

**FALL TOWN MEETING
OCTOBER 21, 2019**

Representative Town Meeting Appointments:

Prior to the Call to Order of the Fall Annual Town Meeting the RTM's of Precincts 1 and 3 met to fill vacancies in their membership in accordance with Section 2-7(B) 1 of the Walpole Town Charter.

The following individuals were elected by Secret Ballot to decide the tie vote at the Annual Town Election:

Precinct #3 – Maureen Martin Smith, 196 Baker St.

Precinct #8 – Susan Spendly, 15 New Fisher Lane

The following individuals were elected to fill vacancies in their respective precincts:

Precinct #1 - Jennifer Jackson, 76 Hound Pack Circle

Precinct #3- Jennifer Karnakis, 16 Rainbow Pond Dr. C2

Precinct #3- Robert O'Leary, 776 Washington St

RTM Members in Attendance:

PRECINCT 1	10/21	
M Ahigian	Y	
D Aikens		
A Alarie	Y	
E Barrows	Y	
N Dayian	Y	
J Geosits	Y	
D Hasenjaeger	Y	
J Hasenjaeger	Y	
Hempton	Y	
G Hodges	Y	
L Keefe	Y	
J Leith	Y	
G Maffei	Y	
S Maffei	Y	
J McAndrew	Y	
J Morley	Y	
C Walzer	Y	
J Jackson	Y	

PRECINCT 2	10/21	
R Ardine	Y	
M Breen	Y	
T Coyne, III	Y	
C Fletcher	Y	
B Gallivan	Y	
A Hamilton	Y	
Jordan-		
M Mercier		
V Khouri	Y	
N Lane	Y	
A Lawson	Y	
J Lombardi	Y	
S McAuley	Y	
D McCallum	Y	
J McLaughlin	Y	
D Pedersen	Y	
J Stanton	Y	
C Sullivan	Y	
A Walsh	Y	
Whelan-		
L Bratsis	Y	

PRECINCT 3	10/21	
J Bergen	Y	
E Damish	Y	
R Doty	Y	
J Fasanello	Y	
P Fasanello	Y	
K Fettig	Y	
L Golub	Y	
P Hinton	Y	
S Masterson	Y	
M McGrath	Y	
B Mullen	Y	
J O'Leary	Y	
M Ryan	Y	
M Sullivan		
C Turco-Abate	Y	
R Zaccaro	Y	
M Martin-Smith	Y	
J Karnakis	Y	
R O'Leary	Y	

PRECINCT 4	10/21	
R Brown	Y	
S Brown	Y	
J Burke	Y	
W Carroll	Y	
L Coletti	Y	
P Connelly	Y	
V Connelley	Y	
K Denizio	Y	
A Flowers	Y	
J Haner	Y	
S Hendricks	Y	
B Hickey	Y	
E Lynch, III	Y	
S McCarthy	Y	
F Murphy		
S Naughton	Y	
W O'Connell	Y	
J Takacs	Y	
M Trudell	Y	

PRECINCT 5	10/21	
E Burdon	Y	
H Clow,Jr	Y	
R Cunniff	Y	
C Dalton	Y	
P Drogan	Y	
J Fisher	Y	
D Freiburger	Y	
K Garvin	Y	
B Goba	Y	
D Gondelman	Y	
W Hamilton	Y	
M Harding-Clow	Y	
E Jackowski	Y	
J Mulligan	Y	
J Murtagh	Y	
B Norwell,IV	Y	
E Samargedlis		
C Shinnick	Y	
P Stasiukevicius	Y	

PRECINCT 6	10/21	
W Abbott	Y	
A Albert	Y	
C Blau	Y	
D Blau	Y	
T Bowen, Jr	Y	
T Brown	Y	
B Burke	Y	
A Devito	Y	
D Donnellan	Y	
R Donnellan		
A Grace	Y	
J Healy	Y	
J Hogan	Y	
J Lee		
W Lestan	Y	
S McDonald		
S Rose	Y	
K Syrek	Y	
M Young	Y	

PRECINCT 7	10/21	
B Barrett	Y	
R Buckley	Y	
W Buckley, Jr.	Y	
C Caron	Y	
D Clark		
D Culhane	Y	
N Culhane		
P Czachorowski	Y	
R Damish	Y	
E Forsberg	Y	
L Hoegler	Y	
P Hoegler	Y	
J Kelly	Y	
J Kenney		
M Markatos	Y	
R Nottebart	Y	
R Pilla	Y	
L Romanowiz	Y	
D Shea	Y	

