



**TOWN OF WALPOLE**  
COMMONWEALTH OF MASSACHUSETTS

Walpole Town Hall  
135 School Street  
Walpole, MA 02081  
Phone (508) 660-7289  
Fax (508) 660-7303  
Email: JJohnson@walpole-ma.gov

October 7, 2021

Dear Representative Town Meeting Member,

Enclosed you will find materials to help you prepare for the 2021 Fall Annual Town Meeting which is set to begin at 10:00AM on Saturday October 23, 2021 at the Walpole High School. This Warrant will address a wide range of Town matters. Some articles of note that I would like to bring to your attention to include:

Article 2 – Fiscal Year 2022 Budget Adjustment

This is a standard article that is on the Warrant each Fall to address the current Fiscal Year budget. This year Town Meeting is being asked to consider a request of \$430,000 to modify the budgets listed below. The requested budget adjustments are:

<u>Department</u>	<u>Amount</u>	<u>Account Number</u>
➤ Elections Salaries	\$12,000	01163100
➤ Elections Expense	\$18,000	01163200
➤ Legal Expenses	\$50,000	01151200
➤ Fire Salaries	\$102,000	01220100
➤ Fire Expenses	\$248,000	01220200

Article 3 –OPEB

This article addresses the Town's Other Post-Employment Benefits (OPEB) Account. The Finance Committee is recommending that \$716,914 be used from Free Cash. These are benefits (other than pensions) that state and local governments provide to their retired employees. These benefits principally involve health care benefits, but also may include life insurance, disability, legal and other services. The Fiscal Year 2021 ending market value balance in the OPEB account was \$6,430,377.

Article 4 – Stabilization

This article addresses the Stabilization Fund. The Finance Committee is recommending that \$1,000,000 be transferred from Free Cash to the Stabilization Account. The purpose of the Stabilization Fund is to set aside money to mitigate unforeseen needs such as a reduction in state aid, or in instances where revenue is not meeting projections. As of the end of Fiscal Year 2021, the market value balance in the Stabilization account was \$8,660,114.

Article 5 – Capital Stabilization

This article addresses the Capital Stabilization Fund. This account was established by Town Meeting in 1968 however with a zero (\$0) balance and due to the fact this account has been left dormant for so many years Town Counsel recommended that Town Meeting vote to confirm the 1968 vote. The purpose of this account is to fund capital projects or pieces of capital equipment, or debt-service payments related capital expenditures. This article and the appropriation amount are being included in the warrant to reaffirm the 1968

Town Meeting vote and furthermore to set aside funds that will be necessary if the Town undertakes large-scale capital projects in the future. The Finance Committee is recommending that \$1,000,000 be transferred from Free Cash to the Capital Stabilization Account.

Article 14 – School Building

This article requests that Town Meeting appropriate a sum of money and authorize a borrowing, subject to approval of a debt exclusion, to construct a new middle school. A public forum for Town Meeting members will be held at 7:00 PM on October 19<sup>th</sup> at the Bird Middle School specifically to discuss Article 14. I urge Town Meeting members who may be interested in this project to attend the forum.

Please visit the Town's website to view the most recent information related to Town Meeting. Thank you for your service to the Town of Walpole and for the time that you devote to this process. Please feel free to contact this office or any other Town Official to address any questions or concerns you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read "James A. Johnson", is written over the typed name and title.

James A. Johnson  
Town Administrator

# ARTICLE 10

## Summary of Water Department Capital Requests (Funded through Retained Earnings)

### **Phase 2 SCADA Upgrade:**

Upgrades equipment and software essential to the operation of the town water treatment plants, the pumping stations, booster stations, and water storage tanks.

**Department Request:       \$620,000**

### **Meter System Components:**

Replaces meters, transmitters and other equipment associated with a fixed network metering system, in order to obtain accurate and timely water meter readings for utility billing and accountability purposes.

**Department Request:       \$250,000**

### **H.E. Willis Compressor:**

The H.E. Willis WTP valves are operated by compressed air. This unity will replace one of the two existing compressors that has failed, providing a back-up compressor for the unit still in service.

**Department Request:       \$15,000**

### **Vehicle Replacement:**

Replacement vehicle for a 2010 Ford Fusion (Superintendents Vehicle 466) which has reached the end of its useful service life, and will not pass next year's inspection. This will be a 2022 Ford Escape All Wheel Drive vehicle.

**Department Request:       \$26,000**

**TOTAL REQUEST: \$911,000**

# ARTICLE 11

## **Summary of Sewer Department Capital Requests (Funded through Retained Earnings)**

### **E. J. Delaney Sludge System:**

This system collects and discharges the residuals that are a result of water filtration at the E. J. Delaney Water Treatment Facility. These residuals are collected and pumped to the MWRA sewer collection system.

**Department Request:       \$550,000**

### **Meter System Components:**

Replaces meters, transmitters and other equipment associated with a fixed network metering system, in order to obtain accurate and timely water meter readings for utility billing and accountability purposes.

**Department Request:       \$100,000**

### **Morningside Pump Station Rehabilitation:**

Rehabilitation of equipment vital to the operation of the Morningside Drive Sewer Pump Station for the protection of the public health.

**Department Request:       \$370,000**

**TOTAL REQUEST: \$1,020,000**

# ARTICLE 12

## **CAST IRON PIPELINE REPLACEMENT**

This article if favorable acted upon will allow for the contract replacement of +/-13,250 LF of old unlined 6" cast iron water main on June Street, Rhoades Ave., Pilgrim Way, South Street, Peach Street, and Walnut Ave.

**TOTAL REQUEST: \$2,800,000**

## Fall Town Meeting 2021 Article 13

### School Transfers from Free Cash

**Article 13:** To see if the Town will vote to transfer from Free Cash a sum or sums of money to supplement the FY21 School Budget in the amounts equivalent to the following:

- Funds collected from Medicaid Reimbursements totaling **\$272,537**
- Funds paid into the General Fund for Parking **\$21,355**
  - **Total Transfer Request \$293,892**

Or take any action in relation to thereto (Petition of the School Committee)

*Medicaid Reimbursement-* The School-Based Medicaid program allows cities and towns to seek cost-based reimbursement for providing medically necessary Medicaid services (direct services) to eligible MassHealth-enrolled children as well as administrative activities such as outreach and activities that support direct service delivery. Reimbursements are paid to the Town throughout the fiscal year and are deposited into the Town's General Fund. At the end of the fiscal year, the receipts become part of the overall free cash total for the Town.

As part of the annual budget process every year, the School Department estimates the reimbursement amount based on the current year's expenses and reduces their appropriated budget request for the following fiscal year by the corresponding amount. The School Department anticipates receipt of the reimbursed funding to offset the Extended School Year Program program for special needs students and salaries for instructional staff that support the delivery of Medicaid services. This arrangement has been a long standing agreement between the School Department and the Town Administration.

