



TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS

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September 30, 2022

Dear Representative Town Meeting Member,

Enclosed you will find materials to help you prepare for the 2022 Fall Annual Town Meeting which is set to begin at 7:30PM on Monday October 17, 2022 at the Walpole High School. This Warrant will address a wide range of Town matters. Some articles of note that I would like to bring to your attention include:

Article 2 – Fiscal Year 2022 Budget Adjustment

This is a standard article that is on the Warrant each Fall to address the current Fiscal Year budget. This year, Town Meeting is being asked to consider a request of \$217,500 to modify the budgets listed below. The requested budget adjustments are:

<u>Department</u>	<u>Amount</u>	<u>Account Number</u>
➤ Legal	\$85,000	01151200-573500
Explanation – It is expected that additional funds will be needed for multiple legal cases pending with Land Use Boards and the Board of Assessors have requested funds in anticipation of court cases at the Appellate Tax Board concerning commercial property owners and their assessment.		
➤ Town Clerk Salary line	\$22,271	01161100-511000
➤ Elections Salary	\$7,729	01163100-511300
Explanation - Funds will be needed for additional Federal election costs and Town Clerk Salary line.		
➤ Assistant own Accountant Salary line	\$23,500	01135100-511010
Explanation - Funds needed for additional costs incurred in the Salary line. A new Assistant Town Accountant was hired in mid-July.		
➤ Board of Assessors salary line	\$20,000	01411100-511010
Explanation - Funds needed for additional costs incurred in the Salary line. The additional funding is needed the Deputy Assessor position.		
➤ Police Gas/Diesel Fuel line	\$24,000	01210200-541000
➤ Fire Police Gas/Diesel Fuel line	\$29,500	01220200-541000
➤ Cemetery Gas/Diesel Fuel line	\$1,500	01491200-541000
➤ Parks Gas/Diesel Fuel line	\$4,000	01650200-541000
Explanation - Anticipated funds needed for fuel costs.		

The proposed funding sources for these requests are \$167,500 from taxation (new growth) and \$50,000 from the Board of Assessors overlay account.

Article 3 – OPEB

This article addresses the Town's Other Post-Employment Benefits (OPEB) Account. The Finance Committee is recommending that \$1,000,000 be used from Free Cash. These are benefits (other than pensions) that state and local governments provide to their retired employees. These benefits principally involve health care benefits, but also may include life insurance, disability, legal and other services. The Fiscal Year 2022 ending market value balance in the OPEB account was \$7,702,515. The last actuarial audit determined the total unfunded liability was \$51,154,373.

Article 4 – Stabilization

This article addresses the Stabilization Fund. The Finance Committee is recommending that \$650,000 be transferred from Free Cash to the Stabilization Account. The purpose of the Stabilization Fund is to set aside money to mitigate unforeseen needs such as a reduction in state aid, or in instances where revenue is not meeting projections. As of the end of Fiscal Year 2022, the market value balance in the Stabilization account was \$9,603,991.

Article 5 – Capital Stabilization

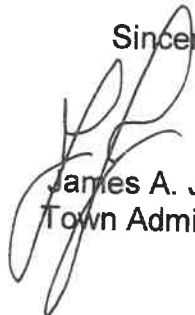
This article addresses the Capital Stabilization Fund. The Finance Committee is recommending \$1,150,000 from Free Cash be placed in the Capital Stabilization Account. The current market balance in the stabilization fund is approximately \$1,353,958.

Article 14 – Revolving Funds

This article requests that Town Meeting vote to make a few minor changes to the Town revolving funds that are outlined in the Warrant.

Please visit the Town's website to view the most recent information related to Town Meeting. Thank you for your service to the Town of Walpole and for the time that you devote to this process. Please feel free to contact this office or any other Town Official to address any questions or concerns you may have.

Sincerely,



James A. Johnson
Town Administrator

ARTICLE 12

MASSACHUSETTS WATER RESOURCE AUTHORITY INFLOW AND INFILTRATION LOCAL FINANCIAL ASSISTANCE

This request, if favorably acted upon will allow the Town to participate in the MWRA's Phase 12 and 14 Local Inflow and Infiltration Financial Assistance Program.

The financial assistance will be provided through a combination of grants and no interest loans. Under this article, the Town is requesting authorization to borrow the funds for the loan portion of the allocations as shown below:

	Grant	Loan
Phase 12:	75% grant of \$607,500	25% loan of \$202,500
Phase 14:	75% grant of \$622,500	25% of loan \$207,500
	GRANT \$1,230,000	LOAN \$410,000

***Phase 13** Communities are allowed to by-pass Phase 13 'stop-gap' funding stage which was a 100% interest-free loan and move directly from Phase 12 grant/loan funding into Phase 14 grant/loan funding.

