

The Board of Selectmen held a meeting on Tuesday, April 7, 2020 remotely. The following members Participated.

James O'Neil, Chairman  
Nancy Mackenzie, Vice Chairman  
Benjamin Barrett, Clerk  
Mark Gallivan  
David Salvatore

Also participated  
James Johnson, Town Administrator  
Michael Yanovitch, Building Inspector  
Lauren Goldberg, Town Counsel

### **Executive Order on Remote Participation**

Thursday March 12, 2020 governor Baker issue and "Order Suspending Certain Provisions of the Open Meeting G.L. c 30A Section 20. That order, which was effective immediately and until it is rescinded or the State of Emergency is terminated.

Chairman to announce that all members will be participating remotely during the meeting due to unprecedented time in history of the Commonwealth. The Governor has authorized remote Participation for all public boards due to the Emergency declaration order that was issued on March 12, 2020. Every vote taken will be taken by roll call vote.

Mr. O'Neil called the meeting to order at 7:00pm followed by the Pledge of Allegiance.

### **New Business**

#### **Town Administrator COVID 19 update**

Couple of items at this time we have 62 confirmed cases in Walpole. We just got Number 62 within the hour. Thirteen have been monitored and in recovery and that leaves 48 cases that are being monitored. Melissa the Board of Health director and her staff are doing a great job. Towards the end of last week we had the nurse from the school dept. It is good to have the nurses there still on our payroll. Any Questions?

Mr. Johnson One other thing I wanted to bring up. Mrs. Mackenzie I wanted to say that I thought the Board of Health and the nurses are doing a fabulous job. But I was wondering is maybe we can do the age grouping like the State and report like the state does every day. I know with everyone talking about the gathering people are seeing of maybe kids. Maybe it we stay consistent the way the state does. Maybe it will make people think that is not just older people and it is their age. I will speak to Melissa about that to see if it is something we can do.

Mr. Johnson the only other thing I wanted to cover is about the cleaning of buildings and Lauren Goldberg Town Counsel has joined us. She reached out to me the beginning of the week and asked me specifically about the procedures they are undertaking to make sure the buildings are clean and making sure that contractors are following the guidelines and I have Mike here to talk about this.

Michael Yanovitch building Inspector my bullet points that we have been that we have been operating at about 100%. Not a bump in the office. Small decline in permits being filed. The office is doing a great job adapting. All the inspectors have their tablets at home and in the field. People can file for permits online we have had six brand new single families. They continue to come in. We have modified our staff in office time so we are not overlapping. If you need to come in the office that is minimal because we are doing everything remotely. If you need to come in the office we have very little overlap at this time. Dianne is taking in permits and processing them and getting the paperwork from homeowners and contractors. The electrical and Plumbing are doing inspections. People are still calling daily. We have been able to keep up with it. The inspectors can record in real time inspections on the software. We can chat with people and contractors in real inspection. It is not a seamless transition. It was easier having viewpoint in place. To cover some of the field issues that came up on and we had a draw down right after Boston had a stop on all construction projects. We gave a stop but it was a draw down, we gave guideline to no more than 10 people on site. This was mostly for the downtown jobs the Pulty as they were having 30,40,60 people on site during the day. He understands people want to work. We need to take a breath and decide what to do and how we are going forward with that concentration with number of people. Subsequently we released the draw down and after Governor Baker released guidelines for construction at the state. We sent a letter as to how you plan on compiling with the Governors guidelines. They need to send a letter back. Most of the jobs are up and running. The only one we were hands off on was Roles Royce is essential right of the bat so they kept plugging away The inspection part the guys are in and out of these structures and in and out of these houses on a daily basis. We limited our inspections exterior inspections only. We will do interior inspections only if we have to and we have had them taking photos. People have been doing facetime inspections. It has worked out pretty well for us. The Viewpoint we pushed this when I was here and Dave implemented it. The system is what has been keeping us going. We have the ability to use this system in town hall. Easier to track permits. We have managed to keep a revenue stream and keep construction workers going.