PRECINCT 8	10/21	
H Brousaides	Y	
B Connor	Y	
P English	Y	
N Gallivan	Y	
R Giusti	Y	
K Greulich	Y	
S Khatib	Y	
M LaRosa	Y	
C Maciejewski		
J Moraski	Y	
B Muccini	Y	
J O'Neil	Y	
N O'Neil	Y	
J Rock	Y	
V Scena	Y	
S Shocket	Y	
S Spendly	Y	
Van der		
L Linden	Y	

**FALL TOWN MEETING
TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS
OCTOBER 21, 2019**

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 in the Auditorium of the Walpole High School located at 275 Common Street in said Walpole on the

***THIRD MONDAY IN OCTOBER, IT BEING THE
TWENTY-FIRST DAY OF SAID MONTH, 2019***

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

Moderator Daniel F. Bruce called the meeting to order at 7:26PM in the Auditorium of Walpole High School. All rules and regulations of an Annual Town Meeting were fulfilled and a quorum was present.

Town Clerk, Elizabeth Gaffey, attested to the proper return of the Warrant in accordance with the Bylaws of the Town of Walpole, Chapter 219, Town Meetings, Article 1. The Selectmen gave notice of the call of the Fall Annual Town Meeting by posting true attested copies of the Warrant calling the same in two (2) public posting places in each of the eight (8) precincts on September 5, 2019.

The Assembly pledged allegiance to the flag.

The National Anthem was sung by **Walpole High Treble Chorus:** Caitlin McCabe, Brianna McKeon
Allison Canavan, Shaylyn White
Catherine Lightbody

Town Counsel was represented by: **Lauren Goldberg KP|LAW**

New RTM members elected by caucus: Pct. 1 – Jennifer Jackson
Pct. 3 – Jennifer Karnakis and Robert O’Leary
Secret Ballot Tie Winners Pct. 3- Maureen Martin Smith
Pct. 8- Susan Spendly

The Moderator welcomed new department professionals:

Dr. Bridget Gough – Superintendent of schools
William Hahn- Asst. Superintendent of schools
Ashley Clark- Community& Economic Dev.
Chelsey Branco- Human Resources
Carl Balduf – Town Engineer
Drew Hand – New Highway Superintendent
Justin Monta- Parks and Cemetery Superintendent

Robin Chapell will be retiring at the end of November.

The Moderator thanked the following: League of Women Voters, Walpole Community Television, Clare Abril, Cindy Berube, Jim D’Attilio, National Honor Society, the Town Clerk, Liz Gaffey, Laura Bamford and the rest of the staff

David Blau, of the RTM Rules Committee brought forward the changes made by the committee regarding Method of Taking Votes. The change the committee wanted to implement is as follows:

5. METHOD OF TAKING VOTES

- a. There are ~~four~~ **five** methods for taking votes. They are Voice, Standing, Roll Call, **Electronic** and Secret Ballot.
- b. A motion will carry only when the affirmative vote, (i.e. “Aye” or “Yes”) meets the quantitative requirements established either by the General Laws, or any established procedural rules (majority, two-thirds, four-fifths, etc.). Any vote, requiring a majority vote for passage that ends in a tie shall result in defeat of the motion.
- c. Voice Vote:

The RTM members, when called upon by the Moderator, vote by voice; i.e.: “Aye” or “No”. This shall be the primary method of voting.
- d. Standing Vote:
 1. The Moderator shall conduct a Standing Vote in any of the following cases:
 - i. If the Moderator is unable to call a Voice Vote.
 - ii. If the motion being voted upon requires other than a simple or 2/3 majority, and the Voice Vote is not unanimous.
 - iii. If no less than seven (7) RTM Members stand and verbally call for a standing vote.
 2. The hall shall be divided into sections by the Moderator. Two Tellers for each section, chosen from the RTM Members, shall be appointed by the Moderator. The Moderator shall also appoint alternative Tellers, as needed, to temporarily replace any Teller who wishes to speak on an article. RTM members shall stand in accordance with their vote when asked to do so by the Moderator. The Tellers, for each section, shall each count the section, and agree on the count, or conduct a recount. The Tellers shall use the public address system to announce their count to the Moderator and the public at the same time. The Moderator shall count the votes of the Tellers by a show of hands.
- e. Roll Call Vote:
 1. The Moderator shall conduct a Roll Call vote in the following cases:
 - i. If prior to taking any vote, a motion is made from the floor, and seconded by no less than twenty (20) RTM Members. Such a motion requires a majority for adoption.
 - ii. If no less than twenty (20) RTM Members stand and challenge the call of a Standing Vote.

