

Regular meeting of the Board of Selectmen convened at 7 p.m. on Tuesday, March 19, 2019 in Room 34, Norwood Memorial Municipal Building, with the Pledge of Allegiance, and a silent moment of prayer and reflection.

Present: Chairman Thomas F. Maloney, Selectmen William J. Plasko, Helen Abdallah Donohue, Paul A. Bishop, Allan D. Howard. General Manager Tony Mazzucco, Clerk Christina Mulvehill, Assistant Aoife Kelly.

Appointments

7:00 P.M. – Kerri McCarthy, Executive Director, Norwood Senior Center:

Ms. McCarthy gave an overview of the department activities. She began with the programs offered at the center, stating participation in the programs is between thirty and sixty people and on days without functions, the average attendance is eighty to one hundred people. They have bridge, cribbage, mahjong, etc. and the Learn to Play Mahjong is one of the most popular programs. She spoke about Program Director Nancy Kelleher, who does a great job of scheduling the programs. The Bus Driver, Ellen Ross is always working and Trish Monahan is the Outreach Worker. The Senior Center includes several intergenerational programs and the Little Mustangs are in the building now. Selectman Bishop commended Ms. McCarthy on the job she does. Ms. McCarthy pointed out that social isolation is very harmful to seniors and the Center offers them a cheerful place to spend time with others. She mentioned there is a medical equipment closet which any Norwood resident can borrow from. There is no age limit. Selectman Howard inquired about the SHINE Program. Ms. McCarthy explained that SHINE (Serving the Health Insurance Needs of Everyone) consists of volunteers who go to the Senior Center to help with insurance issues. Chairman Maloney inquired about the staff that does the cooking. Ms. McCarthy said the cooking is done by students at The Education Cooperative School in Walpole and the culinary class is Phoenix. They are learning the trade and also cooking lunch every day and catering all the Senior Center events. Every morning they put out pastry, fresh fruit and oatmeal, which is available for the Seniors free of charge. Selectman Howard commended Ms. McCarthy for bringing the Senior Center so far. The students benefit from interaction with the Seniors.

7:15 P.M. – Travis Farley, Supt. Recreation Department:

Mr. Farley welcomed Selectman Howard back. He then gave an overview of the department monthly activities. This year the department held its first winter carnival, which was well attended. This carnival was sponsored by Dedham Savings, and much thanks to them for that. Mr. Farley thanked the Norwood Diamond Club for their participation in the baseball program. The department is now accepting applications for summer positions. The playing fields are still currently closed, but there is a tentative opening date of April 1, 2019. Chairman Maloney commented on the receipts, which are up right now.

7:30 P.M. – (cont'd) Show Cause Hearing, Outback Steakhouse of Florida, LLC, dba Outback Steakhouse

Re: Failure to provide the public with the services contemplated by the license. Outback closed effective January 16, 2018. (continued from November 13, 2018)

Attorney Brian Almeida was present on behalf of the property owner David Spiegel, and Attorney John Connell was present on behalf of the licensee, Outback. Mr. Connell gave a brief history, stating his client, Outback closed in January of 2018 and this hearing has been continued twice already. The original notice was in June of 2018 and the hearing opened in August of 2018. In February of 2019, Outback entered into a contract purchase and sale agreement for Mr. Spiegel to purchase the license. The contract provided that Mr. Spiegel file an application by today, March 19, 2019 and he has not done that. Both parties agreed if he had not done used diligent efforts to file an application by today, both parties would send representatives and request a continuance, which is what we are both requesting tonight. If this Board is not inclined to grant a continuance and wants to reach a decision on this violation for non-use, Mr. Connell requested per Massachusetts case law appeals court decision, the Board of Selectmen of Saugus, versus the ABCC, which has been upheld and further defined by the ABCC in a number of decisions, that this Board provide us 180 days from today to either transfer the license or renew use of the license. Attorney Almeida concurred on the request for the continuance and stated for the record that his client has acted diligently to find someone to occupy the space. Selectman Plasko asked how much time they are asking for in a continuance. Mr. Connell stated his main goal is to avoid revocation, and would defer to Mr. Almeida as far as time needed. Attorney Almeida then deferred to the

(cont'd) Show Cause Hearing, Outback Steakhouse of Florida, LLC, dba Outback Steakhouse-(cont'd):

