

**SELECTMEN'S RECORD**  
**February 12, 2018**

**ATTENDANCE AND CALL TO ORDER**

The meeting was called to order at 7:30 p.m. in the EOC/Training Room at the Police Station by Chairman John Hickey. Also present were: Selectmen Nancy Hyde, Selectmen Michael Walsh, Assistant Town Administrator/Finance Director Pam Dukeman, and Town Counsel Thomas McCusker. Christine McCarthy record the minutes.

J. Hickey led the Pledge of Allegiance.

J. Hickey asked if anyone wishes to record the meeting and granted permission to Westwood Media Center to record.

**CHAIRMAN'S UPDATE**

**Moment of Silence – Janet Jeghelian**

Janet Jeghelian was the first woman elected to the Board of Selectmen and served two three year terms from 1972 through 1978. Janet also served on many committees including the Board of Health Committee, Elderly Housing, Growth Policy Committee, Open Space, and Public Health Advisory Committee.

The Board held a moment of silence in honor of Janet's passing.

**Westwood Day 2018 Date Announcement**

The Recreation Department is excited to announce that the 2018 Westwood Day date has been scheduled for Saturday, September 29<sup>th</sup>. The event this year will follow the same format as previous years, including the Friday night Football Game at 7:00pm (Westwood vs. Norwood) at the High School. Fireworks will immediately follow the game.

Westwood Day will begin on Saturday with opening of vendor village and activities at 10:00am on the ground of the Westwood High School. The Recreation Commission and department staff are busy planning for all activities and sponsors and will update the public as details are finalized over the next few months.

**Eagle Scout Ceremony – Troop 3**

The Board of Selectmen has been invited to the Eagle Scout Ceremony of Troop 1, Islington on Sunday March 11, 2018, 2017 at 2:00PM at the First Baptist Church. Marco D'Angio, Matthew Montalto, Sean Ross, and Gregory Fleming have completed the requirements for the rank of Eagle Scout. All four young men will be recognized for citizenship within our community and scouting skills within the troop.

## **SCHEDULED ACTION**

### **Change in Manager on Record – Del Frisco’s Grille**

The Board of Selectmen granted a license for on-site consumption of alcohol to Del Frisco’s Grille, located at 60 University Avenue, on August 14, 2017. That license was then approved by the Alcoholic Beverages Control Commission on November 16, 2017, and renewed by the Board of Selectmen on December 18, 2017. The license has not yet been released, as the town is awaiting the issuance of a Certificate of Occupancy for the facility and receipt of TIPS training certification for all of the front-of-house employees.

The Town has since received a Petition for a Change of Manager of Record for Del Frisco’s Grille. The Board of Directors for Del Frisco’s Grille, Inc., by corporate vote and resolution (on November 28, 2017) selected Elissa Pablo as the new Manager of Record to replace Troy Smith.

All forms and documents were satisfactorily submitted to the Licensing Administrator. The Board of Selectmen is being asked to consider approving this change contingent upon approval by the ABCC.

Elissa Pablo and Del Frisco’s Grille attorney Gene Richard were present at the meeting. Ms. Pablo will be on the licensed premises for 40+ hours a week.

**N. Hyde moved to approve the Petition for Change of Manager of Record for Del Frisco’s Grille located at 60 University Avenue from Tory Smith to Elissa Pablo contingent upon approval from the ABCC, Certificate of Occupancy and TIPS Training. M. Walsh Seconded. Unanimous Vote: 3-0**

### **Change of License Holder – Class I Auto Dealer – Porsche Dealership – AMR Auto Holdings-PO, LLC**

In 2016, Prime Motor Group constructed three new automobile dealerships at 375-411 for Porsche, Audi and Acura. Each dealership was granted its own Class I Auto Dealer’s License. The License Holder for both the Porsche Class I Auto Dealer’s License and the Audi Class I Auto Dealer’s License was AMR Auto Holdings-AP, LLC.

Now that the dealerships are physically separated, Porsche has required that Prime Motor Group change the legal name of the License Holder for the Porsche Dealership. Prime Motor Group informed the town of its intention to change the legal entity just for Porsche from AMR Auto Holdings-PA, LLC to AMR Auto Holdings-PO, LLC. This change will require the replacement of the December 18, 2017 Class I Auto Dealer’s License issued to AMR Auto Holdings-PA, LLC with a new Class I Auto Dealer’s License issued to AMR Auto Holdings-PO, LLC. The Audi Class I Auto Dealer’s License remains unchanged.

