

The Board of Selectmen met on Tuesday, July 17, 2018 at 7:00pm in the Main Meeting room of the Town Hall. Mrs. Mackenzie and Mr. Salvatore were absent. The following members were present.

Mark Gallivan, Chairman
James O'Neil, Clerk
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 at 7:07 pm.

APPOINTMENTS

7-1 PUBLIC HEARING, Vote request of Goodwill Enterprises Inc.

MOTION moved by Mr. Johnson to open the public hearing, seconded by Mr. Gallivan Voted 3-0-0

Mr. Jamili it is not the number of cars selling from 60 to 100. We went to the Planning Board and ZBA. It is the number of storage. Mr. Gallivan read the letter from the Fire Dept. that there are more than 120 vehicles. His repair shop is in Norwood and the cars are being parked there temporarily while it is being done. The vehicles will be removed once completed. Ms. Ragosta asked how many spaces do have to sell. We are only going to have 100 spaces. Mr. O'Neil the application is for a license to sell 100 vehicles.

David Norton, Building Commissioner explained that under their previous special permit they were allowed 60 vehicles for storage and the ZBA increased to 100. Over the years we have had problems with them having over 100 vehicles on site. Mr. O'Neil the public hearing says allows selling. My instincts tell me, you have a current license to store and sell 60. You are not in compliance with the current license. You went to the ZBA you received a special permit. What did you get from the ZBA why you were not aware that you had to come here? Mr. Jamili did not know he had to come in. Mr. Norton explained that any special permit there is a 20-day appeal period and that has come and gone. Ms. Ragosta if it is ok with the ZBA that 100 spaces she has no problem. He may be out of compliance. I think there is a communication problem.

Mr. Gallivan if you were approved and thought you were done. Why is there over 120 in July and 122 today. We are doing construction on the business in Norwood. Mr. Gallivan when are they going to go back. Mr. Jamil very soon. We will be putting in a new building at this site as our building is old and we want to put a brand new building in.

Ms. Ragosta does not think we have any control over the striping.

MOTION moved by Mr. O'Neil to close the public hearing, seconded by Ms. Ragosta Voted 3-0-0

The Board wanted to discuss a few more issues so they wanted to reopen the hearing.

Motion moved by Mr. Gallivan to rescind the closing of the public hearing, seconded by Mr. O'Neil
VOTED 3-0-0

Motion moved by Mr. Gallivan to re open the hearing seconded by Mr. O'Neil 3-0-0

Ms. Ragosta wanted to know have they done any plans. Paul Lestan owner of the property, Dan Merriken is doing a site plan. Probably in the next six months. GNR is working on the design. Mr. Norton saw the Fire dept. issue. He is talking about taking care of the current sprinkler; they want the bldg. there today to be protected. Paul we will demo the existing structure. Mr. Gallivan what is in this letter comes back in to play. Mr. O'Neil what is the timeline for that? They are concerned with the current structure. Paul Lestan it depends on the planning Board. It could be 4-6 weeks. I do not want to ignore the fire dept. There is concern about the time frame in the middle. I think we have to respect of the Chief. Mr. Gallivan my suggestion is that we push this to our next available slot and figure this out. If he is comfortable with the way the bldg. is or not.

Mr. Gallivan can you come on August 7th? He was there and we did update. Mr. Gallivan he went out and did a re-inspection. Mr. Johnson would recommend that the Fire chief come in. The Board members want them to get the number of vehicles down to 100 and not park on the green.

MOTION Moved by Mr. Gallivan to continue the hearing until August 7, 2018, seconded by Mr. O'Neil
VOTED 3-0-0

7-2 PUBLIC HEARING, Vote new wine & malt license for DeBevino Winery

MOTION moved by Mr. O'Neil to open the public hearing, seconded by Mr. Gallivan, VOTED 3-0-0

Al DeNapoli, we have an application for a beer and wine license. There are 6 members of DeBevino Winery LLC. It is where Millbrook homes are located, there is a building that had a tenant in there. It is our intention to go in and open up a wine operation. The five of us cousins, third generation of wine makers, we have been doing this for years ourselves, and we thought we should go commercially. We are here before you now, we are applying for a beer and wine, we have applied to the state and federal government for a farm winery license, once we get approval there, we will have to come before you again for a winery license and then to the ABCC. There will be months, before we get final approval by the state and federal government. We thought this would be good opportunity. We will have to surrender the Beer and wine once we get the farm license. Use as educational show what wine making process is about; understand what we will be doing. Once we get approval we will start the build out, there will be tasting room, we applying for a patio, shown on the plan, when we start we will have to put a trailer to keep the wine cold. We are all in the process of getting TIP certified; I understand the obligation to holding a license. I understand the Rules and Regulations. I know there was a neighbor who had some concerns. I did speak with the neighbors and tried to address some of their issues. They are an abutter in the back of the site.

