

The Board of Selectmen met on Tuesday, January 20, 2015 beginning at 6:00pm in the Main Meeting Room of the Town Hall. The following were present.

Mark Gallivan, Chairman
Christopher Timson, V. Chairman
Nancy Mackenzie, Clerk
James Stanton
Clifton Snuffer

Also present
James Johnson, Interim Town Administrator
Cindy Berube, Executive Assistant

Mr. Gallivan called the meeting to order

CHAIRMAN'GALLIVAN DECLARATION

I hereby declare that:

Under G.L. c. 30A, Section 21 (a) (2) the purpose of the executive session is conduct contract negotiations with nonunion personnel

That a discussion of the foregoing in open session would have a detrimental effect on the Board's Position.

That the Board will return to open session at the conclusion of the Executive Session

MOTION

MOTION moved by Mr. Timson that the Board go into executive session under G.L. c.30A Section 21 (a)(2) for the purposes and reasons declared by the Board's Chairman, with the returning to open session at the conclusion of the executive session seconded by Mr. Snuffer, Voted roll call- Mr. Snuffer-Aye, Mr. Stanton-Aye, Mr. Timson-Aye, Mr. Gallivan-Aye 4-0-0 (Mrs. Mackenzie had not yet arrived)

The Board moved back to regular session. Mrs. Mackenzie arrived at 6:26pm. Mr. Gallivan announced the Board has agreed to a contract with DPW Director Robert O'Brien.

MOTION moved by Mr. Timson to approve and endorse the contract of the DPW Director Robert O'Brien for three years, seconded by Mr. Snuffer, VOTED 5-0-0

Mr. Gallivan re-opened the meeting at 6:50pm followed by the Pledge of Allegiance.

6:50 CBD presentation

Robert O'Brien gave a history of the CBD design. A lot of work has been done. The prior Board, Chamber of Commerce and Downtown Business Association, along with

the Veterans Corp have all pitched in to make it better. They completely renovated all three commons. They are a real gem and would like to continue that. Make the sidewalks safe. Mr. Boynton realized that need and so does Mr. Johnson. I will outline options we can do. Thanked the Engineering department with designing this project. We received quotes, 600,000 and Ms. Walker and Mr. Quigley designed this all in house.

New Proposal

It was explained that Mass DOT has jurisdiction, because of the 1991 agreement with the Federal Aid money. That traffic control and other than routine maintenance they have jurisdiction. Any configuration has to be applied for in writing with Mass DOT. It requires prior written approval if you wanted to widen the sidewalks, catch basins etc. When you file with Mass DOT, they would not entertain without specific documentation. The town has the right to fill potholes, anytime the town tries to reconfigure we need their permissions. The traffic signals, we did an RFQ, who will design where the camera's control the signals. You can change the functionality at a computer desk. The cost is about \$200,000.

There was discussion on the Sidewalks, it would be difficult to widen, but would make the downtown more inviting and walkable if you widen them. It was explained that it would require following today's regulations requiring a bike lane. If the town changes the configuration of the lanes, all signal heads would not be in the right location. The town would be required to install newer signals. When the town first started out with this project we wanted to do something better, now we are doing is fixing what is there. Keep looking to get the best product. The preliminary quotes are around 6.5 million dollars.

With the new traffic signal system the town could see a JS on the traffic signals, out of sync due to drift. The system will use cameras and it does counts. The police can adjust the traffic lights from the computer. You would save \$45,000 by not putting in the loops. You have to make a decision to do one or the other.

Talked about the Sidewalks, bricks, they look good, is there any product in placement of the bricks that will look nice. The business owners want a safe clean sidewalk. The business owners hate the bricks. Hear that people do not feel safe getting out their cars. You could put in stamped concrete but would have to replace every few years.

Mr. O'Brien is recommending the Board go with Plan C as it is the best bank for your buck. The estimate is \$584,000 which will consist of Sidewalk and Road reprofile to remove transitions, all curb removed and reset and reused, wheelchair ramp replacement, install conduit under new cement concrete, adjust castings and tree grates, landscape area at SW corner of Main and East. That would probably be the way to go.