**N. Hyde moved to grant a new Class I Auto Dealer's License to AMR Holdings-PO, LLC for operations of the Porsche Dealership at 411 Providence Highway, contingent upon the surrender of the December 18, 2017 Class I Auto Dealer License issued to AMR Holdings-PA, LLC for operation of the same facility. M. Walsh Seconded. Unanimous Vote: 3-0**

### **Audit Committee Report**

Audit Committee members Susan Flanagan Cahill and Michael Papetti (Fred Steeves not present) reported to the Board of Selectmen that it met several times this past year, including meeting with the Town's finance staff and the Audit firm of Powers and Sullivan, both before and after the annual audit. The committee also reviewed the Town's financial statements (CAFR), Federal Single Audit, and Management letter. The audit report is expected to be very positive noting that there are no material deficiencies and that the town is in the process implementing any past recommendations.

One new comment on the audit report was resolved today by confirmation of P. Dukeman related to the sewer fund. M. Papetti reported that there was a change in GASB related to OPEB Liability.

The report also conducted an internal review of the Student Activities Fund for the School Department for FY17. The last review was conducted in fiscal years ending 2014 and 2015. The School Department has resolved 7 of those comments but there were still 12 continuing comments. The Audit Committee met with Heath Petracca and he assured the Committee it is working to refine policies and procedures so those comments are addressed. The Town will continue the annual review of the High School, Thurston and Sheehan. The remaining schools would be done the next year, and rotating each year. P. Dukeman responded that the other elementary schools school activity accounts were much lower. The Board asked that these accounts remain to be overseen and standardized.

N. Hyde suggested that there should be clear procedures in place for those who are responsible for the student activities accounts including a formalized review, approval and sign off from the senior leaders of the individual schools with accounts. P. Dukeman responded that the School Department has developed a full policy manual for these types of accounts and has been focusing the last few years on formalizing the process, ongoing training and continued oversight by the School Finance Department.

The Board thanked the Audit Committee for all of their hard work on the Audit. The Committee repeated that the Audit form praised the financial team for their work, comprehension and openness.

## **NEW BUSINESS**

### **Food Pantry Lease**

For several years the Westwood Food Pantry, now a separate 501(c)3 not-for profit organization, has been operating out of an extra garage bay space in the garage next to the Senior Center. The Food Pantry requested that the Town enter into a formal lease of the space. The Food Pantry has told Town staff that it will be eligible for additional grants and aid if it has a formal lease.

Maya Plotkin, President of the Food Pantry presented the negotiated terms of the lease with the Food Pantry. The lease term is for 10 years, with two five-year renewal options. The rent is \$1 a year and the Town does most of the maintenance of the building, but the Food Pantry will maintain the internal space of the garage. The lease is a standard lease and has a provision that no one is allowed to access the store during shopping hours to maintain confidentiality of the clients, however, the Food Pantry is available to set up times to allow for tours for members of the public.

The Food Pantry services about 40-50 families in the community including elderly residents. They are working on more outreach.

**N. Hyde moved to authorize the Town Administrator or his designee to execute the Food Pantry Lease Agreement effective February 12, 2018. M. Walsh Seconded. Unanimous Vote: 3-0**

### **Amendments to Traffic Rules and Orders**

In 1995 and again in 2016, the Board of Selectmen reviewed and made amendments to the Rules and Orders which updated all the laws to be current with state laws and regulations. At that time the Board updated and amended its Appendices (A thru D) and Schedule listings which have been subsequently amended throughout the years to add locations of stop signs, no parking, and one-way street signs, vehicle restrictions, and other traffic rules.

A request to add handicapped spaces in front of a business (next agenda item) was received which required the staff to review the Traffic Rules and Orders. After review, it was determined that Article V(a) titled "Handicapped Parking" requires additional revisions to be consistent with current practice and state law.

The proposed amendments are to have all off-street handicapped parking spaces on private property (excluding single-family and two-family residences) approved by the Planning Board through the regular application process. This allows for the Planning Board to have oversight that a private property is providing the appropriate number of handicapped parking spaces and following all regulations from the Massachusetts Architectural Access Board and Massachusetts Office on Disability.

The Selectmen have the authority and responsibility to designate all on-street handicapped spaces where necessary and all spaces must meet the appropriate requirements (signage, markings, paint, etc.). These existing and future handicapped spaces will be compiled into a new Schedule No. 9 and added to the Traffic Rules and Orders. The Police Department and Town Staff prepared the attached revised Schedule No. 9 which includes all municipal handicapped parking spots as well as on-street handicapped designated spots in Town. Private property handicapped parking spots are and will continue to be the responsibility of the Planning Board when reviewing and approving private property parking requirements.