2. The Town Clerk shall call the roll, by precinct. RTM Members must respond to the Roll Call with “Aye”, “No”, or “Abstain”. At the conclusion of the calling of the roll the Clerk shall request the vote of any RTM Member that was not recorded earlier. The Moderator will call the results of a Roll Call Vote on the basis of those present and voting, assuming that a legal quorum is considered to exist.

f. **Electronic Vote:**

1. The Moderator shall conduct an electronic vote (replacing the standing count voting method) in any of the following cases:

- i. If the Moderator is unable to call a Voice Vote*
- ii. If the motion being voted upon require other than a simple majority or 2/3 majority, and the Voice Vote is not unanimous*
- iii. If no less than seven (7) RTM Members stand and call verbally for an Electronic Vote.*

2. The Moderator shall also conduct an Electronic Vote (replacing the Roll Call vote) in the following case:

- i. If prior to taking any vote, a motion is made from the floor, and seconded by no less than twenty (20) RTM Members. Such a motion requires a majority vote for adoption.*

f. g. **Secret Ballot Vote:**

1. A Secret Ballot Vote shall be conducted in the following cases:

- i. The Moderator shall conduct a Secret Ballot if prior to taking any vote, a motion is made from the floor and seconded by no less than twenty (20) RTM Members. Such a motion requires a two-thirds vote for adoption.
- ii. In the case of the absence of the Moderator, the election of a Temporary Moderator may be by Secret Ballot on a motion made and seconded from the floor. Such a motion requires a majority for adoption.

2. The RTM Members from each precinct, shall come to the front of the hall and register with a Teller and receive a Ballot. The RTM members will then mark the Ballot in the manner directed and deposit it in the Ballot Box. The Tellers will then count the Ballots with the Town Clerk. The Moderator will call the results of a Secret Ballot.

g. h. Motions for either a Roll Call Vote or Secret Ballot Vote are not subject to debate, nor may such a motion be reconsidered.

h. i. There is no appeal to the Moderator’s call of a Roll Call or Secret Ballot Vote.

2/3 Vote Required: DECLARED VOTED BY 2/3 BY THE MODERATOR

A RESOLUTION

RESOLVED:

That we the Representative Town Meeting Members inscribe upon the record of the Fall Annual Town Meeting of October 21, 2019;

Our recognition and sincere appreciation of the contributions rendered by the late Doris M. Foley, who passed away on May 30, 2019;

As a Representative Town Meeting Member from 1987 to 2001 in Precinct 4 and from 2004 to 2013 in Precinct 5;

And Further; *In acknowledgement of the Town's loss, we request the Moderator observe a moment of silence in Doris's memory;*

And Further; *That the Town Clerk be instructed to send a copy of this Resolution to Doris's family.*

A RESOLUTION

RESOLVED:

That we the Representative Town Meeting Members inscribe upon the record of the Fall Annual Town Meeting of October 21, 2019;

Our recognition and sincere appreciation of the contributions rendered by the late Ann S. Oulton, who passed away on June 21, 2019;

As a Representative Town Meeting Member from 1973 to 1975 in Precinct 6;

And Further; *In acknowledgement of the Town's loss, we request the Moderator observe a moment of silence in Ann's memory;*

And Further; *That the Town Clerk be instructed to send a copy of this Resolution to Ann's family.*

A RESOLUTION

RESOLVED:

That we the Representative Town Meeting Members inscribe upon the record of the Fall Annual Town Meeting of October 21, 2019;

Our recognition and sincere appreciation of the contributions rendered by the late Wallace M. Coburn, who passed away on August 24, 2019;

As a Representative Town Meeting Member from 1980 to 1981 in Precinct 4:

And Further; In acknowledgement of the Town's loss, we request the Moderator observe a moment of silence in Wallace's memory;

And Further; That the Town Clerk be instructed to send a copy of this Resolution to Wallace's family.

It was Moved and Seconded: To waive the reading of the Warrant.

DECLARED SO VOTED BY THE MODERATOR

It was Moved and Seconded: That all Motions of the Finance Committee be the Main Motions.

DECLARED SO VOTED BY THE MODERATOR

ARTICLE 1:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town will 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.

Walpole Housing Partnership - ***Audrey Grace and Philip Czachorowski reported the issues with their Articles for the Fall Town Meeting and discussed affordable housing***

Moderator Dan Bruce suggested articles to vote using the consent Agenda. The suggested Articles are 8, 9, 10, 11, 14, 15, 16 and 18.

