

Regular meeting of the Board of Selectmen convened at 7 p.m. on Tuesday, April 12, 2016 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 Allan D. Howard, Selectmen William J. Plasko, Helen Abdallah Donohue, Paul A. Bishop and Thomas F. Maloney. Also present General Manager John J. Carroll, Clerk Frances L. Jessoe and Assistant Christina Mulvehill

#### Appointments

##### 7:00 P.M. – Lou Santoro:

Presentation of gavel to the Chairman.

Mr. Santoro was in attendance to present the gavel to the Chairman. He was involved in the renovations of the USS Constitution and became friends with president of the navy club. He offered him wood that had been cut up and was being used for firewood. Mr. Santoro said he made several gavels from the wood including some that were given to astronauts. Mr. Santoro spoke about his experience on the Constitution. He said Selectman Howard was at his house when he was running for Selectman and Lou told him if he won the election and ever became Chairman; he would make him a gavel. Chairman Howard said he has been friends with Mr. Santoro for forty-five years and they met at the Sportsmen's Club. Selectman Donohue spoke about Mr. Santoro and his family history.

##### 7:05 P.M. – Edward F. McKenna:

Recognition of years of service on Permanent Building Construction Committee

Mr. and Mrs. McKenna were in attendance to celebrate Mr. McKenna's retirement from the PBCC. Chairman Howard spoke about how many hours he put in to the PBCC. This certificate is a token of our appreciation. The Chairman read the commendation thanking him for his fifteen years of service. He listed some of the projects Mr. McKenna worked on. Mr. McKenna said it has been an honor but he never caught up with his wife's eighteen years on the school committee. He will proudly display this at his home. Selectman Maloney thanked him for his service and said he was enjoyed working with him on Capital Outlay and admired his professionalism and preparation. Selectman Donohue spoke to Mrs. McKenna and mentioned her accomplishments. She complimented her on her effort. Selectman Plasko thanked him for all his service to the town in addition to his wife's service to the town too. Selectman Bishop thanked Mr. and Mrs. McKenna for all they have done and for their dedication. People like them make Norwood the town it is. Chairman Howard also thanked the McKennas.

##### 7:15 P.M. – Supt. Mark Ryan, DPW/Town Engineer:

Re: Sewer lining project.

Mr. Ryan was in attendance to do a presentation about the sewer project. He passed out a hard copy of the power point. He wanted to show people what town meeting has been voting and what all the activity has been on sewer main cleaning and lining. Chairman Howard asked Mr. Ryan to explain in detail. Selectman Donohue said Mr. Wasil brought this up to begin with. Mr. Ryan said Mr. Wasil was talking about storm drain flooding. This discussion is about the sewer system that leads to the Meadowbrook. They have four or six underdrains. Mr. Ryan outlined the projects that have been done to date. Current project is Meadowbrook areas three and four. The work will all be completed by 2023. The last section of work will be in the Balch School area in 2020. CDM did engineering for the current project. Construction cost is \$1.75 million to clean 8000 feet of sewer main and 217 residences. Fifty manholes will be lined. He explained that the pipes are cleaned and then cameras are sent down to prepare for the lining. Chairman Howard asked if they have to excavate sometimes. Mr. Ryan said sometimes they do. Mr. Ryan went on to say when there are roots they send a cutter in to get them out. Selectman Maloney asked if sewer service means the pipe connecting to the street from the house. The lining process is very interesting. Chairman Howard asked if residents are reporting differences in their drainage. Mr. Carroll spoke about the three types of pipes. Selectman Donohue asked if we borrow for this project. Selectman Plasko thanked Mr. Ryan for making the presentation and explaining to the

Supt. Mark Ryan, DPW/Town Engineer-(cont'd):

public. The system needs to be maintained and we are under EPA directives and orders. The alternative of a new system would be a lot more of an inconvenience to people. Selectman Bishop asked what percentage of project is done. Mr. Ryan said with completion of this project they will be 75 % done.

Selectman Donohue asked why South Norwood is last. Mr. Ryan said it is based on addressing the areas with higher levels of contamination.

