

A Regular meeting of the Board of Selectmen was held on Tuesday, May 17, 2011 beginning at 7:10 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  
Clifton Snuffer  
Christopher Timson

Also present:  
Michael Boynton, Town Administrator

### **PLEDGE OF ALLEGIANCE**

### **Town Administrators Update**

Walpole Woodworkers Update- Mr. Boynton reported they have received quotes for environmental testing, but will not proceed until the conclusion of election. We will be ready to go. They will be meeting in two weeks on the environmental issues.

Common St. Bridge- The T. Engineer met with Mass Highway looked at Common St. back to the Neponset. There are ten pages of comments they will review. They will be drawing up plans and specs and hope to have it bid by this summer, probably by July. All of this has been designed in house and is a huge cost saving for town.

NSTAR Project- T. Administrator and T. Engineer met with NSTAR on Stone and Diamond they have old transformers. Those are being switched out and they are placing a temporary trailer so they do not loose power. This will prevent that. Project will go thru the fall.

US Census Preliminary Report- These are not final numbers. We will have to look at these numbers as they impact the precinct layout. The town has picked up 500 units since 2000. It will have an affect on our affordable housing numbers. This is beginning stages over 6-8 months.

MPIC Spring Brook Project- It was approved for the first \$80,000 for the spring brook project. The NE. university students will begin testing on Thursday. They are doing everything by the book.

Walpole Day-This Saturday parade starts at noon. Assembly is at 11:30 for the parade.

Green communities stretch code workshop- Tomorrow night May 18<sup>th</sup> at 7:00 p.m.

Memorial Day- Holiday is on May 30, 2011 and the town offices are closed

5-16 Chapter 90 Requests

Mr. Boynton explained these are the streets that were approved at Town Meeting and they are moving forward. There is another list of roadways that will be done with town funds. The total Chapter 90 project request totals \$584,670.

MOTION moved by Mr. Kraus to approve and sign the Chapter 90 requests as presented, seconded by Mr. Berry, Voted 4-0-1(Mr. Snuffer abstained)

5-17 Bird Park Concert

MOTION moved by Mr. Kraus to approve the concert in Bird park on June 18<sup>th</sup> from 5-7:30 p.m. and to approve a sandwich board on the comm. From June 11 to June 18, seconded by Mr. Snuffer, VOTED 5-0-0

5-18 Bid Award 2011-16, Type I Asphalt

The town has been pleased with this contractor.

MOTION moved by Mr. Kraus to award the contract 2011-16 to D&R General Contracting, per item unit cost basis as allocated money will allow, seconded by Mr. Berry

Mr. Timson wanted to know if there is any question of add alternates, there is a fluctuation of prices. Mr. Boynton explained they try to do it in the aggregate amount. We do have fluctuations; this is if we were to do everything as bid out.

VOTED 3-0-2 (Mr. Snuffer and Mrs. Mackenzie abstained)

5-19 Use of A. Farm Barn, R. Leblanc

MOTION moved by Mr. Kraus to grant permission to Robert Leblanc to use the A. Farm barn on June 9, 2011, seconded by Mr. Snuffer, VOTED 5-0-0

5-20, 5-21, 522, Acceptance of Gifts

MOTION moved by Mr. Kraus to accept the gifts for the Concerts on the common from Walpole Cooperative Bank in the amount of \$750.00, from Rockland Federal Credit Union in the amount of \$750.00 and Jr. Women's club in the amount of \$750.00, seconded by Mr. Snuffer, VOTED 5-0-0

5-23 Acceptance of Gift

MOTION moved by Mr. Kraus to accept the gift for the Historical Gift Fund from Phoenix Walpole LLC in the amount of \$500.00, seconded by Mr. Snuffer, VOTED 5-0-0

5-26 N.C. Agricultural School, Use of Old Fisher Field

MOTION moved by Mr. Kraus to approve the request to use the Old Fisher Ball Field on June 8, 2011 for Norfolk County Agricultural High School graduation, seconded by Mr. Snuffer VOTED 5-0-0

