

The Board of Selectmen held a meeting on Tuesday, December 3, 2013 beginning at 7:00pm in the Main Meeting Room of the Town Hall. The following members were present.

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

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

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

### **ANNOUNCEMENTS AND PROCLAMATIONS**

Mr. Gallivan asked for a moment of silence for Catherine Winston who passed away last Friday. Catherine served on the Finance Committee for many years and two terms as Selectmen from 2003 to 2009. He further asked for a moment of silence for Dr. Stephen Stone who passed away last Friday. He was the president of the Walpole Food Pantry and an advocate for those in need.

### **SPONSORED AGENDA ITEMS**

#### **Chief Stillman, Quarterly Report**

Chief Stillman reported that Calls of service has increased by 17%. Crimes against person has increased by 10%, domestics by 5%. Crimes against property decreased. Citations 26% decrease, court cases 10% decrease.

Mr. Snuffer inquired if the Chief has a way of knowing what your manpower is for the statics shown. The Chief is working on that and they are looking at compiling that information. Number of hours they are spending on upholding the law. Try to get that info and compile it. Community efforts tried to do outreach, through the T. Clerk, we can include a survey with the census no cost to get it out to the public. Opportunity to learn our residents perspective on how we are doing. Voice any issues or concerns or programs they would like to see. This will be a baseline. Work and try to incorporate some of those. Like the public input as to what they like seeing the department do. The Deputy has been working with B. Leblanc on the crosswalks. Number of crosswalks that are heavily used and the Deputy is working on getting grants to improve the safety. Working with the schools on updated safety plans. Country fest went very

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well, because of the increased staff we were able to mitigate issues quickly. There was still a lot of traffic and drinking issues. They plan on bringing back different group of entertainers next year. Hope they want draw the type of crowd typically there.

In September there were a number of car break-ins, able to identify the culprits. Norwood PD had a smash and grab at Newbury comics. One of Walpole's officers was able to pull over the people. Longview Farm had calmed down a bit. Personnel issues, Chris Mackenzie was promoted to LT. Brian Becker appointed to Sgt. We hired a full time dispatcher, still in training phase. They are currently interviewing for a patrolman. They hope to have certification by September.

Mr. Timson asked if the department has become aware of any traffic backup issues at Allied on the Weekends. I guess there is a lot recycling and traffic coming out on to Main St.

Deputy Chief gave the Board an update of Alcohol and Drug Awareness Coalition. The DA's office has identified three problems, overdose, impaired driving Crashes and school security. Drug issues up to date. A lot of education last year, share information with the parents to get the student help. A lot of education teaching families about incarceration treatment. Participate in the drug take back program with the pharmaceuticals and it is a great success. Track syringes, had to go retrieve 20 syringes on the roadway. Make a difference in the drug program. In Walpole we want to talk to Doctors face to face. The total overdoses is 17. He reported that four of the seventeen overdoses were fatal. In some states they are seeing an increase in traffic accidents with the use of marijuana. They are beginning to see that in Massachusetts.

Mr. Timson spoke of the costs for the Drug and Alcohol program and it was explained there is not much of an impact on the budget. John Thayer has been handling the teaching at schools. The Marijuana program is tailored to Walpole's needs.

### **12-1 Special Police Appointment**

Chief Stillman explained she has met all the standards and he approve it. Mr. Berry wanted to know when she will be utilized. The Chief explained they have to do a number of volunteer hours. They are only an officer when they are assigned to that duty. A lot of what they do is no cost to the town.

MOTION moved by Mr. Snuffer to appoint Carly Moriarty as a Special Police Officer, seconded by Mr. Timson, VOTED 4-0-1 (NM abstained)

OPEN FORUM- No one

Chief Bailey, Quarterly Update

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Chief Bailey gave an overview of the number of calls the department has had since last time before the Board. The department has been involved in Fire prevention, 304 inspections, those have been completed processing the paperwork. Reviewed the new hires, Eric Bailey and Colin Ryle and David Jenks is going through, testing and orientation and hopes to start on December 11<sup>th</sup>.

