

A Regular meeting of the Board of Selectmen was held on Thursday, May 30, 2013 beginning at 6:30p.m. in the Selectmen's office and reconvened to the Main Meeting Room at 7:00p.m. The following members were present:

Eric Kraus, Chairman
Michael Berry, Vice Chairman
Mark Gallivan, Clerk
Christopher Timson
Nancy Mackenzie

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

Mr. Kraus called the meeting to order in the Selectmen's office at 6:30p.m.

EXECUTIVE SESSION

Declaration by Chairman:

Mr. Kraus declares the following:

- Under G.L. c.30A, §21(2) the purpose of the executive session is to conduct contract negotiations with non union personnel
- A discussion in open session could compromise the purpose for the executive session; and
- The Board shall return to open session at the conclusion of the executive session.

MOTION moved by Mr. Gallivan to enter executive session for the purposes stated by the Chair and the Board shall return to open session seconded by Mr. Berry VOTED by roll call; Mr. Timson-Aye, Mr. Gallivan-Aye, Mr. Kraus-Aye, Mrs. Mackenzie-Aye and Mr. Berry-Aye

The Board moved out of executive session and resumed the meeting in the Main Meeting Room of the Town Hall followed by the Pledge of Allegiance.

Mr. Kraus read a statement . He is proud of what the Board has accomplished. To think we voted unanimously 99% of the time speaks volumes. Thanked each Board member and wished Cliff Snuffer good luck on his run for the open seat. Huge thanks to his wife and children grateful for their support, Thanks to Cheryl Caron thanked Mr. Boynton for his efforts. Thanks to Cindy Berube, Jim Johnson, Chief Stillman and Chief Bailey. Thanks to Ron Fucile thanks for the wisdom. He stated it has been rewarding for three years.

Sponsored Agenda Items

5-14 Town Administrator's Contract

We held an executive session to review the TA contract.

MOTION moved by Mr. Timson to renew and endorse a contract with Town Administrator Michael Boynton beginning July 1, 2013 through June 30, 2017 as presented in Executive Session, seconded by Mr. Gallivan

Mr. Kraus thinks the job that Mr. Berry and Mr. Gallivan did was great work. Mr. Gallivan explained the Board did review salary and compensation for comparative numbers for other towns. I believe going thru that process we are very pleased to extend the contract, our goal is to keep him working hard everyday. Very excited he will be here for another four years.

Mr. Berry appreciates Mr. Boynton's responsiveness and accountability. He is willing to meet with anyone and sit down with anyone. He serves the community well. There has been talk about change just for the sake of change. He has served this community well for years and happy to support this.

Mrs. Mackenzie believes as a town I think he does a great job leading by example. He has done a great job when he is here. Dept heads and he give so much of their time. I know it may seem weird, under the public meeting laws, anytime we talk about negotiations; they have the right not to have that in the public.

Mr. Kraus stated he has dealt with a lot of town officials in his work and he is a great Town Administrator.

VOTED 5-0-0

5-15 Street Opening Permit, East St and Meadow Lane

Ms. Walker, Town Engineer explained Columbia Gas is seeking waiver from the moratorium. It will be up August 2015. She could not give them the tie in permit. Small Road cuts. These two road cuts would allow CMA to complete the tie ins necessary to replace the entire section of 1927 bare steel main with plastic main in East Street.

Mr. Timson questioned if they going to provide a bond to run through the end of the moratorium. Be responsible for the trench. Columbia Gas agrees.

MOTION moved by Mrs. Mackenzie to approve the request of Columbia Gas for a Street Opening Permit on East Street and Meadow Lane subject to the applicant adhering to the conditions set forth in the memo from Town Engineer dated May 15, 2013, seconded by Mr. Gallivan VOTED 5-0-0

5-16 Common Victualler's, Rae's Fresh as Sunshine

This establishment is currently entitled "The Meat House". The owner no longer wishes to be part of the franchise and wants to change the name.

MOTION moved by Mrs. Mackenzie to approve the Common Victualler's License for Rae's Fresh As Sunshine previously known as The Meat House, seconded by Mr. Gallivan, VOTED 5-0-0

5-17 Security Camera Policy

A Resolution was past at Spring Town Meeting that the Board pass a Security Camera Policy before buying security cameras. It has been reviewed by Town Counsel.

Mr. Timson is satisfied. His concern is for peoples constitutional rights. We do not have voice recordings. As long as we are not voice recording we are side stepping. The town is also keeping the video for the proper amount of time. I think I can support this.

Mr. Berry questioned in Section A, does that mean for each location? Mr. Johnson stated they will send a plan to you. I will have the Board review prior to sending it out. The Video recording shall be maintained by the IT department. The goal is not to ensure a perpetual record. I think it is straight forward. Having a written policy in place is the way to go.

Mrs. Mackenzie would like to amend Section A- have it read; After final approval. Instead of with final approval of the Board of Selectmen.