*Parking Receipts-* Parking fees are collected each year by the Walpole High School administration and are deposited into the Town's General Fund and are declared free cash at the fiscal year end. The School Department reduces their appropriation request for the yellow bus transportation contract by the amount of the projected parking receipts.

October 6, 2021

Dear Walpole Representative Town Meeting Member,

On behalf of Walpole Public Schools, I am excited to provide additional information about Article 14, the proposed new combined middle school. The Massachusetts School Building Authority (MSBA) works with local cities and towns across the Commonwealth to create affordable, sustainable, and energy-efficient schools. The MSBA has a dedicated and robust revenue stream from Massachusetts sales tax. They collaborate with municipalities to equitably invest in the right-sized, most fiscally responsible, and educationally appropriate solutions to create safe, sound, and sustainable learning environments. By meeting all rigorous requirements of the MSBA, Walpole is now eligible to receive \$37 million of state funding. The invitation to participate in the MSBA program is an extraordinary opportunity, as it enables Walpole to receive funding for a large capital project with a reduced burden for our taxpayers.

Built in the 1960s, both Bird and Johnson Middle Schools are near the end of their functional life, with physical and system deficiencies. Issues associated with these schools include, but are not limited to: the facilities no longer support the adequate space and delivery of educational programming to the students in Walpole; the buildings are not fully compliant with the Americans with Disabilities Act (ADA); and much of the existing plumbing and HVAC systems are original and nearing the end of their useful life with overhauls of such systems either exorbitantly expensive or impossible. In 2016, 2017, and 2018, Statements of Interest were submitted to the MSBA detailing the deficiencies of both Bird and Johnson Middle Schools. In 2018, the Massachusetts School Building Authority (MSBA) invited Walpole into the Feasibility period, which was the first step in partnering with the Town of Walpole. This same year, as part of the MSBA process, the Town appropriated \$1.5 million to conduct a Feasibility Study. Recognizing the needs at both middle schools, the MSBA allowed for combined enrollment to be studied as well. This study enabled the School Building Committee to explore potential design solutions that met the requirements of the District Education Program to determine the most cost-effective and educationally appropriate solution to the aging middle schools. In 2020, Walpole hired Compass as the Project Manager. Compass has worked on several Town of Walpole buildings, such as the Fire Department, Walpole Police Department, and most recently, the Council on Aging. They have significant experience working with the MSBA and completing school building projects on time and under budget.

In 2020, both the School Building Committee and School Committee endorsed a combined middle school enrollment which is educationally sound and significantly more cost-effective than building separate projects. Walpole Middle School is committed to educating students in an inclusive environment where students have equitable access to resources and engaging opportunities to learn and thrive. All students will benefit from this new combined middle school. Having all middle school in-district programs in one building will enable greater flexibility with regard to the delivery of student services and needs. Since teaming is at the heart of the middle school philosophy, neighborhoods drive our core academic spaces. Each neighborhood will be organized by three-grade level teams (3 teams per grade) and support the school's team-based approach to curriculum delivery. Special Education programs and academic support rooms will be an inherent part of each neighborhood ensuring all students feel part of a small learning community which, in turn, is connected to the fabric of the larger school. Each neighborhood will contain four general education classrooms, a dedicated science classroom, and a STEAM (science, technology, engineering, art, math) space to facilitate inquiry, presentation, project-based learning, and collaboration. The opportunities presented with this building will greatly enhance what we can offer in science, technology, engineering, and math. Additionally, it will enable our current programs, such as robotics, news production teams, and music to thrive.

Finally, the visioning sessions and community forums expressed a strong desire for community access. This middle school will provide indoor and outdoor performance venues, athletic spaces, and meeting spaces that can be safely accessed by the community after school, on weekends, and during the summer months. The design of a combined middle school will promote an environment where students, staff, families, and community members can come together and build collaborative partnerships.

To move this project forward, this article requests that Town Meeting authorize borrowing and appropriate a sum of money to construct a new middle school. This is also subject to the approval of a debt exclusion by the voters of Walpole on November 2nd. A public forum for Town Meeting Members will be held at 7:00 PM on October 19th at Bird Middle School. I invite Town Meeting members who are interested in this project to attend the forum. An optional tour of the building will be provided at 6:15 PM. Please visit the Town's website to view the most recent information related to Town Meeting.

Throughout the past several years, we have been committed to an open, informative, and inclusive process to engage the Walpole community through multiple visioning sessions, open town department meetings, and community forums. As a community that has chosen to support education and the needs of the Walpole Public Schools in the past, this educationally and financially sound project will serve Walpole's students well. As your Superintendent and former student of Walpole Public Schools, I urge you to consider a new consolidated middle school. This investment is a cost-effective solution, comparable to school projects in the MSBA pipeline, and is designed to meet the current and future generations of our students. Thank you for your service to the Town of Walpole and for the time that you devote to this process.

