

The Board of Selectmen held a meeting on Tuesday, December 11, 2012 beginning at 7:00 p.m in the Main Meeting Room. The following members were present.

Michael Berry, Vice Chairman  
Mark Gallivan, Clerk  
Christopher Timson  
Nancy Mackenzie

Also present:  
Michael Boynton, Town Administrator  
Cindy Berube, Executive Assistant

Mr. Kraus called the meeting to order followed by the Pledge of Allegiance at 7:00 p.m.

## **ANNOUNCEMENTS AND PROCLAMATIONS**

### **SPONSORED AGENDA ITEMS**

#### **Trust Fund Commission, Update**

Mr. Manninen and Mr. Sheehan appeared before the Board to update them on recent activities. They have nine funds to manage, a few have six or seven little funds, Bird Library, W.P Library, Pillsbury Library, Emergency medical aid, Lorusso, Fales scholarship, Leach scholarship and Rogers Scholarship. The total value of these funds as of November 2012 is \$5, 019,300. Since 2010, grown in value 6.5% yearly, income returned is about 3.9%. A little bit better than 10%. The state tells them what they can buy. It is pretty miserable list, not very big, changes every 4 to 5 years. Kendall Fund- left us \$50,000 for Master Plan and the Planning Board only uses the interest generated which is at \$270,700. In most years most of the interest income is spent.

The LP Lorusso fund, the School Committee has the say on how that money is spent. It is currently totaling \$1,533,000.

Mr. Kraus noted they really are under the Attorney General's office doing anything outside the boundaries. Mr. Manninen noted that two of our accounts are outside the box.

He explained the funds are administered out of Janis Montgomery. He was previously employed by them but has retired. The Town Treasurer receives the statements.

Permanent Building Committee Update, J. Conroy

Mr. Conroy had a conflict for this evening and will reschedule.

12-1 Renewal of Licenses

MOTION Moved by Mr. Berry to renew the All alcoholic Common Victualler's, Wine and Malt, Package Store, Clubs, Annual Entertainment, and annual Sunday Entertainment licenses, listed in said document, with the exception of "Cruisers on Main" which did not file a renewal application, seconded by Mr. Gallivan, VOTED 5-0-0

12-2 Renewal of Licenses

MOTION moved by Mr. Berry to renew the Common Victualler's, Dealers and Sellers, Parking Lot, Motel and Lodging House licenses, with the exception of Iorio as they no longer have a lodging house and did not file for renewal. These renewals are subject to approval from the Building Department, and Board of Health, seconded by Mr. Gallivan, VOTED 5-0-0

**ALL ALCOHOLIC COMMON VICTUALLER (21) (25 allowed, includes 3 clubs)**

204 Washington  
99 Restaurant  
Applebee's  
Asia Treasures  
Beckett's  
British Beer  
Chili's Grill & Bar  
Clyde's Roadhouse  
Conrad's Restaurant  
Finnegan's Wake  
Ginjo Susi & Hibachi  
Guido's Restaurant  
Jalapeno's Grill  
Kihei Dynasty  
Patriot Tavern  
Peking Garden  
Raffael's Banquet & Conf.  
Raven's Nest  
Red Wing Diner  
Texas Roadhouse  
Tee-T's Restaurant

204 Washington St.  
55 Bos.-Prov. Hwy.  
990 Providence Hwy.  
399-401 High Plain St.  
1065 Main St.  
85 Boston-Providence Hwy.  
120 Providence Hwy.  
642 Providence Hwy.  
905 Main Street  
7 Glenwood Ave.  
887-889 Main St.  
683 Main St.  
960-962 Main St.  
743 Main St.  
100 Main St.  
2275 Bos.-Prov. Hwy.  
1601 Main St.  
998 Main St.  
2235 Providence Hwy.  
120 Providence Hwy.  
943 Main St.

December 11, 2012

## Board of Selectmen Minutes

**WINE & MALT COMMON VICTUALLER (3 issued, 2 available)**

Bristol Square Café	1428 Main St.
Jimmy's Pizzeria	4 East St.
Asian Deli (mandarin cuisine)	691 Main St.

