

72 il 25, 2011 BO

Present was James M. Tomaszewski, James C. Lehan, Robert J. Garrity, Jack Hathaway, Town Administrator, and Marian Harrington, Executive Assistant.

The meeting was held in Room 124, Town Hall. Jim Tomaszewski announced that this meeting will be audio and video taped.

Jim Tomaszewski called the meeting to order at 7:00 p.m. Jack Hathaway read the agenda contents.

CLASS III PUBLIC HEARING, NORFOLK AUTO REPAIR, 38 MAIN ST.

Paul Roche, present. Jack said we received a report from our Building Commissioner stating no issues, but minor violations. Paul said the original license said fence in front. The fence Bob is talking about is in the wetlands (swamp). That is not stated on the original license.

Rob Garrity moved to approve a Class 3 license for Norfolk Auto Repair, 38 Main Street. Jim Lehan seconded. Betsey Whitney, resident in the audience, told the Board that they support him. It was a unanimous vote.

HILARY COHEN, ANIMAL CONTROL OFFICER

Hilary Cohen, Animal Control Officer, was present at the request of the Board. Jim Tomaszewski noted that Hilary had received the award of Animal Control Officer of the Year by the Animal Rescue League of Boston. The Board commended her for the excellent job she has done, and her expertise. They presented her with a Proclamation.

TOWN ADMINISTRATOR REPORT

Action Items

Jim Lehan moved to allow the Norfolk Cultural Council to serve wine at their Art Opening at the Norfolk Public Library Exhibition Room from 5-7 p.m. on Saturday, March 10, 2012. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to allow Eagle Brook Saloon, Horse N' Carriage Restaurant, and Guido's Restaurant extended hours of operation on New Years Eve to sell until 2:00 a.m. on January 1, and patrons must be off premises by 2:45 a.m. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to allow Eagle Brook Saloon, Horse N' Carriage Restaurant, and Guido's Restaurant to open on Sundays at 10 a.m. as allowed by the ABCC. Rob Garrity seconded, and it was **so voted**.

2012 License Renewals

Jim Lehan moved to approve the Restaurant - All Alcoholic liquor licenses for 2012 for Eagle Brook Saloon, Guido's Restaurant, Inc., and Horse N' Carriage Restaurant. Rob Garrity seconded, and it was **so voted**.

The Board discussed the restaurant – all alcoholic liquor license for Café Pesto. Peter Chipman renewed his license. Jack told the Board that they should approve the renewal, and then have a public hearing to have the owner in to discuss the status; not wrong doing but not active. Jack

pointed out we are going on five years with it not being used, and the ABCC doesn't like pocket licenses, which they feel this is.

Rob Garrity moved to renew the liquor license for Café Pesto pending a hearing for revocation. Jim Lehan seconded, and it was **so voted**.

The Board set the date for the hearing for February 7th.

Jim Lehan moved to approve Package Store, All Alcoholic liquor licenses for 2012 for Norfolk Fine Wine & Spirits, Provo Discount Liquors and Shubham Variety, d/b/a Linda's Variety Store. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to approve a Package Store, Wine & Malt liquor license for 2012 for Sarthi Convenience, Inc. d/b/a Norfolk Food Mart. Rob Garrity seconded, and it was **so voted**.

Jim Lehan moved to approve an On-Premise Wine & Malt liquor license for 2012 for Fore Kicks Sports Complex. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to approve the following 2012 Common Victualler licenses: Eagle Brook Saloon, Guido's Restaurant, Inc., Horse N' Carriage Restaurant, Fore Kicks Sports Complex, Norfolk Town Pizza, Bourque's Restaurant, Dunkin' Donuts, Center Ice, Inc., J.K. Liang, Inc., d/b/a Golden Ginger, and Prime Tyme Pizza. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to approve the following 2012 Entertainment licenses: Eagle Brook Saloon, Live Music – Secular days and Sundays, 1-5 instruments, 8 p.m. to 1 a.m.; Fore Kicks Sports Complex, eleven coin operated "arcade" machines – Secular days and Sundays, 7 a.m. to midnight; Norfolk Rink Management Co., Inc., six coin operated "arcade" machines – Secular days and Sundays, 7 a.m. to midnight; and Guido's Restaurant, Inc., Live Music – Secular days and Sundays, Single entertainer or DJ – 8 p.m. to 1:00 a.m. Rob Garrity seconded, and it was **so voted**.

