



TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS

Walpole Town Hall
135 School Street
Walpole, MA 02081
Phone (508) 660-7289
Fax (508) 660-7303
Email: JJohnson@walpole-ma.g

September 25, 2018

Dear Representative Town Meeting Member,

Enclosed you will find materials to help you prepare for the 2018 Fall Annual Town Meeting which is set to begin on Monday October 15, 2018 at 7:30PM at the 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 – This article addresses the current Fiscal Year budget. This is a standard article that is on the Warrant each Fall and in most cases it addresses matters that are unexpected. This year Town Meeting is being asked to consider a request of \$224,300 to modify the utility line items in multiple departmental budgets. These adjustments were expected and were not addressed as part of the annual budget process because the new facilities were not competed and the Town did not have baseline figures for the costs associated with them while the Fiscal year 2019 budget was being developed. Now that we are progressing through Fiscal Year 2019 there is a need to make the adjustments to cover the utility costs.

The recommended adjustments are listed below for your consideration:

Building Maintenance

• Heating Police Department	\$5,000	01192200-521000-19255
• Heating Fire Department	\$10,000	01192200-521000-19260
• Heating Council on Aging	\$30,000	01192200-521000-19291
• Heating Vehicle Maintenance	\$10,000	01192200-521000-19292
• Heating Old Town Hall	\$9,500	01192200-521000-19252
• Electricity Vehicle Maintenance	\$15,000	01192200-521010-19292
• Electricity Old Town Hall	\$12,000	01192200-521010-19252
• Water/Sewer Vehicle Maintenance	\$800	01192200-521010-19292
• Water/Sewer Old Town Hall	\$1,000	01192200-523010-19252

Police Department

• Electricity	\$15,000	01210200-521010
• Water	\$1,121	01210200-523010
• Sewer	\$679	01210200-523020

Fire Department

• Electricity	\$60,700	01220200-521010
• Water/Sewer	\$500	01220200-523010

Council on Aging

• Electricity	\$50,000	01541200-521010
• Water/Sewer	\$3,000	01541200-523010

Article 5 – Stabilization

This article addresses the Stabilization Fund. The Finance Committee is recommending that \$300,000 be taken from Free Cash and placed in 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 the instance where revenue is not meeting projections. Such a fund is intended to equalize the effect of capital expenditures over time and to provide a "rainy day" fund. As of the end of Fiscal Year 2018 balance in the Stabilization account was \$3,935,392

Article 6 – OPEB

This article addresses the Town's Other Post-Employment Benefits (OPEB) Account. The Finance Committee is recommending that \$200,000 be used from Free Cash and that \$16,120.71 be taken from an older pension account that was established in 1980 and placed into the OPEB Account. 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. Although accounting for OPEB Liability is not required at this time it is a recommended practice. The Fiscal Year 2018 ending balance in the OPEB account was \$2,883,904

Article 7 – School Transfers

This article requests to appropriate funds collected by the Walpole School Department for Medicaid reimbursements (\$562K), McKinney Vento Act (\$21k) and Parking Fees (\$35k) back into the School Department's FY 2019 Operating Budget. This is a standard article on the town Meeting Warrant each Fall.

Article 15 – Animal Control

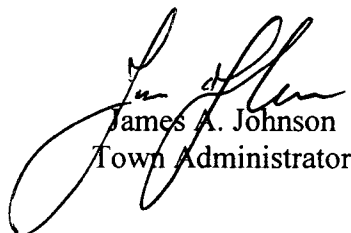
This article would transfer oversight of the Animal Control Officer from the Selectmen to the Police Department.

Articles 8-12 – Capital

Articles 8 through 12 address the Town's Capital infrastructure and equipment needs for the next year. In the past the Town has addressed some capital needs during the Fall but for the most part the the Capital Budget has been undertaken as part of the Spring Town Meeting process. The reason for the change is twofold: Other than Walpole's historic practice there is no reason to hold off until the Spring to appropriate funds for the capital needs. In fact, each year Free Cash, the Capital Budget's primary source of funding is certified in mid-August and the funds become available after the certification. Unlike the regular budgeting process capital items that are funded via the sources listed in the booklet are not subject to the Fiscal Year budgeting cycle. The other reason is that by funding these requests in the Fall it is expected that Department Heads can get a jumpstart on ordering equipment and lining up vendors more quickly and which will likely result in a costs savings for the Town.

I would like to thank you for your service to the Town of Walpole and for the time that you devote to this process. Anyone wishing to submit information to be displayed at Town Meeting must do so by Thursday October 11th at 4PM. 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 3 Route 1A Fields

This Article is requesting that the Town designate \$1,500,000 from Free Cash to for the construction of a new field facility to be located along the Norfolk Town border Route 1A in South Walpole. Over the last 11 years Town Meeting has considered multiple articles relating to the expansion of the athletic fields.

The first vote occurred in the Spring of 2007 when the Town voted to conduct a comprehensive field Master Plan. The plan was completed in November 2008 which concluded that there was insufficient playing venues to meet the increasing demands of the Walpole community and that due to heavy and excessive use during all conditions throughout the year, turf conditions are stressed and overused causing poor playing conditions. Recommendations at the time concluded that Walpole must look for other opportunities to increase new playing venues at existing properties that are suitable for development and that the Town look to other, undeveloped public and private lands in order to develop playing venues to reduce the burden on existing facilities and expand the existing field inventory. A copy of the field master plan can be found on the Town website.