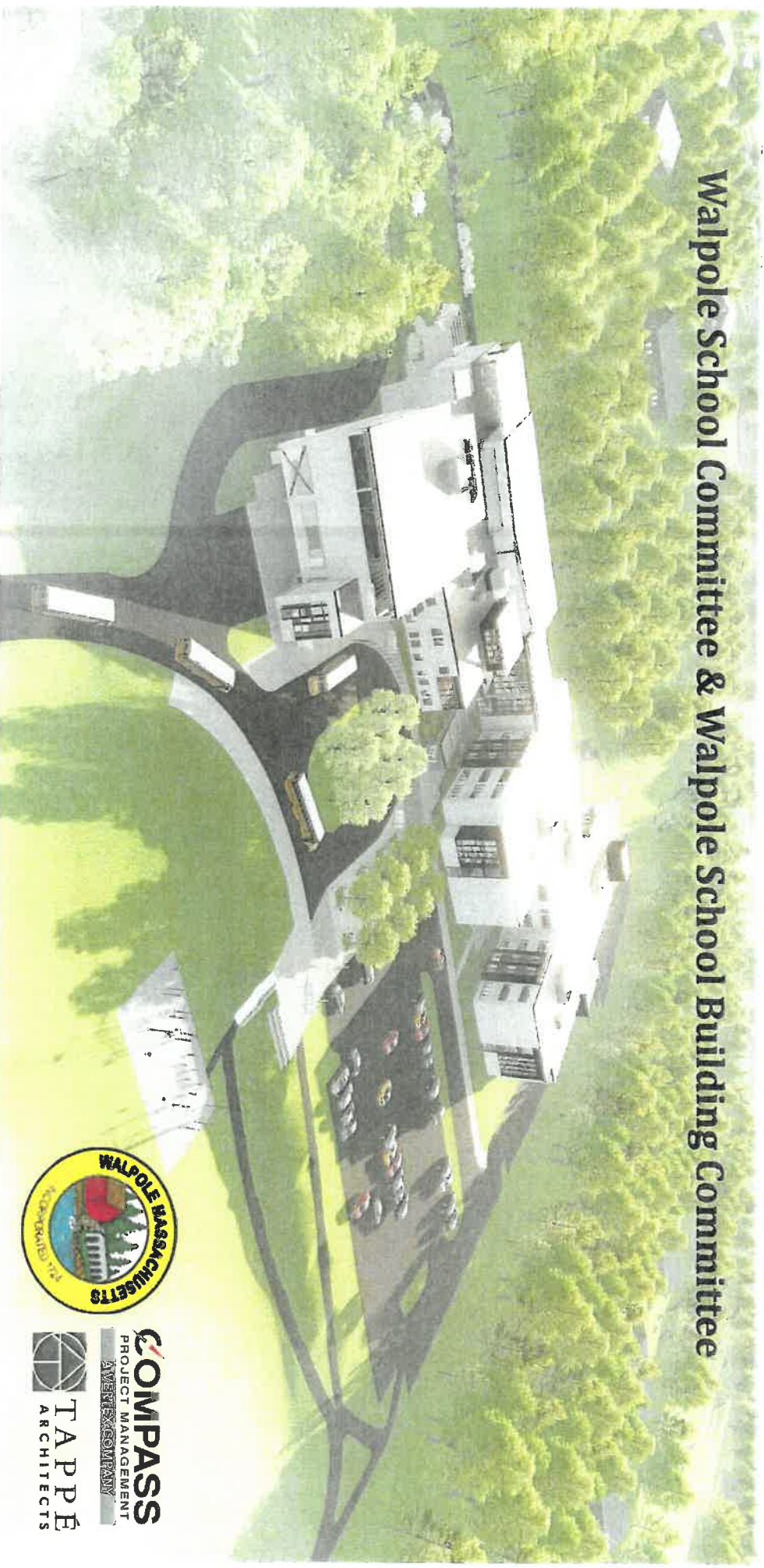
Sincerely,

Bridget Gough, Ed.D.  
Superintendent, Walpole Public Schools



# Article 14 – Middle School Project

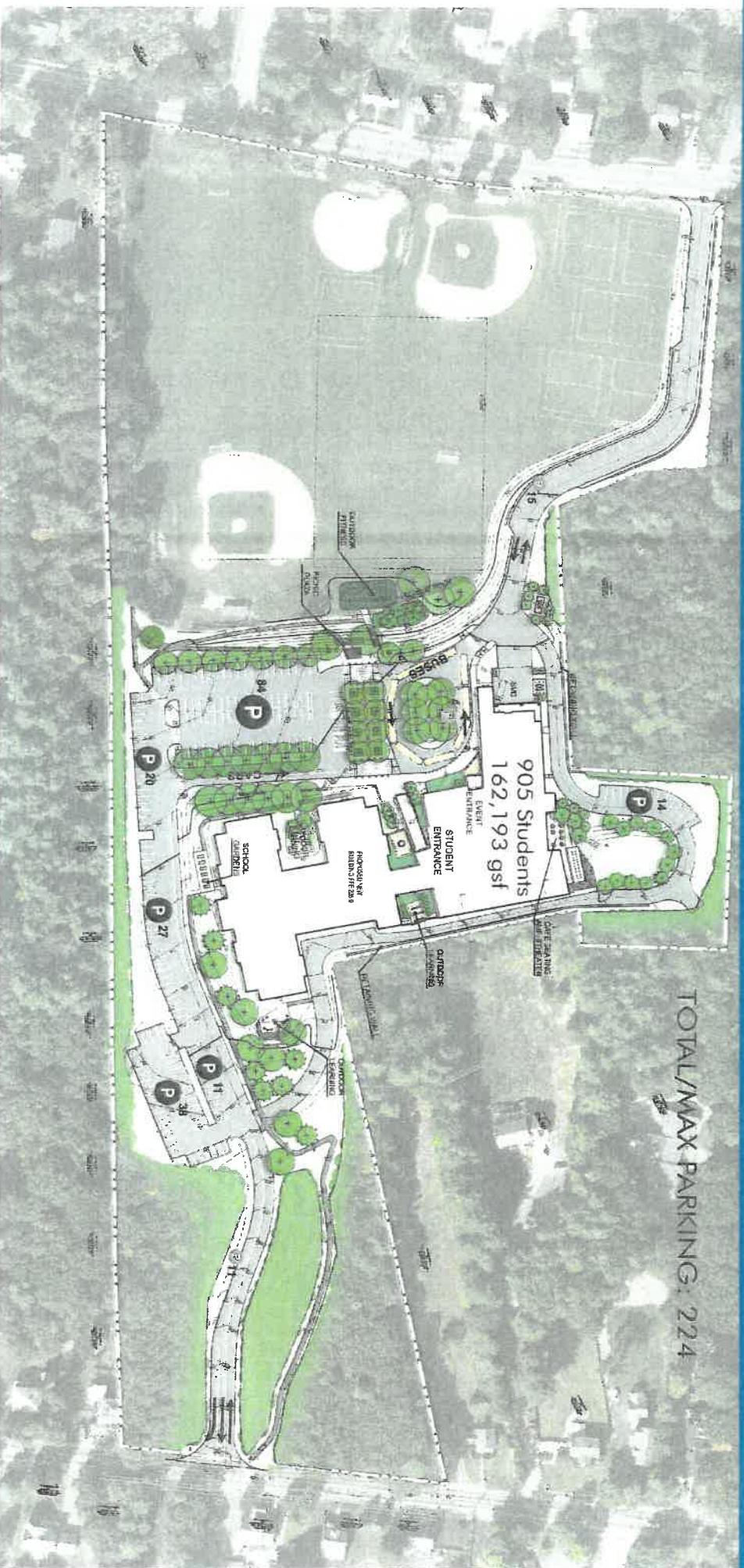
Walpole School Committee & Walpole School Building Committee



# Why Now?

- Need is well documented and recognized by the state
- All future middle school students in the district will benefit from this solution
- MSBA has agreed to grant up to \$37.9M to Walpole
- Historically low borrowing rates for Walpole's share
- Construction costs will continue to rise
  - Maguire report commissioned in 2013 by the Town of Walpole projected a cost of \$58M at the time for a new combined middle school
- Future solutions will only be more expensive and perhaps without MSBA grants
  - Ex. Lincoln, MA
    - After failed vote, MSBA turned down district's re-application multiple times
    - Town self-funded a project at more than double the cost to the Town of the previous plan
    - 2012 projected cost = \$49M (with MSBA grant of \$21M) 2018 cost = \$93M with no MSBA grant