Apparatus, several breakdowns handle in house, some did have to go out. On the new engine, we went thru the bid process MAPC. The new engine will have a five year warranty. Oct 19<sup>th</sup> was open house and very well attended. The AFG grant \$129,000 for station alerting system has been completed. Everything installed, working successfully. In October participated in the Walk to School Day. Senior safe program and funding awarded next week. Training continues. In regards to the long Term injury, provisional Firefighter working in that position now.

**12-2 Hardship Request**

The Chief explained the first time we received it we sent it back as it was not complete. He has no issue with the request.

MOTION moved by Mrs. Mackenzie to approve the hardship application for ambulance run 172291, seconded by Mr. Berry VOTED 5-0-0

OPEN FORUM-No one present.

**12-3 Associate member, Board of Health**

Mona Bissany is seeking associate membership to the Board of Health. She is qualified. She told the Board she is a Mother of two, health care professionals. Work with CVS for over 10 years. Pharmaceutical care, and she is confident that her medical background will support. I have joined the Drug and Alcohol Awareness Coalition. Mrs. Mackenzie noted she is an independent consultant. Do you have clients in Walpole? Ms. Bissany replied No, she works with the Boston area.

MOTION moved by Mr. Snuffer to appoint Mona Bissany as an associate member to the Board of Health, seconded by Mrs. Mackenzie, VOTED 5-0-0

**12-4 Public hearing, Classification**

MOTION moved by Mr. Timson to open the Public hearing for the Classification hearing to set the Tax Rate for FY2014, seconded by Mr. Snuffer, VOTED 5-0-0

We will pause this hearing and move to the next agenda item.

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MOTION moved by Mr. Berry to continue the hearing, seconded by Mrs. Mackenzie, VOTED 5-0-0

12-17 Denmar Pump service, TIF

Ms. Mercandetti explained the company is located in Stoughton and provide repair to various size pumps and have identified Walpole Woodworkers site on School Street, as an ideal place to relocate and expand. They would like to apply for Tax incentives. In 2003 Walpole was designated as Economic Target Area and they would be available for special tax incentives. They would do the bulk of their business here. They are looking to invest improvements and new machinery and equipment and full time jobs.

Mr. Boynton recommended the Board should set a TIF committee, but that does not mean it will meet the criteria. Start the committee asap. Ms. Mercandetti noted the Committee consists of a Representative from the Selectmen. Al Denapoli was the member. A member from Economic Development, the Town Administrator, Economic Development Officer, Assessor, Finance Director and T. Planner. Initial step of the process. If you are willing to entertain next step is to negotiate.

Mr. Gallivan feels it is great to start the TIF. Mr. Berry noted it is Great news. I think it is great, as that property is underutilized. Keep in mind that bldg. is in a residential neighborhood. It could be an improvement for the neighborhood. No substantial nuisance. Ms. Mercandetti explained the president use to work at the building. Mr. Gallivan volunteered to serve on the TIF committee. The Board members felt they should move forward with this, it does not mean they will do it.

MOTION moved by Mr. Berry To activate the TIF committee and appoint Mark Gallivan as the BOS member, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to reopen and continue the Classification hearing, seconded by Mr. Snuffer, VOTED 5-0-0

Classification hearing contd.

Present from the Assessor's Office are ; John O'Connor, Dennis Flis and Jack Fisher. Normally we have final certification, when you vote, we ask that it is upon final certification and ask you to reaffirm your vote at the next meeting. We do not see any problem. We are comfortable that there will be final certification. You need to make a decision on the residential factor. The packet includes, the computation on the minimum residential factor allowed. Computation on the tax rate upon selecting a residential factor, LA-4 Totals, Sample tax bills on residential, commercial & Industrial properties based upon the shift chosen. Historical information from the previous years on the residential commercial & Industrial properties.

Using a shift of 125%, the current shift he noted that an average home value is \$406,430 and the tax rate for FY2014 will increase by \$203 for a residential property. For Commercial the increase would be \$46 and for Industrial it would be \$212.

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Approximately 86% of the taxes comes from Residential, 6% from Commercial, 4.5% for Industrial and 3.3% for Personal Property.

