

The Board of Selectmen met on Tuesday, January 31, 2017 beginning at 6:45pm in the Main Meeting Room of the Town Hall. The following members were present.

Eric Kraus, Chairman
Nancy Mackenzie, Clerk
Mark Gallivan
David Salvatore

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

Mr. Kraus called the meeting to order at 6:45pm.

Executive Session

Chairman Declaration:

Pursuant to G.L .c.30A, §21(a) (2), the purpose of the session will be to conduct strategy sessions in preparation for negotiations with nonunion personnel, Town Clerk Danielle Sicard.

that a discussion of the foregoing in open session could compromise the purpose for the executive session

That the Board of Selectmen shall return to open session

MOTION moved by Mrs. Mackenzie to enter Executive Session under G.L. C30A, Section 21 (a) (2) for the purposes declared by the Board's chairman, seconded by Mr. Gallivan VOTED (Roll Call) Mr. Salvatore-Aye, Mrs. Mackenzie-Aye, Mr. Kraus-Aye and Mr. Gallivan-Aye

The Board had moved out of Executive Session and returned to open session.

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

ANNOUNCEMENTS

Mr. Kraus called for a moment of Silence for David's father; he was on the Providence RI city council. He was very involved in his community and public service. He was a Cub master, little league coach and delegate to RI Constitutional Convention. The Board extends our deepest sympathies.

Mr. Kraus read the following information into the record.

Annual Town Census

Residents should have already received an Annual Town Census Form already. The Annual census forms must be signed and returned to the Town Clerk's Office within 10 days of receipt. Residents are reminded that census forms need to be returned even when no changes are necessary to their census information. In accordance with MGL Ch. 51, Sec 4c, failure to respond to the annual census shall result in removal from the active voting list and may result in removal from the voter registration rolls.

Dog Licensing

Dog licenses for 2017 are now available and must be completed by March 1st to avoid late fees. A current rabies certificate must be on file at the Town Clerk's Office in order to license your dog. Licensing forms were inserted in with your annual census forms but are not required when registering your dog in person at the Clerk's Office.

Annual Town Election

Nomination papers for the Annual Town Election in Walpole are available at the Town Clerks office beginning Wednesday, February 1st. The last day to obtain nomination papers is Thursday, April 13th at 5:00 PM. The Annual Town Election in Walpole will be held on Saturday, June 3rd. A full listing of available offices and calendar of candidate deadlines as well as additional information for potential candidates is available on the town's website under Town Clerk – Annual Town Election Running for Office (<http://www.walpole-ma.gov/town-clerk/pages/annual-town-election-running-for-office>)

Annual Town Election – RTM Incumbents

The deadline for current RTM members who have been ELECTED by ballot (not by RTM caucus to fill a vacancy) to file their intent to run for re-election with the Town Clerk is Monday, April 10th by 5:00 PM.

APPOINTMENTS

1-22 Public Hearing Transfer Double D and Deli Wine and Malt Pkg. Store license

MOTION moved by Mrs. Mackenzie to open the public hearing seconded by Mr. Salvatore, VOTED 4-0-0

Attorney Andrew Upton, representing the owners. They are operating a lease under Stop and Shop we are not Stop and Shop and they have no financial interest in the sale of the alcohol. They are Massachusetts based independent Pkg. Store owner. The license is coming out of the D & D deli. Stop and shop has told us that they would like this as a convenience, as they already have 7 licenses in the State this is the only way to get a license. Purity Supreme that was there before had a license. It is safety, comfort and

convenience for customers. Should not have any negative impacts, we do not sell nips or lottery tickets at this store.

Mr. Kraus questioned the safety aspect of this license. Attorney Upton explained that people have told us they would like to be able to buy beer and wine to go with food. Talked about buying food. Mr. Kraus understand convenience but safety. Attorney Upton, the atmosphere of a supermarket, it is well-lighted, monitored parking lot. They prefer to shop in that type of atmosphere.

