

A Regular meeting of the Board of Selectmen was held on Tuesday, April 5, 2011 beginning at 7:10 p.m. in the Main Meeting Room of the Town Hall. Mrs. Mackenzie was absent. The following members were present.

Eric Kraus, Acting Chairman
Michael Berry, Clerk
Christopher Timson
Clifton Snuffer

Also present:
Michael Boynton, Town Administrator

Mr. Kraus called the meeting to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE

WALPOLE WOODWORKERS DISCUSSION

Mr. Kraus asked if anyone in the audience had any questions relative to the proposed purchase of Walpole Woodworkers.

James Taylor-How much money are we going to lose on tax revenue? Mr. Boynton responded the rough number we currently receive is \$15,000-20,000 by keeping them on site we will still get \$8,000. The loss is about \$7,000 to 12,000.

James Taylor- Mr. Taylor wanted to know who is going to pay for the traffic lights. Where is the money coming from for that? Mr. Boynton referred back to when Fairfield was proposed. If it is a set of lights at the town's request, they will work thru TIP. We would develop a program and seek reimbursement. If it is a set of lights for future town facility, that would have to be worked into the cost of the use of the property. If it does not pass, those costs would be born by the project developer.

James Taylor asked if they would be asking the state for money. Mr. Boynton explained only if the traffic counts demanded it. A multi family development was tripping the need. We would have to determine if there was a need. If yes, we would apply thru the state.

Mr. Boynton informed the audience the Board will continue to have discussion on this proposal on April 12, 2011 and every Board of Selectmen regular meeting.

TOWN ADMINISTRATOR'S UPDATE

Walpole Chamber Meeting with Board- Mr. Boynton asked the Board for dates and times for meetings. Board members will review their calendars for availability.

Walpole public library- The change orders have been very minimal. The Library is under budget. The final number will be determined. They will need to learn the final fundraising number. It is great news that they are on time and under budget

Walpole Woodworkers- The next public forum is Next Tuesday April 12th at 7:45 in the Main Meeting Room.

Household Hazardous Waste day- Saturday April 30 from 9-1 (will check the BOH website for this to be on)

Mr. Kraus recommends the town run a banner across the front page of the website for announcements.

Patriots day holiday- Town Hall is closed on Monday, April 18.

Chamber and TRIC breakfast April 8th, 8a.m. Mr. Boynton will be attending.

SPONSORED AGENDA ITEMS**4-3 Use of A. Farm, Norfolk Hunt Club**

MOTION moved by Mr. Berry to grant permission to the Norfolk Hunt Club to use A. Farm on April 19, 2011 as requested, seconded by Mr. Snuffer, VOTED 4-0-0

4-4 Use of Stone Field

MOTION moved by Mr. Berry to allow Walpole Youth Lacrosse to use Stone Field two weekdays per week in the portion along Spring Brook from April 6 until the end of the Youth Lacrosse season June 10, 2011, seconded by Mr. Snuffer VOTED 4-0-0

Mr. Snuffer believed in the original email they were looking for Mon-Wed is this what was negotiated. Mr. Boynton stated yes. Mr. Snuffer would like to know if there is a charge to use the field and what that is. Mr. Kraus noted that Turco is not usable and this field is needed for this year.

7:30 OPEN FORUM

James Taylor spoke to it being a shame there will no longer be a carnival. There has been one in town for 45 years. Everyone else can use that field but not Ralph. Where are we going to get the money from for Babe Ruth. We lost the money because we can't use it. Pop Warner can use it. We do not have a field for the carnival and it is a shame. That

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guy did a lot for everyone and it is sad. I would like to find a spot for them. He worked so hard to have the carnival.

4-1 Chief Bailey, Reserve Fund Transfer

Chief Bailey appeared before the Board seeking their approval for a reserve fund transfer in the amount of \$50,000 for his overtime budget. He has had a retirement and in February and March had a Firefighter leave, in addition he has three members out on Injury on Duty. There is one on medical leave as of yesterday. He will be out 4-6 weeks. He has looked at other areas of the budget to transfer, but can not do that until June. He was budgeted for \$465,000 and is asking for \$50,000. He has a remaining balance of \$69,279.

