

Regular meeting of the Board of Selectmen convened at 7 p.m. on Tuesday, June 27, 2017 in Room 34, the Harry B. Butters Chambers, Norwood Memorial Municipal Building, with the Pledge of Allegiance, and a silent moment of prayer and reflection. Meeting is Recorded.

Present: Chairman William J. Plasko, Helen Abdallah Donohue, Paul A. Bishop, Allan D. Howard and Thomas F. Maloney. Also present General Manager John J. Carroll, Clerk Frances L. Jessoe and Assistant Christina Mulvehill.

#### Appointments

##### 7:00 P.M. – Concerts on the Common:

Committee Chairman Paul Eysie thanked all the committee members and acknowledges the sponsors and all who contribute to the concerts. He read the names of the sponsors according to category and the names of the restaurants who donated gift cards as raffle prizes to be given out at the concerts. Mr. Eysie also spoke about a founding member of the committee 24 years ago, the late John McDonagh. He took care of the sound system and organized the bands and because of him everything was flawless. He helped get the concert series off the ground. This entire concert series this season will be dedicated to John McDonagh. Also, there is a time change. The concerts will now be at 6 p.m. to 8 p.m. Barbara Kinter said they are fortunate this year to have all the sponsors back. Olga Abdallah spoke about the sponsors and many of them are the same and have been for years. She thanked the members of the Board of Selectmen because they have been an important part of Pop's night. She also thanked Town Manager John Carroll. She asked everyone to come and bring the children-everyone is welcome.

Chairman Plasko and all the members of the Board thanked the committee for all they do. The first concert is Sunday, July 2, 2017 at 6 p.m.

##### 7:20 P.M. Cont'd (PH)- Keith Daye, BK Auto Body, LLC, 169 Railroad Avenue Rear:

Submitting application for Class II License. Keith Daye was present. Chairman Plasko discussed a few requests that he had made to Mr. Daye. Mr. Daye said he was told they didn't need a plan at the Building Department as this license is only for one car inside.

Chairman Plasko inquired asked about the eviction process of Mr. Elias. Mr. Daye had told the Board at the last hearing that he had started the process, but this was actually started after the Board's meeting. Selectman Bishop said the order was served by a constable on June 8, but our original hearing was in May, but the Board was told that it was in the works, it was not. Chairman Plasko clarified one car in the back of the building with the access near the Shamrock. Mr. Daye said he would be in the back of the building. Chairman Plasko said as he has stated before he is opposed to this because it wouldn't be his principle business, it will be an accessory to the auto body shop and he doesn't feel that location is appropriate as your people would ride in behind the bar to an unpaved alley way. There are cars parked back there and there is one car on its side wedged between two buildings and he doesn't feel that is an appropriate place to do business of this type. He is opposed to this. Mr. Daye said he isn't doing a business as that, he is doing a business as a body shop back there and he is not doing it as a car sales lot-he is not doing that. Mr. Daye said that he will buy one car at the auction, fix it and go his way-he will not keep it outside as this is not allowed. Chairman Plasko said that he understood that.

Selectman Donohue inquired if the prior occupant of that building had a car license. The Clerk said that Tom's Auto Body was there and they had a Class II license to sell one car. Selectman Donohue said we didn't have any problems there. Chairman Plasko said he voted against Tom's license as well for the same reasons as he stated regarding this application. Selectman Donohue said this license for one car gives him the right to go to the auction. Selectman Donohue inquired how many people will be working there. Mr. Daye said just his cousin and himself. Selectman Donohue said personally she felt it would be ok to have a license for one car as it is a two person license and having the ability to go to the auction would be a huge help for the applicant.

BK Auto Body (cont'd):

Selectman Donohue also stated that if this Board did feel that they could grant this license as Mr. Tom DeLuca had operated for 30 years with no violations, if we heard that there was a problem the Board would be disappointed. Selectman Donohue said she would be willing to trust him and give him a chance.

