

Regular meeting of the Board of Selectmen convened at 7 p.m. on Tuesday, March 28, 2017 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, 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.

7:00 P.M. – Mark Ryan, Supt., DPW/Town Engineer:

Mr. Ryan gave the highlights of the department's monthly activities, including the snowfall in the town during the month of March and the snow removal program. He gave an update on the Route 1 Water Meter Pit near McDonalds and the Westwood line, and the work that will start soon. The Cemetery Department has been organizing the space they occupy. Engineering Department has submitted the Ellis Pond Emergency action plan. Chairman Howard asked what would happen if the Ellis Pond Dam failed. Mr. Ryan replied that the dam was built in 1998 and is inspected every two years. The Guild Street railroad bridge replacement will happen during the weekend of April 21-23, and should be completed by 2 a.m. that Monday morning. Selectman Bishop asked about recycling Styrofoam coffee cups. Mr. Ryan said white Styrofoam can be rinsed out and brought to the landfill.

Selectman Plasko spoke about the work the gas company did in the middle of Philips Road and in the gutter there, stating it should be repaired by the utility company and suggesting to Mr. Ryan that he speak to the utility about putting money towards the Town's Chapter 90 fund. Mr. Ryan said the plan is to pave the road and get a donation from National Grid. Selectman Maloney inquired about Chapter 90 and Mr. Ryan said they anticipate receiving \$900,000 from the state. Selectman Maloney informed Mr. Ryan that the DPW rolling stock has been approved by Capital Outlay Committee. Chairman Howard proposed formulating a long-term, plan for the next five or ten years to bring the roads in line and see what money it would take to do this, within the next week or two. The Manager said he and Mr. Ryan went out last week to look at the streets he had on his list, but his initial estimate of the streets that could be paved was \$2.5 million. Mr. Ryan concurred with the Chairman that they would need to appropriate \$1.6 million to cover the work. Selectman Bishop suggested utilizing the MMA and legislators to press for more money for the cities and towns for infrastructure.

7:15 P.M. – Supt. James Collins, Norwood Light Department:

Mr. Collins reviewed the report of his department's monthly activities. The 115kv transmission project construction is over and the only issues outstanding are the environmental issues regarding the regrowth of the plant. He said the department is working on a number of projects in town including Moderna, the old Roll Land, FM Global, Lenox Street, 83 Morse Street, etc. Mr. Collins informed the Board that there would be a request for a rate increase in the near future. The AMR installation project is going well and with residential installations nearing completion, they are currently working on commercial. Mr. Collins said he expects a grant in the amount of \$300,000 for the LED streetlight project, which will end up saving the town \$150,000 per year on lighting costs. Selectman Maloney asked about the Access Road feasibility study and Mr. Collins said it is nearing completion. He expects it to go to the next phase in three or four months. Selectman Maloney then asked why the cost of power is going up. Mr. Collins said there are three parts to the bill; energy, capacity, and transmission. The capacity is skyrocketing currently and it will eventually settle. New England pays very high energy costs. Selectman Donohue referred to the notice of price increases that was included in the light bills and suggested thinking about cutting costs.

Darryl Hansen, Supt. of Broadband spoke about watching cable television without a box, which is a unique service in Norwood. Without the cable box, there is no box charge and it allows the customers to use the features that come with the television. Comcast and Verizon force customers to use a box. Mr. Hansen encourages customers that have their televisions hooked up directly to cable to auto-tune every week or two over the next two months to prevent loss of channels.

7:30 P.M. (P.H.) - Minas Café, Inc., dba Minas Café Brazilian Steak House 1241 Washington Street
Submitting request for extension of hours and entertainment license

- a. Submitting copy of correspondence from Atty. David Hern, Jr.
- b. Submitting copy of correspondence from Olga Abdallah, South Norwood Committee
- c. Submitting copy of correspondence from Helen Abdallah Donohue
- d. Submitting copy of correspondence from Richard & Michael Saad

Selectman Donohue stated she would not participate in this hearing.

Attorney Hern introduced Gustavo and Manuel Da Silva. Manuel is the Manager of record. Minas Café was granted the first of the special legislation licenses in June. At the time this application was granted the Board imposed restrictions on service after 9 p.m. weekdays and after 10 p.m. on Fridays and Saturdays. They are asking that those restrictions be lifted as no other licensee is restricted this way. It seems unfair and they have applied for and paid for the license just the same as everyone else. They are requesting to serve until 1 a.m. but would not necessarily be open that late.

