

The Regular meeting of the Board of Selectmen was held on Tuesday, January 3, 2012, beginning at 7:00 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  
Christopher Timson  
Nancy Mackenzie

Also present:  
Michael Boynton, Town Administrator

Moment of Silence for two Firefighters in surrounding towns that lost their lives in fires, James Rice of Peabody and Jon Davies of Worcester.

### **PROCLAMATIONS**

The Board was presented with two proclamations for Eagle Scouts. Chairman Kraus read the proclamation for David Ditcher and James Glennon into the record.

MOTION moved by Mr. Berry to endorse the proclamations, seconded by Mr. Gallivan, VOTED 5-0-0

Mr. Kraus made the following statement. The topic of casinos and gaming is not on tonight's agenda, and given the input from our Town Counsel, the Open Meeting Law would require that any significant matter that is raised at a meeting that is not on the Board's meeting agenda should be only be acted upon only at a future meeting after being posted on an agenda. Thus, if the topic does come up during open forum tonight, please understand that I will follow the Open Meeting Law here.

However, that being said, I would like to make a few brief comments on the subject. To date, members of this Board of Selectmen have been very outspoken on the need to protect Walpole's interests and our residents.

Members of this Board have gone to Planning Board and Selectmen meetings in Foxborough and have urged those Boards to consider the impacts such a development would have upon our residents and theirs.

Nancy Mackenzie and Chris Timson have represented our community quite well in that regard.

In addition, the Board unanimously voted to send letters supporting our Planning Board in their opposition to the proposed Foxborough zoning changes. These letters were sent to

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the Foxborough Planning Board and Board of Selectmen. In addition, we have publicly thanked the Foxborough Planning Board for not advancing the zoning initiatives.

We as a Board have unanimously opposed expansion of Commuter Rail through South Walpole to Gillette Stadium, an expansion that would be a critical part of a casino facility.

And most importantly, we have and will continue to work with our Town Attorneys to be certain that from a legal perspective we take all prudent and appropriate steps to protect the Town's legal interests as it relates to the new gaming legislation.

We have and will continue to be strong in our commitment to protect our community, yet given the advice of Counsel, this Board will refrain from any ceremonial or symbolic votes regarding the casino process in Foxborough. We are monitoring daily the activity across our border, and will act accordingly when necessary to do so.

We are supportive of the efforts of our colleagues on the Foxborough Board of Selectmen, and await further developments there.

7:20 p.m.      Prison Mitigation Funds

Representatives Kafka, Rogers, Winslow and McMurty appeared before the Board to present them with a check for Prison Mitigation Fund. The Board members thanked them for the diligence.

Superintendent Lynch and Michael Boynton talked about the Prison Mitigation funds and how it would have been easy for our delegation to give up and they continued to fight for it. Mr. Boynton wanted everyone to know that Senator Timilty had a conflict and will stop in later. Thru their efforts, the community host was restored. Superintendent Lynch on behalf the School Committee and students we appreciate the additional funding. It assisted us in paying the \$300,000 back to the town.

Representative Rogers has a simulated check for the town. Thanked the Board and perhaps the citizens of the town. Thank the delegation, my honor to serve with them. More than sixteen prisons in the commonwealth and Walpole was the only town to receive targeted relief. Paul and Dan represent other towns that host other facilities. We were able to prevail upon the house ways and means committee. Thanked to Senator Timilty, Pat Shields is here representing him. Thanked the Board for their leadership. They will work hard on the next budget and to try to get this money back. They cannot promise, but will work hard. It will be a difficult fiscal year.

7:35      Attorney Macchi, Wal-Mart/High Plain Street Traffic Control

Attorney Macchi explained that as part of the site plan approval there is a special condition with respect to traffic control. He is presenting the Board with two articles for the warrant. The first article is to accept an easement from Mass DOT. The second

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article asking the town to give you the authority to alter the layout of Rt 27, We gave you two plans, Mass DOT has had some changes. We are asking if the articles that we gave you to remain on as placeholders. If Mass DOT does not act timely we will ask to take them off. There is still a considerable amount of time before the Spring Town meeting.