People ask why does my tax bill go up more than 2 ½%. It is not the tax bill that goes up 2 ½% but the tax levy. The maximum amount of property taxes that can be raised each year is known as the tax levy. New growth for FY2014 is projected at \$805,543.

Overrides can increase its levy limit by successfully voting a debt exclusion or capital outlay expenditure exclusion or operating exclusion. In June 2012 the Taxpayers voted a \$3,000,000 operating exclusion. Total debt exclusion for FY2014 is \$1,658,928 voted from prior years.

Mr. Berry noted that new buildings create new growth. Very little going on in commercial in Walpole. Showed what it would look like with a single tax rate.

Mr. Fisher noted with the current shift in Walpole, the average tax bill will go up \$203. It shifts the taxes to the higher residential properties on residential exemption. We recommend you remain with the 125 and vote on the factor.

Mr. Timson asked if they can explain the reasons why they decided to recommend keeping the shift the same this year. Whether you considered going to a 1.28%. Jack Fisher reported they considered everything, the mix in Walpole less than 14% is generated from Commercial, every dollar you save will increase the industrial by \$7. There is already a good shift. Mr. Timson lets assume you look at this and you think this year, the commercial is really going down and the residential is going up. If you go to 128% it may help. What would happen next year if you went back to 125%. Jack you would get a big hit the next year.

Mr. Berry states as it relates to economic develop, I work in a community with a shift under 1. He had Dennis work up some numbers, and his suggestion is 1.275%. It is incremental, measure of relief to the residential taxpayers. We have tools to attract businesses to our area. Our Town is the 9<sup>th</sup> highest out of the 26 communities reported. Keep a measure of affordability and lean on the businesses. We work with our commercial community.

Mr. Snuffer has looked at the stability factor. One thing that needs to be looked at is that you are still looking at 86% residential to 14% commercial. He looked at a house below the average and asked what that tax bill was in 2007 which was less than the average, 4,000 for the year and over 5,000 in 2014. When I look at the recommendation for the 10<sup>th</sup> year of 125%, he can not justify it. We are asking 86% of people to pony up more. He applauds Mr. Berry for the 127.5% and would support that.

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

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MOTION moved by Mr. Snuffer that the Board adopts a Shift of 127.5% with a Residential Factor of 95.5264 for Fiscal year 2014 subject to receiving final certification from The Department of Revenue., seconded by Mr. Berry

The savings for a homeowner would be \$32 for average house. Mr. Timson stated when you look at the numbers in terms of the increase to the commercial bldg. My heartstrings were pulled towards changing the shift, you have to realize, and that shift will not be able to go back to where you were. Shift more burdens to the Commercial. Mr. Snuffer noted it gives a modest relief to the 86%. Mr. Timson likes keeping things stable. He would like to give taxpayers a break. When you look at the math it would be less on the Commercial than any other year we have done it.

Mr. Berry feels that being business friendly is more than just taxes. A lot of it is the permitting process, some regulatory process. He does not want it to be that the Board is not business friendly.

Mr. Gallivan is in favor of this. Mrs. Mackenzie will vote against, I do not think this is the year to do this, with Obama care how it is going to funded. I would not want to add to the changes they are already going thru.

VOTED 4-1-0 (Mrs. Mackenzie opposed)

#### **12-5 Public hearing, Wine and Malt Common Victualler's License**

MOTION moved by Mrs. Mackenzie to open the public hearing for the" Bird Park Café", seconded by Mr. Timson, VOTED 5-0-0

Attorney Brady on behalf of Bird Park Café Inc. This is for a new restaurant at the Clock tower in East Walpole. The number for the renovations has changed somewhat because of the abutment, the big huge granite pieces have to be moved back. The Planning Board site plan decision, traffic flow requires them to enter the right . Have those two corrections.

Allison Beatty , proposed Manager has been working in the business for 11 years. The Bristol Square has been in business for 23 years. She also owns a restaurant in Mansfield. Each of these has beer and wine licenses. There is no pledge on this license. The new restaurant seats 124. Allison is TIP Certified. She knows the business inside and out. The proposed building is two story, first floor the restaurant and second to be determined. They propose a 6am to 3pm operation. Alcohol will be available from 8am and after 10 on Sundays. Looking for Spring 2014 opening. There is no workers comp or liquor liability yet but will mirror what she has now.