MOTION moved by Mrs. Mackenzie to approve the Security Camera Policy with recommended change to Section A, seconded by Mr. Timson, VOTED 5-0-0

5-18 Special State Election Warrant

MOTION moved by Mrs. Mackenzie to sign the Special State Election Warrant for June 25, 2013, seconded by Mr. Gallivan, VOTED 5-0-0

5-19 Chapter 90 Project Request

This is for Type I resurfacing for portions of Elm Street, Front Street, Pemberton Street, Plimpton, Washington, and Diamond.

MOTION moved by Mrs. Mackenzie to sign the Chapter 90 Project Requests for Type I resurfacing seconded by Mr. Gallivan, VOTED 5-0-0

5-20-5-22 Gift Acceptances

MOTION moved by Mrs. Mackenzie to accept the gifts from Jonathan Francis & Weihong Zhao, Rockland Federal Credit Union and Mary Ann Collins with gratitude, seconded by Mr. Gallivan, VOTED 5-0-0

5-23 Bridge Agreement with Comcast

Attorney Hewig has drafted an agreement we are waiting for Comcast to review and comment and hope to have something for the Board next Tuesday

5-24 Night Before the Fourth Event

The Board received the annual request to hold the Night before the 4th celebrations. MOTION moved by Mrs. Mackenzie to approve the request to close the following streets on Wednesday July 3rd with a rain date of Sunday July 7th for the annual Night Before the Fourth Celebration.

- Stone Street from Main to School Street to Diamond Street.
- School Street from Common Street to East Street.
- East Street from Rose Court to Washington from 4-6 p.m. for pre parade staging.

And Further approved;

- The use of Morgan Field and immediate area for both dates;
- The use of the Town Hall field for both dates;
- The use of the restrooms at Blackburn Hall for both dates

Seconded by Mr. Gallivan, VOTED 5-0-0

5-25 Concerts on the Common

MOTION moved by Mrs. Mackenzie to approve the request to hold the concerts on the common as requested, seconded by Mr. Berry, VOTED 5-0-0

5-26 Use of Adams Farm, Butterfly Release

MOTION moved by Mrs. Mackenzie to approve the use of A. Farm for butterfly release seconded by Mr. Gallivan, VOTED 5-0-0

Minutes

MOTION moved by Mrs. Mackenzie to approve the minutes of April 30, 2013, seconded by Mr. Berry, VOTED 5-0-0

Announcements

Mr. Kraus expressed his appreciation to John Cogan and John Robinson for a beautiful Memorial Day. Job Well done.

7:30 OPEN FORUM – No One

Assistant TA Report

Comcast- mentioned the license.

WCTV-Discussions with WCTV are ongoing. The Board may want to consider formally delegating Mr. Gallivan and Town Administrator as agents of the Selectmen and continue negotiations.

Bidding-In the middle of busy bidding season. Will have formal recommendations to Board for awards in June and July.

New Businesses

Mrs. Mackenzie stated here first request after graduation, do a ground breaking, working under the Friends of the Walpole Community Athletic Complex.

MOTION moved by Mrs. Mackenzie to authorize Selectmen to host a ground breaking at the High School for Press box, seconded by Mr. Berry, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to authorize the Press box committee to follow up with a fundraising event, to serve wine and cheese at the Library/Blackburn, seconded by Mr. Timson, VOTED 5-0-0

Mr. Timson expressed his pleasure working with Eric his leadership has been exemplary. We will miss you.

Coalition Business- with regards to the two bylaws they are proposing. Social host bylaw, potential fine, the additional regulations for liquor holders. Geared to no underage service of alcohol. I do not know when those will get presented to the Board.

John Carmichael when they changed the law to 1oz or less of marijuana a civil offense. The state did not fund the educational part of it. I was thinking we should send a letter to our State Legislators, why has this not be funded.

Old Business

Mr. Gallivan updated the Board on WCTV in the process of negotiating with them. To determine if they will be our PEG provider. We did send a contract that we were looking at. I do not think they feel comfortable.

5 key points: Compliance with Open Meeting Law- they are open to discussion
Ethics and Conflict of Interest-They are ready to discuss
Recomposing Board, for more input- open to having discussion
Annual Audit-They stated a year end audit and will continue to discuss
No Compensation for Board-they are open to discussing this issue.

MOTION moved by Mr. Kraus the Board vote to designate Mr. Gallivan and Mr. Boynton to have additional discussion with WCTV Board of Directors w/o lawyers seconded by Mr. Timson

Board took the motion off the table. Will check with Counsel to see if the Open Meeting Law applies.

Mr. Timson discussed the recreation Volunteer program. Younger kids' volunteer one aspect is one type of reward. Aicha Kelly likes to work on trips for these kids. They do not have funding for bus.

MOTION moved by Mr. Timson to ask the Town Administrator to find funding for the three bus trips, seconded by Mr. Kraus, VOTED 5-0-0

Mr. Berry talked about A-Frames, perhaps come up with a better policy for them.

MOTION moved by Mrs. Mackenzie to adjourn at 8:00pm, seconded by Mr. Timson VOTED 5-0-0