

Board of Selectmen
Minutes
April 14, 2020

The Board met on Tuesday April 14, 2020 at 7:00pm remotely. The following members participated.

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

Also: James Johnson, Town Administrator
Town Counsel, Lauren Goldberg

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 That order, which was effective immediately and until it is rescinded or the State of Emergency is terminated.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.

The chairman will call to order at 7:00pm and this meeting will be done remotely. The Meeting will be televised on YouTube.

New Business

1. Vote to renew lease agreement with Walpole Youth Soccer Association for Mylod Field

Mr. Johnson This is the lease agreement set come up this Summer and I went back and looked and last year we did it around May beginning of May or so and Youth Soccer reached out to ask us to add it on there so that's where we're at so last time we did it was in 2015

Mr. O'Neil so this is a five-year extension or renewal of the lease the lease amount is a dollar a year the tenant which is Walpole Youth Soccer has the accountability for all upkeep statements and so forth of the fields and standard boiler plate language in the rest of the agreement. So before we vote let me just round robin here and see if anybody has any questions for Jim or any comments. So David I'll start with you.

Mr. Salvatore so what is the value of the rental that we're giving up what is the value of the step we're giving up by just charging them a dollar?

Mr. Johnson what specifically do you mean like how much how much is it worth or what?

Mr. Salvatore Do you know what the value is of the rental?

Mr. Johnson No I just asked you what do you mean by that right now the value is a dollar. If you are wondering what's the value if we were to bid this out I don't know.

Mr. Salvatore so this was a lease that started in 1994. They make the fields better.

Mr. Johnson there were not fields there to begin with it actually went through the Planning Board process I believe Nancy might have been on the Planning Board back then and they created fields there filled it in and worked with the town to have that agreement.

Mr. Salvatore asked how much did they spend to create the fields?

Mr. Johnson I don't know.

Mr. Salvatore how much are they spending on Maintenance on an annual basis?

Mr. Gallivan I can jump into that David they spent a couple hundred thousand to build the field way back when it was dirt and gravel lot with a lot of ledge. Walpole Youth Soccer spends about thirty thousand dollars a year to maintain

Mr. Salvatore so that Two hundred thousand dollars spent in 1994 was certainly an improvement and certainly an improvement that we could forego charging rent when based on the fact that they were making those improvements but is out 2020. Those improvements are certainly paid off by these rents that we haven't been charging. So I would like to see some more information about what the current value is deducting perhaps the maintenance of the facilities and charging them an appropriate amount of money. We will be charging all those entities fees for the limited rental of the RT1A facilities. Why should this at this point be any different unless you can show me that you know the value of the lease since 1994 is such that it has? They are still paying off improvements that they made to the property. Mr. Gallivan are you still on the Soccer board?

Mr. Gallivan Yeah David I 'm gonna abstain on this one and I abstained five years ago and this agreement was put in place before I was a selectman. So I've never actively voted on this lease.

Mr. Salvatore but is Ok to chime in on the argument though.

Mr. Gallivan well you asked a question and I was just trying to provide the answer.

Mrs. Mackenzie David on top of the two hundred thousand that they spent initially they actually did a site plan update when they expanded the fields and parking and had a drainage issue so I want to say that they put another 200 on top of that when they went through the second time.

Mr. Salvatore I'd like to see it all layed out

Mr. O'Neil so at this point David what specifically would you like to see?

Mr. Salvatore the value of the lease and exactly what the town taxpayers are giving up for this group. I'd like to see the improvements that they have made over the years and the value of those improvements and I'd like to see the maintenance budget and what's being maintained. I'd also be interested to see what money they have on hand. I understand this organization also has this access to guilds that belong to the trustees of the reservation so they are definitely not strapped in their rentals. They are making use of this property exclusive of other taxpayers and I think the taxpayers have a right to know exactly what they are giving up. If they were to give this organization the 1994 improvements.

Mrs. Mackenzie I have a question Mark maybe you know the answer to this and they're paying for upkeep of that field which is to me a savings to the town because we're not having to do any of that maintenance and there's still youth soccer I believe and still paying the same user fees as every other group is too.

