

Regular meeting of the Board of Selectmen convened at 7 p.m. on Tuesday, July 7 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. – Chief William G. Brooks, III, NPD:

The Chief discussed the monthly department activities. He described an incident of a cruiser being stolen outside CVS when an officer went into the store late at night. The officer had the key fob with him when he entered the store. He was not aware that the car could be driven without it. The officers have since done training and the Chief said he does not expect a reoccurrence. The Chief said he recently attended a career day. The key now that the department is not using civil service is recruitment. A Bike Day was held in South Norwood. Chief Brooks stated he had spoken with a merchant in South Norwood who noticed children in the area riding their bikes without helmets. In addition, some of the bikes did not have brakes. He contacted the School Resource Officer and the Board of Health, got the children helmets for no charge and the Bike Depot did a free installation of brakes on the bikes. Norwood Bank the funding to supply the tires and brakes. The Chief thanked Selectman Donohue for stopping by the Bike Day and saying hello to the children. This month all members of the department underwent training in verbal communications to help them deal with difficult situations. The Department held the second annual Retiree Luncheon. Twenty retirees attended representing six hundred years of police service. Officer Sarah Lydon received an award from Massachusetts Association of Women in Law Enforcement. She received the Excellence in Performance Award, not only for being a good solid police officer and field training officer, but also for her work at the Metropolitan Law Enforcement Computer Crime Lab, which is housed at our Police Department. Only a handful of officers receive this award and it was well deserved. The Chief also reported that in the last contract round it was negotiated that officers undergo drug testing and that process has begun. The participants are randomly selected based on an assigned identification number. The Chief said he was himself was in the first pool tested.

Selectman Donohue inquired if it is illegal to leave a running vehicle unattended. Chief Brooks explained there is an exception in the law for police vehicles as sometimes officers must leave them running.

Selectman Howard inquired about fireworks. The Chief agreed this is the time of year they get a lot of calls on fireworks. Fireworks are dangerous and illegal; it is a misdemeanor to possess the and a felony to sell them.

Selectman Plasko said he is impressed with the Police and Fire Departments' ongoing efforts to train. He asked if those officers attending specialized training then come back and train other officers. Chief Brooks said it depends on the training.

7:15 P.M. – Chief Anthony J. Greeley, NFD:

Chief Greeley could not attend the meeting and therefore submitted his monthly report of department's activities in writing.

7:30 P.M. – Show Cause Hearing, DAC LLC, dba Southside Pub and Grill, Donna Grant, Owner:

Failure to provide the public with the services contemplated by the license under MGL Chap. 138, Sections 12 and 77. On motion of Selectman Plasko, in lieu of the action of the Board on New Business Item 1, Bamboo Café, AAB license transfer application, seconded by Selectman Donohue, voted unanimously to continue this hearing to Tuesday, July 21, 2015 at 7:55 p.m.

7:40 P.M. –Norwood High School Boys Championship Baseball Team

Chairman Bishop welcomed the members of the Norwood High School State Championship baseball team. Selectman Howard read the proclamation awarded them. Selectman Howard told the men they accomplished something incredible and they can hang their hats on it for the rest of their lives.

Selectman Donohue asked them to tell a little about themselves. The players introduced themselves. Cam Ryan played first base. He was on the team last year also. He is going into Senior year. Declan O'Brien played right field and this is his first year on the team. He is also going into his Senior year. Kevin Hines was the catcher and he will be attending Northeastern University in the fall. Denis Drummey was a team captain. He was a designated hitter and played outfield. He played on the team last year and said losing last year made them really want it this year. He will be attending Mass Maritime in the fall. Jake O'Rourke played left field. He said he played for coach Igoe in Babe Ruth also and he deserves this win just as much as anyone. Jake said Coach Igoe deflects the credit but he can't imagine winning under any other coach. Jake will be attending the Citadel in the fall. Sean Mellen was a pitcher and he played on the team last year. He will be going into his Senior year.

Selectman Donohue congratulated the players and talked about Peter and Frank Wall and how as time goes on these stories will get better and better.

Selectman Plasko told the players they just went through an incredible time and they will always look back and remember these ball games. He said he spoke with Mr. Erker last week and his pride in you gentlemen and the work you have done and the accomplishments you have made was obvious. He wished them all the best in the future.

