

A Regular meeting of the Board of Selectmen was held on Tuesday, February 8, 2011 beginning at 7:30 p.m. in the Main Meeting Room of the Town Hall. The following members were present.

Nancy Mackenzie, Chairman
Eric Kraus, Vice Chairman
Michael Berry, Clerk
Christopher Timson
Clifton Snuffer

Also present:
Michael Boynton, Town Administrator

Mrs. Mackenzie called the meeting to order.

Pledge of Allegiance

ANNOUNCEMENTS AND PROCLAMATIONS:

Mr. Kraus read the Proclamation for Gregory Salvatore into the record. Mr. Salvatore is the Chamber of Commerce Citizen of the Year for his leadership in upgrading of the Turco Field. He headed the Friends of the Walpole Community Athletic Complex in the rebuilding of the Turco Field; which include a brand new track and lighting.

MOTION moved by Mr. Kraus to sign the proclamation, seconded by Mr. Berry,
VOTED 4-0-0

Moment of Silence

Mr. Kraus informed the Board that early yesterday morning Walpole resident Tom Tempesta passed away in his sleep, while visiting his mother in Florida. He was the loving husband of Kathy Tempesta and loving father of Thomas and Michael. He was a big supporter of the Town, involved in Walpole sports and very involved with the High School. He was well respected in the community and as is the case with every death, this is a big loss to his family and friends. In his memory, he asked for a moment of silence.

OPEN FORUM

David Lynch of Hartshorn Road is looking for the town to assist the neighborhood in the repair of the end of Hartshorn road with Norton Ave. Mr. Lynch and the neighbors think it needs to be fixed properly.

Mr. Boynton explained they have researched this street and it is not unlike a few other areas in town that are private roads. The ability for the town to expend public dollars becomes difficult. Neighbors have approached the town from other roads seeking assistance in repairing their private roads. By making improvements to the roadway, the town accepts it with some type of betterment to make that road passable. We have made emergency repairs, but in terms of making major improvements, it would require town meeting approval. He suggested some residents meet with Bob O'Brien and Maggie to discuss the roadway. It is frustrating, problematic for the town. Under statute we can not do that. Start the dialogue with T. Engineer.

Lloyd Smith, 9 Hartshorn rd. It is not only the residents of Hartshorn Road but residents of Norton Ave. As far as fixing it goes, the town spends a lot of money repairing it. He noted there is a lot of traffic using this road as a cut thru. The apartments are at the end of Norton and they use the road as well.

7:40 Mr. Timson arrived.

M. Boynton does not believe the town spends a lot of money on the street, but the town cannot do a lot. It is a question of meeting the statute.

Jack Fisher, 6 Hartshorn Rd. understands the difficulty. The neighbors went before town meeting almost twelve years ago to have the town accept the road and it was turned down. We had the support of the Selectmen but some RTM were concerned about setting precedent. The neighbors are asking the town to continue discussion. He has been there for forty years, to do nothing at all, the road will decay and become impassible, and you will not able to get through there. He talked about the difficulty for school buses. Third option is have the town accept the road. Most private roads are not thruways. It is a unique situation. Many residents use it. He does not feel it would set a precedent. You could go ahead, improve the road, and charge betterment charges. The town owns some of the property. We want to continue to work on this. It is a legal and money problem. There is no association and they have never attempted to create one.

SPONSORED AGENDA ITEMS

2-1 Leo Murphy, Pond Management Committee

Mr. Leo Murphy is seeking associate membership to the Pond Management Committee. He informed the Board he has been volunteering since fall and would like to serve.

MOTION moved by Mr. Kraus to appoint Leo Murphy to the Pond Management Committee as an Associate Member, seconded by Mr. Snuffer, VOTED 5-0-0

2-2 Allied Recycling, Junk Dealers/Junk Collectors License

Mr. Boynton explained the applicant had filed their paperwork at the proper time. It was on the agenda once and the Board did not take action. These licenses were to be renewed

in May. Mr. Kraus noted that if this does not pass they have been operating without a license. Mr. Boynton explained it was to go back on the Agenda and he will take the responsibility for it not being put back on.

