

SPRING TOWN MEETING WARRANT 2021

TOWN OF WALPOLE

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To any constable in the Town of Walpole

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Walpole, qualified to vote in elections in town affairs, to meet at the Walpole High School, 275 Common Street in said Walpole on the

**FIRST MONDAY IN MAY, IT BEING THE
THIRD DAY OF SAID MONTH, 2021¹**

at 7:30 p.m. then and there to see if the Town will vote to amend the By-laws and Zoning By-laws said Town and act on the on the following articles

ARTICLE 1: To hear and act on the report of any committee or to choose any committee the Town may think proper and transact any other business that may legally come before the Town. (Petition of the Select Board)

ARTICLE 2: To see if the Town will vote to approve the amendments to the Personnel By-laws as recommended by the Personnel Board, as on file in the office of the Town Clerk, or do or act anything in relation thereto. (Petition of the Personnel Board)

ARTICLE 3: To see if the Town will vote to approve the new salary schedule as recommended by the Personnel Board, as on file in the office of the Town Clerk, or do or act anything in relation thereto. (Petition of the Personnel Board)

ARTICLE 4: To see if the Town will vote to raise and appropriate and/or transfer a sum or sums of money to defray cost of changes, if any, to the Personnel By-laws, or do or act anything in relation thereto. (Petition of the Personnel Board.)

ARTICLE 5: To see if the Town will vote to transfer from available funds a supplemental sum or sums of money to the various departmental operating budgets for Fiscal Year 2021 (July 1, 2020 to June 30, 2021), and to see what departmental budgets for Fiscal Year 2021, if any, may be reduced to offset said appropriations or to address any other reductions in funding, or do or act anything in relation thereto. (Petition of the Select Board)

ARTICLE 6: To see if the Town will vote to fix the salary and compensation for elected officials of the Town as provided for by the General Laws, Chapter 41, Section 108, for their services for the fiscal year commencing July 1, 2021 and to see what sum or sums of money the Town will raise and appropriate or transfer from available funds to defray departmental and incidental expenses of the Town for the fiscal year commencing July 1, 2021 not otherwise provided for, or do or act anything in relation thereto. (Petition of the Select Board)

ARTICLE 7: To see if the Town will vote to transfer a supplemental sum or sums of money from Water Enterprise Fund Retained earnings to be used as an additional funding source for the Fiscal Year 2021 Water Department operational budget, or take any action in relation thereto. (Petition of the Sewer and Water Commission).

¹ Please note that due to the current public health crisis created by the transmission of novel coronavirus COVID-19, the Moderator has exercised his discretion under G.L. c.39, §10A and issued a declaration and recess the Town Meeting to a different date and time (with consideration being given to holding such meeting on Saturday, May 1, 2021 at 10:00 a.m.). Please see the Moderator's recess notice which is attached to this Warrant.

ARTICLE 8: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Water Service Enterprise Fund to operate the Town of Walpole Water Department for the fiscal year commencing July 1, 2021, or do or act anything in relation thereto. (Petition of the Sewer and Water Commissioners)

ARTICLE 9: To see if the Town will vote to transfer a supplemental sum or sums of money from Sewer Enterprise Fund Retained earnings to be used as an additional funding source for the Fiscal Year 2021 Sewer Department operational budget, or take any action in relation thereto. (Petition of the Sewer and Water Commission).

ARTICLE 10: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Sewer Enterprise Fund to operate the Town of Walpole Sewer Department for the fiscal year commencing July 1, 2021, or do or act anything in relation thereto. (Petition of the Sewer and Water Commissioners)

ARTICLE 11: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to offset the financial impact of the snow and ice deficit on the current year tax levy, or do or act anything in relation thereto. (Petition of the Select Board)

ARTICLE 12: To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for the purpose of supplementing the Stabilization Fund as authorized by Chapter 40, Section 5B of the Massachusetts General Laws, or do or act anything in relation thereto. (Petition of the Select Board)

