



## WAKEFIELD BOARD OF SELECTMEN

Monday, February 26, 2018

6:45 P.M.

WCAT Studio

24 Hemlock Road, Wakefield, MA. 01880

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<b>PRESENT:</b>	Selectman Paul R. DiNocco, Chair Selectman Peter J. May, Vice-Chair Selectwoman Mehreen N. Butt Selectman Edward F. Dombroski, Jr. Selectman Brian E. Falvey Selectman Anthony Longo Selectwoman Ann McGonigle Santos Stephen P. Maio, Town Administrator Sherri A. Dalton, Executive Assistant Thomas A. Mullen, Town Counsel	<b>NOT PRESENT:</b>
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### ----- TOPICS OF DISCUSSION -----

<b>Call to Order</b>	Chairman DiNocco called the meeting to order at 6:45 p.m.
<b>Executive Session - Litigation</b>	Chairman DiNocco stated that there is a need for executive session to discuss the Litigation regarding 94 Butler Avenue because an open meeting may have detrimental effect on the bargaining position of the Town, with the intent of returning to open session. Selectman Falvey motioned to go in to executive session. Selectman Longo seconded. Motion passed on a roll call vote with all six members voting in the affirmative.  The Board went in to open session at 7:01 p.m.
<b>Public Participation</b>	There was no one present for Public Participation
<b>Approval of Minutes - Regular</b>	Selectman Falvey motioned to approve the minutes of February 12, 2018 as presented. Selectman Longo seconded. Motion passed 6-0-0.  Selectman May motioned to approve the minutes of February 16, 2018 as presented. Selectman Longo seconded. Motion passed 6-0-0.
<b>Presentation / Action Items – Annual Town Meeting</b>	Selectman May motioned to set the date for the Annual Town Meeting as May 7, 2018. Selectman Longo seconded. Motion passed 6-0-0.  Selectman May motioned to open the Annual Town Meeting Warrant. Selectman Longo seconded. Motion passed 6-0-0.  Selectman May motioned to set the close date of the Annual Town Meeting Warrant as March 30, 2018. Selectman Dombroski seconded. Motion passed 6-0-0.

At 7:05 p.m. Selectwoman Santos arrived at the meeting.

**Presentation  
/ Action Item  
– Hiring of  
LSP**

Selectman Longo motioned to retain the services of O'Reilly, Talbot & Okun, Inc. for the matter of The Woods, LLC. Selectman May seconded. Motion passed 7-0-0.

**Presentation  
/ Action Item  
– Zoning  
Referral**

Selectman Falvey motioned to refer the Zoning Board of Appeals article to the Planning Board. Selectman May seconded. Motion passed 7-0-0.

**Presentation  
/ Action Item  
– RFP Ice  
Skating Rink**

Town Administrator Maio spoke regarding the building of a potential ice skating rink on the land owned by the Vocational School and The Town of Wakefield on the south side of Hemlock Road east of Landrigan Field. Town Administrator Maio said that this rink would not be a money maker. It would be a way of keeping Wakefield and Vocational School hockey players on campus rather than needing to be transported to rinks in other communities. Selectwoman Santos said that this gives our kids access to a rink that keeps them in town. Selectman Longo said that while there will be some gate receipt and concession money coming in, a rink on Hemlock Road will be a money saver more than anything else. Selectman Dombroski asked whether there would be any cost to taxpayers and Maio assured him there would not be. Town Administrator Maio asked that the selectman entertain a motion to advertise for bids to build the rink. Selectwoman Santos motioned to advertise for Request for Proposals for the construction of and leasing of land off of Hemlock Road for a potential Ice Skating Rink. Selectman Longo seconded. Motion passed 7-0-0.

**Presentation  
/ Action Item  
– Public  
Hearing – Las  
Chivas, Inc.**

At 7:10 p.m. Selectman Dombroski motioned to open the Public Hearing for Las Chivas, Inc. d/b/a Tequilas at 979 Main Street for an all alcohol liquor license, Common Victualler License and Entertainment License. Selectman Falvey seconded. Motion passed on a roll call vote with all seven members voting in the affirmative.