Mr. O'Neil thank you for what you are doing it is great and thank you and your team.

Mr. Barrett thank you Mike thank you for the update my main concern is the safety for workers and people it is great to have the guidelines and if you feel your staff can do this it is great going forward.

Mr. Yanovitch we have staff meeting through zoom to go over what they are doing. Everyone on the team has done a great job. We make sure that have a mask going into these structures.

Mr. Salvatore sounds like you have a good setup thank you and I am sure that homeowners and contractors would not take advantage of limited inspection. Have you had any circumstances where you have to visually inspect something or leave a wall open to inspect.

Mr. Yanovitch We have very limited permits we get on a call and decide what we can do. We have had a few and some may have to wait. You have a homeowner who wants to get their house in order. On one hand the past 4 weeks that we have not been able to complete,

Mrs. Mackenzie I just want to say I am happy to see this I-cloud based and you are helping keeping jobs going I think that you have done all this it has impacted a lot of families. Keep it up.

Mr. Gallivan thanks to you and your team and I think that online system is very helpful.

Mr. Yanovitch the team has done a great job it is not easy to change and everyone is going with them. I want to thank my team.

### **Town Administrator Announcement to Postpone Spring Town Meeting**

Lauren Goldberg is on the phone is there any thing you want to ask her. She is getting use to the technical side of zoom. Lauren told the Board the next steps you all have decisions to make about when things might occur and what the timing should be for that and in my view you still have time to make the decision. The way the legislation on Town Meetings works is that the moderator can make 30 days determination for emergency or the Board can push off as long as you need. But where the Moderator has made a decision you will look in 30 days and see where things are. With respect to elections where it occurs on June 6<sup>th</sup> you do not have the ability to push back the dates. So at this time the election will go forward with all of the regular filing deadlines in place. If we get into late May and seems it will be difficult to hold the election at the beginning of the month of June. I anticipate we will see more from the legislator that we could pushing election dates or doing something else.

Mr. O'Neil Jim we have had some dialogue with the legislation on this topic right? Mr. Johnson Yes we have and I have been asked from a couple of residents if we can postpone the election. Right now the answer is no. The legislation that was past only covers those towns whose election was before May 30<sup>th</sup>. We do not have the ability to extend any further. If that is brought up again or we consider June would be on the table. So that is something we will closely monitor that and as far as town meeting the next item on the Agenda.

Dan postponed Town Meeting To June 3<sup>rd</sup>. the farthest out he could push it out by law. But we expect we are going to have to meet and extend that. I have reserved June 22, 24 and last Monday in June the 29<sup>th</sup> just to cover everything. We are going to need to have as big picture as to what is the State doing. We are going to have to have picture or our revenues. Our revenues are down as we are not collecting as much as much as we projected on meals and hotels tax. Glad to hear that the building dept. permit side is doing well. Other things that will be down interest revenue as far as penalties and interest. We need more time to get a bigger picture on that for Town Meeting.

Lauren Goldberg Town Counsel, I think the way the legislation has left things for Town Meeting especially based on the new provisions of Chapter 53 of the acts of 2020. If for some reason you are not able to hold your Town meeting before June 30<sup>th</sup>. Because of the Emergency there are some municipal finance issues that the legislator has made easier to deal with. Including if necessary to having part of town meeting after June 30<sup>th</sup>. In addition lets just say we hope this is not going to be the case. But in theory if it was still too dangerous to hold an in person Town meeting by that date. The legislation will allow towns to go to a 1/12<sup>th</sup> budget just like they have always allowed. If you can't pass the budget by June 30<sup>th</sup> for reasons outside their control. That was welcome relief for municipal CEO and Executives and Executive officials. It means no matter what you will have a way to continue operations after June 30<sup>th</sup> regardless if we run into issues for town Meeting.

Jim O'Neil thank you Lauren for being here and explaining those issues and helping us out tonight. We will see how things pan out.

Mr. O'Neil asked if there was any discussion on the motion.