Dominic Arpino I am the manager of record for the facility we are hoping to open a few months from now. Mr. Gallivan explained we take liquor licenses very seriously. Some restaurants have sold underage. We had one that continually sold to minors. We want you to take it very seriously. Mr. O'Neil what is in the building today, on the right side is vacant. The back area will be the production. Nothing in there now.

Ms. Ragosta it sounds like a great location, so you are going to start out with wine tastings. Than you are going to expand to something different. We would like to teach the public how to make wine.

Mr. Gallivan asked if there was anyone who would like to speak. Gail Weinstein I live behind the property. I do not have an objection to the wine in the area. It was originally landscape depot. Then there is Millbrook. It became a dumping ground for landscape depot, it became a dump. They have moved out, two piles of jersey barriers, they have cleared some of that area. Walpole has not looked at this property. You have the village groomer. The dogs barking all day. Owners of that property to clean up the property. Take a drive up and take a look. I would love to taste your wine, if you are going to present the town. It needs to be a clean area. Concerned about the refrigerator. Wants it to be clean area.

Mr. Gallivan are you leasing the entire site? Mr. DeNapoli no. We are subleasing from Millbrook. We are just leasing the building, we are responsible for our portion, no the rest of it. Mr. DeNapoli had done research about compressors and doesn't think the noise will be bad. They will be electrical not diesel, it will be less noisy, we are only bringing the fruit down to 65 degrees, they have done a lot to make them quieter. We will look at that. The production is only a couple of times a year, it will press the grapes. Mr. Gallivan appreciates that he reached out the neighbors.

Ms. Ragosta, Ms. Weinstein's concern about the trash, I do not think that should be connected to the liquor issue. How do we address that with the property owner? Mr. Gallivan asked Mr. Norton have you been back there lately. Mr. Norton, no I will go back there again and take a look. That is on the property owner. Mr. O'Neil would like a little more than that, if you find the conditions as she is stating. Mr. Norton will contact the owner and if he doesn't do anything I will fine him and may end up in court.

Mr. Johnson will give the Board an update next meeting. Ms. Weinstein we are not talking just trash we are talking a lot of things. Mr. Gallivan Dave will give Mr. Johnson an update and he will update us. We will see what the outcome is.

MOTION moved by Mr. O'Neil to close the public hearing seconded by Mr. Gallivan voted 3-0-0

MOTION moved by Mr. O'Neil to approve the Wine and Malt license for DeBevino Winery located at 2255 Providence Hwy and approve Dominic Arpino as the Manager of record, and the Common Vicutualler's license, seconded by Mr. Gallivan VOTED 3-0-0

7-3 Use Cemetery Perpetual care funds to perform new asphalt paving

Bob LeBlanc Superintendent of Walpole cemetery, highway and parks, we have three active and three non-active cemeteries. We have two full time employees; we average 50 burials a year. Explained what they are responsible for. The staff does equipment and maintenance. Tree removal is not. I come to you for funding for improvements to Maple Grove cemetery and the cost is \$30,000. There is \$93,000 in the fund.

Ms. Ragosta it sounds like a tremendous work they have done. Commend you for the work they are beautiful. Have the fees been changed lately. Bob we did it in 2011 a new document was done and approved. We did not adjust the fee schedule. We are below what we charge for fees. It has been 8 years. Ms. Ragosta if they are so low considering the work. Should look at changing the fees. Mr. LeBlanc will call and do a survey.

Mr. O'Neil agrees with the survey and agrees they do a wonderful job.

MOTION moved by Mr. O'Neil to approve the use of the Cemetery Perpetual care funds for asphalt paving at Maple Grove Cemetery in the amount of \$30,000, seconded by Mr. Gallivan, VOTED 3-0-0

7-4 Appointment to Conservation Commission

Regen informed the Board that she grew up in Walpole, moved away and moved back. She wants to get involved. I hold masters in Conservation biology and a Bachelors degree in Environmental Management. She has been working as the Conservation secretary in Norton.

MOTION moved by Mr. O'Neil to appoint Regen Milani as a regular member to the Conservation Commission, seconded Mr. Gallivan, VOTED 3-0-0

OPEN FORUM – No one present

NEW BUSINESS

7-5 Increase the membership of the Walpole Housing Partnership Committee

Ms. Ragosta thinks the intent of this is to get more people. She note that in Mr. flowers comments that he would like 9 but he would not see a problem with 11. She would like to see it increased to 11 but is ok with 9. Mr. Gallivan suggested if we could round out the skills on the board. To have someone living in affordable housing, senior, involved with COA, and Veterans in general. Some of them we had multiple. One area is land use experience. How does zoning work? Educator, I would be willing to go to 9, get a few more skills in there, someone living in affordable housing. Mr. O'Neil the bigger committee the more challenging they become. Mr. Flowers would like two to start. What are we trying to get on this committee? Good idea to decide what we are looking for. What are the gaps and lets try to find people that can fulfill the gaps. Mr. O'Neil can get behind 7 to 9. I would like to follow a good tight process. These are the skills we are looking to find. Mr. Gallivan one of the two to live in affordable housing emphasis. Ms. Ragosta someone may not be living in affordable housing, but may be in the lower income level.