Selectman Maloney inquired how long Mr. Daye had been at that location. Mr. Days said for almost 5 years. Selectman Maloney inquired what his plans are for the front building when he evicts Mr. Elias. Mr. Days said he would be moving to the front and hoping to come back to the Board to get a sticker machine in the back if allowed by the Registry or a detail area or keep cars in the back. Selectman Maloney stated that the license request is 169 Railroad. Mr. Days said he will keep the cars at his property in Brockton. Selectman Maloney inquired what recourse the Board would have if we become disappointed by the recipient of the license. Selectman Donohue said we could revoke this. Chairman Plasko said the licenses get renewed every year. Selectman Maloney said he would be willing to give them a chance, due to the person that came in for a reference was a leading citizen in Norwood and see what happens. Chairman Plasko referred to him operating for five years. Mr. Daye said he was at another location, but the front was still Mr. Elias. He said he would have moved the car if the Fire Marshall told him to do it, but no one had a problem with him they had a problem with Elias and he is fixing that problem right now.

Selectman Bishop said he will vote against this because there is no plan as the Board asked and at the main meeting the Board was told that an eviction was taking place and no documents came from the Court house until June 5<sup>th</sup> and served on June 8<sup>th</sup>. He said that after discussions with other outside agencies that he is not going to talk about, he didn't feel that it was in the best interest of the neighbors and the Town of Norwood to issue this permit.

Selectman Howard said in talking with the neighbors, he gets the impression that is not the location to have a used car license. He is opposed.

Chairman Plasko inquired if anyone would like to speak in favor or against the application. Seeing none, on motion of Selectman Bishop, seconded by Selectman Maloney, voted to close the hearing. On motion of Selectman Donohue, seconded by Selectman Maloney, voted to approve the application for a Class II License. Chairman Plasko, Selectman Bishop and Howard were opposed. The motion lost 2-3.

Mr. Days said he is going to appeal with his attorney as Mr. Dempsey said he didn't have any problems with him. Chairman Plasko said the vote has been taken. Mr. Daye said he is being discriminated against. Selectman Bishop felt that it is his obligation as a citizen of Norwood to investigate as much as possible and get all the information he can and base his decision on that information. Mr. Daye said he feels he is being discriminated against and will see the Board in court. Chairman Plasko stated that the hearing is over and the Board has made its decision.

7:40 P.M. (P.H) – James J. Juliano, Yankee Spirits, Inc. 942 Boston Providence Turnpike:

Application for transfer of AAB Package Store from GWRP Enterprises, dba the Wine X Press, 151 Boston Providence Turnpike, Peter Kessel Manager.

Notice was read and public hearing was declared open on application which has been made to the Licensing Board of the Town of Norwood for the transfer of the All Alcoholic Retail Package Goods Store license from GWRP Enterprises dba the Wine X-Press, 151 Boston Providence Highway, Peter Kessel Manager to Yankee Spirits, Inc., 942 Boston Providence Turnpike, Jose G. Santos, Manager, of the license under Section 15, Chapter 138 of the Massachusetts General Laws, as amended, for the sale of All Alcoholic Beverages not to be drunk on the premises. Description of premises is as follows: two floors in two-story building, 8 rooms, 1 entrance, 4 exits with area totaling 24,287 sq. ft.

Selectman Donohue recused herself as her family owns a liquor store. She said that she would leave the room if the applicants requested or if not, she would stay and not take part in the hearing.

Yankee Spirits (cont'd)

Atty. James Hilliard represented Yankee Spirits and introduced James Juliano who is president of Yankee Spirits and also Joe Santos who is the proposed manager. Attorney Hilliard described the proposed location which is the former Roll Land which is 22,000 sq. ft. of floor space and 2300 on the second level. This is the only package store on Route 1 that is all alcohol. He said that they Yankee Spirits started in 1971. They initially owned 3 stores; Sturbridge, Southbridge and Rockland. Its primary offices are in Sturbridge. They currently own Sturbridge, Attleboro and Swansea. In their 46 years they have had one violation. Joe Santos the manager has been in business for 17 years and he presented his resume and experience. He has never had an ABCC violation. He and everyone in the store will be TIP's certified. Mr. Juliano is the president of the business was actually in Norwood for ten years with Bacardi Rum and he resides in North Attleboro. The intended hours of operation will be 9 a.m. -9 p.m., Monday through Thursday; Friday and Saturday 9 a.m. – 10 p.m.; and 10 a.m. to 6 p.m., Sunday. They will be hiring all new staff -- 35-40.

Selectman Bishop commended Mr. Santos on his work ethic and said he would be confident in him running a store in Norwood.