Attorney Hern explained that Minas's second request is for an entertainment license to have a limited music and possibly dancing. The music would be keyboard and guitar music to provide background music for patrons. Attorney Hern explained there are two main areas used for dining. The area that is the more formal is the second room, which is separated by a wall with a double and single door. There is a service counter there, which is not used as a bar. The room in question has windows facing Washington Street and the wall on the left hand side has no windows and only emergency egress if necessary. They do not anticipate problems with noise, because this is more background music. Attorney Hern said he is not aware of any licensee being turned down for this type of license, and they believe it would enhance the dining experience. As there has been some concern in the neighborhood, Attorney Hern attended a meeting with the South Norwood Committee. He stated that his clients run their business carefully and well and they have no complaints in any regard as far as police, Board of Health, etc.

Attorney Hern explained that the question whether the license restrictions should be removed so they are the same as any other licensee in the town. He reminded them that this is a restricted license by definition and is governed by the Board's rules and regulations. There is a capacity of eighty-two seats in both rooms total. They have received requests to have parties with music and they cannot do that without an entertainment license. If there is any problem in the future, this Board retains the right to call the licensee in for a hearing. Attorney Hern said they are just asking for the same opportunity as other businesses in town have to offer music.

Selectman Bishop said that according to the Alcoholic Beverages Control Commission, this Board was wrong to restrict the service hours to begin with and by law the licensee has the right to be open until at least 11 p.m. Selectman Maloney asked how long Minas Café has been operational. This family has been running it for twelve years.

The Chairman opened the meeting to public comments. Danielle Tinlin of 14 Concord Avenue said her property is twelve feet from the store and she said they have had numerous issues with this property owner over the years and she does not want this in her neighborhood. Chairman Howard asked if other businesses in the area contribute to the problem and she said it is the whole complex.

Jim Russetsky, owner of 9 and 15 Alandale Parkway, said he was not opposed to the current status, but is opposed to entertainment and increased hours. He thinks with people coming and going, the door will be open and music will be heard, and he is worried about patrons parking in the back of the building. Richard Saad who owns property at 1247 Washington Street claimed they have had nothing but troubling that parking lot. Nancy Davis of 26 St. Joseph Avenue had a slight concern about the noise, but is excited

7:30 P.M. (P.H.) - Minas Café, Inc., dba Minas Café Brazilian Steak House-(cont'd):

about the idea of a place she can walk to. Madeline Eysie of 29 Concord Avenue asked Ms. Tinlin if she had addressed the property owner about her issues. She went on to say the licensees should have respect, recognition, and reward. They are operating their business successfully and should be recognized for that hard work and success. She is all for these changes. Dennis Zablowksi of 45 Tremont Street said he hears noise from Austin and Concord Streets. He is not opposed to extension of liquor service hours because it is a restaurant and is doing well but he is concerned about entertainment.

Olga Abdallah of 1027 Washington Street spoke about what South Norwood was like in the early 1960's when things were bad there. She is not saying anything bad about "these people" but she does not think they understand what used to go on in South Norwood.

Christian Reichers of 18 Concord Avenue has abutting property to Minas and thinks they should be denied. Michael Saad of 7 Hamilton Circle dropped flyers door-to-door encouraging people to come to the meeting in opposition and he spoke about "slamming doors and leaving rubber". Patricia Adakonis of 18 St. Joseph is concerned about parking and where the overflow will go. Lillian Martowska of 16 Lewis Avenue said entertainment and dancing is the definition of a nightclub. Donna Montgomery said it would be a good thing for the neighborhood and she is not worried about amplification. The licensees are very responsible.

Attorney Hern assured the neighbors that the type of music they are proposing would not be heard outside in the parking lot. The door to the outside is far away from where the music will be played and the licensees are well aware of the requirements of the zoning by-law.

Selectman Plasko said he is concerned that this is a commercial and residential mix and in the past there have been problems in this type of area. Typically, the problems are with establishments open late at night and he does not feel it is appropriate to have later hours. Selectman Plasko said he respects that the licensees run a great establishment and entertainment as it was explained he could go along with but not late hours.

Selectman Maloney suggested extending hours until 11 p.m. and issue an entertainment license for Thursday through Saturday. Attorney Hern said they are asking for Monday through Saturday adding that Town Meeting voted this to breathe some new life into the South Norwood area. He appreciates the former problems in South Norwood but this is not the Krayzee Horse and it is not a bar. Quality of life involves being able to offer people in the neighborhood what they would not otherwise have. The licensee has made a major investment in this location by expanding. They should not be held responsible for trash and noise in the parking lot. There was formerly an entertainment at that location with no problems. If the Board finds problems they can do what they would with any other licensee but these people should have the same opportunities as other businesses. He addressed the parking issue, stating the parking requirement is one space for every three seats in a restaurant and one for every take out so they need a total 28 spaces to meet that and they do. The Da Silvas have made an investment in this community and would like to be open longer hours and offer patrons some background music. They are not turning this into a function hall and there is no dance floor. The licensees were asked about an 11 p.m. closure and they agreed.