# Schematic Site Plan



# Schematic Floor Plans

First Floor



Second Floor



Third Floor



# Total Project Budget

Feasibility Study and Schematic Design (TM 2018)	\$ 1.5 M
Project Management and Administration (OPM, estimates, insurance, etc.)	\$ 3.0 M
Architecture & Engineering	\$ 8.3 M
<b>Construction Cost (\$571/SF at 163,193 SF)</b>	<b>\$ 92.6 M</b>
<ul style="list-style-type: none"> <li>• Cost of work (current market pricing): \$ 86.2 M</li> <li>• CM (Contractor) Contingency: \$ 1.8 M</li> <li>• Market Escalation until Fall of 2022: \$ 4.6 M (6.8%)</li> </ul>	
Misc. Project Costs (Utility fees, Testing Services, Moving, etc.)	\$ 0.6 M
Furniture, Fixes, & Equipment (FF&E) and Technology	\$ 3.0 M
Owner's Construction Contingency (5% of construction cost)	\$ 4.9 M
<u>Owner's Soft Cost Contingency (2 % of construction cost)</u>	<u>\$ 1.8 M</u>
<b>Total Project Budget</b>	<b>\$ 115.7 M</b>

# Project Budget & MSBA Funding

- **Estimated total project budget cost is \$115.7M**
  - Per Schematic Design estimate
  - Approved by MSBA Board
  - Includes auditorium, central kitchen, 3<sup>rd</sup> gym space, and CM at Risk Delivery Method
- **MSBA stated 52.22% reimbursement of eligible costs**
  - 48.68 % Base
  - 2.00 % Incentive for Energy Efficiency design
  - 1.54 % Incentive District's Maintenance Program  
52.22 %
- **Not all project costs are eligible per MSBA policies**
- **Projected realized MSBA reimbursement % and grant amount: 32% = \$37M**
- **Projected Town Share of total project costs (after grant): \$78M**
- **Town must approve and fund the total project budget at Schematic Design**
- **Grant reimbursements are made throughout the project**

# Estimated Annual Residential Tax Impact

## Town Share

### 3 Scenarios of Borrowing

AT	75	80	85
	Million	Million	Million
	\$78M		

Estimated Town Share of  
Total Project Budget

### Residential Value of Property

**\$556,170**

**\$423**

**\$450**

**\$478**

### Annual Tax Impact

#### Average Single Family Assessed

Assessed Value

Residential

Residential

Residential

Value of Residential Home

250,000	190	203	215
300,000	228	243	258
350,000	266	284	301
400,000	304	324	344
450,000	342	365	387
500,000	380	405	430
550,000	418	446	473
<b>556,167</b>	<b>423</b>	<b>450</b>	<b>478</b>
600,000	456	486	516
650,000	494	527	559
750,000	570	608	645
850,000	646	689	731
900,000	684	729	774
1,000,000	760	810	860
1,100,000	836	891	946

#### Average Single Family Assessed

Assessed Value

Residential

Residential

Residential

Based upon 30-year term,  
level debt at 3.5%

Info on Exemption and Deferral programs:  
Contact the Assessor's Office  
508-660-7315

[Assessors@walpole-ma.gov](mailto:Assessors@walpole-ma.gov)

\*The figures provided in this chart are estimates based on the tax information as of 10/1/21. The figures provided herein will likely change based on a variety of factors including but not limited to; borrowing costs, interests rates, assessed real estate values and ongoing growth in Walpole.

# Estimated Annual Commercial Tax Impact

Borrowing Scenario

@

\$77,794,533

Estimated Town Share of  
Total Project Budget

Avg. Assessed Value of Property

\$1,017,120

\$1,068

Estimated Annual Tax Impact

Impact of Borrowing Amount

Assessment

Amount

300,000	\$	315
400,000	\$	420
500,000	\$	525
600,000	\$	630
700,000	\$	735
800,000	\$	840
900,000	\$	945
1,000,000	\$	1,050
1,250,000	\$	1,313
1,500,000	\$	1,575
2,000,000	\$	2,100
3,000,000	\$	3,150
5,000,000	\$	5,250
10,000,000	\$	10,500

Based upon 30-year term,  
level debt at 3.5%.

\*The figures provided in this chart are estimates based on the tax information as of 10/1/21. The figures provided herein will likely change based on a variety of factors including but not limited to; borrowing costs, interests rates, assessed real estate values and ongoing growth in Walpole.



# \$/SF Cost Comparisons to MSBA Projects

Westwood Hanlon ES  
Enrollment: 560 Students  
Total Cost: \$86M  
Town Share: \$68M  
Base MSBA Rate: 39%  
Projected MSBA Rate: 21%  
Est. Max MSBA Grant: \$18M  
Tax impact: \$591 ... 30 yrs at 4%

Medfield Dale ES  
Enrollment: 575 Students  
Total Cost: \$82M  
Town Share: \$63M  
Stated MSBA Rate: 39%  
Projected MSBA Rate: 23%  
Est. Max MSBA Grant: \$19M  
Tax impact: \$900 ... 30 yrs at 3.5%

Walpole MS:  
Enrollment: 905 Students  
Total Cost: \$115M  
Town Share: \$78M  
Stated MSBA Rate: 55%  
Projected MSBA Rate: 32%  
Est. Max MSBA Grant: \$37M  
Tax impact: \$438 ... 30 yrs at 3.5%

The estimated cost per square foot for the proposed middle school in Walpole is \$571 which is below the state average projected to be at \$630 per square foot through 2023. A full detailed chart can be found here: [info.massschoolbuildings.org/TabPub/TableauCostData.aspx](http://info.massschoolbuildings.org/TabPub/TableauCostData.aspx)

# Common Questions

## Why not wait and get an actual bid prior to Town Meeting?

- The MSBA's process requires that a Town/District authorize a project at the end of Schematic Design BEFORE spending any more money on Design.
  - MSBA has agreed to reimburse Walpole up to \$37.9M.
  - MSBA will not participate in a “wait for bid” process. The Town would fund the entire cost.

## What happens if the project is not approved/vote fails?

- Within ten (10) days, the Town/District must provide the MSBA with vote results; analysis of why the project was not approved; and a plan for how it could be approved.
- MSBA will review the plan, but will most likely close the project.
- Walpole would need to submit a new Statement of Interest (SOI) and start over.
  - Currently, Walpole has spent \$1.5M and three (3) years to date since the MSBA approved Walpole's SOI.

# Common Questions

## If approved what is going to happen to the Johnson Middle School?

The Select Board will evaluate options after the election. Concepts for the building may include:

- Converting some of the building to a recreation center
- Moving the Feeney Preschool into the JMS site
- Using the cafeteria and kitchen space to offset the increasing demand on the Walpole Food Services Department
- Potentially selling the building to a developer to convert the area to housing
- Leasing the building to an interested party
- Assist the Food Pantry with some of their identified space needs

## What are the enrollment projections for the new Middle School?

Year	*Enrollment
2021-2022	803
2022-2023	809
2023-2024	829
2024-2025	843
2025-2026	855
2026-2027	895
2027-2028	897

\*Based on current district enrollments

As part of the Eligibility Phase deliverables, the MSBA required submission of an Enrollment Projection Application that included data reported by the District, as well as data provided by DESE, MDPH, US Census Bureau, and UMASS Donahue Institute. The School Department worked in conjunction with Town Administration to complete the MSBA deliverables that also included the past 10 years of K-12 enrollment, building permits (past and projected), residential developments, housing sales, collaboratives, out of district students, private schools, and birthrates. The MSBA determined an enrollment of 905 students.