Richard Pilla (P7) asked to have Articles 8 and 9 removed and Mary LaRosa (8) asked to have Article 11 removed from the list.

Consent Agenda articles voted on are Articles 10,14,15,16 and 18.

ARTICLE 10:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town vote to transfer from Free Cash the sum of \$592,871, an amount equal to that received from Medicaid reimbursement and student parking fees, to the FY' 2020 School Budget.

ARTICLE 14:

On Motion by the Finance Committee, It was Moved & Seconded:

That this matter be referred back to committee for further study.

As Printed in the Warrant:

That the Town vote to amend the Walpole Zoning Bylaws to include an inclusionary zoning bylaw, which bylaw requires large developments to include a certain number of affordable units, donate land for affordable housing purposes, or make a payment in lieu to the Walpole Affordable Housing Trust; for developments of 6 or more units, 10-20% of the units, depending on the size of the development, shall be restricted affordable in perpetuity; developers not wishing to provide these affordable units shall either make a payment to the Walpole Affordable Housing Trust, or may donate suitable property to the Town for future affordable housing development; this bylaw shall be administered by the Special Permit Granting Authority, as defined in the Walpole Zoning Bylaws; the purposes of such a bylaw would be to produce high-quality dwelling units affordable to low- or moderate-income households, to prevent the displacement of low- or moderate-income residents of Walpole, to assist the Town in addressing "local housing need", as defined in MGL c. 40B, §§ 20 through 23, and to assist the Town in implementing its Housing Production Plan. Or take any action in relation thereto.

ARTICLE 15:

On Motion by the Finance Committee, It was Moved & Seconded:

That this matter be referred back to committee for further study.

As Printed in the Warrant:

That the Town vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 55C, and establish a trust to be known as the Walpole Affordable Housing Trust Fund to provide for the creation and preservation of affordable housing in the Town of Walpole for the benefit of low and moderate income households; and, further, to see if the Town will vote to amend the Town of Walpole's General By-Laws by inserting the following Affordable Housing Trust Bylaw, as detailed below, and, in connection therewith, authorize the Town Clerk to assign appropriate chapter and section numbers to bring the bylaw into conformity with the Town Code. Or take any action in relation thereto.

Affordable House Trust

Section 1 Purpose

The purpose of the Walpole Affordable Housing Trust shall be to provide for the preservation and creation of affordable housing in the Town Walpole for the benefit of low and moderate income households and for the funding of community housing, as defined in, and in accordance with, the provisions of the Community Preservation Act, General Laws, Chapter 44B ("Chapter 44B"). The Trust shall be governed by a Board Trustees in accordance with Massachusetts General Laws Chapter 44, Section 55C and the authority granted by Town Meeting as set forth herein and as revised from time to time.

Section 2 Name of the Trust

The trust shall be called the "Walpole Affordable Housing Trust" (the "Trust").

Section 3 Board of Trustees

There shall be a Board of Trustees (the “Board”), comprised of five (5) members (a single “Trustee” or multiple “Trustees”), who shall be appointed by the Board of Selectmen. At least one (1) of the Trustees shall be a Selectman. The Trustees shall serve for a term of two (2) years, except that two of the initial appointments shall be for a term of one (1) year. Trustees may be reappointed by the Board of Selectmen for succeeding terms, without limitation. Vacancies shall be filled by the Board of Selectmen for the remainder of the unexpired term. Any Trustee may be removed for cause by the Board of Selectmen, after the opportunity for a hearing.

Section 4 Powers of the Board of Trustees

The powers of the Board, all of which shall be carried on in furtherance of the purposes set forth in G.L. c.44, §55C, shall include the following:

- a) to accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the trust in connection with any ordinance or by-law or any general or special law or any other source, including money appropriated by Town Meeting in accordance with the provisions of G.L. c.44B; provided, however, that any such money appropriated by the Town Meeting pursuant to G.L. c.44B shall be used exclusively for community housing purposes and shall remain subject to all the rules, regulations and limitations of that chapter, and such funds shall be accounted for separately by the Trust; provided further, that no later than one month following the end of each fiscal year, or such additional time as may be granted by the Town Administrator, the Trust shall ensure that all expenditures of funds appropriated to the Trust pursuant to G.L. c. 44B are reported to the Town Administrator and Community Preservation Committee;
- b) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income, provided, however, that the purchase of real or personal property for consideration equal to or greater than \$5,000.00 shall require the prior approval of the Board of Selectmen, unless funded in whole by an appropriation made by Town Meeting for that specific purpose or purposes;
- c) to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract; provided, however, that any sale, exchange, transfer or conveyance of any item of personal, mixed or real property for consideration equal to or greater than \$5,000.00 shall require the prior approval of the Board of Selectmen, unless previously specifically authorized by Town Meeting;
- d) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;
- e) to employ advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary, not to exceed \$5,000.00 per transaction, and, cumulatively, not to exceed \$10,000 in any fiscal year, unless previously approved by the Board of Selectmen;