5-32 Use of Common, Memorial Day

MOTION moved by Mr. Kraus to approve the use of the commons for the Memorial Day observance and authorization to close roads seconded by Mr. Snuffer VOTED 5-0-0

MINUTES

MOTION moved by Mr. Kraus to approve the Executive Session Minutes of January 11, 2011, seconded by Mr. Berry, VOTED 5-0-0

MOTION moved by Mr. Kraus to approve the Executive Session Minutes of March 8, 2011, seconded by Mr. Berry, VOTED 5-0-0

MOTION moved by Mr. Kraus to approve the Executive Session Minutes of March 22, 2011, seconded by Mr. Snuffer, VOTED 5-0-0

MOTION moved by Mr. Kraus to approve the Executive Session Minutes of April 19, 2011, seconded by Mr. Snuffer, VOTED 5-0-0

MOTION moved by Mr. Kraus to approve the minutes of April 19, 2011, seconded by Mr. Berry, VOTED 5-0-0

**OPEN FORUM**

No one present

Chief Bailey, Update

Chief Bailey reported he has \$714, 485 in ambulance receipts. The Blue Cross issue is still ongoing, attending a hearing at state house and nothing new. The Deputy is working on the Assistance for Firefighters for new apparatus. Equipment, half of turn out gear has been received/ We have made progress with fifteen sets and Town Meeting approved the remaining funds necessary to equip the rest of the department. We will have that new gear in the next month. Three members attended classes on the new building code. Two members have filed with Norfolk County retirement board. He is

meeting with MPIC next week regarding facilities needs. Deputy worked on the comprehensive plan and that has been approved. The last thing is July 4<sup>th</sup> celebration.

Firefighter Steve Smith spoke on behalf of the celebration. The library is not an issue. It is going forward. He wanted to know if there are any questions about the library. It was noted the Fire Department puts on a great show and they are to be commended on that. They will do the same fundraising as they did last year. They are currently short about \$15,000.

MOTION moved by Mr. Kraus to approve your request to close the following streets on Sunday, July 3<sup>rd</sup> with a rain date of July 9<sup>th</sup> for the annual Night Before the Fourth Celebration.

- Stone Street from Main to School Street to Diamond Street.
- School Street from Common Street to East Street.
- East Street from Rose Court to Washington from 4-6 p.m. for pre parade staging.

And Further approved;

- The use of Morgan Field and immediate area for both dates;
- The use of the Town Hall field for both dates;
- The use of the restrooms at Blackburn Hall for both dates

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

Mr. Snuffer asked Chief Bailey if he has been making progress on improving your apparatus. Is everything secure? Chief Bailey stated everything is well secured. Mr. Snuffer expressed his appreciation to Chief Bailey for the past three years. Thank you, I have watched you grow and it has been a personal pleasure.

Mr. Timson questioned with the two filings for retirement, do you have anticipated closure? Chief Bailey stated 3-6 months. Mr. Timson thanked him for staying on top of that. They discussed the overtime issue and the Chief is confident the \$50,000 from the reserve fund transfer will cover the remainder of the year. He will be looking to hire within the next two to three weeks. Mr. Timson wanted to know how the policies and procedures was coming and the Chief explained he has some language that needs to go to counsel for review.

#### Chief Stillman- Update

Chief Stillman reviewed the statistics of calls with the Board. Overall it has been very positive. Detective cases went up a bit. There are 86 cases. Community efforts in

certification all policies have been reviewed by the union and we are still waiting a response back from them. Deputy Chief has worked hard on this. We have completed RAD class. Alcohol coalition continues to work forward. They received a grant for 5,000 cops in shop and other programs to discourage underage drinking in Walpole. The prescription drug take back last month, was not as successful as the previous year but they did recover 1 ½ trash bags full of drugs. Click it or ticket is starting up, enforcement on seatbelt. Massachusetts has the lowest rate of seatbelt use. We can not pull someone over for no seatbelt use.

