

A Regular meeting of the Board of Selectmen was held on Tuesday, October 6, 2015 in the Main Meeting Room of the Town Hall beginning at 7:00pm. The following members were present.

Clifton Snuffer, Chairman
James Stanton, Vice Chairman
David Salvatore, Clerk
Mark Gallivan
Eric Kraus

Also present
James Johnson, Town Administrator
Cindy Berube, Asst. Town Administrator

Mr. Snuffer called the meeting to order followed by the Pledge of Allegiance

ANNOUNCEMENTS AND PROCLAMATIONS

Mr. Snuffer announced the Jarvis Harvest on October 17, 2015. Tomorrow at OPR school Family walk to school morning, you and your family can walk to school and tour it a bit. WCTV workshop will take place on October 13, 2015 (square table fashion on the floor) Will be working on a variety of things, bylaws, budget and more. The Dam program, on 10/13 the Governor is going to announce the awards. We have applied and hope to get the award. On 10/27 that Spectra Energy has agreed to come before us on an informational session. He is interested that Walpole is looking to ask him questions.

SPONSORED AGENDA ITEMS

7:00pm Pre Tax classification workshop

Jack Fisher spoke to the Board about the upcoming Classification hearing. In November each year there is a hearing before the Selectmen and the tax rate is set at that time. They will have a 25 page presentation. Will ask the Board to decide the residential factor, because of changes at DOR they were concerned. The Assessors will before the Selectmen on November 3. There has been concern that you had not enough time to understand the material. If you would like to have a joint workshop let us know or meet with any of us. That is an offer. What happens if it happens and they are late in getting back to us? Mr. Fisher explained the tax bills do not go out in time. It is important to make that decision.

10-2 **Halloween Parade**

This is the annual event.

MOTION moved by Mr. Salvatore to approve the request to hold the annual Halloween parade on October 31 at 10am, seconded by Mr. Kraus, VOTED 5-0-0

10-3 **A-Frame Request**

MOTION moved by Mr. Salvatore to approve the request of the JWCW to place an A-Frame on the common from 10/30-11/13 to announce their annual beer, wine and spirits tasting to benefit American Veterans seconded by Mr. Stanton, VOTED 5-0-0

10-4 **Starline Limo**

The Board is in receipt of a request from Starline Limo to operate within the town's boundaries. This request is needed so they may pick residents up from the airport.

MOTION moved by Mr. Kraus to approve the request to send a letter to the Massachusetts Port Authority that the Town has no objection to Starline Limo operating within the town's boundaries Seconded by Mr. Stanton, VOTD 5-0-0

10-5 **Award of Bid Contract, 2016-02**

Mr. Johnson has worked with this company in the past and no problems.

MOTION moved by Mr. Johnson to award of Contract No. 2016-02 for the cleaning and redevelopment of gravel packed wells to Denis L. Maher Co., LLC, Ayer Ma for a lump sum price of \$79,656.00, seconded by Mr. Kraus VOTED 5-0-0

10-6 **Award of RFQ, Contract , 2016-05**

Mr. Johnson recommends Favorable Action on this. This is for the work to take place on Lincoln Road and Granite. Mr. Snuffer noted that the TA and the Supt. of S&W, stated it is estimated cost may up to 3 million dollars. I have requested of the TA and Supt. for a Pro forma budget. This is in the high millions.

MOTION moved by Mr. Kraus to award Contract No. 2016-05 to AP Associates, Inc., Millis Ma for an amount not to exceed \$61,800, seconded by Mr. Gallivan, VOTED 5-0-0

8:12 pm 10-7 **Fall Town Meeting Articles 14-28 and 34**

Mr. Snuffer noted there is a tiny technicality, the articles published were discussed at FinCom and PlanBd. Has the scope been altered? Is this change the FinCom main Motion?

Article #14

MOTION moved by Mr. Snuffer to recommend **Favorable Action** on Article 14, seconded by Mr. Kraus, VOTED 5-0-0

Article #15

MOTION moved by Mr. Snuffer to recommend **Favorable Action** on Article 15, seconded by Mr. Kraus 5-0-0

Article #16

The Planning Board amended this article at the public hearing.

MOTION moved by Mr. Snuffer to recommend **Favorable Action** on Article 16 as advertised, with a modification to line 5.B.4.dd, leaving SPZ under the LM and IND, seconded Mr. Kraus, Voted 5-0-0

Article #17

MOTION moved by Mr. Snuffer to recommend **Favorable Action** on Article 17, seconded by Mr. Kraus VOTED 5-0-0

Article #18

Mr. Snuffer pointed out that one concern with the articles is how much water is 15,000 gallons per day. It is not troublesome. The language made if Favorable.