Selectman Lyons congratulated the players and told them it was fabulous they won the championship and then the next day suited up to pay Legion ball.

Chairman Bishop told the players when you work together great things can happen and they showed that.

New Business

Andrea Kor, Paralegal, Christopher E. Coleman, Esq., 128 Lincoln Street, Boston:

On motion of Selectman Plasko, seconded by Selectman Lyons, voted to sup up a Public Hearing on July 21, 2015 at 7:45 p.m. on application for the transfer of All Alcoholic Beverage from DAC LLC, dba Southside Pub and Grill, Donna Grant, owner to Bamboo Café, Inc., dba Bamboo Café, 663 Washington Street.

Verizon New England Inc.:

On motion of Selectmen Lyons, seconded by Selectman Howard, voted to file Certificate of Liability Insurance (Cable License) effective 6/30/2015 through 6/30/2016.

Daniel Corzilius, President, Friends of the Morrill Memorial Library:

On motion of Selectman Donohue, seconded by Selectman Lyons, voted to approve request to insert one-page fund-raising flyer in the September Electric bills.

Daniel Henderson, 3 Walkhill Road:

- a. Submitting e-mail of opposition to change in their street from private way to public way.
- b. Submitting copy of letter to Norman Kaufman, Kaufman Co., 19 Walkhill Road objecting to his proposed petition to the Town to change the street from private way to public way.

Daniel Henderson (cont'd)

- c. Submitting letter of opposition to the continuing town process for accepting as a public street from present designation as private way.

Selectman Howard moved, due to all the opposition on this matter, to leave the street a private way. Selectman Donohue seconded. Selectman Plasko added rescinding the motion of last meeting to set up a hearing to Selectmen Howard's motion. The Board voted unanimously that Walkhill Road will remain the way it is and no further action will be taken.

Kathy D. Greene, 1 Walkhill Road:

- a. Submitting e-mail in opposition to converting this road to a public way.
- b. Submitting copy of letter to Norman Kaufman, 19 Walkhill Road stating that they are strongly against the petition to change the road to a public way. These items were addressed with previous agenda item.

Angela Musto, 2 Walkhill Road:

Submitting copy of letter to Norman Kaufman, owner of Soldanor Realty Co., 19 Walkhill Road in opposition to converting this road to public way. This item was addressed with the previous agenda item.

Jack Ryan, Commissioner, Hingham Municipal Lighting Plant:

On motion of Selectman Donohue, seconded by Selectman Lyons, voted to file correspondence regarding a municipal broadband system.

Thomas J. McQuaid, CPA, Town Clerk & Accountant:

On motion of Selectman Donohue, seconded by Selectman Howard, voted to approve request for a Reserve Fund Transfer of \$300 to cover the cost of the final payroll accrual in the Town Clerk and Accountant's office.

Katie Button, 10 Elda Drive:

Submitting concerns regarding purchase of home at 12 Longwood Terrace by Riverside Community Care. This includes items 13, 14 and 16 which also concern that property. The Manager stated he discussed this today with Town Counsel, who prepared a list of frequently asked questions for the residents. In addition, Riverside will be holding a meeting Thursday, July 16, 2015 at 6:30 p.m. at the Ames School in Dedham to answer questions and address residents' concerns.

Chairman Bishop explained that the Board of Selectmen has no jurisdiction over this matter whatsoever. It is in the hands of the Building Inspector, and as far as zoning concerns, they don't have any control over that either. There is nothing the Board of Selectmen can do to stop this but there is a lot of correspondence going around, with some being correct and some incorrect. Hopefully there will be a healthy discussion with Riverside on July 16th and between that meeting and the information given to the residents this evening, all questions will be answered.

Several residents present in the audience expressed concerns about the situation. Chairman Bishop repeatedly assured them that the Board understands their position but cannot do anything to change this. The Chairman also repeated the time and date of the meeting being held by Riverside to address residents' questions.

Selectman Donohue recommended the residents follow up on the building permits and make sure the Massachusetts State Building Code is being complied with. She also referred to the Town by law regarding non-related residents of a property.

12 Longwood Terrace (cont'd)

The Manager said there are fourteen such residences in Town with an average of five or six people in each home. In terms of conformance to zoning by-law, they are renovating the residence for educational use. Some of the code requirements are grandfathered and they are committing no violations.

