

Approved 5/13/14

A Regular meeting of the Board of Selectmen was held on Tuesday, April 29, 2014 beginning at 7:00 p.m. Mr. Berry was absent. The following members were present.

Mark Gallivan, Chairman  
Nancy Mackenzie, Clerk  
Christopher Timson  
Clifton Snuffer

Also present:  
Michael Boynton, Town Administrator

Mr. Gallivan called the meeting to order followed by the Pledge of Allegiance.

#### **ANNOUNCEMENTS AND PROCLAMATIONS**

4-45 MOTION moved by Mrs. Mackenzie to sign the Eagle Scout Proclamation for Armen Kaspar Andonian seconded by Mr. Snuffer, VOTED 4-0-0

Mr. Timson noted that F. Bradley Wellock is behind the Eagle Scouts. He has been a great asset to them.

4-46 Mr. Gallivan announced Electronic Recycling sponsored by the Junior Woman's Club of Walpole to be held on May 17.

Mr. Gallivan reported that last night there was a meeting on the superfund site on South Street. The presentation is on the web site on the Board of Health section. All Town Meeting members did receive this. There is a link under town news people can review the information that the RTM got as well.

#### **SPONSORED AGENDA ITEMS**

4-47 Public Hearing, New Officer/Director, for FU Restaurant Inc. d/b/a Asia Treasures

The Board had the completed application, a copy of the public hearing notice, comments from the Finance Department, and Police Dept have no issues.

MOTION moved by Mrs. Mackenzie to open the public hearing for New Officer and Transfer of Stocks for FU Restaurant Inc., seconded by Mr. Snuffer VOTED 4-0-0

Attorney Coleman representing the applicant on change in officers and transfer of stocks. Their father is going to pass along his stocks to his children. Yong Zhen Lin will remain the manager and she will be the president and is TIP certified. Mr. Timson pointed out we just had a compliance check in Walpole and your establishment past. We want to make sure our licensed servers are in compliance. Mr. Snuffer mentioned that

every time he has been there, the management is always friendly and courteous. No one in the audience asked questions.

MOTION moved by Mrs. Mackenzie to close the hearing, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to approve the Transfer of Stock and New Officers for Fu Restaurant, Inc. d/b/a Asia Treasures Restaurants for the All Alcoholic Common Victualler's License located at 399-401 High Plain St, Seconded by Mr. Snuffer, VOTED 4-0-0

4-48 Re-Appointments and New Appointments to Committees

**Adams Farm**

MOTION moved by Mrs. Mackenzie to appoint Gary Riggott to the A. Farm committee as an Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

**Board of Health**

Associate members

MOTION moved by Mrs. Mackenzie to appoint Richard Beauregard to the Board of Health as an Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Mona Bissany to the Board of Health as an associate member, seconded by Mr. Snuffer, VOTED 4-0-0

**Council on Aging**

Joanne Damish-Regular Courtney Riley asked me to stay on and I am happy to stay on. Mrs. Riley has made a big difference in the COA. To encourage anyone who is interested who would like to help or get involved to come on down,

MOTION moved by Mrs. Mackenzie to appoint Joanne Damish as a Regular Member on the Council on Aging, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Ann Murphy as a Regular Member to fill the unexpired term from Mary Dugdale to 4/1/15 on the Council on Aging, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Mary Dugdale as an associate member to the Council on Aging, seconded by Mr. Snuffer 4-0-0

**Cultural Council**

Regular Members

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MOTION moved by Mrs. Mackenzie to appoint Diana Dority to the Cultural Council as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Aicha Kelly to the Cultural Council as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

**Economic Development Commission (5 yr terms)**

Regular Members :

MOTION moved by Mrs. Mackenzie to appoint Paul Millette to the EDC as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Richard Shields to the EDC as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Beth Pelick to the EDC as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint John Hasenjaeger to the EDC as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

Associate Members:

MOTION moved by Mrs. Mackenzie to appoint Paul Lunn to the EDC as a Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint John Keefe to the EDC as a Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Michael Slemmer to the EDC as a Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

**Education Fund Committee**

Regular Members:

MOTION moved by Mrs. Mackenzie to appoint Laura Devlin to the Education Fund Committee as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Beth Muccini to the Education Fund Committee as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

**Pond Management Committee**

Regular Members:

Eric Skogseth John Nolan town Planner, he was the gentleman that designed bird park This was prepared for the Bicentennial. Book John Nolan new towns for old.

