

The Board of Selectmen met on Tuesday, August 21, 2018 beginning at 7:00pm. Mr. O'Neil was absent the following members were present.

Mark Gallivan, Chairman  
Nancy Mackenzie, Vice Chairman  
David Salvatore  
Ann Ragosta

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

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

#### **APPOINTMENTS**

8-39 Change of Manager Wines & More

Ryan lives in Foxboro mass. I am moving from Management into this role. Management shake up. All the paperwork is in order.

MOTION moved by Mrs. Mackenzie to approve the change of manager to Ryan Forbes for Wines & More, 90 Providence Hwy, seconded by Mr. Gallivan VOTED 4-0-0

8-40 Hearing for Installation of one new pole on Short Street

Eversource was not prepared and the hearing will be continued.

MOTION moved by Mrs. Mackenzie to continue the hearing until September 18, 2018 at 8:20pm, seconded by Mr. Gallivan VOTED 4-0-0

8-41 Request of Pulte Homes of New England LLC

Mr. Johnson the reason why they are back they have a Age Qualified Village at East Street (Woodworkers site) Offering some changes, I have met with police, fire and Engineering

Matthew Ladner- 767 East St, old Woodworker, been in front of Planning Board since March of this year and has gone extensive review by the Board. As part of the process the project was peer reviewed for traffic and part of that there were certain areas on East St and part of that study there were 3 intersections identified to have modifications and improvements and the pedestrian at those intersections.. One is the existing East Street at the proposed site driveway Opposite Eastover Road, East Street at School St, and then East and High Plain St. As part of the process of peer review those 3 intersections were identified that could benefit to improvements. We worked collaboratively with the police, fire, Town Engineer and McMahon, to develop a plan of what those improvements would be. A description of the improvements as well as conceptual design plans of the same are included in the Memorandum by MDM Associates, Pulte's traffic design expert dated June 19, 2018. Were we are at with Planning Board and we looked at every aspect of the project, and we feel we are near closing with the Planning Board and making a decision. The last meeting we had with them they told us that Selectmen must approve any improvements to the town streets or sidewalks. We want you to know the history of the planning Board and there have been discussions at length. We have our Traffic expert. The will

of the Board if you are interested in hearing the improvements. They will go back to the Planning Board on September 9<sup>th</sup>.

Pulte is committed to constructing these offsite improvements as a condition of the Planning Board's approval. It is their understanding the improvements need to be approved by the Board of Selectmen.

They talked about the different intersections. East St at Site driveway new ADA compliant crossing, providing appropriate signs and markings the crossing in accordance with guidelines set forth in the latest edition of the manual on uniform traffic control devices. Pulte will implement pedestrian activated rapid rectangular flashing Beacon signs at the crosswalk. The input from MBTA as well as PB the design was changed to put in a pedestrian sign at the intersection.

East and School the orientation of ADA compliant pedestrian crosswalks and ramps and associated geometry of the intersection. These improvements will reduce the length of crosswalks at East St east of School Street on the north leg of the intersection. They will replace non-conforming ramps at the intersection and tactile warning strips that are aligned to be perpendicular to each crosswalk. Enhance visibility to the crosswalks by providing appropriate MUTCD compliant crosswalk markings and signs. Intersection markings will be generally updated to relocate Stop lines closer to East St and supplemental intersection warning signs will be provided.

The East St crosswalk east of School St. will be eliminated, leaving a single East St crossing on the west side of School St, and this will allow placement of the pedestrian activated Rapid Rectangular flashing beacon signs.

High plain street improvements re-orientation of the intersection to a "T" Type unsignalized intersection with pedestrian crossing. The main feature of this concept plan includes simplifying intersection geometry to promote controlled, slow speed turns to and from High Plain St. Relocating the existing East St crossing to be clearly visible and integral to the intersection at a location where conflicting vehicle turns near the crossing will occur at slower speeds than existing conditions. Reduce vehicle conflict points within the intersection relative to the current conditions and enhance the landscape open space at the intersection. These improvements will also improve sight lines to oncoming vehicles when making turns from high Plain Street.