Fall Town Meeting Article 13

School Transfers from Free Cash

Article 13: To see if the Town will vote to transfer from Free Cash a sum or sums of money to supplement the FY23 School Budget in the amounts equivalent to the following:

- Funds received for Medicaid reimbursements totaling **\$665,755**
- Funds deposited into the General Fund for Parking **\$31,700**
- Funds received for reimbursement of homeless transportation **\$1,600**

Total Transfer Request \$699,055

Medicaid Reimbursement- The School-Based Medicaid program allows cities and towns to seek cost-based reimbursement for providing medically necessary Medicaid services (direct services) to eligible MassHealth-enrolled children as well as administrative activities such as outreach and activities that support direct service delivery. Reimbursements are paid to the Town throughout the fiscal year and are deposited into the Town's General Fund. At the end of the fiscal year, the receipts become part of the overall free cash total for the Town.

As part of the annual budget process every year, the School Department estimates the reimbursement amount based on the current year's expenses and reduces the appropriated budget request for the following fiscal year by the corresponding amount. The School Department anticipates receipt of the reimbursed funding to offset the Extended School Year Summer Program for special needs students and salaries for instructional staff that support the delivery of Medicaid services throughout the school year. This arrangement has been a long standing agreement between the School Department and the Town Administration.

Parking Receipts- Parking fees are collected each year by the Walpole High School administration and are deposited into the Town's General Fund and are declared free cash at the fiscal year end. The School Department reduces their appropriation request for the yellow bus transportation contract by the amount of the projected parking receipts.

McKinney-Vento Reimbursement- To limit the educational disruption caused by homelessness, the McKinney-Vento Act provides students experiencing homelessness the opportunity to continue attending their school of origin even though their temporary housing has moved to another Town. In order to meet this mandate, school districts in some cases are required to provide transportation to and from the students' school of origin. The expenses incurred for this transportation are partially reimbursed by the federal government. The reimbursement is received into the Town's General Fund and becomes part of the overall free cash position at the conclusion of the fiscal year. The funds are transferred to the School Department in the following fiscal year to offset the ongoing expense of homeless transportation.

To: Town Meeting Representatives

From: Bylaw Review Committee

Date: September 28, 2022

RE: Article 15 – 2022 FATM

The Bylaw Review Committee was reenacted at the Fall 2021 Town Meeting and is composed of a RTM representative selected from each precinct. The Committee is responsible for the review of the Town's Administrative Bylaws and subsequently presenting a report, including recommendations and revisions or recodifications, to the next annual Fall Town Meeting (October 17, 2022).

The Committee has been meeting monthly to review and discuss the 18 Administrative Bylaws under our purview. Our review has been focused on ensuring that the bylaws contain gender-neutral language, are in line with best practices and that any statutory references are up to date.

During our review, the Committee sought the input of various Town leaders including the Select Board, Town Administrator, Town Clerk, Finance Director, Department Heads, Boards and Committees as well as Town Counsel. Through thoughtful deliberation the Committee has determined that:

- Eight (8) Chapters (1, 13, 34, 39, 93, 195, 202 & 210) require no recommended changes.
- Three (3) Chapters (5, 17 & 45) have been placed on hold for additional review.
- One (1) Chapter (187) required no action (as a result of Article 14 on the 2022 FATM Warrant).
- Six (6) Chapters (22, 88, 125, 177, 182 & 219) require changes to bring them in line with current practice and/or gender-neutral terms.

The Bylaw Review Committee would like to request an extension from Town Meeting in order to continue deliberation on the three (3) Chapters that are currently on hold (5, 17 & 45).

Below you will find a brief summary of the recommended modifications to each bylaw under Article 15 of the 2022 FATM Warrant.

Thank you in advance for your consideration of the proposed changes.

Sincerely,

Allyson Hamilton, Chair Bylaw Review Committee (Precinct 2 Representative)

Nancy Dayian (Precinct 1 Representative)

Patrick Fasanello (Precinct 3 Representative)

Brad Hickey (Precinct 4 Representative)

(Precinct 5 Representative)

David Blau (Precinct 6 Representative)

Doug Shea (Precinct 7 Representative)

Susan Shocket (Precinct 8 Representative)

Chapter 22 (Building Maintenance Advisory Committee)

- Strike Bylaw in its entirety
- The Building Maintenance Advisory Committee has been inactive for at least the past 18 years. The function of this Committee (to inspect public buildings at least once per year and act in an advisory capacity to any building committee) is currently performed by the Building Maintenance Department and various Department Heads.