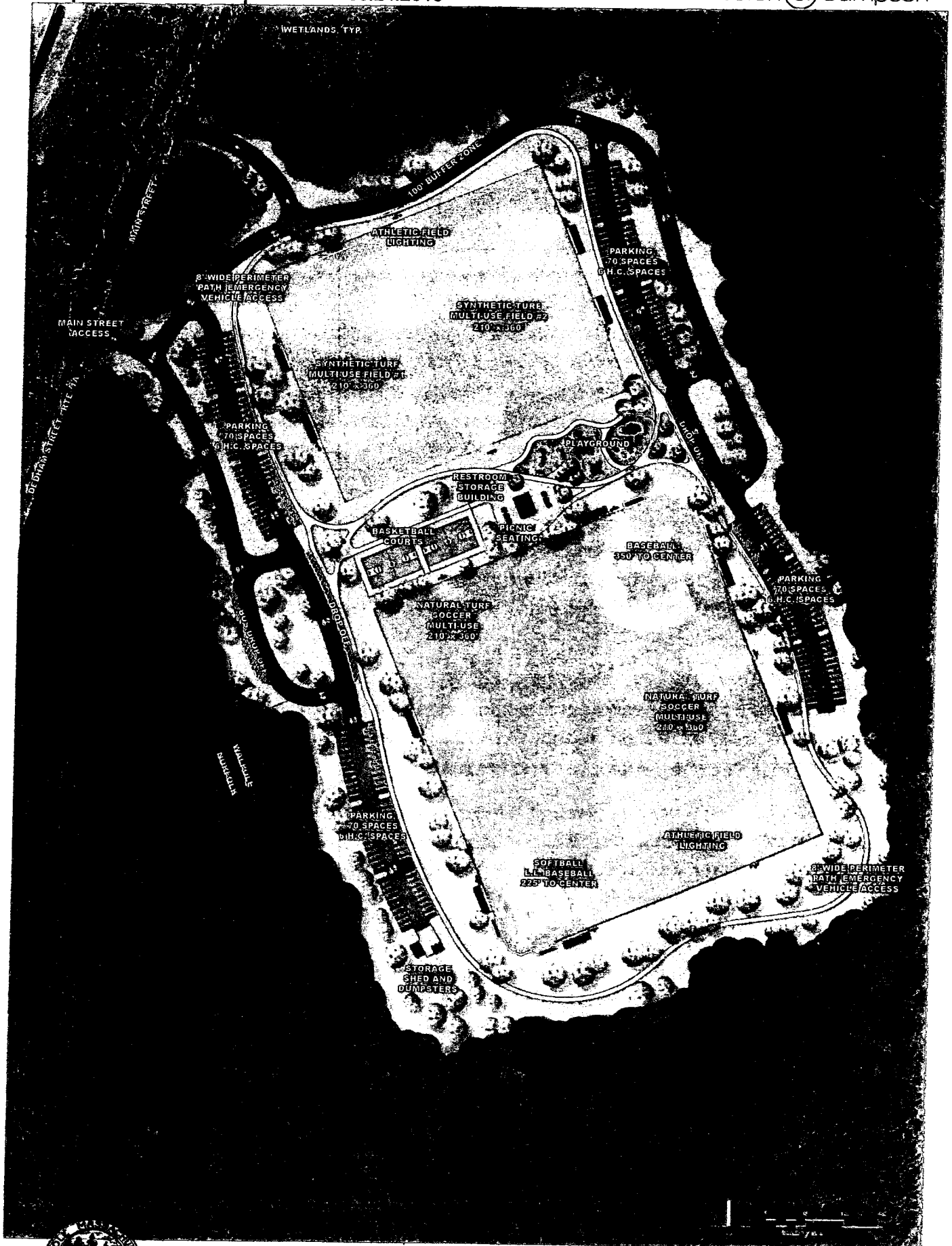
The second vote of Town Meeting occurred in the Spring of 2013 when Town Meeting set aside funds to purchase 63.72 acres of land from the State for \$25,800. The Town took ownership of the property in December 2015. It is important to note that the property was purchased with a restriction to limit the land use to “active and passive” recreation purposes and cannot be used as a site for a municipal or school building.

The third vote of Town meeting occurred last Fall when Town Meeting voted to appropriate \$500,000 towards the design of multiple fields on the Route 1A site. In April 2018 the Board of Selectmen voted 4-0-0 to award the design contract for this project to Weston and Sampson. On the back of this page you will find the most recent facility layout for your consideration.

With this request Town Meeting is being asked to set aside a portion of the Town’s Free Cash funds to offset the anticipated borrowing cost that will be requested next Spring of 2019. The planning for this project is currently in the design development phase. Construction Documents will be completed this winter and the Town will have construction bids in hand prior to Town Meeting this upcoming Spring.

The estimated cost of construction for this project is anticipated to be between \$6.5-\$10 million. Throughout the planning of this project the design team has been mindful to ensure that as design bid documents are finalized there will be multiple options for alternates such as, paved parking areas, synthetic turf lighting, grass field lighting, a children’s water feature, a playground and a support building. In addition to the funds being requested in part of this article it is anticipated that other funding sources will include, the previously mentioned \$500,000 appropriated last Fall, gift funds on hand, reuse of previously approved funds for other projects that are complete and an anticipated borrowing request next Spring. There will not be a request for a tax override to fund any portion of this project.

The Board of Selectmen voted favorable action 3-2-0, the Finance Committee voted Favorable Action 11-0-0 on this article, the Capital Budget Committee voted Favorable action 5-1-0 and the Recreation Committee has voted Favorable Action 5-0-0.



Parcel 55-99 Recreational Facility Feasibility Study
Town of Walpole, Massachusetts

ARTICLE 12

WATER SYSTEM IMPROVEMENTS

This capital request if favorably acted upon will allow for the replacement of ±6,200 LF of old unlined cast iron water main on Baker Street, Old Post Road and Common Street. It will also allow for the installation of ±1,600 LF of pipeline and a pressure regulating valve to connect two dead end sections of the distribution system. These improvements will address water quality and supply issues associated with aging pipe and dead end lines in the noted areas.

Construction	\$1,595,000
Inspection	\$ 70,200
Police Services	\$ 62,400
Construction Contingency	\$ 39,875
Paving	\$ 262,525

TOTAL REQUEST	\$2,030,000
----------------------	--------------------

ARTICLE 13

MASSACHUSETTS WATER RESOURCE AUTHORITY INFLOW & INFILTRATION LOCAL FINANCIAL ASSISTANCE

This request, if favorably acted upon will allow for the Town to participate in the MWRA's Phase 10 and 11 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:

Phase 10: 75% grant of \$478,500	25% loan of \$159,500
---	------------------------------

Phase 11: 75% grant of \$607,500	25% loan of \$202,500
---	------------------------------

GRANT \$1,086,000	LOAN \$362,000
--------------------------	-----------------------



John F. Carmichael Jr.
Chief of Police

September 21, 2018

WALPOLE POLICE DEPARTMENT

• **TOWN OF WALPOLE** •
COMMONWEALTH OF MASSACHUSETTS



50 South Street
Walpole, Massachusetts 02081
Phone: 508.668.1095
Fax: 508.668.0531

To: Walpole Representatives of Town Meeting

From: Chief John Carmichael, Walpole Police Department

Ref: **Q&A - Article #14 – Fingerprint Based Criminal History Checks**

What would Article #14 do?