- f) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Board deems advisable;
- g) to apportion receipts and charges between incomes and principal as the Board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
- h) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person, provided that such action has otherwise been authorized as set forth herein;
- i) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the board may deem necessary and appropriate;
- j) to carry property for accounting purposes other than acquisition date values;
- k) to borrow money on such terms and conditions and from such sources as the Board deems advisable, to mortgage and pledge trust assets as collateral; provided, however, that any borrowing, and any mortgage or pledge to secure an obligation, equal to or greater than \$10,000.00 shall require the approval of the Board of Selectmen, unless previously authorized or approved by Town Meeting;
- l) to make distributions or divisions of principal in kind;
- m) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this Bylaw, to continue to hold the same for such period of time as the board may deem appropriate; provided, however, that approval from the Board of Selectmen, or the prior approval of Town Meeting, shall be necessary to adjust any claim or accept any property in satisfaction of any indebtedness where the Board of Trustees reasonably determines that the value of the claim or amount of the indebtedness is equal to or greater than \$10,000.00;
- n) to manage or improve real property; and to abandon any property which the board determined not to be worth retaining;
- o) to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and
- p) to extend the time for payment of any obligation to the trust.

The Trustees shall refrain from exercising any powers in such manner as to violate the provisions of said G.L. c.44, §55C or are inconsistent with the provisions set forth herein.

Section 5 Declaration of Trust

The Board is hereby authorized to execute a Declaration of Trust and Certificate of Trust for the Walpole Affordable Housing Trust, consistent with G.L. c.44, §55C and this bylaw, to be recorded with the Norfolk County Registry of Deeds and filed with the Norfolk County Registry District of the Land Court.

Section 6 Funds Paid to the Trust

All moneys paid to the Trust in accordance with any Zoning Bylaw, exaction fee, or private contribution to the Trust, shall be paid directly into the Trust without requiring further approval or appropriation, and consistent with any rules established by said Trust. General municipal revenues appropriated into the Trust become Trust property and may be expended without further appropriation, subject to any of the provisions set forth herein or in the language of any appropriation or private contribution. All moneys remaining in the Trust at the end of any fiscal year remain Trust property subject to expenditure in accord with the provisions of G.L. c.44, §55C and this bylaw.

Section 7 Acts of the Board and of Trustees

A majority of the Board may exercise any or all of the powers of the Board provided for hereunder and may execute on behalf of the Board any and all instruments with the same effect as though executed by all the Trustees. The Board may, by instrument executed by all the Trustees, delegate to any attorney, agent or employee such other powers and duties as they deem advisable, including power to execute, acknowledged or deliver instruments as fully as the Board might itself and to sign and endorse checks for the account of the Board consistent with the provisions of G.L. c.44, §55C and this bylaw. The Board shall not delegate the authority to amend or terminate the Declaration of Trust and no such delegation shall be effective.

Section 8 Liability

The Board, individual Trustees, and any agent or officer of the Trust shall have no authority to bind the Town of Walpole.

Section 9 Status of Trust for Various Purposes

The Trust is a public employer and the Trustees are public employees for the purposes of G.L. Chapter 258. The Trust shall be deemed a municipal agency and the Trustees special municipal employees for the purposes of G.L. Chapter 268A. The Board is a governmental body for purposes of the Open Meeting Law, G.L. c.30A, §§18-25. The Board is a board of the Town for purposes of G.L. c.30B and G.L. c.40, §15A, provided, however, that agreements and conveyances between the Trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the Town shall be exempt from said chapter 30B.

Section 10 Annual Audits

The books and records of the Trust shall be maintained by the Town Finance Director and audited annually by an independent auditor in accordance with accepted accounting practices. Upon receipt of the audit by the Board of Trustees, a copy shall be provided forthwith to the Board of Selectmen.