Mr. Johnson yes they are.

Mrs. Mackenzie so if they're all paying the same user fees as other user groups but yet they've done an exclusive negotiation and I don't know if you remember years ago when we redid the field at Stone it was

also Walpole Youth football that actually put in the initial cost and they redid the entire field and they maintained it and then you know had basically the same kind of agreement for a few years. They have since moved on a little bit but it think the benefits of the town when we kind of were encouraging these sorts of things is that it was taking away not only are they paying for the maintenance but they're also paying people that aren't town employees that we are then not paying them salaries and we are not paying into their retirements and their benefits and things like that so I think the saving to the town is even bigger than just what youth soccer is paying for.

Mr. Gallivan Let me just jump in the youth soccer pay for all of the maintenance costs and all the upgrades for the Mylod field. So Youth Soccer has about a thousand players so some of them play at Mylod and some play at Ellis and some of play on the town field. So those that play on town fields pay. Youth Soccer does pay the Rec Department whatever the fee is. It's twenty or thirty dollars. I don't remember. But for those kids that only play on Mylod or Ellis you saw it doesn't pay that fee because the equivalent of that fee is what goes into the Maintenance.

Mr. O'Neil so this is what I am going to suggest David's got some questions for and I think we should and go and get the answers to those questions and then sort of bring back a view of this for our next meeting which will be in a couple of weeks and that lots of time because this lease doesn't run out until August. So we have got plenty of time to deal with it. So why don't we just defer this conversation until our next meeting let's get the answers to questions David has requested and we'll deal with it at the next meeting.

Mr. Johnson Can I as a question Jim? David specifically the questions I have written down here are current value of the lease, Improvements made over the years. Maintenance budget and the money on hand. Am I Missing anything?

Mr. Johnson question for the Board how to you want me to go about getting the value of the lease.

Mr. O'Neil I think the only way to do that is go and bid it right. Mr. Johnson that what I think Mr. O'Neil I don't know if there is any other way to do that now. Is there, I don't know if there are any other towns around that have a similar agreement that we could look at. I don't know but short of bidding it. I'm not sure whom we'd be bidding it to but short of bidding it I don't know how else we would come up with an answer to that question,

Mrs. Mackenzie so my thought is that if we're going to be bidding it then we could actually be getting ourselves into a little bit of trouble that in a way if nobody bids against Walpole Youth Soccer and then nobody actually wants it and then Walpole Youth Soccer decides not to pay the maintenance fees. I think we could get ourselves in a little bit of trouble. And in a sound budget that we're kind of worried about I would prefer that we maybe just look around and see what some other towns are doing and use it as a comparison.

Mr. O'Neil I think that is reasonable and by the way. I was not suggesting that we did it I was simply answering the question I don't know of any other way that you would get the answer to the question without actually going out to bid. I'm not a proponent of that but that would be the way we would do that so perhaps Jim we could see if there are other arrangements similar to this in other towns. We could see what those arrangements look like at a minimum we can come back with the other questions answered and then have a deeper discussion at our next meeting

Vote to award Bid Contract 2020-20 DPW paving contract to Walsh Contracting Corp

Mr. Johnson this is actually been reached out to me late last week so I kind of start with that. The question that came up was why are we awarding a one point million and almost one point five million dollar contract when times are tough that's because this money is awarded through Chapter 90 which is state road improvement program. So this money can only be used for road improvements this was our money that was appropriated at the fall town meeting so we're not taking money that could have been free cash or some other funding source. So we sent this out to bid and we received multiple bidders on this one but the bidder being

contacted Pawtucket hot-mix asphalt initially at one point three million dollars however the problem was they were not a pre-qualified bidder and we have to disqualify them. The next qualified bidder was Walsh based in Attleboro there are 1 million 4789 then aggregate was third at one point five one eight. So with that I'll take any questions you might have and we're trying to get this out and awarded for the paving season summer and into the fall. Used for road improvements this was our money that was appropriated at the fall town meeting so we're not taking money that could have been free cash or some other funding source. So we sent this out to bid and we received multiple bidders on this one but the bidder being contacted hot-mix asphalt initially at one point three million dollars however the problem was they were not a pre-qualified bidder and we have to disqualify them. The next qualified bidder was Walsh based in Attleboro there are 1 million 4789 then aggregate was third at one point five one eight. So with that I'll take any questions you might have and we're trying to get this out and awarded for the paving season summer and into the fall.

