

The Board of Selectmen met on Tuesday, December 19 2017 beginning at 7:00pm in the Main Meeting Room of the Town Hall. The following members were present.

Eric Kraus, Chairman
Mark Gallivan, Vice Chairman
Nancy Mackenzie, Clerk
David Salvatore
Ann Ragosta

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

Mr. Kraus called the meeting to order followed by the Pledge of Allegiance. Wished everyone a Happy Holiday and Happy New Year.

APPOINTMENTS

12-9 Public Hearing, Installation of Propane Tanks, Southside Neponset LLC

MOTION moved by Mrs. Mackenzie to open the public hearing for the installation of 3 propane tanks for Southside Neponset LLC, seconded by Mr. Gallivan VOTED 5-0-0

Mr. Johnson explained that Richard Shields is coming before you to install (3)1,000 gallon propane tanks underground.

Tom from Ryan Construction, all the paperwork is in order. Mr. Shields could not make it this evening.

MOTION moved by Mrs. Mackenzie to close the public hearing, seconded by Mr. Gallivan, VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to grant permission to Southside Neponset LLC, 545 South Street to install three propane tanks underground subject to the condition that there be no resale of propane on the site & all tanks and or related equipment must be out of all required setbacks, seconded by Mr. Gallivan, VOTED 5-0-0

12-10 Ground Lease Agreement for Superfund Site

Robin Chapell in 2014 the town entered into agreement to tear down the mill buildings and construct a water treatment system on South Street and part of that agreement is that the town would give them a 99 year lease. Mr. Gallivan, it seems like they are working. Mrs. Mackenzie questioned if the neighbors were happy. Robin stated, yes they are working with the neighbors.

MOTION moved by Mrs. Mackenzie to sign the Ground Lease Agreement for the Blackburn and Union Privileges Superfund site between the Town of Walpole (Landlord) and W.R. Grace & Co.-Conn. (Grace) and Covidien LP formerly known as Tyco Healthcare Group LP (Grace and Covidien together are the “Tenant”) for Lot 33-174 to locate the Ground Water Treatment system on the premises, seconded by Mr. Gallivan VOTED 4-0-1 (Mr. Kraus abstained)

NEW BUSINESS

12-11 Resignation from Historical Commission

MOTION moved by Mrs. Mackenzie to accept with regret the resignation of Melissa Totten from the Historical Commission, seconded by Mr. Gallivan

Discussion:

Mr. Salvatore appreciates the letter she gave the Board. Mr. Kraus agreed and thinks it is the Town’s loss and we thank her for her service to date.

Ms. Ragosta questioned if the Historical Commission has come before the Board. There might be a disconnect between their goals. Give them support. Mr. Johnson had received a request from Sam Obar regarding a request to change some of the bylaws. The Board will invite the Historical Commission in.

VOTED 5-0-0

12-12 License Renewals, Common Victualler, parking Lot, Class I, II, III, Lodging, Motel & Hotel, Entertainment and Sunday Licenses

MOTION moved by Mrs. Mackenzie to renew the licenses for Common Victualler, parking Lot, Dealers and Sellers, Lodging, Motel & Hotel, Entertainment and Sunday Entertainment license as listed in the attached 12-12 document, seconded by Mr. Gallivan VOTED 5-0-0

****The following is the listing of renewed licenses with the exception of the Liquor, and Wine and Malt which are listed on the December 5, 2017 Minutes when they were approved.**