ARTICLE: 16:

On Motion by the Finance Committee; It was Moved & Seconded:

That the Town vote to accept Hancock Court as a public way from its beginning at STA 6+70.65+/- to its end at STA 11+18.47 +/-, as laid out by the Board of Selectmen in the location depicted on the plan entitled: "Hancock Court Extension", dated December 3, 2018, which plan has been placed on file with the Town Clerk in the manner required by law, including any easements and utilities appurtenant thereto, and to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise interests in land sufficient to provide for the establishment, use and maintenance of said street for all purposes for which public ways are used in the Town of Walpole, including any associated drainage, utility, access or other easements.

ARTICLE 18:

On Motion by the Finance Committee; It was Moved & Seconded:

That this matter be referred back to petitioner

As Printed in the Warrant:

To see if the Town will amend Chapter 554 of its regulatory bylaws, water use restrictions, by adding section 554-11, extending the Town's water supply beyond its boundaries: the approval of Town Meeting is required to provide the Town of Walpole's public water and supply system to any and all properties outside Town boundaries. Or do or act anything in relation thereto.

Majority Vote Required on Articles 10,14,15,16 and 18:

DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 2:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town raise and appropriate from Taxation the sum of \$196,560 to defray departmental and incidental expenses of the Town for the fiscal year 2020 commencing July 1, 2019 and to allocate such sum amongst the different budget lines and in the amounts as follows:

<u>DEPARTMENT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>
Town Clerk Misc. Expenses	\$20,000	01161200-573500
Elections Early Voting	\$6,560	22161122-468001
Solid Waste Recycling	\$55,000	01433200-530000
Board of Health Salaries	\$12,000	01510100-511000
Town Engineer Salaries	\$28,000	01411100-511000
Debt and Interest	\$75,000	01710200-590028

Majority Vote Required: **DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

ARTICLE 3:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town appropriate \$6,638,252 to pay cost of architectural design and constructing, equipping and furnishing of new playing fields in the Town of Walpole, along with any and all work associated therewith and appurtenant thereto, including but not limited to demolition, site preparation, the cost of a project manager and all other incidental and related costs; and that to meet this appropriation,

1. The following sums shall be transferred, in accordance with the provisions of M.G.L. c 44,§ 20, where the referenced projects are complete and no liability remains:
 - a. \$168,252 from the appropriation made under Article 24 of the Fall 2000 Annual Town Meeting for the Memorial Pond Design Project;
 - b. \$100,000 from the appropriation made under Article 24 of the Spring 2015 Annual Town Meeting for the Police Station Project;
 - c. \$50,000 from the appropriation made under Article 16 of the Fall 2014 Annual Town Meeting for the Superfund Clean-up on south Street
2. The sum of \$250,000 shall be transferred from the Board of Assessors Overlay Account;
3. The sum of \$200,000 shall be raised and appropriated from Taxation;
4. The sum of \$1,920,000 shall be transferred from Free Cash; and
5. The Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the sum of \$3,950,000 under M. G. L. c. 44,§§7 or 8 or any other enabling authority, and issue bonds or notes of the Town therefor; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and, further that the Board of Selectmen is authorized to take any other action necessary and convenient to carry out this project.

and further that the Board of Selectmen shall be authorized to apply for, accept and expend all funds received as gifts or state of federal grants associated with the project and to take any other action necessary or convenient to carry out this project;

And finally, that the land on which the Route 1A fields are located, shown as Assessors Map55, Block 99, Parcel B, and described in the deed recorded in Norfolk County Registry of Deeds in Book No. 647,Page 43, shall be restricted to use as playing fields and similar and related recreational uses, and any incidental and related use, and which use shall expressly exclude provision of public utilities to any properties outside the Town, thereby prohibiting the Board of Selectmen, Sewer and Water Commissioners and any Town Officials from entering into any inter-municipal or other agreement with any organization or governmental body that would allow the Town to provide sewer and water utilities from this parcel to any location beyond the borders of the Town of Walpole.

2/3 Vote Required:

On an Electronic Vote for 2/3- 137 RTM's voting: 91 Votes Required, Yes- 91 No-45 Abstain -1

2/3 Vote Required: DECLARED VOTED BY 2/3 BY THE MODERATOR

RECORD OF AMENDMENTS and MOTIONS FOR ARTICLE 3

Motion made by Megan Ahigian (P1) and seconded by Chandler Sullivan (P2) to have time limits on Articles:

5 Minutes for the Primary speaker

5 Minutes for the first Opponent speaker

4 Minutes for subsequent speakers

2/3 Vote Required:

On an Electronic Vote for 2/3 - 125 RTM's voting: 83 Votes Required, Yes-100 No-25

2/3 Vote Required: DECLARED VOTED BY 2/3 BY THE MODERATOR

ARTICLE 4:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town vote to transfer from Free Cash the sum of \$616,000 and in accordance with M.G. L. Chapter 44, Section 20, the sum of \$250,575 from the appropriation for the Elm Street School Roof, voted under Article 19 of the Spring 2018 Annual Town Meeting which project is complete and no liability remains; to implement a Capital Improvement Program, to protect, improve, and/or modify the physical infrastructure of the Town of Walpole, including but not limited to municipal buildings, facilities, parking lots, fields and other properties, as listed in the Fall 2019 Capital Budget for Article 4 under the column entitled "FIN COM RECOM"; and further, that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out these projects.