Mr. Johnson explained it is capital and part of two articles. The way it is set up under Article 13 we have a different funding source. The total amount \$1, 149,000.00. Looking \$500,000 from free cash, older road borrowing, these numbers are identified in Capital.

The engineering department explained how they came up with a scope of items. They received input from a lot of sources. Conduit entire length of sidewalk, able to put tree lighting, re-profile to make the road level. Address the ramp between the bank and police station on Stone St. Ravens nest is getting water in the basement because of the pitch of the Sidewalk. This will not preclude anything the town would want to do in the future.

This project was designed and planned in house. The Engineering office should be commended for that. Designs can cost hundreds of thousands of dollars. Should help bring in new development and help existing. The installation of the conduit will really help in the future. It is a welcome addition. Community Outreach, Ms. Dennehy, EDC officer will make herself available and let residents now what is happening when.

Donnell Murphy- as a property owner it is imperative that the town look at reinvesting. There are a lot of Buildings that need to be upgraded. The owners probably will not until the town does some. The owners say if they are going to do something the town needs to do something. The underground conduit is important to do. Urged the Board to vote in favor of this.

MOTION moved by Mrs. Mackenzie to endorse and support Option C as outlined in the Central Business District Report dated January 2015 as presented, and \$200,000 for signal, \$384,000 for road improvements, total project of \$1,149,000.00 with funding sources identified by Mr. Johnson seconded Mr. Timson

Mr. Timson will support this as long as the downtown business owners support this. Need to get everyone on board and support for this. Like to see this happen. Hope for feedback.

VOTED 5-0-0

1-13 Cumberland Farms, Increase in Fuel Storage

MOTION moved by Mrs. Mackenzie to open the public hearing for Cumberland Farms, 1340 Main Street, to increase Underground Fuel, seconded by Mr. Timson, VOTED 5-0-0

All the paperwork is in order. Attorney Peter Polasky, on behalf of Cumberland farms explained the request. They are raising the existing building and constructing a new one as approved in Planning Board case No. 14-12. Increase from 24,000 to 40,000 after meeting with Conservation we will be using triple wall tanks. Matt Lidner, Civil design group, raising the existing building and everything on site. A new 4500 s.f. bldg. and new pumps. Showed a copy of the proposed site plan.

It was noted the building is going to be smaller. There are other tenants, is this just going to be Cumberland farms? The new store will be bigger. The proposed plan has 18 spaces and there are currently 25 spaces. The gas islands, laid out parallel to Main Street and you are going to have 4 island perpendicular. Not increasing the number of dispensers. The larger capacity will have fewer truck deliveries.

The proposed tanks are generally dual tanks, in this case are within the Con Com jurisdiction. And they asked us to add another level, triple tank. Monitored for leaks. Higher than what is required by the state. Grooves in the concrete in case of spill, there are leak detention monitors, if the inner wall were to leak the monitor would go off. Backup alarm system. The level of fuel is monitored in Framingham. Fire suppression system under canopy.

MOTION moved by Mrs. Mackenzie to close the public hearing, seconded by Mr. Timson VOTED 5-0-0

MOTION moved by Mr. Timson to approve the request of Cumberland Farms Inc., to increase the underground fuel Storage 24,000 gallons to 40,000 at 1340 Main Street. This approval is subject to the conditions set forth in the Site Plan Decision 14-12. Seconded by Mrs. Mackenzie, VOTED 5-0-0

1-14 Henry Scanzio, COA member

MOTION moved by Mrs. Mackenzie to appoint Henry Scanzio to the Council on Aging as a Regular member for a 3 year term, seconded by Mr. Snuffer VOTED 5-0-0

1-15 Shawn McDonald, Ponds Committee

Shawn has been in town for nine years and helping out the ponds committee. Would like to be on the Committee.

MOTION moved by Mrs. Mackenzie to appoint Shawn McDonald to the Ponds Committee as an Associate member, seconded by Mr. Timson, VOTED 5-0-0

1-16 Richard Pilla, Norfolk County

Mr. William Maloney is the present representative. According to the Norfolk County the town can have an alternate member.

