

A Regular meeting of the Board of Selectmen was held on Tuesday October 7, 2008 beginning at 7:30 p.m. in the Main Meeting Room of the Town Hall. Mr. DeNapoli was absent. The following members were present.

Catherine Winston, Chairman
Clifton K. Snuffer, Vice Chairman
David Sullivan, Clerk
Christopher G. Timson

Also present:
Michael Boynton, Town Administrator
James Johnson, Asst. Town Administrator

Ms. Winston called the meeting to order at 7:30 p.m.

ANNOUNCEMENTS

Congratulations to Officer Burke for being chosen as employee of the month.
The Flu Clinic will be held on November 15 and November 19th.
Proclamation: Congratulations to Beth Verderber Pelick for being selected Person of the year from the Friends of Christopher Columbus.

MOTION moved by Mr. Snuffer to sign the proclamation congratulating Beth Verderber Pelick, seconded by Mr. Timson, VOTED 4-0-0

Ms. Winston informed the audience there was a house fire in Norwood over the weekend and there are small children involved and there is a need for clothing. If anyone has clothes they can spare, you can call the Selectmen's office for the sizes.

SPONSORED AGENDA ITEMS

10-4 Mark Good, Bond Anticipation Note

Mr. Good appeared before the Board requesting approval of two Bond Anticipation Notes, one in the amount of \$1,000,000 and one in the amount of \$1,257,500. He explained it is a very difficult time for borrowing. In 2007 the town borrowed with a maturity date of October 2008. The two notes are maturing in November and he went out to bid yesterday. The Town did receive four bids. Last week we had a commitment from Century Bank for one million and they came through and TD Banc North picked up the rest. The average of those two rates is about 2.87%. He felt the town fared well, if we had gone out last week all they were doing was negotiated sales and he does not know where the town would have stood. He noted the Bond Anticipation Notes are from Town hall Remodeling, DPW Garage Roof, Willis Treatment Plant, Radio Water Meters, Water Disinfectant System, Bird Middle School Roof Repair and Road Improvements.

MOTION moved by Mr. Timson to approve the sale of \$2,257,500 General Obligation Bond Anticipation Notes of he Town dated October 16, 2008 payable October 15, 2009 at par and accrued interest:

Number			
1	1,257,500	3.09	TD Ban N.A
2	1,000,000	2.60	Century Subsidiary

Further that in connection with the marketing and sale of the notes, the preparation and distribution of a notice of sale and preliminary official statement dated September 30, 2008, and a final Official statement dated October 6, 2008, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed approved and adopted.

Further that the consent to the financial advisor bidding for the notes, as executed prior to the bidding for the notes is hereby confirmed

Further that the Town Treasurer and the Board of Selectmen be and hereby are authorized to execute and deliver a material events disclosure undertaking in compliance with SEC Rule 15c2.12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further moved that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Seconded by Mr. Snuffer, VOTED 4-0-0

10-5 Zoning Re write Committee, Appointment

MOTION moved by Mr. Timson to appoint John Desmond to the Zoning Rewrite Committee as the School Committee representative, seconded by Mr. Snuffer, VOTED 4-0-0

10-6 EDC appointment

Michael McGrath appeared before the Board seeking the regular seat on the (EDC) Economic Development Commission. He informed the Board that he is new to Walpole and is aware the Town was undergoing some discussion with the power plant. He saw this as an opportunity to become more involved. He would like to attract clean safe businesses to town. He explained that he has some issue with the power plant and would like to see more companies like Siemens. He would like to see the downtown as a place to bring your family. He has been attending the EDC meetings regularly and is very interested in participating. The Board is looking for someone to serve who is committed to attending the meetings and Mr. McGrath stated that he is committed.

MOTION moved by Mr. Timson to appoint Michael McGrath as a regular member to the Economic Development Commission, seconded by Mr. Snuffer, VOTED 4-0-0

Stephanie Mercandetti invited the Board to the EDC's 2nd annual meeting at the Walpole Country Club on November 12, 2008.