Town of Walpole **Dealers-Sellers 2018**

NAME	ADDRESS	SPACES
Class I (2)		
Minuteman Ford Truck Center	Rte. 1 at Pine St.	
Minuteman Fire & Rescue Apparatus	2181 Providence Highway	
Walpole Mitsubishi	575 Providence Hwy.	max (49) vehicles
Class II (15)		
1-A Auto Sales (Eldoucihi)	1391 Main Street	(12) spaces
Allied Recycling	1901 Main St.	
Auto Brokerage Inc.	1171 Main St.,#2	(12) spaces
Donald R. Urquhart	2080 Main St.	(1) car display only
Goldie's Auto Wholesale	1801 Main St.	
Imotobank, LLC	4-8 Industrial Rd.	Max of 55
JN Group (John Nassar)	1449 Main St.	(10) cars for sale
Kilani Brothers, Inc. N. Walpole Sunoco	215 Main St	(6) for sale (14) overnight
Robert's Garage	1171 Main St.,#1	(5) spaces near bay #1
The Dedham Auto Mall Outlet Store	623 Providence Hwy.	(60) no parking 50 ft. from front lot line
Suburban Auto Technicians	4 Norfolk St.	(10) vehicles
Supa Sales & Service	1900 Main (Zion Property)	15 total, 5 of them are out front
U-Haul d/b/a Boston Trailer Manufacturing Co.	1 Production Rd.	U-Haul Co. of Massachusetts & Ohio, Inc.
Walpole Auto Sales	1701 Main St.	no more than (20) cars for sale
Walpole Collision Center	908 Main St.	(10) outside (20) plus inside
Class III (4)		
Allied Recycling Center	1901 Main St.	
Goldie's	1801 Main St.	
Main St. Auto Body	609 Main St.	
Walpole Auto Sales	1701 Main St.	

Entertainment licenses

NAME	ADDRESS	FEE	AMUSEMENT
------	---------	-----	-----------

Asian Deli	691 Main Street	\$30	Television(1)
204 Washington	204 Washington Street	\$180	Television(4); Radio (2)
99 Restaurant	55 Providence Highway	\$330	Television(9);Radio(1);Music
	990 Providence Highway		
Applebee's	Highway	\$150	Television(4); Radio (1)
Asia	359-401 High Plain		
Treasures	Street	\$90	Television (2) ;Radio (1)
Boylston			
Schul-			Television (1); Radio (1);
Verein	8 County Street	\$120	Music & Dance
Bristol			
Square			
Café	1428 Main Street	\$30	Radio (1)
British			
Beer	85 Providence		
Company	Highway	\$30	Live Music
Clyde's	642 Providence		
Roadhouse	Highway	\$270	Television(8); CD (1)
Chili's Grill	120 Providence		
& Bar	Highway	\$180	Television (6)
Conrad's	905 Main Street	\$570	Television (19)
Dream	90 Providence		50 Coin Operated
Machine	Highway	\$5,000	Machines
Eastern	2275 Providence		
Pearl	Highway	\$120	Radio (1); Television(3)
Farmer in			
the Dell	935 East Street	\$30	Radio (1)
Finnegan's			Radio (1); Television(6);
Wake	7 Glenwood Ave.	\$210	Cass.(1)
Ginjo Sushi			
& Hibachi	887 Main Street	\$30	Television(1)
Italian			
American			Music & Dance;
Club	109 Stone Street	\$120	Television(1); Tape (1)
Jalapeno's			Radio (1); TV (8); Tape (1);
Grill	960-962 Main Street	\$300	Pool Table (1)
Kihei			
Dynasty	741 Main Street	\$60	Television(1)
			Music &Dance; Radio (1);
Napper			TV's (8); Disc
Tandy's	1065 Main Street	\$750	(1); Pool table(1)
Patriot			
Tavern	100-104 Main Street	\$270	Television (9)
Raffael's			
Banquet	1601 Main Street	\$90	Music & Dancing; Cassette
Raven's	996-1000 Main		
Nest	Street	\$210	Televisions (7); Live Music

Lodging, Motels and Hotels

Name: **Address:** **Fee:** **Remarks:**

John Sanzi Lodging House 902 Main Street \$50 Lodging House

KVD, LLC 2200 Providence \$50 Motel License
DBA: Walpole Motel Hwy

17-19 Woodworth Street, 793 Main Street \$50 Lodging House
LLC
d/b/a Old Colony House

S&H Hospitality Realty, 630 Providence \$50 Hotel License
LLC Hwy
DBA: Fairfield Inn &
Suites

