

A regular meeting of the Board of Selectmen was held on Tuesday, January 6, 2015 beginning at 7:00p.m. in the Main Meeting Room of the Town Hall. The following members were present.

Mark Gallivan, Chairman  
Christopher Timson, Vice Chairman  
Nancy Mackenzie, Clerk  
Clifton Snuffer  
James Stanton

Also present:  
James Johnson, Interim Town Administrator  
Cindy Berube, Executive Assistant

Mr. Gallivan called the meeting to order at 7:10pm followed by the Pledge of Allegiance.

### **Moment of Silence**

Clem Boragine, who served on Board of Selectmen for 18 years, Board of Assessors for 22, Adams Farm and Brownfields committee  
and  
Henry Maiorana well known person in Walpole past away.

### **AGENDA ITEMS**

#### **1-1 Change in Manager, German Club**

Frank Kortenkaemper president of the German Club. Hans did not run for election this year and the club has annual elections by the members.

MOTION moved by Mrs. Mackenzie moved to approve the change in Manger from Hans Toegel to Frank Kortenkaemper for the Boylston Schulverein , German Club, seconded by Mr. Timson, VOTED 5-0-0

#### **1-2 Order of Takings & Acceptances**

*This is the final step in making the streets public ways as voted at Town Meeting.*  
Ms. Walker explained some is Registered and some is Land Court. All bond money has been released. There are no betterments for the residents of Hartshorn Road and Norton Ave.

Ms. Walker explained these were private roads but there was an appropriation at Town Meeting to pave the roads. She thanked the Norfolk County Engineers for all their

Norton Ave and Hartshorn Road

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order of taking of land for Norton Ave and to file in the office of the Town Clerk, seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order of taking of land for Hartshorn Road and to file in the office of the Town Clerk, seconded by Mr. Timson, VOTED 5-0-0

Millbrook Ave

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order of taking of land for Millbrook Ave and to file in the office of the Town Clerk, seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to accept, endorse and notarize Conveyance of easements and Utilities, Sewer Easement, and the Detention Area Maintenance Covenant for High Oaks IV subdivision, seconded by Mr. Timson, VOTED 5-0-0

Anderson Way

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order of taking of land for Anderson Way and to file in the office of the Town Clerk, seconded by Mr. Timson, VOTED 5-0-0

York Circle

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order of taking of land for York Circle and to file in the office of the Town Clerk, seconded by Mr. Timson, VOTED 5-0-0

Atlantic Court

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order of taking of land for Atlantic Court and to file in the office of the Town Clerk, seconded by Mr. Timson, VOTED 5-0-0

Dew Drop Way

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order seconded by Mr. Timson, VOTED 5-0-0

Hound Pack Circle

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order of taking of land for Hound Pack Circle and to file in the office of the Town Clerk , seconded by Mr. Timson, VOTED 5-0-0

#### Lexington Drive

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order of taking of land for Lexington Drive and to file in the office of the Town Clerk seconded by Mr. Timson, VOTED 5-0-0

#### Mansion Drive

MOTION moved by Mrs. Mackenzie to adopt, endorse and notarize the order of taking of land for Mansion Drive and to file in the office of the Town Clerk, seconded by Mr. Timson, VOTED 5-0-0

#### Acceptance of Conveyance of Easements and Utilities, Operation and Maintenance

MOTION moved by Mrs. Mackenzie to accept, endorse and notarize Conveyance of easements and Utilities, Operation and Maintenance Plan & Covenant, Addendum to the Operation & Maintenance Plan and Covenant and Grant of Utility and Roadway Easement for The Bird Estate , Subdivision (Anderson Way, Atlantic Court, Dew Drop Way, Hound Pack Circle, Lexington Drive, Mansion Drive, and York Circle) seconded by Mr. Timson VOTED 5-0-0

OPEN FORUM- No one present

#### 1-3 Use of Adams Farm, Todd Wedding

MOTION moved by Mrs. Mackenzie to approve the use of A. Farm for a Wedding on May 23, 2015 with restrictions on parking and No alcohol is to be served without approval and a permit from this Board, seconded by Mr. Timson 5-0-0

#### 1-4 Use of Adams Farm, Weekday Bike Race

MOTION moved by Mrs. Mackenzie to approve the use of A. Farm for weekday Mountain Bike race as requested, seconded by Mr. Snuffer

Mr. Snuffer wants to be careful that there is such a number of dates. Be careful taking on so many consecutive dates to make it a program, make sure the appropriate donations are made.

