

Regular meeting of the Board of Selectmen convened at 7 p.m. on Tuesday, November 13, 2018 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 Thomas F. Maloney, Selectmen William J. Plasko, Helen Abdallah Donohue, Paul A. Bishop and Allan D. Howard. Also present General Manager Tony Mazzucco, Clerk Frances L. Jessoe and Assistant Christina K. Mulvehill.

#### Appointments

##### 7:00 P.M.-- (PH) Castle Island Brewing Company, LLC, 31 Astor Avenue::

Notice was read and public hearing was declared open on application which has been made to the Licensing Board of the Town of Norwood for alteration of premises of Castle Island Brewing Company, LLC, Adam Romanov, Manager of the license under Section 19C under Chapter 140 of the Massachusetts General laws, as amended, for Brewery Pouring Permit/Malt Beverages at 31 Astor Avenue.

Present description of premises: Total square footage 1500 sq. ft., 1 entrance, 4 exits, days and hours of sale of alcohol, Monday-Saturday 11 a.m. to 10 p.m.; Sunday 11 a.m. to 6 p.m.

Altered description of premises: Total square footage 4000, sq. ft. 2 rooms, one floor, 1 room approx. 400 sq. ft., and one room approximately 3500 sq., 1 entrance, 4 exits, days and hours of sale of alcohol, Sunday-Saturday 11 a.m. to 12 a.m. Occupancy 100.

Public Hearing on this application will be held on Tuesday, November 27, 2018 at 7:00 p.m. in the Harry B. Butters Chambers, Room 34, Norwood Town Hall.

- a. Application for alteration of premises and change of hours to extend existing patio and inside patio and add a small bar.
- b. Building Inspector Mark Chubet-occupancy will remain the same at 100.

Mr. Romanow was in attendance and explained the request. They are looking for more space to play lawn games, but they are not asking to increase capacity. They will not be making any modifications to the building at this time. The intent is only to use the space for tap-room purposes. Selectman Bishop asked about the layout of the bar area. Selectman Howard asked if they have televisions. They do have televisions and they do not intend to have any additional televisions. There was brief discussion of the hours of operations. Selectman Donohue said when they first came, the purpose of having the pouring was so the people who might buy the beer would have a chance to taste the beer. She will vote for this but does not think it is good. Selectman Plasko asked if they were talking about an outside patio. Mr. Romanow said they are not. Selectman Bishop said he has been to the site and it is a very good group of people and a good environment. No members of the public came forth to comment. On motion of Selectman Bishop, seconded by Selectman Howard, voted to close the hearing. On motion of Selectman Bishop, seconded by Selectman Howard, voted to approve the request.

##### 7:15 P.M.- (P.H.) Wendy's Properties, LLC:

Submitting application for CV License for 1412 Boston Providence Turnpike.

All Board of Health and Building inspections were completed.

Dino Lopes, District Manager and Bob Myers, Director of Operations represented Wendy's. Mr. Myers explained they are applying for the CV. Selectman Bishop asked why they did not attempt to get a CV. Bob took responsibility for missing that. They have stores in other states in the area where they just have to pick up the license. Selectman Plasko questioned waiting to get a license as opposed to getting one up front. Bob said that typically the Common Victualler is a formality. Selectman Plasko asked about Zoning Board of Appeals requirements and whether they would have to reevaluate traffic, because

(P.H.) Wendy's Properties, LLC-(cont'd):

initially there was a lot. Mr. Myers said the initial crowd overwhelmed them too. They added more experienced staff to help with that.

Chairman Maloney asked for public comment. John McLean from Sumner Street introduced himself as a direct abutter. He attended all the hearings and meetings and asked about the hours of operation. Bob said 10 a.m. – 10 p.m. inside and 10 a.m. to 1 a.m. at the drive through. There was some discussion of enforcement of hours of operation, which would fall to the Building Inspector. Seeing no further comment from the public, and on motion of Selectmen Plasko, seconded by Selectman Howard, voted to close the hearing. On motion of Selectman Howard, seconded by Selectman Bishop, voted to approve the application.

7:30 P.M. (P.H.) –Ganesh Market, Inc., dba Pam's Market, 210 Pleasant Street, Rekhaen S. Patel, Manager:

The Clerk read the notice. Application for transfer, change of location, change of manager and change of DBA of Retail package goods store wine and malt beverages license from S&H Supreme Norwood Fuel, Inc., dba Supreme Gas, 145 Broadway, Mitesh Patel Manager. Sunday Opening at 10 a.m.

