

The Select Board met on Tuesday September 26, 2023 beginning at 7:00pm in the Main Meeting Room of Town Hall. Board member O'Neil was absent, the following members were present:

Allyson Hamilton, Chair  
Mark Gallivan, Vice Chair  
Benjamin Barrett, Clerk  
Glenn Maffei

Also participating  
James Johnson, Town Administrator  
Aoife Kelly, Executive Assistant

### Appointments

#### Call to Order and Pledge of Allegiance

Chair Hamilton called the meeting to order at 7pm followed by the Pledge of Allegiance.

#### Presentation and Vote on Massachusetts Downtown Initiative – Wayfinding/Branding

Community & Economic Development Director Patrick Deschenes was present. Pat informed the Board that due to unforeseen circumstances the consultant was unable to attend the meeting tonight but would ask that the Board consider adding this to an upcoming meeting.

#### Discussion and Vote on request of Wall Street Development for a Street Opening Permit at Warwick Road (continued from September 12)

Wall Street Development Corp. President Lou Petrozzi and Attorney Jonathan Eichman (via ZOOM) KP Law were present. Town Administrator Johnson provided some information on the background on this item and noted that since the last meeting they had been working with Town Counsel on drafting several motions for the Board to consider. Attorney Eichman confirmed that he had been working with the Town to come up with some suitable motions. The Select Board discussed the request and noted they felt comfortable moving forward on this request. Town Administrator Johnson read the following motions into the record; Move to permit Wall Street Development to construct and improve Warwick Road from Wall Street to its endpoint at Station 9 + 21.73, at its sole effort and expense, upon the issuance of a street opening permit by the Town Engineer determining the appropriate level of construction for a public Town way in this location and with such conditions as the Town Engineer may in his discretion impose commensurate to the work to be performed and consistent with Sections 401 and 402 of the Board of Selectmen Policies and Procedures, provided, however, that no work shall be performed within the limits of the way until all requisite permits and approvals have been obtained for the entirety of the project, and the Town Engineer has verified that the work will meet the requirements of such permits and approvals, including but not limited to the Planning Board's requirements for subdivision approval and such requirements as the Conservation Commission may impose, and such authorization from private property owners as may be required.

Furthermore, the Board places the following conditions on said permit:

1. Prior to any work occurring the Town engineer and Town Administrator will establish a performance security for the work. Once the work is completed the Town Engineer will inform the Board that the work is done and the board may vote to accept the work and then release the surety.
2. The plans submitted to the Board show a sidewalk in the culdesac. The applicant will work with the Town to tie in the new sidewalk to the existing one and make any improvements necessary as determined by the Town Engineer to the existing sidewalks.
3. Authorize the Town Administrator to sign an Notice of Intent application to the Conservation Commission once the applicant has reimbursed the Town for all legal costs, issued payments for any fines and fees levied by against the applicant by the Town for the any items associated with this application, the NOI and the Planning Board's consideration of the subdivision approval.

4. The applicant is currently proposing work on private property located at 7 Wall St. The applicant will provide written approval from the owner of 7 Wall St. that demonstrates that the applicant is allowed to work on this property prior to issuance of a street opening permit.

Or Move to deny the permit to Wall Street Development to construct and improve Warwick road based upon the fact that the applicant did not obtain approval from the Planning Board to construct a subdivision

On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to approve there request based upon what Jim Johnson read into the record, to permit Wall Street Development to construct and improve Warwick Rd. etc. with the conditions as put forward by Jim. Motion Passed (4-0-0).

#### Discussion and Possible Vote on MBTA Zoning Steering Committee Formation

Town Administrator Johnson provided some background on this and the discussion that Pat Deschenes had with the Planning Board last week. Jim informed the Board that there has been some research completed on what other Towns have come up with and working off that have drafted a charge with a committee make-up of 5-7 members. The Board thanked Pat for the work that has been completed thus far in regards to this and noted the importance of getting resident input but also how time is of the essence. On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to form the MBTA Zoning Steering Committee with the charge listed on the memo dated 9/22/2023, with the following make up of five members: one Planning Board member, one Select Board member, two Residents at Large & Community Economic Development Director ex-officio member subject to further consideration at the October 24 meeting. Motion Passed (4-0-0).

Open Forum – No one present

#### New Business

#### Discussion and Vote on Disposition by Auction of properties identified as East Walpole Library and a vacant lot near the intersection of Kingsbury Street and Plain Street and possible deed restriction

Town Administrator Johnson outlined to the Board that on the advice of Counsel the following motions should be made and this also includes adding a restriction on the deeds so only a single family dwelling can be built. Town Administrator read the following motion into the record to approve the disposition by auction for the properties identified as East Walpole Library” located at 5 Wolcott Avenue, described in a deed recorded with the Norfolk Registry of Deeds in Book 02028, Page 0393, and shown on Assessors Map 20 as Lot 251, & a vacant lot located near the intersection of Kingsbury Street and Plain Street, described in a deed recorded with the Norfolk Registry of Deeds in Book 01891, Page 0084, and shown on Assessors Map 31 as Lot 97 as approved by the Spring 2023 Town Meeting and authorize the Town Administrator to oversee the auction and sign the deed to the property after disposition and furthermore to authorize the Town Administrator to sign any other applicable documents related to the sale of the properties. Furthermore, the Select Board directs the Town Administrator to ensure a restriction is placed on the deeds of both properties to limit future uses of the parcels to a single family dwelling unit at each, as allowed by G.L. c. 30B, sec. 16, prior to the commencement of the auction, and recitation of any such limitations should be included in the notice and advertisement for the auction. On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted approve to the effect what Jim Johnson read into the record. Motion Passed (4-0-0).