Majority Vote Required: DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 5:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town vote to appropriate the total sum of \$2,113,905 from ambulance receipts reserved for appropriation, cable funds, overlay and free cash for the purchase and equipping of capital equipment, including but not limited to vehicles, machinery, and computer/network systems, for the various departments of the Town of Walpole all as more specifically set forth in Fall 2019 Capital Budget for Article 5 under the columns entitled, "FIN COM RECOM"; and further, that the Board of Selectmen is authorized to take any other action necessary or convenient to carry out these projects.

Majority Vote Required: DECLARED SO VOTED BY THE MODERATOR

RECORD OF AMENDMENTS and MOTIONS FOR ARTICLE 5

Substitute Motion by John O'Leary (P3), Seconded by Robert O'Leary (P3):

To see if the Town will vote to raise and appropriate, borrow and /or transfer from available funds a sum or sums of money as may be required for the purchase and/or lease purchase of capital equipment,

including but not limited to vehicles, machinery, and computer/network systems, for the various departments of the Town of Walpole, including all incidental and related expenses, and, as appropriate, the equipping thereof, and to authorize lease purchase agreements in excess of three years in connection therewith. Or take any action in relation thereto.

\$1,713,905 from Miscellaneous Accounts as follows:

Overlay	\$12,500
Free Cash	\$1,041,550
Amb. Fund	\$539,855
Cable	\$120,000

Being all the items except the following: \$400,000 for WHS Infrastructure Assessment and associated work.

Substitute Motion as the Main Motion;

Majority Vote Required: DECLARED DEFEATED BY THE MODERATOR

ARTICLE 6:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town vote to appropriate the total sum of \$1,019,666 to resurface, repair and /or reconstruct certain streets, parking lots, paved areas and/or sidewalks, to make drainage improvements in certain Town roads, and to rebuild certain manholes and catch basins in the Town of Walpole, and to meet this appropriation to transfer the sum of \$779,166 from Chapter 90 funds and \$240,500 from Free Cash.

Majority Vote Required: DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 7:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town vote to appropriate the sum of \$400,000 for improvements to various streets within the Town, consisting of the construction, reconstruction or resurfacing of public ways or widening thereof, including land damages and the cost of concrete, macadam or other pavement or road material of similar lasting character and sidewalks constructed or reconstructed in connection with such improvements, and including the payment of costs incidental or related thereto; and, that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum under M.G. L. c.44. §§ 7 or 8 or any other enabling authority and issue bonds and notes therefor; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of cost approved hereunder in accordance with M.G. L. c. 44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; and, further that the Board of Selectmen is authorized to take any other action necessary and convenient to carry out this project.

2/3 Vote Required: DECLARED 2/3 UNANIMOUS VOTE BY THE MODERATOR

ARTICLE 8:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town vote to transfer from Free Cash the sum of \$300,000 for the purpose of supplementing the Stabilization Fund as authorized by Chapter 40, Section 5B of the Massachusetts General Laws.

Majority Vote Required: **DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

ARTICLE 9:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town vote to transfer from Free Cash the sum of \$292,000 for the purpose of supplementing the Other Post-Employment Benefits Liability Trust Fund (OPEB) as authorized by Chapter 32B, Section 20 of the Massachusetts General Laws.

Majority Vote Required: **DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

ARTICLE 11:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town vote to transfer from overlay funds the sum of \$50,000 for technical services of a consultant, appraisal firm, and/or hiring temporary personnel, along with related expenses, to assist the Board of Assessors in meeting the certification standards by the Department of Revenue for the valuation of Business Personal Property.

Majority Vote Required: **DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

ARTICLE 12:

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town take **NO Action** on Article 12.

