

Regular meeting of the Board of Selectmen convened at 7 p.m. on Tuesday, April 21, 2015 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 Paul Bishop, Selectmen William J. Plasko, Helen Abdallah Donohue, Michael J. Lyons and Allan D. Howard. Also present General Manager John J. Carroll, Clerk Frances L. Jessoe and Assistant Christina Mulvehill.

Appointments

7:00 P.M. – Gerald Miller, Supt., Recreation Dept.:

Mr. Miller gave an update of the events that were held in April; a babysitting course, basketball clinic, fishing derby, and rubber ducky race were some of the activities. He complimented Selectman Donohue and her sister Olga Abdallah for their help with the fishing derby. A Mother's Day Sweetheart Dance, a Mother Daughter Princess Tea, Touch a Truck and the 30th Annual Dance Recital was also held in April. Summer Information Night will be June 9th from 6 p.m. to 7 p.m. at the Civic and summer registration is currently ongoing. Selectman Plasko asked for elaboration on the pool pass program. Mr. Miller said the prices are \$11 for senior citizens, \$22 for adults and children, \$110 for family and \$5 day passes.

Selectman Donohue thanked Mr. Miller for bringing young people to help with the derby. She said the Sportsmen's Club did all the cooking. Miss Paula provides quality teachers and productions and if it weren't for her, two-hundred children in the town would not be able to take dance lessons. Selectmen Lyons inquired about summer hours. Mr. Miller said summer hours are Monday through Friday, 6 a.m. to 6:45 p.m. and they started yesterday.

7:15 P.M. – David Hern, Esquire, Cheney & Hern, LLC 470 Washington Street:

- a. Submitting request on behalf of his client Norwood Gulf, 707 Neponset Street to delete additional conditions on the VIF license as none of these conditions pertain to safe storage and dispensing of gasoline or diesel fuel.
- b. copy of letter from Mr. Hern dated Jan. 6, 2015 requesting deletion of certain conditions
- c. copy of Board's letter of Jan. 14, 2015 approving elimination of certain conditions.

Attorney Hern introduced himself and his client, William Ajjour, owner of Norwood Gulf. They are present to discuss conditions imposed by a previous Board of Selectmen on his client's VIF license which allows storage of fuel at the location. Norwood Gulf presently has tanks with a capacity of 40,000 gallons, six thousands of which is for diesel fuel and thirty four thousand for gasoline. The property was renovated two years ago and new underground tanks were installed with the latest in safety and underground fire suppression precautions. Three of the current conditions on the license have nothing to do with safety issues related to storage of fuel. These conditions are; no storage of junk or unlicensed autos, no sale of autos, and fence will be rebuilt or updated. Attorney Hern stated the fence condition is vague adding that this Board had previously agreed to remove some of the other conditions. He said his client is not asking to sell cars and by removing these conditions the Board would not be giving him permission to do so. If in the future he wanted to sell cars, his client would have to go to the Zoning Board and then the Selectmen. Attorney Hern stated it is not a good idea for there to be conditions on those licenses with nothing to do with this Board's authority as it leads to problems with enforcement. He is requesting the Board change the Norwood Gulf license by removing those three conditions. His client and family have run the business for twenty years with never a problem or violation. Those three conditions don't have anything to do with the VIF license.

Selectman Donohue stated that the condition regarding the fence can be clarified by going back to the Zoning Board of Appeals decision which tells the client to maintain the fence. She said the junk vehicle restriction is because it is a gas station in a residential neighborhood. The restriction from selling autos is there because the gas station is in a residential neighborhood and the Town does not allow variances.

David Hern, Esq. (cont'd)

Selectman Howard made a motion to keep the junk auto and fence conditions. Attorney Hern pointed out that the junk auto condition also applies to unlicensed autos, but that his client does have business from auto dealerships and they will sometimes leave a car and take the license plate with them as they only put the plate on to drive the car to the shop. Selectman Donohue suggested removing the language "unlicensed auto" from that condition but leaving in "junk auto". Selectman Plasko pointed out that these other conditions do not have anything to do with the owner's obligation of the VIF license and he thinks they should be removed. If there is a compromise that is acceptable to the applicant that is ok too. Selectman Donohue made a motion to leave condition A regarding storage of junk vehicles in but remove language referring to unlicensed vehicles, eliminate condition B, and keep condition C but reword to read the existing fence will be maintained in good condition.