MOTION moved by Mr. Snuffer to recommend **Favorable Action** on Article 18 as advertised, with a modification to the subscript note following the word “bar”. Modifying it to read “bar²” rather than “bar³”, seconded by Mr. Kraus VOTED 5-0-0

Article #19

MOTION moved by Mr. Snuffer to recommend **Favorable Action** on Article 19, seconded by Mr. Kraus, VOTED 5-0-0

Article #20

MOTION moved by Mr. Snuffer to recommend **Favorable Action** on Article 20, seconded by Mr. Kraus, VOTED 5-0-0

Mr. Salvatore wanted to go back and talk about Article 17, question about the 180 days for things like Halloween store. Mr. Snuffer suggested leaving the vote the way its, if you have an interest, we can then make a motion to reconsider.

Article #21

MOTION moved by Mr. Snuffer to recommend Favorable Action on Article #21, seconded by Mr. Kraus VOTED 5-0-0

Article #22

MOTION moved by Mr. Snuffer to recommend Favorable Action on Article #22, seconded by Mr. Kraus VOTED 5-0-0

Article #23

MOTION moved by Mr. Snuffer to recommend Favorable Action on Article #23, seconded by Mr. Kraus VOTED 5-0-0

Article #24

MOTION moved by Mr. Snuffer to recommend Favorable Action on Article #24, seconded by Mr. Kraus VOTED 5-0-0

Article #25

MOTION moved by Mr. Snuffer to recommend Favorable Action on Article #25, seconded by Mr. Kraus VOTED 5-0-0

Article #26

MOTION moved by Mr. Snuffer to recommend Favorable Action on Article #26, seconded by Mr. Kraus VOTED 5-0-0

Article #27

MOTION moved by Mr. Snuffer to recommend Favorable Action on Article #27, seconded by Mr. Kraus VOTED 5-0-0

Article #28

MOTION moved by Mr. Snuffer to recommend Favorable Action on Article #28, seconded by Mr. Kraus VOTED 5-0-0

Article #29

Mr. Johnson explained this relates to open space residential development. T. Counsel reviewed and offered comment. It would be appropriate to make a date when this would end. Mr. Snuffer is open space the way it is delineated the way it was intended. It has changed; people see it as a profit.

MOTION moved by Mr. Snuffer to recommend Favorable Action on Article 29 as advertised, with the addition of a definitive end date to the proposed temporary moratorium of October 31, 2016, seconded Mr. Kraus

Mr. Salvatore the purpose is to do more regulation of that study. Mr. Snuffer explained it would need this action to give them a year to look at this. It will take thirty days after town meeting for the study.

VOTED 5-0-0

Article #34

Mr. Snuffer noted the first signature is the lead petitioner that was based on all the approaches made by individuals. I think it is clear that Mr. O'Leary has tried his best. The individual has not appeared at any meetings. The night of the public hearing, Mr. Abbott was there and much opposed to this and offered logical commentary as to why this would confuse the situation.

MOTION moved by Mr. Snuffer to recommend No Action on Article #34, seconded by Mr. Kraus VOTED 5-0-0

Article #8

Jim asked the Board not to vote on this article until we get closer to Town Meeting.

10-8 Environmental Protection Insurance, South St

David Labonte and Robin brought to our attention that we should have some insurance for the South St. site. We solicited multiple bids. I don't want to be the person to not recommend insurance. It probably is a good protection for the town.

Mr. Snuffer, questioned in choosing the bid you did vs the range which is substantial, have you endangered the liability coverage that we might need going forward.

Ms. Chapell explained the town has protected us with the covenant not to sue, the superfund laws the Federal government. But a third party can always sue us, worker, someone walking on our site. Mr. Labonte explained what the coverage would do. The limit is a 5million limit it is a 10 year policy. Chub has a good comfort level as to what they are insuring the town for.

Mr. Kraus asked Mr. Johnson if it is his recommendation for A &B Mr. Stanton questioned is there an attachment that shows a map. Mr. Johnson reported that MIIA asked for the Assessors card and he will ask David to include a map to show specifically where we are covered. Mr. Labonte stated that Chub has a good understanding of the boundaries of the site and they are comfortable with it. Ms. Salvatore questioned if the area under the rail bed is that included. Ms. Chapell stated yes, it is part of the superfund

site. So this covers if we spill something. Mr. Labonte stated they look to make sure the Town is protected.

Mr. Snuffer one reason he had questions, he had heard a person we have great respect say he does not think we really need insurance. This does not deter the Responsible Party from their responsibilities. The coverage will extend into the river area.

Mr. Gallivan hates spending this money on insurance. I am in favor of this. I do not like the idea of spending this kind of money.