10-7 Drag Hunt, Adams Farm

MOTION moved by Mr. Timson to approve the request of the Norfolk Hunt club to have their drag hunt at Adams Farm, seconded by Mr. Snuffer, VOTED 4-0-0

10-8 Rare Kids, banner request

MOTION moved by Mr. Timson to approve the request from Rare Kids Inc to hang a banner to announce their annual drive, seconded by Mr. Sullivan, VOTED , 4-0-0

10-9 Bid Award 2009-05, Pavement Markings

MOTION moved by Mr. Timson to award bid 2009-05 for pavement markings at various locations for 3 years to H-Way safety Systems Inc, Hanover, subject to availability of funds each year, seconded by Mr. Snuffer, VOTED 4-0-0

10-10 Bid Award 2009-08, Joint Bid, Salt

Mr. Boynton discussed the cost of salt last year compared to today's cost. The price of salt is higher. If the town uses the same as last year and could see an increase of \$120,000.00. Last year DPW stocked the salt shed and have a full facility at this time.

Recommend that the Board award this joint bid for salt to Eastern Minerals Inc of Lowell and for Solar salt. It is inevitable that the bidder could run out and the town would have to go the second lowest bidder

MOTION moved by Mr. Timson to award the contract joint bid to Eastern Minerals Inc, Lowell, Ma for CC salt @ \$70.20 a ton and solar salt at \$70.20 a ton, seconded by Mr. Snuffer, VOTED 4-0-0

10-11 Gift Acceptance

MOTION moved by Mr. Snuffer to accept the generous gift from the law office of Christopher G. Timson for the Andrew Bacevich Memorial Fund, seconded by Mr. Sullivan, VOTED 4-0-0

Mr. Timson explained this donation is being made in the name of a friend.

10-12 Election Warrant

MOTION moved by Mr. Timson to sign the November 4, 2008 election warrant, seconded by Mr. Sullivan, VOTED 4-0-0

10-13 One Day Liquor License, Knights of Columbus

MOTION moved by Mr. Timson to approve the Full liquor one day license for the Knights of Columbus for October 18, 2008, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Snuffer to send a letter to the Knights of Columbus for the 100th anniversary, seconded by Mr. Sullivan, VOTED 4-0-0

2009 Selectmen's Meeting Schedule

MOTION moved by Mr. Timson to adopt the meeting schedule as set forth with the changes being rescheduling the June 2nd, 16th and 30th meetings to June 9th and June 23rd, seconded by Mr. Sullivan, VOTED 4-0-0

Town Administrator's Update

Regional Fire-EMS Services Study: Mr. Boynton attended a meeting today. It is a very active group in the last year or so. They are looking at efficiency for regional services and looking at one area to see if we can make it better. There is no cost to participate. The town will work with other communities to see if we achieve anything.

Record of Decision, Superfund Site: EPA has released their record of decision. They will look inside the building. We are concerned about the culvert. We have a long way to go. There was discussion that EPA is of a different opinion than the Town as to what needs to be accomplished at the site. It was suggested that a letter be sent to Congressman Lynch asking him to intervene on the Town's behalf.

Mr. Boynton spoke to EPA identifying the party and asked them to do an assessment and a clean up proposal. They took in the Town's opinions and presented the clean up and we told them we did not like it. The next step is for us is to challenge the record of decision to EPA. It is a good idea to let the Congressman know about this. The intervener status will have a cost.

Mr. Snuffer noted that EPA has been resistant about addressing the building.

MOTION moved by Mr. Timson that we draft a letter to Congressman Lynch impressing our points to EPA and present this letter to the Board for review and approval seconded by Mr. Snuffer, VOTED 4-0-0

OPEN FORUM

Paul Cesarey, Library Trustee, asked to speak at Open Forum. He stated that with each presentation for the override for the new Library the Trustees keep getting questions and they can't answer. What will become of the existing building on Common Street if the Library question passes? We will give control of the building back to this body. Is there any guidance you can give us, as the question will not go away?

Ms. Winston explained that it is not your problem; it is the town's problem. Mr. Boynton agreed, someone is looking for a concrete answer as to what is going to happen to that building. The Library Trustees have articulated the need for a new library. Assuming there is a new library, I believe last week, we talked about a study committee be formed outlining and identifying potential reuse of that building.

