

SELECTMEN'S RECORD
November 2, 2017

ATTENDANCE AND CALL TO ORDER

The meeting was called to order at 7:30 p.m. in the Selectmen's Meeting Room at Town Hall by Chairman John Hickey. Also present were: Selectmen Nancy Hyde, Selectmen Michael Walsh, 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

Swearing In Ceremony of Fire Chief John Deckers Held

Just prior to the Selectmen's Meeting, the Board held a Swearing in Ceremony for the new Fire Chief John Deckers at the Library. At the Ceremony, Chief Deckers was sworn into his official duties as Fire Chief for the Town of Westwood by Town Clerk Dottie Powers. The Town is excited to welcome Chief Deckers to Westwood.

SCHEDULED ACTION

Public Hearing – Unattended Donation Containers

First Baptist Church – 808 High Street – St. Pauly Textile, Inc.

Alex Hillis, a representative from St. Pauly Textile, Inc. submitted an application to place an Unattended Donation Container (UDC) adjacent to the parking lot in the rear, southern corner of the property at First Baptist Church. The UDC, an 8' x 12' wood-frame, prefabricated shed, is a receptacle for collecting used clothing and other textile items such as shoes, sneakers, belts, purses, blankets, sheets, drapes, pillowcases and stuffed animals. These donated textiles will be sold to a variety of government agencies and relief organizations and will also be available to the Church to distribute directly whenever the need arises. The Church will also receive funding based on the amount of donated textiles.

All forms, documents and fees have been satisfactorily submitted to the licensing administrator; certification of the property owner and Pastor Stephanie Salinas of the First Baptist Church who has granted permission for the placement of the UDC; site plan review of the parking lot of 808 High Street as completed by the Town Planner; and affirmation that St. Pauly Textile and First Baptist Church will together monitor and keep the shed clean and attractive at all times. Donations will be picked up weekly.

Westwood Eye & Optical – 738 High Street – Westwood Lions Club

Steve Kusmin, chairman of the Westwood Lions Club has submitted an application to place a UDC outside the front door on a mulched area of the Westwood Eye Care & Optical property at 738 High Street. The UDC is a recycled, 4' x 4', US Mailbox used to collect used and unwanted eyeglasses, including but not limited to lenses, frames, cases and sunglasses, which are recycled to assist in sight conservation and blindness prevention at no cost to those who seek its service, while also providing support to many local community charity and non-profit needs.

All forms, documents and refundable UDC deposit have been satisfactorily submitted to the licensing administrator. Certification that property owner, Wayne Zahka of 738 High Street Realty Trust d/b/a Westwood Eye Care & Optical has granted permission for the placement of the UDC at 738 High Street; site plan review of the property of 738 High Street as completed by the Town Planner; and affirmation the Westwood Lions Club and Dr. Zahka's staff together will monitor the UDC and keep the area attractive at all times. Donations will be picked up weekly.

N. Hyde moved to approve a license for St. Pauly Textile, Inc. for an Unattended Donation Container to be located at First Baptist Church, 808 High Street. M. Walsh Seconded. Unanimous Vote: 3-0

N. Hyde moved to approve a license for the Westwood Lions Club for an Unattended Donation Container to be located at Westwood Eye Care & Optical, 738 High Street and waive the license fee of \$50.00 and the site plan review fee of \$100.00. M. Walsh Seconded. Unanimous Vote: 3-0

High Street Market Extension of Hours

Liz Adams, owner of High Street Market has requested permission of the Board of Selectmen to extend the operating hours on Friday, November 17th until 8:00 p.m. for the purposes of a wine tasting. The usual operating hours for High Street Market's is 8:30 a.m. to 7:00 p.m. The wine tasting event will be focused on wine pairings for the upcoming holiday season. One vendor will offer tastings of approximately ten different wine selections and Liz will offer complimentary food items that she sells in the Market including crackers & cheese, spinach pies, desserts, etc.

Liz also requested permission of the Board of Selectmen to be open on Christmas Eve, Sunday, December 24th from 10 a.m. to 5 p.m. High Street Market is not open on Sundays but due to the holiday, Liz would like to be open so that customers may pick up Christmas food orders.

N. Hyde moved to approve an extension of hours for High Street Market for a holiday wine tasting to take place on Friday, November 17, 2017 until 8:00pm and approve the request for High Street Market to be open on Christmas Eve which is on Sunday, December 24, 2017 from 10:00am to 5:00pm. M. Walsh Seconded. Unanimous Vote: 3-0

Which Wich Superior Sandwiches

Which Wich Superior Sandwiches a franchise at 135 University Ave and opened in April 2016 has been operated by Jay Umiya Maa II, Inc. The company was purchased by Brek Peterson of Black & Yellow Boston, LLC. Black & Yellow Boston, LLC intends to take over the shop December 1st and will be seeking renewal of the current CV license for 2018.