New Business

Personnel Board:

On motion of Selectman Bishop, seconded by Selectman Plasko, voted to file information and update regarding Town Clerk's Office Reclassification Requests and the Personnel Boards recommendation regarding possible charter change re Town Clerk & Accountant position.

Jill Reddish, FIOS TV-Sr. Staff Consultant, Verizon:

On motion of Selectman Bishop, seconded by Selectman Donohue, voted to file e-mail regarding Verizon's Cable franchise agreement with the Town which expires on 8/20/2017. They are proposing a meeting between Verizon and representatives of the Town.

Greg Franks, Senior Manager, Government & Regulatory Affairs, Comcast:

On motion of Selectman Bishop, seconded by Selectman Donohue, voted to table for one week proposal for a wireless solution for transmitting PEG access video and audio from the Town Common and request for the Board's signature. This proposal, if accepted, would avoid disruption to the downtown area associated with pulling fiber.

Cashman Kerr Prince, Chair, Board of Library Trustees:

- a. On motion of Selectman Donohue, seconded by Selectman Plasko, voted to approve request to place an article on the Special Town Meeting Warrant regarding the Library's Revolving Fund.
- b. On motion of Selectman Donohue, seconded by Selectman Bishop, voted to approve request to place an insert in the September Light Bills to promote the Outreach Services.

Chief William G. Brooks III, NPD:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to file concerns regarding the potential of a registered marijuana dispensary opening in Norwood.

Mary Lou Folan, Assistant Town Clerk:

On motion of Selectman Donohue, seconded by Selectman Plasko, voted to approve the following (5) petitions for articles to be placed on the Special Town Meeting Warrant for May 9, 2016 that were received and certified by the Board of Registrars.

- a. To see if the town would vote to change the status of lower Rock Street to a dead end street, etc.
  - b. To see if the Town would vote to approve a measure to have the DPW assist homeowners with the cost to replace cast iron and lead water pipes to copper feed lines in older homes.
  - c. To see if the Town would vote to change the status of the property located at 36 Plimpton Ave. to be zoned as a residential property from its current mixed usage status, etc.
  - d. To see if the Town would vote to rescind the creation of a 40R Smart Growth Overlay District at the site of the Regal Press building on Lenox Street at Plimpton Avenue, etc.
  - e. To see if the Town would vote to include public input sessions to be held at each and every elected Board meeting here in Town, etc.
- All on petition of Kevin Pentowski, et al.

Kerri McCarthy, Director, Council on Aging:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to approve and forward to the Finance Commission request that their Revolving Fund be authorized for the FY ended June 30, 2017.

Rina Cametti, President, Beacon Compassion Center:

On motion of Selectman Plasko, seconded by Selectman Maloney, voted to schedule an appointment with the Board to discuss a possible dispensary location in Norwood.

Joseph A. Robicheau Jr. & Dorothy Robicheau, 17 Hazelwood Drive:

On motion of Selectman Plasko, seconded by Selectman Bishop, voted to add to warrant and refer to Planning Board, request to place an article on the Special Town Meeting for the rezoning of their land from multifamily (A) District to Manufacturing (M) District with a copy of the warrant article.

Unfinished Business

Green Harbor Dispensary, 987 Tremont Street, Duxbury:

Middlesex Integrative Medicine, 155 Federal Street, Boston:

Submitting new proposed Community Host Agreement and report from Selectman Plasko which includes letter of thank you to Board from Middlesex and request for a letter of support as per the template from Dept. of Public Health. Selectman Plasko said there was an update by both firms on host agreements and may be subject to small editorial changes. Their offers are what they are. He met with them to get to know them and understand them. They are a little different from one another. Selectman Plasko talked about the different types of proposals. Middlesex is offering a payment based on sales of the product with a cap of \$300,000 per year. Green Harbor offered a new proposal this week; the previous proposal said after the fifth year, after they were established, they would come back to the town and open negotiations for future years, but they were told the town would rather see something locked down. They came back with a proposal was that from the fifth year on the percentage of sales that would become 2% of gross sales with no cap. The bottom line is the law is here, the dispensaries are coming to the area, whether they come to Norwood or not. If we approve or give letters of non-opposition there is still no guarantee that either one of these firms would come to Norwood. They still have to get leases and get state approval, they still have to decide that after all that happens, they want to come to Norwood, because all of these firms are talking to multiple towns. We will deal with this as best as we can with the information that is available, but there are still no guarantees as to exactly what will happen. But the people have voted for this to happen, the state is controlling it, we have a zoning bylaw as to the areas of town they can locate in, we have a general by law that requires licensing and oversight by the town as stringent as the law allows. It only seems prudent that if we find a firm with good quality people and have the best intentions of running these operations, that we enter into a host agreement, and if they do locate in Norwood, it would at least be a new revenue source. Selectman Plasko recommended looking at the reality of the situation and proceed cautiously and use whatever protections we can, such as our bylaws, and enforcement where enforcement is appropriate. But short of that it should be looked at as a revenue enhancement, as new revenue sources don't come along very often. Selectman Plasko recommended approving both firms because of their qualifications and their offers and see what happens. He believes we should approve both firms.