Article #14 would create a by-law pursuant to Massachusetts General Laws Ch. 6, § 172 B ½, to task the Walpole Police Department with conducting State and Federal Fingerprint Based Criminal History checks for individuals applying for municipal licenses, and to disseminate the results of fingerprint-based criminal background checks only as may be provided by law, regulation, and municipal policy to the licensing authority.

What is the objective of this bylaw?

To provide a level of local public safety & security for Walpole residents and ensure those licensed by the Town of Walpole are appropriately vetted for suitability to operate in our community.

What is Fingerprint Based Criminal History check?

A fingerprint based background check is conducted by cross-referencing an applicant's prints with a secure law enforcement database.

What would doing Fingerprint Based Criminal History Checks provide?

If there is a match in the federal system, it will generate a "rap sheet." This Criminal History Record Information (CHRI) could include arrests, records of federal employment, military service, naturalization, or none of the above. These checks will also assist in cross-referencing the identity of the applicant.

What if license applicant challenges the contents of the record background check?

The Walpole Police Department will not forward the results until the applicant has the opportunity to rectify any inaccurate information as set forth in Walpole Police department Policy & Procedure.

Should the record subject seek to amend or correct a record, they must take appropriate action to correct said record, which action currently includes contacting the Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or the FBI for records from other jurisdictions maintained in its file. An applicant that wants to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34.

What licenses will be included in background checks?

The following licenses would be included for finger print background checks:

- Hawking and Peddling or other “Door-to-Door” Salespeople
- Manager of Alcoholic Beverage License
- Owner or Operator of Public Conveyance (Transportation Services)
- Dealer of Second-hand Articles
- Pawn Dealers, Hackney Drivers, and, Ice Cream Truck Vendors.

How is the fingerprints submitted?

Upon receipt of the fingerprints and the appropriate fee, the Walpole Police Department shall transmit, by way of the Cross-Match system, the fingerprints it has obtained pursuant to the by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in Walpole’s by-law.

What happens with the results?

Results of the fingerprint based criminal record background checks will be sent to a designated secure website managed by the Massachusetts Department of Criminal Justice Information Services (DCJIS). This site will be only accessed by authorized Walpole Police Personnel. These results will then be forwarded to the specific officer assigned to the conduct the background check of the applicant.

What record would disqualify someone from obtaining a license?

Walpole Police Department shall not consider a criminal record to automatically *disqualify* a subject. Rather, the Background Investigator will render a *suitability evaluation* consistent with this policy, the Town of Walpole’s policy applicable to licensing-related criminal record background checks, and applicable laws and regulations.

What information will the background investigator consider in making suitability evaluations?

The factors the Background Investigator will consider in making suitability evaluation include, but are not limited to:

- relevance of the record to the position;
- the nature of the work to be performed;
- time since the conviction;
- age of the subject at the time of the offense(s);
- nature, gravity, and specific circumstances of the offense(s);
- the number of offenses;
- whether the subject has pending charges;
- any relevant evidence of rehabilitation efforts or lack thereof;
- applicable laws and regulations setting forth criminal history disqualifiers; and
- any other relevant information, including information submitted by the subject.

What will the suitability evaluation contain?

A suitability evaluation will contain whether the applicant has been convicted of, or is under pending indictment for a crime that bears upon his/her suitability, or any felony or misdemeanor that involved force or threat of force, controlled substances or sex-related offenses.

Respectfully submitted,



John F. Carmichael Jr.
Chief of Police
Walpole Police Department

WALPOLE TOWN MEETING WARRANT
LANGUAGE FOR CIVIL FINGERPRINTING TOWN BY-LAW

To see whether the Town will vote, as authorized by Chapter 256 of the Acts of 2010, and incorporated into the Massachusetts General Laws as Chapter 6, Section 172 B 1/2, to create a by-law enabling the Police Department to conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for the following licenses:

- Hawking and Peddling or other Door-to- Door Salespeople
- Manager of Alcoholic Beverage License
- Owner or Operator of Public Conveyance
- Dealer of Second-hand Articles
- Pawn Dealers,
- Hackney Drivers, and,
- Ice Cream Truck Vendors

And to adopt appropriate policies and procedures to effectuate the purposes of this by-law, or take any other action relative thereto.

BY-LAW

Criminal History Check Authorization

The Police Department shall, as authorized by Massachusetts General Laws Chapter 6, Section 172 B 1/2, conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for the following licenses:

- Hawking and Peddling or other Door-to- Door Salespeople, (Police)
- Manager of Alcoholic Beverage License (BOS)
- Owner or Operator of Public Conveyance (BOS)
- Dealer of Second-hand Articles (BOS)
- Pawn Dealers, (BOS)
- Hackney Drivers (BOS)
- Ice Cream Truck Vendors (Police)

At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's criminal history records. The Police Chief shall periodically check with the Executive Office of Public Safety and Security ("EOPSS") which has issued an Informational Bulletin which explains the requirements for town by-laws and the procedures for obtaining criminal history information, to see if there have been any updates to be sure the Town remains in compliance.

Upon receipt of the fingerprints and the appropriate fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in this by-law. The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS) and the Federal Bureau of Investigation (FBI), and their successors, as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize State and FBI records in connection with such background checks, consistent with this by-law. The State and FBI criminal history will not be disseminated to unauthorized entities.

Upon receipt of a report from the FBI or other appropriate criminal justice agency, a record subject may request and receive a copy of his/her criminal history record from the Police Department. Should the record subject seek to amend or correct his/her record, he/she must take appropriate action to correct said record, which action currently includes contacting the Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or the FBI for records from other jurisdictions maintained in its file. An applicant that wants to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34. The Police Department shall not utilize and/or transmit the results of the

fingerprint-based criminal record background check to any licensing authority pursuant to this by-law until it has taken the steps detailed in this paragraph.

Municipal officials should not deny an applicant the license based on information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so. The Police Department shall communicate the results of fingerprint-based criminal record background checks to the appropriate governmental licensing authority within the Town as listed. The Police Department shall indicate whether the applicant has been convicted of, or is awaiting final adjudication for, a crime that bears upon his or her suitability, or any felony or misdemeanor that involved force or threat of force, controlled substances or a sex-related offense. The Board of Selectmen is authorized to promulgate regulations for the implementation of the proposed by-law, but in doing so it is recommended that they consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to ensure that such regulations are consistent with the statute, the FBI's requirements for access to the national database, and other applicable state laws.