Selectman Howard inquired if this is a discount liquor store. Mr. Santos said they have a large selection. Selectman Howard said he was confused that it is not an auto business. Mr. Hilliard said Mr. Spiegel had two prior prospective tenants but both required variances and/or special permit from zoning board and that can become a problem. Mr. Hilliard said the length of time it took to get the license, the people went to another location. This is a matter of right as retail is allowed. Selectman Howard inquired if it would be facing Route 1. Mr. Hilliard said that the Honey Baked Ham will face Route 1 – you will enter from Route 1.

Chairman Plasko inquired if anyone would like to speak in favor or against the applicant, seeing none, on motion of Selectman Bishop, seconded by Selectman Howard, voted to close the hearing.

On motion of Selectman Howard, seconded by Selectman Bishop voted to approve. The votes on both were 4 to 0. Selectman Donohue abstained.

7:50 P.M. – Supt. James Collins, Norwood Light Department:

Temporary Generators The Manager said that Mr. Collins is recommending installing 2 megawatt generators off Route 1 in the Ellis area where the animal control shelter is to come on at peak hours and shave our peak load and we will save \$450,000 in purchase of power cost over two years.

Mr. Collins said they have been looking at installing peak shaving generators for a long time. He said they would like to try this with a temporary generator and for the whole summer it would run maybe 30 to 60 hours. The earliest would be 11 a.m. It will not run at night and will be quieter than Route 1. He wanted to try this for a couple of months. Discussion continued. Mr. Collins said Norwood's peak last year was in August. He said a lot of the savings won't start until next year. Selectman Howard discussed the peak with Mr. Collins and he supports this. Selectman Donohue asked where it says how much it costs to do this. The cost to rent the unit is \$45,000 per month and we would rent until mid-September. Mr. Collins said you would save \$466,000. Mr. Collins explained the cost. The main savings is in the capacity cost. It is a trailer on wheels which will be taken away after the summer. Selectman Howard inquired about the winter peak and Mr. Collins said that is not as high as the summer peak.

On motion of Commissioner Bishop, seconded by Commissioner Maloney, voting in their capacity as Electric Light Commissioners, voted to authorize the General Manager and the Superintendent of the Norwood Light Department to implement this request for the temporary generator.

8:00 P.M. – Executive Session: -CANCELLED

Avalon Bay, Forbes Hill Litigation

New Business

Paul Halkiotis, Director of Community Planning & Economic Development:

On motion of Selectman Maloney, seconded by Selectman Bishop, voted to file notice that the Town has been awarded a \$20,000 Municipal Vulnerability Preparedness Grant which will be used to assist in identifying vulnerabilities to climate change. The Town also received a \$15,000 grant from MEMA for updating Hazard Mitigation Plan.

Comcast:

On motion of Selectman Donohue, seconded by Selectman Maloney, voted to file notice of channel changes.

Lucas Environmental, LLC, Quincy:

On motion of Selectman Donohue, seconded by Selectman Maloney, voted to file copy of environmental form re Wendy's Restaurant and BJ's Gas Station.

Donald Joseph Levangie and Ethel Levangie, 188 Damon Road, Needham:

On motion of Selectman Bishop, seconded by Selectman Howard, voted to approve application for a Second Hand Dealer's License to operate Hollie's Place, 61 Endicott Street on Friday and Saturday from 10-5 and Sunday 12-5, and waive req. of sections 2 and 4 through 8 inclusive of junk dealer's by-law. It is not necessary to invite them in.

Russ Maguire, Norwood Memorial Airport:

Submitting for signature of the Chairman MassDOT grant assurances for a recent grant totaling \$5,480 to replace the airport's rotating beacon. Selectman Bishop said he has some problems with some requirements by Mass DOT as it means this Board loses certain rights with how they deal with the Airport Commission. Chairman Plasko said he has concerns as well, but we could make a motion to approve this and over the next year of the term get information from Brandon Moss, Town Counsel and then speak with the Airport Commission. On motion of Selectman Bishop, seconded by Selectman Howard, voted to authorize and direct the Chairman to sign.

Thomas J. McQuaid, Town Clerk and Accountant:

- a. On motion of Selectman Donohue, seconded by Selectman Bishop, voted to approve appointment of election officers and alternate election workers.
- b. On motion of Selectman Donohue, seconded by Selectman Bishop, voted to file notification that the additions to the Norwood Town By-Laws (Revolving Funds and Community Preservation Bylaw) that were voted at the Special Town Meeting on May 8, 2017, were approved by the Attorney General on June 14, 2017. They have been posted in 11 places in town on June 22<sup>nd</sup> and a legal notice will be printed in the Norwood Record on June 29 and July 6, 2017.