Mr. O'Neil any questions Mark? Mr. Gallivan with the lack of people driving around is it possible to get them going almost right away once it's awarded assuming that you know traffic's going to increase later on at some at some point as the covid-19 thin sort of winds down.

Mr. Johnson I could certainly ask that question to Rick Mattson and he can ask that question and see if they can get started a little early.

Nancy no questions I am ready to make a motion,, Ben All set, David I'm all set but just a corollary to what Mr. Gallivan indicated while I think of it these public works or sewer and water have any projects on the main roads that they ought to be doing now while there's very little traffic.

Mr. Johnson actually your next item on the agenda is the sewer system improvements for inland water so I think Rick's going to try to get a start on that one too.

MOTION moved by Mrs. Mackenzie to award Bid Contract 2020-20 DPW paving contract to Walsh Contracting Corp seconded by Mr. Gallivan voted roll call Mr. Gallivan-Aye, Mr. Salvatore-Aye, Mr. Barrett-Aye, Mrs. Mackenzie-Aye, Mr. O'Neil-Aye

Vote to award Bid Contract 2020-18 Sewer System improvements to Inland Waters Inc. For a total bid of \$517,290.00

MOTION moved by Mrs. Mackenzie to award Bid Contract 2020-18 Sewer System improvements to Inland Waters Inc. For a total bid of \$517,290.00 seconded by Mr. Gallivan

Discussion ensued

Jim O'Neil asked Mr. Johnson if he had anything you want to add.

Mr. Johnson again something similar to the last vote this is the phase 10 and 11 of the MWRA are a loan grant allocation program so it's not being funded through free cash or anything like that it's just through the MWRA. Town meeting authorized both of these phases here to go forward so we can improve the sewer system around town and once again I will ask Rick and Bernie if we can get started on some of these projects

Mr. O'Neil David any questions.

Mr. Salvatore I'm all set with this. Ben all set, Nancy all set. I agree with David assuming they can do it in a safe way. I think it would be great to get all these projects kicked off and going while things are slow.

Voted roll call vote Mr. Gallivan-Aye, Mr. Salvatore-Aye, Mr. Barrett-Aye, Mrs. Mackenzie-Aye, Mr. O'Neil-Aye

Vote request of Veterans Agent for a Reserve fund Transfer of \$11,000.00 to cover remaining month of April and May for Veterans Benefits account

Mr. O'Neil next on the agenda we have a reserve fund transfer request from the Veterans Agent for \$11,000.e Jim you want to step us through this.

Mr. Johnson this is for something I was actually hoping we could take up at a meeting and fund the May and June payments for the veteran's benefits. We knew we were fast approaching kind of our dollar limit on that but with some of the recent developments some more Veterans have come on so we projected about \$8,000 to get us through May. There are currently about 869 in it and we're going to need this additional \$11,000 to cover the Veterans who have come on or April the remaining part of April and all of May we are projecting at this time so we'll be planning on coming back for a June request but I didn't want to do June at the same time because I think the numbers will be different.

Mr. O'Neil it makes sense and you've go this in front of the Finance Committee on Thursday Night I believe. Mr. Johnson Yes I do.

Motion moved by Mrs. Mackenzie to approve request of Veterans Agent for a Reserve fund Transfer of \$11,000.00 to cover remaining month of April and May for Veterans Benefits accounts seconded by Mr. Gallivan voted roll call Mr. Gallivan-Aye, Mr. Salvatore-Aye, Mr. Barrett-Aye, Mrs. Mackenzie-Aye, Mr. O'Neil-Aye