ARTICLE 13: To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for the purpose of supplementing the Other Post-Employment Benefits Liability Trust Fund (OPEB) as authorized by General Laws Chapter 32B, Section 20, or do or act anything in relation thereto. (Petition of the Select Board)

ARTICLE 14: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sum or sums of money as may be required for payment of unpaid bills of previous years incurred by the departments, boards and officers of the Town of Walpole, or do or act anything in relation thereto. (Petition of the Select Board)

ARTICLE 15: To see if the Town will vote to raise and appropriate and/or transfer from available funds, including the PEG Access and Cable Related Fund authorized by General Laws Chapter 44, Section 53F^{3/4}, a sum of money as a grant to the Walpole Media Corporation to operate the Walpole Cable Access and PEG Channels in FY2022, or do or act anything in relation thereto. (Petition of the Select Board)

ARTICLE 16: To see if the Town will vote to amend the Town Bylaws to the extent necessary to change Part 2: General Bylaws, Chapter 779: Solid Waste, by adding Article V (779-16):

Section I: Purpose

The purpose of this Bylaw is to protect the Town's natural beauty and irreplaceable natural resources by reducing the number of single-use plastic check-out bags that are distributed and used in the Town of Walpole and to promote the use of reusable bags.

Section II: Definitions

- a. **Checkout bag** shall mean a bag provided by a retail store to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by a consumer to deliver such items to the point of sale or checkout area of the store.
- b. **Retail Establishment** shall mean any business facility that sells goods directly to the consumer whether for- or not-for-profit, including, but not limited to, retail stores, full- and quick-service restaurants, pharmacies, convenience stores, grocery stores, liquor stores, seasonal and temporary businesses.
- c. **Reusable checkout bag** shall mean a sewn bag with stitched handles that is specifically designed for multiple reuse that:
 - i. can carry 25 pounds over a distance of 300 feet;
 - ii. is machine washable or made of a material that can be cleaned or disinfected more than 125 times; and

- iii. is made of either:
 1. natural fibers such as cotton or linen;
 2. durable, non-toxic plastic (other than polyethylene or polyvinyl chloride) that is generally considered a food-grade material and is more than 4.0 mils (0.004 inches) thick
- d. **Recyclable paper bag** shall mean a paper bag that is:
 - i. 100% recyclable
 - ii. contains at least 40% post-consumer recycled content; and
 - iii. displays in a visible manner on the outside of the bag
 1. the word “recyclable” or a symbol identifying the bag as recyclable; and
 2. a label identifying the bag as being made from post-consumer recycled content and the percentage of post-consumer recycled content in the bag
- e. **Thin Film Single-Use Plastic Bags** shall mean bags that are less than 4.0 mils (0.004 inches) thick and constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric).

Section III: Regulations

- a. No retail establishment in the Town of Walpole shall provide thin-film, single-use, plastic checkout bags to customers.
- b. If a retail establishment sells or distributes checkout bags, they must be either: recyclable paper bags, or reusable checkout bags. The retail establishment may charge for said bags.

Section IV: Enforcement and Penalties

- a. The Town of Walpole Board of Health, the Director of the Walpole Board of Health or the Director’s designee, or the Board of Selectmen’s designee shall have the authority to administer and enforce this bylaw.
- b. The first violation of the new bylaw, upon a determination that a violation has occurred, will result in the enforcing authorities issuing a written warning to the retail establishment describing the violation
- c. The penalty of each violation after receiving a written warning notice shall be:
 1. \$50 for the first violation
 2. \$100 for the second violation
 3. \$200 for the third and any violation following the third.
- d. Only one (1) penalty shall be given to a retail establishment within a seven (7) calendar day period.
- e. A retail establishment will be given fifteen (15) calendar days to pay the penalty after receiving the violation notice.
- f. Fines shall be cumulative and each day on which a violation occurs shall constitute a separate offense.