Selectman Plasko suggested, if entertainment is approved the Board add wording that no sound shall be heard five feet beyond the exterior wall. Selectman Bishop added stipulation that doors and windows would be closed. Selectman Bishop went on to point out that all testimony tonight is about other establishments problems. There has been no testimony of any disturbance and none stemming from when there was an entertainment license in 2004. He is concerned only with Minas in this consideration and has not seen any problems and does not expect to.

On motion of Selectman Plasko, seconded by Selectman Bishop, voted 4-0 to close the hearing. Selectman Donohue abstained.

7:30 P.M. (P.H.) - Minas Café, Inc., dba Minas Café Brazilian Steak House-(cont'd):

Selectman Maloney made a motion to grant the entertainment license Monday through Saturday and extend closing hours to 11p.m. with no doors in and out being left open and no sounds being heard beyond five feet from exterior of premises. Selectman Plasko seconded. Selectman Bishop recommended the entertainment license be restricted to Wednesday through Saturday. Selectmen Maloney and Plasko seconded the motion and second and the motion passed 4-0. Selectman Donohue abstained.

New Business

Selectmen's Summer Schedule:

On motion of Selectman Bishop, seconded by Selectman Maloney, voted to approve summer schedule to meet on May 30th and then on June 13th and every other Tuesday thereafter. The Board will resume regular meetings on September 5, 2017. On motion of Selectman Maloney, seconded by Selectman Bishop, voted to have department heads attend summer meetings.

Darryl Hanson, Broadband Division Manager, Norwood Light:

On motion of Selectman Donohue, seconded by Selectman Maloney, voted to file copy of the 2016 Annual State License Fee payment.

Norwood Planning Board:

On motion of Selectman Maloney, seconded by Selectman Donohue, voted to file notice of Major Site Plan Approval pre application meeting for Norwood Plaza,130-150 Nahatan Street for Wednesday, March 29, 2017 at 9 a.m. in Room 12, Norwood Town Hall.

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

On motion of Selectman Bishop, seconded by Selectman Donohue, voted to approve requests for One Day Liquor Licenses:

- a. Saturday, April 1, 2017 from 6:00 p.m. to 11:30 p.m.
- b. Saturday, April 15, 2017 from 6:00 p.m. to 11:30 p.m.
- c. Saturday, April 22, 2017 from 7:00 p.m. to 11:00 p.m.

Martha Colamaria:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to accept request to place her name into consideration for Norwood Council on Aging.

Unfinished Business

ABCC:

On motion of Selectman Plasko, seconded by Selectman Bishop, voted to file notice of final approval of change of Manager at Outback Steakhouse.

Selectmen's Addenda

Selectman Bishop

Local Election Day

Reminder that next Monday is election day.

Selectman Plasko

Happy Birthday Kathy

Today is my wife's birthday. Thank you and happy birthday.

Town Clerk and Accountant Committee

The committee voted to recommend separating the positions of Town Clerk and Town Accountant. This change should be revenue neutral for the Town. Norwood is the only town in Massachusetts with this combination of positions. Town Counsel has written an article for town meeting for consideration and the proposed change would take place July 1, 2018. On motion of

Selectman Plasko, seconded by Selectman Bishop, voted to add the proposed amendment to the charter to the Special town Meeting Warrant.

Selectman Maloney

Mrs. Plasko

Happy birthday to Mrs. Plasko

Local Election Monday

Please vote. And remember the marijuana question is on the back of the ballot.

Chairman Howard

Election/Reorganization

After the election next week this board will Next week we will reorganize with another chairman

Marijuana

This is a ballot question and will be on the back of the ballot sheet. Read it carefully.

Managers Agenda

Town Hall Modernization

The Manager is requesting increasing the cost of project and to proceed in 2018, stating that the Finance Commission and Capital Outlay have approved, pending approval of the Board of Selectmen.

On motion of Selectman Plasko, seconded by Selectman Maloney, voted to reconsider the vote to defer the matter for one year.

Selectman Plasko said the building must be brought up to 21st century standards and the electrical work must be included. This may cost more but that should not stop the project. On motion of Selectman Plasko, seconded by Selectman Maloney, voted to support Manager's request to pursue funding of \$900,000 at Town Meeting.

Snow and Ice Update - was addressed during DPW Director's report.

Hanging wire on Pleasant St

The Manager will check on this.

Chairman Howard inquired about the possibility of building a garage at the Senior Center to house the NPA TV vehicle and the Senior Center Bus. NPA would pay. Selectman Maloney will participate in these discussions.

DPW Summer Job lottery

Applications for this job lottery are available at the Town Hall-Deadline April 30th.

Executive Session

On motion of Selectman Plasko, seconded by Selectman Bishop, voted to file Avalon Bay and Forbes Hill. The Board will not need Executive Session this evening.

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 9:10 p.m.

A True Record.

ATTEST: _____

Assistant