Motion moved by Mrs. Mackenzie to support the Town Moderators for Town Meeting to be delayed seconded by Mr. O'Neil Roll call Vote Ben Barrett-Aye, David Salvatore-Aye, Nancy Mackenzie-Aye, Mark Gallivan-Aye and James O'Neil-Aye 5-0-0

Mrs. Mackenzie has no questions it is nice to have this outline is very helpful. It is nice that the delegation and the Governor gave us these guidelines. If it safe to have election we will but if it is not safe we may have to put them off. It is an essential part of Government. We will wait and see.

Mr. Salvatore just to clarify if the election is postponed and extended after the current date are all elected officials terms extended until the next election?

Lauren Goldberg Yes that is the case the special legislation Chapter 45 but you are not subject to that but there is a provision in the General Law Chapter 41 section 107 which says elected officials hold office until their successors are elected and qualified. Yes people will continue in office.

Mr. Salvatore so if Town Meeting happens after the June election the newly sworn in members of the town meeting will vote in that meeting and not the people that would have been voting if town meeting happened in May. Lauren Goldberg if the election happens before town meeting than the new ones will vote at town meeting at the end of June. I have a feeling because of the timing of this we will have a better picture where we are at the end of the Governors non-essential business order at the beginning of May. Clerks around the state will be dealing with this issue so we will have more clarity how much work we need to do to make is safe for voters and staff.

Mr. Gallivan asked Mr. Johnson to talk with our legislators. I don't want to see that decision to wait to long. A June 3<sup>rd</sup> election we need 30 days to to get it right. We may need more to get things done. I don't want them to wait until the end of May. Then give us an option where we really don't have a choice of what to do. The earlier they can let us know the better on the election.

Mr. Barrett thank you Lauren for joining us and giving us that outline and Jim you have done a great job with updates and information you have put out. Making it clear to everyone when the dates are for all the various deadlines and who the decision makers are. Some of this is out of our hands to a certain extent certainly we want the residents' are safe and have a fair election for all involved as well with the nomination papers. I think Liz and Jim have done a good job so far.

Mr. Johnson spoke of public areas people have reached out to him about residents have asked public areas. People have raised concerns about public areas and closing down the Town Forest. The public seems groups of 10 people gathering. Residents have really been cooperative. If there are situations where there are large gatherings the police dept. goes out and breaks them up. We are not closing those types of areas. We closed the tennis court yesterday and took out the goal post and equipment on the athletic field. I think it is important to let people be active out there. I think I wanted to make you aware of that. See if you have any issues with it.

JC we have had some communication with JJ and M and the town has the authority to close and ability down public areas if you so choose we can close down some areas, the high school , Adams farm, the issue is I think the most we are consistent with the Governors orders are it is easier for us to remember what the officers enforcement is and easier for people to understand. We have had situations with non-essential businesses opening. We have had some occasions for dispersal. One issue with Bird Park but we had good communication with them. We are going to follow the Governors orders. Most people are abiding by what they are suppose to do.

Mr. O'Neil this is not the usual way we do this. Chief Carmichael about a month ago. Mr. Johnson and I talked about and he talked about the thought of bringing back retired officers. Possible legislation being filed. If we loose staffing, we would have people to sublimate. I reached out to Billy Madden who was 17-year veteran of the force, He was police prosecutor for a long time and developed a great reputation with the court as well as with the town. Had a great he is an exemplary officer. He is good with community policing. He has demonstrated compassion on a regular basis. He retired and moved to Vermont and he ended up getting a job with US Citizen immigration services and at this point when I spoke to him and he was interested in coming back. Billy has a bachelor's degree criminal and social justice from BC and graduated from the Massachusetts police academy. Because he was a veteran of the department he would be able to seamlessly move back to the department and fill the void of the officer that transferred back to his home town of Quincy. So That is kind of where we are. He had a reputation of being a very good police officer. He was also in the United States Marine Corp.

Mr. O'Neil I think it is a great idea to bring someone back that knows Walpole force and knows what we are all about it is important to keep the police department fully staffed. It is important to me that we keep all public safety fully staffed. That goes for all our first responders, we need to stay at full force capability. With that lets do the round robin

Mr. Salvatore I think this is great. Welcome back Officer Madden.