Attorney Brian McGrail appeared before the Board along with clients from Las Chivas, Inc. d/b/a Tequilas requesting an All Alcohol Liquor License at 979 Main Street. After a presentation by Attorney McGrail, Selectman Falvey motioned to approve the All Alcohol Liquor License for Las Chivas, Inc. d/b/a Tequilas. Selectman Longo seconded. Motioned passed 7-0-0. No one from the public spoke in favor or against the licenses.

Selectman Dombroski motioned to approve the hours for Las Chivas, Inc. d/b/a Tequilas at 979 Main Street from 11:00 a.m. until 12:00 a.m. seven days a week. Selectman Falvey seconded. Motion passed 7-0-0.

Selectman Longo motioned that the issuance of an All Alcohol Liquor License to Las Chivas, Inc. d/b/a Tequilas at 979 Main Street is not detrimental to the educational and spiritual activities of schools or churches within 500 feet of the licensed premises. Selectman Falvey seconded. Motion passed 7-0-0.

Selectwoman Santos motioned to approve the Common Victualler Application for Las Chivas, Inc. d/b/a Tequilas at 979 Main Street. Selectman Dombroski

seconded. Motion passed 7-0-0.

Selectwoman Santos motioned to approve the Entertainment Application for Las Chivas, Inc. d/b/a Tequilas at 979 Main Street. Selectman Dombroski seconded. Motion passed 7-0-0.

At 7:32 p.m. Selectwoman Santos motioned to close the Public Hearing for Las Chivas, Inc. d/b/a Tequilas. Selectman Longo seconded. Motion passed on a roll call vote with all seven members voting in the affirmative.

**Presentation  
/ Action Item  
– Public  
Hearing -  
CMRG, LLC**

At 7:34 p.m. Selectwoman Santos motioned to open the Public Hearing for CMRG, LLC d/b/a Tonno at 175 North Avenue for an all alcohol liquor license, Common Victualler License and Entertainment License. Selectman Falvey seconded. Motion passed on a roll call vote with all seven members voting in the affirmative.

Attorney Brian McGrail appeared before the Board along with clients from CMRG, LLC d/b/a Tonno requesting an All Alcohol Liquor License at 175 North Avenue. After a presentation by Attorney McGrail, Selectman Falvey motioned to approve the All Alcohol Liquor License for CMRG, LLC d/b/a Tonno. Selectman Longo seconded. Motion passed 7-0-0. A Wakefield resident who owns a home on Armory Street said he had several concerns including adding customer parking to a neighborhood that already has parking issues as well as noise coming from the outdoor patio. No one else from the public spoke in favor or against the licenses. Selectwoman Butt asked that the Board be updated before the renewal of the license as to the level of noise in the area.

After a lengthy discussion regarding the operation hours of the establishment Selectman Falvey motioned to approve the hours for CMRG, LLC d/b/a Tonno at 175 North Avenue from 10:00 a.m. until 1:00 a.m. Sundays; 11:00 a.m. until 1:00 a.m. Monday through Saturday. Selectman Dombroski seconded. Motion passed 6-0-1 with Selectman DiNocco abstaining.

Selectman Falvey motioned that the issuance of an All Alcohol Liquor License to CMRG, LLC d/b/a Tonno at 175 North Avenue is not detrimental to the educational and spiritual activities of schools or churches within 500 feet of the licensed premises. Selectman May seconded. Motion passed 7-0-0.

Selectman Falvey motioned to approve the Common Victualler Application for CMRG, LLC d/b/a Tonno at 175 North Avenue. Selectman Dombroski seconded. Motion passed 7-0-0.

Selectman Falvey motioned to approve the Entertainment Application for CMRG, LLC d/b/a Tonno at 175 North Avenue. Selectman Dombroski seconded. Motion passed 7-0-0.

At 8:30 p.m. Selectman May motioned to close the Public Hearing for CMRG, LLC d/b/a Tonno. Selectman Dombroski seconded. Motion passed on a roll call vote with all seven members voting in the affirmative.