Use of Criminal Record by Licensing Authorities

Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in this by-law. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination. The Town or any of its officers, departments, boards, committees or other licensing authorities is hereby authorized to deny any application for, including renewals and transfers thereof, for any person who is determined unfit for the license, as determined by the licensing authority, due to information obtained pursuant to this by-law.

Fees

The fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be one hundred dollars (\$100). The Town Treasurer shall periodically consult with Town Counsel and the Department of Revenue, Division of Local Services regarding the proper municipal accounting of those fees. A portion of the fee, as specified in Mass. Gen. Laws Chapter 6, Section 172B 1/2, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town to be expended by the Police Department to help offset costs associated with the administration of the fingerprinting system, subject to Town Meeting appropriation or deposited in a revolving account if and when one is established for that purpose.

Effective Date

This by-law shall take effect upon approval by the Attorney General, so long as the requirements of G.L. c. 40 sec. 32 are satisfied.

CIVIL FINGERPRINTING FOR LICENSES

POLICY & PROCEDURE #

1. GENERAL CONSIDERATIONS AND GUIDELINES

As authorized by Massachusetts General Laws Chapter 6, Section 172 B ½, the Town of Walpole requires applicants for certain municipal licenses to submit to fingerprinting by the Walpole Police Department. The statute authorizes the Police Department to conduct criminal record background checks based on such fingerprints and the municipal licensing authority to consider the results of such background checks in determining whether or not to grant a license. This policy does apply to license renewals and transfers.

The state law also authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI), as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including of FBI records, on such license applicants at the request of the Police Department.

Municipal licensing authorities may utilize the results of fingerprint based criminal record background checks for the sole purpose of determining the suitability of the license applicants. The licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations and municipal policies having a bearing on an applicant's suitability in making this determination.

The Police Chief shall periodically check with the Executive Office of Public Safety and Security ("EOPSS") which has issued an Informational Bulletin, which explains the requirements for town by-laws or city ordinances and the procedures for obtaining criminal history information, to see if there have been any updates to be sure the municipality remains in compliance.

2. POLICY

It is the policy of this department to:

Conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for those municipal licenses specified in the by-law adopted pursuant to Massachusetts General Laws Chapter 6, Section 172 B ½ and to disseminate the results of such fingerprint-based criminal background checks only as may be provided by law, regulation, and municipal policy.

Not utilize and/or transmit the results of the fingerprint-based criminal record background check to any licensing authority until it has taken the steps detailed in this Policy, including affording an applicant with the opportunity to provide additional information to, or challenge the accuracy of the information contained in the fingerprint-based criminal background check.

3. PROCEDURES

A. Fingerprinting License Applicants

1. An applicant seeking a license for which civil fingerprinting is required shall submit a full set of fingerprints to be taken the Walpole Police Department.
2. Applicants will only be fingerprinted by [specify] _____, Monday through Friday, during regular business hours.
3. At the time of the fingerprinting, the applicant shall be notified that the fingerprints will be used to check the applicant's criminal history records.
4. Fingerprint cards will be provided by the department for each person being fingerprinted. The fingerprint card shall contain "License" in the "Reason Fingerprinted" block of the ten-print card.
5. Upon receipt of the fingerprints and the appropriate fee, the Walpole Police Department shall transmit the fingerprints it has obtained pursuant to this by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in Walpole's by-law.
6. Results of the fingerprint based criminal record background checks will be sent to a designated secure website managed by the Massachusetts Department of Criminal Justice Information Services (DCJIS). This site will be only accessed by [specify "DETECTIVES" Administrative SGT, and/or their designee. These results will then be forwarded to the officer assigned to the background check of the applicant.

B. Fees

The fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be one hundred dollars (\$100) (unless a lower amount is specified in the applicable by-law

The Town Treasurer shall periodically consult with Town Counsel and the Department of Revenue, Division of Local Services regarding the proper municipal accounting of those fees.

1. A portion of the fee, as specified in Mass. Gen. Laws Chapter 6, Section 172B ½, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund.
2. The remainder of the fee shall be forwarded to the Walpole Town Treasurer's Office.

C. BACKGROUND INVESTIGATOR:

1. All applicants undergoing a licensing-related criminal record background check will be afforded the opportunity to meet with the Police Background Investigator.

2. Any applicant, upon request, will be provided with a copy of the results of his/her fingerprint-based criminal background check.

3. Applicants will have the opportunity to provide additional information to, or challenge the accuracy of, the information contained in the fingerprint-based criminal background check, including in the FBI identification record prior to rendering a suitability evaluation.

4. Should the record subject seek to amend or correct his/her record, he/she must take appropriate action to correct said record, which action currently includes contacting the Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or the FBI for records from other jurisdictions maintained in its file. An applicant that wants to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34.

5. As part of the application package issued by the municipality's licensing authority, all applicants will be supplied with information regarding the procedures for obtaining a change, correction, or updating of a criminal record, including a copy of 28 C.F.R. Part 16.34 pertaining to FBI Identification records and DCJIS's "Information Concerning the Process in Correcting a Criminal Record."

6. In no event shall the Background Investigator render a suitability evaluation based solely on the results of the fingerprint-based criminal record background check before the investigator has:

a. insured that the subject has been provided with a copy of the municipality's policy applicable to licensing-related criminal record background checks,

b. notified the subject in person, by telephone, fax, or electronic or hard copy correspondence of a potential adverse determination,

c. provided the subject with a copy of the results of his or her criminal record background check and with information concerning the source of the criminal history record,

d. identified for the subject the part of his or her Criminal Offender Record Information (CORI) that appears to make him or her unsuitable,

e. insured that the subject has been provided with a copy of 28 C.F.R. Part 16.34 and DCJIS's "Information Concerning the Process in Correcting a Criminal Record," and

f. afforded the subject a reasonable time to dispute the accuracy of the CORI or otherwise present to the licensing authority any mitigating or other circumstances bearing on the CORI.

i. The Background Investigator shall document all steps to comply with this section.

7. The Walpole Police Department shall communicate the results of fingerprint-based criminal record background checks to the appropriate governmental licensing authority only after it

reasonably believes that the results of a criminal record background check are complete and accurate.