Green Harbor Dispensary and Middlesex Integrative Medicine-(cont'd):

Chairman Howard asked if they were both dispensaries and cultivation. Selectman Plasko said that will depend on how they get approved by the state. Middlesex has indicated they are interested in dispensary only, with cultivation in Leominster. Green Harbor is looking at both cultivation and dispensary being in Norwood, but they could take one or the other. He said he does not see us getting two, as the state has a limit of five in each county. Selectman Donohue asked for overview of what has happened already in the town of Norwood; how many companies have already approached us. Selectman Plasko said we issued letters of non-opposition to two companies in the first round, and the state did not approve either of those. They were Middlesex and ARL. The state is doing another phase and starting the process all over again, which is why Middlesex came back to the Board, and they are looking for the support again. The first time we really did not get into discussions of the host agreements, as we were thinking that step came afterwards, but it really is something to get nailed down up front. Selectman Donohue asked which firm had a location in Rhode Island. Selectman Plasko said that was ARL and they were given a letter of non-opposition, but they were not chosen by the state in the first round either. From what he hears, they haven't actually come back and approached the town yet, but they are in the second round and are trying to get to the state to get approved. You may recall we received a letter from a landlord that he had a letter claiming ARL had a lease in Norwood and that is not true. We took the position a few weeks ago that we were just copied on that letter, but they were not actually before this Board and we would wait to see what transpired, but we have not heard from them. Selectman Donohue stated her concern is she does not want any entity to think that we are trying to sell the town of Norwood. This is a great town and she wants to make sure the town is protected. She added that the Town should treat all applicants the same unless there is negative information about them. Selectman Plasko said that is basically his position, that as long as they seem to pan out all right and we are comfortable with them, that we take the same approach on all of them. Chairman Howard asked if Town Counsel had reviewed these agreements. Selectman Plasko said counsel had not reviewed them and they are pretty straightforward agreements that simply state what they are going to present to the town, how they are going to pay the town. The wording in Green Harbor's agreement which says they will make payments to the town as directed by the Town Manager should be changed to say they will make direct payments to the town. Selectman Plasko said they could certainly be sent to town counsel for the final wording. The Chairman asked Selectman Plasko if he preferred one or the other. Selectman Plasko said he likes them both, and they both present very well and have great backgrounds. Chief Brooks met with the security person for Green Harbor last week and was very impressed with him even though he has his concerns about the industry entirely, when it came down to dealing with that individual the Chief felt he was a quality person. The best in terms of payment to the town of \$300,000 annually would be MIM, whereas Green Harbor starts off a little slower, making increasing payments for the first three years, then goes to 1% of gross sales, then eventually 2% of gross sales and there is no cap in their offer. Both of these agreements have clauses stating if the state approves recreational use for marijuana and the state imposes taxes (excise tax) on the product, and if the town is able to institute taxes, the agreements are null and void. The town will not be getting the taxes and these agreements. Selectman Bishop inquired about ARL and the Board's understanding some time ago that they had received a provisional approval to open on University Avenue just for the purpose of growing. It is his understanding now that there are some serious issues regarding real estate and location.