Mr. Gallivan likes the design. School St intersection, took an evaluation, reduce the crossing length. We will put in a red flashing beacon.

Mr. Salvatore going west on East St. What is the theory of making that? Explained why they want to do this.

High Plain Street, many conflicting movements. For folks who are traveling along the street, it is difficult for people to see. Dangerous for pedestrians, safety aspect to the new alignment. We want to provide more geometry, limit the number of movements. It allows the relocation. This geometry will make it a slower movement.

8-42 PUBLIC HEARING, transfer of Wine & Malt package store license Retail Beverage Partners Walpole Inc. to Wine Cellar Group

MOTION moved by Mr. Salvatore to open the public hearing and continue until we are done with this discussion, seconded Mr. Gallivan, VOTED 4-0-0

Continuation of Pennington Crossing

We have made a commitment to the Town. Mrs. Mackenzie what day did you do the traffic study? We went during in school session. December 2016, supplemental accounts that date to Mrs. Mackenzie wanted to know what time. It was 7-9am and later in the day and we have done 24-hour traffic study as well, we did March 2018 and validated what we collected in December. The March data says that data is accurate. Mrs. Mackenzie I have seen that RT27 can back up to Washington St. He said there is a long queue, because of the traffic during peak hours. This design contemplates a future light. The peer review provided comment and all party agree this is the first step. We understand that there was a proposal for a traffic signal but there was push back on it.

The approach we took is to meet with the town and leaders. These type of improvements is consistent with the goal should that be in fact the towns goal. Mrs. Mackenzie sees it is important to have a signal. I think it would be very safe. She is concerned because of the Age qualified.

We have considered having this signalized. It is in the purview of the town. The Pulte contribution to this is consistent with the goal; it is beyond the impact of the Pulte project. We know that other hours during the day this operates well w/o a traffic signal. In our view with safety, this improvement is a substantial contribution.

Ms. Ragosta I appreciate the effort and skill you have put into this. With respect to traffic lights, I know that is outside of your scope, traffic lights do not always help with back up. Your remediation has clearly made this a safer intersection.

Mr. Gallivan Officer spoke to Chief Carmichael and we all agree this is going to be much safer for the town. The Police Dept. agrees this is sufficient. Chief Bailey- We met with them and our only concern was the turning radius and we are comfortable with the plan as a presented.

Mr. Salvatore questioned a plan that was in their packet. It was a plan but will not work. Mr. Salvatore wanted to know why no crosswalk along East St. The East St sidewalk terminates where you see the color on the map. If you were walking along High Plain, you can cross to the other side of East St. Mr. Salvatore the intersection with the more 90degree turn, do you think it will be easier for people to get out easier? For people taking a left hand turn to East. I think this does make a lot of sense. There will be far less pavement.

Ms. Ragosta noted currently because it is a soft right hand turn, people do not put on their blinker.

Maggie Walker, Town Engineer that has been the subject of much discussion every 20 years. We looked at configuration. We could not come to a consensus. Do you know how much it would cost to put in the lights? She said it cost about ¾ of a million just for construction. Mr. Gallivan

thinks these are improvements; I would like to see us as a town to see how much it would cost to install lights.

Mrs. Mackenzie are there conduits in the street. Ms. Walker No. Mr. Salvatore what got peer reviewed, the traffic study, the design options, they talked to the dept. heads. There was concurrence on all three designs. Mr. Salvatore one thing to mitigate, there is not a lot of traffic coming down from East St going north. Mr. Gallivan I would rather see RT27 be continuous, but there are housing and yards feet of the road. Ms. Walker as part of the agreement PULTE will be paying for design, construction. They are paying for everything, they are furnishing design plans and the roads will be bonded.