There was a serious accident on East St on March 27<sup>th</sup> and an armed robbery this past Thursday morning at the CVS. The recreation department has had some thefts. The Aggie School had a number of thefts and we arrested Timothy Collorahn. Threats at the High School, were a problem for them and schools, now made an arrest on that. Went to parole hearing on May 3<sup>rd</sup>, for Robert Wood, who killed Billy Lightener in 1979.

They are in training to learn how to move forward with accreditation. Two detectives went to death investigation training. The department is learning Party patrol disbursements techniques. Dispatchers have all gone to emergency med training. Jackie Hazeldine is involved in infectious control training. Lt. Salzberg has retired and we do have some positions coming up for Sgt and LT. We do have one vacancy; we are looking for the list for a new officer. One officer out on injury and he is expected back in 4 months.

Mr. Timson spoke of the break in at CVS and wanted to know if there was anything citizens could do. The person came in covered from head to toe and took a number of narcotics. They do not have enough for a description. Hope to have a resolution soon.

#### 5-12 Walpole Fuel, Transfer of License, Public Hearing

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

Walpole Fuel- Attorney J. Brady, Att. Bill O'Connell are representing the applicant for a transfer of Beer and Wine from Flowers and More to Walpole gulf. Attorney Brady handed the Clerk an amended application. In the course of putting the application they inquire past infractions. We realized there were two incidents in the Town of Milford. This is a gas station with convenient type store. Beer will be stored in coolers in the rear section of the store. Surveillance cameras in store, whatever hours of operation you would consider, after those hours, the locks would be put on those doors.

The owner is originally from Lebanon and has been married 31 years. He lives in Westwood and owns eight gas stations. When he first approached me, I thought it was different. The focus of my clients business is not sale of alcohol; it is the items in the store. He believes that is a good thing, his interest is harmoniums; he wants to run a clean shop, clean business. He has been operating this station for 7 years and we feel it is a

reasonable request to approve the transfer. The town of Milford has not had any issues with him.

The Board members wanted to know what safety measure will be put in place to make sure that underage people will not purchase alcohol. Attorney gave them a picture of a scanner machine which will tell you whether it is a valid license. It has been a very effective tool. They are not cheap. He will be the manager, all people that work in the stores are TIP certified. He has people that have been working with him for a long time. He keeps help because he is a good employer. He will be the sole manager of this location, he can manage from there and take care of other sites. The two infractions were in Milford in 2005 and 2010 that is why he has put the scanners in place.

Mr. Timson does not see a problem with the transfer.

The Board discussed the recommendation of the Police Chief that there be the chief that there be two people on duty at all times. Attorney Brady does not think it is necessary, but most of the time there will be two people. I do not feel it is necessary to have a second employee as there is only one register in that store. He has surveillance cameras in the place. With this machine he will be able to operate that. We would ask you not require that.

Chief Stillman explained his reason for this request as he noticed that the staff is busy with the customers at the gas pumps. It is very distracting situation. His concern is that you get busy someone could come in from the other door and take alcohol. He is a responsible person. His concern in the busy times of business it might be a problem.

It was noted this is a self serve gas and how it is different than a 7-11. Chief Stillman stated that what he has seen is that Convenient store they are dealing with the people and with this I think they would be distracted. He is happy to see he is using the machine. He did not know he was going to be using the machine.

Mr. Nassar explained it is self service, 70% of business is done outside. We can monitor those at the pumps. Our store is not a big liquor store, small you can see everyone when you are there. There are locks on the doors where the Beer will be stored.

Mr. Kraus wanted to know if someone outside needs help how are you going to insure that the store is safe. Mr. Nassar explained we have been doing this for so long. You go outside and come back quick and you take care of the person on the inside first.

Mrs. Mackenzie understands the lottery and register are there but they are locked. If you went out the exit someone could come in and take a 30 pack if there is only one person there, if this is going to be the first one.

The police chief would like to have a condition that the machine is installed before selling beer and wine.