For more info on the MSBA's process:

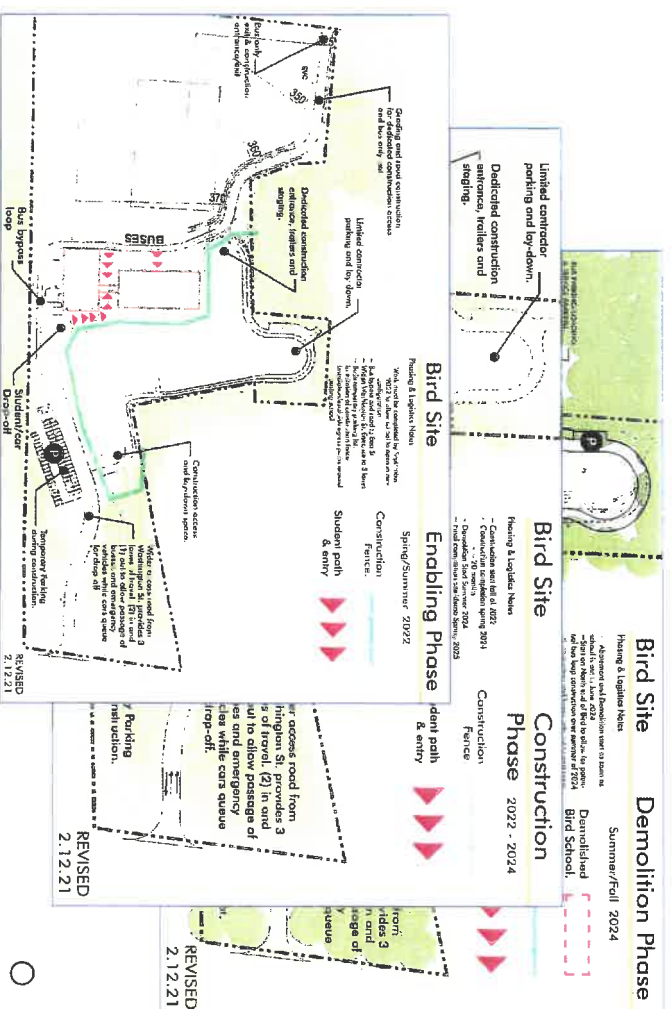
[https://www.massschoolbuildings.org/building/prerequisites/enrollment\\_methodology](https://www.massschoolbuildings.org/building/prerequisites/enrollment_methodology)

# Managing Costs Post Town Meeting?

- The total project cost of \$115.7M includes \$4.6M in market escalation pricing and \$19.9M in multiple contingencies available to manage costs during design and construction.
- Three (3) complete estimates will be conducted prior to the start of construction.
- Using the Construction Manager @ Risk delivery method, the contractor will be hired during the design to assist with reviewing for completeness; estimating; monitoring market conditions; and managing the construction cost budget.
- The Town and the CM at Risk firm will negotiate a “guaranteed maximum price” for construction that will be the maximum price barring any owner requested changes in scope.
- All costs, both commitments and expenditures, will be reviewed by the OPM and Building Committee.
- The Building Committee, which is stipulated by the MSBA and includes multiple school officials, Town officials, 3 of the 4 current Permanent Building Committee members and residents at large, has final approval of all costs.

# Project Timeline if Approved

- Full design begins Nov. 2021 thru Fall 2022.
- “Early” construction: Summer 2022 (enabling phase: access road; parking; etc.)
- Full construction begins mid/late 2022
- Estimated 32 +/- months of construction
- Three (3) phases:
  - enabling
  - new build
  - demo/site finish (parking lot)
- New building opens Fall 2024
- Project complete early 2025
- Final 5% Reimbursement early 2026



# Learn more ...

## *Looking for more info?*

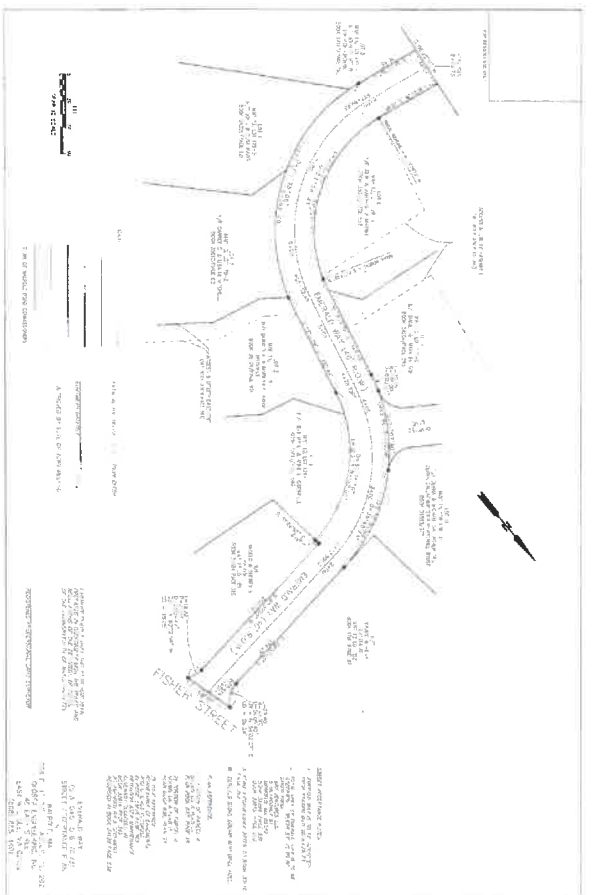
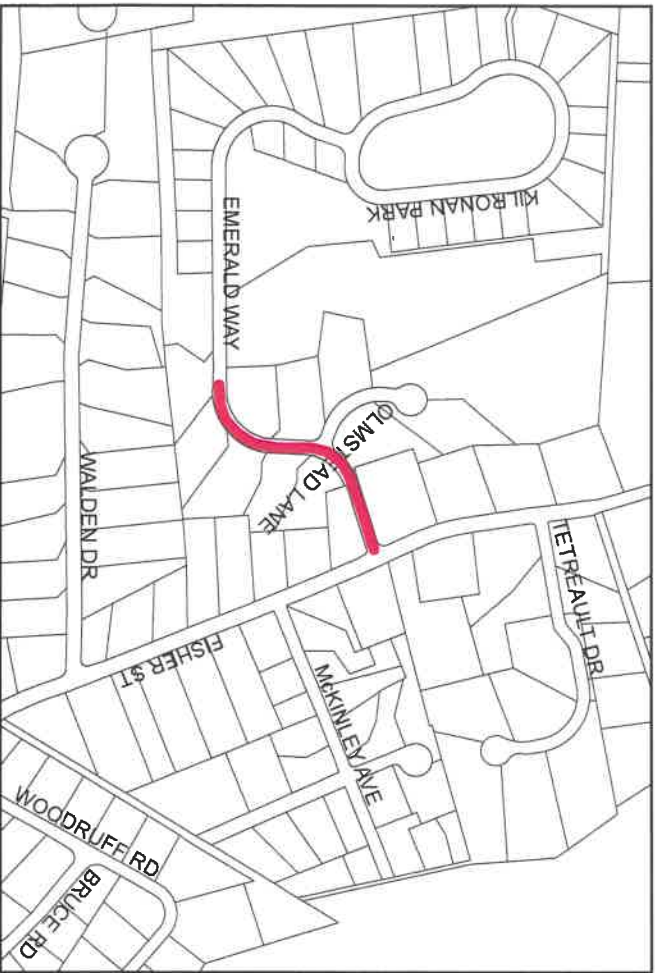
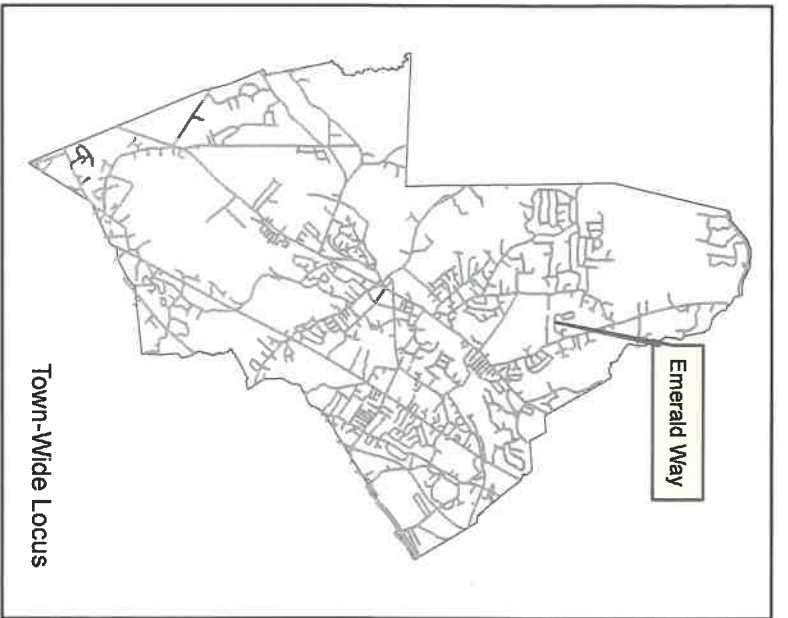
Visit the Project's website at: [www.walpole.k12.ma.us](http://www.walpole.k12.ma.us)