Mr. Gallivan opened the hearing up for questions.

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Board of Trustees of the Riverwalk Commons, Charles Wayne and Mr. Grossman. We are opposed to this. Concerned about when the applicant appeared before the Planning Board for lunch and breakfast only. The volume and the usage concerns them. Another concern at the Planning Board level was the traffic flow and pattern. The Riverwalk Condominium Board is opposed. Mr. Snuffer asked if their Board so Voted? Yes. Mr. Berry asked if their opposition is on the liquor license or the project in whole. Mr. Wayne stated they are here in opposition to the Beer and wine license. Mrs. Mackenzie asked if they had ever gone there when it was there before? NO

Attorney Brady had spoken to them before the hearing. My sense was they were not happy with the Planning Board outcome. Traffic flow was an issue. I would suggest that is not what is before you. All of those issues the site, layout that was before the Planning Board and they issued the Site plan approval. If they were disgruntled, they could have appealed. The issue of a beer and wine in this case should not be thwarted because of the siting of this café. There was a restaurant there before and Dianne ran that one. They serve responsibly. They are not in the business to sell the alcohol. It is nice to have this. I would ask you not to be sway by that.

Mrs. Mackenzie spoke to her being a member of the Planning Board when Riverwalk was approved and a lot of neighbors did not want it approved. Knowing the history the traffic pattern will be good for the area. Going there for breakfast, I think it is a huge addition to E. Walpole. Thankful for taking another venture in Town. To me I think this a huge win.

Mr. Timson noted the application is in order, also mention that Jimmy's pizzeria has a beer and wine and that is not an issue. It is part of the business model. I would be in favor.

Mr. Snuffer, the question of upstairs, is there a potential to be a domicile? That parking is costing \$100,000 to change, her plans. None to do anything with second floor, could be commercial. There is nothing on the drawing board. It could be housing. The Planning Board had no specific use. It would seem to me whatever could go in a CBD district could go there.

Mr. Snuffer thinks mixed use becomes more viable. He spoke to the fact that he was going to do the brew pup on the lower parking lot. He thinks it is wonderful for E. Walpole.

Attorney Brady stated that if traffic becomes a problem, they can always come back to you. He thinks the Planning Board took into consideration these issues.

Mr. Berry agreed, as a business that has been here, you have the right to apply for it, how it is utilized, is not our concern. Level of trust. I think it will be a terrific project. If the Beer and wine makes your customers happy that is great. You will be a family friendly restaurant.

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Charlie Wayne, Rosecourt Way- we are not complaining what went on before. Why are they applying for the license before they build?

Mr. Boynton explained since he started in town the discussion of the redevelopment of that property has been a must. Based on the amount of time and effort this is great moving forward. He has no doubt that property will be built.

MOTION moved by Mr. Timson to close the public hearing for “The Bird Park Café”, seconded by Mr. Snuffer, VOTED 5-0-0

MOTION moved by Mr. Timson to grant a Wine and Malt Common Victualler’s License to Bird park Café, Inc. d/b/a The Bird Park Café 166 Washington Street, E. Walpole, MA this approval is conditional upon the applicant completing the plans in accordance with Site Plan Approval Case 12-5 from the Planning Board. No license will be issued until a Certificate of Occupancy has been provided by the Building Department and the applicant has met the Board of Health and Fire Department requirements, updated application with corrections as noted, seconded by Mrs. Mackenzie, VOTED 5-0-0

MOTION moved by Mr. Timson to appoint Allison Beatty as the Manager of Record for Bird Park Café, seconded by Mrs. Mackenzie, VOTED 5-0-0

#### **12-6 through 12-14 Gift Acceptances**

MOTION moved by Mr. Berry to accept the gifts from the following with appreciation , seconded by Mr. Timson, VOTED 5-0-0

##### **Fire Department Gift Account**

Hollingsworth & Vose, \$1,000.00 (12-6)

