

A Regular meeting of the Board was held on Tuesday, February 5, 2013 beginning at 7:00 p.m. in the Main Meeting Room of the Town Hall. The following members were present.

Eric Kraus, Chairman Participated remotely
Michael Berry, Vice Chairman
Mark Gallivan, Clerk
Christopher Timson
Nancy Mackenzie (7:55 pm)

Also Present:
James Johnson, Asst. Town Administrator
Cindy Berube, Executive Assistant

Mr. Berry called the meeting to order followed by the Pledge of Allegiance.

ANNOUNCEMENTS

Mr. Berry announced that Mr. Kraus will be participating remotely due to geographic distance via the telephone. He will have full participation.

Ralph Knobel- The Board of Selectmen is saddened to learn of the recent passing of Ralph Knobel. Ralph was a beloved member of the community and a friend to Town Hall. Ralph served on many Committees and organizations in town including;

RTM 1979-1988 and again 1994 to present, Four Seasons Study Committee, Isaac Study Committee, Computer Study Committee, Town Report Committee, Finance Committee, Adams Farm Committee 2000-present, Friends of Adams Farm 2002 –present

He has our highest regard and sincere appreciation for all his contributions to the Town, especially his continued efforts to promote the use of Adams Farm by all residents. He will be sorely missed. We ask for a moment of silence in his memory.

Mr. Timson stated with regard to Ralph, I served on a number of Boards and his two passions were public safety and A. Farm. There will be a big void, I am sure someone else will step up to the plate.

Proclamation for Chamber of Commerce, Person of the Year. Mr. Berry read into the record.

MOTION by Mr. Gallivan to sign the proclamation for Philip Czachorowski, seconded by Mr. Kraus, VOTED 4-0-0

SPONSORED AGENDA ITEMS

7:00 p.m. Representative's Rogers and McMurtry

Rep Rogers and Representative McMurtry appeared before the Board to update them on the state budget. There were representatives from Senator Timilty's, Representative Kafka and Wilson present.

Representative Rogers thanked the Board for allowing them the opportunity to attend. He noted they share the sentiments of Ralph Knobel. He made the town richer for knowing him. He spoke of the State going in the next fiscal year. We spoke in December when the Governor spoke of 9C cuts. There is a \$225 million dollar revenue gap. We were hoping the Governor would hold off on these actions. There were significant cuts, prison mitigation was 100% cut. The delegation sat down with House Ways and Means chair and asked formally on your behalf, that if revenue begin to rebound, by the fourth quarter that the \$750,000 be released from the DOC to the town, the Chairman said he would do so. Yesterday, we took action on the Gov 9C expansion. Today the DOR certified, the month of January was better than anticipated. The deficit of November has been erased. The 9C money has not been cut, just not released. We are asking the Governor to release the funds, the Governor is proposing \$580,000 increase in Ch 70, additional \$75,000 for Walpole, there major caveats, major shift in tax and budget policy, a lot of increase 1.9 billion increase, the climate on raising taxes on Beacon Hill is not a good one. We are just coming out of a recession, we should do not harm. Those discussions are occurring now, if we thought it would pass, we would advise you to build those numbers. Proceed cautiously with your budget.

To redefine a budget balance requirements. We have a statutory requirement. To take 1% of all tax revenue and put aside and into the stabilization. He would eliminate that and sweep that into the general fund.

The third, transferring four million from rainy day fund, we need to discuss the merits. My sense right now in the house, not a major desire to do that. The Governor is trying to persuade us to do this. The wisest course is to assume level funding. Unless we adopt, if not 3.9% increase. We will not know until mid to late April.

M. Berry noted the Town is basing the budget on level funding.

Mr. Kraus thanked the delegation for fighting so hard, we are proud to have you as our delegation. Given the fiscal priorities in state, as the Town Administrator said last night, given your history, do you think that money is coming this fiscal year?