- FAQs, presentations, monthly reports, project history, MSBA documents
- Project Summary Handout; video of existing BMS

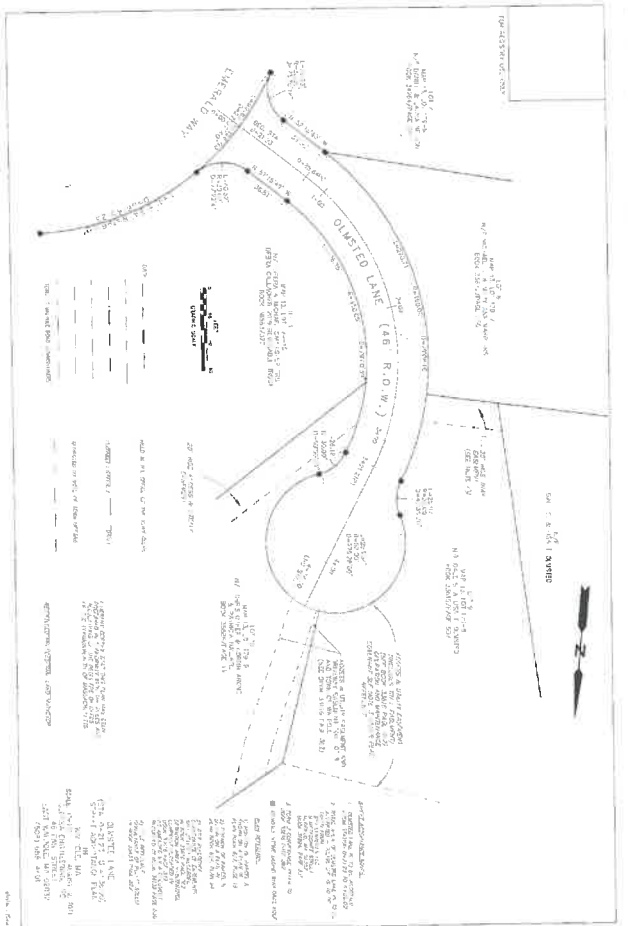
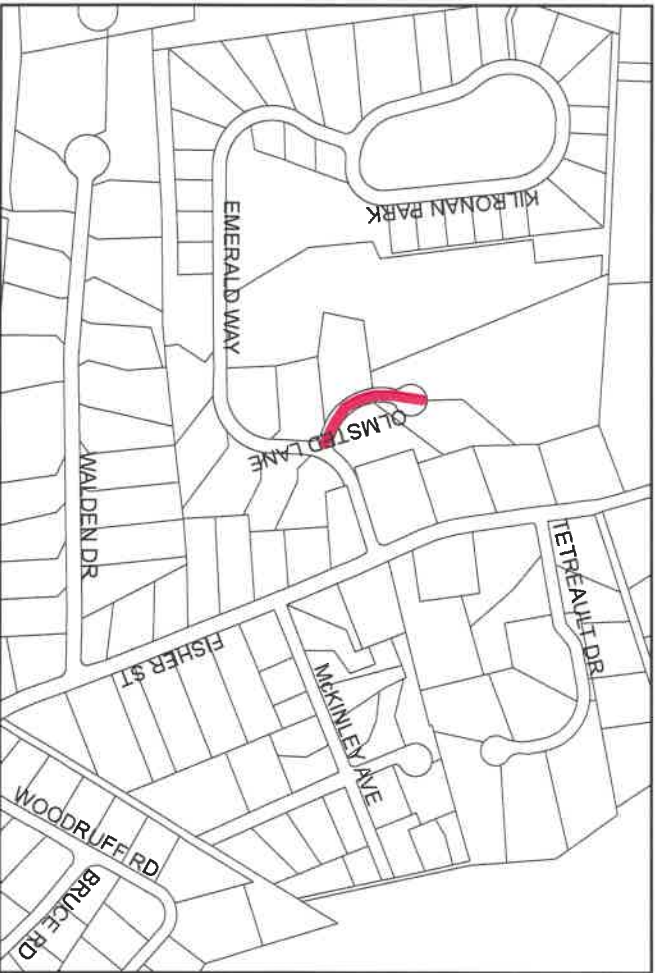
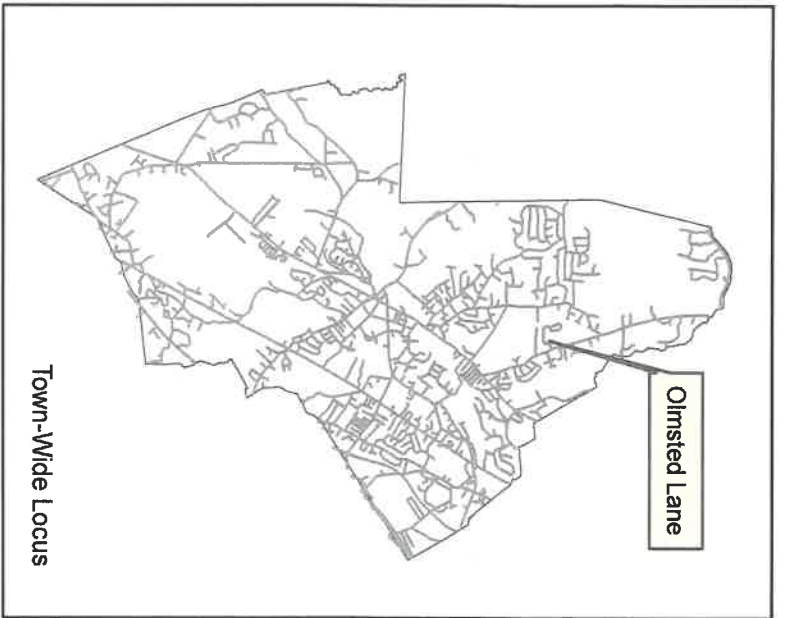
## *Have a question or comment?*