MOTION moved by Mrs. Mackenzie to appoint Eric Skogseth to the Pond Management Committee as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

Associate Members

MOTION moved by Mrs. Mackenzie to appoint Ken Southwood to the Pond Management Committee as a Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

**Recreation Committee**

Regular Members:

MOTION moved by Mrs. Mackenzie to appoint Susanne Murphy to the Recreation Committee as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

Associate Members

MOTION moved by Mrs. Mackenzie to appoint Richard McCarthy to the Recreation Committee as an Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

New Applicants for Associate

Jeffrey Hutnick new comer to the Town. He was a Police officer for the Town of Brookline. Giving back, volunteering. I am a big customer at the Recreation dept, so he wanted to step up. NM to appoint him as associate, CS 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Jeffrey Hutnick to the Recreation Committee as an Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

Joseph Grant has been a resident for 12 yrs, have been doing some recreation things. I love helping out over there. Really enjoy the committee.

MOTION moved by Mrs. Mackenzie to appoint Joseph Grant to the Recreation Committee as an Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Michael McGrath to the Recreation Committee as an Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

**Trust Fund Commissioners**

MOTION moved by Mrs. Mackenzie to appoint John Sheehan to the Trust Fund Commission as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

**Town Forest Committee**

Richard Adams-Regular- has been doing some tree cutting. Nice and open over time. Come back in the fall and do areas behind the high school. Putting bridges around. Look at some monuments for the 100<sup>th</sup> anniversary.

MOTION moved by Mrs. Mackenzie to appoint Richard Adams to the Town Forest Committee as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to appoint Richard Adams to the Walpole Trails Committee as an Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

New Applications for Associate seat

Joseph Bickford –lived in town for 40 years and the forest is a beautiful place.

MOTION moved by Mrs. Mackenzie to appoint Joseph Bickford to the Town Forest Committee as an Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

Gabrielle Ehrlich –Moved to town in 2005, and was unaware of Walpole we came to some houses and one is across my house. My partner is an arborist. I think I can bring a lot to the table. The bicentennial is so exciting, opportunity to showcase Walpole. I brought brownies.

MOTION moved by Mrs. Mackenzie to appoint Gabrielle Ehrlich to the Town Forest Committee as an Associate member, seconded by Mr. Snuffer, VOTED 4-0-0

**Veteran's Service Committee**

Regular Members

John Robinson Jr. after 1980 member. Current Chairman and wish to continue the work.

MOTION moved by Mrs. Mackenzie to appoint John Robinson Jr. to the Town Forest Committee as a Regular member filling the spot for after 1980, seconded by Mr. Snuffer, VOTED 4-0-0

**Walpole Trails Committee**

Regular Members

MOTION moved by Mrs. Mackenzie to appoint Gary Riggott to the Walpole Trails Committee as a Regular member, seconded by Mr. Snuffer, VOTED 4-0-0

The Board thanked everyone for coming down, we do not get to see you and we appreciate everything you do. You found something. Mr. Boynton also commented on the great work volunteerism.

OPEN FORUM- No one present

4-49 Spring Town Meeting Article #26

This article relates to the request for an additional All Alcoholic and Beer and Wine licenses. The Board had discussed this issue a few meetings ago and since that time had

spoken to people at the State House. There does not appear to be any issue with the Board supporting this and then later seeking additional licenses.

Mrs. Mackenzie does not want to hold back a business that is trying to expand. We should charge the EDC to look at this further and report back to us. This would not have any impact if we want to go forward. Mr. Snuffer suggested coming back with a plan moving forward

MOTION moved by Mrs. Mackenzie to recommend Favorable Action on Article #26 of the STM, seconded by Mr. Timson VOTED 3-1-0

4-50 Junk Dealer/Junk collector

The Board was presented with the following renewals. **Allied Recycling; ECO-ATM Inc.; Game Stop; Keystone Jewelers; Re-Plays; Second Glance; Westside Stamp & Coin** . The Board is considering amending the Junk Dealer/Junk Collector requirements by requiring those that take in jewelry to take photos of the items.

MOTION moved by Mrs. Mackenzie to renew the Junk Dealer/Collector licenses as presented, seconded by Mr. Timson, VOTED 4-0-0

4-51 Union Station , Letter from Historical Commission

Board reviewed letter from Historical Commission dated April 22, 2014 requesting the Board's support of placing Union Station on the National Register. Mr. Boynton explained that Ms. Mercandetti had reached out to Manzo group and they have no issue with that. All would be in order to give a positive recommendation.