Green Harbor Dispensary and Middlesex Integrative Medicine-(cont'd):

Selectman Plasko said that does seem to be up in the air, but in any event, ARL would have to come back to the town before it could go any further. Selectman Donohue said, in that regard, there is further information that they have purchased a building. Selectman Maloney asked if any of the other Board members were given pause by Chief Brooks letter to the Board, dated yesterday. Chief Brooks is clearly opposed to the authorization of marijuana facilities here in Norwood. Selectman Plasko said that the Chief expressed all those opinions early on, yet he eventually did realize the law has passed, they are going to come to town, and supported and actually worked with us, appointing Lt. Kelly to sit on the medical marijuana committee. He worked with us on the zoning and the general by law. Selectman Plasko said he met with the Chief last Friday and some of the concerns he brings up are things that are already happening anyway. There are people now who have cards and are getting medical marijuana legally, without a dispensary being in Norwood. Selectman Maloney pointed out that one of the Chief's concerns is the localization of crime around the facilities; that they become mini hubs of crime. Selectman Plasko said there are conflicting reports about crime around dispensaries. He personally is opposed to recreational marijuana and thinks opening it up entirely will be a big problem for all. A lot of our state leaders, people in the police community and political world, and others have already come out in that same position. However, medical marijuana has already happened; the public has already voted sixty to forty percent in favor of it and there are people with serious needs who can be helped by this product. He shares the Chief's concern that there are some in the medical profession that might not have the scruples we would hope they would have, and would issue medical marijuana cards to people who really don't need it. That is something that will have to be controlled by law enforcement, and by the medical community through the measures they will determine to discipline for such an abuse. Assuming everything is on the up and up, people with serious illnesses can benefit from this product and it has already been decided by the public with their votes and the implementation of the law. The additional concerns the Chief have are related to if and when recreational use of marijuana becomes legal.

Selectman Donohue again mentioned the hardship clause in the law, stating that if the town does not have a facility, then any person having a medical marijuana right, can grow the marijuana on their own premises under the guise that it is a hardship for them to get to the product.

Selectman Maloney asked if it would make any sense for the Board to give approval only to those who are proposing to put in RMD's and not proposing to put in cultivation centers and asked if that would in any way allay the Chief's fear about the localization of crime around marijuana. Selectman Plasko said he and the Chief did not speak to that specifically, but his thoughts are that if there were going to be problems, they would be more likely to occur at a dispensary than a cultivation center. The dispensary has the product present and people coming and going.

Mr. Carroll said he and the Chief have talked about this letter. It is a very thoughtful letter and the Chief took time composing it. He is very serious about his concerns about marijuana dispensaries. Mr. Carroll suggested bringing in the Chief and letting him talk to the Board about his concerns. He is the Police Chief and he is concerned about crime and heroin problems and opiate issues. Selectman Plasko said this Board has already

Green Harbor Dispensary and Middlesex Integrative Medicine-(cont'd):

heard that from the Chief when he came before the Board on the subject previously. The manager persisted in telling the Board to have the Chief in to discuss his very serious concerns. Selectman Plasko took exception to the Manager's comments, stating he was making it sound like the Board does not care about the Chief's concerns, because they most certainly do. The manager reiterated his recommendation that the Board have the Chief in, stating again that he is the police chief and is worried about crime. Selectman Plasko said this is the Board of Selectmen and they will decide these matters, not the Manager and not the Police Chief.

Selectman Bishop said he spoke with the Chief today and thinks he is taking it to a new level with this letter and there is a lot of information that would benefit the general public. Yes, this Board will have the final say in the matter but seven days will not make a big difference one way or the other. Selectman Bishop went on to say that there was overwhelming support in this town and in this state for medical marijuana and this Board also has an obligation to listen to the word of the people and as much as he does not want this to happen, he has an obligation to listen to the word of the people. It would not do any harm to have the Police Chief come next week and address this. Selectman Bishop said he is concerned with the new information from Selectman Donohue that ARL might in fact be coming to town with a provisional agreement, as he had thought they would not be coming. Chairman Howard said the town of Norwood and the state of Massachusetts both voted in support of medical marijuana and what the majority of the people in this town want has to be considered. He went on to say that initially he was opposed to medical marijuana; it is a fact that marijuana is a gateway drug. His position changed to supporting it when he got input from people who are critically ill. Selectman Plasko pointed out the host agreement proposed by Green Harbor had an expiration date of April 15, 2016; this Friday.

