gavel to him from the Board.

Proclamation- Read for John Cofsky.

MOTION moved by Mr. Snuffer to sign the proclamation, seconded by Mr. Sullivan,
VOTED 4-0-0

SPONSORED AGENDA ITEMS

Mark Good, Bonds

Mark Good discussed that we had wanted to go out to borrow to take advantage of interest rates that may be going up at the end of the year. The town needed money to start construction of the library. He sold 9 million dollars worth of bonds and received five bids.

3.12% for twenty year bond. Even though interest rates may not be heading in the direction we thought, we took advantage anyway. Discussed the spreadsheet he prepared for borrowing. We save a lot of money in issuance and interest cost. Your issuance cost could run as much as \$60-100,000. By doing this, we can pay the issuance out of the bond. He explained Moody's restructured the rating system. We are now in the global scale rating. We are not being rated just as a municipality. The result of that, is they recalibrated. We are AA2. It is very good.

MOTION moved by Mr. DeNapoli that the sale of the \$9,085,000 General Obligation Municipal Purpose Loan of 2010 Bonds of the Town dated June 1, 2010 (the "Bonds"), to Morgan Keegan & Co., Inc. at the price of \$9,196,609.25 and accrued interest is

hereby approved and confirmed. The Bonds shall be payable on June 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

| <u>Year</u> | <u>Amount</u> | <u>Interest</u> <u>Rate</u> | <u>Year</u> | <u>Amount</u> | <u>Interest</u> <u>Rate</u> |
|-------------|---------------|--------------------------------|-------------|---------------|--------------------------------|
| 2011 | \$715,000 | 3.00% | 2021 | \$350,000 | 3.00% |
| 2012 | 700,000 | 3.00 | 2022 | 350,000 | 3.00 |
| 2013 | 700,000 | 3.00 | 2023 | 350,000 | 3.125 |
| 2014 | 635,000 | 3.00 | 2024 | 350,000 | 3.25 |
| 2015 | 570,000 | 3.00 | 2025 | 350,000 | 3.375 |
| 2016 | 565,000 | 3.00 | 2026 | 310,000 | 3.50 |
| 2017 | 565,000 | 3.00 | 2027 | 310,000 | 3.50 |
| 2018 | 485,000 | 3.00 | 2028 | 310,000 | 3.75 |
| 2019 | 460,000 | 3.00 | 2029 | 310,000 | 4.00 |
| 2020 | 390,000 | 3.00 | 2030 | 310,000 | 4.00 |

Further MOVED that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 19, 2010, and a final Official Statement Dated May 26, 2010 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Moved that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Moved that the consent to the financial advisor bidding for the Bonds, as executed prior to the bidding for the Bonds, is hereby confirmed.

Further Moved that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Moved that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes. Seconded by Mr. Snuffer, VOTED 4-0-0, unanimous

6-1 Karen Hobson, Woodward Playground

Mrs. Hobson is present to donate money to the town in the amount of \$3,000 to install three pieces of handicap equipment. The bid we received is in the amount of \$2,325.00. It will be furnished delivered and installed for that amount. The remaining funds may be used to purchase plants.

MOTION moved by Mr. DeNapoli to accept a gift from the Jr. Women's Club in the amount of \$3,000 to install handicap equipment at the Woodward Playground, seconded by Mrs. Mackenzie, VOTED 4-0-0

6-2 Richard Edge, Volleyball Court

Mr. Edge spoke to the adult volley ball group that uses the courts. There are probably about 100 people that play. They are asking to relocate the courts which will be taken over by the new Library to the area next to the town pool. They will fit two courts at the location. They have met with Maggie Walker, Jim Johnson and Landis Hershey. The Conservation Commission has requested that they file before them.

Mr. Timson asked if the sod could be used in another location. Mr. Snuffer questioned who will have control of the Courts? Mr. Boynton stated it will be under Recreation Department

MOTION moved by Mr. DeNapoli that we approve the request to relocate the volleyball courts from the area near the Blackburn Hall to the area near the center town pool subject to the approval of the Conservation Commission, seconded by Mr. Snuffer, VOTED 4-0-0

6-3 Hiring Process, Policies

Mr. Boynton noted after last meeting during the deputy chief discussion. It is not active at the moment. Will wait for the new Board. The Board did express concerns over their policy.