MOTION moved by Mr. Kraus to renew the Junk Dealer/Junk Collector License for Allied Recycling Inc., seconded by Mr. Berry

Discussion ensued:

Mr. Timson wanted to know if there is any update on the property. Mr. Scaibia explained they are waiting for a price on the landscaping work, and AD Martino Construction has the stormwater plan and is giving them a bid. The site plan is being done with Conico. The front entrance is going to help our business. We are excited about it.

VOTED 4-1-0 (Mr. Snuffer Opposed)

2-3 Mutual Aid Agreement, MEMA

MOTION moved by Mr. Kraus to adopt the Statewide Mutual Aid law and the Fire Mutual Aid Law and to endorse the Mutual Aid Opt-In Form, and further that the Board notify the mutual aid advisory committee that the Town of Walpole will join the Statewide Public Works Municipal Mutual Aid Agreement and program, seconded by Mr. Berry

The Board discussed whether there was any downside to adopting this agreement and Mr. Boynton explained it is a benefit, the town would have the ability to bring staff in and there are protections in place so a community cannot overuse. Each town will still have the authority to control their staff.

Chief Stillman stated the Mass Chiefs are supportive of this.

VOTED 5-0-0

2-4 Constable Appointment, Deputy Chief Carmichael

The purpose of having the Deputy a Constable is to have the ability to sign the warrants and sign certain documents for the Town. They do not do civil process.

MOTION moved by Mr. Kraus to appoint Deputy John Carmichael as a constable, seconded by Mr. Snuffer, VOTED 5-0-0

2-5 Public Hearing, Used Car License for Unique Motors

MOTION moved by Mr. Kraus to open the public hearing, seconded by Mr. Snuffer, VOTED 5-0-0

The applicant Desiree Simmons appeared before the Board seeking a used car license for her business. She is locating at 4 Renmar Ave. The cars will be sold on the internet and she will only use the site for storage. She is doing this part time. She will bring the vehicle to the person for them to test drive. Her hours will probably be 10-8.

The Board discussed the suitability of the site; it is also served off a road that has residential abutters. As the applicant states this is for storage. No mechanical work. She has been granted a Special Permit from the ZBA for eight vehicles stored inside. Showing of vehicles at this location is prohibited.

She has a little experience with this type of business, but her brother is working with her and he has been doing this for years. He works for a friend of the family who has a dealership.

Mr. Snuffer stated if it were in a different area, he would have a problem but thinks this is the right location. He feels it is more business than residential. Mr. Timson agreed the Board has been making a point to people, that we have a fair amount of places along Route 1A for used cars.

Mrs. Mackenzie wanted to know what the other uses along Renmar are. Steve Gold, owner, explained part of the building he uses for landscaping. Another business is using it as a storage facility for his Route 1 business.

Mrs. Mackenzie thinks it is kind of changing what is going on there. She does not think they were set up for storage of cars. Mr. Gold explained it is a new building, new drainage system, floor drains, holding tank, oil/water separator approved by MWRA, water drains into sewer system, and the parking lot has a storm sceptor. Separate water and other debris and holds into tank.

MOTION moved by Mr. Kraus to close the public hearing, seconded by Mr. Berry, VOTED

MOTION to approve a Class II license for Unique Motors, 4 Renmar Ave, #3, as stipulated in the decision from the Zoning Board of Appeals Case # 21/10

1. The structure will be used for eight automobiles stored inside the building.
2. There shall be no additional illuminated signs or exterior lighting
3. Hours to be consistent with the Zoning By-laws and Zoning Board of Appeals Decision.

VOTED 4-1-0 (Mrs. Mackenzie opposed)

2-7 Gift Acknowledgements from January 25th meeting

The board wanted to read into the record the donors to the Pond Fund from the previous meeting.

2-8 Deposit of lodge Tags, Ponds Committee

This is the mechanism to accept it.