On motion of Selectman Bishop, seconded by Selectman Donohue, voted 4-1 to invite the Chief to the meeting next week. Selectman Plasko opposed.

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to hold recommendation of the Board one week and ask Green Harbor for a one-week extension.

Thomas J. McQuaid, Town Clerk & Accountant:

On motion of Selectman Plasko, seconded by Selectman Bishop, voted to file response to a resident's public records request.

Selectman Thomas Maloney:

Submitting information from Town Counsel regarding the Norwood Capital Outlay Committee Membership Issues as per the Manager's request for an article on the Special to change the structure of the Capital Outlay Committee. Selectman Maloney said Mr. Carroll had asked about the possibility of giving ex officio members permission to vote.

Memoranda

Selectmen's Meeting:

On motion of Selectman Bishop, seconded by Selectman Donohue, voted to approve as submitted of the Board minutes of March 8, 2016 and March 22, 2016.

Memoranda-(cont'd):

Building Inspector Mark Chubet:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to file monthly building report for March, 2016.

David Hern, Jr, Cheney & Hern LLC, 470 Washington Street:

On motion of Selectman Donohue, seconded by Selectman Plasko, voted to file copy of correspondence to Paul Halkiotis, Town Planner regarding rezoning proposal at 429 Neponset Street and adjoining parcels.

Selectmen's Addenda

**Selectman Bishop**

Norfolk County Mosquito Control

Will start work next week in Norwood for a few hours in a blue and yellow helicopter, taking off from and refueling in the landfill.

Mark Welch

Joe Welch, former Supt. of the Norwood DPW has three children. One of his sons, Mark, passed away a few days ago. Mark was a retired Marine Corps Major who served five deployments over his long military career. During one of Mark's rescue missions he saved the life of a fellow Norwood citizen and Marine.

**Selectman Plasko**

Mark Welch

My sympathy to the Welch family. My heart goes out to them.

**Selectman Donohue**

Mark Welch

Condolences to Anita Welch and the whole Welch family.

League of Women Voters

Will host a seminar Thursday night at the police station.

Student Government Day

Student Government day was a great project and thanks to all who participated.

Ken Ross

Mr. Ross will be turning ninety-seven years old. Happy Birthday.

**Selectman Maloney**

Mark Welch

Condolences to the Welch family from the Maloney family.

Diego Silva/Winged Food Running

A run to raise funds for veterans will be held Saturday, May 14, 2016.

April 12<sup>th</sup>

The USSR put the first man in space on this date in 1961. The Columbia was launched twenty years ago. Franklin Roosevelt passed away on this date in 1945 and Edward Devere was born on this date in 1550.

**Chairman Howard**

Mark Welch

Mark was a true hero and I am so sad about his passing.

Student Government Day

I look forward to this all year – to interacting with students from Norwood High.

Manager's Agenda

Consider placing an article on the Special Town Meeting warrant to change the structure of the Capital Outlay Committee, Article XV, Section 3 of the Town By-Laws.

Mr. Carroll compared the committee to the budget balancing committee and said it would be better if the ex officio members could vote on Capital Outlay. Selectman Maloney stated he would oppose this proposal if it were to get to Town Meeting. This committee has been in existence as it is since 1959. He does not think it is wise to give the Town Manager ability to vote on proposals brought to the committee by the Town Manager. Selectman Maloney said he does think the Supt. of Schools should be a voting member and Selectman Donohue concurred. Selectman Plasko also spoke in opposition, stating the Manager, Clerk, Treasurer and Librarian are important to the work of the committee and would be called in to the meeting to make a case, etc. but he isn't sure they should even be members at all. Selectman Bishop concurred. On motion of Selectman Plasko, seconded by Selectman Donohue unanimously voted against inserting this article on the warrant.

For your information-Electrical outage April 3 on the Pleasant Street Feeder.  
Information only

As part of Earth Day, CertainTeed (aka Bird & Son) volunteered some of their employees to help clean up Murphy Field Park  
They will pick up trash at the park

Draft summary of proposed articles for Special Town Meeting.

Adjournment

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

A True Record.

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