**CLUB LICENSES (4)**

Boylston Schul-Verein	153 County St.
Italian American Club of Walpole	109 Stone St.
Veterans of Foreign Wars	Robbins Rd.
Walpole Country Club	233 Baker St.

**ALL ALCOHOLIC PACKAGE STORE (5) (Up to quota)**

Dalton's Package Store	944-C Main St.
East Walpole Package Store	79 Bos.-Prov. Hwy.
Palumbo Liquors	419 High Plain St.
Sam's Package Store	262 Main St.
Walpole Wine & Spirits	669 Main St.

**WINE & MALT PACKAGE STORE (5) (up to quota)**

C & T Beer & Wine, Inc.	1600 Providence Hwy.
Double D's Deli & Market	931 East Street
Walpole Fuel	Providence Hwy
Walpole Discount B & W	1339 Main St.
7-Eleven	909-911 Main St.

**COMMON VICTUALLERS**

Barnes & Noble	90 Boston-Providence Hwy.
Big-Y World Class Market	999 Providence Hwy.
Break Away Sports Café	2130 Providence Hwy.
Country Kitchen Donuts	745 Main St.
Dunkin Donuts	506 High Plain Street
Dunkin Donuts	21 Boston-Providence Hwy.
Dunkin Donuts-	1425 Main St.
Dunkin Donuts	703 Main Street
Dunkin Donuts-Wal-Mart	550 Providence Hwy.
East Walpole Market & Deli	196 Washington St.
Family Pizzeria	637 Main St.
First Sandwich Shop	975 Main St.
Five Guys	104 Providence Hwy.
Butter Café	935 East St.
Good Food Store, The	411 High Plain St.
Leo's Pizzeria	1363 Main St.
The Meat House	655 Main Street
McDonald's - Walpole	595 Main St.
OCB Restaurant	90 Boston-Providence Hwy.
Panera Bread #1362	130 Providence Hwy.
Panda Express	106 Providence Hwy.

December 11, 2012

## Board of Selectmen Minutes

Papa Gino's, Inc.	90 Boston-Providence Hwy.
Pizzeria Grande	1185 Washington St.
Rico's Pizza & Subs	1340 Main St.
Starbucks Coffee	431 High Plain St.
Subway/NMB Group, Inc.	90 Boston-Providence Hwy.
Subway/McCurdy	951 Main St.
Supreme Pizza & Subs	883 Main St.
The Coffee Perch	
Taco Bell #4961	90 Boston-Providence Hwy.
Westbury Farms	925 Main St.

**Class I**

Minuteman Ford Truck Center	Rte. 1 at Pine St.
Prime Acura	103 Providence Hwy.
Walpole Mitsubishi	575 Providence Hwy.

**Class II**

1-A Auto Sales (Eldoueihi)	1391 Main St.
Allied Recycling	1901 Main St.
Auto Brokerage Inc.	1171 Main St., #2
Boston Trailer	1 Production Rd.
Donald R. Urquhart	2080 Main St.
Goldie's Auto Wholesale	1801 Main St.
Imotobank, LLC	4-8 Industrial Rd.
N. Walpole Sunoco (Kilani Bros)	Main St.
Robert's Garage	1171 Main St., #1
Dedham Auto Mall	623 Providence Hwy.
Suburban Auto Technicians	4 Norfolk St.
Unique Motors (Simmons)	4 Renmar Ave., #3
Trio Auto Clinic	1439 Main St.
Walpole Auto Sales	1701 Main St.
Walpole Collision Center	908 Main St.

**Class III**

Allied Recycling Center	1901 Main St.
Goldie's	1801 Main St.
Main St. Auto Body	609 Main St.
Walpole Auto Sales	1701 Main St.

**JUNK DEALERS**

Allied Recycling Center	1901 Main St.
Game Stop 6463	108 Providence Hwy.
Keystone Jewelers	90 Boston-Providence Hwy.
re-plays	955 East St.
Second Glance	961-E Main St.
Second Time Around	949 Main St.
Westside Stamp & Coin	921 East St.
<b>Lodging Houses</b>	
John R. Sanzi	902 Main St.