Mr. Boynton has been working with the Chief and there are funds available, they will continue to work at the budget.

Chief Bailey noted that dropping down to seven was working well for the department until he had all those vacancies. It helped significantly. He has been dealing with the long term injuries and they have had medical exams. There has been some progress made on the matter. He does not believe he can resolve these issues until the next fiscal year.

Mr. Snuffer was glad to see progress on long term injuries; the process is not fair to the taxpayer. He wanted to know if there is a pool that you can go to for individuals to fill in for a short time but there is not.

MOTION moved by Mr. Berry to approve the Reserve Fund Transfer Request for the Fire Department in the Personnel Services {Overtime} Account in the amount of \$50,000, seconded by Mr. Snuffer, VOTED 4-0-0

4-2 Radio Console Grant

The grant amount for this fiscal year is \$54,317 and \$40,000 will be used to purchase dispatch console. The police department will apply for the grant on an annual basis. The town has the \$40,000 upfront and puts it towards the total cost of \$97,529.

Chief Stillman explained the current console is thirteen years old and hard to find parts. The old system does not do a lot of things the narrow banding will force all public safety to make changes. Anything you can control electronically you can control from console. The grant is available. The grants are past from communications bill. It is about as much a guarantee as you will see. They have been approved this year. Mr. Boynton noted the total cost to the town will be zero. It was voted by Capital budget. It will be in the same location and will have enough money to reconnect. It is modular and can be moved. It also has everything on it for the Fire Department.

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MOTION moved by Mr. Berry to accept a grant for a new Emergency Radio Dispatch System and Console for the Police Station, to authorize the Chair and or Police Chief to sign the grant acceptance on behalf of the Town, and to authorize the Treasurer to execute the lease purchase agreement on behalf of the Board of Selectmen for the remaining balance of funds, seconded by Mr. Snuffer VOTED 4-0-0

4-5 Michael Gallahue, Resignation from Historical Com

MOTION moved by Mr. Berry to accept with regret the resignation of Michael Gallahue from the Historical Commission and to thank him for his many years of service to the Town, seconded by Mr. Snuffer, VOTED 4-0-0

4-7 Shirley Esthimer, COA

MOTION moved by Mr. Berry to re appoint Shirley Esthimer to the Council on Aging as an associate member, seconded by Mr. Snuffer, VOTED 4-0-0

4-8 Texas Roadhouse, Entertainment License

MOTION moved by Mr. Timson to approve the Entertainment License for Texas Roadhouse Holdings LLC d/b/a Texas Roadhouse 102D Providence Highway, for nine televisions and one CD player, seconded by Mr. Snuffer, VOTED 4-0-0

It was suggested Mr. Boynton reach out to the corporation regarding the charity events run by the restaurant to see if they would be willing to help out the American Legion and Babe Ruth.

4-9 Surplus Material, Robbins Road Compost Site

MOTION moved by Mr. Berry to declare the compost material outlined in Robert LeBlanc's memo dated March 21, 2011 surplus, seconded by Mr. Snuffer, VOTED 4-0-0

4-10 Use of Perpetual Care Funds

Mr. Boynton spoke to the need for a new storage shed for cemetery use. Mr. Timson had reached out to Jim Johnson as he wanted to know if the money being used from the accounts were interest and not principal. The Board would like to know the total in the funds.

MOTION moved by Mr. Berry to authorize the Department of Public Works to expend \$25, 000 from the Cemetery Perpetual care funds to purchase a maintenance shed to store equipment used at all cemeteries and further direct that the amount be apportioned across all cemetery perpetual care accounts, seconded by Mr. Snuffer, VOTED 4-0-0

8:03 Sam Obar, Historical Commission

Mr. Obar is seeking the open regular seat on Historical Commission. He is currently an associate member and wants to be a full member. There was discussion as to whether or not the Board could appoint someone under the age of 18. According to Counsel there is nothing that would prohibit the Board from appointing someone under 18. There would need to be language in the bylaws, charter or Board's policies prohibiting this.

