

A Regular meeting of the Board of Selectmen was held on Tuesday, February 7, 2012, beginning at 7:00 p.m. in the Main Meeting Room of the Town hall. The Following members were present.

Pledge of Allegiance

#### ANNOUNCEMENTS and PROCLAMATIONS

Mr. Kraus read into the record the Proclamation for Gloria Denneen.

Talked about the meeting last week the DT, Rt1 and 1A. Splitting up the members of the Boards to look at Economic Growth. I appreciate everyone who participated in that exercise.

#### **Sponsored Agenda and Action Items**

##### School Department Budget Presentation

Brian Walsh spoke to the Board regarding how this year holds significant problems for the School Department. There has been loss of federal funds, underfunded mandates especially relating to special education. These reductions were done without warning. We ask the parents to shoulder many of the fees. The department has worked over the past four years to make the department more efficient.

They have seen an increase in class sizes across the district. Media center closures. It is the opinion of the School Committee and Superintendent to put a question to the voters of Walpole for a general override. We believe that we need to decide if there are new ways to make savings. Asked teachers to reopen their contracts to look at ways to save money. Need to focus on sustainability.

Supt. Lynch introduced the other School Committee members present; John Desmond, Nancy Gallivan and Michael Ryan. They have conducted twelve hearings on the budget, and met with the parents and in this very meeting room, discussed over 2,000 line items. We have a level funded budget, our personnel is up 2 million. President Obama had tried to extend the job bills, but that failed. We employee numerous specialists as required by law. It is required by state and federal mandates. In addition, within the budget, we are 80% personnel, 3<sup>rd</sup> year of the collective bargaining. This is the fourth year of recession. We are requesting the re opening of the teachers contract. We are looking to be more sustainable within the local levy limit. We continue to be responsible for services, but the State and federal government are not helping to pay for these. We are asking the community to support the education at a higher level.

The first two million the 1 is from decrease in funding. We have over 130 students where English is not the first language. We are experiencing children that are not up to par with our curriculum.

Our grants reduced by \$500,000. They need 1.3 million dollars, 2.7 million override request before the community. They have seen some of MCAS scores decline. SAT scores are declining they feel because of higher class sizes. We are seeing a decrease in research skills. Over ½ the class in Middle School has over twenty-five students and the same in High School. There are a few with less than that. Trying to maintain a competitive edge for our students. Looked at budget cuts and efficiencies. Asking community for support. They will be attending meetings with the Fin Com. They have been touring our buildings. There are classrooms that may have 4 teachers. Those are for the special needs.

Mr. Ryan stated it is important, we are asking the people of the town to commit money to the school department. They have tried to continue to educate our children with what we have. We have seen a bit of a decline in SAT and MCAS scores. They are trying to minimize the impact on schools. They have made cuts and at the point and further cuts would include loss of programs. They have reason to believe that the quality of education will be reduced. We understand it is a difficult time.

Mr. Gallivan questioned what they are hearing from the state on education funding. Superintendent Lynch stated it is level funded. Some towns have received an increase. Westwood, Canton, Tri County they have increased.

According to the School Committee if the override does not pass the classroom, size could be mid to high 20's to low to mid 30's. There are currently some in the 30's at the middle school and they may lose a foreign language class at the middle school. Walpole spends \$2,000 less per pupil than Westford.

It was noted that over the last few years, the state mandates laws, they continue to make them stricter and give us less money. There are 130 where English is not their first language. The teachers are 59 from the bottom in salaries. It is overwhelming that this can happen. Our average incomes shows we are not a wealthy town. No one has money, people are losing their homes. We are going to have to pay more because no one is helping us. The restoration number to continue level service is 1.3 million.

## 2-2 Papa Ginos, Common Victualler's

The Papa Ginos at the Walpole Mall is moving to a new location within the Mall. They require a new common Victualler's license for that new location.

MOTION moved by Mrs. Mackenzie to approve the new location and grant a Common Victualler's license for Papa Ginos at the Walpole Mall, seconded by Mr. Gallivan  
VOTED 4-0-0

## OPEN FORUM

Mr. Taylor expressed his displeasure with the request from the School Department for an override. He noted that all other departments have a budget they must stay within.

He then talked about trash fees and that Norwood paid over \$275 per barrel. He was told Robin is making a presentation before the Board at the next meeting.

Theresa Lerhaman spoke about the MBTA bus service being discontinued to Walpole. That means discontinue of the Ride. Mr. Kraus explained they have been in contact with the MBTA and historically the Ride has only gone to towns with bus service. The Board is concerned as well and will put pressure on the MBTA.

### 2-3 Kevin Uniacke, Library Reuse.

Mr. Uniacke did not attend the meeting. He is an architect and volunteered his services to the town. He filed a report , document #2-3 which outlines his findings. Mr. Boynton spoke to the discussion the Board had two meetings ago regarding the library reuse and that was by no means to put off what had been done. What the costs would be for the demolition, and new structure on that property. No decision has been made on that property, we want to re open the conversation.