December 11, 2012

## Board of Selectmen Minutes

Old Colony R.E. Trust  
Iorio Power Station LLC793 Main St.  
2130 Providence Hwy.**Motels**Boston View Motel  
Walpole Motel630 Providence Hwy.  
2200 Providence Hwy.**Parking Lots**Bad Dog Realty Trust  
Jason C.Y. Man/Peking Garden  
Keating LLC  
Historic Realty  
Hercules Realty  
Millbrook Homes  
Oaktree2245 Providence Hwy.  
2275 Providence Hwy.  
2250 Providence Hwy.  
55 West St/100 Elm St.  
54 Water St.(Rear)  
2255 Providence Hwy.  
53-40 Route One

MOTION moved by Mrs. Mackenzie to approve the renewal of the Dedham Auto Mall subject to adhering to the current site plan until such time they get an approved site plan and approval of this Board beyond the current site plan they shall abide by all requirements set forth on the plan and conditions, seconded by Mr. Berry, VOTED 5-0-0

**12-3 Cruisers on Main, Contd. Public Hearing**

Mr. Timson spoke of a recent coalition meeting he attended which set up more of a regulatory scheme for liquor licenses and selling similar to sale of Tobacco. There is a move a foot by MMA to come up with a local bylaw model. Every year as part of the liquor process, they would provide us with written plan that would indicate what their TIP program is to make sure they are not selling to underage or over intoxicated persons. We can look at that and say we are not satisfied. It would give us another tool. I think it will make them think about it more carefully. We will have some type of a proposal for a bylaw. One issue, whether these regulations are just Board of Selectmen or goes to Town Meeting.

Mr. Kraus would like to see more structure. Any progress we can make is a step in the right direction. Mrs. Mackenzie supports submission of self action plan how they continue to educate not to serve minors. Maybe having them attend a coalition meeting. Mr. Timson agreed but is not sure if they can require that. He recently met with Lincoln Lynch and school side, there is a good synergy going on there. We are throwing ideas at the school; we needed to have a protocol. Decided to have communication go from Lincoln to Robin.

MOTION moved by Mrs. Mackenzie to open the continued public hearing on Cruisers, on Main , seconded by Mr. Gallivan, VOTED 5-0-0

December 11, 2012

Board of Selectmen Minutes

This establishment closed in June and no application for renewal of the license was received in the office. There was no one present to speak to this public hearing. The Board need not take further action on this.

MOTION to close the "Public hearing for "Cruisers on Main", seconded by Mr. Gallivan, VOTED 5-0-0

12-5 NEFF, harvest access on Adams Farm

Chris :Pryor from New England Forestry explained two years ago they approached the town to use the main road thru A. Farm, and the town gave us permission with conditions. Then you required slash be removed, due to the lack of loggers who have that equipment, he is asking the Town for permission not to chip. They would be lopped according to the State law.

Mr. Boynton explained the material ends up over the long term composting. Mr. Pryor explained in good forestry you could do a chipping operation like that. You do not want to do it repeatedly.

Mr. Timson was curious to learn how many forests they have done like this and Mr. Pryor explained ten to twelve a year. The trees are low quality material and they want to do an operation to rehabilitate the forest. There is a lot of nice pine regeneration coming in the forest. Mr. Timson wanted to know if the ones you have done in the past years with no chipping have you had any problems. Mr. Pryor has worked for twelve years and has never seen a fire. Most complaints are from the cutting of trees. There are more branches on the ground. They are being careful about the logger they get in there. They have not put it out to bid, reaching out to contractors. He reached out to people in NH and worked with some locals who are on the fence.

Mr. Gallivan asked when he came back to A. Farm, where they in opposition originally. He was not around when we made this request to them. Mr. Gallivan did walk around in the woods with Mr. Pryor, it is interesting, and there is amount of limbs, slash already. A lot of stuff on the ground. From what he has seen, he does not think it would be a burden.

MOTION moved by Mr. Berry approve the request for the NEFF to use the roads and paths on Adams Farm in order to conduct selective tree cutting on their property. This approval is subject to the conditions specified that;

1. The process would not be clear cutting but a selective cutting leaving most trees of three inches or less for future growth.
2. That safety precautions (signage) for our hikers will be taken.