Attorney Hern suggested language for the conditions. The first to read "there is to be no storage of junk vehicles on the property at any time". The second condition will be removed in its entirety. The third condition will be "the existing fence shall be maintained in good condition". On motion of Selectman Donohue, seconded by Selectman Lyons, voted unanimously to adopt the language proposed by Attorney Hern for conditions A and C and to remove condition B from the license.

7:30 P.M. – Water & Sewer Rate Study Committee:

The Manager explained that each year the committee makes sure the receipts cover the expenditures. Chris Woodcock has done many studies and has been very helpful. The Water & Sewer Rate Study Committee included Bernie Cooper, Selectman Plasko, Mark Ryan and Tom McQuaid. This year the requested increase to the rates is 7.8%. Mr. Woodcock spoke on behalf of the committee. He has been working for a long time on this committee and said the Town should be proud that the water and sewer systems are in such good shape. The MWRA assessment is going up 14.5 % and the sewer is going up 4.4 % so the rate increase will be 7.8 % but the local water and sewer operating costs and water debt are going down, which is unusual. Sewer debt is going up due to borrowing to do Inflow and Infiltration work. In addition to metered rates for water and sewer there are miscellaneous revenues which have been taken into consideration. The committee recommends no change in AMR. The DPW construction makes up 1.5 % of the total increase. Selectman Howard inquired about the high increase by MWRA. Mr. Carroll said they have spent billions of dollars cleaning Boston Harbor, installing metro west tunnel, etc. It is not a bloated agency. The number of employees is twelve hundred, reduced from seventeen hundred. They have to keep maintaining a vast system which was never maintained and that is a very expensive proposition. Mr. Woodcock concurred. The system had been neglected and over the last two decades there has been a push in the Commonwealth to reduce water use. Most water use costs are fixed and the amount of water that is sold has dropped from three hundred to two hundred million gallons per day. Selectman Donohue inquired about the projects MWRA has scheduled, stating in these economic times it is not good to start large projects and maybe these expenses could be scaled back. The Manager explained that each year MWRA Board along with the advisory Board analyzes capital projects and decides which are more important. There is a load of debt from building a treatment plant in Quincy which was all court mandated. Eighty percent of the projects MWRA has undertaken are court mandated. Selectman Donohue asked what would happen if the Board just said no, the ratepayers cannot afford this increase. Mr. Woodcock said the MWRA assessments come whether you like it or not and if you don't pay them, they come off your cherry sheet. So in the end the costs are going to be paid, whether through water rates, sewer rates, or tax rates. If you choose not to do an increase, the default has to be through the property tax rate and in effect all the tax-exempt properties in town will pay nothing toward it. In that case the cost would be determined by property value, not by how much water is used. The proposed increase of 7.8% is the lowest amount that would cover the costs.

Selectman Lyons clarified that the bulk of this is the assessment. The increase in the rate includes the DPW debt. He said he is proud of the water we have. He grew up in Springfield with same water system. There are parts of the water that have no water and severe restrictions. Ours is a good system but it is expensive and we are paying for the service, not the water.

Water and Sewer Rate Committee (cont'd)

Selectman Plasko stated the goal has always been that this be a full cost-recovery enterprise. If we don't collect the rates here based on usage, we will still pay them as taxpayers. On motion of Selectman Plasko, seconded by Selectman Lyons, voted unanimously to approve Water Sewer Rate increase of 7.8% as recommended by the Water Rate Committee, effective with May billing. Selectman Donohue then made a motion to send a letter to the management of the MWRA and tell them a 14% increase is difficult for a town to deal with and ask them while they plan their activities for the next year to show some conservatism. There was no second and the motion failed.

New Business

Municipal Licensing Corporation:

On motion of Selectman Donohue, seconded by Selectman Lyons, voted to file notice of meeting of Tuesday, June 9, 2015 at Lombardo's in Randolph, check in at 11:45 a.m. ABCC will make a presentation. They will be discussing powdered alcohol and alcohol infused ice cream.

Catherine Maloney, Senior Manager Government & Regulatory Affairs, Comcast:

On motion of Selectman Plasko, seconded by Selectman Lyons, voted to accept and forward to NPA in accordance with the Norwood Cable Television Renewal License, dated Feb. 2, 2014 a check in the amount of \$44,359.08 pursuant to License Section 6.4 (a)-(d)-Annual Support for PEG access based on the period Jan. 1, 2015 through March 31, 2015. This payment fulfills their obligation under the aforementioned license section and payment accounting period.

On motion of Selectman Donohue, seconded by Selectman Howard, voted to notify Comcast to continue to make payments with a paper check.