McMahon representative showed the plans to the Board. Showed the area that is needed which is owned by Mass DOT. Showed the improvements on a plan showing the new traffic signal.

Mr. Boynton noted the town has been working on this, we met early on and talked about immediate needs, traffic on East bound approach would not back up to the route 1. That is the biggest concern that we have. No objection putting the two articles on the warrant.

MOTION moved by Mrs. Mackenzie to put a place holder for an article for the town accepting the easements for MASS DOT, seconded by Mr. Berry, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to put a place holder for the High Plain St layout in the vicinity of the traffic signal layout, seconded by Mr. Berry, VOTED 5-0-0

7:45 pm J. Wiley, Sunnyrock Farm

The Conservation Commission voted to sponsor an article to purchase the property. Approximately 74 acres, it is proposed on a gift basis. Effort to raise funding for the purchase of that property thru private donations, we have funds in the conservation fund to apply for the purchase, the Commission also requests to con sponsor with Recreation Dept. About 7 acres are fields and would be available to the Recreation Dept for fields. The balance being for conservation and agricultural purposes.

Mrs. Mackenzie thinks it is great they are privately fundraising for this. Talked about the conservation preservation act and how that could have been used to help buy the property if was adopted.

MOTION moved by Mrs. Mackenzie to place an article for a placeholder on the STM to use the sunny rock authorization to acquire as a gift, seconded by Mr. Berry, VOTED 5-0-0

John Stadler, thanked the Board for supporting this. There is a void that the number we are going to need to acquire this land. There is a group that is committed to fundraising. They need to see support from the town that we are behind it. They are looking for us to be interested in retaining this. This is the last farm that we have in town and they will continue to support this venture and bridge the gap in order to obtain it. They want to keep this as a working farm.

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1-4 Common Street Library re use group

In considering the site, it appears to be cost prohibitive to bring the library back for a municipal re use. The rough costs provided by the town appear to be upwards of two million dollars. The Town does not see a need or utilize the property for any purpose. We distributed a survey amongst the neighbors many support continued use of the building. There was strong opposition to housing of any kind.

They came up with two recommendations, J. Garrity will describe them. Both of their recommendations include the demolishing of the library and either selling the lot with a deed restriction or having the town keep the property.

Mrs. Mackenzie applauded the group for their work. Her concern is there is a need for a senior center. We have had multiple failures for an override for senior center. To me demolishing the building and setting up a park is not the best use. I think the best option is to looking into moving the seniors there. To look at the numbers, spoke to Don and Kevin, Richard Shields, and if we could look at an immediate move, there are ways to get waivers, to have time to have it comply with handicap accessibility. I have heard about parking. Looking at doing a circular driveway in the front, ramps in the buildings, the estimate at looking at the elevator would be \$300,000. There could be private funding for this also. The Single Family home, we can keep in the back of our mind, the condition our seniors are in, because of lack of space, to consider looking at this for any other use for them.

Mr. Garrity explained there is no opposition to a municipal use, the group was under the impression there is no funding. If you look at the cost of updating the heating system. I was not under the impression there was that money around.

Mrs. Mackenzie stated there are fundraisers out there, we need to look for a partnership. It has been a goal for the past few years, I think it would be a huge mistake to leave them in the space.

Mr. Timson applauds the group's efforts, nicely done, to Nancy's point, I agree we want to do something for our seniors, in looking at some of the other set ups, most of them are on two-acre parcels, you want to do a first class job. I am not saying no, we should look at it, when I look at it, and I think they deserve parking and easy access. We do not have to reinvent the wheel. I think ½ acre is too small.