8. Certain criminal offenses listed on a record may automatically disqualify an applicant from certain positions by statute, such as ice cream truck vendors for example. Unless otherwise provided by applicable law or regulation, the Walpole Police Department shall not consider a criminal record to automatically disqualify a subject. Rather, the Background Investigator will render a suitability evaluation consistent with this policy, the Town of Walpole's policy applicable to licensing-related criminal record background checks and applicable laws and regulations.

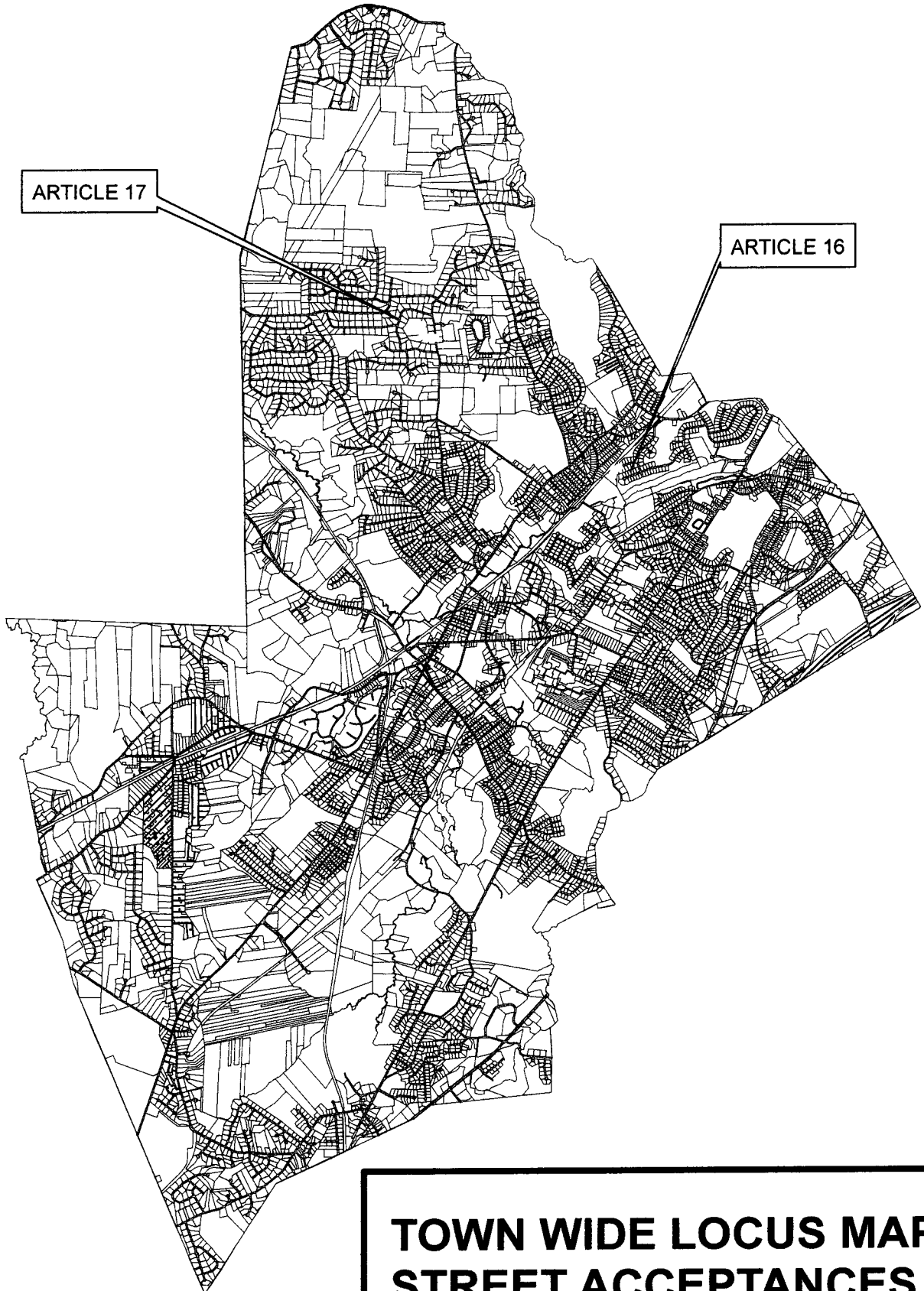
Factors the Background Investigator will consider in making suitability evaluation include, but are not limited to:

- a. relevance of the record to the position;
- b. the nature of the work to be performed;
- c. time since the conviction;
- d. age of the subject at the time of the offense(s);
- e. nature, gravity, and specific circumstances of the offense(s);
- f. the number of offenses;
- g. whether the subject has pending charges;
- h. any relevant evidence of rehabilitation efforts or lack thereof;
- i. applicable laws and regulations setting forth criminal history disqualifiers; and
- j. any other relevant information, including information submitted by the subject.

9. The Background Investigator shall maintain a background file, and include in his or her final report to the Chief of Police rendering a suitability evaluation whether the applicant has been convicted of, or is under pending indictment for a crime that bears upon his/her suitability, or any felony or misdemeanor that involved force or threat of force, controlled substances or sex-related offense, as may be available to the Walpole Police Department in connection with licensing-related background checks.

10. The Background Investigator shall include in his or her final report rendering a suitability evaluation any information provided by the subject bearing on the accuracy or completeness of the results of the subject's criminal history record or regarding any mitigating or other circumstances identified by the subject.

11. All final reports shall be submitted to the Chief of Police. No reports or information containing CORI shall be released to other municipal employees or board members without the prior approval or authorization from the Chief of Police or designee.