Verizon:

On motion of Selectman Plasko, seconded by Selectman Lyons, voted to accept \$60,249.12 for PEG in accordance with license and forward to NPATV for said purpose.

St. Catherine of Siena School, Mary Beth Cox:

On motion of Selectman Donohue, seconded by Selectman Plasko, voted to approve application for one-day Malt Beverage license for June 6, 2015, 5:30 p.m. – 8:30 p.m. to be used in the parking lot behind the school after annual 5k road race.

Bassam Harb, BTG, Inc. 57 Centennial Drive:

On motion of Selectman Donohue, seconded by Selectman Lyons, voted to approve request for letter from the Town to Mass Port re Application for Commercial Ground Transportation.

Sigalle Reiss, Supt/Director, Board of Health:

On motion of Selectman Howard, seconded by Selectman Lyons, voted to file thank you letter from Mrs. Reiss to the Board and all who helped including Sheriff Bellotti's Community Work Service Program during Household Hazardous Waste & Recycling Day. It was very successful. Chairman Bishop said over 700 cars participated and it was a great success.

Ivy Krull, Basanona Brew, 245 Norwood Street, Sharon:

On motion of Selectman Plasko, seconded by Selectman Lyons, voted to approve request to sell coffee and snacks on public streets from mobile truck Monday through Friday, 6 a.m. to 9 a.m. at curve of East Hoyle and Broadway and Friday 9 a.m. to 9:30 a.m. on Central by Town Hall.

Florentine Overko, 213 Hill Street:

On motion of Selectman Donohue, seconded by Selectman Plasko, voted to approve request to use the Town Common and Bandstand for Girl Scout Bridging Event on Saturday, June 13, 2015 from 4 p.m. to 7 p.m. Norwood Art Association is using the Common from 10 a.m. to 3 p.m.

Marcia Motta, 47 Windsor Road:

On motion of Selectman Plasko, seconded by Selectman Howard, voted to approve 12-5 not 10-3 request on behalf of the Bay State Animal Cooperative to hold a Fundraising Dog Wash/Car Wash in the lot across from the Civic Center on Sunday, June 14th. They will also be offering a reduced cost rabies clinic.

Joseph H. Devlin, Esquire, Demakis Law Offices, 56 Central Ave., Lynn:

On motion of Selectman Lyons, seconded by Selectman Howard, voted 4-0 to schedule hearing for application for Transfer of AAB Package Store License from Norwood Wines & Liquors, Inc., Anthony D. Fruci, Manager to Shree Yamunama Inc., dba Norwood Wines & Liquors, 140 Nahatan Street. Selectman Donohue abstained. ABCC has notified us that abutters do not need to be notified-but notice must be in the newspaper.

Unfinished Business

Lt. Paul Butters, Fire Prevention Officer, NFD:

On motion of Selectman Lyons, seconded by Selectman Donohue, voted to file notification that the Fuel Storage Facility located at 189 Access Road, Boston Executive Helicopters Inc., was inspected on May 14, 2015. The facility is completed and given final approval by both Chief Greeley and himself. License S0077 which was approved on Jan. 22, 2013 can be released to the applicant.

Norwood Airport Commission:

Town Counsel has suggested the following wording on the VIF License for Boston Executive Helicopter : The holder of the license may perform its own self-fueling activities as authorized by Section 11.3c of the Federal Aviation Administration Compliance Manual-Order 5190.6B (Sept. 2009) or its successor provision. The holder of the license is not permitted to engage in or perform commercial fueling activities, including the storage, sale and distribution of fuel to or for third parties, unless and until the holder of the license receives all applicable permits, licenses and other approvals for such commercial fueling activities, including but not limited to a fixed base operator (FBO) permit from the Norwood Airport Commission. Selectman Donohue asked who sent request to Town Counsel about imposing restrictions on the license. Mr. Ryan stated the application for fuel facility by BEC was for a self-fueling operation and the Airport Commission fully supports that. These conditions say they can only pump fuel for their own aircraft. BEC is working on FBO permit and when that is approved by the Airport Commission, they can sell to anyone.

Selectman Donohue asked how many licenses there are on airport for fuel. Mr. Ryan said Flight Level is the only license to sell fuel. They are a fixed base operator and that enables them to sell fuel. Selectman Donohue said it has been brought to her attention that that license has not restrictions. Mr. Ryan explained that this application was submitted over a year ago and was recently approved as NAC was waiting for BEC to get their final inspection. In order to sell fuel, they will have to become a fixed base operator. They have made that application and the Commission is waiting for financial statements to be produced in the format requested as per the Airport Rules and Regulations.

