

A Regular meeting of the Board of Selectmen was held on Tuesday, May 5, 2009 beginning at 7:00 p.m. in the Selectmen's Office and reconvened in the Main Meeting Room of the Town Hall. The following members were present.

Catherine Winston, Chairman
Clifton Snuffer, Vice Chairman
David Sullivan, Clerk
Al DeNapoli
Chris Timson

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

Executive Session:

MOTION moved by Mr. Timson to move into executive discussion under M.G.L. Chapter 39, Section 23B (3) to conduct contract negotiations with non union personnel, seconded by Mr. Snuffer VOTED by roll call vote: Mr. Timson-Aye, Mr. Snuffer-Aye, Mr. DeNapoli-Aye, Mr. Sullivan-Aye and Ms. Winston-Aye

The Board moved back to regular session.

7:40 p.m. Town Forest Committee

Steven Cyr appeared before the Board seeking appointment as a regular member to the Town Forest Committee. He is currently an associate member but would like to fill the opening. His education is surrounded around forest management.

MOTION moved by Mr. Timson to approve the appointment of Mr. Cyr to the Town Forest Committee to fill the unexpired term, seconded by Mr. Snuffer, VOTED 5-0-0

7:45 P.M. Imotobank, Class II license

MOTION moved by Mr. DeNapoli to open the hearing, seconded by Mr. Timson, VOTED 5-0-0

Philip Ibrahim appeared before the Board. His brother Marcus is not present. Mr. Snuffer recalls that when Mr. Ibrahim came before the Board previously there were some issues that needed to be resolved. Mr. Ibrahim explained the sprinklers were addressed. He spoke to Mr. DeSangro today and the sprinklers are fine. The excise bills have been paid. They have been at that location since 2003 and there have been no issues. There is no change to the operation other than LLC. He may park 55 vehicles outside and as many as he can fit on the inside. He does not store fuel for the vehicles on site.

MOTION moved by Mr. Snuffer to close the hearing, seconded by Mr. DeNapoli,
VOTED 5-0-0

MOTION moved by Mr. Timson that we grant the Class II license, seconded by Mr. DeNapoli, VOTED 5-0-0

8:00 p.m. 5-4 Keno License, 7- Eleven

Previously the Board had voted to not grant a Keno to go monitor for the 7-Eleven on Main Street. The applicant is asking the Board to reconsider that action. Attorney Bruce Norwell is representing the applicants. The last time the Board reviewed this request they had issues about loitering, distractions and concerns about monitor at this site. The Attorney had stated that MiMi's variety has one at the store and there seems to be no issue. The Chief has noted there have been some loitering issues with young people. He also noted that the type of people that would play Keno would no contribute to the loitering. Mr. DeNapoli would not allow any convenient store to have a monitor but is inclined to vote in favor with reservations. If something happens there are issues and we find it is not a smooth operation for a convenient store because of this monitor. He would like to condition this on review and have you come back and we could have any feedback from whomever.

Bruce Norwell gave the Board members a copy of Chapter 10, 27A. The part he highlighted reads the lottery does put a lot on the town for approval, so if there were to be an issue, if the town were to voice that concern to the lottery commission. Attorney Norwell does not think his client would have a problem coming back on an annual basis.

Mr. DeNapoli and Mr. Timson both want to make sure the Board can review it. This is something the Board has never dealt with before, and they do not think it is too much of a burden to come back in a year.

MOTION moved by Mr. DeNapoli that we approve the keno to go monitor for Holly Cross Investments d/b/a 7-Eleven to put a Keno monitor at the above location and that the Board condition this upon a review of this approval in a year and ask that the licensee return in a year, seconded by Mr. Timson VOTED 5-0-0

The Board will also send a letter to the Lottery Commission advising them of their decision.

8:12 P.M. Recreation, Fireworks

Ms. Winston spoke to the Board receiving emails and calls about the fireworks. The town never sponsored the fireworks and private donations paid for the fireworks and run by the Night Before the Fourth Committee. The town has never had the responsibility for them.