MOTION moved by Mr. O'Neil to increase the membership of the Walpole Housing Partnership Committee to Nine Members. Position to be posted qualification as laid out in the make of the original charge of the Board, seconded by Mr. Gallivan, VOTED 3-0-0

7-6 Sign for Walpole Police Department

Chief John Carmichael we want to make sure the neighbors are comfortable with this. This will draw more attention. They had a community meeting, we are aware that we are in a neighborhood. We have a liaison. We were able to meet with 20-25 people, show them the concept of the sign and there was a lot of support for it, we can hand the messaging and control lighting from the station. Mr. O'Neil the sign looks terrific. The Chief stated it has the south street center on the bottom. We can put alerts on there. This will be a nice touch to the senior center. I hear the basketball court is getting a lot of use.

MOTION moved by Mr. O'Neil to approve the sign as presented to the Board, seconded by Mr. Gallivan, VOTED 3-0-0

7-7 Minimum Requirement Guide for Dogs in Shelters

Mr. Johnson what we have is some minimum guidelines to dogs, Ann and Town Counsel and Animal control. Ms. Ragosta I am so happy that this is for us, Walpole has been lacking on how we treat lost animals, and I think this will give assurance to everyone to know upfront what the rules are. What they can expect in due process. It is important that they know the town will take care of it. Mr. O'Neil wanted to know about the temperature. Mr. Johnson stated it is air-conditioned. Occasionally the MSPCA will stop in. Trying to meet whatever their standards are. The ACO can ask. Mr. O'Neil was surprised we did not have this. Ms. Ragosta thinks many towns don't have it.

MOTION moved by Mr. O'Neil to approve the Proposed Minimum Requirement Guide for Dogs in Shelters and to add to Selectmen policies and procedures seconded by Mr. Gallivan, VOTED 3-0-0

7-8 Loan Depot to use the Town common

MOTION moved by Mr. O'Neil to approve the request of Loan Depot to use the Town common on July 27th from 12-2pm with a rain date of August 3, seconded by Mr. Gallivan, VOTED 3-0-0

7-9 Camy 5K Run & David 5K walk

MOTION moved by Mr. O'Neil to approve the request to hold annual Camy 5K Run & David 5K walk on November 10, 2018, seconded Mr. Gallivan, VOTED 3-0-0

7-10 Bid Award Contract 2018-21

Mr. Johnson this is the first step. Mr. O'Neil getting good contractors and wanted to know if the references are checked. Mr. Johnson Don has checked them out.

MOTION moved by Mr. O'Neil to **Award** Bid/Contract No 2018-21 Old Post Road School Roofing project to Leading Way construction not exceeding \$841,870.00, seconded Mr. Gallivan, VOTED 3-0-0

7-11 Bid/Contract No. 2018-17

Mr. Johnson explained this was approved at town meeting and only one bidder for AT&T. There is another place interested in going on the tank so may do another bid.

MOTION moved by Mr. O'Neil to Award of Bid/Contract No. 2018-17 Non- exclusive lease of the use of space at 41 Wagon Rd for telecommunications system purposes to AT&T Mobility for a term of five years with (3) five year extension period totaling 20 years. Seconded Mr. Gallivan, VOTED 3-0-0

7-12 Bid/Contract No. 2018-23

Mr. Johnson noted this is part of the parks dept. budget. There are 20 different items.

MOTION moved by Mr. O'Neil to Award of Bid/Contract No. 2018-23 Turf Seed, Soil amendments, Turf Fertilizer and Plant Protectants to Harrell's LLC seconded by Mr. Gallivan VOTED 3-0-0

7-19 Use Adams Farm by Blue Hills cycling club

MOTION moved by Mr. O'Neil to approve the request to use Adams Farm by Blue Hills cycling club on August 15, 22, 29th from 5-8 pm seconded by Mr. Gallivan, VOTED 3-0-0

VOTE Consent Agenda Items)

MOTION moved by Mr. O'Neil to approve the following Consent agenda items

Gift Acceptances:

- | | |
|---|-----------------|
| a. James & Cecelia Judge, COA Gift | \$50.00 (7-13) |
| b. Bird Middle School employees, COA Gift | \$500.00 (7-14) |
| c. Lions club, Recreation Program Scholarships | \$500.00 (7-15) |
| d. Natureworks Landscape, Recreation Program | \$300.00 (7-16) |
| e. Ruthanne Jordan, Recreation Program Scholarships | \$100.00 (7-17) |
| f. Jr. Woman's club of Walpole, WPD Jr. | \$650.00 (7-18) |

Seconded by Mr. Gallivan VOTED 3-0-0

TOWN ADMINISTRATOR UPDATE

Statement of Interest-The Walpole Public Schools has been shortlisted for consideration into the MSBA grant program. Walpole was shortlisted two SOI cycles ago but nothing came of it. They had visited the High school but not the middle schools. The aging middle schools are the basis for our SOL. The MSBA is interested in visiting both sites this Fall. Being selected for a senior study reduces the number of schools being considered from about 70 to 30.

Paving-Paving contractor began grinding North St today and will be milling on Route 109 after that. High, Common, Stone, Elm, William, Cascade, Barstow and Thornell will follow that. Castings and paving of the streets are scheduled to be completed by July 27th. We may have some issues with Police detail. The final paving may have to wait until the following week.

Firefighter Assistance Grant-I was informed yesterday, the town received the FEMA grant \$108,669 for the Fire Dept., this will save us some money on the new fire station. The Federal portion is \$98,790 and the town portion is \$9,879. The Chief is planning on funds for the new station to cover the town's portion. He has ordered the equipment. I am looking for your authorization.

MOTION moved by Mr. O'Neil to authorize the Town Administrator to execute the grant and allow the Chief to accept, seconded by Mr. Gallivan, VOTED 3-0-0

Town Meeting- Talked about Town Meeting warrant. Mr. O'Neil will you have a list of the capital items, important we look at capital items? Mr. Johnson has sent out capital requests to dept. heads. At some point, it strikes me that we should be thinking about the budget process. Our priorities. Mr. Johnson expects that he will identify some of the monetary items and will be requesting the Board and town meeting to consider this fall.

Dog complaint issue- we had an issue with the dog at 915 East St. In December 2017, this board held a hearing with another dog at this location. The dog Remy has had two issues in June and July. Nancy would like to have the dog owner in to discuss these issues. I spoke to the resident that has had the issue. By the time the police got there the dog was back in the yard. Counsel has been made aware of the matter and he is seeking their guidance.

Mr. O'Neil isn't the dog suppose to be on a leash. There is an issue that the dog is not on a leash. Can the police issue citations? I have asked John Spillane to issue citations. More to come on this. Ms. Ragosta my feeling about this, the dog owner rents, have we attempted to reach out to the property owner and make them aware of the exposure they have? I think that should be done. They can put up a fence. Mr. Johnson did put a phone call in to him and I am going to stop in to see him. Ms. Ragosta it is evident that the dog owner is not capable of keeping the dog in the house at all times. They will ask her to come in, as they do not want someone harmed.

S&W the commissioners – They voted to go with block rate billing. Most will see a reduction in the bill. The first bill will go out in August.

Resident Request- Liz Borrows reached out to me about the traffic on Union St. Jim, the police chief and Maggie will meet with her. She is looking for traffic restrictions. Before this comes to this Board we will meet.

Retirement notice from DPW director Bob O'Brien toward the end of August. The Board will need to ratify the appointment of a new Director. He does have some in house qualified candidates.

Foxboro Train-a lot of questions from neighbors. He had sent a series of questions to the MBTA regarding the PILOT. He learned the state are willing to have fencing along Shufelt Rd. I still have concerns vibrations. A lot of neighbors feel they are not heard. Ms. Ragosta is not happy with their response and attitude. Mr. Gallivan is not happy with their answers. Concerned about kids who cross the tracks. We can always have another meeting. Really zoom in on safety.

Minutes:

MOTION moved by Mr. O'Neil to approve the minutes of June 19, 2018, seconded by Mr. Gallivan
VOTED 3-0-0

EXECUTIVE SESSION

Mr. Gallivan read the following statement

Chairman Declaration:

Pursuant to G.L. c.30A, §21(a) (6), the purpose of the session will be to

- to consider the purchase, exchange, lease or value of real estate for Norfolk County land as a discussion in open meeting may have a detrimental effect on the Towns position.
- That a discussion of the foregoing in open session could compromise the purpose for the executive session

- That the Board of Selectmen shall return to open session for the purpose of adjourning the meeting.

MOTION moved by Mr. O'Neil to enter Executive session for the purposes stated by the Chairman, seconded by Mr. Gallivan voted by roll call vote Mr. O'Neil-Aye, Mr. Gallivan-Aye and Ms. Ragosta-Aye

Motion moved by Mr. O'Neil to adjourn at 9:05 pm seconded by Mr. Gallivan, VOTED 3-0-0