In response to a resident's question regarding taxes, Selectman Lyons explained this it is a tax-exempt residential educational facility. He went on to explain that Norwood is attractive for many different reasons. Norwood is accessible by public transportation, and contains both an airport and a hospital.

Selectman Plasko reiterated to the residents that unfortunately they have a lot of questions that the Board has no authority over or answers to. Sometimes when you hear things, it is a matter of interpretation. The document provided by Town Counsel explains why the Town has no control over this type of thing. He recommended the residents check with the Building Department to examine the building permit that was issue for this project.

The Manager responded to a question about a handicap ramp being constructed and explained that is not subject to dimensional requirements.

Attorney DeLuca explained that Riverside provided all the proper paperwork to conform with the zoning laws. They would have to submit the educational documentation to the Building Inspector before the permit was issued. The Department of Mental Health deals with the license and beyond that all the town has are enforcement issues such as disturbances, noise, etc.

Chairman Bishop encouraged the residents to read the document provided to them by Town Counsel and also to attend the meeting with Riverside on July 16th. He advised them if they have any questions after doing both those things, to come back to the Board of Selectmen. The Chairman reminded the residents that this Board just does not have the answers to their questions.

Chairman Bishop announced he would be attending the Riverside meeting on July 16th along with Mr. Chubet, the Building Inspector.

Town of Norwood Clerk and Accounting Office:

On motion of Selectman Plasko, seconded by Selectman Howard, voted to file disclosures per MGL Chapter 268A as recommended by Town Counsel.

Daniel Karten, COO, Massachusetts Patient Foundation, Inc., 36 Glen Ave., Newton, MA:

On motion of Selectman Plasko, seconded by Selectman Lyons, voted to approve request to appear before the Board re: opening a Medical Marijuana Dispensary.

ABCC:

Submitting Decision on Bon Caldo appeal of suspension of AAB License.

Attorney David DeLuca, Town Counsel, addressed the board. He conducted the hearing on this matter here locally and he also worked on the appeal with ABCC. The suspension imposed by this board on Bon Caldo was stayed during the appeal process. The appeal hearing was held May 25, 2015. It was heard by two of the three ABCC commissioners and consisted of basically the same testimony as was heard during the local hearing. The facts of the case were uncontested but there was no witness testimony that the deceased showed any signs of intoxication and that was the issue. The ABCC determined the circumstantial evidence we provided was not enough. They needed corroboration of physical signs of intoxication. The authority of the ABCC is to review and approve or disapprove the Board's action and remand the case to the Board, which they did stating they disapprove of the Board's decision and recommend the Board take no further action. It is not the same as an appellate decision; it is a disapproval and remand with a recommendation.

ABCC (cont'd):

Attorney DeLuca advised the Board that procedurally they could reconsider and render a different decision, at which point the licensee could appeal to Superior Court. It is up to this Board to decide whether to accept the ABCC's recommendation. Chairman Bishop asked if this Board could revisit the case and give Bon Caldo a written warning. Attorney DeLuca stated that the Board could do that but they would have to give notice of the hearing.

At Selectman Donohue's request, Attorney DeLuca reviewed the one issue of the appeal. The decisive issue in the case was there was proof of the deceased's blood alcohol level but nothing to corroborate the physical signs of intoxication.

Selectmen Howard suggested tabling until the next meeting for further review by the Board. Selectman Plasko added he is disgusted in the decision but had expected it and was not surprised. He seconded Selectman Howard's motion to table and on a 4-0 vote the motion passed. Selectman Lyons abstained from the vote.

Jennifer Bosganian, Longwood Terrace:

Submitting request to meet with the Board regarding Riverside property at 12 Longwood Terrace. This matter was addressed earlier in the meeting and residents were in attendance.

Bill & Evelyn Holm, 26 Westview Drive:

Submitting e-mail stating concerns about Riverside property at 12 Longwood Terrace. This matter was addressed earlier in the meeting and residents were in attendance.

Stacey Lane, Norwood Parents Music Association:

On motion of Selectman Howard, seconded by Selectman Donohue, voted to approve request for permission to sell ice cream bars, bottled water, and popcorn on town Common during Concerts on the Common and Summerfest. They have a temporary food permit from Board of Health.