**TOWN WIDE LOCUS MAP
STREET ACCEPTANCES
ARTICLES 16 & 17**

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

SCALE: 1"=30' JUNE 27, 20'8
GLOSSA ENGINEERING, INC.
46 EAST STREET
EAST WALPOLE, MA 02032
(508) 868-4401

2-9-68
REGISTERED PROFESSIONAL LAND SURVEYOR



DATE: 11/11/2011

MODE OF VERBALS AND CONSTRUCTS

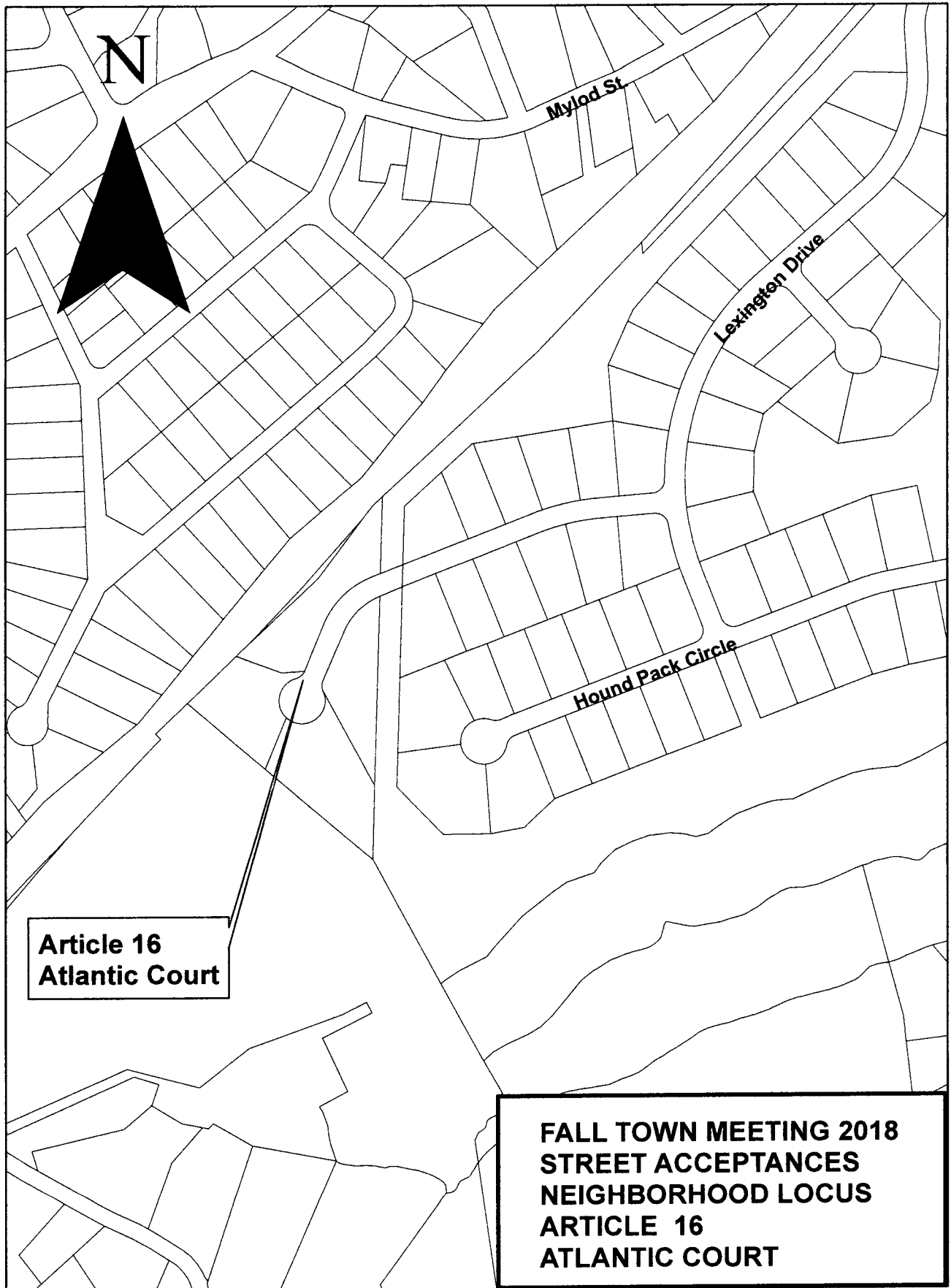
STREET ACCEPTANCE NOTES

1. ATLANTIC COURT LENDER IS TO BE ACCEPTED
FROM STATION 6-43.07 TO 10-73.52
2. TOTAL AREA OF ATLANTIC COURT IS TO BE
ACCEPTED - 21,248.0 S.F. IS TO BE
TAKEN FROM
ATLANTIC COURT LLC
8 HART WAY
FORSYTH, GA 30058
BOOK 32477, PAGE 423

DESIGNS STONE BRAND WITH BEYLL HOLE

PLAN REFINING

ATLANTIC COURT EXTENSION
DEFINITIVE SUBDIVISION PLAN(S SHEETS) BY JOHN R.
ANDERSON & ASSOCIATES APPROVED BY WALPOLE
PLANNING BOARD ON MARCH 21, 2002 AND ENDORSED
ON APRIL 21, 2011
RECORDED IN PLAN BOOK 810, AS PLAN NUMBER 82.



**Article 16
Atlantic Court**

**FALL TOWN MEETING 2018
STREET ACCEPTANCES
NEIGHBORHOOD LOCUS
ARTICLE 16
ATLANTIC COURT**

TOWN OF WALPOLE ROAD COMMISSIONERS

1. WARREN LANE IS TO BE ACCEPTED FROM STATION 0+0 TO 7+50.0.

2. TOTAL AREA OF WARREN LANE IS TO BE ACCEPTED - 38,721 S.F. IS TO BE TAKEN FROM NORTHIDGE VENTURES LLC, 2 NORTON AVE.,#88 WALKPOLE, MA 02081, BUREAU 30801, PAGE 128.

3. DENOTES STONE BOUND WITH DRILL HOLE.

NORTHURDGE FARM
DEFINITIVE SUBDIVISION PLAN(9 SHEETS)
BY GLOSSA ENGINEERING INC. APPROVED
BY THE WALPOLE PLANNING BOARD ON
OCTOBER 25, 2012 AND ENDORSED ON
NOVEMBER 15, 2012
RECORDED IN PLAN BOOK 618, AS PLAN
NUMBER 38.