MOTION moved by Mrs. Mackenzie to support the efforts of the Walpole Historical Commission to have Union Station listed on the National Register of Historic places, seconded by Mr. Timson, VOTED 4-0-0

4-52 Job descriptions, Recreation Director and Elder Service Advocate

The Board reviewed the proposed changes to the job description for Recreation Director and Elder Service Advocate. Discussion as to why the change in the reporting structure in the Recreation Director and it was explained this is an opportunity to enhance the communication.

MOTION moved by Mrs. Mackenzie to approve the job description for the Recreation Director and Elder Service Advocate, seconded by Mr. Timson, VOTED 4-0-0

4-53 Barberry Homes, Traffic Study

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Mr. Boynton explained the town is in receipt of a request from Laura Vaites, dated April 22, 2014 representing the neighbors on Moosehill Road asking for a review of the traffic study done on Barberry Homes. Hope to have a traffic engineer by the end of the week. There will need to be a Reserve fund transfer to pay the consultant. If there is a need for any other peer reviews they will come back to the Board for approval.

MOTION moved by Mr. Snuffer to approve the request to conduct a peer review of the traffic study for Barberry Homes seconded by Mrs. Mackenzie VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to support the Reserve Fund Transfer in the amount of \$10,000 for the Traffic study peer review, seconded by Mr. Snuffer VOTED 4-0-0

4-54 Live music, Sportsman's Club

MOTION moved by Mrs. Mackenzie to approve the request for Live Music at the Sportsman's Club on June 28, 2014, seconded by Mr. Timson 4-0-0

4-58 Dianne Beatty, Request for Extension

MOTION moved by Mrs. Mackenzie to grant the request of Dianne Beatty for an extension of time of additional 120 days on the Board's Policy for use of the liquor license within 90 days, seconded by Mr. Timson VOTED 4-0-0

Municipal Facilities Financial Planning

Mr. Boynton reviewed the Municipal Facilities Financial planning scenarios. The document shows the Maguire Estimates, Option 1 and Option 2 for a debt exclusion override to construct a Police Station, Senior Center, Fire station with Old Town Hall merger, DPW renovations and vehicle maintenance garage, East side site work and demolition, West side parking lot costs, town hall renovations and Owner's project manager.

He reviewed what the average cost to taxpayers would be based on a home value of \$406,431. These figures are for the debt exclusion only.

The town is going to have some added costs to parking lot on South Street. That would be \$150,000. These are the numbers Maguire group recommended. These are best estimates on their program and project at that time. The owners project manager is an added cost. These figures are a year old but confident in where we are headed. Try to customize the project for Walpole's needs.

Mr. Snuffer spoke of the full facility solution going forward, we need to remember we have 40 to 50 year of buildings that have been overused. When you look at the ability to take 1/3. Maguire report they were generous in the overall attitude in their fee structures.

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I anticipate our bond rating would stay, I would head for the \$21,158,000.00. It is financially feasible.

Mr. Timson stated we have such an opportunity with the superfund site, one of the keys in that and making it productive, is to go ahead with this project. All the groundwork that has been done, and we are solving the superfund site as well. When you look at the costs over time, that will enhance the value of their own properties. I hope citizens will look upon this favorable.

Mr. Gallivan explained when you look at the past 50 years we have been lacks in addressing these buildings and these will address the next 50 years. Mr. Timson does not want to come in below reality. If we are going to do it, let's try to do it right the first time around.

MOTION moved by Mrs. Mackenzie to support Option 1 estimate for \$21,158,000.00 , that would be the requested debt exclusion, seconded by Mr. Timson, VOTED 4-0-0

Mr. Gallivan will make a presentation under Article 1 at the Spring Town Meeting. It was suggested the town needs to let people know we are looking for people who would want to be involved. See if we can get on some Agendas of organizations. Get the committee together. Get outside people going. Get a timeline. NM in order for us to get letters out, Lions, Chamber, PAC go to their meetings. Mr. Timson suggested putting together a schedule when some of these meetings are . So we know when we can get there.

#### Town Administrator's Report

RT1A update-Mass DOT the mill and overlay of Main Street South of the center will take place over the next month.

The Walmart process is moving forward as far as the signals are concerned.