E-mail us at: [middleschoolproject@walpole.k12.ma.us](mailto:middleschoolproject@walpole.k12.ma.us)

Visit the MSBA website at: [www.massschoolbuildings.org](http://www.massschoolbuildings.org)



**TOWN OF WALPOLE**  
**2021 FATM, ARTICLE 15A**  
**EMERALD WAY**



**TOWN OF WALPOLE**  
**2021 FATM, ARTICLE 15B**  
**OLMSTED LANE**



**Town of Walpole**  
**Commonwealth of Massachusetts**

**Planning Board**

John Conroy, Chair  
John O'Leary, Vice Chair  
Catherine Turco-Abate, Clerk  
Philip Czachorowski  
Sarah Khatib



**Town Hall**  
**Room 212**  
135 School Street  
Walpole, MA 02081  
Phone (508) 660-7251  
Fax (508) 668-2071

On August 19, 2021, the Planning Board voted 5-0-0 to sponsor the following Zoning Article and to hold the public hearing on October 7, 2021 at 7:00 p.m. in the Town Hall Main Meeting Room as advertised below. Please note that Article 17 was changed to Article 16. The action taken by the Planning Board at the October 7, 2021 public hearing will be presented at the 2021 Fall Town Meeting.

**LEGAL NOTICE**  
**PUBLIC HEARING**

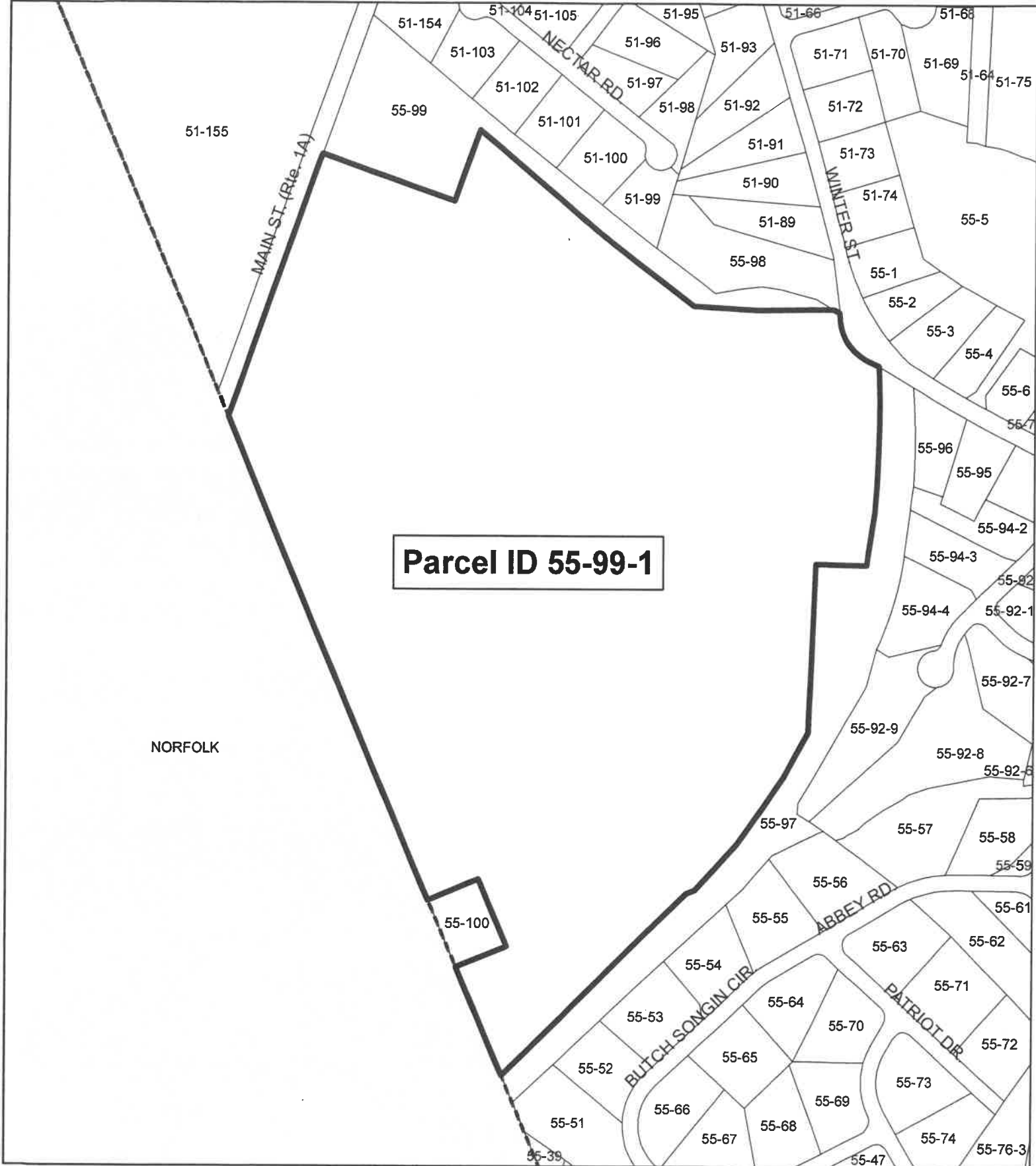
Pursuant to the provisions of Section 5 Chapter 40A of the General Laws and the Walpole Zoning Bylaw, the Walpole Planning Board will conduct a public hearing on **Thursday, October 7, 2021 at 7:00 p.m.** in the **Main Meeting Room in Town Hall, 135 School Street, Walpole, MA** on a zoning article for a proposed amendment to the Walpole Zoning Bylaw and placed on the 2021 Fall Town Meeting Warrant. The article is as follows:

**Article 17:** To see if the Town will vote to change the zoning of land owned by the Town of Walpole with an address of 2400 Main Street and identified by the Assessors as Map 55, Block 99, Lot 1, consisting of 63.73 acres, plus or minus, from R (Rural District) to PSRC (Park, School, Recreation, and Conservation District) or do anything in relation thereto. (Petition of the Planning Board)

A complete copy of the text of this article and the Town of Walpole Zoning Bylaw and all accompanying maps referenced therein, may be viewed in the offices of the Town Clerk and the Planning Board, which are located in Town Hall, during regular Town Hall business hours.