Mr. Boynton noted there are residents that are disappointed about the news that there will be no fireworks this year. There is talk about another group stepping in. Josh and his team have been looking at this. For fifty years, the night before the fourth committee did a great job bringing in the fireworks. They deserve to be commended. The question is are we going to take a break from the celebration or is there a way to make it go forward. It is a short time to pull it together. There are concerns of the Fire and Police Chiefs. If the town is going to do something another group is taking over we need to make sure it is fine tuned

Aisha Kelly and Judy Andutore explained they are concerned that this would be the loss of the fireworks and character of the town. They are wondering if it could still happen if we can raise the funds. They had met with the Fire Department and talked to them and they decided to cancel them this year. They have spoken to the Police Department and started fundraising. Aisha has contacted the Fireworks Company and they would work with them. People are donating their time and bands are donating music.

Mr. Timson thinks they are to be commended. The Night Before the Fourth committee took up this event; they can not do it this year. If you can pull it off that is great. I would endorse it. The funding comes from a private party and that is there. It is getting a new committee to do it. The one issue is that it is done in a way that the town is protected.

Mr. Snuffer noted the funding was not an issue. The other aspect was the community policing budget has taken a major hit. The town does not see all the hard work in getting an event like this one done.

Steve Smith, chairman of the Night Before the Fourth Committee felt there seems to be some confusion. He had met with the women. The committee took the vote back in March. They were asked to come up with police department details. He did talk to the fund raiser person and met with Town Administrator and Chairman. He is the one who signs the contract and on the hook for the money. Last year was a tough year and he did not feel comfortable signing that contract. These two came over and asked about and if they want to do it. He does not feel comfortable signing the contract. The committee felt with the current economy, the best thing to do was to put it off for a year.

It was suggested that a meeting take place this week to discuss if the fireworks will go forward.

Walpole Day Parade Permit.

MOTION moved by Mr. DeNapoli to grant a parade permit and close the roads as necessary, seconded by Mr. Timson, VOTED 5-0-0

OPEN FORUM

Jimmy Taylor questioned the purchase of three new dump trucks. Mr. Boynton explained which trucks were being purchased and with what funding. Jimmy Taylor would like to see the town buy a 10 wheeler instead of 6 wheelers.

8:40 p.m. Election Warrant

MOTION moved by Mr. Timson to open the election warrant, seconded by Mr. DeNapoli, VOTED 4-0-0

MOTION moved by Mr. Timson to close and sign the election warrant, seconded by Mr. DeNapoli, VOTED 4-0-0

5-6, 5-7 Council on Aging members

Carole Pereire and Dolores Efthim are currently regular members of the Council on Aging but are requesting to be appointed associate members.

MOTION moved by Mr. DeNapoli to accept the letters of Carole Pereire and Delores Efthim and appoint them as associate members, seconded by Mr. Timson, VOTED 4-0-0

5-8 Council on Aging member

Joanne Damish is currently an associate member and is seeking to be a regular member.

MOTION moved by Mr. DeNapoli to appoint Joanne Damish as a regular member, seconded by Mr. Timson, VOTED 4-0-0

5-9 Tri County Appointment

Mr. Louis Hoegler is seeking re appointment to the Tri County School Committee. This appointment is made by the Town Moderator, Chairman of the Selectmen and School Committee.

MOTION moved by Mr. Sullivan to recommend the appointment of Louis Hoegler to the tri county school committee, seconded by Mr. Timson, VOTED 5-0-0

5-10 Fields Sub Committee

This is a sub committee of the Recreation Department. Mr. Cole is drafting goals and objectives to bring to the Selectmen.

MOTION moved by Mr. Timson to approve and appoint Bruce Cochrane and Bob Andutore to the Fields Sub Committee, seconded by Mr. DeNapoli, VOTED 5-0-0

5-11 Memorial Day, Use of Common

The common is being worked on and they will put the loam and hydro seed, the new flagpole is in and will make the celebration as smooth flowing as possible. Mr. DeNapoli commented on how nice the commons are looking and wondered when the fountain was going to be turned back on.