Mr. Kraus commended Nancy's effort to find a home for the Senior Center. We are making little progress in finding them a home. The current condition is not good. I think we should take a look one more time. It is a goal of this board to find a home for the seniors.

Mr. Berry wants to be sure this is a good decision whatever they decide to do. Does not think we should put in a large home in the center. I am not interested in having

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something in the center of the town that will take a lot that is municipally owned and not have the highest and best use. We have a continued issue to attract more business. I do not think we can discount of having a commercial use for that lot. At this time when budgets are tight, we owe it to the taxpayers to take an unbiased look at what we could do with that lot. I think a Senior center is a good idea. That lot may be appropriate for a senior center with a new building. I would support the exploring the use of the property for a senior center. I believe a few of the neighbors did float the possibility to allow some of their parking to supplement the senior center. Finding something that works for the neighborhood. Would like to have something that will generate revenue.

Mr. Gallivan would like to take one more look at the old library, interim senior center. He would be interested in looking at some of the numbers.

Mr. Boynton stated that he gave the direction of how the discussion should proceed on the old library. We are moving the library out because it is not longer viable for use of a library. The committee did what they thought were the perimeters. Jim did the legwork, the committee did a great job. He does not want to rush with that building, if it came to costly to renovate for housing, it has to be 2-4 million for the reuse of the old library as a senior center. I am being a realist, I don't see it as a commercial use.

Mr. Viano, 2 Norton Ave, attended the neighborhood group and offered an alternative. Tearing down the newer addition and showing the facet of the old library and would propose using the library for 4 -5 for upscale condominium units.

Mr. Garrity stated this was presented to us but after talking to neighbors there is no support for multi family housing. One thing the neighbors said is they do not want a vacant building.

Mrs. Mackenzie supports Kevin Uniacke working with dept heads for the feasibility for using the library as an interim senior center and a build out to put a senior center there. To put together a group with Kevin Unique and town dept heads to put a cost breakdown for an interim senior center and the full build out. What it would cost to make it an interim senior center

MOTION moved by Mrs. Mackenzie to put together a group with Kevin Uniacke and town department heads to look at the cost breakdown feasibility for using the old library for an interim senior center and to look at the full cost to build out, seconded by Mr. Kraus

Mr. Timson would like to hear from the COA and the Friends group.

Mrs. Mackenzie suggested looking at the cost and give them that information. Mr. Berry feels housing downtown is very important. He lives in a complex down the street from this site and feels it fits well in the neighborhood.

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Betsy Dyer the current library is full of seniors, I think the air conditioner, and heat is better than what they have. I do not think the town can sit around for a new center. Start with the ground floor. It is better than what they have and they are already hanging out there.,

Mr. Boynton noted the Town has a history of having people in buildings that were not designed for their purpose. We have an opportunity to show that is this something we get into.

Mr. Murtagh suggested getting further input from the town residents. He thinks the renovation is a great idea but too expensive.

Mr. Kraus noted this motion is not a replacement for any of the proposals from the group. We need to do the due diligence, before coming up with a final decision.. It is only data. I would like to know what it would cost to convert that to a senior center.

VOTED 5-0-0

Mr. Timson would like a number for the cost to tear the building down.

Joe Moraski spoke to the numerous issues that are involved with the old library dealing with ADA issue, boiler issues, and traffic issues. This building is too large for a senior center. There is no historic value to this building. We have wasted tons of staff time, the same situation that we wanted to move out of there. The number one recommendation should be followed. There are a lot of problems with this building.

MOTION moved by Mr. Timson to put a placeholder on the warrant to accomplish the number one recommendation of the committee, seconded by Mr. Kraus, VOTED 5-0-0

MOTION moved by Mr. Timson to put a placeholder on the warrant to convey the property, seconded by Mr. Kraus, VOTED 5-0-0

Will have Kevin Uniacke come to the Board in a few weeks to inform them of his findings.