N. Hyde moved to approve the Change of Ownership from Which Wich Superior Sandwiches to Black & Yellow Boston, LLC contingent upon final Health Department permits. M. Walsh Seconded. Unanimous Vote: 3-0

Blue Hart Tavern Discussion

At its meeting on October 16th, the Board of Selectmen heard from Westwood Historical Commission and Westwood Historical Society representatives about the local historical significance of the Blue Hart Tavern. While the Selectmen appreciated the historical value of the Blue Hart Tavern building, members expressed concern about the physical condition of the structure and the high cost of restoring the building for future municipal ownership and use. It was estimated that the cost of restoring the building for future institutional or commercial use would exceed \$1 million, and that such cost would be a substantial portion of the town's compensation in a negotiation for a Disposition Agreement for the Islington Center Redevelopment Project. In addition, the future location and use of the restored tavern building remained uncertain.

Staff discussed the future of the Blue Hart Tavern with a representative for the Proponent, Petruzziello Properties. Petruzziello Properties has confirmed that it would prefer to retain the Blue Hart Tavern in private ownership, and now wishes to restore the building for future residential use. The Proponent's preferred location is in an area to the west of the existing municipal parking lot, but further consideration will be given to a possible location on Washington Street or School Street.

Engineered plans will be submitted to the Planning Board along with a Flexible Multiple Use Overlay District (FMUOD) Special Permit Application. Those plans will show the proposed location of the restored Blue Hart Tavern in association with the location of a proposed new CVS building and relocated Wentworth Hall.

N. Loughnane explained that in order for the building to be located on School Street, the CVS building will have to be positioned with the long side on Washington Street. This positioning also has to do with traffic flow as well as entrance and exit plans which will be determined after traffic studies are complete.

N. Hyde commented that the market must be good for apartments if Petruzzello is proposing residential in the Blue Hart Tavern and asked how many apartments have been rented in the building at 321 Washington Street to date? N. Loughnane responded that 4 units are occupied, a couple in lease agreements and a few still available. The applications for the affordable apartments are due Friday, November 3rd and the lottery will take place on November 13th. After the lottery is drawn, that list is given to the property owner who then cross checks it with his leasing criteria to determine an eligible tenant.

J. Patterson, who serves on the Historical Commission, commented that preserving the structure however it is done, is something he would like to see. He added that residential use is the best way to go and if the developer is in favor of preserving the structure that would be favorable.

NEW BUSINESS

Request to Post and Fill Position – Assessor’s Office

Maryanne Carty has recently left the Assessors department to take the position of Veteran’s Administrative Assistant, which was vacated by the retirement of Paula Scoble.

The Board of Assessors has reviewed its staffing needs and would like to proceed with filling the vacant 35 hour a week position. This position in the office is responsible for, among other things, assisting residents at the counter, processing lists of abutters for residents, town boards and committees, processing all motor vehicle abatements, updating real estate property record cards and assisting with real estate tax bill inquiries.

The Board of Assessors would like to fill the position as soon as possible to have new staff in place before the start of the busy real estate tax season at the end of the year.

N. Hyde moved to authorize the Town Administrator to work with the Finance Director and Human Resources Director to post and fill the position of Assessor’s Administrative Assistant. M. Walsh Seconded. Unanimous Vote: 3-0

Revisions to the Remote Participation Policy

On October 6th, the State made changes to the Open Meeting Law which were effective immediately. One of those changes related to the Remote Participation Policy. Previously, the chair had to determine that participation would be unreasonably difficult because of personal illness, personal disability, emergency, military service and/or geographic distance. Now, remote participation will be allowed if “physical attendance would be unreasonably difficult.”

The updated law also establishes a section in compliance with Local Commissions on Disabilities which allows the commission to have its majority participate via remote participation as long as the chair, or the person authorized by the chair, physically be at the meeting location.

C. McCarthy explained that the revisions under Open Meeting Law allow for an individual to participate remotely at meetings if the individual's physical appearance is unreasonably difficult. The policy previously had specific listed reasons why a person was unable to attend a meeting.

The Board asked that the issue be discussed further at another meeting.

N. Hyde recused herself and left the room at 7:53pm

Wegman's Survey Request – Sale of Spirits

Wegman's expressed an interest in pursuing an all alcohol license for off-premise consumption. Wegman's officials have asked if the Board of Selectmen would have a problem with them surveying their customers to see if there is support, especially among its Westwood customers, for the convenience of having the store expand its sale of alcohol to include spirits.