Mr. Snuffer suggested reminding residents that the building will be utilized until the ribbon cutting. The library itself will remain functioning until the dedication of the library.

Mr. Boynton felt there is plenty of time to determine what will happen with that building. The commitment is there to work with everyone.

Ms. Winston discussed the Friends of the Council on Aging came in to discuss the placement of their new building between the Library and the Blackburn hall. The discussion of shared parking was brought up. Mr. Cesarey stated that any change to the plan submitted would be a reason to loose the grant funding. Talked about the letter they received regarding the grant and the plot plan. The state may increase the grant by 5% if we reach green level. Ms. Winston recalls being told that shared parking would not have any affect on the proposed library project.

Article #13, Library building

MOTION moved by Mr. Snuffer to recommend Favorable Action in the amount of seven million dollars subject to a debt exclusion override, seconded by Mr. Timson, VOTED 4-0-0

The cost is about \$80 a year for an average \$486,000 home.

Public Safety building study: The study will not cost the town anything as it will be done by students.

C.S. Bird Fountain restoration project: Is nearing completion and we will try to finalize a dedication day, we are meeting with the Bacevich family tomorrow. We hope to have information to the Board tomorrow. The brass turtles are in and the lanterns should go up the end of the week. The volunteer donations on this project, my guess is about \$100,000. Yes there have been some funds expended by the town.

The Chamber of commerce is hosting their breakfast meeting at Raffaels on October 14, 2008.

Mr. Boynton is hoping to meet with the town of Norfolk next week to discuss Everett Street.

Income tax elimination ballot question one. Mr. Boynton is looking for comments from members.

Ms. Winston would like to do a breakfast for the volunteers on the C.S. Bird Fountain. A nice Breakfast outside not in the town hall.

10-14 Change in manager, Italian American Club

James D. Bruce appeared before the Board he informed the Board that he grew up in Walpole and is currently a mailman in Norwood. He is married with Children. The

background check has been done by the police department and they have no issues. There are no monies owed to the town by this establishment.

MOTION moved by Mr. Timson to approve the Change in manager for the Italian American Club from Peter Mancini to Mr. James Bruce, seconded by Mr. Snuffer, VOTED 3-0-0 (Mr. Sullivan had left the room)

10-15 Double D's Deli, Common Victualler's License

Attorney Gully appeared before the Board representing Double D's Deli and Market which currently has a wine and malt package store license. He is asking to put five tables in with eighteen seats so people can be served food. The ABCC notes that alcohol may not be served and suggest that it be kept in a separate area and people are made aware that no drinking is allowed on premises. The Building Department and Board of Health have no issues.

Mr. Timson stated that he has been in this establishment and finds it to be a clean good looking business.

Ms. Winston explained to the owner that they are not allowed to serve the beer and wine on the premises.

MOTION moved by Mr. Timson to approve the Common Victuallers license for Double D's Deli and Market, seconded by Mr. Snuffer, VOTED 3-0-0

Fall Town Meeting Articles

Article #3

MOTION moved by Mr. Snuffer to recommend Favorable Action in the amount of \$166,000, for article 3, seconded by Mr. Timson VOTED 3-0-0

Article #4

MOTION moved by Mr. Snuffer to recommend no Action on Article 4, seconded by Mr. Timson , VOTED 3-0-0

Article #5

In the next Fiscal Year, Chapter 90 money will be used for Pine Street, Washington Street, Smith Ave, Union St., Bowker St. The town received a matching grant of 1.4 million for improvements from Water to High Plain Street. Fifty nine thousand three hundred, (\$59,300) is coming from free cash and rest from Chapter 90. The roads that are being paved are part of the management plan.

MOTION moved by Mr. Timson to recommend Favorable Action on Article 5, seconded by Mr. Snuffer, VOTED 4-0-0

Article # 6

MOTION moved by Mr. Timson to recommend no action on Article 6, seconded by Mr. Snuffer, VOTED 4-0-0

Article #7

Mr. Boynton explained there are two unpaid gas bills. One is from Hess \$8,179.27 and the other is from Baystate \$162.72. These bills were misplaced and had not been paid in FY2008.