**N. Hyde moved to approve the amendments to the Traffic Rules and Orders, specifically Article V(a) – Handicapped Parking; to approve the newly revised Schedule No. 9 listing all of the on-street and municipal parking areas in Town and publish the amendments in a newspaper of local circulation to the general public. M. Walsh Seconded. Unanimous Vote: 3-0**

**Request for Additional Handicapped Parking Spaced – 256 Washington Street**

The Islington Barber Shop, which was previously located in the Café Diva building, will be moving into 256 Washington Street (previously the Ski Shop). Currently the building is undergoing renovations to suit the needs of the Barber Shop, but the owner has requested that two (2) of the three (3) on-street parking spots in front of the building be designated as handicapped parking spaces. The three spots are within the public way and service the buildings 256-260 Washington Street and 262 Washington Street (Salli & Rocco Hair Salon). The buildings also have off-street parking in the back of the lots as well as 6 shared on-street parking spots in front of the CVS building with one spot designated for handicapped parking (CVS has two handicapped reserved spaces in the back next to the ramp for access to the store as well). Patrons without plaques may also use the Municipal Lot across to street for additional overflow parking, should no spaces be available behind 256-262 Washington Street.

N. Loughnane spoke to the owner of the property who did not have an issue with adding handicapped parking space to the front of the building, however, asked that the Board consider restricting only one (1) spot to see if that is sufficient.

Salli, one of the owners of Salli and Rocco Hair Salon, commented that they have been in business for over 22 years and do have clients with handicapped needs. They are fine with one (1) space being designated, but they would not support the designation of two (2). They have been able to accommodate their clients for the last 22 years.

**N. Hyde moved to designate one (1) parking space in front of 256-262 Washington Street as handicapped parking; required that the spot be appropriately marked with signage and painting by the Department of Public Works and Public Safety Department; that the property owner provide a handicapped accessible curb cut or equally accessible access to the sidewalk from the space which needs to be designated and clearly marked on the**

**pavement so the access is not blocked by a vehicle; and that the Board of Selectmen add this spot to Schedule No. 9 of the Traffic Rules and Orders, Article Va – Handicapped Parking. M. Walsh Seconded. Unanimous Vote: 3-0**

**Ballot question for 2018 Election**

At the May 1, 2017 Town Meeting, the Town voted to adopt Article 34 which amended the Town Charter with language that directly reflected the newly adopted bylaw of the Fire Chief position in Westwood. The bylaw, which passed at Town Meeting, was recommended by the Task Force to provide a detail outline of the authority of the Fire Chief, similar to those of other positions in Westwood. The next step in that process is to place a ballot question on the Town’s next regular local election to ratify the vote taken at Town Meeting.

N. Hyde requested that the summary for the ballot question be extended with more of an explanation on the purpose of the Charter change. T. McCusker will provide additional language for the question.

**N. Hyde moved to insert the following question on the 2018 Town Election Ballot subject to additional summary information be provided:**

*“Shall the Town of Westwood approve the charter amendment proposed by the Annual Town Meeting Vote on Article 34 on May 1, 2017 summarized below?”*

**Summary: The 2017 Annual Town Meeting voted to rescind the acceptance of three sections of the General Laws relating to the Fire Department. The proposed Charter Amendment brings the Charter into accordance with that vote.**

**M. Walsh Seconded. Unanimous Vote: 3-0**

**Intermunicipal Agreement – Operation of Public Safety Antenna in Canton**

The police and fire radio infrastructure, like the facilities prior to replacing them, is aged and failing. The inadequacies of the system are a result of three principal factors:

1. The installed equipment is either approaching or at the end of life and is no longer supported by the manufacturer;
2. The installed equipment utilizes obsolete technology dependent on underground copper wire which suffers from signal degradation caused by exposure to weather elements; and,
3. The installed equipment and infrastructure was designed when police and fire responders were rarely in the University Avenue area, therefore the sporadic coverage was not critical then as it is now

The specific portion of the radio infrastructure that we have begun to address is a link that used to be connected between Fox Hill and the Eversource building. Because the link requires line-of-sight that does not currently exist, the unavoidable misalignment of the antennas meant there was extremely limited radio coverage in the University Avenue area. When the weather was dry and temperate, communications were better. When there was rain, snow or wind, the coverage almost dropped completely.