Representative Rogers believes the Town will receive the \$750,000. We have worked hard. The role of having a prison in this community for the benefit of the rest of the commonwealth. They get it. It is Ways and Means. It has a special status, do not take anything for granted. We will work hard to ensure it reappears on the Governor's desk.,

Mr. Gallivan and Mr. Timson thanked them as well. Mr. Gallivan informed them Senator Timilty filed legislation, to get some land near the prison to get the fields, as it bubbles up

if you support the idea, any chance that land becomes available, we understand there could be some costs to the town.

Representative Rogers stated they do support that effort, there is no built in right of first refusal. Unlike farm property. Walpole and Norfolk should have rights of first of refusal because they have been a gracious host to the commonwealth.

Mr. Berry wanted them to know they also have legislation. We will have legislation seeking additional liquor license. We will likely consider reopening the warrant and place it before T. Mtg. That could show up on your radar screen.

Representative McMurty stated they stand steadfast as a collective delegation in our efforts to serve the best interests of this community. We welcome the opportunity and thank you for the opportunity.

2-2 Public hearing, All Alcoholic Common Victualler's, The Crease

MOTION moved by Mr. Gallivan to open the public hearing for All alcoholic common Victualler's license for "The Crease", seconded by Mr. Timson VOTED 4-0-0

Attorney James Gulley is representing Rebel Town Inc for a new Annual All Alcoholic Common Victualler's license. Mr. Alan Lightfoot, Barbara Lightfoot, Marshall Thomas, Manager of Record.

They live in Walpole, Marshall has been in the business for over 23 years. All members have been certified with TIPS. The same use that was there for 944-946 Main Street will be similar. It will be a sports type of pub.

Mr. Lightfoot- family oriented type sports pub, good food. He is currently a general contractor. Barbara Lightfoot stated Walpole is a great sports town, we love it here, the home feeling and closeness of the town. Something we are interested in keeping up with. The renovations will remain the same. Mr. Lightfoot, the floor plan will remain the same, some lighting changes, paint and a new floor. Mr. Thomas will be there full time as the manager of record.

Mr. Timson is glad to see someone putting that spot to good use. His attorney did a great job, wish them success. Mr. Timson explained Walpole takes enforcing of underage drinking seriously. There is a coalition in the town for alcohol and drug awareness. He encouraged them to find out about it. Trying to make sure underage kids are not served.

MOTION moved by Mr. Gallivan to close the public hearing seconded by Mr. Timson VOTED , 4-0-0

MOTION moved by Mr. Gallivan to grant an All alcoholic common Victualler's license to Rebel Town, Inc., d/b/a/ the Crease located at 944-946 Main Street subject to approvals from the Board of Health and Building Commissioner being obtained. Seconded by Mr. Timson VOTED 4-0-0

MOTION moved by Mr. Gallivan to appoint Marshall J. Thomas as the Manager of Record for "The Crease", seconded by Mr. Timson, VOTED 4-0-0

OPEN FORUM

William Hamilton spoke of the train crossing situation in S. Walpole. He would like to have CSX come before the Selectmen and look at the problem. He would like a device in the road if there is gridlock. There is not enough time to stop the train.

Mr. James Taylor questioned the Board about the property on Route 1A they are talking about buying. He feels before they do anything they should look into a traffic light in that area. He felt the town can not handle the ballfields they have now. Mr. Gallivan explained they are in the early process of looking at the land, not sure if the DOC will sell it.

2-3 Street Acceptances, Intend to layout roads

MOTION moved by Mr. Gallivan that the Board of Selectmen intend to layout the following Streets North St. Circle, Old Town Rd, Starlight Dr., Walpole Park South, Gristmill Lane, Daylily Lane, and Red Gate Rd. seconded by Mr. Timson, VOTED 4-0-0

MOTION moved by Mr. Gallivan that the Board of Selectmen intend to alter the layout of High Plain Street, seconded by Mr. Timson VOTED 4-0-0

MOTION moved by Mr. Gallivan to hold the public hearings for the street acceptance on March 7, 2013, seconded by Mr. Timson, VOTED 4-0-0

2-4 Parking Lot license, TMC Elm, LLC

The new owners have a scheduling conflict and will not be in attendance. Michael spoke with them yesterday and they agree to abide by the existing site plan will not make changes to the current license. These licenses are not transferable. If the Board wishes to wait, you can table this until the new owner is available.