Deborah Brooks \$400.00 (12-7)

Deborah Brooks, Ambulance Fund \$400.00 (12-8)

##### **Police Department Gift Account**

Mary Tolland \$100.00 (12-9)

Mr. & Mrs. John Allen \$50.00 (12-10)

Margaret Stahl \$1000.00 (12-11)

Hollingsworth & Vose \$1,000.00 (12-12)

Deborah Brooks \$800.00 (12-13)

Mr. & Mrs. Joseph Denneen \$100.00 (12-14)

Mrs. Mackenzie noted that Tim Brooks worked for both police and fire. Some of the donations to the police are for the Honor guard program.

#### **12-15 Extended New years Eve hours**

MOTION moved by Mrs. Mackenzie that on New year’s Eve, no alcoholic beverages be served after 2:00a.m., that all outside lights be turned off at a closing hour of 2:00 a.m. All patrons to



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have vacated the premises both in and out by 2:30a.m. and doors locked. The only persons permitted on the premises after 2:30 a.m. would be the licensee or the employees to perform some task or other work pertaining to the premises' business. , seconded by Mr. Berry, VOTED 5-0-0

**12-16 Liquor License Renewals**

MOTION moved by Mrs. Mackenzie to renew the liquor license holders for the year 2014 as outlined on the attached list in document 12-16 with the exception of Jalapenos, seconded Mr. Timson VOTED 5-0-0

Motion moved by Mrs. Mackenzie to renew the Jalapenos Grill Liquor license, seconded by Mr. Snuffer VOTED 4-0-1(Mr. Timson abstained)

**ALL ALCOHOLIC COMMON VICTUALLER'S LICENSE**

	<b><u>Location</u></b>	<b><u>Manager</u></b>
204 Washington	204 Washington St.	Bradford F. Brooks, Jr.
99 Restaurant	55 Bos.-Prov. Hwy.	Cindi Fuller
Applebee's	990 Providence Hwy.	Ashley Ann Tougas
Asia Treasures	399-401 High Plain St.	Yongzhen Lin
Napper Tandy's (Beckett's)	1065 Main St.	John G. Jacob
British Beer	85 Boston-Providence Hwy.	Nancy Cowles
Chili's Grill & Bar	120 Providence Hwy.	Casey Bourret
Clyde's Roadhouse	642 Providence Hwy.	Scott A. White
Conrads	907 Main Street	Robert Conrad
Finnegan's Wake	7 Glenwood Ave.	Kristin Smith
Ginjo Susi & Hibachi	887-889 Main St.	Amy Wong
Guido's Restaurant	683 Main St.	Joseph J. Guarino
Jalapeno's Grill	960-962 Main St.	Ricardo Dorransoro
Kihei Dynasty	743 Main St.	Lisa Chiu
Patriot Tavern	100 Main St.	Michael Quinn
Peking Garden	2275 Bos.-Prov. Hwy.	Wai Kun Seong
Raffael's Banquet & Conf.	1601 Main St.	Elio Ricci
Raven's Nest	998 Main St.	Maura McAuliffe
Red Wing Diner	2235 Providence Hwy.	Liam Murphy
Texas Roadhouse	120 Providence Hwy.	Brian Franciosi
Tee-T's Restaurant	P.O. Box 5	Monika Burke
The Crease	942-946 Main St.	Marshall Thomas

**WINE & MALT COMMON VICTUALLER**

Asian Deli	691 Main St.	Ying Chen
Bristol Square Café	1428 Main St.	Diane Beatty
Jimmy's Pizzeria	4 East St.	Athena Kalemkeridis

**CLUB LICENSES**

Boylston Schul-Verein	153 County St.	Hans T Hoegel
Italian American Club of Walpole	109 Stone St.	James D. Bruce
Veterans of Foreign Wars	Robbins Rd.	James A. Mitchell
Walpole Country Club	233 Baker St.	Edward Iodice