MOTION moved by Mr. Kraus donations for the Turner pond Lodge programs for \$730.00, seconded by Mr. Snuffer, VOTED 5-0-0

2-9 Gift Acceptance, Pond Management

MOTION moved by Mr. Kraus to accept the donations for the Turner Pond Account in the amount of \$640.00 from Mary & Robert MacDonald in the amount \$20.00, Kathy Glynn in the amount of \$20.00 and \$600.00 in cash, seconded by Mr. Snuffer, VOTED 5-0-0

2-10 Gift Acceptance, Walpole Day

MOTION moved by Mr. Kraus to accept a donation of \$250.00 from the Walpole Cooperative Bank for Walpole Day, seconded by Mr. Snuffer, VOTED 5-0-0

2-11 Council on Aging, Cash gifts

MOTION moved by Mr. Kraus to accept \$643.50 for the Council on Aging from various donors, seconded by Mr. Snuffer, VOTED 5-0-0

2-12 Council on Aging, Cash gifts

MOTION moved by Mr. Kraus to accept \$120.00 for the Council on Aging gift account, seconded by Mr. Snuffer, VOTED 5-0-0

2-13 Snow and Ice, Request to Overspend

Mr. Boynton explained the town has spent \$707,000 from the snow and ice budget to date. It has exceeded the budget of \$700,000. The Finance Committee voted unanimously to approve the request. They have applied for reimbursements thru FEMA. I think it is \$310,000. There will be a process where federal funds will come back to the communities. Anything will help. He will look to the overlay surplus and have to look at free cash. He is hoping the cost is not one million. The cost is about \$9,000 an hour.

MOTION moved by Mr. Kraus to allow the DPW to overspend the Snow and ice Budget as authorized by MGL, Section 31D for FY2011, seconded by Mr. Snuffer, VOTED 5-0-0

2-14 Spring Annual Town Meeting Warrant

Michael and Mr. Kraus met with MPIC, there was a lot of discussion about the buildings we have, and they want the study to include all buildings.

MOTION moved by Mr. Kraus to sign the Spring Annual Town Meeting 2011 warrant, seconded by Mr. Snuffer, VOTED 5-0-0

MINUTES

MOTION moved by Mr. Kraus to approve the minutes of January 11, with clerical corrections, seconded by Mr. Snuffer, VOTED 5-0-0

MOTION moved by Mr. Kraus to approve the minutes of January 13, with clerical corrections, seconded by Mr. Snuffer, VOTED 5-0-0

TOWN ADMINISTRATOR'S UPDATE

Home for Little Wanderers - will be in on March 22, 2011.

Friends of St. Patrick, Parade

MOTION moved by Mrs. Mackenzie to approve the request of the Friends of St. Patrick, seconded by Mr. Berry, VOTED 5-0-0

Sergeant Interviews

Mrs. Mackenzie left the meeting and will not return. She will not be participating in this discussion. Mr. Boynton left as well.

Sergeant Appointments

Chief Stillman explained under the civil service rules you can look at the top five candidates. The police department is seeking to fill the two sergeant vacancies created when Steve Palmer retired and John Carmichael was promoted. Lieutenants Leland and Salzburg, Deputy Chief Carmichael and the Chief interviewed each of the candidates. The candidates are patrolman John White, Patrolman Joseph Zanghetti, patrolman Stephen Foley, Detective Timothy Sullivan and Detective James O'Connell.

Each candidate explained what he does in the department and why he would make a good Sergeant. They were also asked to explain what they feel their best qualities are and what their greatest challenge in this new role would be.

All candidates were given as much time as needed to respond to the questions asked by the Board members. The Board was very impressed with the candidates and thought it was a difficult choice. They would like to see the candidates continue their education. They reviewed all the candidates' background and education and after careful

deliberation, the Board supported the promotion of Patrolman Joseph Zanghetti and Detective James O'Connell.

MOTION moved by Mr. Berry to promote Joseph Zanghetti to Sergeant in the Police Department, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Berry to promote Detective James O'Connell to Sergeant in the Police Department, seconded by Mr. Snuffer, VOTED 4-0-0

MOTION moved by Mr. Berry to adjourn at 9:40 p.m., seconded by Mr. Snuffer, 4-0-0

Respectfully submitted

Michael Berry, Clerk