Chapter 88 (Finance Committee)

- Modified language pertaining to the election of Officers to align with the current practice of electing officers at the first regularly scheduled meeting rather than in July.
- Removed references to “Chairman” and “Vice-Chairman” and inserted gender-neutral terms “Chair” and “Vice-Chair”

Chapter 125 (Meeting of Town Board)

- Current bylaw requires only elected boards to be available for recording and broadcast by cable television.
- Current practice is that most elected boards along with several committees/commissions (FinCom, Capital Budget, ZBA, Conservation Commission, etc.) are broadcast on Walpole Media.
- The proposed changes to the bylaw in line with current practice of having boards and committees/commissions televised, when media coverage or meeting space is available.

Chapter 177 (Records and Reports)

- Inserts language to mandate that all standing boards and committees comply with MGL c. 30A (Open Meeting Law) and its associated regulations (Public Notice, Hearings, Meeting Minutes.
- Changes to the bylaw are meant to encourage consistency between the various town boards, committees and commissions.

Chapter 182 (Recreation Committee)

- Strikes language requiring the Recreation Committee to submit an annual budget to be in line with the current practice of the Recreation Director creating a budget that is submitted to the Town Administrator.
- Modifies language so the Recreation Director is appointed by, and reports to, the Town Administrator rather than being appointed by the Town Administrator and under the control of the Recreation Committee. This will also align with current practice.

Chapter 219 (Town Meeting)

- Removes requirement to post the Town Warrant in two public places within each Precinct and inserts language to post the Warrant at the Town Clerk’s Office, Town Library and the Town’s Website.
- Warrant will continue to be mailed to every resident.

Chapter	Administrative Bylaws	Bylaw Committee Member	Recommended Actions
1	General Provisions	D. Shea	No Recommended Changes
5	Animal Control Officer	Section Review on Hold	ON HOLD - Pending Completion of three year intermunicipal agreement.
13	Bonds	P. Fasanello	No Recommended Changes
17	Building Committee, Permanent	N. Dayjian, J. Fisher	ON HOLD - Need to clarify when PBC is involved is involved with projects - \$2.5m threshold or \$5m. Add language for Recreational Facilities?
22	Building Maintenance Advisory Committee	N. Dayjian, J. Fisher	Strike Bylaw Entirely
34	Compensation, Additional	P. Fasanello	No Recommended Changes
39	Contracts and Purchasing	P. Fasanello, D. Shea	No Recommended Changes
45	Counsel, Town	D. Blau	ON HOLD - Need feed back from KP Law. Looking to clarifying Town Officer as Dept Heads Only/Boards&Committees and outline process to obtain legal opinion.
88	Finance Committee	A. Hamilton, D. Shea, J. Fisher	Section 88-2 - Modified Bylaw to include gender neutral terms and revised election of officer to align with current practice of electing officer at the first regularly scheduled meeting following the Annual Town Election
93	Fiscal Year	D. Shea	No Recommended Changes
125	Meetings of Town Boards	N. Dayjian	Inserting new language to require all elected and appointed Boards/Committee to be available for cable broadcast, subject to availability of media provider and a suitable meeting location.
177	Records and Reports	D. Blau	Added reference to Chap. 30A (Open Meeting Law) to help ensure the timely submission of meeting minutes, posting or agendas, etc.
182	Recreation Committee	D. Shea, J. Fisher	Modified Chapter to align with current organizational structure of Rec Director reporting to TA instead of Rec. Committee. Added notation about Rec. Director working in collaboration with the Rec Committee.
187	Revolving Funds	D. Shea, J. Fisher	No Action - Recommended Changes - renaming Turco Field and Maintenance Fund, Removing Net Metering, Adding Adams Farm and respective spending limits to be increased through separate FATM Article.
195	Select Board	D. Blau	Additional work may be needed on Performance Surety Deposits.
202	Surplus, Disposal of	B. Hickey	No Recommended Changes
210	Town Collector	B. Hickey	No Recommended Changes
219	Town Meetings	All	Removed language requiring posting Warrant at two locations in each precinct. Warrant to be available at Clerk's Office, Library and online.

Chapter 22 Building Maintenance Advisory Committee

[HISTORY: Adopted by the Town Meeting of the Town of Walpole as Article VII of the 1973 General Bylaws, as updated through 2002. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Permanent Building Committee — See Ch. 17.

§ 22-1 Appointment; membership.

§ 22-2 Powers and duties.