MOTION moved by Mr. Timson to recommend Favorable Action on Article 7 in the amount of \$8,341.99, seconded by Mr. Snuffer, VOTED 4-0-0

Article 14 and Article 15

Mr. Boynton explained the town was approached by David Wakefield, he and his team would like to put in a small commercial subdivision; the proposal he made was to straighten out the "S" curve on South Street. Under Article 14 we would be accepting the gift of land from David Wakefield. Under Article 15, NSTAR Electric Company will grant to the town the land situated on South Street shown as parcel 1B containing 3,740 s.f.

MOTION moved by Mr. Timson to recommend Favorable Action on Articles 14 and 15 seconded by Mr. Sullivan, VOTED 4-0-0

Article 16

Mr. Timson noted that he does not see any other towns with this language. It should be removed.

MOTION moved by Mr. Timson to recommend Favorable Action on Article 16, with regards to the zoning by law use regulations, seconded by Mr. Snuffer, VOTED 4-0-0

Article 17 Quorum for Conservation Commission

Currently there Conservation Commission is made up of seven members and they are having difficulty obtaining a quorum. Under the local wetlands protection bylaw Section 310CMR 10.05 (2) of the Wetlands Act Regulations a Quorum is defined as a majority of the members then in office. It makes good sense to stay at seven members, however because of the quorum requirement, they are proposing to modify their regulations, to require that the vote be the majority present.

MOTION moved by Mr. Timson to recommend Favorable Action , seconded by Mr. Snuffer, VOTED 4-0-0

Article 18

MOTION moved by Mr. Timson to recommend Favorable Action on Article 18, seconded by Mr. Sullivan, VOTED 3-0-0

Article 19

MOTION moved by Mr. Timson to recommend Favorable Action on Article 19, seconded by Mr. Snuffer, VOTED 4-0-0

Article 20

MOTION moved by Mr. Timson to recommend Favorable Action on Article 20, seconded by Mr. Snuffer, VOTED 4-0-0

Article 21

MOTION moved by Mr. Timson to recommend Favorable Action on Article 21, seconded by Mr. Snuffer, VOTED 4-0-0

Article 22

Will hold for a member of the Planning Board to come in and explain this article.

Article 23

MOTION moved by Mr. Timson to recommend Favorable Action on Article 23, seconded by Mr. Snuffer, VOTED 4-0-0

Article 24

MOTION moved by Mr. Timson to recommend No Action on Article 24, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Timson to move into executive session to discuss collective bargaining under Chapter 39 Section 23 B 3, discussion could have a impact if in open and will return to open session for the purposes of adjourning, seconded by Mr. Sullivan voted by Roll call vote. Mr. Timson-aye, Mr. Sullivan-aye, Mr. Snuffer-aye and Ms. Winston-aye

The Board moved back to regular session.

MOTION moved by Mr. Timson to ratify the DPW contract, seconded by Mr. Sullivan, VOTED 4-0-0

Article 8

MOTION moved by Mr. Timson to approve Article 8 in the amount of \$41,962, seconded by Mr. Sullivan, VOTED , 4-0-0

MOTION moved by Mr. Timson to ratify Town Hall Clerical contract, seconded by Mr. Snuffer, VOTED 4-0-0

Article 9

MOTION moved by Mr. Timson to approve Article 9 relating to Town hall clerical contract, seconded by Mr. Snuffer, VOTED 4-0-0

Article 10

MOTION moved by Mr. Timson to approve Article 10 subject to the ratification of the police union , seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Timson to approve the Executive Session minutes of August 12, 2008, seconded by Mr. Sullivan, VOTED 4-0-0

MOTION moved by Mr. Timson to approve the September 8, 2008 minutes, seconded by Mr. Sullivan, VOTED 4-0-0

MOTION moved by Mr. Timson to approve the September 9, 2008, seconded by Mr. Sullivan, VOTED 4-0-0

MOTION moved by Mr. Timson to approve the Executive session of September 9, 2008, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Timson to approve the September 17, 2008 minutes, seconded by Mr. Sullivan, VOTED 4-0-0

MOTION moved by Mr. Timson to adjourn 10:05 pm., seconded by Mr. Sullivan, VOTED 4-0-0

Respectfully submitted,

David Sullivan , Clerk