VOTED 5-0-0

#### 1-5 Use of Adams Farm Barn Burner Bike Race

MOTION moved by Mrs. Mackenzie to approve the use of A. Farm for Barn Burner Mountain Bike event on July 11 and July 12 with police detail being provided. No alcohol beverages

are to be served without approval and a permit from this Board. Seconded by Mr. Timson VOTED 5-0-0

Mr. Gallivan is glad to see they are getting more ways to use the property.

1-6, 1-7, 1-8, 1-9      Gift Acceptances

MOTION moved by Mrs. Mackenzie to accept the gift from new Pond Village Residents of \$1,000 to the Fire Dept. seconded by Mr. Snuffer, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to accept the gift from Bruce Gutierrez of \$250 to the Tree Gift Account, seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to accept the gift from Emanuel & Christina Monolopoulos of \$100 to the Library Gift Account, seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to accept the gift from Diana Skogseth of \$2,500 to the Ponds Committee for lodge maintenance and improvements, seconded by Mr. Timson VOTED 5-0-0

**Town Administrator's Update**

Introduced Mike Yanovitch- Mike is the new Building Commissioner. Mike told the Board he has been here for two months and when I first started here I had a department meeting. It has been a pleasure. Positive experiences some negative. Been great, met with Liz Dennehy the new Economic Development Officer to discuss issues. Mr. Johnson stated it is nice to have him on board he has been an asset.

Mr. Snuffer would like to have a sit down with him to look at rules and regs of the building codes

Mr. Gallivan spoke to the Board having workshops and inviting him into one to speak about.

Liz Dennehy- New Economic Development Officer spoke to it being her second day, she comes from Fall River. Hopefully can integrate this into the Planner's position. I am meeting with the Planning Board over the next few weeks. Look forward to working with this Board and the community. Interested in Planning and Zoning and how those things come together. I have been reaching out to different Boards to see what is going on.

Mr. Snuffer stated he was somewhat of a critic the way the original job was structured. I believe you bring expertise. Welcome and I would like to sit with you. Mr. Gallivan would like to invite her to a workshop.

Mr. Johnson informed the Board he is attending the MMA Conference Friday January 23 and 24.

MINUTES

MOTION moved by Mrs. Mackenzie to approve the minutes of November 12, 2014, seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to approve the Executive Session minutes of November 12, 2014, seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to approve the minutes of November 18, 2014, seconded by Mr. Timson, VOTED 5-0-0

### **NEW BUSINESS**

Workshops-the Board discussed when they would like to meet for workshops. They are looking at January 13, February 10 and March 3.

Jan 13, discussion on warrant articles, budgeting process, operating budget were we stand, capital budget. Health insurance numbers we can talk about. Spend time on the South St Cleanup. Quite a bit of work to do over there. Discussion on building plan, where do we go from here. Carry on with discussion economic development plan.

Mrs. Mackenzie spoke to the warrant being a priority.

### **OLD BUSINESS**

Mr. Gallivan reported there is a little going on with a Mass DOT issue. Today, Kraft and Mass DOT signed a MOU to work toward rail service to Gillette. People come to that other meeting. We will be getting that up on the web site. It is unclear where this will rank. A lot of open issues. There are people pushing on this service. See where it takes us. Baker is very realistic of the budget. I can't believe this is a high priority.

Mr. Snuffer suggested the fox line can be an asset to them. The transparency was not in evidence, looked deceitful. How does Mr. Mohler get called to task, for lack of transparency. There should be penalty. Mr. Gallivan stated it was upsetting to me that his started a year ago. Negotiating in secret, I now our reps were appalled.

Mr. Timson noted it does have to get the blessing from the Federal Level. People should let the Congressman Lynch know they do not want it. We are not in favor of this. He has a great track record when Walpole reaches out to him.

Mrs. Mackenzie said that the train stop could entice people to eat at patriot place whom might otherwise eat in Walpole's downtown

Mr. Timson had read in the Walpole Times about the HFLW. Governor Baker has appointed a new person. Maybe put together a letter telling them what we have been through. The Police Chief is coming in to talk about it and Mr. Snuffer wants to explore a continuation for onsite security and paid by HFLW. He would like to see protection of the occupants. The Co-ed aspect was dangerous. Our local community is providing a service level. Mitigation money for our time expended.