Anastasios Giannopoulos I grew up in the liquor business started when he was 24 years old. He got more experience in retail. He got an opportunity to get into retail, transferred his wholesale company to his wife. He was able to get into Retail side. The supermarket space became available and able to merge that opportunity. The convenience to be able to purchase wine or beer at one location is something customers are looking for. He feels more comfortable of getting liquor there. Specialty items, he is hands on which is important and has been doing this a long time with no issues at all. He has had stores in several towns and no issues with the town or ABCC. It is a different trend with these supermarkets. He sees it is better to have an owner operator, than a supermarket with a lot of people. He cares about the places that he is at. The Attorney gave the Board members an updated plan, the abutter's notification and the lease agreement.

Mr. Salvatore wanted to know if they have a door into Stop and Shop. It was explained they do from the inside. There is no entrance directly to the store from the outside without going into Stop and Shop. There is an area on the left, when someone comes in or out we have a clear view of who it is. We have an updated plan that shows the cash register more centrally located.

Mr. Salvatore, so the only door would be thru the store. The doors on to the sidewalk will not open.

Mr. Kraus you do not want to come to this Board serving minors. We have zero tolerance. I would encourage you to get involved in our alcohol and drug awareness. They will have a card reader.

Their hours will never extend beyond the Stop and Shop hours. Mr. Salvatore expressed concerned about accessing to and from Stop and Shop.

Mitch Nolan, Stop and Shop Manager, we have a lot of customers asking for Wine and Malt.

Mike Healey, was the previous store manager and he ran Purity Supreme, and Stop and Shop and never had issues.

Jay-owner of Sams package store, concept of a public need, within less than a ½ mile there are two licenses operating, I think the Public need is addressed. As far as need I have not heard the need and as far as safety we are well lit. If the door entrance to the store is inside Stop and Shop. We have been part of the sting operations and never

brought before your board once. How are they going to do the same thing, they watch people come and go when they exit. So unless they stand inside the stop and shop how could they perform a sting operation? There are several package store licenses very close together.

Mr. Kraus appreciated his comments and the fact that his establishment has never been brought to them. Mr. Salvatore we have a certain number of licenses available where they end up in town is not really under our control. I understand, but I do not feel it is my deal to pick and choose. Jay is there the public need. Given the nature of this, industry it is important to note that we have been a member of this community for over thirty years.

The Attorney gave the Executive Assistant the signed lease agreement, public notice to the abutters and certified green cards.

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

MOTION moved by Mrs. Mackenzie to approve the Transfer, Change of Location and Pledge of the license of the Wine and Malt package store license from Double D's Deli & Market to Retail Beverage Partners, Walpole, Inc. d/b/a Liquor Aisle, 565 Main Street and to appoint Anastasios GIANNOPOULOS as manager of record, seconded by Mr. Gallivan, VOTED 4-0-0

1-23 MOA, Liberty Village, Property at Glenwood, Elm, East Street

Attorney Philip Macchi Jr. representing Edgewood Development. He introduced Gerard Lorusso.

Mr. Lorusso, president of Edgewood Development. His family has been here over 100 years, my dad built roads and stores in town. Lorusso Corp. has been doing work for the town for 30 years. We have built over 500 homes, and have 2 projects in town, Bristol Square is one, and they really follow the project. They manage the properties. His family and the Edgewood Development run all the properties we manage. He showed representations of what the proposed development would look like. The property is located between Elm St, East St and Glenwood Ave. We are looking at 4 stories of residential and parking. The maximum residential units would be 152 units, 252 bedrooms 281 off street parking and 55 parking on MBTA parcel. His connection with this property when he was 14 he worked for Bird Johnson in the parts dept. He has known the owners the Giadomenico family since he was 13 yrs. old. There are no three-bedroom units. It is a market rate project. If you are working near the train station, 100% of parking we can handle on the lots. For the last six months working with MBTA, there is a lot they own it has not been well utilized, occasional parking, we will provide 54 spaces, the understanding is we would build the lot and they would charge a fee, the lot would be available for non MBTA use.

Mr. Johnson explained the MOA is similar to Cochran Company with a few differences, they asked for specific dollar amounts. Mr. Lorusso noted they will install and furnish

equipment for automatic irrigation on the two commons, install and equip antique lights to LED, Purchase and install overhead shade Gazebo on the Spring Brook path and complete path, provide gravel, stone and paving to complete the DPW garage at 1385 Washington St. They will provide the irrigation of the downtown commons, gazebo and help with the stone and gravel services for the DPW Garage. Mr. Johnson noted that is the only change in this MOA. We are not undertaking anything that will take away from ZBA, Conservation Commission and Planning Board.