Under Item 1, we had listed dog officer, civil defense. These should match the bylaws. The policy under recruitment will still require cable television, etc. Accept for emergency appointments. We are adding the location seeking vacancy, web site, local cable.

It talks here, these are housekeeping changes. Mr. Timson raised concern over the cost of advertising. It was noted in some cases you may end up with only 1 or 2 applicants and there may not be the need for a screening committee. Mr. Boynton suggested changing the language to read "a screening committee when there are sufficient number of applicants".

MOTION moved by Mr. DeNapoli that we adopt the amendments revisions to the appointment hiring process with the changes as discussed, seconded by Mr. Snuffer, VOTED 5-0-0

6-4 Apple harvest Fair, Banner

Minutes of June 1, 2010

MOTION moved by Mr. Sullivan to approve the request to hang a banner and to make Rhoades Ave a one way street on the fair date from 10:00 to 3:00, seconded by Mr. Timson, VOTED 5-0-0

6-5 Norfolk County Agricultural School

MOTION moved by Mr. Snuffer to approve the request to use the Old Fisher Ball Field on June 9, 2010 for parking, seconded by Mr. DeNapoli, VOTED 5-0-0

6-6 Animal Control Warrant

MOTION moved by Mr. DeNapoli to approve and execute the Animal Control Warrant, CS 5-0-0

6-7 One Day Liquor , Sportsman's Assoc.

MOTION moved by Mr. DeNapoli to approve the request for a one day All alcoholic license, seconded by Mr. Timson, VOTED 5-0-0

6-8 Bid Award, Turco Field

This is capital budget item which was re bid.

MOTION moved by Mr. DeNapoli that we award bid contract 2010-07A to Madden Landscape construction, Inc. Walpole for \$42,057.00, seconded by Mr. Snuffer, VOTED 5-0-0

6-9 Bituminous Concrete Bid

MOTION moved by Mr. DeNapoli to award bid contract no. 2010-34 to T. L. Edwards, Avon, MA. The items will be ordered and picked up as needed using the per item bid prices, seconded by Mr. Snuffer, VOTED 5-0-0

6-10 Gazebo Players, Use of Common

Mr. Boynton asked if the Board approves, they be notified that their approvals limited to dates request. No Tuesday nights and they submit a Liability certificate.

Mr. Snuffer suggested they consider the pavilion at Adams Farm.

MOTION moved by Mr. DeNapoli to approve the request to use the Gazebo on the common for the dates of August 7 and 8 as long as not being used by anyone, else, obtaining the liability certificate and contacting the police department for using the space, and the need for police detail, seconded by Mr. Sullivan, VOTED 5-0-

6-11 Concerts on the Common

MOTION moved by Mr. DeNapoli to approve the Concerts on the Common request from J. Cole scheduled this summer, and to reserve the area surrounding the Blackburn hall for the Walpole Arts and Music Festival on October 2, 2010 and to approve the Walpole Day on May 21, 2011 and to approve the closure Elm Street as necessary, seconded by Mr. Timson, VOTED 5-0-0

6-12 Banner Request, Chamber of Commerce

MOTION moved by Mr. Snuffer to approve the request to hang a banner, seconded by Mr. Sullivan, VOTED 5-0-0

6-16 Reserve Fund Transfer

Mr. Boynton reported he needs additional funding for the legal budget. It is the first time he has come for money for the legal budget. All other accounts are in good shape. We hope not to have to come back for additional transfers.

MOTION moved by Mr. DeNapoli to approve the request for RFT for legal counsel budget in the amount of \$17,000, seconded by Mr. Snuffer, VOTED 5-0-0

8:30 p.m. OPEN FORUM

Bill Hamilton informed the Board the Veterans are concerned about having a regional veteran agent. I know that other people came back they came to the Walpole Veteran's agent who helped them with a lot of things that the Veteran's Agent did for them. Think you should consider keeping your own veterans agent because they deserve it.