Board for their judgment. Chairman Maloney clarified that at this moment there is not potential tenant. Selectman Donohue addressed Attorney Connell regarding the concept of 180 days, adding that the Outback closed its doors one year ago in January. She reminded him the Town has been good in this matter but it is time to take care of this license, and if the Board grants an extension, the expectation is the matter be taken care of within that time frame. Selectman Plasko referenced the agreement between the parties for a transfer application no later than today, and that hasn't happened. Mr. Connell said they are here requesting a continuance, and his only request is if the Board does not grant that continuance, that it recognize the case law that provides 180 days after a determination is reached. His understanding of the agreement between the parties is if there is not a determination, but rather a continuance with 180 day notice, the agreement with the landlord would terminate and the Outback is then free to sell to other parties. Chairman Maloney asked if the Board were to deny request for continuance, and instead find the Outback in violation, would the contract be terminated. Selectman Donohue stated if the continuance is denied with 180 day notice, the Town of Norwood would then lose 180 days of an active license. Selectman Howard said he understands why they had not brought in a licensed broker to sell the license because they were under contract, but going forward, if the Board were to grant a continuance, would they seek to sell license to other parties in Norwood. Mr. Connell conveyed to the Board that Outback wants to come back to Norwood, and they do not want to do anything that runs contrast to the Town of Norwood or this Board. Selectman Bishop clarified that Outback possesses the license, not Mr. Spiegel.

On motion of Selectman Donohue, seconded by Selectman Plasko, voted 4-1 to continue the hearing for thirty days to Tuesday, April 23, 2019 at 7:30 p.m. Selectman Bishop opposed.

New BusinessLicenses for 2019/2020

On motion of Selectman Howard, seconded by Selectman Bishop, voted to authorize the Clerk to affix their signatures to the following licenses:

Public Amusement:

Norwood Sport Center, Inc., 65 Cottage St. East

Bowling Alley & Pool Tables:

Norwood Lodge B.P.O. Elks #1124, 152 Winslow Avenue

Norwood Sport Center, Inc., 65 Cottage St. East

Workmen's Hall of Norwood, Inc., 99 1/2 Wilson St.

Veterans of Foreign Wars Bldg. Assoc., dba Norwood Post 2452, 193 Dean St.

Antique/Second Hand Dealers/Junk Collector's License:

Boston Core Supply, 273 Lenox Street

Chanel Shabby Rose, 61 Endicott St.

Pascale & Philippe Chelala, Chelala Jewelry & Gifts, 696 Washington St.

Command Zone Games, 61 Endicott Street, Bldg. 25

Debra Hayward, dba Gallery 2, 61 Endicott St.

Hollie's Place, 61 Endicott Street

It's Time, 61 Endicott St, Bldg 23

Kappy's Coins & Stamps, 534 Washington St.

Keegan's Norwood Jewelers, 1135 Washington St.

Newbury Comics Inc., 859 Boston Prov. Turnpike

Ramblin Rose, 61 Endicott St.

Remarkable Cleanouts, LLC, 61 Endicott St.

Salvage Angel, 61 Endicott St.

Savers, 560 Boston Prov. Tnpk.

The Vintage Peacock, 61 Endicott St.

White Dog Vintage, 61 Endicott Street

April Meetings

On motion of Selectman Bishop, seconded by Selectman Howard, voted to cancel April 16, 2019 Selectmen's meeting.

Car Wash

On motion of Selectman Howard, seconded by Selectman Bishop, voted to approve the following:

Center of Hope Haiti, Saturday, April 27, 2019 from 8 a.m. to 3 p.m.

Norwood High School Cheer, Saturday August 10, 2019 from 8 a.m. to 3 p.m.

Norwood Mustang Hockey Club, Saturday September 14, 2019 from 8 a.m. to 3 p.m.

Vincenzo Loffredo, Vico Ristorante Italiano, 89 Central Street, Norwood

On motion of Selectman Howard, seconded by Selectman Bishop, voted to submit an article to Town Meeting to accept language of Massachusetts General Laws Chapter 138 section 12 paragraph 15 "In any city or town which votes to accept the provisions of this paragraph, a common victualler, who holds a license under this section to sell wines and malt beverages may, upon written approval, also sell liqueurs and cordials pursuant to said license, subject, however, to all other licensing provisions of this chapter."

Verizon

Submitting check in the amount of \$1,775.00 for the Annual License Fee – should be deposited in the General Fund.