Vote and discuss Spring Town Meeting Articles 10,11,12,20,21,22

Article 10

Mr. Johnson Dan Bruce and I spoke at length last week and he's hoping to really get away just only do the necessary articles at the spring town meeting whatever that is. I am expecting we delayed it until June 3rd I'm goanna be asking Dan to push it again until June 22nd. As that date approaches and we'll notify everybody in ahead of time. So he's looking to do only the necessary articles that are required to keep the town operating and running so what the articles you are being asked to act upon tonight is to agree to allow them to be on the consent agenda for no action. Those include article 10, which is snow and ice budget right now we have about 400 thousand left in that budget. Prior year bills I'm not aware of any prior year bills and neither does the Town Accountant, Article 12 is the Police department contract we don't have an agreement at this time we were almost closed but nothing was signed so I request that the board take no action on that one at this time. Article 20 was a stretch code that your board was sponsoring. Article 21 was the inclusionary zoning bylaw and Article 22 was the affordable Housing Trust requirement there so right now I'd ask your board to agree to be placed on the consent agenda.

MOTION moved by Mrs. Mackenzie to place Articles 10,11,12,20,21, 22 on this new consent agenda for this 2020 spring town meeting, seconded by Mr. Gallivan

Discussion

Mr. O'Neil Mr. Gallivan any questions, Mr. Gallivan No. Mr. Barrett one quick question Jim was there other language or any other legalese that town counsel felt we should put in there for these articles or was it ultimately discussed and agreed that this was proper and legal and what to do it particularly with the zoning items.

Mr. Johnson so Article 21 and 23 are zoning related article and I raised the questions to her whether or not it would be no action on this or would this be a sum to no action for two years. She provided an opinion that she didn't think it was a problem and believes it could come back on at the fall town meeting. So she was comfortable with these items being placed on the consent agenda.

David I'm okay with that determination however might it be cleaner if we reopen warrant and remove these items from the warrant then close the warrant that is something we could discuss for a future meeting. Secondly I just want to be clear that this is a motion also it's for no action and I would like to just comment on the same agenda in general at town Meeting which I think is a good idea however I think there was some confusion at the last town meeting as to exactly what was happening and I think in order to made clear that when that consent agenda that every item on the consent agenda was going to be voted as No Action, I think it was a little unclear at the last meeting and there were several RTMS that came to me that were somewhat

confused and they thought that somehow something had been asked without a full discussion but it should be you know to make it clear and hopefully town meeting we made it clear on this consent agenda all for no action. But other than that I think It's a good idea at this point.

Mr. Johnson just to follow up on David's Idea to reopen the warrant actually that's my preferred option but because your board has already signed and seals and we've posted it everywhere we got an opinion early on basically the warrant is now in the moderators hands so it would be a lot easier if the Board could have taken a bunch of these items off and just not even had them considered but that's not an option at this point.

Voted roll call Mr. Gallivan-Aye, Mr. Salvatore-Aye, Mr. Barrett-Aye, Mrs. Mackenzie-Aye, Mr. O'Neil-Aye

VOTE to renew the Junk Dealer Junk Collector licenses for

MOTION moved by Mrs. Mackenzie to renew the following junk dealer, Junk Collector license seconded by Mr. Gallivan voted roll call Mr. Gallivan-Aye, Mr. Salvatore-Aye, Mr. Barrett-Aye, Mrs. Mackenzie-Aye, Mr. O'Neil-Aye

Junk Dealer & Junk Collector

Allied Recycling Center Inc. 1901 Main Street
The Vintage Peacock 1415 Main Street

Junk Dealers

Game Stop 6463 103 Providence Hwy
Hefez & Sons Inc. 996 Main Street
Second Glance 961-E Main Street

Gift Acceptances vote as one Motion

Motion moved by Mr. Salvatore to accept with gratitude from the town, Seconded by Mrs. Mackenzie

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| Anonymous, Council on Aging Gift | \$5,000 |
| Clifton Snuffer, Council on Aging Gift | \$500.00 |
| William McAdams, Council on Aging Gift | \$500.00 |

Minutes Vote the Minutes of March 24, 2020, April 7, 2020

MOTION moved by Mrs. Mackenzie to approve the minutes of March 24, 2010 seconded by Mr. Gallivan VOTED roll call Mr. Gallivan-Aye, Mr. Salvatore-Aye, Mr. Barrett-Aye, Mrs. Mackenzie-Aye, and Mr. O'Neil-Aye