**ALL ALCOHOLIC PACKAGE STORE**

Dalton's Package Store	944-C Main St.	Thomas Jackman
East Walpole Package Store	79 Bos.-Prov. Hwy.	Carolyn M. Kim
Palumbo Liquors	419 High Plain St.	Russell V. Palumbo
Sam's Package Store	262 Main St.	Mark /Jay Abarbanel
Walpole Wine & Spirits	669 Main St.	Steven D. Goller

**WINE & MALT PACKAGE STORE**

C. Scott's Beer Wine & Deli	1600 Providence Hwy.	Fouad Labki
Double D's Deli & Market	931 East Street	Patricia Ann Zampitella
Walpole Fuel	Providence Hwy	Alian Nasr
Walpole Discount B & W	1339 Main St.	Gomatiben Patel
7-Eleven	909-911 Main St.	Magdy Megelly

**Spring Town Meeting**

MOTION moved by Mrs. Mackenzie to open the Spring Town Meeting Warrant and close it on January 21,2014, seconded by Mr. Timson, VOTED 5-0-0

**Public Access TV Committee**

At the previous meeting the Board discussed the proposal drafted by Mr. Gallivan relative to a new Committee Charge and Make up. Mike Berry, what happens to the current set up and we can stay in contact. I would suggest they set a schedule, what things they would like to tackle. How much time do they have to get this up and going. Mr. Gallivan noted the current provider does not want to meet and discuss with us what they are doing.

Mr. Timson noted in terms of this update, to give more flexibility, upon request of the Board but no less than every 6 months.

Board talked about the language regarding the appointments to the committee if you are currently serving. Special attention will be given to those that are not currently serving on a Board or Commission.

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MOTION moved by Mrs. Mackenzie to approve the Public Access TV Committee membership and charge as written, seconded by Mr. Berry, VOTED 5-0-0

Mr. Berry suggested the Board advertise what we want people to send in, resume and give a 30 day window.

#### Town Administrator's report

Fisher School project-we started off with 1.5 million. We have done well locally with our estimates. MSBA says No and we shall use the process we have in place. We will use their architect. This afternoon, the Superintendent and several others met and the project cost is 3.9 million dollars. We are not applying to the MSBA Board. They have found things that were not originally known. Don Anderson estimate of 45 windows and they said all 97 windows should be done. We spent a lot of time going back and forth, pencil sharpening that needs to be done. We will never get back to 1.5 million. Look at how this process has evolved. We are not going forward with the application tomorrow.

MG both smart to throw the brakes on it.

2. Electricity bid-pricing for electricity. It is not a typical 30B process. Bay state had sent us documentation back in 2008 12kwh. We have done well. We are now back to 9cent plus, the bid is 7.96 starting in 2015.

Mr. Snuffer noted the savings on this is such if we saved in a decision 1% of our gross usage we could save \$40,000. Mr. Boynton is up to the challenge and Mr. Snuffer stated it will be number 1 on this review next year.

Superfund Site- had a productive meeting today with DEP. What the responsibility parties would do with that parking lot. If you are going to call this a permanent cap than they have to put in the conduit. Good comments from residents at last night's meeting. Long term benefit. There will be an added cost because of the nature of the proposed building.

Prison Land Legislation-I would like to invite the delegation in the first meeting in January. Signed the bill of 64 acres to the town. It does still require by DCAM and legislator ways and means and committee. Tip of the cap to executive office of environmental affairs.

Mr. Gallivan noted this is land we can potentially build fields on. Complex, we have not had a lot of discussion on this. The fundraising group should take a look at it. He appreciates the efforts of Senator Timilty and other representatives.

Mr. Berry would like to have a map of the area and on the web. The land can not be leased. Mr. Gallivan suggests Josh gets a heads up and reconvene the Fields Committee. Get everyone thinking what the future could be.

MBTA Advisory Board-It seems to me that we have one resident that is intrigued by the process and may want to step up and serve in that role. I would be more than happy if there is a resident who wants to serve.

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Old Business

Mr. Timson noted that having travelled to work the repaving job was really well done thanks to Columbia Gas, Maggie and DPW for the work on East St.

MOTION moved by Mr. Timson to adjourn at 10:05pm seconded by Mrs. Mackenzie, VOTED 5-0-0