

Regular meeting of the Board of Selectmen convened at 7 p.m. on Tuesday, September 20, 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 K. Mulvehill.

Appointments

7:00 P.M. – Gerald Miller, Supt., Recreation Dept.:

Mr. Miller gave report of the department's activities. He said fall is a busy time for his department, especially with things related to Halloween and he mentioned some upcoming events. He expressed his appreciation to all those involved in Norwood Day and stated that the Town Departments take a lot of pride in making sure this event goes well. Mr. Miller read the list of Norwood Day Sponsors in addition to the list of volunteers. Twenty parishioners from the Encounter Church helped with both the fireworks and Norwood Day. Selectman Maloney thanked Mr. Miller and all the volunteers for their hard work and asked about the boathouse at Hawes. Mr. Miller stated the bathhouse is down, the foundation will be taken out next, and then the construction will start. Chairman Howard commended Mr. Miller for his work. Mr. Miller asked anyone who is interested in helping to contact him. Chairman Howard expressed admiration for Ernie Paciorkowski and all his hard work.

New Business

Judy Langone, Chairman Norwood Finance Commission:

On motion of Selectman Donohue, seconded by Selectman Bishop, voted to file notice regarding a liaison program between the Finance Commission and key people in the budgeting process with a list of liaisons. This program will build a bridge between the Commission and the Department or Boards which have a major budget impact.

Mass. Lottery Commission:

Submitting notice that My Town Family Market, 1208 Washington Street, will be sent an application for KENO to Go. If the Board objects notice must be sent within twenty-one days to the lottery. The Board's previous policy was approval with no tables and/or chairs allowed. On motion of Selectman Plasko, seconded by Selectman Donohue, voted to notify the Lottery as the Selectmen have no opposition provided there is the condition of no tables or chairs.

Cardinal's Office:

On motion of Selectman Bishop, seconded by Selectman Plasko, voted to file invitation to attend a Special Mass in Thanksgiving for all the men & women in public safety. Will be held at 11:30 a.m. on Sunday, Oct. 9, 2016 at the Cathedral of the Holy Cross in Boston.

The Antique Roadhouse, Andrew J. Himmel, Manager, 700 Washington Street:

Clerk has been informed that The Antique Roadhouse is closed and the store is now empty. On motion of Selectman Plasko, seconded by Selectman Bishop, voted to revoke Antique Roadhouse's Junk Dealers license.

Paul W. Eysie, 871 Washington Street:

Submitting request for placement of attached article on the Special Town Meeting Warrant of October 24th seeking an amendment to the Norwood Zoning Map to change the zoning of the property at 1237-1243 Washington Street from partly commercial and partly residential to entirely commercial. (Hearing with the Planning Board is scheduled for Monday, October 17) Motion was made by Selectman Bishop and seconded by Selectman Maloney to place the article on the STM Warrant. Selectman Donohue said this question came before the Planning Board and

871 Washington Street-(cont'd):

at that time Mr. Eysie was represented by Attorney Hern and they asked the Planning Board to put this article on the warrant. She said the Town of Norwood zoning by law provides that the Planning Board, Board of Selectmen, or the applicant has right to do this. She said for a regular town meeting warrant, which is not a Special; the applicant can do that by himself. With a special town meeting warrant the Town of Norwood zoning by law requires one hundred people sign a petition stating they want this article to go on the warrant. The Planning Board felt this would be the procedure for the applicant to take. Once Selectmen refer the article to the Planning Board for process before it goes to Town Meeting, they have ninety days to set up a public hearing and if the Board of Selectmen put this on the town meeting warrant now Planning Board will have the hearing very shortly. The land now is zoned for general residence – and in the zoning by law, maximum lot coverage is thirty five percent of the lot. In a business zone, which the applicant wants to change it to, you are allowed to cover eighty percent of the lot. Also, in general residence zone you have to have fifteen foot side yard and zero in business zone. She said she thinks it is important that the residents in the general area have a chance to look this over carefully and that the residents of the whole Town of Norwood have a chance to look this over. She said the business now is doing beautifully and it's not that the applicant is losing any money, so if we as a Board of Selectmen all agree to hurry the procedure up, it gives the appearance that all of the members of the Board are in favor of it and it may be that we are, but there is a rumor in South Norwood that the applicant wants to put thirty five units of housing on the site. Talk is cheap and this is a rumor but if we hurry through this procedure that may be a viable use of the property. She said the applicant should go through the regular procedure rather than the speed up procedure to give us a chance to study the issue.

