

Regular meeting of the Board of Selectmen convened at 7 p.m. on Tuesday, June 12, 2018 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 Thomas F. Maloney Selectmen William J. Plasko, Helen Abdallah Donohue, Paul A. Bishop, Allan D. Howard, and Thomas F. Maloney. Also present General Manager Tony Mazzucco, Clerk Frances L. Jessoe and Assistant Christina K. Mulvehill

#### Appointments

##### 7:00 P.M. – Chief William G. Brooks III, NPD:

The Chief gave the highlights of the department's monthly activities. He introduced the newest member of the department, Officer Adam Osowski, who graduated from the Police Academy Thursday night as president of his class and who has been with the Department two days. Officer Osowski will be in field training for the next three months. There are currently five officers in phases of the breaking in process so there are still two man units working around town. Detective Giacoppo has announced his retirement effective June 30, 2018 after a twenty-nine year career. In the last month there have been three significant drug cases handled by the Detective squad. They recovered cocaine while executing a search warrant on a subject who had been previously arrested. Another subject was arrested for distribution of fentanyl after a detective saw a transaction. Two subjects were arrested for trafficking fentanyl because of the quantity involved. Those two subjects were stopped along Route 1 as a result of a lengthy investigation by detectives. For one of those subjects this was his third arrest for dealing drugs. This is the frustrating part, when the same people are arrested over and over again and the system spins them back out. Chief Brooks reported two fatal overdoses have occurred since his last report. The rape aggression defense course, taught by Detective Sara Lyden, is a women's only self-defense course and has been very successful. The chief spoke about a new program that he, Lt. Padden, Deputy Chief Kelly, and the School Resources Officers formulated to establish seven school liaison officers. Currently there are two School Resources Officers, Officer Paul Murphy at the High School and Officer Jaime Mahoney at the Coakley Middle School, who would as needed perform services at the elementary schools. The chief asked officers to step forward and become liaison officers at the schools, and seven patrol officers have volunteered to do that. This will give each school individualized attention from the Police Department. Chairman Maloney welcomed Officer Osowski and wished him well in his career in Norwood. Selectman Donohue asked the Chief if the seven Liaison Officers would perform these duties during their regular workday or beyond it. Chief said for the most part the duties will be performed during the regular work day, but one or two of the officers are on midnights, so they would have to stay past 8 a.m. on occasion. A couple are on 4 p.m.- 12 a.m. and they would come in early if required. Selectman Donohue said this is a wonderful thing. Chief Brooks agreed it is good to have police presence in the schools and it is all about forming bonds and trust between the children and the police. Selectman Bishop welcomed Officer Osowski and wished him best of luck. Selectman Howard welcomed Officer Osowski to the force. There was brief discussion about the drug problem, which exists all over the country. Selectman Plasko welcomed Officer Osowski.

##### 7:15 P.M. – Show Cause Hearing, Percival Brewing Company, LLC, 83 Morse Street:

The Clerk read the notice. MGL C, 138, Section 34-Sale of alcoholic beverages to a person under the age of 21

Selectman Bishop disclosed that his son Officer Patrick Bishop was the reporting officer.

Selectman Plasko asked for the record if Mr. Olivera had any objections to the report. Mr. Olivera said he is in agreement with the report and the reading of the record was dispensed. When asked, Detective Giacoppo stated he had nothing to add, as this business has no previous violation. Mr. Olivera sincerely apologized for this occurrence and after they reviewed the situation and looked at the circumstance, they realized their security weren't strict enough to prevent this from occurring again. There was one entry area that was blocked by a food truck, but there was enough of a gap in the blockage to allow someone to

Show Cause Percival (cont'd)

straggle in. Because of that, they have made changes, including modifying the hours of operation to closing at 8p.m. on Thursday and Friday. In addition they are having the staff trained and have TIP certified everyone in the company, including the head brewer. Chairman Maloney asked if they check ID's when people come onto the premises. Mr. Olivera said that particular night they had a private event not open to the general public. People had to buy a ticket online and go through the security check in the front, where there were two security guards checking all ID. After having ID checked, they would get a wrist band and a hand stamp. The operator entered the premises from the back ten or fifteen minutes before the security check was to end, otherwise he would have been noticed. In the future they will also bring on additional staff to keep an eye on the floor. Selectman Donohue asked how many people they employ. Mr. Olivera said they currently have four. Brief discussion of the brewery operations ensued. Chairman Maloney reiterated that this is a serious situation. With no member of the public wishing to comment, on motion of Selectman Plasko, seconded by Selectman Bishop, voted to close the hearing. On motion of Selectman Howard, seconded by Selectman Plasko, voted to send a written warning.