Town Clean Up Day-will be held on May 3, 2014

#### Town Meeting Articles

##### Article 5.

MOTION moved by Mr. Timson to recommend No Action seconded by Mrs. Mackenzie, VOTED 4-0-0

##### Articles 21,22,23,25

MOTION moved by Mr. Timson to recommend No Action on Articles 21, 22,23, and 25, seconded by Mrs. Mackenzie, VOTED 4-0-0



MOTION moved by Mr. Timson to recommend Favorable Action on Article 27, seconded by Mrs. Mackenzie, VOTED 4-0-0

FY2014-Town Legal Budget- Mr. Boynton is keeping a close eye on the budget

FY2014 Audit Report-The Auditors will come in sometime in May or June.

### **NEW BUSINESS**

Mr. Timson would like pictures before and after clean up.

### **OLD BUSINESS**

Mr. Timson announced Senator Keaning is coming tomorrow regarding the bill that has been before you, trying to get you to present a letter of support for that bill.

Mrs. Mackenzie noted that Father Tim is leaving the Blessed Sacrament and would like a Proclamation for him.

### **MINUTES**

MOTION moved by Mrs. Mackenzie to approve the minutes of April 1, 2014, seconded by Mr. Timson VOTED 4-0-0

MOTION moved by Mrs. Mackenzie to approve the minutes of April 8, 2014, seconded by Mr. Timson, VOTED 4-0-0

### **EXECUTIVE SESSION**

#### **Chairman's Statement**

- Under G.L. C.30A , §21(a)(6, 2,and 3 ), the purpose of the executive session will be for the following purposes;
- To consider the purchase, exchange, lease or value of real estate and legal known as Blackburn and Union Privileges Superfund Site (South Street) and to discuss the Memorandum of Agreement related to said property
- To discuss strategy in preparation for contract negotiations with non-union personnel
- To discuss strategy with respect to collective bargaining

- That a discussion of the foregoing issues in open session could compromise the purpose for the executive session ; and
- That the Board of Selectmen shall return to open session at the conclusion of the executive session to take any votes.

MOTION moved by Mrs. Mackenzie to enter Executive Session for the reasons stated by the Chairman , seconded by Mr. Timson VOTED BY ROLL CALL VOTE ; Mrs. Mackenzie-Aye, Mr. Snuffer-Aye, Mr. Gallivan-Aye and Mr. Timson-Aye

#### Memorandum of Understanding, Superfund Site

Mr. Boynton reviewed the final version with the members and noted it is as good as it gets. Hope as many neighbors go to Town Meeting because they need to.

#### Firefighter Contract

Mr. Snuffer supports the contract. Mr. Timson stated we should be prepared once this goes thru to change the non union to 60/40. The big target is the 60/40 all the way thru. This change would be for all new employees. Mr. Boynton explained the OPEB law is looking to freeze their current contributions by employees.

#### Police chief Contract

Mrs. Mackenzie left the room during this discussion. Mr. Gallivan had met with Chief Stillman and wanted to review the proposal with the members. Mr. Snuffer expressed concern for a three year contract he would like to see a two year. The biggest issue is retirement contribution. He is looking for 7%. Board members suggested going with dollar amount. Go to \$100. Mr. Gallivan will reach out to the Chief on this.

MOTION moved by Mr. Gallivan to exit Executive Session, seconded by Mr. Snuffer, VOTED BY ROLL CALL; Mr. Snuffer-Aye, Mr. Timson-Aye, Mr. Gallivan-Aye

Mrs. Mackenzie returned to the meeting. She had left the Executive Session as she did not participate in the non union contract discussion.

#### Firefighter Contract

MOTION moved by Mr. Timson to approve the Memorandum of Agreement dated April 28, 2014 with the Walpole Permanent Fire Fighters Association and to sign, seconded by Mrs. Mackenzie VOTED 4-0-0

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MOTION moved by Mr. Timson to recommend Favorable Action on Article 24, seconded by Mrs. Mackenzie, VOTED 4-0-0

Memorandum of Understanding, Superfund Site, South Street

MOTION moved by Mr. Timson to sign the Memorandum of Understanding between the Town of Walpole and W.R. Grace & Co.-Conn., and Covidien LP (Grace and Covidien are collectively, the Performing parties)for the Blackburn and Union Privileges Superfund Site located in Walpole seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Timson to adjourn at 9:30p.m., seconded by Mr. Snuffer, VOTED 4-0-0