Section V: Effective Date

- a. This bylaw shall be put into effect by Walpole town officials, six (6) months after the approval from the attorney general for retail establishments with floor area equal to or exceeding 3,500 square feet. This bylaw shall take effect one (1) year after the approval from the attorney general for retail establishments with floor area less than 3,500 square feet. This might change due to COVID-19 related issues.
- b. The enforcing authorities may exempt a Retail Establishment from the requirements of this section for a period of up to six (6) months upon a finding that (1) the requirements of this section would cause undue hardship; or (2) a Retail Establishment requires additional time in order to draw down an existing inventory of thin-film, single-use check-out plastic bags.

Section VI: Exceptions

- a. Thin-film plastic bags normally without handles that are used for the temporary storage of newspapers, meat, bulk foods, produce, wet items, or pet waste are still allowed under this bylaw.

- b. During a pandemic or other public health crisis, where it is deemed necessary by the state that, for hygiene purposes, plastic bags are to be used (instead of reusable bags) in order to reduce the spread of disease, the town of Walpole may choose to temporarily suspend the ban for the period of time recommended by the state. If the state does not have a recommended time period on the suspension, the suspension shall be active for a period of time decided upon by the enforcing authorities, after which time, the continued suspension of the plastic bag ban must be re-evaluated.

Section VII: Severability

- a. Each provision of this regulation shall be construed as separate to the end that, if any provision, or sentence, clause or phrase thereof, shall be held invalid for any reason, the remainder of that section and all other sections shall continue in full force and effect.

Or do or act anything in relation thereto.
(Petition of Dheekshita Kumar)

ARTICLE 17: To see if the Town will vote to amend the Walpole Zoning By-law as follows:
Amending Section 4 Establishments of Districts to add Stadium Event Parking (SEP) **(new text in bold):**

Symbol Title

Overlay Districts

SEP Stadium Event Parking Overlay District

C. Overlay Districts.

(4) SEP – Stadium Event Parking Overlay District: The purpose of this district is to allow the safe and secure operation of private parking lots during events at Gillette Stadium, or its successor.

And to create a new Section 5-I. Stadium Event Parking Overlay with the following requirements **(new text in bold):**

Section 5-I. Stadium Event Parking Overlay

1. Purpose and Provisions

a. **The purpose of the Stadium Event Parking Overlay District is to protect the public health, safety, and general welfare of the Town of Walpole and to allow the safe and secure operation of private parking lots as an accessory use in conjunction with events at Gillette Stadium, or its successor.**

2. Establishment and Delineation of the Stadium Event Parking Overlay District

a. **The Stadium Event Parking District is hereby established as an overlay district superimposed on the underlying zoning districts. It includes all parcels within the Town of Walpole as delineated on a map entitled “Stadium Event Parking Overlay District, Town of Walpole, MA” which shows a ½ mile radius from the midline of Water Street at the Town of Walpole and Town of Foxborough boundary.**

b. **Any parcel within the radius is considered within the overlay district. Any parcel partially within the radius will also be considered within the overlay district.**

3. Stadium Event Parking Defined

Stadium event parking shall be defined as the temporary parking of automobiles in conjunction with events taking place at Gillette Stadium, or its successor.

4. Development Standards

- a. **No vehicle shall block or overhang the public way.**
- b. **There shall be safe ingress and egress from the property.**

- c. The area of each parking space must be at least 166 square feet.
- d. Stadium parking capacity shall be based on a minimum of 166 square feet per vehicle.
- e. Town departments may recommend fewer vehicles in an advisory report to the Building Commissioner in order to preserve safety, site circulation, conservation and community impact.

5. Approval

An application for Stadium Event Parking shall follow the procedures outlined in Limited Site Plan Review.

The Building Commissioner shall forward their decision to the Board of Selectmen for the review of an application for a parking lot license on the limited site plan review including a recommendation on the appropriate number of vehicles for a given site and any conditions necessary to facilitate the safe and secure operation of a private parking lot. The Building Commissioner shall also include in their decision comments from other town departments.

6. Invalidity Clause: The invalidity of any provision of this Section shall not invalidate all or any other provisions in this Section.

And to amend Section 13.6 Limited Site Plan Review subsection A. Applicability to add (new text in bold):

(3) All applications for Stadium Event parking in the SEP overlay are subject to limited site plan review.