In terms of timing for all 3 intersections, the proposal is to implement the design plans and secure bonds. We will have all 3 designs done and, in terms of construction, we work with Ms. Walker and talked about timeline. We are proposing the improvements at site driveway those will be completed for the Final CO. For School St. improvements secured by the building permit #1, completed by CO for the 3<sup>rd</sup> bldg., for High plain constructed by the CO for the 4<sup>th</sup> bldg. We will phase the improvements in. This is a For-Sale condo. Unlike a rental project, where they may construct multiple buildings, as soon as they acquire the land from Walpole Woodworkers 11 to 12 months to build one of these buildings. It will be a three to four year process.

Mr. Salvatore is it required that there be a fourth building before you construct the High Plain Street. We intend to build all 4 buildings. All these will be bonded upon the first building permit.

MOTION moved by Mr. Salvatore to approve the request of Pulte Homes of New England LLC for Offsite Street Improvements on East, School and High Plain Street as presented and recommended by both Engineering and Police. Seconded by Mr. Gallivan 3-1-0 (Mrs. Mackenzie Opposed)

8-42 Transfer of Wine & Malt Pkg Store License, Retail Beverage Partners Walpole Inc.  
continued

MOTION moved by Mrs. Mackenzie to reopen the public hearing for the Transfer of license for Retail Beverage Partners Walpole Inc. seconded by Mr. Gallivan VOTED 4-0-0

Attorney Trish Farnsworth with me is the Joy Schwerman, Director, Angela Kesaris Manager and Chris Peterson. Joy will tell you a little bit about the transfer. Angela is TIP certified. Ms. Schwerman we are hoping to come into a town. Provide wonderful wine at great prices.

Mr. Salvatore one concern I have is the way it is setup. The store is closed and Stop and Shop is open and the only barrier is the metal fencing. I want to make sure you look at that, a more secure way of making sure the product is.

Angela I have been working there, we make a conscious effort that no wine is not in arms reach.

Ms. Ragosta the Wine Cellar Group, I do know the officers. Joy we have been in business since 1990, our goal is to have small boutique wines, we are in NJ, NY, CT, FL, and we have our main location in in Illinois. We have a location in CO, Seattle. Missouri and Ohio. Tom Hasler

resides in London. Joy explained he helps out with marketing. He is a corporate officer of the head company.

Christine Peterson works with all of our stores regarding compliance procedures. Age id carding. All employees are TIP certified. Compliance is one of our biggest areas of concern, and we monitor it very closely. Mr. Gallivan we do take compliance seriously, we have had places in town that have repeated it. We do appreciate your concern about doing the right thing.

Mr. Salvatore how do your customers take to being carded, we refuse sale if they do not show IDS. The scanner keeps a record of it. Mr. Salvatore likes the 100%.

Ms. Ragosta what do you do with the scanner information. No one has access, once a month I monitor the scans and then they are deleted. So no one has access.

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 of Wine & Malt package store license from Retail Beverage Partners Walpole Inc. to The Wine Cellar Group MA Inc. located at 565 Main Street and new manager Angela Kesaris, seconded by Mr. Gallivan, VOTED 4-0-0

#### **New Business**

##### **8-43 Bid Contract 2019-02, Bituminous concrete**

MOTION moved by Mrs. Mackenzie to award of Bid Contract No. 2019-02 to Lorusso Corporation For Bituminous concrete, asphalt colt patch & Berm mix for the unit price listed, Seconded by Mr. Gallivan

Mrs. Ragosta questioned what is the purpose of this material. Mr. Johnson explained it is for Cold Patch.