7:30 P.M.- (P.H.) Norwood Brookside LLC, dba Brookside Café:

Submitting application for CV License to operate at 1260 Washington Street

The Clerk read the notice and hearing was declared open. Ken DeCosta introduced himself. He will be a financial partner with Michael Murphy who operates the Brookside Café and has for the past several years. Michael Murphy then introduced himself. He has been at Brookside ten years and in the industry for thirty-five years. Mr. DeCosta said he has no direct restaurant experience but he does run his own business. He will be giving business advice on a higher level, not on day to day operations. They are not looking to make a lot of changes, just some improvements. Mr. DeCosta will be sole proprietor with the hope that within a short time frame it will be successful enough that Mr. Murphy will move into an equity position. Selectman Plasko reminded them to notify this board of future changes to the license. Selectman Donohue said she appreciates them doing business in South Norwood. Selectman Bishop said the paperwork is in order and thanked Mr. DeCosta for having trust in Mr. Murphy.

Chairman Maloney inquired if anyone from the public would like to speak. Seeing none, on motion of Selectman Bishop, seconded by Selectman Donohue, voted to close the public hearing. On motion of Selectmen Bishop, seconded by Selectman Donohue, voted to approve the request for a CV License.

7:45 P.M. – Show Cause Hearing, Charminar Spice, dba Paradise Biryani Pointe, 1200 Boston Providence Turnpike:

MGL C, 138, Section 34-Sale of alcoholic beverages to a person under the age of 21

Clerk read the notice and hearing was declared open. Selectman Bishop disclosed that his son was the reporting officer. Detective Giacoppo said that this is a new business and a first offense. Selectman Plasko asked if they saw police report or any questions. The owner stated that he did.

Joanna Giorgio Hilbert from Macchi and Macchi represented the owners. Ms. Hilbert said they have been in operation two years and with liquor license for one year. They regret this happened and they are still building a reputation and take it seriously. They have made changes. The 3 tip certified employees are only ones allowed to pour. Two on site at all times. Selectman Plasko inquired about who is serving the alcohol. Selectman Donohue said it is a service bar. Selectman Howard said having a violation in one year makes him nervous. He realizes this is a first offense and we take this into consideration and we take this very seriously. We want to avoid tragedy.

Chairman Maloney reiterated that this is a serious situation and we are checking on local restaurants and package stores and it has been an eye opening experience. This initiative will continue. With no member of the public wishing to comment, on motion of Selectman Plasko, seconded by Selectman Bishop, voted to close the hearing. On motion of Selectman Howard, seconded by Selectman Bishop, voted to send a written warning. Selectman Donohue thanked Detective Richard Giacoppo for his years of service to the Town of Norwood. He had very strong service and protected the citizens of the Town.

8:15 P.M.- Town Counsel Interview

Kopelman and Paige, P.C.

Lauren Goldberg, managing attorney at KP law. She introduced Attorney Joel Fair, proposed lead attorney for the town. KP law has 45 attorneys and been around for 45 years and they have changed their name to KP Law. Almost all either came from the state side or directly out of college and some from the union side. They have been involved in public sector law for the duration of their careers. She came from the Secretary of State's office originally where she was first in the public records division and elections law and in 2000 she came to KP Law.. Everyone has a specialty in municipal law in the office. She said 98% of their work is municipal law. A lot of communities they have been there for 20 or more years. Take their role seriously. She said the Board is the policy makers and their role is to support them. They do not impose their opinions. They are aware of what happens on the state wide basis. Discussion continued. They have worked on the Community Preservation and marijuana law. She said if Norwood hires KP she and Mr. Bard would be the contact person. She said she is the Town Clerk person to contact. There is a primary and backup attorney who have all the information regarding the town of Norwood. They represent 125 cities and town in Massachusetts.

Atty. Joel Bard has been a practicing attorney for over 21 years started as labor employment attorney on union side and has seen things from both sides of the table. He has been with KP law for 14 years. Discussion continued. He handles town meeting, reviewing warrants, etc. He went on to explain the workings of KP Law and they come to the Town with a great deal of experience. He lived in Norwood for about 10 years and he is familiar with the town. He lives one community over so he is close to the town.

Selectman Plasko inquired about the 12 municipalities that he handles so how can you assure him you have the time and can handle a client like Norwood. We don't want to feel that we are lost trying to get their attention. Atty. Bard said a lot of communities range in size and the demand for legal services vary.