December 11, 2012

Board of Selectmen Minutes

3. That copies of all insurance coverage will be provided to the Town for the liability protection of the Town.
4. Proper notification to fire Dept and Tree Warden

Seconded by Mr. Gallivan, VOTED 5-0-0

12-6 Change of Manger, VFW

Attorney Phil Macchi Jr. appeared on behalf of the VFW and a member of the VFW. The Board of Directors wanted a change in manager. The old manager resigned and removed as post manager. James Mitchell, served in Iraq, military policeman. He is TIP certified and crowd control Certified

James Mitchell informed the Board he lives in Norfolk and was in the military for 5 years. He is currently attending Mass Bay. He has been managing the VFW for a little while. Mr. Boynton asked them to look at the concern of the Fire Dept regarding their concerns and work with the deputy and chief. Attorney Macchi is aware of the letter and will sit down with the Chief to see what we can do.

MOTION moved by Mrs. Mackenzie to approve the change in Manger from Joseph Marinucci to James Mitchell, Jr. for the VFW on Robbins Road , seconded by Mr. Gallivan, VOTED 5-0-0

12-7 Gift Acceptance

MOTION moved by Mr. Berry to accept the gift of \$100 from Walpole Cooperative Bank to the Coalition for Alcohol and Drug Awareness Coalition with thanks, seconded by Mr. Gallivan, VOTED 5-0-0

12-8 Electronic Communications Policy

Mr. Boynton noted this is the final version of the policy. Mr. Timson had reviewed and made some changes and they have been incorporated into the document.

MOTION moved by Mrs. Mackenzie to approve the policy and place within the BOS policy and procedures manual and labeled as written for electronic communication, seconded by Mr. Gallivan, VOTED 5-0-0

12-9 Spring Town Meeting Warrant

MOTION moved by Mrs. Mackenzie to open the Annual Spring Town Meeting Warrant and close on January 22, 2013, seconded by Mr. Gallivan VOTED 5-0-0

**OPEN FORUM**

December 11, 2012

Board of Selectmen Minutes

Mr. Taylor asked the Board to investigate the recent increase of left hand turns coming out of CVS parking lot. Would like signs up there. Traffic is coming down that hill someone is going to get hurt. He also questioned why the sign at the end of Gill Street had been removed. There should also be a sign at the intersection of Elm and Annex Road near the foundry building.

Dick Nottebart-MPIC took 6-0-0 vote and awarded the bid to ravens marina for the bridge. We have a consensus with our group. We would like to get on the next Agenda, to vote to support that project. It will go on the next agenda for award.

**Downtown Working Group, 1A**

Mr. Kraus is pleased to present the Working Group RT1A vision. He thanked everyone who participated. He turned the power-point presentation over to Stephanie Mercandetti. She explained they started by developing a vision, resource issues, looking at short and long term solutions. They looked at of neighboring towns that are doing it right and some that are not. The group tried to come up solutions. They feel there is not a good job collaborating with the downtown businesses. They looked at local resources.

An excerpt from the 2004 Master Plan is revitalize Walpole Center into a "smart growth" center with apartments or office space above shops and improved streetscape and parking. She reviewed a map from the Master plan. These were some of the challenges that folks had, in addition to this list, they had a streetscape meeting, ways they would like to see improvements. We also did surveys and identified challenges.

They looked at Norwood and Franklin centers. Norwood recently formed a 501 committee called the Friends of Norwood Center. Franklin has a Downtown partnership and they work with the businesses. They did receive a one million dollar PWED. They work to identify obstacles and challenges. Dedham has the Dedham Circle Group, going through their downtown project. Proposing 1.6 million from PWED and the rest from local funds and borrowing.

One of the key pieces is to partner with the businesses. We cannot do the downtown revitalization without the businesses collaborating with the town.

Reviewed the State Resources. One new program compact neighborhood zoning district. Similar to 40R.

Recommendations: Mr. Kraus wants to make it easy as possible for someone to open a new business in town. If we can enhance the current practice. Look at our procedures. Talked about some zoning changes.