J. Hickey expressed concerns and that the Selectmen should not be getting involved in private business practices and felt it was not appropriate. N. Loughnane and Michael Jaillet met with Lou Rizoli, representing Wegman's, and said they would ask the Board its opinion.

M. Walsh expressed concerns that even if the survey is conducted, how would the Town know if the results are accurate? He added that the Selectmen did not have the authority to grant this type of license now even if the survey result were in favor of the sale of spirits.

N. Loughnane explained that Wegman's would have to make a request to the Selectmen to apply for a license for an all alcohol off-premise consumption license. If the Selectmen felt there was merit to the request, it would have to draft an article for Town Meeting to submit a Home Rule Petition requesting permission to expand its authority to allow grocery stores in Westwood to sell spirits. Westwood currently only allows the sale of beer and wine in grocery stores. The question is if the Board of Selectmen are interested allowing this kind of license in Westwood.

M. Walsh said he was not interested in granting an all alcohol license for off-premise consumption to Wegman's, regardless of the outcome of the customer survey. J. Hickey agreed.

N. Hyde returned to the meeting at 8:00pm

OLD BUSINESS

Appointments of Fire Chief Deckers to Various Boards and Committees

Now that John Deckers has officially been sworn into his appointment as Fire Chief, the Board discussed his appointments for the following:

To serve as the Town of Westwood's:

- Building Surveyor
- Forest Warden

To serve as a member of the:

- Local Emergency Planning Committee (LEPC)
- Alcohol Review Committee
- Westwood Emergency Management Agency
- Storm Water Management Committee
- Municipal Facilities Task Force (as an Ex Officio Member)

N. Hyde moved to appoint Chief John Deckers to the following positions:

- **Building Surveyor**
- **Forest Warden**
- **Member of the Local Emergency Planning Committee (LEPC)**
- **Member of the Alcohol Review Committee**
- **Member of the Westwood Emergency Management Agency**
- **Member of the Storm Water Management Committee**
- **Ex Officio Member of the Municipal Facilities Task Force**
- **Ex Officio Member of the Islington Center Task Force**

M. Walsh Seconded. Unanimous Vote: 3-0

CHAIRMAN'S UPDATE

Department of Public Works – Response to Recent Storm

The Board of Selectmen extended its gratitude to Todd Korchin, DPW Director and his team for their response to the storm that took place Sunday evening into the early morning of Monday. The DPW did a great job at clearing out trees and other debris to keep the Town roadways safe for Public Safety Officials.

OLD BUSINESS

Sign Fall Town Meeting Warrant

Per the Town Charter, the Board of Selectmen must review and sign the Fall Town Meeting Warrant to be posted by the Town Clerk and signed by a Constable in all four precincts in Town at least seven (7) days in advance of Town Meeting.

The Fall Town Meeting is scheduled for Monday, November 13th at 7:30pm in the Auditorium at the High School.

N. Hyde moved to approve and sign the 2017 Fall Town Meeting warrant and that it be signed by the Town Clerk and a Constable to be posted in all four precincts in Town and on the website for public viewing. M. Walsh Seconded. Unanimous Vote: 3-0

Review Fall Town Meeting Warrant Articles

As tradition, the Board assigns a member to each of the articles to present and/or answer questions at the Town Meeting. The Board discussed which member or its designee will be responsible for each of its sponsored articles.

Regular Minutes

July 17, 2017

N. Hyde moved to approve the Regular Minutes for July 17, 2017, as written. 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 one issue related to potential litigation with the Girl Scouts 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. M. Walsh Seconded.

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

NEXT MEETING

The Board of Selectmen reserved a meeting on Monday, November 13, 2017 at 6:30pm in the Faculty Room at the High School, if necessary.

The meeting was adjourned at 8:08 p.m.

Initial after reviewed



M. Jailet
Town Administrator

LIST OF DOCUMENTS

Board of Selectmen
11/2/2017 Selectmen's Meeting Room
Regular Meeting

SCHEDULED ACTION

- High St #738 - Lions Club submitted photos of UDC.pdf (PDF)
- udc pics 808 high st.pdf (PDF)
- Blue Hart Tavern Redevelopment Matrix.docx (PDF)

NEW BUSINESS

- AA Assessors Oct 2017.pdf (PDF)
- Town of Westwood Remote Participation Policy 2017 REvised (PDF)
- Norwood Patch Article - Yankee Spirits (PDF)

OLD BUSINESS

- Appointments - Active & Pending 10.24.2017.xls (PDF)
- Final Warrant 103017 (PDF)
- Selectmen Article Assignments (DOC)
- Petition Articles 101817 (XLS)