A study of the topography in the affected area was conducted by communications professionals to determine what could be done, in the short term, to improve radio coverage pending a more comprehensive radio infrastructure plan. The most economical approach was to install modern microwave radio links on the Indian Lane tower in Canton that could communicate from a line of sight back to the Fox Hill and Eversource antennas. If the Town were to utilize privately owned radio towers, the cost could be several hundred dollars per month for rental costs.

The Town of Canton agreed to allow Westwood to mount the equipment on their tower, but is requiring that the Town sign an Inter-Municipal Agreement (IMA). This IMA is designed to protect Canton's ownership rights, provide it with some mitigation funds to offset what could be identified as potential costs and define the Westwood's rights for the use of the tower for a portion of the radio system. Canton has allowed Westwood's radio communications installers to mount the equipment to the tower already, and while it does not address the global failures of the radio infrastructure, it has corrected what was an almost complete lack of basic coverage down on University Avenue.

With the radio infrastructure as it currently is there is no realistic alternative but to mount the equipment in Canton and pay a \$1,200 annual fee. While only a start, it is a significant immediate improvement and public safety enhancement to the Town.

N. Hyde asked how this infrastructure update addresses the need for other improved radio equipment in Town? J. Silva responded that it is related because it is under the same aging technology terms, this gives an entry level amount of coverage on the exterior. The Town is researching simulcast which is through radio frequency. However, before the Public Safety departments could look into implementing this type of equipment, it will need to fix this broken connection in the towers.

**N. Hyde moved to approve and sign the Intermunicipal Agreement for Operation of Public Safety Antenna between the Town of Westwood and the Town of Canton. M. Walsh Seconded. Unanimous Vote: 3-0**

## OLD BUSINESS

### Review Annual Town Meeting Warrant Article Summaries

The Board of Selectmen reviewed the proposed articles for the 2018 Annual Town Meeting Warrant. The Board briefly discussed the following:

- Street Acceptances – At this time, there are no streets being considered for acceptance at Town Meeting.
- Road Improvements – this article is a standard article for the Town to accept state funding for various road improvements including Chapter 90 and Complete Streets funding. Article language will be used as in previous years.
- Authorization for Disposition of Municipal Property – Islington Center – as the project continues through the application phases with the Planning Board, the Board should leave this article on the warrant until decisions are made between the Selectmen and the property owner related to the Disposition Agreement
- Authorization of Disposition of Municipal Property – Obed Baker House – The recent RFP that was issued for the use of the Obed Baker House yielded no responses. The staff is looking into uses and/or possibly reissuing another RFP for proposed sale/lease of the property or to see if the property could be converted into adorable housing units to meet the 2020 requirement. At this time, it was recommended that the Board of Selectmen remove this article from consideration.
  - With the removal of the above article sponsored by the Selectmen, the Planning Board requests that the Board remove the article titled *“Zoning Amendments related to the Obed Baker House including a map amendment to change the zoning of AP21, Lot 42 and/or AP21, Lot 43 and/or to expand the FMUOD7 District”* since this article would accompany the disposition of the Obed property if a use had been established.

The Board asked Fire Chief John Deckers to present information on the proposed article titled “Placeholder – Town Bylaw Amendment – Removal of Snow and Ice Around Fire Hydrants.”

The Chief explained that this proposed article would amend the Town’s bylaw to add a section that would have residents take ownership of clearing out the hydrants on their property. While many residents already clear the hydrants, others are completely covered. The Chief explained that the fire personnel responding to calls should not be using time to shoveling out the hydrants. Therefore, looking to the residents to be responsible for hydrants on their property is the preferred bylaw.



The Chief also explained that this would be used for education purposes so the community understands why the fire department needed the hydrants shoveled.

J. Hickey asked how many hydrants there are in Town? The Chief responded there are over 600 hydrants. The Fire Department does not have the staffing to clear all the hydrants. The School Department adopted hydrants this past year which was a great program with some of the sports teams, but it still left many not cleared.

M. Walsh expressed concerns about handicapped or elderly residents who were not able to clear their own driveways/walkways let alone hydrants? The Chief responded that most likely those residents have hired or have an individual clear the snow for them, they would need to ask that the hydrant on their property be included in that clearing contract.

The Chief explained, depending on where the hydrant is, this would only be enforced in heavy snowfall storms and especially enforced to contractors who push snow and burry the hydrants so they cannot be found.