MOTION moved by Mrs. Mackenzie to approve the minutes of April 7, 2020 seconded by Mr. Gallivan VOTED roll call Mr. Gallivan-Aye, Mr. Salvatore-Aye, Mr. Barrett-Aye, Mrs. Mackenzie-Aye, Mr. O'Neil-Aye

Town Administrators Update

Covid-19

We are currently at 91 confirmed positive cases of those 90 135 have completed monitoring and are in recovery that leaves 56 current cases undergoing monitoring and just to give you some perspective last week we only had 61 total confirmed positive cases so we've jumped big time over last week. So I don't know if the board has anything and I know that the Board of Health continues to meet each week on Tuesday nights at 7:30pm. Patrick's filling in for me I've been trying to make a point to join their meetings just to touch base with the

chairman and the entire board to make sure they're comfortable. I'll see if they need anything and they're doing a great job. Melissa continues to do a great job Rica, Trish Fisher they're all helping out so the school nurses as this caseload has kind of grown. The school nurses have stepped in and it's helped out big-time so it's really where we're.

Mr. O'Neil let me just pause on that to give the board an opportunity to comment. Nancy No I think the Board of Health is doing a fabulous job. You know ninety-one means that is people that have symptoms enough that go to the hospital and get tested. 40% of the people never have any symptoms and 40% of the people you know continue acting day to day but yet they are infectious. I think that everybody should stay home stay with their families and realize that you should assume that people have it as opposed to not having it at this point,

Ben I have no comments.

Mark I agree with what Nancy said that people should stay with their families and I did want to mention that I also think the Board of Health and the school nurses and everybody are doing a great job. I am also very impressed with the work the food delivery operating out of the counsel on Aging building as well as the High School and it's amazing how many people they're feeding each week and just want to say that if anybody finds themselves in a situation where they don't have enough food or food for their kids please reach out to the Counsel on Agent call the number and they'll set you up with food it's important that everybody gets through this crazy period and it is important that people have food so they can stay healthy and fight off this disease.

David everyone is doing a great job and another shout out to the frontline police and fire. It's a tough place to be to have to be out there in the public that's inspiring please walking into these situations with you know the virus is spreading and just thoughts and prayers to those especially on the front lines and the nurses here and Nancy as well thank you all

Mr. O'Neil you know everyone's doing a great job as they have been we just have to continue to work our way through this and you know at some point we'll get through it but it's a difficult time and you know just kudos to everybody who's working so hard to get through this.

Jim Johnson the next one is the storm update I've never had to deal with an emergency within an emergency but that's kind of the situation we were in yesterday with wind storm the rain storm that came and currently there are 321 residents in Walpole still without power that that is down from about two hours ago they have my number here written down was 596 when I checked in this morning it was 780 so they are making progress slowly but they are making progress. They had crews in her last night and I was actually pleasantly surprised with that they had tree crews; they had eversource crews so they were around town. It was just a tough storm it seemed like trees were coming down in places that they don't normally come down. We saw things along the East wall pull some himself all up and down Washington Street but like North Walpole or up off Lincoln road up that area was pretty quiet which I was surprised as usually this area would get hit the hardest. So we are working with them to get the 321 people back up and on that they've been in contact over texts and phone calls with me. We keep a checklist with the dispatchers going so that's going down and I would say the public safety people that the fire and police and the DPW guys were great yesterday everyone was in crews in they know obviously we are a skeleton crew but everybody understands up there to be on standby and everybody really pitched in Water Dept., Highway dept., cemeteries I saw it down there myself and Patrick were out there. Rick and Bernie, Donnie everybody kind of just figured let's just let just go get this pick up and helped out however we can and block off roads so it was a tough storm but we got through it and thank God it's out so that's the two updates.

MOTION moved by Mr. O'Neil to adjourn seconded by Mr. Gallivan VOTED roll call Mr. Gallivan-Aye, Mr. Salvatore-Aye, Mr. Barrett-Aye, Mrs. Mackenzie-Aye, and Mr. O'Neil-Aye