Or take any action in relation thereto.
(Petition of Cynthia Enos-Hoag)

**the following additional text appeared below the signature page on the citizen petition for Article 17: Section 5-I. Stadium Event Parking Overlay*

7. Purpose and Provisions

a. The purpose of the Stadium Event Parking Overlay District is to protect the public health, safety, and general welfare of the Town of Walpole and to allow the safe and secure operation of private parking lots as an accessory use in conjunction with events at Gillette Stadium, or its successor.

ARTICLE 18: To see if the Town will vote the following action: to add the parcel of land having an address of 455 South Street as shown on the Town of Walpole Assessor's Maps as a portion of Lot 41-71 as shown on a plan entitled "Location Map, Neponset Solar, South Street, Walpole, Massachusetts" Scale 1"=500' dated December 28, 2020 drawn by Krebs & Lansing Consulting Engineers, 164 Main Street, Suite 201, Colchester, VT 05446 and more particularly described on Exhibit A, containing about 21.81 acres, to the Town's Large-Scale Ground-Mounted Solar Photovoltaic Overlay District and further to take any other such action as may be necessary thereto and in conjunction therewith.

(Petition of Philip H. Macchi)

ARTICLE 19: To see if the Town will vote the following action: to authorize the Board of Selectmen, or any other enabling authority, to enter into one or more PILOT agreements for payments in lieu of taxes pursuant to G.L. c. 59 Section 38H(b), with the owner of a solar photovoltaic facility to be installed on a privately owned parcel of land having an address of 455 South Street as shown on the Town of Walpole Assessor's Maps as Lot 41-71, and further to take any other such action as may be necessary thereto and in conjunction therewith.

(Petition of Philip H. Macchi)

ARTICLE 20: To see if the Town will vote to transfer the percentage of assets representing its current and future retirees' pension contributions from the Norfolk County to the Mass State Pension System in order to derive greater investment returns from more diversified funds and which is more prudently managed and less expensive, and which are expected to provide the Town of Walpole substantial savings over the long term with less appropriations required that will then lower the Town's assessments, further resulting in lower taxes needed to fund its retirees' pensions or do or act anything in relation thereto.

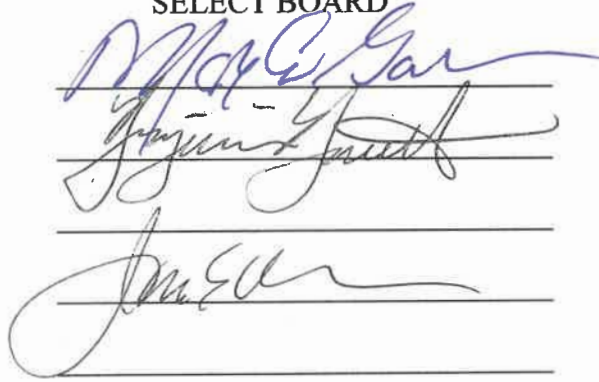
(Petition of Richard L. Pilla)

And you are hereby directed to serve this warrant by posting attested copies thereof in at least two public places in each precinct in said Town not less than seven days before the day appointed for said meeting

Hereof fail not make due return of this warrant with your doings thereon to the Town Clerk.

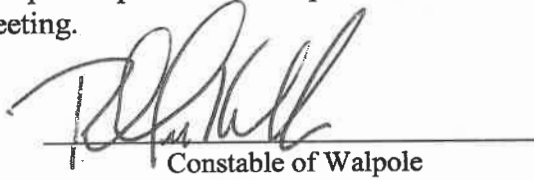
Given under our hands and the seal of the Town this 9 day of MARCH in the year two thousand and twenty one.

SELECT BOARD



A true copy:

By virtue of the within warrant I have notified the inhabitants of the Town of Walpole qualified to vote in elections and town affairs, to meet at the time and place for the purpose mentioned in said warrant by posting attested copies thereof in at least two public places in each precinct of said town not less than seven days before the day appointed for said meeting.


Constable of Walpole

March 24, 2021
Date Posted