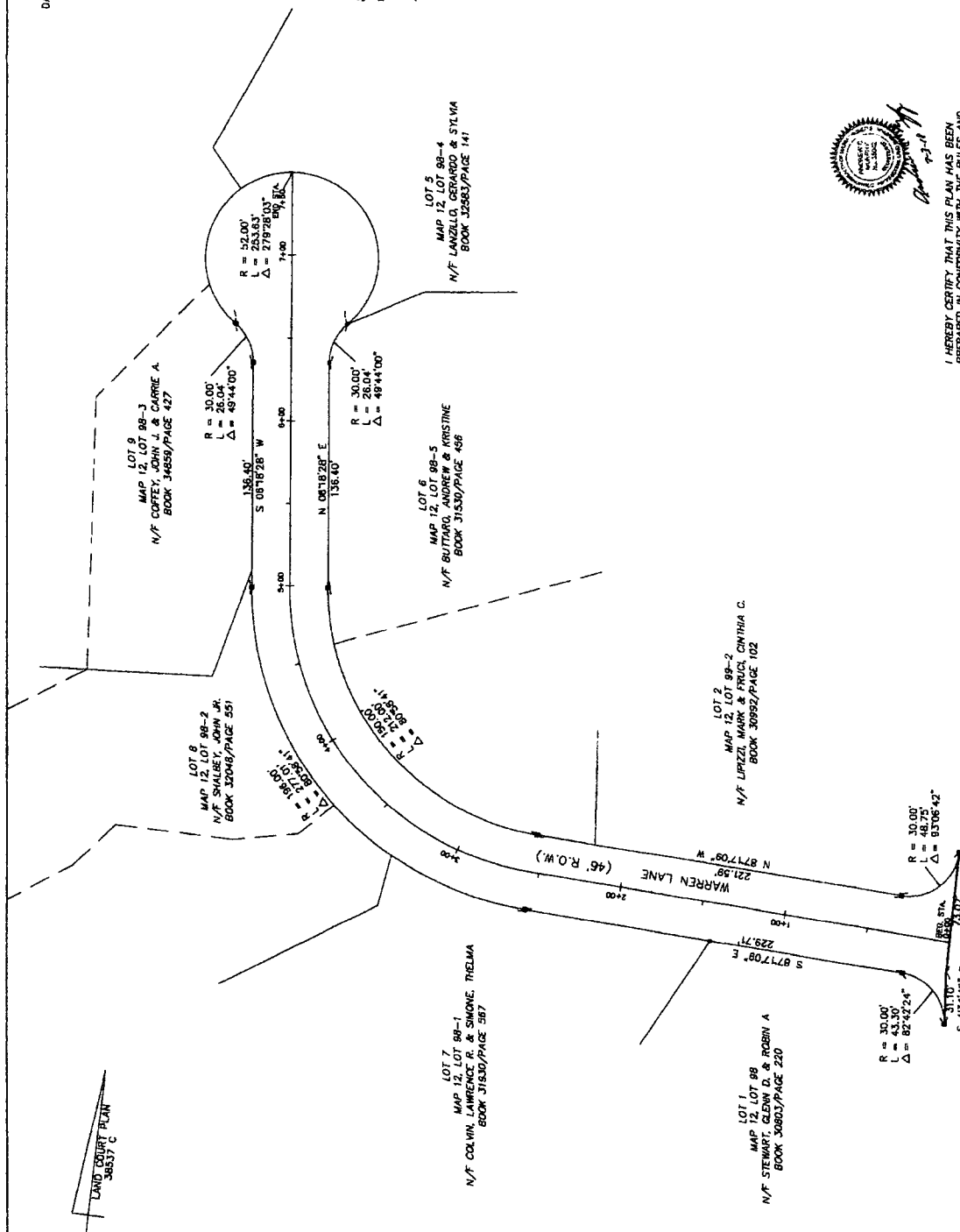
SCALE: 1"=30' JUNE 27, 2018
GLOSSA ENGINEERING, INC.
46 EAST STREET
EAST WALPOLE, MA 02032
(508) 668-4401

0 30 60 90
FEET
GRAPHIC SCALE

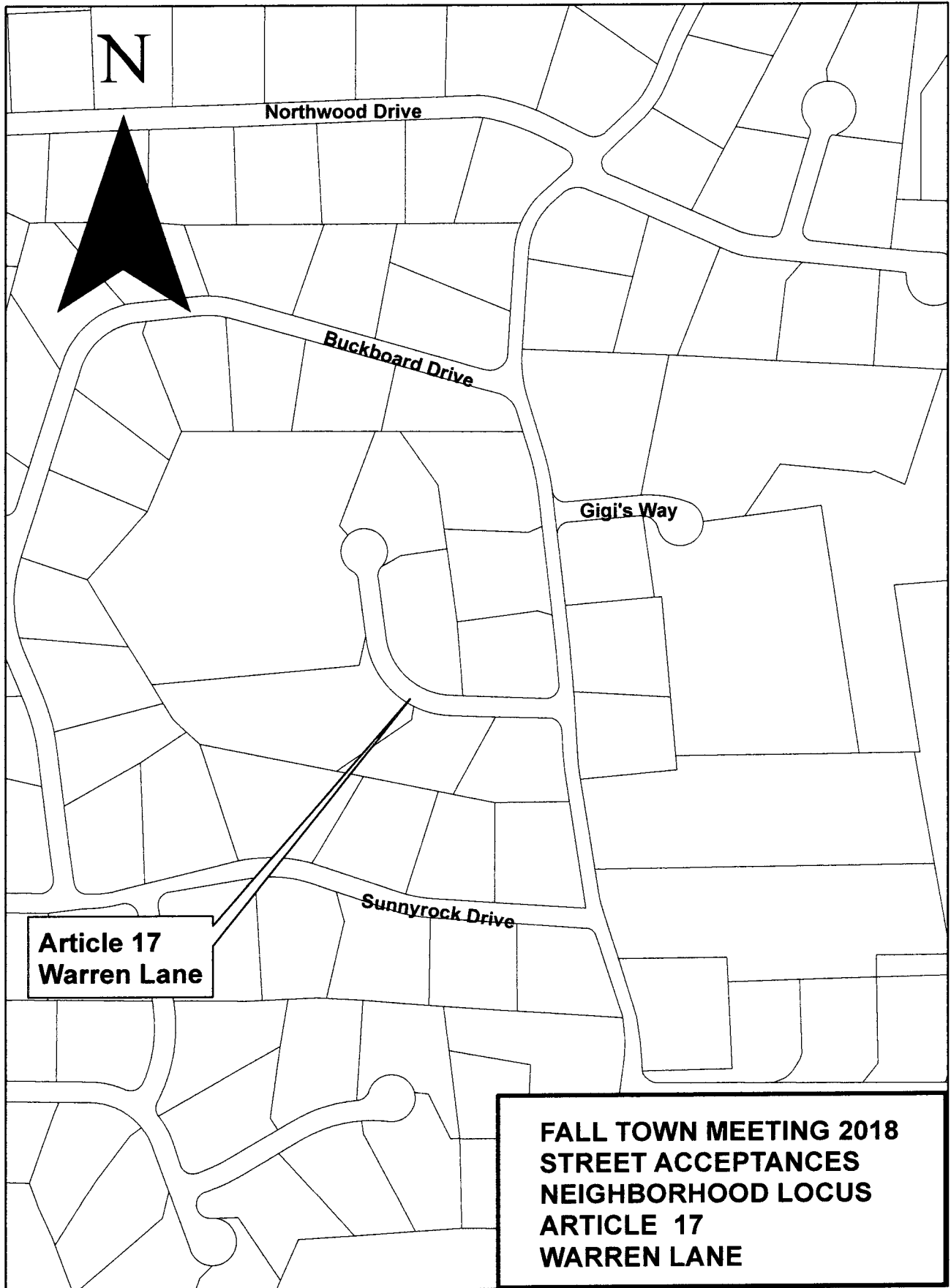
I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