6-13 Bid Contract, Electrical Services

A year ago the town entered into an agreement with Your Electrical Solutions (YES). Since that time we have had difficulties not filling terms of the contract. That is a major issue for us. On Nov 17th we sent them a letter and on Dec 1 we met with them. On Dec 3rd we sent a follow up letter to that meeting. New issues have popped up. We have not received any invoices since February. Don Anderson has been after them to get those payments in, and that is a violation of the contract. Jack Mee noticed a few items of deficiency. There are things that need to be corrected. This is not something we regularly do. Our counsel agrees there is a breach of contract. This does not guarantee business to anyone. As part of the dialogue, we ended breaking up repair of fire alarm and bid that out separately and YES bided on that. We have had breaches and we have tried to correct them. The Fire Alarms were in the contract.

Mr. Snuffer noted one thing that interested him was the second bidder was a long time bidder and the bids were very close. With this type of performance, was there anything that would have indicated this type of thing? Taking the action we are taking, does that enter into their background check? Mr. Timson believes so.

Don Anderson noted if any further towns ask if they have had experience with these vendors. Mr. Boynton noted this could end up in litigation, we have worked closely with Town Counsel and clearly it is important. Some of these are public safety issues. This is not an office building you can shut down. We gave it a try. We have bent over backwards.

Mr. Mackenzie noted based on experience, is this normal to go thru dealing with an electrical contractor? Mr. Anderson stated no, it is not normal, they came in as low bidder, we did checks and checked references, no bad info on these people. It is very unusual.

MOTION moved by Mr. Snuffer that the Town of Walpole terminate the contract with Your Electrical Solutions (YES) based on breach of contract and rebid the towns electrical contract, seconded by Mr. Sullivan, VOTED 5-0-0

Town Admin Update

Regional Services-The Board is looking at a Veterans district with the town of Foxboro. I take direction from the Board on this. I understand the sensitivity around this. It has to be a full time agent. I He provided the Board with comparison savings. This is about providing equal service to the veterans. Not asking Board to approve this tonight. This would not be unique in Massachusetts. Mr. Sullivan wants to be sure to protect reimbursements.

Mr. Mackenzie asked if Veterans services division supports this. MB They do not encourage you either way. They only say it can not be a shared job. If you want me to pursue invite Kelley out and the veterans.

Mr. Snuffer pointed out that with regionalization; you end up with one person two masters. When Foxboro needs the person he is there and etc. Part of regionalization and demands we need to find a way for this to work. If we feel it is in the best interest to have a specific Veteran's Agent we can go that way, if we feel Regionalization can work we can try it. We hear from people that would have first hand experience. Will invite, the Foxboro Selectmen, Veteran's and Mr. Kelley.

Walpole Youth Football- I know there was a desire to designate this field. I worked on this letter for you to consider and determine this is what you want to say to the group.

NSTAR Power Outage- will be doing it again on June 14th starting at 9 p.m. to 9 a.m. the next day. They will try to get it done within the 12 hour window. They have notified, Public safety. We are putting it on cable and web and have asked Stephanie Mercandetti to draft a letter to the businesses downtown.

Storm Drain Policy Update- have taken feedback from board and residents. We can not do sump pumps. He will bring forward for your next agenda a draft policy to get relief out.

Quinn Bill- Mr. Boynton would like to have an Executive session regarding Quinn bill. There have been changes and he wants to know which direction the Board wishes to go in.

Mr. Snuffer would like to have T. Counsel come in to discuss the new ethics law and open meeting law. Mr. Boynton knows we need to get up to speed on these changes, but some will take time.

Al DeNapoli- I have had a working relationship with a fine individual. We worked very well together and Al has been a mentor and positive impact on the way we do things. You will be missed. Value friendship and respect Mr. DeNapoli.

Mr. DeNapoli thanked the residents for being able to serve, thanked his family for the time they provided him to serve. Thanked the employees of the town. They are committed to the town. He thanked the Board current and previous. For future members, we are all neighbors, and we should not take it personally when someone has a different opinion. It has not always been easy, but very rewarding. Recommend people to volunteer. A lot to be gained in the community and I do not regret my 13 years of service.

MOTION moved by Mr. DeNapoli to adjourn at 9:20 p.m. seconded by Mr. Sullivan, VOTED 5-0-0

Respectfully submitted,