Rob Garrity moved to approve the Class I licenses for 2012: Cliff's Cycles, LVJ Trailers & Equipment, LLC, and MPG Motorsports, Inc. Jim Lehan seconded, and it was **so voted**.

Jim Lehan moved to approve the Class II licenses for 2012: Auto Clinic, Norfolk Auto Brokers, and Norfolk Auto, Inc. Rob Garrity seconded, and it was **so voted**.

Class III for Norfolk Auto Repair was voted at the beginning of the meeting.

CASINO DISCUSSION

Dan Winslow, State Rep. was present.

Dan explained trains being positioned for the casino. He said that the public transit said that they have no plans for expansion. Dan said that he supported the bill because of jobs and revenue and Norfolk will still benefit from them.

Foxboro Selectmen will be meeting to discuss the bill. Dan said that he would like area Selectmen to send a letter urging them not to pursue an agreement. He said the Gaming Commission can fund an impact study for the Town of Norfolk.

Norfolk has been there for Foxboro, we need Foxboro to be there for us as a good neighbor. This board needs to become active and convince our neighbors.

Jim L. said he is strongly against this. Planning Board needs more detail. Finance voted unanimous to not have Wynn present his plan.

Jim L. said this doesn't affect Foxboro residents. It affects Walpole and Norfolk.

Jim L. wanted to know if there is any legislation to give the abutting towns position. Dan said he filed a bill to that effect and it was shot down. Dan said arrogance, incompetence and deceit by the Kraft company.

Dan said proximity affects South Walpole and Norfolk. Dan felt that this would be terrible for Foxboro. They seem to think they have to negotiate in good faith and they don't. After Selectmen, they need a zoning change (2/3 vote), and a referendum process for use. Referendum is a simple majority vote. Jim T. felt Kraft would have a tough time getting a 2/3 vote. Dan's biggest worry is that Foxboro Selectmen have to hear from all the area Boards of Selectmen.

Dan told the Board to pay attention to anything coming from him through Joanne Muti.

Rob said if we dodge the casino in Foxboro, we will face the slots in Plainridge. He is bothered by the Everett Street dilemma where Robert Kraft wouldn't help us at all. He has looked at Google maps and said that it hits 80+ homes in Norfolk and Walpole before you even hit Foxboro. Rob said we would have a 24 hour game day every day.

Jim L. said what we can do? Wrentham, Foxboro and Walpole Selectmen need to be involved. Dan said we need to re-mobilize. This is too big for just Norfolk boards. Many new people aren't aware of what we've conquered in the past. We need passionate solicitors to knock on doors in Foxboro.

Dan said they have asked for a vote within 120 days because they have money.

Jim T. said he is conflicted because he is on the Board for the YMCA, and they partnered up with Mr. Kraft who was a significant sponsor and been very good for the Y. He does have a little conflict but supports what Jim and Rob said but has to be careful how he positions himself because of no goodwill on the Y.

Elizabeth (Betsey) Whitney, Valley Street thanked Dan and said she emailed all the Selectmen in Foxboro, and heard back from 2 – one is pro, one is not. NO FOXBORO CASINO is very active group and wants people to participate. Betsey said she is very encouraged by all she's heard tonight. The NO CASINO group is very interested in anything we can do. Jim L. wanted to know what the pro Selectman said. Betsey said that was Mr. Harrington, and he just said thank you for your interest.

Kim Eldred, Lantern Lane said the attorney from Foxboro was not retained for another year. Their finance director is retiring. What's happening there? Dan said the Town Planner is an excellent resource. The Town Administrator is publicly opposed. Dan told them to think concept first, and should we have a casino here first. Then discuss everything else – fire apparatus, police, etc. He said talk the big picture first.