**Presentation / Action Item – Las Chivas, Inc. d/b/a Tequilas – Operating Hours**

After a lengthy discussion regarding changing all the operating hours of liquor establishments in Wakefield to closing at 1:00 a.m., Selectman Dombroski motioned to amend the change the operating hours of Las Chivas, Inc. d/b/a Tequilas from 10:00 a.m. until 1:00 a.m. Sundays; 11:00 a.m. until 1:00 a.m. Monday through Saturday. Selectwoman Butt seconded. Motion passed 6-0-1 with Selectman DiNocco abstaining.

**Joint Meeting – Wakefield Municipal Gas and Light Commissioners**

Pursuant to MGL c41 §11 the Board of Selectmen and the Wakefield Municipal Gas and Light Commissioners are to hold a joint meeting to fill the vacancy on the Gas and Light Board of Commissioners. The Wakefield Municipal Gas and Light Commissioners returned four (4) votes for Rafael McDonald. Selectman Dombroski said that having reviewed all four (4) resumes from applications, Rafael McDonald's resume stood out to him as well. Selectman Longo motioned to nominate Rafael McDonald. Selectman Dombroski seconded. Motion passed with both Boards voting unanimously.

**Presentation / Action Item – Centralized Voting**

Town Clerk Betsy Sheeran appeared before the Board to discuss centralized voting. Ms. Sheeran explained that back in August of 2017 she had discussions with Town Counsel Thomas Mullen regarding what body would have the jurisdiction to make the change to centralized voting. Mr. Mullen answered that it would be the Board of Selectmen. Ms. Sheeran went on to say that if the Board of Selectmen approved the centralized voting then all registered Wakefield voters will be voting at the Galvin Middle School at 525 Main Street beginning on Tuesday, September 4, 2018 and include all local, state and federal elections henceforth. Selectman Dombroski asked what the cost savings would be. Ms. Sheeran stated that she did not have that figure and that it is more for efficiency than money. Selectman Dombroski also expressed his concern with the increase of traffic specifically with the morning commute since Main Street at that time is heavily traveled. Ms. Sheeran stated that she did not look at the traffic aspect. She also stated that the Galvin Middle School is on a bus route. Selectwoman Butt stated that by centralizing voting this will increase voter turnout. Selectman Falvey motioned to authorize the Town Clerk to centralize voting at the Galvin Middle School. Selectman May seconded. Motion passed 7-0-0.

**Presentation / Action Items - Budgets**

Selectman Longo motioned to approve the Police Department Budget in the amount of \$5,710,415.00 as presented by Town Accountant Kevin Gill and Police Chief Richard E. Smith. Selectman Falvey seconded. Motion passed 7-0-0.

Selectman Falvey motioned to approve the Fire Department Budget in the amount of \$5,311,458.00 as presented by Town Accountant Kevin Gill and Fire Chief Michael Sullivan. Selectman Longo seconded. Motion passed 7-0-0.

Selectman Falvey motioned to approve the Emergency Management Budget in the amount of \$73,000.00 as presented by Town Accountant Kevin Gill and Emergency Management Director Thomas Walsh. Selectman Longo seconded. Motion passed 7-0-0.

**Presentation / Action Item – Charter Amendment**

Town Counsel Thomas Mullen advised the Board that the Attorney General has approved the proposed Charter amendment name change from the Board of Selectmen to Town Council. The proposed Charter amendment changes have to go before the Wakefield voters on the April 24, 2018 ballot with the question

## Changes

listed as: Question: Shall this Town approve the Charter amendment proposed by the Town Meeting summarized below? And the summary listed as: Summary: Town Meeting proposed an amendment that would change the name of the Board of Selectmen to the "Town Council." Members of the Town Council would be known as "Councilors" and the chair of that or any other public body would be known as the "Chairperson." Mr. Mullen further went on to say that no later than two (2) weeks before the election, the Selectmen must distribute to each residence of one or more registered voters the proposed Charter amendment and the Town Clerk must keep copies in her office for anyone who request it. The Amendment would read as: Proposed Charter Amendments

The Town Meeting that was held on November 6, 2017 proposed an amendment to the Wakefield Home Rule Charter (the "Charter"). At the Town election to be held on April 24, 2018, you will have an opportunity to vote on it. The proposed amendment would amend the Charter by:

1. striking the second sentence of Section 3-2(b) and replacing it with the following:

"The Town Council shall be the chief policy making agency of the Town and shall have all the powers and duties given to a board of selectmen as may be authorized by the laws of the Commonwealth, by this charter, by by-law or by other vote of the Town Meeting, except those powers granted to the Town Administrator under this charter. It is the intent of this charter that the Town Council be identical in all but name to a board of selectmen, as that term is used in Massachusetts law. Members of the Town Council shall be known as 'Councilors.'";

2. striking, wherever else they appear, the words "Board of Selectmen" and the word "Selectmen" and replacing them with the words "Town Council;"

3. striking, wherever it appears, the word "Chairman" and replacing it with the word "Chairperson;"

4. striking the words "full board" wherever they appear and replacing them with the words "full council;"

5. striking, in the first sentence of Section 5-11, the words "the said board's first meeting," and replacing them with the words "the said council's first meeting;"

6. striking the definition of "Town Agency or Agency" in Section 7-4(e) and replacing it with the following:

"The words 'Town agency' or the word 'agency' shall mean any board, council, commission, committee, department or office of Town government, whether elected, appointed or otherwise constituted."; and

7. striking the definition of "Multiple Member Body" in Section 7-4(f) and replacing it with the following:

"The words 'multiple member body' shall mean any board, council, commission or committee."

Selectwoman Santos motioned to approve the Ballot Question and Summary and direct the Town Clerk file same and place on the April 24, 2018 ballot. Selectman Falvey seconded. Motion passed 7-0-0.

Selectwoman Santos motioned to approve the proposed Charter Amendments and mail to each residence of one or more registered voters no later than two (2) weeks before the election. Selectman Falvey seconded. Motion passed 7-0-0.

Selectwoman Santos volunteered to write a letter to the editor asking that the town's people support the question of the name change that will be on the ballot and asked that the full Board support the letter. Selectman Dombroski commented that once Selectwoman Santos circulates the draft of the letter to the Board for their approval and whoever feels comfortable to endorse the letter they can sign off on it. Board members agreed.

**Warrant Review and Signing**

Selectman Longo signed Warrant #28 dated January 09, 2018; Warrant #29 dated January 16, 2018 and Warrant #30 dated January 23, 2018.

**Matters Not Anticipated By The Chair Within 48 Hours of Meeting**

Selectwoman Butt – asked that the Boys and Girls Club be contacted regarding child care during the upcoming Annual Town Meeting; noted with regret the death of Gwenn Therrien; Wakefield Educational Foundation Spelling Bee is Friday night; members of the community reached out to her regarding the positive feedback from Superintendent Kim Smith regarding the incident at the Vocational School this afternoon

Selectwoman Santos – thank you to the Wakefield Fire Department for being first responders; thank you to everyone

Selectman Dombroski – recognize and remember all the children in Florida and has great comfort in the Wakefield Police Department and Wakefield Fire Department; Public Safety Building tour is Saturday at 9:00 a.m.

Selectman Longo – it was a crazy chaotic scene at the Vocational School today; Friday night is the Wakefield Educational Foundation Fundraiser; girls basketball team just won their first playoff game

Selectman Falvey - great job by the first responders; commented on the agenda and all the great work that is being accomplished

Selectman May – Police and Fire are doing a great job; kudos to Town Administrator Stephen Maio and all the departments

Selectman DiNocco – Police and Fire are doing an outstanding job; Albion Cultural Exchange is having an Arts and Edibles event March 1<sup>st</sup> and March 2<sup>nd</sup>; International Women's Event is March 6th

**Next Board Meeting**

The next regular Board of Selectmen meeting is scheduled for March 12, 2018 at 7:00 p.m. at the WCAT Studio, 24 Hemlock Road

**Adjournment**

At 10:03 p.m. Selectman Falvey motioned to adjourn. Selectwoman Santos seconded. Motion passed 7-0-0

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Respectfully submitted,



Sherri A. Dalton, Executive Assistant