Selectman Donohue recused herself, asking if she could remain at the table, and Attorney Hern consented. Attorney Hern represented Ganesh Market Inc, Pam's Market. Mr. and Mrs. Patel were present. Attorney Hern filed affidavit of mailing and provided signatures of 330 people in support of the transfer. The application is for a Wine and Malt Beverages License from S and H Supreme, to be transferred to Pam's Market. The Patels have operated Pam's in Norwood for many years, in addition to stores in other towns, which sell alcohol. They have had requests over the years by patrons to sell beer and wine. This application was made to the Board of Selectmen, with legal notice published in the local newspaper. The location of the store is partly commercial and partly residential. Attorney Hern stated his clients know what has to be done and that they must act responsibly. The Patels understand the trust placed in a license holder and pledge to act responsibly. They will purchase the latest technology for checking identification, and they have developed a policy for the store that all employees will be required to read and sign. Ms. Patel is TIP certified and all the employees will be appropriately trained.

Chairman Maloney said the Board will require TIP certification for all employees involved in the sale of alcohol. Selectman Bishop asked about the training and the equipment. Selectman Plasko stressed if the machinery fails, the owners are still responsible. Mr. Patel said he will update the software. Selectman Bishop said they are showing the intent to do the right thing.

Public Comments

Patty Cuello, 199 Pleasant Street said she regularly hears traffic accidents on the corner and has to often pick lottery tickets out of her bushes. She finds the idea appalling.

Gina Marie Sellers, 97 Rock Street introduced herself as the only actual direct abutter. She has opposed this license many times and is very opposed to liquor being sold thirty feet from her property. She said she constantly picks up trash and there is already a lot of traffic in the area.

Gerald McDermott, 67 Meadow Street said he and his wife both support the application, stating Sam Patel is one of the nicest people. The store is clean, and there is never trash on the front of the store. Mr. Patel is also very understanding to the senior citizens who live around the corner. And, he has experience with age restricted products such as lottery and cigarettes. We should help small business when we can.

Dan Foley, 55 Monroe Street stated he is in favor of the transfer. He asked if there was any monetary gain for the Town. Selectman Plasko said the license fee alone goes to the town. The Patels run a good business and will be competitive.

Doug Jassette, 22 Andrews Street clarified the store will not be selling liquor per se, but beer and wine. In addition, this is not a new license, it is a transfer. The Patels have made many improvements to the

(P.H.) –Ganesh Market, Inc., dba Pam's Market-(cont'd):

:building, and to the interior of the store. As far as the intersection being hazardous, the hedge across the street is more dangerous than anything else to a driver pulling out of Rock Street onto Pleasant Street. That hedge becomes overgrown several times per year and that would be more of a problem than the clientele at Pam's. Could not speak more highly than

Mike Saad, 7 Hamilton Circle, stated he is a direct abutter. This is in a residential zone and is a tough area to have a liquor license. He thinks the Town has to be very clear about where they put these liquor licenses, on the main strip, Route 1, etc. Mr. Saad told Mr. Jassette he would cut the bushes back. It is a tough corner with a lot of traffic.

Chairman Maloney clarified the market offers lottery products now and will continue to do so whether or not they get this Beer and Wine license.

Ed Kelleher, 117 East Cross Street expressed support for this license. The original store opened in 1948. Mr. Patel is a nice man.

Attorney Hern pointed out that Mr. Saad lives in Endean meadows but owns rental property near the store. It may be a difficult corner, but there are not necessarily going to be a great many more people coming and going. This is a beer and wine license. Maybe more business but they hope mostly from the existing clientele. We did not design the intersection and are not the reason there may be accidents there. This is a mixed use neighborhood regardless of how it is zoned. It's all commercial after Pam's Market. Shurfine market is in an entirely residential neighborhood, and holds a beer and wine license. They have operated for 19 years, with extensive experience with other stores with alcohol. They take care of the property and serve the neighborhood. 330 people who frequent the area are in support of this. They are not responsible for any accidents that do occur there. They will do their best to keep the area clean. We ask for your approval. This is something that will help a small business.

Selectman Howard asked how much of the store would be having the beer and wine. Mr. Patel said that will depend on how much product is necessary.

Selectman Bishop spoke to the dissenters in the room, stating the traffic issues exist, but Pam's market is not to blame for that. Pleasant Street has always been busy. As far as rubbish, ask counsel to get together with clients and neighbors. Mrs. Patel said every morning people clean the outside area.