Atty. Goldberg said that the firm is set up for them to meet the legal needs in a seamless way for the Town. She represents Dedham as town counsel and if they need her she responds. It is the communication that makes a difference. They have an organization that deals with municipalities and they have been around for a long time and are really good at it. She explains how they stay involved. Discussion continued.

Selectman Plasko spoke about 40B asked if they have gone to HAC. Atty. Goldberg said multiple times. She said that they are fortunate that they have been before every court and administrative agency in the commonwealth. She said that they do a lot of pro bono work. They monitor bills, do regional seminars for clients regarding open meeting laws, etc. Selectman Plasko asked about their experience with airports. Atty. Goldberg said they have Nantucket and Provincetown and have significant experience. Discussion continued. They also have experience with Municipal Light Departments. Selectman Plasko said we might decide one firm for labor and one for general counsel and would they be interested in that. Atty. Bard said yes. Selectman Plasko inquired about fees. The Manager said he would put the rates together for the Board.. Atty. Goldberg said they have many communities that do straight billable hours and their rate is a blended rate. Discussion continued regarding fees. The main office is in Boston on Arch Street but the others are satellite and they have a Cape Cod office. Selectman Donohue asked about pro bono work and it educates them and you can educate all your clients, it isn't really pro bono. Atty. Goldberg explained the situation. Discussion continued.

Selectman Howard asked most important attributes to successful negotiation and give the Board an example. Atty. Bard said one of the hallmarks of successful negotiations that the parties can still talk to one another and the relationship continues on as that is not helping the client. There are times where situations call for tougher negotiations, but we want to make sure the relationship survives negotiations. Selectman Bishop asked about JLMC and their experience. They said they have extensive experience and this was discussed extensively. The Board thanked them very much for their appearance.

New Business

One day Licenses:

On motion of Selectman Howard, seconded by Selectman Plasko, voted to approve Knights of Columbus request for one day AAB License for Saturday, June 16 from 6 to 11 p.m.

On motion of Selectman Howard, seconded by Selectman Plasko, voted to approve Space Center Request for one day WMB License for Saturday June 23, from 6 p.m.-10 p.m.

Patricia Cavanaugh, 42 Windsor Road:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to approve request on behalf of the residents of Windsor Road to hold their annual block party on Sat. July 28 (rain date July 29) from noon to 8 p.m. They would like to block off Windsor Road at both Edgehill Road and Dean Street.

Marie A. McHugh, Vice President, Norwood Arts Council:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to file notice that the Summerfest Program will start on Wednesday, July 11 at 7 p.m. at the Gazebo and will continue for the next 7 weeks with family concerts; oldies, rock & roll, blue grass and an Irish band. This is the 38<sup>th</sup> year. Thank Ms. McHugh for all her work.

Omar Medina, 341 Washington Street:

On motion of Selectman Howard, seconded by Selectman Bishop, voted to approve request to have a Latino Community Cultural Event with 50 to 75 people on August 19, 2018 from 1 p.m. to 4 p.m. with small PA system, 6' x 10' banner. Electrical system needed.

Corinna Gallo, Columbine Road:

On motion of Selectman Howard, seconded by Selectman Plasko, voted to approve request to have a block party on June 16, 2018 from noon to 9 p.m. and to block off Laurel and Woodbine as in the past, and to notify Safety Officer.

Patrick J. Mulvehill, Chairman Board of Appeal:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to file request to amend section of by-law regarding area variance of substantial proportions. Selectman Plasko said this is about an issue that has been through town meeting and various town officials have spoken about it in the past. He recommended having the Board of Appeals in to a meeting in the near future to discuss this issue. The Board so voted to have the Planning Board and the Zoning Board in at a mutually agreed time.

Mary Lou Folan, Asst. Town Clerk:

On motion of Selectman Plasko, seconded by Selectman Bishop, voted to forward to Representative Rogers copy of Article 6 motion regarding Section 11 of Chapter 541 of the Acts of 1947 regarding the positions of Town Clerk and Town Accountant in the Town of Norwood. The motion was passed at the Special Town Meeting on May 14, 2018.

Supt. James Collins, Norwood Light Department:

On motion of Selectman Donohue, seconded by Selectman Howard, voted to sign as Electric Light Commissioners Mass. Dept. of Public Utilities Report for 2017. Manager has signed and Board must sign as Electric Light Commissioners and return to Supt. Collins and he will file as required.

Cemetery Deeds:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to sign: Michael F. Rogers, 16 Lakeshore Drive, Bellingham, MA 02019 to Lot SGA-110. Michael Flynn, 66 Maple Avenue, North Andover, MA 01845 to Lot C3-58.