He noted that library re-use group recommends the building be torn down. There was a request to take another look at the use of the building possibly for a interim senior center. We tasked Mr. Johnson, Don Anderson along with Kevin Uniacke to come up with ideas and alternatives. Mr. Uniacke points out in his letter that all three options do not provide an adequate solution for large senior center programs because of parking limitations. The Library re-use Committee had recommended demolition of the building. The three options considered were:

1. Temporary Relocation, which would cost approximately \$462,000.00.
2. The second option permanent relocation at a cost o \$4,185,000.00.
3. New construction after complete demolition of existing library would cost \$5,275,000.00

Barbara Coates- we have been discussing the reuse of the library for a senior center there is no elevator. I am against it, there are other uses for that building.

It was noted by Mr. Kraus if that building was going to be reused an elevator would have to be added because it is out of code now.

Terry Lerhaman agrees with Barbara Coates, and her concern is the chairlift. She does not believe a chairlift would make that building accessible. The elevator is not large enough. Keeping the kitchen where it is , it issued by HESSCO. Some days the number is increasing. It increased on Fridays. How would the Seniors get from the old library to the existing center for meals.

Mr. Johnson explained in regards to the chairlift, he put that in there because it is acceptable by ADA.

Discussion ensued regarding the kitchen requirements and the logistics of how Seniors would get back and forth from the current Senior Center for meals to the library. There is

limited parking at the old library on Common Street and there might be a need for shuttles. Mr. Kraus explained the Board will make the best decision for the Town and that any senior center will have to handle not only now but the future use.

Mrs. Mackenzie thanked Kevin, he used all of his own time. He put together such a detail plan at no cost to the town

Mrs. Damish believes a lot of the Seniors may never see a senior center. This will affect the baby boomers. That is what we have been working hard for. I hope there is progress made on the building fund account. I know people have told me they are waiting for the fund to be established.

Mr. Berry thanked Bernie Goba. He put a lot of sweat equity into his plan. Mr. Berry feels some type of housing would have worked in that area. We owe Bernie a debt of gratitude. The building should come done at some point. The amount of money to bring that building up to shape is not worth it. The Board is not making a final decision on this issue this evening.

#### 2-4 Change in Manager, Kihei Dynasty

Lisa Chiu appeared before the Board on the application for a change of manager of Kihei Dynasty Restaurant on Main Street. She has been acting manager since October 2010.

MOTION moved by Mrs. Mackenzie to approve the change in manager from Kim C. Chan to Lisa Chiu at the Kihei Dynasty, seconded by Mr. Gallivan, VOTED 5-0-0

#### 8:30 p.m. Council on Aging bylaws

Mr. Kraus read the following into the record. Back in September, this board discovered an inconsistency between the so-called COA by-laws and the appointment authority vested in the Selectmen by the Town Charter. By way of background, the Board per the Town Charter, has appointment authority and responsibility for a number of committees, including the Council on Aging. However, the COA by-laws suggest otherwise, that the Selectmen may only appoint a member that they "nominate".

As a result of this, the Board directed the Town Administrator to review these COA by-laws, and propose corrections where inconsistencies may exist, and to make the in-house rule more uniform with the operations of most other committees. That exercise has been completed. Mr. Boynton presented this Board with a draft-revised document, and in turn we have solicited the input of the COA.

The input we received from the COA, however, was a complete re write that would essentially maintain the current inconsistencies that created this problem at the outset. While it is true this Board previously approved the COA by-laws, it was not clear at the time that this Board was in fact relinquishing certain responsibility, specifically regarding

appointments. Going forward, it is our belief as the governing body, that issue must be corrected. The revised document by the COA, however, failed to accomplish that objective.

As such, with the draft revision from the Administrator and comments received from the COA in writing, I will entertain any further comments from my fellow Board members on the direction they wish to proceed, then I will ask for a motion and a vote and will open it up for questions from the audience.

Mr. Boynton explained for many years when a committee has a vacancy we seek volunteers and ten out of ten times we have accepted a recommendation from the committee. At the end of the day it is the Board's authority to make the decision.

Mr. Timson arrived at 8:35 p.m.

Lloyd Smith, V. Chairman, the new bylaws, under article 9. Employees, the COA has the hiring powers. It was noted the Selectmen have the appointing authority. The Council on Aging does not want to give away any power they have. It was explained that whenever there is full time staff the Selectmen would rather have that person under the Town Administrator.

Mr. Pelligrini explained they reviewed five other town's bylaws and the recommendations of Elder Affairs. Not one person was asked about the hiring of the new person who is also the Secretary for the Friends of the Council on Aging. He suggested it would be nice to work as a team. It was noted the appointment of positions shall be under the Town Administrator. The Board will forward the proposed bylaws to Town Counsel for review.