VOTED 4-0-0

##### **8-44 one day all alcoholic beverages, Knights of Columbus**

MOTION moved by Mrs. Mackenzie to approve a one-day all alcoholic beverages, Knights of Columbus for August 26, 2018, Seconded by Mr. Gallivan, VOTED 4-0-0

##### **8-45 one-day all alcoholic beverages, Knights of Columbus**

MOTION moved by Mrs. Mackenzie to approve a one-day all alcoholic beverages, Knights of Columbus, August 25, 2018, Seconded by Mr. Gallivan, voted 4-0-0

##### **8-46 one-day entertainment permit**

MOTION moved by Mrs. Mackenzie to approve a one-day entertainment permit for DJ at Foxhunt Trail/Longwood cul-de-sac for September 8 from 4-7 pm seconded by Mr. Gallivan VOTED 4-0-0

##### **8-47 Use of Adams Farm**

MOTION moved by Mrs. Mackenzie to approve the use of Adams Farm for the Great Grilled Cheese Festival on October 21, 2018 from 11:30am-2: 30pm Seconded by Mr. Gallivan, VOTED 4-0-0

#### 8-48 Use of Town Common

MOTION moved by Mrs. Mackenzie to approve the request to use the Town Common on September 22,2018 for United Nations Day of Peace, and the use of electrical outlets, Loudspeaker, to have drummers, simple refreshments, and Police assistance, seconded by Mr. Gallivan VOTED 4-0-0

#### Closing of FTM warrant

MOTION moved by Mrs. Mackenzie to close the 2018 Fall Annual Town Meeting Warrant, Seconded by Mr. Gallivan VOTED 4-0-0

#### Consent Agenda

MOTION moved by Mr. Salvatore to approve of the consent Agenda Items as listed

- |    |   |                    |
|----|---|--------------------|
| 1. | James & Nancy O'Neil, Gift to COA Building fund | \$10,000.00 (8-49) |
| 2. | Cheryl & Michael Caron, Gift to COA             | \$ 100 (8-50)      |
| 3. | George & Filippa Sabatini, Gift to COA          | \$ 20 (8-51)       |
| 4. | Friends of Walpole Elders, COA Building fund    | \$200,000.00(8-52) |

Seconded by Mr. Gallivan VOTED 4-0-0

#### Town Administrator Update

Summer Street MBTA crossing- talked about the crossing gates. The agreement we have said they are to install gates. I also sent in a request to Mass-DOT to reduce the speed limit from 40mph to 15. Mr. Salvatore, I was on the tracks today. My son told me he walked down the tracks today. We have to discourage kids from walking down the track. Mr. Salvatore noted the tracks have not been replaced yet. Mr. Johnson it is my understanding that some of them have been replaced. Mrs. Mackenzie on MASS DOT site they are looking for a project manager. Mr. Gallivan we get very little response from MASS DOT and MBTA, they made it clear they do not want to discuss it anymore. We are concerned about the safety of the kids. There was an issue last week the lights did not turn on.

Mrs. Mackenzie wanted to know when are the gates going back. Mr. Johnson will look into it. Mr. Gallivan we really need to be sure that the gates are going in with the PILOT. Ms. Ragosta they have not compromised for safety at all. Is there no fencing or perimeter? Oak, Spring and Shufelt is going to get fencing.

DPW Director & Community Planning Director- received multiple resumes for each position. It is my hope to present a finalist for each position to the BOS in September. I should have some finalists to present to you late September.

Hotel on the Sharon Walpole line near Applebees- Met with him and the plan was showing 99% in Sharon, he has moved a minimum of 50% in Walpole and Sharon. The S&W has agreed to provide water. The next step I need to reach out to the Town of Sharon, the S&W wants all the taxes. Once I have new plans I will present it to you.