Infrastructure streetscape, hope there will be some action on that. I have not finalized the scope of services to entertain cost proposal \$15,000 to 16,000.



December 11, 2012

Board of Selectmen Minutes

Mr. Gallivan wanted to know if they go thru a design process, is there any guarantee to receive funding. Mr. Boynton noted if you are going for a TIP where the real money is, PWED would be limited to one million, we know based on the work that needs to be done, you are probably approaching three million. You have main from the CVS plaza. You have a portion of East/Elm, Greenwood/Main, West/Main. If we want to go thru process and get on the TIP list.

You can get a project approved thru DEP. To be eligible for funding, we have to do the design. There is no specific state grant to pay for the design. North Main has been on TIP for many years. Clearly projects that get to 100% design move up the TIP. The reason I go thru that process we did not go on the TIP for Washington Street but that was a clear funding for that.

Mr. Kraus would like to see widening of sidewalk being the first thing. Mr. Boynton explained the county will be in to do the base maps. We will ask Charlie to put together cost estimates. We will come back to you with costs.

Mr. Kraus would like to have a discussion when they get those costs. Should discuss the priority as to whether the Downtown is something the Board wishes to set as a priority or are there other issues. Mr. Boynton explained before we commit local dollars we will seek out appropriation. We look at the next phase of Ch 90 funding. We should advance forward and do the downtown. We will get you estimates and tell you what we are proposing to do for funding. We will look at the maintenance of the sidewalks with the trees and the bricks. Mr. Berry does not want to see the housing component lost. Mr. Timson questioned if any of the debt budget could be a source to get something done. Mr. Boynton would not suggest use of that. He knows there is a eligibility for a senior center thru a CDBG grant, if you look at TIP, it usually works out 10 cents on the dollar the community has to pay. I would not suggest to you that we grab that funding. He noted they can always encourage businesses owners to do some aesthetic work to their buildings.

Mr. Kraus asked that any ideas be funneled through Michael before the next meeting.

Medical Marijuana Law- did receive a phone call for a Selectmen from Needham, Have seen some from Sandwich, the letter is to delay the implementation of the law until we can determine where we want to site them or ban them. Have received a memo from T. Counsel, that based upon the nature of Walpole, perhaps, the location of these is more freely available than what we anticipated. The question becomes what do we want to do, how do we want to go about doing this.

1. if there is a delay or not. Anything more we should be doing to obtain a delay.  
The MMA is pushing for the delay as well.

The Board members do not want to see a dispensary in Town. It was suggested the Board schedule a time to hear from the public. Given the town voted to support this, should hear from them. Mr. Kraus suggested sending out a mailing to residents asking for their input.

Town Administrator's Update

Paperless payroll-talked about the possible cost savings. Walpole processes their own checks. Unless we are in a position to have electronic checks and balances. Working with the county we have left the door open and interested in savings for Walpole. There are real life implications with staff in doing this. It is subject to collective bargaining.

State Budget update-the Administration announced the level of cuts. They have cut out \$750,000 from Prison Mitigation and \$500,000 from budget. That \$750,000 is not available for capital projects. It is frustrating it happened again. We do not get the payment in lieu of taxes benefit. A lot of activities, in the last month and half we had a reverse 911 and we had our public safety staff working with DOC. They find it acceptable to eliminate that funding. How that translates into 2014 remains to be seen. That is a major hit.

The Board wants to send a letter to the DOC regarding the transportation, wear and tear on our roads, have them provide their own ambulance service. MB it is statutory that we provide ambulance service. Consider privatization. Instead of backing the buck down to the town, refund the cost of 911 calls and cost of staff.

Mr. Berry suggested a joint resolution together, voted upon by Board of Selectmen and School Committee sent to our legislators. Ask S. Committee to consider the same.

MINUTES

MOTION moved by Mr. Berry to approve the minutes of November 13, 2012, seconded by Mr. Kraus, VOTED 5-0-0

ADJOURNMENT

MOTION moved by Mr. Berry to adjourn at 9:30 p.m., seconded by Mr. Timson, VOTED 5-0-0