As Printed in the Warrant:

To see if the Town will vote to authorize the Board of Sewer and Water Commissioners to acquire by purchase, gift, and/or eminent domain all or a portion or portions of the parcel of land located off of Darwin Lane identified by the Walpole Board of Assessors as Map 42 Parcel 240, for water supply protection purposes, pursuant to the provisions of G.L. c.40, §§39B and 41, and, as funding therefor, to raise and appropriate, transfer from available funds, and/or borrow a sum of money for the foregoing purposes and costs related thereto, and, if necessary, to authorize the Treasurer, with the approval of the Board of Selectmen to borrow a sum of money pursuant to G.L. c. 44, G.L. c. 44, §8(3) or any other enabling authority, it being the intention that the debt service costs of the borrowing authorized by this vote be raised through water rates as a charge to the Water Enterprise Fund, and, further, to authorize the Board of Sewer and Water Commissioners to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate said acquisition, and to permit such incidental recreation uses on said property as the Board of Sewer and Water Commissioners deems appropriate. Or take any action in relation thereto.

Majority Vote Required: **DECLARED VOTED UNANIMOUSLY BY THE MODERATOR**

ARTICLE 13 :

On Motion by the Finance Committee, It was Moved & Seconded:

That the Town appropriates the sum of \$362,000 to pay costs of repairing and/or rehabilitating various sewer lines as well as removing infiltration and inflow, including all incidental and related costs; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow \$362,000 under and pursuant to M.G.L. c.44, s. 7 or s. 8 ,or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Sewer and Water Commission and/or the Board of Selectmen, as may be appropriate, is authorized to apply for, accept and expend, in accordance with c. 44, s. 53A, any grants and/or loans from the Massachusetts Water Resources Authority, or from any other federal or state grant or loan programs, and to enter into any agreements in connection therewith; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount

2/3 Vote Required: DECLARED 2/3 UNANIMOUS VOTE BY THE MODERATOR

ARTICLE 17:

On Motion by the Finance Committee; It was Moved & Seconded:

That the Town vote to accept the sentence set forth in Massachusetts General Laws, Section 59, §5 after clause Twenty-Second F, initially added by Section 110 of the Acts of 1993, and as later amended, which section provides that the exemptions available under G.L. c.59, §5, clauses Twenty Second and Twenty-Second A through F, may be granted to otherwise eligible persons who have resided in the Commonwealth for 1 year prior to the date of filing for exemptions pursuant to the applicable clause.

Majority Vote Required: DECLARED VOTED UNANIMOUSLY BY THE MODERATOR

ARTICLE 19:

On Motion by the Finance Committee; It is regularly Moved & Seconded:

That the Town vote to authorize the Board of Selectmen to file Home Rule Legislation to amend the Town Charter to: (1) replace the term “Board of Selectmen”, “Board of Selectman”, “Board” or “Selectmen”, appearing in a context where reference is made to the entire Board, with the term “Select Board”, (2) replace any reference to individual members of the Board with, “Select Board member”, (3) to insert a new sentence providing that the Select Board shall have all of the powers and duties of a board of selectmen as provided in the general laws or in the Charter, except as otherwise provided in the Charter, and indicating that members may be referred to as Board Members or Select Board Members or other similar moniker and (4) to replace any reference to a “Chairman” with the word “Chair”, and, further, to authorize the General Court to make changes of form only to such bill unless the Board of Selectmen authorizes changes that shall be within the scope of the public purposes of the petition, and to authorize the Board to approve such changes.

Majority Vote Required: DECLARED VOTED BY MAJORITY BY THE MODERATOR

ARTICLE 20:

On Motion by the Finance Committee; It was Moved & Seconded:

That the Town vote to amend the General Bylaws to by replacing, in each instance in which they appear: (1) the words “Board of Selectmen” , “Board of Selectman”, “Board”, or “Selectmen” , when such terms reference the entire Board, with the term “Select Board”; the term “Selectman” with “Select Board member” and (3) the term “Chairman” with the term “Chair; provided, however, that this bylaw amendment shall take effect only after all the provisions of G.L. c.40, s.32 have been met and the special act approved under Article 19 takes effect.

Majority Vote Required: DECLARED VOTED BY MAJORITY BY THE MODERATOR

***FALL ANNUAL TOWN MEETING - OCTOBER 21, 2019
TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS***

NOTICE OF DISSOLUTION

October 21, 2019

***There being no further business to come before this Fall Annual Town Meeting,
it was Moved by Mark Trudell, (Precinct 4),
Seconded by Edward Lynch III (Precinct 4) that this meeting be dissolved.***

Motion to dissolve meeting SO VOTED as declared by Moderator Daniel F. Bruce at 10:52 PM.

A True Copy Attest,

Elizabeth Gaffey, Town Clerk