#### Discussion and Vote on Solid Waste and Recycling Collections Services Contract Amendment

Town Administrator Johnson informed the Board that this was an amendment to the existing contract and also mentioned the possibility of setting up a committee in the future to review the existing bylaw before negotiations start on the next contract. On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to approve the contract amendment and authorize the Town Administrator to sign. Motion Passed (4-0-0).

#### Vote request of DPW Director Mattson to release \$7,380 from the Maple Grove Perpetual Care Account

DPW Director Mattson was present, he updated the Board about an incident back in August where a tree was severally damage due to a weather event, and the tree has since been removed and now looking to reimburse the

park’s budget that funded this. On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to approve request of DPW Director Mattson to release \$7,380 from the Maple Grove Perpetual Care Account. Motion Passed (4-0-0).

Vote request of Conservation Commission to use \$15,000 from the Wetlands Protection Filing Fee Account for staff hours

Town Administrator Johnson informed the Board that this is somewhat of a reoccurring item; it was last in front of the Board in January 2021. On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to approve the use of \$15,000 from the Wetlands Protection Filing Fee Account for staff time for meetings, administration, review, enforcement, and other duties related to the administration of the MA Wetlands Protection Act and Regulations to supplement the budgeted funds for conservation personnel salaries. Motion Passed (4-0-0).

Vote Stadium Event Parking Lot License:

On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to approve Stadium Event Parking Lot Licenses at 2 Shufelt Rd with 7 spaces, 6 Shufelt Road with 12 spaces, 7 Shufelt Road with 12 spaces, 35 Shufelt Road with 10 spaces and 80 Summer Street with 7 spaces. Motion Passed (4-0-0).

Vote request of Fancy That for a One Day Live Entertainment Permit at 272 Main Street on November 26, 2023 from 11am-5pm

On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to approve request of Fancy That for a One Day Live Entertainment permit at 272 Main Street on November 26, 2023 from 11am-5pm. Motion Passed (4-0-0).

Vote request of Walpole Nutrition to use Spring Brook Park on Thursdays from 6-7pm for Fit-Camp Workouts weather permitting

On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted approve request of Walpole Nutrition to use Spring Brook Park on Thursdays in 2023 from 6-7pm for Fit-Camp Workouts weather permitting. Motion Passed (4-0-0).

Unfinished Business

Discussion & Vote on Fall 2023 Town Meeting Articles

Town Administrator Johnson informed the Board that Finance Committee has no taken action on all articles bar Article 16 and Article 17, and they would be considering these at their public Hearing on October 12, 2023. On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted Favorable Action on Article 2. Motion Passed (4-0-0). On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted Favorable Action on Article 4. Motion Passed (4-0-0). On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted Favorable Action on Article 5. Motion Passed (4-0-0). On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted Favorable Action on Article 16. Motion Passed (4-0-0). On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to refer back to petitioner on Article 17. Motion Passed (4-0-0).

CONSENT AGENDA

On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to approve the consent items as listed on the September 26 agenda

Bess Hadaya to FD Gift Account to commend EMT Miller & Gallivan	\$1000
Various Donors to Night Before the Fourth	\$2671
Appointment of Kristen Syrek to Walpole Media Corporation	
Release of the Street Opening Permit Performance Bond at 295 Union Street	
Increase in Stadium Event Parking Lot License at 44 Water Street from 12 to 14 spaces	
Request of ECDC Nursery School to use Adams Farm on October 14 & 28, 2023 from 10am-4pm	

Request of Denis Habermehl for a Block Party on October 1, 2023 from 11am to 4pm on Thornell Avenue  
Request of Candace Farias for a Block Party on October 21, 2023 from 2-9pm on Alma Road  
Request of Michelle Fellini for a Block Party on October 28, 2023 from 3-8pm on Clapp Street  
Motion Passed (4-0-0).

### Minutes

On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to approve the Minutes of August 15, 2023 as presented. Motion Passed (4-0-0).

### Town Administrator's Update

#### Town Meeting

The warrant booklet is at the publisher and expect that to be out for delivery within the next seven business days or so. We are in the middle of putting together the town meeting packets and likely to be finalized by the end of the week. Finance Committee are set to hold their public hearing on October 12 at 7:30pm so they are going to meet at 7pm to go over the zoning articles and then start the public hearing.

#### Surplus Items

We spoke tonight about auctioning off the properties; one other item I want to mention is we are going to be auctioning off that 1985 Mac Fire Truck that the Board recently declared as surplus. I'm guessing it will gage a lot of interest, so once that goes out we'll let the Board know and make sure it hits all our social media, the website and hopefully it goes to a really good home

#### Lacrosse Wall at Lorusso Fields

Lacrosse is doing a great job up there; they have raised a lot of money. The turf is supposed to be installed this week and then the fence the week after, everything this kind of weather dependent but they are doing some great work

### Executive Session

Chair Hamilton stated that it is the Board's intention to go into Executive Session for Purpose 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. A discussion of the foregoing in open session could compromise the purpose of the executive session, with the Select Board not returning to open session at the conclusion of the executive session.

On motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to enter executive session for the purpose stated by the Chair, with the Board not returning to open session at the conclusion of the executive session. On roll call vote of the Board, Motion Passed (4-0-0).

Returning to open session and no other business being presented for consideration, on motion of Clerk Barrett, seconded by Vice Chair Gallivan, voted to adjourn and the meeting was adjourned accordingly at 8:15pm. Motion Passed (4-0-0).