Selectman Bishop said this Board has done this in the past and we are not necessarily taking a position either way rather we are allowing people their right to get onto the Town Meeting Warrant and we will do it on several other cases tonight. As far as the issue down there, he thinks they have a right to go on the warrant. They could go out tomorrow and get one hundred signatures and get on the warrant. They will be on the warrant one way or another. The particular corporation involved has been paying commercial taxes here for forty-five years and it has been considered commercial all along so he wants to correct a mistake. As far as representation from the neighborhood or area, town meeting will get this in front of them and there will be discussion in front of town meeting and town meeting represents the entire town and there will be representatives from that particular district there so if there is to be any discussion it should be at Town Meeting.

Selectman Plasko suggested for the record a change on the amendment to the wording of the approval on the Town Meeting Warrant to also state that the article be placed on the warrant on petition of Mr. Eysie so it is clear it is his petition not the Selectmen's and that we further voted that it be referred to the Planning Board.

Chairman Howard said after he received this letter he called Mr. Eysie to ask if he planned to put apartments in there. Mr. Eysie said absolutely not, his interest is in improving the façade of the buildings down there and to put his family's name on it. He said if town meeting changes this property to all commercial, by right Mr. Eysie cannot put apartments there.

Selectman Donohue said we are a nation of laws and this is a Town of Norwood Zoning Bylaw and she read Section 1, subsection 1.5.1 concerning placement of articles on warrant. She said Selectman Plasko's idea is heading in the right direction about putting on the warrant that it is the petition of Paul Eysie, but it is against the law to do that because by waiving the signatures it becomes the petition of the Board of Selectmen and she said she does not remember this Board sponsoring rezoning someone's land before. Selectman Plasko said he does not interpret that section of the by law that ay at all. It is either or. It is different ways of doing it. One way is Selectmen, one is individual, which we are suggesting, and another is for the individual, if this Board

871 Washington Street-(cont'd):

refuses to put it on, to go get the signatures and that number differ from Annual to Special. An applicant does not have to meet all of those criteria; he only has to meet one of them. Motion was made by Selectman Bishop, seconded by Selectman Maloney, to approve putting the requested article on the Warrant on request of Paul Eysie and to forward it to the Planning Board. Selectman Donohue asked if a person votes on this at this time, is there an appearance of a conflict if the company they work for is associated with the applicant. She referred to the Conflict of Interest Law, stating it doesn't have to be a conflict, just an appearance of a conflict. Chairman Howard said it depends on the issue, but in the matter that Selectman Donohue discussed before the meeting, as the Chairman he does not find that member to be in conflict. Selectman Maloney said in a small town like this one a lot of people do business with a lot of people, that is how small towns succeed. He said he is not sure what Selectman Donohue is referring to, but the matter before us is more a matter of housekeeping and recognizing a reality that has been for forty or fifty years, but he does feel that the wisest course of action rather than sitting here arguing about conflicts, is to put the matter on the Warrant on petition of Mr. Eysie and send it off to Town Meeting and let them decide. Selectman Donohue suggested asking Town Counsel if they could put Mr. Eysie's name on it. Selectman Plasko said of course we can, we put petitioners on many articles. Selectman Donohue made a motion to ask Town Counsel. There was no second and the motion failed. Chairman Howard asked for a vote on the motion to place the article on the warrant. The vote was 4-1 in favor. Selectman Donohue opposed.

Chairman James Gormley, Norwood School Committee:

On motion of Selectman Plasko, seconded by Selectman Bishop, voted to approve placing an article on Special Town Meeting Warrant as follows "to see if the town will vote to allocate to the School Department a 55% share of the increased local aid from the Chapter 70 distribution which is \$199,776 more than originally forecasted at the May Town Meeting. The School Department local aid would increase by \$109,877." Selectman Maloney said the School Committee is asking for a mid-year supplement which he supports as they will be asked to explain.

Chairman James Gormley, School Committee & Supt. James Hayden:

On motion of Selectman Bishop, seconded by Selectman Plasko, voted to support the School Committee and file notice that the School Committee has voted to place the Coakley Middle School Statement of Interest to upgrade the heating system on hold this year. They want to wait for recommendations from long-range building study.

Paul Halkiotis, Director of Community Planning & Economic Development:

- a. On motion of Selectman Plasko, seconded by Selectman Bishop, voted to place the attached article on the Special Town Meeting warrant regarding granting an easement to Concannon's Village for the proposed townhouses there for drainage. Selectman Plasko said this was on a list of potential articles from the Manager last week and asked if there had been an engineering review about the effect of this on the detention basin. The Manager said they want to direct the drainage and he doesn't have a problem with that. The Chairman said there is a piece of property that the Town owns next to this area which is currently paved and they have offered to remove the pavement and plant grass. Selectman Donohue said this is an improvement to the area.
- b. Submitting notice that the Canton I-95/Dedham Street Interchange project has received funding.