Niall S. Connors, Verizon

On motion of Selectman Bishop, seconded by Selectman Howard, voted to file notification pursuant to 207 CMR §10.01 and § 10.02(6), Fios TV Channel Guide, Fios TV Rate Card and Fios TV Sample Customer Bill.

Mary Lou Folan, Town Clerk

Submitting request that an Article be submitted for the Special Town Meeting Warrant, she anticipates a shortage in the FY19 Elections and Registration Budget.

Norwood Public Access

On motion of Selectman Bishop, seconded by Selectman Donohue, voted to file minutes of Board meetings of December 3, 2018 & January 28, 2019.

Robert F. Sullivan, Sr. Manager, Comcast

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to file notification in accordance with Massachusetts cable regulations (207 C&R 10.01(2) and 10.02(6)), copy of policies and procedures, sample subscriber bill, work order and rate & channel line-up information.

Alicia Gardner, Norfolk County Registry of Deeds

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to file as information notice of annual office hours at Norwood Town Hall, Finance Committee Room on Thursday June 13, 2019 from 9 a.m. to noon.

Jim Henry, Race Director, Ice Cream 5K and Family Fun Day

On motion of Selectman Howard, seconded by Selectman Donohue, voted to approve request for the 1st Annual Ice Cream 5K and Family Fun Day on Saturday June 22, 2019 at 10 a.m. All pre and post-race activity will take place at the Willett School. He has coordinated this event with the Norwood Police Department Safety Officer.

Elizabeth Narciso, St. Catherine of Siena School, 249 Nahatan Street

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to approve request for 1Day AAB License for April 6, 2019 from 7 p.m. to 12 a.m., for Annual Gala.

Cemetery Deeds

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to sign:

Helen P. Ivatts, 1297 Washington Street, to Lot C3-104

Joshlin Garcia, 125 Hilltop Drive, Walpole, MA 02081 to Lot C3-76

Mary F. Larosa, 16 Frontier Drive Walpole, MA 02081 to Lot C3-85

Kim L. Ridikas, 82 Laurel Road, to Lot SGA-166

Stacey Lane, Assistant Director, Norwood Board of Health

On motion of Selectman Bishop, seconded by Selectman Howard, voted to file as information updated status of re-inspection at Lodging House, 175-179 Railway Avenue, Room D.

Memoranda

Chief William G. Brooks III, Norwood Police Department

On motion of Selectman Howard, seconded by Selectman Plasko, voted to file recognition for Officer Jennifer Hoyle.

John H. Rogers, State Representative, 12th Norfolk District

On motion of Selectman Howard, seconded by Selectman Bishop, voted to file copy of support for grant application to the MassDOT Municipal Bridge Program.

Selectmen's Meetings

On motion of Selectman Howard, seconded by Selectman Bishop, voted to approve December 11 & 18, 2018 minutes.

Manager's Update

Chief William G. Brooks III, Norwood Police Department

On motion of Selectman Howard, seconded by Selectman Bishop, voted to approve request to declare a 1966 Volkswagen "Safety Bug" surplus property pursuant to M.G.L. Chapter 30B § 15 so that it may be disposed of.

Mark Ryan, Director of Public Works and Town Engineer

On motion of Selectman Plasko, seconded by Selectman Bishop, voted to approve request for Reserve Fund Transfer of \$16,400 to Public Works Overtime Account P-0538-19, and forward to Finance Commission.

Special Town Meeting Article Proposals

Proposing an article for the Special Town Meeting to include a donation check off box to tax bills for people to donate to senior citizens and disabled people. He proposes a similar program for donations to veterans.

Selectmen's Addenda

Selectman Bishop

Has heard from two residents of Berwick Place that students leaving the high school travel at high speed on this road.

Everett Street Senior Housing

Received a complaint from resident that the sidewalk never gets plowed.

Selectman Howard

Revaluation

Town is doing a revaluation of all properties. A representative will go to homes and request to look over premises.

Selectman Plasko

Forbes Hill

RFP for bids will be open April 8th. Twenty six parties have accessed the RFP.

Chairman Maloney

Election

Thank you for league of women voters for candidates forum.

Capital Outlay Committee

Meeting scheduled for Thursday, March 21 at 6 p.m. in Room 24 of Town Hall.

Adjournment

No other business being presented for consideration, on motion of Selectman Bishop, seconded by Selectman Plasko, voted to adjourn and the meeting was adjourned accordingly at 8:05 p.m.

A True Record.

ATTEST: _____

Clerk