Catherine Turco-Abate, Clerk  
Walpole Planning Board

Times Advocate: September 15, 2021 and September 22, 2021



**Fall Town Meeting 2021  
 Article 16 (formerly 17)  
 Proposed Zoning Map Change  
 2400 Main Street - Parcel ID 55-99-1**



**Rural (R) Zoning to Park, School, Recreation, & Conservation (PSRC) Zoning**

# Article 17

Article 17 is a citizen's petition that requests Town Meeting to authorize Town officials to petition the General Court to authorize the Select Board to grant one (1) additional Wine and Malt Package Store License in the East Walpole Center Parking Relief Overlay District. Elie Nakhoul the owner of the East Walpole Market and Deli located on Washington in East Walpole is seeking a Wine and Malt Package Store license for this district.

Walpole currently has 5 Wine and Malt Package Store licenses for the following businesses:

<u>NAME:</u>	<u>ADDRESS:</u>
➤ Holy Cross Investments, Inc. 7-Eleven	909-911 Main Street
➤ J and E Beer Wine Deli, Inc C. Scott's Beer Wine & Deli	1600 Providence Highway
➤ The Wine Cellar Group Ma., Inc. The Wine Cellar Outlet	565 Main Street
➤ Shubham Mart Inc. Walpole Discount Beer & Wine	1339 Main Street
➤ Walpole Fuel, Inc. Walpole Gulf	975 Providence Highway

Walpole also has 5 all Alcoholic Package Store licenses for the following businesses:

<u>NAME:</u>	<u>ADDRESS:</u>
➤ H. Kim, Inc. East Walpole Package Store	79 Providence Highway
➤ R & R Liquors, Inc. Palumbo Liquors	421 High Plain Street
➤ Mark S. & Jay W. Abarbanel Sam's Package Store	262 Main Street
➤ Walpole Wine & Spirits, Inc. Walpole Wine & Spirits	669 Main Street
➤ Invest Partners, LLC Wines & More, Walpole	90 Providence Highway

## General information relating to Package Stores

- Number of licenses determined by the Alcoholic Beverage Control Commission – quota is based on the municipality's population enumerated in the most recent federal census (2010)
- Walpole has a quota of 10 Package Store Licenses
- Broken down into 5 All Alcoholic Beverages and 5 Wine & Malt Beverage Licenses
- All licenses are currently being used
- Last transfer of a license was in 2017
- No violations at any locations in the last 5+ years
- No existing Special Legislation licenses

## Restaurant Licenses – On Premise Consumption

Remaining licenses: 4 Wine & Malt Beverage and 7 All Alcohol

- 3 Wine & Malt Beverage (quota based on census)
- 1 All Alcohol and 1 Wine & Malt Beverage for 555 Providence Highway (Special Legislation)
- 2 All Alcohol – Route One/Highway Business Corridor & 2 All Alcohol – Central Business District (Special Legislation)
- 2 All Alcohol (Special Legislation)



*Town Clerk*  
*Elizabeth Gaffey*

*Town of Walpole*  
*Commonwealth of Massachusetts*

*Town Hall*  
*135 School Street*  
*Walpole, MA 02081*

Dear Town Meeting Representatives,

As you are aware, the 2020 Federal Census numbers have been released, albeit much later than usual. All communities in the state are reviewing their precincts as required by state law so that they are compact, contiguous, contain no more than 4,000 residents, use census blocks and the center street line or other natural boundaries, and are respectful of neighborhoods. The Town Charter, Section 2-5, Redistricting of Precincts, requires the Select Board to review precincts every 10 years for the purpose of determining whether their boundaries should be redrawn in whole or in part. Through a collaborative process, the Town proposed revision of some precinct boundaries to comply with the above-referenced standards. The Town has now submitted a map to the Local Election Districts Review Commission, and anticipates that the new map will be approved soon and take effect December 31, 2021.

There are two important questions for Town Meeting Representatives: how are incumbent Town Meeting Representatives affected if the precinct boundaries change; and, who is an elected incumbent and can exercise the special rights afforded by the Charter to such Representatives.

First, Section 2-5(E)(1) of the Town Charter states:

At the next annual town election following the establishment of a new precinct or the revision of any existing precinct, the full number of representatives apportioned to those precincts shall stand for election.

Thus, if a new precinct is established or any precinct boundary is revised, all of the Town Meeting Representatives from the precinct will need to run for election, regardless of whether their terms would otherwise expire. If there are no changes to a precinct's boundaries, then the Town Meeting Representatives would continue to hold office and only the third that have terms expiring will have to run for re-election.

Second, the Town Charter, Section 2-6 (B) provides for "Special Rights of Incumbents", as follows:

- (1) Incumbent Town Meeting Representatives shall have the following rights:
  - (a) to forego the filing of nomination papers if they have filed a written statement of their intent to seek re-election with the Town Clerk twenty-one (21) days prior to the last day for the filing of nomination papers for the office of Town Meeting Representative;
  - (b) to have the words "candidate for re-election" added to their names as they appear on the ballot.

(2) The term "incumbent" shall include those Town Meeting Representatives who are required to stand for re-election because of a redistricting of the precincts or the creation of new precinct, provided that a portion of his/her original precinct is contained in the new precinct; but,

(3) For the purposes of this paragraph, the term shall not be taken to include those persons who have been elected by Town Meeting Representatives to fill a vacancy.

Thus, the provisions of Section 2-6(B) of the Charter indicate that any incumbent elected Town Meeting Representative whose precinct has changed, as long as they are running for a seat in a district that includes some part of the district from which they were elected, can forego filing of nomination papers by filing timely with the Town Clerk a letter of intent to seek re-election. Similarly, such Town Meeting Representatives must have the words "candidate for re-election" next to their name on the ballot.

In contrast, a Town Meeting Representative who was selected by the other precinct members to fill a vacancy or one who seeks election in a new precinct that contains no portion of the district from which they were elected, are not "incumbents" for purposes of Section 2-6(B). The result of this change in status is that such an individual must circulate and timely file nomination papers (and cannot use the letter process in 2-6(B)(1)), and is not entitled to have the words, "candidate for re-election" printed next to their name on the ballot.

This memo is a collaboration of K|P Law, Town Counsel, Lauren Goldberg and the Town Clerk. As always my office is available to answer any questions,

Thank you,

  
Elizabeth Gaffey  
Town Clerk