Memoranda

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

Submitting copy of correspondence to the Manager that the Veteran's Bench at Hennessey Field has been vandalized. Mr. Mulvehill suggested that the bench be removed immediately, a replacement bench be purchased and installed on the Murphy Field side of Lenox Ave., and replacement of the bronze plaque that was stolen. On motion of Selectman Plasko, seconded by Selectman Donohue, voted to direct the Manager to follow Mr. Mulvehill's recommendation.

Selectmen's Addenda

Selectman Maloney

Norwood Parents Music Association

Will be hosting Mary McAvoy on Friday at 6pm at the high school.

Mattress Fundraiser

Saturday, Sept 24th at the high school.

Selectman Bishop

Recycling Day

Saturday, September 24th, 8-11. Styrofoam, and brush and leaves will not be accepted.

426 Prospect Street

The Gas Company went there for an emergency leak and they put steel plate over the hole and left the area. There is no asphalt around the plate. The Manager said he would take care of it tomorrow.

Chairman Howard

Town Clerk and Accountant Committee

The Board is looking for two Town Meeting Members to volunteer on this committee to study separating the two positions.

Monroe Street Paving

This was supposed to be paved last fall and still has not been. The Manager said they held off on paving to finish sewer work in the area but it will be paved this fall before winter. Prospect Avenue is on the paving list.

Crosswalks

There are checkered lines where crosswalks should be and they should be a priority. The Manager said they will be done.

Selectman Plasko

Norwood Now

This site has postings of asphalt complaints about the paving of sidewalks. The Manager said he will give a list next week of the seven miles of sidewalks they are going to do.

Manager's Agenda

Report on the Highland Cemetery Canadian Goose Control.

Selectman Plasko said he was displeased with the incident and how they learned about it, and in addition is disappointed with this report. The report fails to acknowledge that there was an error in not giving advanced notice to the Manager and Selectmen. There should have been public notice of this. In this report someone underlined 'notify Board'. That notification came after the fact, not before the incident. And it did not work, there were at least one hundred twenty five geese there this weekend. This incident was an error in judgment. We have a Town Bylaw about shooting and he is sure if the Manager had known about it he would have made sure this Board knew.

For your information-proposed garage for the storage of the Senior Center and Public Assess vehicles.

The proposed structure would house two vehicles; one for Senior Center and one for NPATV. The Friends of the Senior Center would fund it and the Building Inspector is looking to have plans prepared pro bono. Selectman Plasko said a lot of town departments are trying to help get this garage and the matter should be brought to the School Committee.

Manager's Agenda-(cont'd):

Meeting minutes of the National Grid work on Washington Street.

They did a nice job on installing the main but a lot of services have to be connected so there is cross trenching.

Fire Department command vehicle replacement schedule to replace the NC-2 (Shift Commander) vehicle.

On motion of Selectman Plasko, seconded by Selectman Maloney, voted 4-1 to approve Chief Greeley's request for a replacement vehicle on the Special Town Meeting warrant. Selectman Donohue opposed.

Explanation of the Vanderbilt Avenue easement article for Special Town Meeting.

The Manager said we thought we had an easement here but attorneys say when the town took this easement there was no concrete. The conclusion is the Town can build a gravel road and acquire a new easement. Selectman Donohue inquired about the plan, asking if the Conservation Agent has seen it. The Manager said Mr. Goetz and the Conservation Commission Chair are involved. On motion of Selectman Maloney, seconded by Selectman Donohue, voted to place article on STM Warrant.

Memo from Mark Ryan regarding the progress made on this year's water main cleaning and lining.

Just an update.

FYI-revised list of tentative articles for Special Town Meeting.

Manager's Executive Session

MCAD

Executive Session

1. Possible litigation
2. Davis Marcus/Forbes Hill

Selectman Plasko said part of this information is open session to advise the Board of status. The Housing Appeals Committee is still reviewing the material and in the process of writing a decision, but it might not be available by their October meeting. It could be November before the final decision. The other part involves legal strategy in our defense of the matter that falls under executive session.

On motion of Selectman Bishop, seconded by Selectman Maloney and on roll call vote of Chairman Howard and Selectmen Plasko and Donohue, voted to enter Executive Session to discuss legal strategy and return to Open Session for adjournment.

Adjournment

Returning to open session and no other business being presented for consideration, on motion of Selectman Donohue, seconded by Selectman Plasko, voted to adjourn and the meeting was adjourned accordingly at 8:35 p.m.

A True Record.

ATTEST: _____
Assistant