#### OPEN FORUM

Mr. Hamilton raised the issue of the railroad crossing and the need for gates. Mr. Boynton will speak with counsel to find out if there is something, they can discuss.

#### Goals and Objectives:

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MOTION moved by Mr. Kraus to approve the Goads and Objectives for 2012, seconded by Mrs. Mackenzie, VOTED 5-0-0

1-5 Cathy's run

MOTION moved by Mrs. Mackenzie to approve the annual Cathy's race, seconded by Mr. Timson, VOTED 5-0-0

1-6 Sunday Entertainment

MOTION moved by Mrs. Mackenzie to approve the Sunday Entertainment licenses for Walpole Footlighters, seconded by Mr. Timson VOTED 5-0-0

1-7 FEMA Map

MOTION moved by Mr. Timson to place an article on the SATM regarding the adoption of the FEMA Maps, seconded by Mr. Gallivan, VOTED , 5—0-0

1-10 Verizon Funding

MOTION moved by Mrs. Mackenzie to approve the use of \$5,000 from Verizon Cable funds to improve the communications and technology in the Emergency Operations Center seconded by Mr. Gallivan, VOTED 5-0-0

1-11 Job Descriptions

MOTION moved by Mrs. Mackenzie to approve the non union job descriptions as presented, seconded by Mr. Gallivan, VOTED 5-0-0

1-12 Acceptance of Gift

MOTION moved by Mr. Timson to accept a gift in the amount of \$205.00 for the Council on Aging, seconded by Mr. Gallivan, VOTED 5-0-0

1-13 Acceptance of Gift

MOTION moved by Mrs. Mackenzie to accept a gift in the amount \$600.00 from New Pond Village Association for the Ambulance Gift Account, seconded by Mr. Timson VOTED 5-0-0

Town Administrator's Update

Economic Development Summit will be held on January 31, 2012 at 7 p.m.

Downtown Streetscape Meeting - Will be held on January 11<sup>th</sup> at Rafael's.

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FY 2013 budget Mr. Boynton reviewed the numbers with the Board members. His budget does not include any of these new positions. He is looking at doing a barebones budget.

Old Business

Mr. Berry talked about giving the restaurants the option of serving alcohol before noon on Sundays. Would like to see an article on the warrant to give restaurants the option to open early.

MOTION moved by Mr. Berry to place an article on the warrant to allow restaurants in Walpole to serve alcohol prior to noon on Sundays, seconded by Mrs. Mackenzie, VOTED 5-0-0

Mr. Boynton explained you need Town Authorization and each establishment would want to come back for change in hours. Mr. Berry believes Norwood and Foxboro may do this. He will like to send a letter to the establishments advising them the town is proposing this and ask if they wish to speak in support of it.

Chairman Kraus read the following Declaration.

I hereby declare that:

under G.L. c.30A, §21 (a)(2), the purpose of the executive session will be to conduct a strategy session in preparation for negotiations with nonunion personnel and/or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; and

under G.L. c.30A, §21 (b)(3) and (4), the purpose of the executive session will be to discuss litigation enforcement strategy relating to potential subdivision control law violations; and

That a discussion of the foregoing in open session could compromise the purpose for the executive session; and

That the Board of Selectmen shall not return to open session at the conclusion of the executive session.

MOTION moved by Mr. Kraus that the Board of Selectmen go into executive session, under G.L. c.30A, §21 (a)(2) and §21 (a)(3), for the purposes and reasons declared by the Board's chairman, with the Board not to return to open session at the conclusion of the executive session seconded by Mr. Timson, VOTED by roll call: Mr. Timson-Aye, Mr. Gallivan-Aye, Mr. Kraus-Aye, Mr. Berry-Aye and Mrs. Mackenzie-Aye

The Board moved out of executive session at 10:44 p.m.



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MOTION moved by Mr. Timson to adjourn at 10:45 p.m. seconded by Mr. Gallivan,  
VOTED 5-0-0