Kim Florek, 151 Rock Street:

On motion of Selectman Donohue, seconded by Selectman Maloney, voted to hold until the Manager's Agenda copy of petition signed by residents of Rock Street regarding car dealership employees parking and speeding on Rock Street.

Supt. Travis Farley, Recreation Department:

On motion of Selectman Donohue, seconded by Selectman Maloney, voted to file notification of Ribbon Cutting for bath house at Hawes Pool on Thursday, July 13, 2017 which has been changed from 2 p.m. to 11 a.m.

Mark Good, Treasurer & Collector:

On motion of Selectman Bishop, seconded by Selectman Donohue, voted to approve request for Municipal Relief Transfer of \$25,000 to fund the Medicare Employer Share Budget.

Unfinished Business

Community Preservation Committee:

The Board appointed Robert M. Thornton, John Hall, Joe Greely and Peter McFarland. The terms according to the amendment offered at Town Meeting are as follows: (2) members for a term of (1) year, (1) member for (2) years, and one member for a term of (3) years; thereafter upon reappointment the terms will be (3) years.

Mr. Thornton and Hall were appointed to three years in error . On motion of Selectman Maloney, seconded by Selectman Howard, voted to change Mr. Hall to one year with subsequent 3 year terms.

Rep. John H. Rogers:

On motion of Selectman Howard, seconded by Selectman Bishop, voted to file information regarding "An act regarding the positions of Town Clerk & Town Accountant" which was passed by Town Meeting. This has been accepted as H. 3748 and co-sponsored by him and Senator Rush. He anticipates that the bill will be heard by committee in the coming weeks and he will keep the Board apprised.

Memoranda

Mark Ryan, Director DPW/ Town Engineer:

On motion of Selectman Bishop, seconded by Selectman Howard, voted to file monthly report of department activities.

Selectmen's Addenda

Selectman Donohue

Happy 4<sup>th</sup> of July and try and participate in the wonderful programs here in Town. There are many activities in Town.

Congratulations to Claire Murphy. Thank you for your years of service for the Town in the Planning Department. She has done a wonderful job.

Selectman Howard-please enjoy the parade and the Sunday night concerts.

Selectman Bishop

Reminded manager about lawn damage at 191 pleasant Street that he talked about on May 23. Manager said they have a work order – he will speed it up.

NPATV

They received an award for overall excellence in educational and government programming. He discussed the Lead Program which also won an award-this is the Special Education program at Norwood High School

July 4<sup>th</sup> sponsors

Mr. Cooper asked to mention some of the big sponsors-they are Peter Catanese, aka Central Auto Group Motors, Norwood Bank, Kinoshian family at Lustre Cleaners, Joe Lorusso and family and Mario Susi and Son. On motion of Selectman Bishop, seconded by Selectman Howard, voted to accept the donations, under Chapter 44, Section 53A. Have a safe holiday.

Selectman Maloney

Happy healthy retirement to Supt. Jim Hayden. It was a pleasure to work with him and he brought stability to the Department who needed it 7 years ago.

Tilton memorial –tomorrow is the 80<sup>th</sup> anniversary of a proclamation on the occasion of the birthday of Walter F. Tilton. It hangs at the top of the stairs -2<sup>nd</sup> floor town hall. It is signed by about 250 citizens of the town with many names you will recognize. He said Nicholas Abdallah, grandfather of Selectman Donohue signed this proclamation.

Manager's Agenda

On motion of Selectman Donohue, seconded by Selectman Maloney, voted to approve Municipal Relief request for DPW.

On motion of Selectman Maloney, seconded by Selectman Howard, voted to approve Municipal Relief request for Town Counsel. Chairman Plasko said that he is upset because we went to town meeting on this and didn't ask for enough even though the Manager was asked.

Spread sheet record for Municipal Solid Waste and Recycling.

Selectman Howard said he thinks we are missing the boat on this and would like to see more effort to remind people to recycle. He suggested utilizing the light bill periodically. On motion of Selectman Maloney, seconded by Selectman Howard, voted to file.

Subject to the Board's approval, the appointment of Michal Bergeron to the Conservation Commission. On motion of Selectman Donohue, seconded by Selectman Bishop, voted to approve.