Parking Lot licenses

Name	Address	Lot #	# of Vehicles
KCBT, LLC Richard Quinn 672 Common Street Walpole, MA 02081	2265 Providence Hwy 617-201-5402	1	34
Bad Dog Realty Trust Kathleen Salzberg 2245 Providence Hwy. Walpole, MA 02081	2245 Providence Hwy. 508-734-5887	2	45
Hong Kong Eastern Pearl Enterprise d/b/a Eastern Pearl Tiemin Zhang 2275 Providence, Hwy. Walpole, MA 02081	2275 Providence Hwy 781-888-4863	3	80
VNAP Inc. Stephanie Kube 5 Bryant Circle Middleboro, MA	2250 Providence Hwy. 508-367-1994	4	66
Hercules Realty Nicholas Panagopoulos 2 Washington St. P.O. Box 442 Foxboro, MA 02035	54 Water St.(Rear) 508-668-2003	6	26
Millbrook Homes	2255 Providence Hwy.	7	50

Cary Orlandi 20 Young Road Foxborough, MA 02035		508-734-5884	
DV Realty Partners, LLC Jiten Patel 495 Westgate Drive Brockton, MA 02321	2295 Providence Hwy 508-427-1667 2375 Providence Hwy <i>*We realized that the wrong address had been put on the license since they applied**</i>	8	77
		Total spaces	378
Non Stadium Parking Lot			
TMC 100 Elm, LLC Dan Clemmer, Mgr. 200 Wheeler Road Suite 210 Burlington, MA 01803	55 West Street/100 Elm Street 617-807-0963	8	41

12-13 Memorandum of Agreement Walpole Woodworkers Development

Mr. Johnson presented the Board with the agreement with Pulte to develop 186 units for an age qualified development. He is happy with the agreement. Basically everyone is getting what they asked for. Ms. Ragosta is glad that they were able to use this location. It is near Blessed Sacrament, pleased that our older residents have stock when they downsize. Mr. Gallivan likes the idea it is a condo. He thinks this is a real win for the people of Walpole. Discussion on how are they going to address traffic, and it was noted the Planning Board will address that in the Planning process. The town will do a peer review and will address what is needed. The location is between the most dangerous intersections. It was noted the concern is Eastover as it is right across the Street. That might create the need for a traffic light. It was discussed. The on-site sewer pump station will probably be owned by the S&W Commission as they have signed off on it. The Board talked about the gift in the agreement. Because this is age qualified, some would like to see that the \$100,000 gets applied to the senior center. Ms. Ragosta does not see any impact on the fields or Fire dept. Mr. Kraus does not agree with fire, you have people that live there that will need public safety support. Mrs. Mackenzie agreed they will be drawing from the Fire dept. Ms. Ragosta feels the only impact from fire to her is the ambulance and we charge for that. Mr. Gallivan is involved in fundraising, and is comfortable, the way it is, the money is not coming in one big chunk as our needs may change. It will come before this Board at some point,

Mr. Salvatore likes this agreement and a step forward, the money will come into the general fund and then used where it is needed. Pulte was given the option to give a direct gift to any one of these. One agreement was very specific and he likes this one as it is broader. Mr. Kraus would like to see the majority for COA 51% and we could make that an addendum. Ms. Ragosta does not think it should go to recreational fields. Guide it to one or two of these. Mr. Gallivan would like to see

the fields stay there, there will be walking paths. He likes the whole idea of passive recreation. The vast majority of the impact on the town is going to be the senior center.

MOTION moved by Mrs. Mackenzie to enter into a Memorandum of Agreement between Pulte Homes of New England LLC (Pulte) and the Town of Walpole, regarding the proposed redevelopment of all or a portion of property located off of East Street to develop and operate or convey an over 55 residential facility at or near all or a portion of the site known as Walpole Woodworkers and authorize the Town Administrator to sign on the Board's behalf to note the changes the majority of the gift will go to COA or Fire, but still leave fields in there, Seconded by Mr. Gallivan, VOTED 5-0-0

Louis Reed Pulte homes, we did want to add we are sympathetic to that. We are very positive and hopeful for, create a new senior housing. Thank the Board for your cooperation and staff. Thanked all the department heads as they appreciated their input. The Board suggested the more open you can be with the abutters as you progress will go along way, more transparent. Anything they can help with the process they will.

OPEN FORUM- Richard McCarthy, chairman of the COA. We had a senior luncheon and your board showed up in force, the seniors had a great time, very emotional and you really cared about the seniors. This is what I can envision when the new facility is open. Want to thank the Board, police department and everyone that volunteered.