MOTION to appoint Samuel Obar from Associate member of the Historical Commission to Regular member to fill the un expired term until April 1, 2012, seconded by Mr. Snuffer, VOTED 4-0-0

4-11 HFLW, Mass Development Finance Agency

The Board received a letter from Mass Development Finance Agency notifying them of the Home for Little Wanderers Project and requesting they advise them in the event that the proposed project conflicts with an existing local or regional comprehensive plan. The Agency has given preliminary approval to issue a revenue bond to HFLW. It was recommended sending a copy of the letter to Planning Board and MPIC for comment if they have any.

Mr. Timson was of the opinion the Board should send a letter indicating what has occurred with the discussions with HFLW and the neighbors and advise we are awaiting results from a June update. If the plans we implemented are being completed and alleviating a problem, we can not endorse this until after the meeting

Mr. Boynton felt they are asking how this fit into your master plan does. He is not of the opinion they were looking for security or safety measure. He would get the planning input. He is concerned the Board is not straying into an area that was not asked of them.

The Board asked the letter be forwarded to Planning and MPIC and seek the opinion of Town Counsel if sending such a letter including a history of the recent discussions is going into a territory they should not be in. In the mean time, send a letter to MassDevelopment saying we received their letter and we are looking in to that and we are going to get back them

MOTION moved by Mr. Berry to forward the MassDevelopment letter to the Planning Board and Master Plan Implementation Committee for their review and input from a Planning perspective, and to request responses by April 15, 2011, seconded by Mr. Snuffer, VOTED 4-0-0

4-12 Amended Spring Town Meeting Warrant

Additional language needed to be added to Article #17 to include a Municipal Facilities master Planning Study and all costs incidental or related to such land acquisition and

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study. Bond Counsel has given the approval on this. The Board needs to re-open the Warrant.

MOTION moved by Mr. Snuffer to re open the Spring Town Meeting Warrant, seconded by Mr. Berry, VOTED 4-0-0

MOTION moved by Mr. Kraus to amend Article #17 of the Spring Town Meeting Warrant to include wording for the proposed municipal facilities planning project, seconded by Mr. Berry, VOTED 4-0-0

MOTION moved by Mr. Berry to close the Spring Town Meeting Warrant, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Berry to sign the Spring Town Meeting Warrant, seconded by Mr. Snuffer, VOTED 4-0-0

4- 13 N. Walpole Fish and Game

MOTION moved by Mr. Berry to approve the one day liquor license for the North Walpole Fish and Game club for May 14, 2011, seconded by Mr. Snuffer, VOTED 4-0-0

4-14 to 4-16 Gift Acceptances

MOTION moved by Mr. Berry to accept the Gift from the Junior Women's Club of Walpole in the amount of \$3,500, Elizabeth Mayer for \$50, and from Mary Daily for \$15 with deepest gratitude, seconded by Mr. Snuffer, VOTED 4-0-0

4-17 Jukebox Entertainment License

The Boards requirement presently for a Jukebox is that the applicant is required to go for a special permit from the Zoning Board. The Building Commissioner does not feel a Jukebox meets the requirements of Section 5bq of live entertainment or other indoor amusement and should not be required to go to the ZBA.

Mr. Snuffer has some difficulty with this. He believes that Mr. Mee does not feel it is live entertainment or amusement and he does not think he has the ability to make that decision. It was discussed that a CD player is similar to a jukebox and there is no requirement for them to obtain a Special Permit. This would only take out the requirement for a special permit, the fee will remain.

MOTION moved by Mr. Berry to eliminate the requirement for jukebox license to obtain a special permit, seconded by Mr. Snuffer, VOTED 4-0-0

4-18 Cookout, Pond Management Committee

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MOTION moved by Mr. Berry to grant approval to the Pond Management Committee to hold a volunteer cookout, seconded by Mr. Snuffer, VOTED 4-0-0

Budget Discussion

Mr. Boynton spoke of the additional funding for the School Department which took place at the Finance Committee meeting. This has created a 77/23 revenue split, it has been challenging for the Schools, but I think we should continue with 66/34. The Finance Committee took \$308,000 from free cash to give to the School Department. Since 2003 we have been at 66/34. Mr. Kraus would be interested in the significant needs of the town, was there discussion on how we are going to make up what the municipal needs.