Commendation for two brother Police Officers who saved woman from drowning.

Chairman Plasko said we have commendations for them. Nice work on their part. Selectman Howard said this is a tribute to their father, Jake Riley. Selectman Donohue said from a women's point of view, they got great training from their mother too. Rosemary Riley has been a nurse her whole life and was the head of the school nurses. This is Officers Brian and Kevin Riley. Mrs. Riley is also on the Board of the Circle of Hope. Selectman Donohue also spoke about other members of the family. She is so proud of them. Selectman Bishop asked permission to have those officers come before the board. This case they went far beyond the call of duty. Selectman Howard seconded the motion.

Manager brought up muni relief transfer for the Fire Department that was not on his agenda. He said that this went to the Finance commission first. On motion of Selectman Bishop, seconded by Selectman Howard, voted to approve. This was not placed on his agenda.

Recommending the Board approve temporary generator rental. This will be discussed with Mr. Collins during his appointment.

Recommending the Board accept a donation for paving from National Grid for \$84,756 in lieu of placing a permeant patch on area streets.

Chairman Plasko inquired if we got money for Washington Street. He asked the Manager to check on this. Selectman Donohue asked if this money is adequate. The Manger said this will supplement. Selectman Donohue said they should pay for it, why should the tax payers pay for it. The Manager said you can't make them do it-you would have to change the general laws. The Manager said the patches have been done and some of the streets are going to be paved anyway. On motion of Selectman Bishop, seconded by Selectman Maloney, voted to accept the donation from National Grid under Chapter 44, Section 53A.

Update on the Hawes Pool Bathhouse. It will be postponed to this Saturday.

Parking complaints from residents on Rock St.

Chairman Plasko said that there is a letter from Mr. Ryan on the late agenda and he is recommending 2 hour parking signs and felt that 400 feet would be adequate. Chairman Plasko said that he had the same suggestion-but he didn't think you could just restrict Rock Street, you would have to restrict Neponset Street and the entire area otherwise they will just move from one corner to the next. The Manager said he wants it to be all day, because the Police Chief said that 2 hour parking is very difficult to enforce. Chairman Plasko said we should run this idea by the neighbors before we do anything. Selectman Howard inquired if we could put temporary signs up. Selectman Howard made a motion to have final discussion in two weeks but have temporary no parking signs put up now. Manager said it won't work to rush down and put signs on Neponset street right now. Discussion continued. The Manager suggested Rock Street temporarily and it could be revisited. This should be discussed with the chairman of the group-the manager said we should put some signs on the windshields. Selectman Bishop asked to reach out to the dealerships and talk to management to have employees find somewhere else to park. Selectman Maloney inquired are we talking about the 400 feet on Rock Street, both sides. Chairman Plasko discussed the motion with the Board. Selectman Bishop said all of this comes down to enforcement in the area until the problem is rectified. Selectman Maloney said if we do this and put temporary all day no parking signs, it will include the neighbors as well. The Manager said they have a lot of parking down there. Selectman Maloney said it would also include visitors to the neighborhood. Chairman Plasko said he wanted to check with the neighbors. Selectman Maloney felt that they should check with the neighbors before any vote is taken. Selectman Maloney said he wanted to do some investigation before this is done. Selectman Howard said it is fine for him.

The Manager suggested that he will get a hold of Land Rover and Jaguar and tell them what the Town is Planning to do and get a hold of the neighbors. Chairman Plasko said it will be turned over to the Manager to contact the neighbors and the employers of these car dealers and revisit in two weeks. Selectman Donohue inquired who usually handles this. The Manager said the Safety Officer and he would get a hold of the Safety Officer to work on this as well. The Board so voted the Chairman's suggestion to turn this over to the Manager.

Executive Session

Boston Executive Helicopter

On motion of Selectman Donohue, seconded by Selectman Howard, voted to file information.

Executive Session

By individual poll of the Board, on motion of Selectman Howard, seconded by Selectman Maloney, and on a roll call vote of Chairman Plasko and Selectman Bishop and Donohue voted to go into Executive Session to discuss collective bargaining and the Norwood Police Patrolman's Union.

Adjournment

Returning to open session and no further business being presented for consideration, on motion of Selectman Donohue, seconded by Selectman Howard, voted to adjourn and the meeting was adjourned accordingly at 8:45 p.m.

A True Record.

ATTEST: \_\_\_\_\_  
Clerk