12-14 Lease Agreement Marathon House

MOTION moved by Mrs. Mackenzie to approve of the Lease Agreement with the Walpole Community Food Pantry for the premises known as the Marathon House located at 1301 Washington Street for a five-year period, seconded by Mr. Gallivan VOTED 5-0-0

12-15 Award of Bid/Contract No. 2018-05, Pavement markings

MOTION moved by Mrs. Mackenzie to award contract no. 2018-05 to Hi-Way safety Systems, Inc. Rockland for a three-year contract, seconded by Mr. Gallivan, VOTED 5-0-0

12-16 Award of Bid/Contract No. 2018-03A, Joint Salt Bid

MOTION moved by Mrs. Mackenzie to award contract 2018-03A to Eastern Minerals Inc. for the Joint Salt Bid for a one-year contract @45.20 per ton, Seconded by Mr. Gallivan, VOTED 5-0-0

12-17 One Day All alcoholic, Knights of Columbus

MOTION moved by Mrs. Mackenzie to approve the one-day all alcoholic license to knights of Columbus for January 7, 2018, seconded by Mr. Gallivan voted 5-0-0

12-18 One Day Wine & Malt, Blessed Sacrament

MOTION moved by Mrs. Mackenzie to approve the one day wine & malt license to Blessed Sacrament school for January 27, 2018, Seconded by Mr. Gallivan 5-0-0

12-19 Disclosure John W Lee

MOTION moved by Mrs. Mackenzie to authorize the Chairman to sign the approval of exemption for John W. Lee, seconded Mr. Gallivan VOTED 5-0-0

OLD BUSINESS

Supa Sales- Mr. Johnson informed the Board that at their request he reached out to Attorney Volkin. We came up with this agreement and if they violate any of the conditions they would give up their license and not appeal. It is up to you. The Board had a lively discussion on this at the last meeting. Upon conversation, Mr. Kraus thought we are all pro-business and we do not want to hinder someone making a living in the town. If they agree to XYZ we can take another look at their permit, I felt good about that. This week they still have an A-Frame outside saying they do collision repair. I am at a loss with this.

Ms. Ragosta did see the email where they had a sign. I don't believe that is evidence. Maybe we should have surprise inspections. If we did a spot inspection and there is a violation can we pull their permit? Mr. Johnson will add something in the agreement stipulating that. She is willing to giving them a chance. It was discussed what happens that during this period the violations continue, there should be some recourse. In the event they do not meet certain milestones the Board can take their license. Ms. Ragosta this is a conditional license. Mr. Salvatore felt that pro-business means to me gets treated equally. We are not pro-business when we allow some to not follow the rules. Same rules for everybody, the way you get the same rules is you have rules and process. It is not fair to the other businesses. Mrs. Mackenzie noted they do not have a working septic system, the two boats and all the other cars. My vote is not changing.

12-20 MOTION moved by Mr. Kraus to reconsider the Board of Selectmen's vote of December 5, 2017 regarding the denial of the renewal of Supa Sales & Service Class II license, seconded MG 4-1-0 (Mrs. Mackenzie opposed)

MOTION moved by Mr. Kraus to renew the Class II license for Supa Sales & Service subject to the owners adhering to the conditions set forth in the 2017 Memorandum of Agreement between the Town of Walpole and Supa Cars, LLC d/b/a Supa Sales

and Service and instruct the TA to put language that would revoke the license immediately if they are in violation of the terms, (4-1-0) Mrs. Mackenzie opposed

Italian American Club

Mr. Johnson last year we had a similar situation in place and we came up with a solution for them. In order to keep their license they must adhere to conditions. They have indicated that they will sign off.

MOTION moved by Mrs. Mackenzie to renew the Italian American Club Liquor License subject to them adhering to the conditions set forth in the 2017 Settlement Agreement between the Town of Walpole and the Italian American Club and to authorize the Town Administrator to sign for the town, seconded by Mr. Gallivan

Discussion- Mr. Gallivan likes the agreement I think it is a high bar for them to meet. I am in favor of this.