Mr. Boynton explained the argument by the Superintendent and School Committee was very clear. He did not ask for additional free cash revenue for municipal side and he is concerned taking free cash and using it to balance the budget. It has created a structural problem in 2013. He is concerned about drawing down our reserves and leaving with a small amount of fund balance.

Mr. Snuffer does not support the use of non reoccurring revenues. You end up with the need to replace that same amount of money. It must replicated the next fiscal year to cover what you just did, they are one time no recovering resources. We are talking individuals who have taken a microscopic approach and in the last hour to find \$160,000. The attaching of free cash is terrible budgeting and that will be paid at some point. We all have children, budget perspective we need to show it is not we /they, that our municipal workers and budgets do not create a second class system. What if the state that has not given the final numbers, do we get this back, or does that get kept at 77/23. I do not think it is right.

Mr. Berry wanted to understand what took place at Finance Committee. Mr. Boynton explained the Fin Com gave \$308,000 to the School Department to balance their budget. The vote was 10-5. Mr. Berry is aware of the difficulties they are having with the reduction of Chapter 70 funds. Mr. Boynton wanted to make it clear that the Superintendent did state where they found the \$160,000 in their budget. It came from retirements.

Mr. Berry, so this is one time revenue and used to help solve the remaining deficit budget. I know the many difficulties we had at School Committee. This same problem will exist next year. I do not think we are doing a good a job on both sides slowing the growth of our budget. Shrinking the pie and not increasing the taxes by 2 ½ % . I think next year in the fall I would like to talk about that. They can not keep going up. This is showing the need for money is going beyond what are revenue is providing. This is really dangerous, as a Selectman I feel helpless as we do not have a say in this. This is happening the train is leaving the station. We should start shrinking the pie. Need to

force both sides to tighten their belt. We are not having enough incentive to do it on our own.

Mr. Kraus is not questioning the needs of the schools, and we wanted to have a working relationship with Boards. I hope that last night was not a precedent setting event. I find it befuddled why we could not come together to solve it before the decision was made. It can not be us vs. them. It has to be all and there are going to be hard for us to fill.

Mr. Timson noted that all the teachers are on rate savers. The teachers did all agree and we have not had that from the municipal side. He can not disagree it is bad policy to pay for recurring items with one time money. Walpole is one of the towns not looking for an override. He can see why the School department should be rewarded. Mr. Boynton reminded Mr. Timson that the non union Municipal employees are also on Rate Saver as well as the library union and the police union has accepted it as part of the next contract.

Mr. Berry stated they have 1.6 million for new revenue and we need to live within that amount. If you need more you should ask for an override, it is not right to go into free cash to supplement the budget. Bad budgeting and sneaky, there are a lot of needs in this town. I do not think any of the members thought about using free cash to put more cops on the street.

Mr. Boynton noted this is his 10th budget, what I see is what I get. My desire is to try to do that without going back to the taxpayers. Keep in mind I do have reductions on the municipal side again. The School Department contract requirements are one million every year. I would not recommend one time usage but we have done it before. My point is I agree it is a dialogue that needs to happen.

MOTION moved by Mr. Snuffer to approve the budget proposed by the Town Administrator in the amount of \$32,735.680, seconded by Mr. Kraus,

Mr. Kraus would urge the S. Committee and BOS meet so this does not happen again. I think this is a miss for the town.

Mr. Berry stated this is not the BOS telling the S. Committee how to spend their money. You do not go to free cash to supplement your budget. It is being left out of the loop. It is us not being involved for a decision to use free cash. It is a very important account, not a rainy day event.

Mr. Timson understands and would urge us not to make this vote tonight. I have not heard from the S. Committee. I did not hear the presentation given to Fin Com. I think we should not make a knee jerk decision. We should listen to what has to be said.