Ms. Ragosta this is my concern the S&W was opposed to this. I did not think it was revenue I thought it was on the water. Notwithstanding if we get all the tax, 100% of the hotel water is Walpole water, we are also fragile with our water and we are restricting our residents. Mr. Johnson explained they filed with Conservation Commission at the time they said we have no comments on the request. Mrs. Mackenzie what happens to Fire and police. They agreed to put the front door in Walpole so our Fire and Police would be covering. Ms. Ragosta, so it would be another hotel coming on line in town. Has the S&W done any impact statement on additional 106 rooms on line? Mr. Johnson stated they are going to do that. Ms. Ragosta at the end of the day depending what the answer is, that will determine how the S&W will go forward. Mr. Gallivan noted the S&W do not feel it is a lot of water. If they put the hotel in Walpole we will be allowing them to tie in. They did not seem to be overly concerned about it.

Free Cash- received notice form the state this week.

Fincom started meeting last night.

8:30pm

#### OPEN FORUM

Cathy Cleary-3 Shufelt Rd. in regards to the Foxboro PILOT wants a quiet zone for that area. This federal form relating to the quiet zone. According to the Mass DOT, you can move forward with a quiet zone. The town fought to keep the train from coming in, no horn, and wayside horn, to maintain the quality of life. I was able to pull up information for a quiet zone. I am asking you to help us with a quiet zone. What I have researched over the weekend we can request changes. Mr. Gallivan explained the Board couldn't get into a discussion. She can give a copy to Cindy. Ms. Cleary gave Cindy a copy of the U.S. DOT crossing inventory from dated 06/19/2016. She wanted to know if the MBTA Advisory opening had been filled. She was told no. She stated she was going to submit an application to fill that seat.

Mr. Gallivan if you have a form that has incorrect information on it please give it to the town.

Mrs. Mackenzie suggested to have another Executive session and meet to look over the information and discuss with Town Attorney's. That form says Zero buses cross that line. Mr. Gallivan we are concerned about the crossing at Summer St, we feel we do not get great feedback. Talked about the lack of lighting. Ms. talked about the areas that are a quiet zone, the Town of Norfolk has a quiet zone. We should heavy-duty bars and Lights.

William Hamilton- He thinks the lights do not go on because there are two different trains going thru the crossing. One is faster than the other. Mr. Gallivan the police did go out and survey the tracks, we are concerned about everything going on at that intersection. We are looking at 15mph. Even when the signals go off people feel they have more time. Wants to see gates there. When that train comes to the intersection it starts with a low noise.

Joanne Mulligan- She talked about that she thought they were not going to put the gates in for the PILOT. Mr. Gallivan explained that Mr. Johnson has been reaching out to MBTA and MASS DOT to get answers to some questions and express the Board's concerns. Ms. Mulligan, I have nothing more to add. Concerned about the safety. Talked about the speed of the train near CVS. Getting scarier and scarier.

Add discussion about the train next meeting or the following.

Jim spoke to writing and he has been working on this. We are getting no answers. We know the train is coming. Very nervous a lot of people going to school or going to Papa Ginos, a lot of blind spots up there.

Ron Fucile 87 Lewis Ave, member of the Old Town Hall committee, we read in the paper and an article is going to be placed on the warrant for the renting of the Old Town Hall. Renting it if you have someone who wants to rent the whole town hall. We are only looking not only renting and selling. We need some direction. Mr. Gallivan we know you are looking at the whole reuse thing, I do not know of anyone. There is an Article on the warrant so that if you recommend that we should rent that would give us the ability to rent it.

Mr. Fucile we do not want to see anything that just says renting. We were concerned with the language. Mr. Gallivan we did not vote on the merits of this. Mrs. Mackenzie that article has nothing to do with the reuse committee.

Richard Pila talked about the reason for the warrant article. What we are suggesting the Board is going to need to make a decision, we saw that this limited you to that only option. Potential sale of the property. No limit you just to rent.

William Hamilton I learned the Board voted 2-2. I would hope you would support that article. We should have a moratorium.

\*\*\*Invite the Housing Partnership applicants to a meeting. Two Step process, invite them in for an interview and appoint at another meeting.

MOTION moved by Mrs. Mackenzie to adjourn at 9:02pm, seconded by Mr. Gallivan VOTED 4-0-0