Nancy Arrived at 7:55 p.m.

MOTION moved by Mr. Gallivan to approve the parking Lot license for TMC Elm, LLC at 55 West Street, subject to the conditions set forth in the ZBA case 4/00, the attached parking plan and that there be no more than 41 vehicles on lot 5., seconded by Mr. Timson, VOTED 5-0-0

2-5 Breakaway Café

Timothy Sherman is the facility manager and will operate the business the same as previously.

MOTION moved by Mr. Gallivan to grant a common Victualler's license to Express Management d/b/a Breakaway Café, 2130 Providence HWY, inside Ioria Arena, seconded by seconded by Mr. Timson, VOTED 5-0-0

2-6 Chapter 90 Reimbursement

MOTION Mr. Timson to sign the Chapter 90 Reimbursement request forms as submitted by Robert O'Brien for (Washington and West Street, Pine Street, Coney Street, Bowker, Gill and North Street, Bittersweet Rd, Cardinal Lane, Rose Marie Lane, Summerfield Rd, Sunnyrock Dr, Wendy Street, Andrew Way, Breezewood Lane, Carl rd, Castle Terrace, Courtney Rd, Covey Rd, Jean Rd, Jesse Way, Kingsbury Rd, Partridge Lane, and Tenton Way, seconded by Mr. Gallivan, VOTED 4-0-1 (Mrs. Mackenzie abstained)

2-7 to 2-9 Gift Acceptances

MOTION moved by Mrs. Mackenzie to accept the Gifts FROM Norfolk District Attorney, Anita & Kristine Hoffman and Helen & Russell Philips with gratitude, seconded by Mr. Gallivan, VOTED 5-0-0

2-10 Special Police Officer appointment

MOTION moved by Mrs. Mackenzie to appoint Detective Jason Reilly as a Special police Officer , for the Town of Walpole, seconded by Mr. Gallivan, VOTED 5-0-0

New Business

Mr. Timson announced the DPH has indicated they are probably unlikely to get their regulations out by the required deadlines. They should take a look at the Legislation that has been proposed. The State Representative from Salem, proposed regulations that look pretty good, in the mean time, Feb 13, 14 and 27 is allowing for public input (DPH). I would like to see if Robin Chapell and Deputy Chief could attend of those to put forward the Town's thoughts. Robin is willing to go, The Deputy Chief said he needs to check with the Chief. Feb 14th makes the most sense. We as a Board could put together something in writing.

MOTION moved by Mr. Timson that we authorize Robin Chapell and Deputy Chief Carmichael to attend one of the three meetings by the DPH to put forward Walpole's concerns about that legislation, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Timson to have the Selectmen either with coalition or not, authorize, to put forward a written document to the DPH indicating our concerns in writing, seconded by Mrs. Mackenzie, VOTED 5-0-0

Old Business

Town Owned parcels to see if we can get that back on the radar screen. One step closer. Maybe gain some revenue to channel to other areas in town.

Mr. Johnson noted when we met with the Maguire group we asked them to take a look at those parcels we should have something for you on the 26th. Mr. Timson would like them to look at whether a parcel or two would be useful for a senior affordable housing project.

MINUTES

MOTION moved by Mr. Gallivan to approve the Minutes of November 27, 2012, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Gallivan to approve the minutes of December 11, 2012, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Gallivan to approve the minutes of January 8, 2013, seconded by Mrs. Mackenzie, VOTED 5-0-0

Mr. Berry talked about the change in the article for the addition of the 2 licenses. Hope by next week we will have the kicks out.

MOTION moved by Mr. Gallivan to adjourn 8:15 p.m., seconded by Mrs. Mackenzie, VOTED 5-0-0