Mr. Berry cautioned the Board to be careful in micromanaging a business. Whether the liquor is purchased at a gas station or not does not affect me. I think we could be imposing some inconsistent mandates on this person. Is he being treated the same way? I would look for hours to be the same as 7-11, lock be on coolers, to take any steps to require having equipment. I think we are overstepping our boundaries. I would ask that we treat this any other package store. I support the transfer as written; I do not support a second employee or equipment. I think it is a good thing to have, but not a condition.

Mr. Timson does think the difference between this is going outside. The one thing comes to mind, make the beer display something you could close and lock. You should have a policy that if the attendant has to go outside they lock the displays, you have two doors. If you had that type of policy then you would not worry about two employees.

It was suggested that if the employee must go outside to lock the door on the side they are not near.

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

MOTION moved by Mr. Kraus to approve the transfer of the Wine license from flowers and more

1. All employees are required to attend training on ID issues and protocol for selling alcohol. An employee must be 18 years of age to handle, or sell alcohol and TIP or Barcode certified.
2. The ID machine as presented at the hearing is installed before the store is open and used for the sale of alcohol at all times, if that machine is down no alcohol is sold
3. The opposite door that attendants go outside is locked prior to the attendant going outside.
4. Video monitoring of the pumps and the aisle where the beer and wine is located. Must be visually available where the register area is located.
5. The area where the coolers are to located must be clear and visible by store personnel.
6. The Applicant is require to report to the police any suspicious activity during business hours.

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

5-13 Gary Riggott, A. Farm

Mr. Riggott is appearing before the Board to seek membership on the A. Farm Committee. He has been on Trails Committee since 2003 and has run several family hikes. My son is a student at Tri-county and they have a requirement they do some type of community service. There are always a lot of kids that want to work on these types of projects.

MOTION moved by Mr. Kraus MOTION to appoint Gary Riggott to the Adams Farm Committee as an associate member for a one year term to expire April 1, 2012 seconded by Mr. Snuffer, VOTED 5-0-0

John Conroy, PBC Update

Mr. Conroy introduced the other PBC members present. He reported that the library project is going very well. Don Anderson has been on top of things and changing things to have a better project when we are done. We are all in the same room on Tuesdays to review the construction. As it currently stands, they may be completed by Labor Day. They are on track. The inside is studded off so it appears it may be done earlier than expected. They have the furniture out for drawings. Once the library takes over, I have heard a week or two to move it. On the financial end, right now, we should be turning back six figures to the town. Our changes to date are under 3%. We have not had a lot of missteps with this project. I do not see a problem with that. For every dollar the town saves the state wants twenty cents back.

Mrs. Mackenzie feels the town is very lucky to have such a work group overseeing this project. Walpole is fortunate to have such a committee.

Mr. Snuffer wanted to know where things stand with the friends of library pledge.

Mr. Conroy noted they have been adamant, they promised X amount of dollars, I believe Mr. Johnson has an update on how much they expect. We are very aware of what they contributed; it is part of what they are to live up to. Day One we have been asking where is the money. That was the promise. We all new the override past by only ten votes. They made that promise; there are items we have not spent until we get closer to that money.

Mr. Boynton noted their commitment was one million dollars and they have given \$500,000. There is about \$350,000 they expect to come and I believe the PBC has been counting on the whole one million.

Stephanie Mercandetti, EDC

Ms. Mercandetti spoke of the Farmers Market starting it's second season June 15<sup>th</sup> and she is seeking permission to have live entertainment.



MOTION moved by Mr. Kraus to grant permission to have live entertainment at the Farmers Market starting June 15<sup>th</sup> through October 26, seconded by Mr. Snuffer VOTED 5-0-0

Vice Chairman Michael McGrath reported they are currently working on a study looking at Rt1-A. The study will be rapping up in a couple of weeks. The presentations are available on the web site. There will be one more study held on June 13 . EDC is looking at vacant parcels in that area. This study is funded thru a grant. They are also working on a Downtown analysis. We have an online survey through the town website. We want to get the ideas and feedback so we can attract other business. We are also working with Recreation dept. on a couple of projects that we can put in place to increase foot traffic in the Downtown. We want residents and employees shop and eat in the Downtown. They are working with property owners to fill vacant spaces and teaming up with the Walpole Chamber of Commerce on marketing.