Mr. Salvatore questioned the parking lot for MBTA. You have commercial uses. Mr. Lorusso noted they do have some commercial uses, more than adequate parking, if they can bring additional parking it could help the area. On the ground floor of the building is retail and parking. They will work on the sight line issue. All the existing buildings will come down. They appeared before the Historical Commission regarding the front portion on East Street but the structural engineer said it was no structurally sound. There are some nice timbers they plan on reusing.

They discussed the curb appeal when someone is entering the town. It is their intention to make the first view of Town to be attractive.

MOTION moved by Mrs. Mackenzie to enter into an Agreement between Edgewood Development Company, LLC and the Town of Walpole dated January 31, 2017 for a development entitled Liberty Village and to authorize the Chairman to sign, seconded by Mr. Gallivan

Discussion:

Mr. Salvatore wanted to know who hired RKG. Mr. Johnson stated we have used the company several times and the town hired them and paid them from money for the Peer Reviews from Edgewood Development. Mr. Salvatore was not pleased with the reports and finds them not useful and should never use them again. As far as the MOA he thinks this is an abuse of the Selectmen's power. He likes the project and feels it is beneficial to the town. Talked about 30% of the use of the train station by Medfield residents. He thinks it is an abuse of power taking money from a developer. The Board tells others they are going to give them tax breaks. Having the developer pay for antique lights, those should be decided by Town Mtg., not some agreement between developers and the Town. I wish you luck but he will not support the MOA. Mrs. Mackenzie asked them to keep in mind there are schools up the street that could use sidewalks in that area.

VOTED 3-1-0 (Mr. Salvatore opposed)

OPEN FORUM –No one present

1-26 Paul Stelmash, Ponds Committee Appointment

*Paul had served on the Ponds Committee for several years and wishes to be appointed again

MOTION moved by Mrs. Mackenzie to appoint Paul Stelmash to the Ponds Committee as a Regular member, seconded by Mr. Gallivan, VOTED 4-0-0

NEW BUSINESS

1-27 Chapter 90 Reimbursement

MOTION moved by Mrs. Mackenzie to approve and sign the Chapter 90 Reimbursement request for Project 16-03 in the amount of \$414,049.49, seconded by Mr. Gallivan
VOTED 4-0-0

1-28 Close Spring Town Meeting Warrant

MOTION moved by Mr. Gallivan to close the Spring Town Meeting Warrant, seconded by Mrs. Mackenzie

Mr. Johnson stated there may be a future articles and the Board will have to reopen and close the warrant.

VOTED 4-0-0

I. **CONSENT AGENDA**

(These items will be VOTED as one motion)

MOTION moved by Mr. Salvatore to approve the following items listed in the consent agenda

1. Request to Use Adams Farm on April 18, September 9, October 24 for a Drag Hunt (1-28)
2. Request to place an A-Frame on the Common on March 25, Norwood Evening Garden Club (1-29)
3. Gift Acceptance:
 - a. Friends of St. Patrick, Turner Pond Lodge \$ 500.00 (1-30)
 - b. Numerous Donors, Fire Dept. in memory of Firefighter Gerald Comeau \$2,045.00 (1-31)

Seconded by Mr. Gallivan, VOTED 4-0-0

TOWN ADMINISTRATORS UPDATE

Budget Message-The Budget Message is this Thursday evening at 6:30pm in the Library Community Room. All are encouraged to attend.

MBTA-He attended the MASS DOT Board of Directors meeting last week and encouraged them to please keep Walpole in mind when considering any PILOT Policy. It is his understanding that the Foxboro Selectmen continue to deliberate their position on the conditions of their vote. Walpole continues to formally oppose the PILOT and our legal options.

Budgets-The Budget Books have been assembled and will be distributed after the Budget Message on Thursday night.

ADJOURNMENT

MOTION moved by Mrs. Mackenzie to adjourn at 8:15pm seconded by Mr. Salvatore,
VOTED 4-0-0

Respectfully submitted,