MOTION moved by Mr. Kraus to authorize the Town Administrator to sign the agreement for Environmental insurance for the South Street Site for coverage A & B and for a map of the covered area to included in the agreement., Seconded by Mr. Gallivan, VOTED 5-0-0

10-9 **Affordable Care Act Policy**

This is a byproduct of Obama Care. Drafted by labor counsel. We are complying with the federal law. We know of no one that could be impacted by this. But we will keep an eye on this. It is possible that some may fall under the agreement. Mr. Snuffer stated what he has learned about the affordable care act is there is nothing that I trust.

They have to hit the twenty hours a week, 52 weeks a year. The School Committee supported this. What would happen if we do not adopt a policy? Mr. Johnson explained the feds are mandating we adopt a policy. Mr. Snuffer will be on the record as abstaining. Mr. Johnson noted that counsel stated this policy protects the town and schools for the lookback period. Mr. Gallivan explained parts of the ACT he has concerns but feels it is important to adopt the policy. As far as the 20hr and 30hr threshold , we will have to keep an eye on this. Mr. Johnson explained if we do not adopt this we could open ourselves up to a violation of the Affordable Care Act.

MOTION moved by Mr. Gallivan to accept the Policies and Procedures for health insurance under the Federal Affordable Care Act, seconded by Mr. Kraus

VOTED 4-0-1 (Mr. Snuffer abstained)

7:30pm OPEN FORUM No one present

10-10 **Request for Honor Guard**

Request from Walpole High School Alumni to bring rifles on school grounds during the Veteran's Day memorial service. Richard McCarthy, and John Robinson explained, last year they decided to host a party to raise money for the High School for a memorial plaque. Any veteran that died in combat that attended school in Walpole. Looking for anyone else that we may have missed. We do have open area on there.

Our committee, has decided instead of holding the day downtown we would hold it at the High School. New one of the concerns is the firing detail. The main focus is to cover all grounds for bringing rifles on school property. MGL does outlaw guns on School grounds. Need written authorization from you.

Mr. Salvatore noted it is not a school day. They will attend the school committee meeting and announce to them Mr. Johnson spoke to Supt Lynch he has no issue. Mr. Snuffer noted they recovered 33 people that attend WHS and were killed in action.

MOTION moved by Mr. Kraus to allow the Veterans Honor Guard to bring their rifles on school grounds for the November 11, 2015 memorial presentation this permission is subject to the School Committee approval, seconded Mr. Stanton, VOTED 5-0-0

10-11 **One Day All Alcoholic Liquor**

MOTION moved by Mr. Kraus to approve the one day all alcoholic liquor license for Knights of Columbus on October 17, 2015, seconded by Mr. Salvatore, VOTED 5-0-0

Town Adm Update

Town Clerk-Personnel Board has recommended changes to the Town Clerk position job description. Please review and get back to me. Mr. Salvatore would not exclude lawyers from this. He asked the Board to let him know by Thursday Friday.

Constable Appointment

MOTION moved by Mr. Kraus to appoint Deputy Chief Mackenzie as a Constable for the Town of Walpole , seconded by Mr. Stanton, VOTED 5-0-0

PUBLIC HEARING FOR LIQUOR VIOLATIONS

MOTION moved by Mr. Gallivan to schedule the Public Hearings for the Alleged Liquor Violations for Dalton's Package Store, Jalapeno's Grill, Palumbo's liquor store, Red Wing restaurant, Tee-T's Lounge on November 17, 2015 beginning at 7:00pm., seconded by Mr. Kraus VOTED 5-0-0

Walpole Media Corp Board Interview for October 20th

South St- The demo contractor was on site. Will not see the buildings come down for a couple of weeks. We are on track to get these down.

Town Meeting packets and warrant have been delivered.

OLD BUSINESS

NEW BUSINESS

Mr. Kraus will attend the perambulate of the boundaries with Medfield.

Contact MMA to send electronically and PowerPoint to us so Board members can have a copy.

MINTUES

MOTION moved by Mr. Kraus to approve the minutes of July 28, 2015, seconded by Mr. Salvatore, VOTED 4-0-1 (Mr. Stanton abstained)

MOTION moved by Mr. Kraus to approve and release the Executive Session minutes of July 14, 2015 , seconded by Mr. Stanton, VOTED 5-0-0

MOTION moved by Mr. Kraus to approve the minutes of September 8, 2015, seconded by Mr. Salvatore, VOTED 5-0-0

MOTION moved by Mr. Stanton to approve and not release the Executive minutes of September 8, 2015 seconded by Mr. Salvatore, VOTED 5-0-0

MOTION moved by Mr. Kraus to approve the minutes of September 15, 2015 , seconded by Mr. Stanton, VOTED 5-0-0

MOTION moved by Mr. Kraus to adjourn at 9pm, seconded by Mr. Stanton, VOTED 5-0-0