Car Washes:

On motion of Selectman Howard, seconded by Selectman Bishop, voted to approve car wash request by NHS Field Hockey, for Saturday, July 21, 2018 from 8 a.m. to 2 p.m. at the parking lot across from the Civic.

Katie and Jim Spillman, 176 Fulton Street:

On motion of Selectman Howard, seconded by Selectman Bishop, voted to approve request to hold block party Saturday, June 23, 2018 from 2 p.m. to 6 p.m. and block off Fulton Street at Nahatan Street and Railroad Avenue, and to notify Safety Officer.

General Manager Tony Mazzucco:

- a. Submitting bad debt list for cable and electric to be written off in the Board's capacity as Electric Light Commissioners. This debt is a very small percentage of revenue. Selectman Donohue said by now this should have been minimized further. Selectman Plasko said the list is 6 years old and we have been trying for five years to collect these. Selectman Howard asked to get the list of the people-he will make sure the Board gets the list. Selectman Plasko said he has no problem voting this tonight. Selectman Donohue said we have all expert bill collectors and the list should get smaller and smaller. Discussion continued. On motion of Selectman Bishop, seconded by Selectman Donohue, voted in their capacity as Electric Light Commissioners to write off the debt. The vote was 4-1. Selectman Howard opposed.
- b. Requesting Reserve Fund Transfer of \$30,000 for upkeep and maintenance of Forbes Mansion. On motion of Selectman Donohue, seconded by Selectman Howard, voted to approve.
- c. Municipal Relief Act transfer requests:  
Charlotte Canelli requesting \$6,800 for repair of five cellar windows at rear of Library.  
Chief Greeley requesting \$15,000 to fund Fire Department Vehicle Maintenance.

The Manager discussed municipal relief transfers and he would like to going forward these should not be on the Board's agenda.

Chairman Maloney said this is for the replacement of windows at the library. Selectman Donohue asked about the \$15,000 for vehicle maintenance. The Manager discussed the reason for the repairs. Selectman Donohue inquired about over \$100,000 for vehicle repair. The Manager said the Chief is trying to get his budget to balance. Selectman Donohue inquired if it is for parts or labor. She said she would like to see some documentation for this. The Manager said it is outside repair, not our chief mechanic. Selectman Plasko said he agreed with the Manager, but having so few is very refreshing.

On motion of Selectman Plasko, seconded by Selectman Howard, voted to approve the above transfers. The Chairman said the fewer requests the better.

Town Hall Renovation Project:

The Manager said that they have received some information back from the vendor who is doing the mechanical, electrical, plumbing study for Town Hall. He said that the PBCC did have a meeting last week and he was unable to attend. He said that the PBCC discussed moving forward with a major renovation project with costs estimated to be in the \$5 million dollar range. He doesn't know where that has come from, but in the interim he has directed the Finance Office to stop any more costs coming in for the engineers and we have let the engineers know to stop and they are not to incur any more costs for the Town. We are putting this on hold until the Board has a chance to discuss, we need to have the PBCC in to discuss where we are going with this project. It was originally envisioned as a couple of offices that need to be renovated and some back up work and the cost to address the electrical are probably beyond the appropriation that is there and Town Meeting appropriated \$900,000, not \$5 million and we need to stop before it becomes a

Town Hall Renovation Project (cont'd)

project over budget. Not to say that this building doesn't need work, it is an older historic building, but he doesn't know where a \$5 million dollar renovation came from. He said we spent \$14,000 on a space needs study that got a 2 minute discussion and he does not feel that that money was effectively spent. We need to pause on this and we have stopped any funds being expended until the Board has a chance to review where we are going with this and talk with the PBCC. Chairman Maloney stated that the initial appropriation from Town Meeting was \$900,000 and that was basically \$800,000 for work and \$100,000 for electrical at the request of Selectman Plasko who asked for that item to be taken separately-that is what we have set aside. The Manager stated that a fair amount of that has already been spent on engineering studies and he felt that it exceeds \$100,000, but he can get the exact figure. Discussion continued. Selectman Donohue thanked the Manager for all of the work that he has put into this-she said as soon as he became Town Manager he started paying attention to all of these matters and she appreciates it very much. Selectman Howard said we need some work in the Town Clerk's Office because we are separating the positions. The Manager didn't feel that it should take place immediately, he said that they will still be able to function-the challenge is if we renovate the Town Clerk's office are we doing just electrical and we are tying that into older systems in the building. We may move some offices around-not to say that this office doesn't need work. The Board needs to take a step back. Selectman Howard said it is unfair to leave the Clerk's office as it is. We should put the people in the proper place. Selectman Bishop said early on he was in support of this project and he said we should put a stop to it and wait until we have the appropriate money to do the right job and he agrees with the Manager. Chairman Maloney referred to the electrical and we have to know what we are going to do with the space. The Manager stated that when he spoke to the engineers most of the offices are staff offices-if he needed to move purchasing and veterans for instance, the only equipment that use is personal equipment, etc. Discussion continued. Just about every office could use more space. Selectman Plasko said you can repurpose space. He agreed we are not going to solve this tonight, but he agrees with the actions the manager has taken and believes the project is way out of line and knew the \$900,000 was not going to be enough. We need to get together with the PBCC. For now they have to be told we don't want any more money spent. Selectman Donohue said she personally feels that the people who work here know what their needs are and not outside consultants. The Board will decide what the needs are. We begin here and then we go on.