Mr. Gallivan I feel the same way, welcome back Officer Madden.

Mr. Barrett thank you for collecting the information and I think it is a great deal.

Mrs. Mackenzie I think it is awesome when a Walpole kid comes home.

### **Appointment of William Madden as Walpole Police officer**

Motion moved by Mrs. Mackenzie to appoint William Madden as a Walpole Police officer subject to the Conditions outlined in the chiefs letter we received today that you move and have a permanent residency within 15 miles of Walpole within 30 days, a mass drivers license within 30 days and to obtain a Mass license to carry a fire arm within 40 days and successful completion of one year probation. Voted roll call Ben Barrett-Aye, David Salvatore-Aye, Nancy Mackenzie-Aye, Mark Gallivan-Aye and James O'Neil-Aye 5-0-0

Mr. O'Neil before we let you go chief if you could give us a brief update on the shooting on Common Street that happened. JC so this incident happened on Saturday April 4<sup>th</sup> and we later found out it happened at about 1:30 in the morning. The homeowner didn't discover anything was out of place until that morning when they woke up and came downstairs and found there

was a hole through the side of the house front side of the house through the siding and wall through the interior. So they called the police department and we did go there and determined it was a low to mid caliber ballistics round that had traveled through that wall. We started an investigation and canvassing the neighborhood luckily we did find multiple witnesses that had heard the gun fire the night before. Sometimes people don't think it is gunfire it is fireworks or a backfire. We don't always think it is gunfire but in this case it was. So we were able to gather a lot of witnesses we narrowed down a time. We had the State police ballistics team come out crime scene services our detectives we started to process the scene. We had a Ballistics dog come out and check the whole area. It is about 100 yards from the police Station on Common St. Thankfully there were no injuries in this case. Obviously the danger was there but are glad everyone is ok. On April 6<sup>th</sup> we received another call even after we did the Canvas that another house that had been struck and a round went through a front window and the round got lodged into the television set in the living room on the first floor so we were able to collect physical evidence with the round being lodged into the TV. We were able to get by doing our canvas some very good video not actually of the situation happening. We have good video of the shots the succession of the shots a pretty precise location from where they were. Then we have the vehicle that actually fleeing from the scene going down Common Street to Walpole Center. So we were also able to get some good still shots of that car in Walpole Center. This is a very fluid investigation right now. Detectives are working very hard using all the resources we have to focus on this right now. I also want to mention we don't know the intent. We don't know the intent and why this happened yet. We don't believe the people were targeted . We are going to continue with this investigation we are obviously taking this very seriously and thank the people on common street for putting up with the disruption over the past couple of days with the police you know closing off the roads and going through their yards and that sort of thing but they worked very well with us and we look forward to hopefully finding out who did this.

Mr. O'Neil thank you for that Chief and thanks to you and your team for the great job of investigating and we'll see where it leads us. Let me just give a quick opportunity for people to ask questions. Ben I'll start with you any questions for the chief? No Questions.

Mark no questions, David all set thank you and Nancy all set. Thank You.

Mr. O'Neil so chief thank you very much for being here tonight and for bringing officer Madden forward and for the update on the situation on Common Street.

So the next thing on the agenda which is the appointment of Mark Romeo to the Economic Development Commission as a regular member. Before we get to that though I want to see this up a little bit because to honest with you I botched this thing pretty badly and so I want to make sure that I explain that before we get into discussion and voting. So the reason I put this appointment on the agenda for tonight is because I really made a pretty bad error in judgment when we reappointed a number of people to boards and committees last week not last week but at the last meeting you'll recall we had a list of reappointment to do. I wanted to meet with the EDC and talk about ways in which the Select Board going forward that the EDC and this board work more closely together and discuss strategic direction and given that I thought we should defer appointments to the EDC until we had an opportunity to discuss the overall direction with them. So we sent a note to Mark telling him that following our last meeting and you know Mark was understandably confused and upset that I deferred that Re-appointment and as I look back on that I realized that was really a bad decision on my part. It certainly wasn't appropriate to tie the appointments to the committee to any meeting that we might have going forward in terms of strategy etc. etc. so frankly really a bad decision on my part. Mark Romeo contacted Ben Barrett who contacted me. I contacted Mark directly and I told