MOTION moved by Mrs. Mackenzie to approve the amended Council on Aging bylaws with the caveat they be sent to Town Counsel for their input regarding the Town Administrator's authority to hire and fire staff and whether or not these bylaws must be approved by Town Meeting, seconded by Mr. Berry, VOTED 4-1-0 (Mr. Timson opposed)

Mr. Kraus reminded the Council they are an advisory board to the Selectmen and he would like to see better communication. Mr. Gallivan agreed this should not be adversary, he is in favor of more discussions and feels it would be great if they would ask the Selectmen to attend. He is willing to become involved.

Mr. Boynton explained he has been the conduit between the BOS and COA and it has been challenging over the last few months. It has to stop, the Friends of the COA and the COA everyone has these issues. The ultimate goal is to bring the two groups back together. The ultimate problem is an agreed upon location for a new center. Harmony by the two groups.

Discussion issued regarding the problems between the Friends of the Council on Aging and the Council. The goal should be working for what is best for the seniors. The Council stated they have been reaching out to the Friends to meet, but with no success.

Mr. Kraus suggested setting up a meeting to go over the issues. The bylaws are a document, it does not stop, start or hinder. We should have monthly meetings with you. I will reach out to the Friends and try to build the bridges that are burned. We have to be united.

2-5     Robert Toran, Resignation from Historical Commission

MOTION moved by Mrs. Mackenzie to accept the resignation of Robert Toran with regret seconded by Mr. Berry VOTED 5-0-0

2-6     Lions Club

MOTION moved by Mrs. Mackenzie to approve/ disapprove the placement of signs for the Texas Hold'em Tournament fundraiser on private lawns around town, seconded by Mr. Berry, VOTED 5-0-0

2-7     Job Descriptions

MOTION moved by Mr. Berry to approve the job descriptions from Personnel Board for Dispatcher, seconded by Mr. Gallivan, VOTED 5-0-0

MOTION moved by Mr. Berry to approve the job descriptions from Personnel Board for Police chief, seconded by Mr. Gallivan, VOTED 4-0-1 (Mrs. Mackenzie abstained)

MOTION moved by Mr. Berry to approve the job descriptions from Personnel Board for, Health Director and Deputy Health Agent , seconded by Mr. Gallivan VOTED 5-0-0

MOTION moved by Mr. Berry to approve the job descriptions from Personnel Police Lieutenant, seconded by Mr. Gallivan, VOTED 4-0-1 (Mrs. Mackenzie abstained)

2-8 to 2-13     Gift Acceptances

MOTION moved by Mr. Berry to accept the gifts for the Council on Aging, Emergency Management, and Recreation, seconded by Mrs. Mackenzie, VOTED 5-0-0

2-14     5k Run and Walpole Day parade

MOTION moved by Mrs. Mackenzie to approve the request of Recreation for a "5 for the Fourth 5k run" to be held on May 20<sup>th</sup> and Walpole Day parade on May 19<sup>th</sup> , seconded by Mr. Gallivan, VOTED 5-0-0

2-15 Farmer's Market

MOTION moved by Mr. Berry to approve the use of the Town Common for the upcoming Farmer's Market Season and to allow live entertainment on occasion during the season, seconded by Mr. Timson , VOTED 5-0-0  
Farmers Market

2-20 T. Meeting Warrant

As we were going thru the citizen's petition, we realized four schools not included in the PSRC zone. In looking at it from a housekeeping perspective, it would make sense to add these as discussed at the previous meeting. The Board members agreed. It is necessary to have the parking. The Board will be licensing the parking and will be done on a yearly basis. It will be for football games only.

MOTION moved by Mr. Timson to sign the warrant, seconded by Mr. Berry, VOTED 5-0-0

Town Administrator's Update

Summer St RR Crossing- CSX request letter should stipulate they are not supportive of increasing the speed of the train. The Board would like to see gates at the crossing.

MOTION moved by Mr. Timson to have Town Administrator draft a letter and provide to Board, seconded by Mrs. Mackenzie, VOTED 5-0-0

Fire Truck Accident- Friday accident in front of minuteman, it did not involve a Walpole fire truck it was from Everett leaving from having service.

Feb 29<sup>th</sup>, community workshop has been postponed.

Revolving Funds & Receivables Audit Possibility- Mr. Boynton needs the Board's approval for a Reserve Fund Transfer in the amount of \$4,950 to perform the task.

MOTION moved by Mr. Timson to approve the Reserve Fund Transfer request in the amount of \$4,950 to perform the Audit for Recreation & COA , seconded by Mr. Berry, VOTED 5-0-0

Library-Feb 29<sup>th</sup> is the soft opening target date.

**NEW BUSINESS**

Mr. Timson would like to invite Allied in to discuss issues. Mr. Boynton explained there is a legal issue before you and if you bring them in it would have to be a formal discussion.

MOTION moved by Mr. Timson to have an executive session with the Police Chief and have Allied come in the meeting after that. (motion was not seconded at the recommendation of Mr. Boynton)

Mr. Berry noted there are 7-9 committees that are inactive. Some have outlived their usefulness. He would like to revisit committees and wiping some off the books.

MOTION moved by Mr. Timson to adjourn at 9:50 p.m., seconded by Mr. Gallivan,  
VOTED 5-0-0