Selectman Plasko and the Chairman discussed the need for a meeting. Selectman Bishop supported the manager's statements.

Unfinished Business

Selectman Plasko:

Town Clerk Position

Selectman Plasko said HR posted the position internally and we did get one applicant from our Assistant Town Clerk who has been in that position for 29 years and has been doing much of the work. They spoke to her and met with her and discussed some of the things regarding her role as a department head. I feel that she is up to the task. Selectman Plasko said that he is recommending to the Board that we offer her the position, effective July 1, 2018 as our Town Clerk and based on our procedures and recommend she be hired at the top stop of M14 due to her exceptional experience. This is more money than is in the budget. We will need to go to Fin Com and ask for a reserve fund transfer and Ms. Folan is aware of that so the appointment will be conditional upon funding being made available. On motion of Selectman Plasko, seconded by Selectman Donohue, voted the above. The vote was unanimous. Selectman Donohue said the woman that deserves the job will get the job. Chairman Maloney stated that Mary Lou Folan's resume was excellent and well done. He thanked Selectman Plasko for his work and we will go for a reserve fund transfer for \$8,297.30. The Board so voted.

Memoranda

Building Inspector Mark Chubet:

On motion of Selectman Bishop, seconded by Selectman Donohue, voted to file monthly building permits for May 2018.

Selectmen's Meetings:

For review and approval of the Board minutes of May 1 and May 8, 2018. On motion of Selectman Howard, seconded by Selectman Bishop voted to approve with the May 1 meeting amended.

Selectmen's Addenda

Selectman Bishop

July 4<sup>th</sup>

The Committee is asking for donations for the parade.

June 16

Masonic Lodge will have a day on common

Antique roadshow-you can bring an article and they will have an appraiser there.

Selectman Donohue

Bill O'Donnell Register of Deeds Norfolk County:

Thursday 10-12 will be here at the Town Hall in the Fin Com Room and will have computers with them to get a copy of your deed, etc. This is free-it is the 225<sup>th</sup> anniversary of Norfolk County Registry of Deeds and June 20 from 4 to 6:30 p.m. at the Registry of Deeds there will be exhibits set up.

Farmers Market Opened today.

Selectman Plasko

Outback closed six months ago. Nothing has happened. On motion of Selectman Plasko, seconded by Selectman Bishop, voted to hold a show cause hearing.

Chairman Maloney

John Hayes is in rehab and would like visitors-off east street rotary in Dedham.-Dedham Health Care.

Fire Chief search

The Manager said the committee convened which consisted of our HR Director, the Foxboro HR Director, Fire Chief from Westwood, Canton and a retired Boston District Fire Chief and 30 applicants from and they will get the 3 finalists and he and Bernie will interview and they will make the appointment in July and there will be a transition period. Chief Greeley has agreed to stay on for the transition period.

Manager's Update

Sara Winthrop DPW, Deputy Chief Peter Kelly, NPD and Cathy Traietti, Business Manager of the Light Department congratulations they were accepted to the MMA Suffolk Program in Foxboro.

He met with incoming Senate President Karen Spilka

Executive Session

Town Accountant Contract

By individual poll of the Board, on motion of Selectmen Plasko, seconded by Selectman Howard, voted to go into Executive Session to discuss Town Accountant Contract and reconvene for the purpose of adjournment.

Adjournment

No other business being presented for consideration, on motion of Selectman Plasko, seconded by Selectman Donohue, voted to adjourn and the meeting was adjourned accordingly at 9:20 p.m.

A True Record.

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

Clerk/Assistant