N. Hyde added that an Eagle Scout project years ago put markers on top of the hydrants and asked if the Fire Department maintains those if they fall off? The Chief responded that the hydrants are owned by the Dedham Westwood Water District and he would ask if they plan on replacing missing markers in the future.

The Chief's goal is not to "fine" people, but educate them to get the hydrant cleared. The Board expressed some concerns about location of some of the hydrants and not wanting residents to be in the street trying to clear out a hydrant because of this bylaw. The Fire Department would provide guidance and education since the Town does not have the resources to get it done alone. The Chief knows that there are going to still be some hydrants the Town will be responsible for clearing, but if he can reduce it from 600 down to a manageable number that the staff can be called back to work to clear.

**N. Hyde moved to remove the following articles from consideration at the 2018 Annual Town Meeting:**

- **Authorization of Disposition of Municipal Property – Obed Baker House**
- **Zoning Amendments related to the Obed Baker House including a map amendment to change the zoning of AP21, Lot 42 and/or AP21, Lot 43 and/or to extend the FMUOD7 District.**

**M. Walsh Seconded. Unanimous Vote: 3-0**

## **REGULAR MINUTES**

*January 8, 2018*

**N. Hyde moved to approve the Regular Minutes as written for January 8, 2018.**

**M. Walsh Seconded. Unanimous Vote: 3-0**

## **OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD**

J. Hickey asked if there was any other business that may properly come before the board?

## **PUBLIC AND PRESS**

J. Hickey asked if there were any questions from the public or press?

## **EXECUTIVE SESSION**

**N. Hyde moved to go into Executive Session to discuss three issues; one issue related to potential land acquisition and potential litigation at University Station; one issue related to the sale/lease/exchange of real property related to the Islington Center Redevelopment; and one issue related to the acquisition of real property located at 5 Highview Street, all of which would have a detrimental effect on the position of the governing body if discussion were in open session. The Board will not be returning to open session.**

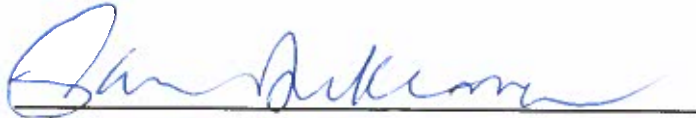
**N. Hyde, aye. M. Walsh, aye. J. Hickey, aye.**

## **NEXT MEETING**

The Board of Selectmen's Meeting next meeting will be on Monday, February 26, 2018 at 7:30pm in the EOC/Training Room at the Police Station.

The meeting was adjourned into Executive Session at 8:34 p.m.

Initial after reviewed



P. Dukeman  
Assistant Town Administrator

# *LIST OF DOCUMENTS*

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Board of Selectmen  
2/12/2018 EOC/Training Room  
Regular Meeting

## **CHAIRMAN'S UPDATE**

- JEGHELIAN OBITUARY (PDF)
- Janet Jeghelian, talk show host and for...ndidate, dies at 83 - The Boston Globe (PDF)
- WWDay Date 2018 (PDF)
- Eagle Scout Ceremony Letter (PDF)

## **SCHEDULED ACTION**

- LLA Review Record - Del Frisco's Change of Manager ABCC Form (PDF)
- Address Assignments for Prime Dealerships (PDF)
- Audit Committee Report 2018 (PDF)
- Westwood Public Schools Report on Student Activity Funds (PDF)

## **NEW BUSINESS**

- Food pantry lease clean (W6553021x7AC2E).DOCX (PDF)
- ARTICLE Va - Handicapped Parking Rules - Redline (PDF)
- ARTICLE Va - Handicapped Parking Rules - Clean (PDF)
- Schedule No.9 Handicapped Parking (PDF)
- 256 Washington Street - Street View in front of Building.docx (PDF)
- Letter to Businesses - 256 Washington Street Handicapped Spaces.doc (PDF)
- Overview of 256 Washington Street Parking Spaces (PDF)
- AG Opinion on Article 34 for Fire Chief Charter Change (PDF)
- Local Charter Procedures (PDF)
- MGL Chap. 43B Sec. 10 (PDF)
- MGL Chap. 43B Sec. 11 (PDF)
- MGL Chap. 43B Sec. 12 (PDF)
- Article 34 of the 2017 ATM (BOS Version with Notes) (PDF)
- Fire Chief Task Force Report from April 2017 (PDF)
- Westwood IMA Public Safety Antenna Canton (PDF)