James F. Kaiser, 37 Longwood Terrace:

Submitting copy of letter to Building Inspector Mark Chubet re: property at 12 Longwood. This matter was addressed earlier in the meeting and residents were in attendance.

Kristen E. Barry, 16 Teaberry Lane, North Attleboro:

On motion of Selectman Donohue, seconded by Selectman Plasko, voted to set appointment on application for Junk Dealer License to operate Sophie's 110 Madison Ave., 61 Endicott Road.

Norwood Knights of Columbus, 572 Nichols Street, John Paras:

On motion of Selectman Donohue, seconded by Selectman Howard, voted to approve request for 1 Day AAB License for Saturday, July 18, 2015, 5 pm to 11 pm.

Town Clerk & Accountant Appointment:

On motion of Selectman Donohue, seconded by Selectman Plasko, voted to offer appointment for three years with terms and conditions negotiated by Chairman.

Gerald Buckley, Director Government and Regulatory Affairs, Comcast:

On motion of Selectman Donohue, seconded by Selectman Lyons, voted to file notification and introduction of Greg Franks, Senior Manager, Government & Regulatory Affairs, who will be responsible for our community.

Jill Reddish, Sr. Staff Consultant, Verizon FIOS:

On motion of Selectman Howard, seconded by Selectman Donohue, voted to file notification on or after October 1, 2015, the Tennis Channel will move to a different channel.

Edmund W. Mulvehill, Jr., Director, Veterans' Services:

On motion of Selectman Howard, seconded by Selectman Plasko, voted to approve request for permission for a volunteer group to perform preventive maintenance chores on the Town Hall cannon. The volunteers are veterans who are students at UTI. They have offered to fund materials needed.

Loren Singer, VP for Development and Cognitive Services, Riverside Community Care:

Submitting information about the new home they are opening in Norwood on Longview Terrace. This item was addressed previously and will be filed for information.

Unfinished Business

Supt. James Collins, Norwood Light Department:

On motion of Selectman Howard, seconded by Selectman Lyons, voted to file response to Scott Brunner, 4 Brookfield Road regarding Solar Energy Policy. It was included in the June Light Dept. report. Selectman Howard said Mr. Collins did a great job of explaining this to the resident.

Philip W. Riley, Chairman, Board of Appeal:

Submitting correspondence from June 23 as Mr. Riley will answer questions regarding the additional hours for the Administrative Assistant position.

Mr. Riley was present and gave an overview of the request for additional hours. He explained that Deb Frangioso, the former Administrative Assistant, had left the position to take over the position of Office Manager in the Building Department which became open when Brenda Babel retired in June. Mr. Riley went on to explain that trying to replace Ms. Frangioso was proving difficult. He is requesting a letter of support from this board to increase the hours of the Zoning Board of Appeals Administrative Assistant from twenty-four to thirty per week. This would be accomplished by extending the work day from 9 a.m. to 3 p.m. to 9 a.m. to 4:30 p.m. The position was recently reclassified and during that process it was suggested that the position be restructured to full time and use some of that time to assist the Conservation Commission. This idea was rejected by the Conservation Commission. Mr. Riley said he subsequently had a conversation with the Building Inspector who mentioned he could use extra hours in his department. Mr. Riley stated his prime consideration is to make this position more attractive in terms of applicants. Currently he has received only two applications. Of those, one applicant was solid with computers but neither fit the needs of the Board. The position of Administrator of the Board is critical and difficult because in addition to administration, the person needs to deal with everyone who comes in for applications, have to advise as to what application to complete, handle publication, set up meetings, attend meetings, do minutes, and very importantly the administrator does the first draft of the decisions of the Board of Appeals. He is concerned about how few applications have been submitted for the position and things are just getting busier for the Board. Mr. Riley stated the approval of the Board of Selectmen and an indication of support from Finance Commission could be used as effective recruiting tools.

Selectman Donohue welcomed Mr. Riley stating it is an honor to have him here. She thanked him for over forty years of service to the Town as a member of the Zoning Board. There was brief discussion of the number of hours per day and days per week this position would require. Selectman Donohue said she thought it was a good idea but did not understand why it was involving the Building Inspector. Mr. Riley explained he was having a conversation with Mr. Chubet and the subject came up. During the course of the day the administrators of both offices work closely with each other. Selectman Donohue stated the Board of Appeals does need more

Philip W. Riley, Chairman, Board of Appeal –(cont'd):

help but it should be separate from the Building Department. Selectman Plasko said he has spoken with Mr. Riley and he wanted to speak with HR Director Michelle Pizzi but she was not available. He sees a problem with this and thinks the Building Inspector should take care of his own questions and this board should take care of the Zoning Board request. These are two separate positions and would require one two new job descriptions. Mr. Riley stated he was willing to pursue the request based on Selectman Donohue's recommendation.