Attorney Hern clarified, in regard to the space dedicated to beer and wine sales, the floor plan shows a cooler plus floor space that would be used.

Selectman Plasko said they applied for a license before and were denied. He stated he tried to be open minded and listen for reasons to change his mind and has not heard anything. He is concerned with violations at the store in Dedham. Mrs. Patel said they did not have the ID machine at that time. They have no violations since the machines. Selectman Plasko said as of this moment, he is opposed.

Attorney Hern spoke to the problems they had in Dedham. They have since purchased the software and machine to check identification. In June of this year they received letter of commendation from Town of Dedham Police Department. The machines help a lot with that and the training, and the policy they developed. The proposed Manager's stores have not had any violations. Mrs. Patel manages and owns a store in West Roxbury. She has no violations at any locations she is responsible for. Employees risk losing their jobs if they don't follow policy. This is a mixed area much more so than Shurfine. The factors are different from what you saw years ago. He asked that the board give Pam's a chance.

Chairman Maloney sees trash and traffic issues but does not see that there would be more traffic because of it. The trash part does come with lottery tickets. As for appropriateness of the location, it is a store not

(P.H.) –Ganesh Market, Inc., dba Pam's Market-(cont'd):

an eating establishment. As for the history in Dedham, it wouldn't be the first organization in that position, you have put in new equipment and been commended by the Police Chief.

John McMorro, a Bellingham resident, said he helps out the Patel's cleaning up the trash. They try to keep us as best they can. He does walk up and down the street if there are tickets there. Mr. Patel said his clients are the same clients for the last 19 years. The current customers are the ones who will continue patronizing the store.

Selectman Howard said more people support this than oppose, and he urged anyone who opposed to please speak up.

Mark Gestkowski who lives around the corner, spoke in support. He does not drink but he frequents the store and Mr. Patel helps him out if he is short of money at the end of the month and needs bread, milk, etc. He urged the Board to please give the Patels a chance.

Ms. Sellers said none of the people in support is directly affected by this. She has no problem with Mr. Patel or his family personally, but she pays taxes

On motion of Selectman Bishop, seconded by Chairman Maloney, voted 4-0 to close the hearing. Selectman Donohue abstained. On motion of Selectman Howard, seconded by Selectman Bishop, voted 3-1 in favor of the transfer. Selectman Plasko opposed and Selectman Donohue abstained.

New Business

Viola Baboola, Verizon:

- a. Submitting notice of payment of \$61,120.50 for PEG Grant Report 3<sup>rd</sup> Quarter 2018. This payment is sent directly to Norwood Community Media.
- b. Submitting notice of payment of \$2,139.22 which has also been sent to Norwood Community Media as per the contract.

On motion of Selectman Plasko, seconded by Selectman Bishop, voted to file and forward to the Cable Commission both payments.

Robert F. Sullivan, Sr. Manager, Government Affairs, Comcast:

On motion of Selectman Bishop, seconded by Selectman Howard, voted to file notice that effective December 20, 2018, prices for certain services and fees will be increasing.

Jeff Morrill, 12 Vernon Street, LLC:

They are requesting an increase on their lodging house license for 12 Vernon Street, LLC. A copy of the current license is attached-1<sup>st</sup> floor 7 room-will stay the same, 2<sup>nd</sup> floor 4 rooms; will be increased by (1). The three floor apartment-will stay the same. There is an out building that Mr. Morrill is asking to convert to 4 rooms to be included on this license. The Building Inspector confirms that Mr. Morrill is working with them on this conversion. If the Board should grant the addition to the license, this license would not be changed until the Building Inspector and Fire Department give their final approval.

Donohue bishop to invite them in.

Supt. James Collins, Norwood Light Department:

On motion of Selectman Bishop to file and forward to Cable Commission Quarterly Franchise Fee for the 3<sup>rd</sup> Quarter in the amount of \$46,246. This fee will be sent directly to Norwood Community Media.

Certuse Adjustment, Inc.:

On motion of Selectman Donohue, seconded by Selectman Howard, voted to file notice of loss. (has been forwarded to the Treasurer)

New Business-(cont'd):

Mark Good, Town Treasurer:

Submitting for the Board's approval and vote of Board/extending useful life of specific equipment. This is a housekeeping matter due to the state limits on how long you can borrow for. The clerk read the notice into the record and on motion of Selectman Bishop, seconded by Selectman Howard, vote to approve.