Lori Scholl, Marshall Street also thanked Dan. Why did they defeat the abutter legislation?

Nancy Connors, Everett Street said she was impressed with what Dan said and what can the residents of Norfolk do. She said that she was disappointed with Jim T. and that he needs to work with the people. Jim said he explained about Bob Kraft giving to an organization against his son and he did it for the Town of Foxboro. Nancy mentioned Martha Coakley being against this because of the crime it brings. Jim T. said that he supports Jim L. and Rob. Nancy said the Town needs the support and direction of the Board of Selectmen.

Rob said citizen groups can do a lot more than the Board of Selectmen can. Rob said the citizens group should reach out to Robert Kraft because he is a neighbor. Wynn is not. He is out for himself.

Jim L. would like a formal vote. Jim Lehan moved to notify the surrounding communities that they are in opposition of the casino built in Foxboro. Rob Garrity seconded, and it was **so voted**.

Chief Stone talked about residual activity with games, concerts, etc. Concerns are armed robbery and accidents, traffic issues, drinking and drug activity. He does not have enough officers, cruisers, etc. He is already two officers short, but four below what population dictates. Chief Stone said the lights, sounds and noise are the issues. Foxboro has a lot of activity because of Patriot Place. Bars that are late keep them busy late nights. Chief Stone said he would love a new public safety facility from the funds, but also needs the extra officers to work the issues.

Kim Eldred said that there is a commercial zone in that area, and Kraft will build something if he doesn't build the casino. There are lots of for sale signs, and we need to be careful of what is developed.

Jim T. told people to send in comments through Jack, and thanked Dan for his hard work.

Dan said get an organizational group together and have them decide what they need to do. Jim L. offered to organize the group through Norfolk Net, Boomerang and Sun Chronicle and get people. This is going to move very quickly.

TOWN ADMINISTRATOR REPORT (continued)

Jack presented a spreadsheet and showed different statistics of area towns so that you can look at it, and gave it to the Board for their files to compare different towns.

He reported we did receive the state and county retirement budget for 2013 and it is a tad bit higher, but pretty much where he thought it would be.

Jack said we voted for a single tax rate and we have a tax rate of \$16.47 approved by the State Department of Revenue.

Jack is working with our IT director in changing our webpage. Jack said he saw the first try at it and was very impressed. It is being done by Tri-County students.

Jack said the School Building project is moving along on schedule.

Jack said that with the Public Safety Building project, they have scaled the building down. They eliminated taking the dispatch section out. Made cuts to the building. The two Chiefs have been working with the developer and want to start coming up with new estimate. Jack has plans he can

share with the Selectmen.

Jack said they are still working on the regional dispatch center.

Jim L. gave an update on the municipal housing committee. The plan is out of date and they have been working to update it. They have proposals from consultants as an agenda item for their next meeting.

Jim T. said the Norfolk Lions was approached by Jen DeLuca, Director of Fisher House in Norwood which is a residence for parents of veterans who are wounded and in the hospital. They can stay here up to a year at no cost, and Jen would like us to allow the Lions Club to sell flags on Memorial Day and they will be placed at the Veterans' section of the cemetery - one side for fallen soldiers and one for wounded soldiers. We should get the formal details for the project in January.

Jack reminded residents that the Transfer Station closes at one on Saturday and the same for New Years Eve.

At 8:48 p.m., being no further business, Jim Lehan moved to go into executive session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body, and the chair so declares. Rob Garrity seconded, and it was a roll call vote: Jim Lehan, **aye**; Jim Tomaszewski, **aye**; and Rob Garrity, **aye**. The Board will not return to open session except to adjourn the meeting.

At 9:14 p.m., Jim Lehan moved to adjourn the meeting. Rob Garrity seconded and it was **so voted**.

This is a true and accurate report of the Selectmen's Meeting of December 20, 2011.

Robert J. Garrity, Clerk