Mr. Snuffer will move forward with this motion.

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Mr. Kraus wanted it understood that his vote is not against them, but he feels that the needs that the municipal side have outlined are significant. This is not us vs. them. He does not see why the municipal side should be taking a back seat.

VOTED 3-0-1 (Mr. Timson abstained)

Spring Town Meeting Warrant

Article #2

MOTION moved by Mr. Kraus to Recommend Favorable Action on Article #2, seconded by Mr. Berry, VOTED 4-0-0

Article #3

MOTION moved by Mr. Kraus to Recommend Favorable Action on Article #3, seconded by Mr. Berry, VOTED 4-0-0

Article #4

Mr. Boynton has requested \$100,000 from Assessors from overlay surplus. Some number will return to the Town of Walpole and that will close out free cash.

MOTION moved by Mr. Kraus to Recommend Favorable Action on Article #4, seconded by Mr. Snuffer, VOTED 4-0-0

Article #5

MOTION moved by Mr. Kraus to Recommend Favorable Action on Article #5, seconded by Mr. Snuffer, VOTED 4-0-0

Article #6 Hold off voting on this until next meeting.

Article #7 & 8

There are not any significant changes here.

MOTION moved by Mr. Kraus to Recommend Favorable Action on Article #7 and #8, seconded by Mr. Berry, VOTED 4-0-0

Article #10

MOTION moved by Mr. Kraus to Recommend No Action on Article #10, seconded by Mr. Berry, VOTED 4-0-0

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Article 11, 12 and 13 wait until next week, Capital coming in.

Article #17, Woodworkers

MOTION moved by Mr. Berry to recommend Favorable Action on article 17, seconded by Mr. Snuffer, VOTED 4-0-0

Article #18

MOTION moved by Mr. Timson to recommend no Action on Article #18, seconded by Mr. Snuffer, VOTED 4-0-0

Article #19

MOTION moved by Mr. Timson to make Recommendation at Town Meeting for Article #19 seconded by Mr. Kraus, VOTED 4-0-0

Article #20

MOTION moved by Mr. Timson to make Recommendation at Town Meeting for Article #20, seconded by Mr. Kraus, VOTED 4-0-0

Article #21

MOTION moved by Mr. Timson to recommend Favorable Action on Article #21, seconded by Mr. Snuffer, VOTED 4-0-0

Article #22

MOTION moved by Mr. Timson to recommend Favorable Action on Article #22, seconded by Mr. Snuffer, VOTED 4-0-0

Article #23

MOTION moved by Mr. Timson to recommend Favorable Action on Article #23 seconded by Mr. Snuffer, VOTED 4-0-0

Articles # 24, 25 27 and 28

MOTION moved by Mr. Timson to make recommendation at Town Meeting for Article 24, 25, 27 and 28, seconded by Mr. Snuffer, VOTED 4-0-0

Article #26

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MOTION moved by Mr. Berry to recommend Favorable Action on Article #26, seconded by Mr. Snuffer, VOTED 4-0-0

Article #29

MOTION moved by Mr. Timson to indefinitely postpone Article 29, seconded by Mr. Berry, VOTED 4-0-0

NEW BUSINESS

Mr. Snuffer spoke about the joint meeting with Ponds and Conservation. It was a great meeting.

Mr. Timson would be interested getting on an Agenda a discussion on Town owned parcels. Mr. Snuffer would be happy to do that after the elections. Because of what he does for work, he would prefer to wait until after the election.

Mr. Timson is interested in reviewing the Board's Goals and Objectives. Put them on an upcoming Agenda before Mr. Snuffer leaves.

MINUTES

MOTION moved by Mr. Berry to approve the March 8, 2011 Minutes, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Berry to approve the March 18, 2011, seconded by Mr. Snuffer 3-0-1 (Mr. Berry abstained)

MOTION moved by Mr. Berry to adjourn 9:40 p.m. seconded by Mr. Timson, VOTED 4-0-0