him what happened and why I took full accountability told him this is on me and that I made a bad decision. I apologized to him and told him I put on the agenda for today and I expected he'd be reappointed and my apologies to Mark Romeo and to the board's because frankly I should be better as chair than that and I'll try to do better going forward. So that is why I have the item on the agenda and I'll open it up for discussion at this point. David what in particular have you been wanting to talk to the EDC about and was there something particular that Mr. Romeo a position he took or something he said that caused you to delay this now. Mr. O'Neil there's nothing that had this has nothing to do with Mark it's purely that I want to make sure that we as a board are getting closer to what the EDC is doing and that we are offering more support and direction than we are today. Frankly we haven't even met with them since I've been on the Board and we need to do that. There's some interesting ideas that they had in fact when Mark and I were chatting the other day we talked about his desire to create a better dining alfresco approach to downtown Walpole. Which I think is a good idea. So it's things like that but he needs the support of the Board to be able to do that and I think we owe it to them to sit down and figure that out. So it was nothing more than that David. David so this had nothing to do with position against the inclusionary zoning provision and their desire to speak before Town Meeting. Mr. O'Neil no not at all. Anything else David. Mr. Salvatore I'm all set.

Ben Barrett I appreciate the clarification Jim and I appreciate Marc reaching out as well and the more we can communicate and clear up issues like this one they are eyes and make and make sure We're on the same page the better off we are and spend time on the most important things which is moving forward and assessing what we're doing and supporting the EDC as you put it Jim so I agree with that and support marc's reinstatement as a member. Mr. O'Neil great thanks Ben.

Mr. Gallivan I would agree I'M happy to see Marc reappointed to the EDC. Since it looks like this Covid 19 problem which is going to drag out. You know we may want to consider in a month or two doing a zoom meeting with them and to start some discussion about some of the items going forward. You know hopefully Covid -19 will clear up quicker but right now it looks like we should plan for the worst case but you know that would be a good way to start syncing up with them and trading some ideas.

Mrs. Mackenzie I have no questions no concerns but I can make a motion

#### **Appointment of Marc Romeo to EDC as Regular member**

Motion moved by Mrs. Mackenzie to appoint Marc Romeo to the EDC as a Regular member seconded by Mr. O'Neil Voted by Roll Call Ben Barrett-Aye, David Salvatore-Aye, Nancy Mackenzie-Aye, Mark Gallivan-Aye and James O'Neil-Aye 5-0-0

#### **Town Administrator update**

One other item a couple of areas related to Covid and the only other item is the Route 1A tip Program. They are going forward with that program and the utility work is going to start very soon and some of it has already started this week they're going to be out there starting to do some of the site work to stop the process of moving all the poles back those are going to be set back a little bit further so if you see some work getting done up there. Police department is aware of it. I was kind of surprised they were going forward at this point but they are so Mass Dot is going to act on that soon.

Mrs. Mackenzie after the chief had spoken earlier I did just want to mention as he stated it's Very important for everyone to be safe. You know groups of 10 welcome to the Governors order and socially distancing 6 feet apart but with that being said and I think to mention the reason we don't want to close the town forest and we don't want to close the town track because just as important of all those things is lung health. So please everybody we want you to stay home we want you to stay apart from people. We don't want you to be in Groups but we want you to keep exercising your lungs and that is walking and things like that. It is the most important thing you can do if you do get sick.

Mr. O'Neil that is great counsel Nancy thanks for sharing that.

Motion moved by Mrs. Mackenzie to adjourn the meeting, Seconded by Mr. Gallivan VOTED by roll call vote Ben Barrett-Aye, David Salvatore-Aye, Nancy Mackenzie-Aye, Mark Gallivan-Aye and James O'Neil-Aye 5-0-0