Richard Pilla-4 Berkely Dr, have been in town since 2009. I am an RTM, my company Paramount Partners, moving to Quincy, real estate broker firm. Member of the Sons of Italy, my reason for asking for this appointment, for the last 8 years Aid has been cut, I am a proponent of regionalization, I would like to raise the question to the Commission, to ask about regionalization. Of the 14 counties in Mass Norfolk does not have a tourism bureau. To help support local businesses, it is an opportunity Norfolk is missing. I would like to explore this. The cost of Special Education has an impact on school budgets, looking at regionalizing those type of programs. I think they could be doing more to help towns. Many things the County can do, Walpole pays the 12th highest assessment out of the 20 towns and what do you get for that money.

MOTION moved by Mrs. Mackenzie to appoint Richard Pilla as an Alternate Member to the Norfolk County Advisory Board representing Walpole along with William Maloney, seconded by Mr. Snuffer, VOTED 5-0-0

1-17 Resignation, Mike Amaral

MOTION moved by Mr. Timson to accept the resignation from Mike Amaral with regrets, seconded by Mrs. Mackenzie, VOTED 5-0-0

8:10pm EDC, LIQUOR LICENSES

Chris Walker, Chairman of the Economic Development Commission explained they feel the town is losing business opportunities. The Commission took a look at the law, and recognizes the law was last changed in 1985. The law does not benefit stable communities. The laws were very different. Total restaurants sales 81 billion in 1985 and now 684 billion. Average person spends \$2,215 a year at restaurants.

What can we learn from other towns? They looked at Quincy. They spent millions on their downtown. You need new and better housing. Need to have available restaurants and bars. One other factor, loss of retail space because internet space. Internet does not impact restaurant. People want more meal choices and an alcoholic beverage.

Talked about the Kendall bldg. and how restaurants would like a license Expansion of the liquor licenses was the most import to the improvement to the downtown of Quincy.

A few towns similar in nature, Hingham, Braintree, Dedham, Milton. We are talking about restaurants Took a look at the ABCC, if the facts supports Walpole increase, Common Victualler's license. Recommend a specific number of licenses. We believe the ability to improve economic development. Walpole now has 32 Common Victualler's licenses.

It was noted the State legislators was presented the options of more licenses and it did not pass the committee. It was suggested we should pole those who hold the Common Vic license how they feel about their investment value increasing or decreasing. The process is antiquated. Request to this Board, at the State House, Denise Provo and Jamie Eldridge, have a bill on the floor that has a wonderful chance of passage. They want to give municipalities and legislative body to get the power to set the number of licenses in their community. That is the Town Meeting that decides if they want these. The Selectmen would still have the authority to award them.

Mr. Gallivan noted they put together a lot of good information. The Board will probably schedule a workshop to figure out where we want to go and maybe investigate. I like the comparisons to towns nearby. Mr. Walker explained there are about 4 or more places that would like to have a license.

Mr. Timson agreed thinks it is informative. Nice to see the EDC involved. A good start. He does not know if this is something worth looking at. You can do area or general. The EDC realized that if the town regulated it to one area, what if someone wanted to open something in another location. Businesses like to locate near other businesses. Should not preclude from locating a business in another area. No

discussions back and forth with existing Common Vic. Restaurants bring people downtown.

Mr. Stanton found it interesting about the legislation that was filed today. There was a movement about this antiquated systems. If this goes somewhere than it would be our RTM to decide the number. Taking into account it may make sense to wait until this bill.

Ricardo, Jalapenos a couple of years ago the state raised the tax to 6.5%, I went in front of RTM on behalf of the town to raise to 7.5%. Restaurants support communities. There is foot traffic in Town. Conrads, Ravens Nest, Nappa Tandy's we have to see that and create jobs. He tries to hire local people. As a community we are growing. He supports additional licenses.

Doug Smith, resident of Town owns a restaurant in Walpole. He does not have a liquor license at Pizzeria Grande. Today there are 19 places to buy pizza from. Most restaurant owners may be concerned that it could hurt them. Need to move cautiously. Lunch business has been dropping off. We may have hit a saturation point. He would love the opportunity to acquire a license to open an Italian Restaurant.