Charles S. [Signature]
REGISTERED PROFESSIONAL LAND SURVEYOR
7-3-18

ARTICLE 17



FOR REPLY ONLY



**Article 17
Warren Lane**

**FALL TOWN MEETING 2018
STREET ACCEPTANCES
NEIGHBORHOOD LOCUS
ARTICLE 17
WARREN LANE**



TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS

Walpole Town Hall
135 School Street
Walpole, MA 02081
Phone (508) 660-7289
Fax (508) 660-7303

To: Town Meeting Members

From: James A. Johnson, Town Administrator

Date: October 2, 2018

Re: Article 18

Article 18 is a Citizens Petition that requests Town Meeting to transfer 25% of certified Free Cash as of June 30, 2018, to reduce the tax rate for Fiscal Year 2019. A similar article was presented to Town Meeting last fall where the vote failed 84 votes to 44 votes. As the individual who is responsible for the day to day operation of the Town including the development of the Town's operating budget each fiscal year I would like to take this opportunity to provide you with some additional information for your consideration in regards to this article.

Levey Limit Background:

The levy limit is governed by Proposition 2½%, a Massachusetts state statute that went into effect in 1982. This statute limits the increase by which a municipality can increase the taxes each year. It is Walpole's practice to tax to the legal levy limit; by doing so we have been able to balance the Town's budget without the need for additional overrides.

Free Cash:

Free Cash cannot be budgeted. It is generated when actual revenue collections are in excess of estimates, when expenditures are less than appropriations, or both. In addition, any accounts having a deficit balance will negatively impact Free Cash.

Local Receipts include revenue generated from motor vehicles excise tax, permits, fees, etc. As stated above, the excess of receipts received over what's been budgeted becomes Free Cash at the end of the year. It is important to note that prison mitigation is never a certainty, local receipts are unpredictable, school receipts are transferred back to the school department exclusively, carry over is a constant variable and investment income is often absent and market dependent. Walpole has been conservative in budgeting local receipt estimates because overestimating could cause a deficit.

Over the last three years, Free Cash has come from mainly the following sources listed below.

	FREE CASH SOURCES		
	Aug-16	Aug-17	Aug-18
Yearly Carry Over	1,700,000	1,700,000	200,000
Prison Mitigation	800,000	800,000	800,000
Local receipts	1,891,549	1,761,460	2,763,126
School receipts collected	483,000	483,000	618,000
Tax Liens	233,000	205,000	312,000
Investment Income			501,000
FEMA Funds	306,000		
Long Term Debt	1,187,000	861,000	922,000
	6,600,549	5,810,460	6,116,126

Reserve Policy:

The Town's reserve policy is to maintain a reserve ratio of 5-15% of the operating budget to ensure that the Town has adequate funds to withstand a downturn in the economy and at minimum the Town's AA2 bond rating. Cash makes up a portion of that reserve ratio. Walpole is currently within this range and any decrease would be detrimental and could cause a structural deficit. The Town's 5 year average is 10.8%, in comparison the state average is 10%-11%. However, the Town's bond rating agency recommends this ratio to be more than 15%. Our Auditors and Financial Advisor have advised that without adequate reserves Walpole's credit rating will go down and the cost of borrowing will go up.

Free Cash Use and Ongoing Planning:

The Division of Local services has advised that, *"As a nonrecurring revenue source, free cash should be restricted to paying one-time expenditures, funding capital projects, or replenishing other reserves."*

As recommended, and because free cash is unpredictable, the Town does not use its free cash to balance the operating budget. In addition to contributing to the reserves, Walpole's Free Cash is used to fund long term infrastructure and capital asset needs such as funding Police, Fire, DPW and COA buildings, School/Town building and road improvements.

Over the last 4+ years Walpole has tackled our facility, infrastructure and equipment needs using a multi-tiered approach that relies upon a combination of tax-levy supported debt and thoughtful uses of funds on hand. The continued use of Free Cash in this manner will, in effect, increase property values and continue to stimulate Walpole's economy without the need for an override. The plan moving forward, as evidenced by what's being presented at this Town Meeting, is to continue to address the needs of a growing community. Walpole is a fiscally conservative Town that consistently weighs wants versus needs whenever it comes to spending the hard earned tax dollars that residents invest into our community each year.

In Summary:

If this articles passes, funds from Free Cash will be used as tax relief this year and it may result in a savings \$170.00 for the average residential tax payer. The largest commercial tax payers could realize a savings on average of \$25,000. The Town, in effect, will lose the ability to use these funds towards our reserves and much needed capital and infrastructure improvements. The tax payers will realize savings in FY2019 which will then be recovered in FY2020.

The use of Free Cash to reduce the FY19 tax levy does not come without impacting the Town's future. As was the case last year there is no plan that has been presented to address the gap that this usage will create going into Fiscal 2020 and beyond and without a plan the long term and ongoing use of Free Cash to balance the budget is not sustainable. Since Town Meeting considered this vote last year, the Town has taken steps to be more proactive in providing tax relief options to the residents who may need it. The Town now offers exceptions for elderly residents, blind residents, disabled veterans and residents who may be facing hardships. The Town also offers a tax deferral program for residents who are over 65 that may be unable to pay their property taxes and a tax work-off program for seniors and veterans. While I understand that there is a desire by some to reduce the tax rate here in Walpole there are other more sustainable ways to do so rather than using Free Cash. I look forward to discussing this matter further as we get closer to Town Meeting. Please feel free to contact me if you would like to further discuss this article.