~~§ 22-1 Appointment; membership.~~

~~A Building Maintenance Advisory Committee shall be appointed by the Moderator; this Committee shall consist of no less than six members whose terms of office shall be three years. The Town Administrator shall be considered as a permanent advisor to the Committee. Members of the Building Maintenance Advisory Committee shall serve without personal remuneration.~~

~~§ 22-2 Powers and duties.~~

~~[Amended 10-21-2019-FATM, Art. 20]~~

~~The Building Maintenance Advisory Committee shall at least once a year make an inspection of all public buildings and grounds and make a written report to the Select Board, with copies to the Finance Committee and Town Clerk, specifying any and all repairs and alterations deemed necessary. This Committee shall also act in an advisory capacity to any building committee.~~

Chapter 88 Finance Committee

[HISTORY: Adopted by the Town Meeting of the Town of Walpole as Article VI of the 1973 General Bylaws, as updated through 2002. Subsequent amendments noted where applicable.]

§ 88-1 Submission Warrant articles; appointment of Committee.

§ 88-2 Election of officers.

§ 88-3 Recommendations on Warrant articles.

§ 88-4 Duty to appear before Committee.

§ 88-5 Finance Director.

§ 88-6 Incompatibility with most elected Town offices.

§ 88-1 Submission Warrant articles; appointment of Committee.

All of the articles in the Warrant of a Town Meeting shall be referred to a committee of 15 legal voters to be appointed by the Moderator and known as the Finance Committee.

§ 88-2 Election of officers.

The Finance Committee shall, at its first regularly scheduled meeting following the annual Town election, ~~annually in the month of July,~~ elect from its membership a Chairman, Vice-Chairman and Secretary and shall keep a true record of its proceedings. If such elections are not made promptly by the Committee itself, the Moderator shall cause a meeting of said board to be held for the purpose of conducting said elections.

§ 88-3 Recommendations on Warrant articles.

The Finance Committee shall act, on all articles on the Warrant, as an advisory committee to the Town and shall report in writing its recommendations. These recommendations shall be distributed to each residence not later than seven days prior to each Annual or Special Town Meeting.

§ 88-4Duty to appear before Committee.

The Finance Committee may require the various officers and boards of the Town to appear before it at such time and place as the committee may appoint, for information and conference upon matters referred to said committee. It shall be the duty of said officers and boards to appear before said committee at the specified time and place.

§ 88-5Finance Director.

The Finance Director shall serve as a non-voting member ex-officio of the Finance Committee.

§ 88-6Incompatibility with most elected Town offices.

Any member of the Finance committee shall be deemed to have vacated their appointment upon election to Town Office except for Representative Town Meeting Member.

Chapter 125 Meetings of Town Boards

[HISTORY: Adopted by the Spring Annual Town Meeting of the Town of Walpole 5-7-2012, Art. 27. Amendments noted where applicable.]

§ 125-1 Open sessions of meetings of elected boards to be available for broadcast by cable television.

All elected and appointed boards within the Town shall make open sessions of their meetings available for recording and broadcast by cable television, subject to availability of the cable provider and of the space needed in a Town building for such purposes, and subject to the reasonable requirements of the board chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. At the beginning of each meeting, the chair shall inform attendees of any such recordings and/or broadcast.

Chapter 177Records and Reports

[HISTORY: Adopted by the Town Meeting of the Town of Walpole as Article IV, Secs. 1, 2 and 4, of the 1973 General Bylaws, as updated through 2002. Subsequent amendments noted where applicable.]

§ 177-1Records.

§ 177-2Annual Town Report.

§ 177-3Indexed record of highways and Town ways.

§ 177-1Records.

[Amended 10-21-2019 FATM, Art. 20]

All boards, standing committees and officers of the Town shall cause records of their doings and accounts to be kept in suitable books in compliance with MGL c. 30A, §§18-25 and associated regulations. Said books shall be kept in their respective places in the Town offices and shall not be removed therefrom. Said record books shall be open to the inspection of citizens of the Town at any reasonable time, but shall remain during such inspection under the supervision of the board, committee or officer designated to keep charge thereof. In the case of any board or committee that does not have a paid clerk or secretary, the Town Clerk, pursuant to MGL c. 66, § 7, shall have custody of copies of their respective records made available for public inspection. The Select Board shall enforce this section.

§ 177-2 Annual Town Report.

A.

All boards, standing committees, special committees and officers of the Town having charge of the expenditure of money shall, in the Annual Town Report, give the citizens a fair and full understanding of the objects and methods of such expenditures, or non-expenditures, of previously appropriated funds, with reasons therefore, referring, however, to the report of the Treasurer or the Town Accountant for specific details and shall make therein such recommendations as they deem proper.