Mark from Ravens Nest was there to ask for a Beer and Wine license. We are trying to figure out if it is going to happen or not. Should we keep the Coffee Perch open 6 months? We are not going to fund that and beat a dead dog. He supports additional licenses.

1-18 Change in Manager, IA club

Marc Romeo introduced himself as the new manager for the IA Club.

MOTION moved by Mrs. Mackenzie to approve the change of manager from James Bruce to Marc Romeo, seconded by Mr. Timson VOTED 5-0-0

1-19 Relay for Life

MOTION moved by Mr. Timson to approve the request to hold the Relay for Life on June 19, 2015, seconded by Mr. Snuffer, VOTED 5-0-0

1-20 Cathy's Run

MOTION moved by Mr. Timson to approve the request to hold Cathy's Run on February 1, 2015 starting at noon seconded by Mrs. Mackenzie, VOTED 5-0-0

1-21 Bid Award

MOTION moved by Mr. Timson to award bid contract No. 2015-18 to TMC Environmental Franklin Ma, seconded by Mrs. Mackenzie, VOTED 5-0-0

1-22 High Plain Street Abandonment

Ms. Walker informed the Board the issue of this, all the work will occur in Sharon, the layout occurred because they built Johnson Drive, but did not discontinue the layout. Land above owned by the Town of Sharon. That grey piece is the piece the commissioners are asking to abandon. Sharon could dispose that land. If you take all the land it totals 61,000s.f, residential zone. The concern is what don't we know here. The Board can recommend that they don't discontinue it.

Mr. Timson would like to know who is pushing this. Explained to me it just needed a group of Sharon residents to seek the discontinuance. By abandoning this do they gain frontage, if they were able to put this all together, it results on a corner lot on Johnson Drive and High Plain St. Does it makes sense they are doing this. In Ms. Walker's opinion it looks like someone is looking to get a buildable lot. Which could be a 40B. Mr. Johnson explained they are not able to tell us what the plan is for this property. Mr. Timson noted the last one he saw was done by a developer who ended up getting 6 buildable lots. People do this to develop these things. The hearing is February 4th and he and Ms. Walker will attend.

Mrs. Mackenzie agrees with Mr. Snuffer if they cant give us a good reason why this should be abandoned I don't really see why Walpole should support it. The Commissioners only have charge of the abandonment. There is a reason why someone is doing this

MOTION moved by Mr. Snuffer that the Board of Selectmen send a response to the Norfolk County Commissioners and urge not to abandon this portion of High Plain Street, seconded by Mrs. Mackenzie, VOTED 5-0-0

1-23 Gifts

MOTION moved by Mrs. Mackenzie to accept the gift in the amount of \$100 to the Library , seconded by Mr. Timson, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to accept the gift in the amount of \$227 from Dela Pond Condo Association, seconded by Mr. Timson, VOTED 5-0-0

9:05pm Home for Little Wanderers

The Board had asked Chief Stillman to attend the meeting to update them on the Home For Little Wanderers. He provided the members with a copy of incidents from 2011 to 2014. In 2011 there were 56 incidents and 12 arrests and in 2014 there were 149 incidents and 10 arrests.

Rick Stillman reviewed the changes that have taken place at the HFLW.

He explained that a Section 12 is the person is having emotional mental issues. We think what is happening is the HFLW are using the Section 12. If they have a child having a bad day. We try hard to minimize the impacts. Work through social services. What we are seeing is the same youth being involved in many instances. You may have a few that are impacting the bulk of this chart. They look at this as the kids last chance but it is a drain on our services. They do not have a strike policy. Mrs. Mackenzie believes that Section 12 is an evaluation. Concern to her is sex offenses. Chief Stillman reported there were a number of instances there and the

delay in reporting was a concern to us. You have different age children there and that is why you are seeing such a change.