Mr. Timson felt it should not be a fight, between the town and HFLW. The services they provide are necessary. Are good for the kids that are there. Discouraging, it takes a turn away for what we can all be thankful for.

#### Sewer and Water Commission , Jarvis Farm

John Spillane, William Abbott, Roger Turner and Ken Fettig were present.

Mr. Johnson spoke of the joint meeting in which he was asked to draft a charge for the Jarvis Farm Committee. He forwarded it on to the Sewer and Water for feedback. Mr. Spillane stated that the Sewer and Water Commission would be in charge of this land. He was concerned with the draft language in the charge. He does not feel the Committee should be reporting to the Selectmen. It was explained the Selectmen charge committees and they advise.

Mr. Spillane we can take advice from others outside of this, but as far as controlling it, it is under the Sewer and Water. It was explained to him how the Selectmen and Adams Farm work. The Selectmen control the property but do not get involved in the activity. If you had a group that was just focused on that property, that could come back to you and you decide. This Committee would be more the day to day stuff. It gives this property a balanced outlook. That is the point of this committee. Down the road, you may want to be sitting down the road and someone comes to you with a Boy Scout idea. This is not about taking it away. Mr. Spillane explained they are limited to what we can do. Do not want to lose control of it as it Aquifer protection. The use committee, this will be pretty busy.

It was suggested to change the language in the first paragraph from "overseeing" to "advising" looking at this the first paragraph, maybe some of the maintenance could be overseen.

Mr. Gallivan suggested he think of this as an advisory committee. Think of them as people you trust you provide direction. If you do not like where they are going, they are not going anywhere. We are used to this type of committee. They can give you ideas. If you as a Board do not like it goes nowhere. Nothing would happen unless you agree.

Mr. Spillane would like to see it changed to read they would report to the S&W commissioners. Four members from S&W and two from BOS and one from Recreation.

Mr. Snuffer wanted them to know we do not want to take your powers, we represent the citizens of Walpole. This is only a draft; if you put 5 members in essence you are in a S&W meeting. Deep involvement on the part by the Interim TA, when we presented this to the public, we had the right to have Recreation. I had heard at that time you could get rid of the Cabins. That would have been w/o inventory, when the Board named it Jarvis Farm that was within your purview, that a bylaw does not exist. You will be amazed that a good working committee how much work they will do. This is only a draft; we are looking at it for the first time ourselves. Mr. Spillane would like to lease the place out at some point to get some money back.

Mrs. Mackenzie noted if you look at the charge, advising S&W on and work with the Board of Selectmen for budget. Mr. Spillane is concerned about finances, the rate payers are on the

hook for 3.5 million dollars. Help pay the ratepayers. Run as a camp, those activities have not caused any problem with our water system, veto power that may come up to be sure we do not damage. We have not met formally; we should come up with some suggestions.

Mr. Gallivan explained this would an advisory com that reports to you. You can ask them to look at things. Looking for diversity. You have complete veto power. List of people you like. I think there will be value for this. You need to set up and adopt the charge, before we can advertise it. I think it is important for us. To preserve this property, they report to you. When it comes to the budget, they have to stay friendly with this Board. It was decided that the Sewer and Water would appoint four members and the Selectmen would appoint 3.

### **Executive Session**

Chairman Declaration: read into the record

- Under G.L. C.30A, §21A(a)(3)(6) that the purpose of the executive session will be to discuss strategy with respect to all pending litigation regarding a project known as “The Residences at Moose Hill, Walpole” for which Barberry Homes, LLC seeks a Comprehensive Permit under Chapter 40B”

and further to discuss to discuss strategy with respect to the acquisition of Real Estate known as Blackburn Union Privileges located on South Street

that a discussion of the foregoing in open session could compromise the purpose for the executive session

That the Board shall return to open session for the purposes of adjourning

MOTION moved by Mrs. Mackenzie to enter Exec Session under G.L. C30A, Section (a)(3) and (6) for the purposes declared by the Board’s chairman (Roll Call) , seconded by Mrs. Mackenzie Voted roll call; Mr. Snuffer-Aye, Mr. Timson-Aye, Mrs. Mackenzie-Aye, Mr. Stanton-Aye, 5-0-0

The Board returned to open session to adjourn.

MOTION moved by Mr. Timson to adjourn, seconded by Mrs. Mackenzie,VOTED 5-0-0