Selectman Donohue added that the position the Zoning Board is trying to fill almost requires a paralegal. The extra hour and a half per day would help. Mr. Riley agreed, stating that disastrous things can happen if the Administrator does not pick up on things. He added that the funding for the six extra hours would be about \$7,000.

On motion of Selectman Donohue, seconded by Selectman Lyons, voted 3-2 in favor of support for funding at Town Meeting. Selectmen Plasko and Howard opposed.

Memoranda

Charlotte Canelli, Library Director:

On motion of Selectman Donohue, seconded by Selectman Howard, voted to file notice that Board of Library Trustees elected Cashman Kerr Prince as Chair and Susan Pipes as Vice-Chair.

Building Inspector Mark Chubet:

On motion of Selectman Lyons, seconded by Selectman Howard, voted to approve and file monthly building report for June 2015.

Selectmen's Addenda

Selectman Donohue

Tom Collins

A retired firefighter passed away. There will be a wake and a funeral Thursday. Mr. Collins started the corner memorial program honoring Norwood military who lost their lives on duty. Even when he was sick he never lost his kindness and patriotism. The Town has suffered a great loss.

Reminder Pops Night July 26, 2015

Steve Costello Memorial Run/Walk

Contact Joan Costello for details. Steve was the Town Planner and did the grant writing. This is a good way to raise funds to remember him.

July 4th

Thank you to all who helped and worked the parade.

Selectman Howard

Lower Washington Street

Asking the Manager to please check out the area of 75-79 Lower Washington Street as a large tree appears to be rotten and has huge limbs hanging that could fall.

Selectman Bishop

Food Pantry

They are looking for a volunteer to go to Costco once a month. Contact number: 781-762-6866

Motorcycle accident in Connecticut

Kenneth Oliveria passed away as a result of the collision and Phil McManus is in critical condition Phil McManus is in critical condition in UMass Medical Center, Worcester. Keep them in your prayers.

Manager's Agenda

Coakley Middle School heating system

This Board had asked the Manager to have a discussion with Supt. Hayden about status of the heating system in regard to how much the cost has escalated with the original plan and whether the Town should go forward instead of waiting for the State. The Manager did not do this but will try to have the information for the next meeting.

On motion of Selectman Howard, seconded by Selectman Lyons, voted to file Statewide Mobilization plan with regard to Norwood Fire being deployed to a Webster, MA mill fire on June 24th.

Solar Energy Boston Globe Article

Selectman Lyons pointed out the article was written by the Vice President of National Grid and Eversource.

Tax Foreclosure

Tax collector foreclosed on 37,026 s f of land adjacent to Neponset River off Audubon Road.

Municipal Relief Transfers

On motion of Selectman Donohue, seconded by Selectman Howard, voted to approve of FY 15 Municipal Relief Act Transfer totaling \$ 23, 839. Selectman Plasko expressed concern with the number of Municipal Relief transfers and stated a couple of years ago this Board was going to prevent this happening at the end of fiscal year. The Board should know about these sooner. They have been coming in for a month and a half.

Municipal Transfers

On motion of Selectman Howard, seconded by Selectman Donohue, voted to approve request to post a special meeting of the Board of Selectmen on Tuesday, July 14, 2015 at 3:30 p.m. for the purpose of approving last minute requests for transfers.

Donna LeRoy, Electric Light Department

Mrs. LeRoy has announced she will retire on July 31, 2015. Selectman Plasko stated that with all the changes in personnel, this has been a juggling act. This is an extremely important position. He worked with Mrs. Leroy for many years and she has done an admiral job. He wished her the best and thanked her for her service. Selectman Lyons said he agreed with Selectman Plasko's statement.

Manager's Executive Session

PEC

This item is information regarding health insurance.

Adjournment

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 8:55 p.m.

A True Record.

ATTEST: _____
Assistant