Selectman Donohue made a motion, seconded by Selectman Plasko, to allow the license that was approved in 2013 and release it to the applicant and take no action on the issue of selling fuel. Selectman Donohue then withdrew the motion and made a motion, seconded by Selectman Howard, to table the issue for one week. After a discussion regarding BEC's pending FBO

Norwood Airport Commission (cont'd)

application, Selectman Donohue withdrew her most recent motion. Mr. Ryan explained that a fixed based operator permit is a major approval process during which the Airport Commission must make sure the applicant has financial backing to go forward and be successful at Norwood Airport. Boston Executive Helicopter has been told that if they provide the requested financial statement they will get approved. Selectman Lyons said he met with the applicant and his attorney regarding this issue, to figure out how to make the transition to FBO smoother for them but the applicant flat out refused to provide the required financial documents.

On motion of Selectman Plasko, seconded by Selectman Donohue, voted unanimously to issue the license as it has been approved by this Board, without the language received from Town Counsel, as the restrictions are already on the license.

Memoranda

Selectmen's Meeting:

On motion of Selectman Donohue, seconded by Selectman Plasko, voted to approve minutes of April 28, 2015, May 5, 2015.

Paul D. Halkiotis, Director Planning & Economic Development:

On motion of Selectman Howard, seconded by Selectman Lyons, voted to file copy of notice to the Town Clerk of the Planning Board members for 2015-2016 with Alfred P. Porro as Chairman.

Selectmen's Addenda

Selectman Donohue

Memorial Day

Monday there will be a parade through town and up Winter Street to the cemetery where there will be a ceremony to honor our American way of life.

Selectman Howard

GIS

Question as to whether the GIS study has been started. According to Selectman Plasko, it was put off in the hope that information would come from another pending case. That case is taking longer than was anticipated so it is in best interest to proceed. Andrew Murphy and Paul Halkiotis are moving forward on it.

Airport Commission

Requested an update on the arbitration process from the Manager.

Selectman Bishop

Shattuck Park

People have been calling about sustaining injuries while walking in Shattuck Park and many won't walk there anymore. Mr. Carroll said he will even off the surface where necessary.

Managers agenda

EPA MS4 initiative on storm water

The Manager said that this will cost towns across the commonwealth a lot of money. The monitoring and work required to make sure our brooks and streams. Mark Ryan and Andy Murphy and he have had a lot of meetings. He said that the Town of Westwood as adopted a strong storm water by law. A lot of money to achieve very little. Lyons asked what budget for storm water is. Mark Ryan said between \$40,000 and \$50,000. Selectman Lyons this said this could quadruple. The Manager said we are trying to get handle on what it will cost. Selectman Donohue inquired if the Conservation Commission should get involved the Manager said that they will be involved down the road, but not at this time.

Water & Sewer Rate FY 2016:

This was handled during the appointment.

FYI. Gas Main replacement on Washington Street:

The Manager said the plan is to replace 1000 feet of six inch pipe from Sokos to Howard Street. Selectman Lyons said that his business is in this particular block and it also houses other businesses that have been going through a lot for the last month or so with the water main lining. He said that parking spaces have been lost and the traffic is diverted and zero business is going on. He said that this will shut down the block. It will have a dramatic effect on all the businesses on top of what they have been dealing with for the last two months. Selectman Lyons stated that he understands that it needs to be done, but it is affecting business.

Mark Ryan inquired about the possibility of certain hours or overnight. He said that the pipe is six inches and they need eight inches.

Selectman Plasko stated that if there are not currently leaks can they do it a little later to give the businesses a break instead of constantly moving from one project to another. Mark Ryan stated that it is his understanding that this project needs to be done.

Chairman Bishop asked the Manager and Mr. Ryan to try and make this workable for as many businesses as possible. Mr. Ryan said they would meet with them. On motion of Selectman Plasko, seconded by Selectman Lyons, voted to file.

Manager's Executive Session

19 Vernon Street

By individual poll of the Board, on motion of Selectman Donohue, seconded by Selectman Howard and on a roll call vote of Chairman Bishop and Selectmen Plasko and Lyons, voted to go into discuss possible purchase of property.

Adjournment

Returning to open session and no other business being presented for consideration, on motion of Selectman Plasko, seconded by Selectman Lyons, voted to adjourn and the meeting was adjourned accordingly at 9:00 p.m.

A True Record.

ATTEST: _____
Assistant