VOTED 4-0-0 (Mr. Salvatore left the room)

CONSENT AGENDA

MOTION moved by Mr. Salvatore to accept the gift with thanks from the Friends of Walpole Community Athletic Complex in the amount of \$121,750 restricted to replacing the turf surface at Turco Field, seconded by Mrs. Mackenzie

Mr. Kraus I cannot thank enough to Paul Falvey, and others. This is incredible heart felt thanks to the group. Mrs. Mackenzie in 2005 they raised over 1.25 million dollars for the field.

VOTED 5-0-0

TOWN ADMINISTRATORS UPDATE

The Town Administrator of Medfield asked if we would be interested in a joint Veteran's Agent. They have only two residents that receive benefits. They will pay for a 1/3 of his salary. I would like to move forward with this agreement.

Mr. Kraus wanted to know how this is going to work, if Jon Cogan is working for both. Jon feels that he can handle the workload. I would not be looking to add more staff. Board wanted to know how the compensation would work. It was explained that initially we will pay his salary and they will have to pay 1/3 of the salary, the workload is less than our town. It would have to be an annual agreement as they may gain Veterans. I asked K&P to draft something and then you can consider it in January. Mr. Gallivan likes the concept, give it a try, I like a one year agreement. Mr. Salvatore thinks they can also look at some other part time position that we can share with other municipalities. I say explore it, a few of us should meet with the VA. Mrs. Mackenzie thinks that it is great for Walpole he has been helping out there.

He thinks it is ok as far as Walpole goes and we will be getting 1/3 of salary back. They are basically leasing our VA. Six months in we get an update and then at the nine month mark we can determine if we wish to do it again. The state requires the town to have an MOU with Medfield.

Community Development Director- the last time we had an updated design planner. I need to get going on recruiting someone on this. I think job title is job title but I need someone there doing the work. Laying out to you and Nancy and I can continue to work on this. We need someone up there helping. Mr. Kraus the question is what is the need. If we call it a planner or something else is irrelevant. Ms. Ragosta for Job description it is just a title. Is it a matter of the job requirements? This requires certification. This position works for the land use Boards. Mrs. Mackenzie thinks they have to be pushed together. There are things in both job descriptions and she likes Land Use Coordinator. That is planning. Make the new job description. She has had a lot of feedback. When we switched it over we knew we would have to come back to this.

Mr. Johnson can modify and strike the Community Development out of the salary schedule and call it Land Use Coordinator. Mr. Salvatore feels they need someone with a strong background in planning we have had disasters at T. Mtg over the past years. Review the code in its entirety and where we are going forward, the downtown is going to change in the next few months. Need someone with a strong direction, this is a fine opportunity.

Mrs. Mackenzie felt it would be very helpful when decisions are being written. We want to get these all into a data base. I am thinking the word Town Planner may give it more power. Town Planner and Community Development Director.

MOTION moved by Mrs. Mackenzie to approve the minutes of November 14, 2017 and December 5, 2017, seconded by Mr. Gallivan VOTED 5-0-0

MOTION moved by Mrs. Mackenzie to approve the minutes of November 21, 2017 seconded by Mr. Gallivan VOTED 3-0-2 (Mr. Kraus and Mr. Salvatore abstained)

EXECUTIVE SESSION

Chairman Declaration:

Pursuant to G.L .c.30A, §21(a) (3)& (2) purpose of the session will be to discuss strategy with respect to

- . conduct strategy for collective bargaining sessions in preparation for Negotiations with the Firefighters Union and Dispatchers Union; and
- . to negotiate and Vote contract with non-union personnel, Chief John Carmichael and potential employee contract with Finance Director Marilyn Thompson

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. Kraus to enter Executive Session under G.L. C30A, Section 21 (a) (3)&(2) for the purposes declared by the Board's chairman , seconded by Mr. Gallivan, VOTED by roll call: Mr. Salvatore-Aye, Mrs. Mackenzie-Aye, Ms. Ragosta-Aye, Mr. Gallivan-Aye and Mr. Kraus-Aye

The Board returned to open session for the purposes of adjourning at 10:35 pm

MOTION moved by Mr. Gallivan to adjourn, seconded by Mr. Kraus, VOTED 4-0-0(Mrs. Mackenzie had left the Meeting during Executive Session)