Mr. Kraus recalls some discussion of getting Stephanie a non paid internship. It may be helpful given there is only one of you. Competitive assessment of what other towns are doing to attract business. To get some help.

Mr. Timson asked if there was any report regarding business recognition program? There have been some discussions with the Chamber and EDC on how this would be handled. We started to do a spotlight on our webpage. Mr. Timson feels the Board should be involved in part of the recognition.

#### 5-27 Weekday Entertainment

MOTION moved by Mr. Kraus to approve the Weekday Entertainment License for a Jukebox for Walpole Restaurant, Inc. d/b/a Cruisers from 9 a.m. to midnight, music will be indoors only, seconded by Mr. Snuffer, VOTED 5-0-0

#### Goals and Objectives

Mr. Boynton reviewed the current goals and objectives with the Board members. They have made some progress and will continue to work on them. Mr. Kraus asked Mr. Snuffer if he would return to the Board to review the list of town property he put together.

Mr. Boynton spoke to the planning Board taking lead on zoning. The town is moving forward with the stretch code which will go to town meeting. They are doing more with the fields. They have gone thru the license process and streamed line the hardship request. We have made updates to the policies and procedures and Mark Good is proposing a policy for debt management. He would like to recommend they have a budget subcommittee to meet and bring news and information back.

5-24 Health Reform Letter

Mr. Berry spoke to wanting to bring forth at this meeting an issue as it relates to health ins. Reform. The house voted 113 to 42 to amend the state budget that included an amendment that would bring a full healthcare reform to cities and towns. Talked about what it would do for the towns. This amendment has been endorsed by MMA. He wants to send a letter to our Representatives and Governors office. The Board members agreed it was a good idea and thanked Mr. Berry for his initiative.

MOTION moved by Mr. Kraus that the Board of Selectmen supports the language from the House on the Health Reform Bill and will send a letter of support, seconded by Mr. Berry, VOTED 5-0-0

5-28 Junk Dealer, Second Glance

MOTION moved by Mr. Kraus to renew the Junk Dealer license for Second Glance, seconded by Mr. Snuffer, VOTED 5-0-0

5-29 Police Union Contract

MOTION moved by Mr. Kraus to endorse the police contract for July 1, 2011 through June 30, 2014 seconded by Mr. Snuffer, VOTED 4-0-1 (Mrs. Mackenzie abstained)

Executive Session

MOTION moved by Mr. Kraus to move into Executive Session in accordance with MGL C. 30A, Section 21 to conduct strategy sessions with in preparation of contract negotiations with non-union personnel, and will return for the purposes of adjourning seconded by Mr. Snuffer, VOTED 5-0-0 by roll call vote; Mr. Kraus-Aye, Mrs. Mackenzie-Aye, Mr. Berry-Aye, Mr. Timson-Aye and Mr. Snuffer-Aye

Mrs. Mackenzie left the meeting and will not return to the meeting.

Chief Stillman's Contract

Mr. Kraus had sent the contract to the members other than Mrs. Mackenzie for review and the Board members were pleased. It is for three years.

MOTION moved by Mr. Kraus to approve and sign the contract with the police Chief for three years, seconded by Mr. Snuffer VOTED by Roll Call Vote. Mr. Snuffer-Aye, Mr. Timson-Aye, Mr. Berry-Aye and Mr. Kraus-Aye

Motion moved by Mr. Kraus to move out of Executive Session at 10:15 p.m., seconded Mr. Snuffer Roll call vote Mr. Snuffer-Aye, Mr. Timson-Aye, Mr. Berry-Aye and Mr. Kraus-Aye

Approved June 14, 2011

MOTION moved by Mr. Snuffer to adjourn at 10:16 p.m., seconded by Mr. Kraus,  
VOTED 4-0-0

Respectfully submitted,