MOTION moved by Mr. Timson to approve the request of the veteran's agent to use the common for Memorial Day and to close the roads as needed, seconded by Mr. DeNapoli, VOTED 5-0-0

5-12 to 19 Gift Acceptances

MOTION moved by Mr. DeNapoli to accept the gifts for Walpole Day from Senator Timilty, Sharon Credit Union, James Delaney, Herb Lewis Ins. Agency, James & John Turco Insurance Agency, The Mostich Corporate Benefits Agency, Alexander Tomas & Sons Funeral Home, J.D. Murphy, seconded by Mr. Timson, VOTED 5-0-0

5-20 Gift Acceptance

MOTION moved by Mr. DeNapoli to accept the gift for concerts on the common, seconded by Mr. Timson, VOTED 5-0-0

5-21 Snow plowing

The Town has received several complaints about damage to mailboxes from the residents of Endean Estates. Someone from Endean subdivision called about damage to her driveway by a town plow. Based on the complaints, there is a recommendation that for roadways that are not accepted we should get a letter to plow the streets, indemnification from property owner. Mr. Boynton had followed up with this on a request to the postmaster to see the information they sent out to the homeowners. This would be for all subdivisions, private ways, not under our ownership.

Ms. Winston suggested we have counsel draft a letter indemnifying the town. She also wanted to know if they do not indemnify, will the town still plow the roadway? Ms. Winston informed the Board members that Michael, Bob and her met with the postmaster and carrier and some of the statements the residents make are not true. The mailboxes are not put in properly according to regulations, they are trying to accommodate the truck, and we had many requests for replacements. Ms. Winston would like the letter to go out as soon as possible.

MOTION moved by Mr. Timson to approve the request of the Town Engineer and send a copy to the homeowners association, seconded by Mr. DeNapoli, VOTED 5-0-0

The residents need to be made aware of this. Mr. Boynton agrees there needs to be better cooperation from the developers. If there are concerns about getting fire and police down a street the town can make a clear path to get them there. Do not go beyond what we do on accepted ways.

Five year update, Master Plan

Every five years the Master plan has to be reviewed. Mr. Boynton had gone through the chart and most of the items have been done successfully.

MOTION moved by Mr. DeNapoli to approve the update with Selectmen tasks and forward to the committee, seconded by Mr. Timson, VOTED 5-0-0

5- 23 Boy Scouts, A-Frame

MOTION moved by Mr. DeNapoli to approve the request for the cub scouts to place A-Frame sign to announce sign up, seconded by Mr. Timson VOTED 5-0-0

Town Administrator's Update

Route 1A, Meeting with them next Monday for an update
BAC Student design, they will come to town hall on May 20th in room 112

Risk Management: Attended a workshop and it was great. We left there challenged thinking of things you can do differently, we kicked off a project with department heads looking at risk management initiative Assessment of jobs and duties. They discussed training for supervisors, re evaluation of our performance evaluations. All the types of things are focusing risk of loss, injury, claim, and death. Mr. Boynton suggested that risk management is something he will be working on.

Seasonal laborers- we have always had them. Just in the cemeteries during the summer months.

New Business: Suggested putting together a committee on ways to save money. Would also like a GASB45 committee.

MINUTES

MOTION moved by Mr. DeNapoli to approve the minutes of March 5, 2009, seconded by Mr. Timson , VOTED 5-0-0

MOTION moved by Mr. DeNapoli to approve the executive session minutes of March 5, 2009, seconded by Mr. Timson , VOTED 5-0-0

MOTION moved by Mr. DeNapoli to approve the minutes of March 24, 2009, seconded by Mr. Timson , VOTED 5-0-0

MOTION moved by Mr. DeNapoli to approve the executive session set 1 minutes of March 24, 2009, seconded by Mr. Timson , VOTED 5-0-0

MOTION moved by Mr. DeNapoli to approve the executive session set 2 minutes of March 24, 2009, seconded by Mr. Timson , VOTED 5-0-0

MOTION moved by Mr. DeNapoli to approve the minutes of April 7, 2009, seconded by Mr. Timson , VOTED 5-0-0

MOTION moved by Mr. DeNapoli to approve the executive session minutes of April 7, 2009, seconded by Mr. Timson , VOTED 5-0-0

MOTION moved by Mr. DeNapoli to adjourn at 9:20 p.m., seconded by Mr. Timson, VOTED 5-0-0

Respectfully submitted,

David Sullivan, Clerk