Mr. Timson wanted to know if he has any recommendations on how to turn this around. The Chief explained they are there all the time, little power to do anything. They can arrest if they commit a crime. We have no power over them. The sympathy is to the home not us. If you have one that is creating multiple problems you should move that child. We had some of these same problems. We have met with the HFLW Boston Group and they were very sympathetic, agreed they cannot be a drag on us. Things were getting better but now we are back to the same thing.

Mr. Snuffer questioned what type of security do they have? He thinks they do what they feel is right. One thing we asked for was reasonable notification. Seek improvement in that area. We all express sadness for the children. We think you could be better. It would probably shock us how much this is costing the Walpole Taxpayers. I believe it would give us grounds to seek funding from the Governor. Look for mitigation, look at money they spend and make corrective action Talk to Mike Morrissey. Mr. Gallivan you are frustrated, we have no control, the money is one thing, the control is one thing, I think they need to maintain a safe environment

Over the next couple of weeks if there is something we or they can do, let us know. When we invite the new Director and Commissioner in invite the Legislative. Send them a copy of the letter from DSF. Hoping they can help this situation.

Mr. Lawson who lives on 11 Plain Street, informed the Board the neighbors were not communicated when the new Director came in. When the kids walk away they walk down Plain Street. We saw a lot of incidents in front of our house. He talked about a recent incident with a ten year old boy who was wearing nothing more than a T-Shirt, shorts and socks. The walk a ways often say "Get Me Out of Here". They walk a ways are more and more. It seems to coincide with the new Director. He suggested maybe having a meeting to invite them in as well as neighbors. Mrs. Mackenzie suggested the neighbors send letters to the school regarding their concerns.

MINUTES

Motion moved by Mrs. Mackenzie to approve the minutes of December 23, 2014 , seconded by Mr. Timson VOTED 5-0-0

Motion moved by Mrs. Mackenzie to approve the Executive Session minutes of December 23, 2014, seconded by Mr. Timson VOTED 5-0-0

Spring T. Meeting Warrant

Board discussed whether they want to seek additional licenses on the STM warrant. They will have further discussion on this for a later warrant.

MOTION moved by Mr. Snuffer to close the Spring Town Meeting Warrant, seconded by Mr. Timson, VOTED 5-0-0

Town Admin Report

Capital budget committee started to meet. Gave the Board an updated spreadsheet of Requests and his recommendation.

He is working with the Finance committee Chairman to come up with a schedule for their meetings.

He has prepared the budget message and will present it on February 2, 2015

He received a bill from the Cable Committee Chairman. This is a partial list of long term itemized list for equipment required for studio operation. Current equipment inventory is limited, minimal and obsolete; Recent failures have further impacted functionality and need to move forward with purchase. He is asking the Board for approval to pay the bill.

Motion moved by Mrs. Mackenzie to approve the paying of the bill to B and H Photo for \$7,116.05 for the Walpole High School, seconded by Mr. Snuffer, VOTED 5-0-0

EXECUTIVE SESSION

Chairman's Declaration

I hereby declare that:

Under G.L. c. 30A, Section 21 (a) (3) the purpose of the executive session is to discuss litigation strategy regarding litigation known as Barberry Homes LLC v. Walpole Zoning Board of Appeals, Housing Appeals Committee. No.2014-01; and Town of Walpole, et al. v Barberry Homes, LLC, Land Court 2014 MISC 481399-AHS and Robertson v. Barberry Homes, LLC, Norfolk Superior Court NOCV2014-000129 involving a proposed 40B Comprehensive Permit for land on Moose Hill Road

That a discussion of the foregoing in open session could compromise the purpose of the Executive Session

That the Board will return to open session at the conclusion of the Executive Session for the purposes of adjourning

Move by Mrs. Mackenzie that the Board go into executive session under G.L. c.30A Section 21 (a)(3) for the purposes and reasons declared by the Board's Chairman, with the returning to open session at the conclusion of the executive session for the purpose of adjourning, seconded by Mr. Stanton, by roll call vote- Mr. Snuffer-Aye, Mr. Timson-Aye,

The board moved out of Executive session.

MOTION moved by Mr. Timson to adjourn at 10:10p.m.seconded by Mrs. Mackenzie, VOTED 5-0-0