Joanne F. Campo, Commonwealth of Massachusetts Office of Consumer Affairs:

Submitting notification of results of recent Audit of auto Dealerships. Selectman Plasko said one dealer failed the audit of posting of the lemon law. On motion of Selectman Plasko, seconded by Selectman Howard, voted to inform them in writing that it is requirement of their license and they must take steps to rectify. Future violations will affect their license.

Selectman William J. Plasko:

Skating Club of Boston update and discussion of PILOT.

Selectman Plasko said the matter is in front of the Planning Board, and the Conservation Commission to come to Norwood and open their facility, consisting of three sheets of ice for skating. He explained this is a tax exempt organization and the Town would forego any taxes on this property. They organization approached the Town about a PILOT (Payment in Lieu of Taxes) Agreement. The agreement would include an initial payment of \$54,000 with a 3% yearly increase. In addition, there would be a number of scholarships and a discount for free skate for Norwood residents. The biggest benefit to the community is the significant ice time they will provide the high school and youth hockey programs.

Selectman Donohue thanked Mr. Plasko for his work on this. Selectman Howard said these are wonderful people coming here and they have world class events.

On motion of Selectman Plasko, seconded by Selectman Donohue, voted to accept and sign the PILOT agreement between Skating Club of Boston and the Town.

Schlange Farrow, 20 Rosemary Street:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to approve request to be appointed to the Cultural Council. This office has been informed that both Tammy and Brooke Odstrchel are no longer members and Mr. Joyce's appointment will conclude on December 11.

William J. Buckley, Jr., Chief of Staff to Representative John Rogers:

On motion of Selectman Bishop, seconded by Selectman Plasko, voted to file copy of Norwood local bill (H4718), which was signed by the Governor on October 16, 2018 regarding change in Town Meeting Acts, Chapter 541 by striking out second sentence "Town Clerk & Accountant"

New Year's Eve:

On motion of Selectman Bishop, seconded by Selectman Donohue, voted to approve the extension of hours New Year's Eve, Monday, December 31, 2018 to 2 a.m. Tuesday, January 1, 2019. If approved staff will notify all on premises licensees.

Bernard Cooper, Assistant General Manager:

On motion of Selectman Plasko, seconded by Selectman Bishop, vote to accept, with thanks, , a \$2,000.00 donation under Chapter 44 § 53 A by Norwood Bank to support the annual Holiday Tree Lighting and Santa Clause Parade that was held this past weekend.

Olga A. Abdallah, Chairwoman, South Norwood Committee:

On motion of Selectman Donohue, seconded by Selectman Plasko, voted to approve request to place a crèche on the lawn of the historic George Morse House, 1265 Washington Street for the holiday season.

New Business-(cont'd):

Joseph Greeley, Claws and Paws with Claus:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to approve application to use Town Common Sunday, December 9, 2018 from 11 a.m. to 1 p.m. for Pet Photos with Santa event to raise money for America's Vet Dogs.

Memoranda

Building Inspector, Mark Chubet:

On motion of Selectman Bishop, seconded by Selectman Donohue, voted to file monthly report.

Selectmen's Meetings:

On motion of Selectman Donohue, seconded by Selectman Howard, voted to approve as submitted, the Board minutes of October 9, 16 and 23.

Supt. James Collins, Norwood Light Department:

On motion of Selectman Donohue, seconded by Selectman Howard, voted to file monthly report.

Supt. Mark Ryan, DPW/Town Engineer:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to file monthly report.

Selectmen's Addenda

Selectman Howard

Circle of Hope

Luminary night on the common this Saturday night. The organization has given out \$750,000.

Selectman Donohue

Carole Poirier

Wish her and husband Michael Poirier the best in her retirement. She dedicated herself to education here in Norwood.

Saturday's festivities.

Thank you to all who supported and helped at the tree lighting ceremony.

Delores Elias

Will be 90 years old tomorrow. Remarkable woman. We wish her the best.

Selectman Bishop

Handicapped parking spot

He has received a request for handicapped spot at corner of Central Street. Mr. Ryan is in full support of putting the spot on East Cottage Street near the front of the building.

On motion of Selectman Howard, seconded by Selectman Plasko, voted to approve the spot.

Selectman Plasko

General Manager contract performance goals and performance review

There is a draft for the Board to use to be placed on next week's agenda.

Chairman Maloney

Budget Balancing Sub-Committee

Information session at the High School Thursday night at 730.

Adjournment

No other business being presented for consideration, on motion of Selectman Plasko, seconded by Selectman Bishop, voted to adjourn and the meeting was adjourned accordingly at 7:45 p.m.

A True Copy

Attest: \_\_\_\_\_  
Clerk