B.

All reports shall be placed in the hands of the Select Board for printing and publishing in accordance with the General Laws of Massachusetts.

[Amended 10-21-2019 FATM, Art. 20]

C.

The Select Board shall annually cause to be made available for the taxpayers of the Town, the reports of the officers of the various departments and boards of the Town, and reports upon such matters as directed by the Town and these bylaws. The Select Board shall have the custody and supervision of the distribution of said Annual Town Report.

[Amended 10-21-2019 FATM, Art. 20]

D.

The Town Clerk shall furnish for publication in the Annual Town Report an abstract of the official records of all Town Meetings held during the preceding year.

E.

The Town Clerk shall furnish for publication in the Annual Town Report an abstract of the vital statistics of the Town for the preceding year and such other data as may be requested by the Select Board or its agents.

[Amended 10-21-2019 FATM, Art. 20]

§ 177-3 Indexed record of highways and Town ways.

Whenever a Town way is laid out or altered, a plan thereof shall be made and filed in the office of the Town Clerk, with the location thereof, and it shall be the duty of the Town Clerk to keep a book of records for the sole purpose of recording the location of all highways and Town ways within the Town, with an index thereto.

Chapter 182 Recreation Committee

§ 182-1 Appointment; membership.

[Amended 10-21-2019 FATM, Art. 20]

There shall be a Recreation Committee consisting of five members appointed by the Select Board for three-year overlapping terms, so arranged that the terms of not more than two members shall expire each year.

§ 182-2 Powers and duties.

The Recreation Committee shall have full responsibility for and full charge of all recreation activities sponsored by the Town of Walpole, excluding only those under the jurisdiction of the School Department. The Committee shall have superintendence over all recreational plans to be sponsored, both short term and long range and they shall ~~submit annually to the Town, a budget for the ensuing year, and shall~~ make a report of their activities in the Annual Town Report.

§ 182-3 Recreation Director.

The Recreation Director, shall be appointed by the Town Administrator ~~shall be subject to and under the control of the Recreation Committee~~ and shall work in collaboration with the Recreation Committee.

Chapter 219 Town Meetings

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[HISTORY: Adopted by the Town Meeting of the Town of Walpole as indicated in article histories. Amendments noted where applicable.]

Article I Notice; Voting

[Adopted as Article I, Secs. 1 through 3, of the 1973 General Bylaws, as updated through 2002]

§ 219-1 Publication and posting of Warrant.

[Amended 10-21-2019 FATM, Art. 20]

The Select Board members shall give notice of Town Meeting, except adjourned Town Meetings, by publication in a locally distributed newspaper ^[LFG1] and by posting attested copies of the warrant calling the same at in at least two public places, including the Town Clerk's Office and the Town Library, in each precinct and on the Town's website and not less than seven days before the day appointed for such an Annual Town Meeting and not less than 14 days before any Special Town Meeting. The warrant for an annual or a special town meeting shall also be posted forthwith after execution on the Town's website, and may be posted in any additional locations at the request of the Select Board, provided, however, that the postings described in this sentence shall be deemed to be "unofficial" and shall not affect the validity of the notice for calling Town Meeting under the preceding sentence. ^[LFG2]

§ 219-2 Adjourned Town Meetings.

Notice of every adjourned Town Meeting, adjourned for more than seven days, shall, if time permits, be advertised in a locally distributed newspaper as soon as practical after adjournment.

§ 219-3 Criteria for count of vote.

On matters requiring a two-thirds vote by statute, a count need not be taken unless the vote so declared is immediately questioned by seven or more voters as provided in MGL c. 39, § 15.

Article II Town Meeting Committees

[Adopted as Article V of the 1973 General Bylaws, as updated through 2002]

§ 219-4 Report at Town Meeting.

It shall be the duty of all authorized Town Meeting Committees to report upon matters referred to them at the next Annual Town Meeting unless otherwise directed.

§ 219-5 Matters requiring notification by Town Clerk.

A.

It shall be the duty of the Town Clerk to immediately notify in writing, all members of any committees of the following;

(1)

Of any person that may be elected or appointed as a result of any Town Meeting,

(2)

Of all business upon which said committee has been designated to act,

(3)

The name of the committee,

(4)

A complete list of all appointees.

B.

Said notice shall be to any committee that may be elected or appointed as a result of any Town Meeting.

§ 219-6 Committee Chair.

[Amended 10-21-2019 FATM, Art. 20]

It shall be the duty of the Town Moderator to designate a Chair Pro Tem, for committees authorized by Town Meeting, to promptly call all members of the designated Committee together for organizational purposes.