



WAKEFIELD BOARD OF SELECTMEN

Monday, January 08, 2018

6:45 P.M.

WCAT STUDIO

24 Hemlock Road, Wakefield, MA. 01880

PRESENT:	Selectman Paul R. DiNocco, Chair Selectman Peter J. May, Vice-Chair Selectwoman Mehreen N. Butt 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	NOT PRESENT: Selectman Edward F. Dombroski, Jr.
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----- TOPICS OF DISCUSSION -----

Call to Order	Chairman DiNocco called the meeting to order at 6:45 pm.
Executive Session	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 going in to open session. Selectman Longo motioned to go in to executive session. Selectwoman Butt seconded. Motion passed on a roll call vote with all four members voting in the affirmative. The Board went in to open session at 7:08 p.m.
Public Participation	There was no one present for Public Participation
Approval of Minutes - Regular	Selectman Longo motioned to approve the minutes of December 11, 2017 as presented. Selectman May seconded. Motion passed 6-0-0.
Approval of Minutes - Executive	Selectman May motioned to approve the executive minutes of December 11, 2017 as presented. Selectman Longo seconded. Motion passed 6-0-0.
Public Hearing – Bere Island Corp. d/b/a Harrington’s	At 7:09 p.m. Selectman Falvey motioned to open the Public Hearing under Chapter 138 concerning alleged infractions by, and possible discipline of, Bere Island Corp. d/b/a Harrington’s at 17-19 Water Street. Selectman Longo seconded. Motion passed on a roll call vote with all six members voting in the affirmative. Selectman Falvey motioned to continue the Public Hearing of Bere Island Corp. d/b/a Harrington’s to January 22, 2018 at 7:10 p.m. so that all owners of Harrington’s would be in attendance. Selectman Longo seconded. Motion passed

6-0-0.

Selectman Falvey motioned to close the Public Hearing of Bere Island Corp. d/b/a Harrington's. Selectman May seconded. Motion passed on a roll call vote with all six members voting in the affirmative.

**Public
Hearing –
National Grid**

At 7:10 p.m. Selectman Falvey motioned to open the Public Hearing of National Grid. Selectman Longo seconded. Motion passed on a roll call vote with all six members voting in the affirmative.

Selectman Falvey motioned to continue the Public Hearing until January 22, 2018 at 7:30 p.m. Selectman May seconded. Motion passed 6-0-0.

At 7:10 p.m. Selectman Falvey motioned to close the Public Hearing of National Grid. Selectman May seconded. Motion passed on a roll call vote with all six members voting in the affirmative.

**License /
Permits –
Common
Victualler
Licenses**

Selectwoman Santos motioned to approve the renewal Common Victualler Licenses as presented. Selectman May seconded. Motion passed 6-0-0.

**License /
Permits –
Class II
Licenses**

Selectman Falvey motioned to approve the renewal Class II Licenses as presented. Selectwoman Santos seconded. Motion passed 6-0-0.

**License /
Permits – One
Day Liquor
License**

Selectwoman Santos motioned to approve the One Day Liquor License request from Joanne Ragwar for an event at the Americal Civic Center on March 2, 2018 from 7:00 p.m. until 11:00 p.m. Selectman May seconded. Motion passed 6-0-0.

**Presentation
/ Action Item
– 138 New
Salem Street**

Selectwoman Santos motioned to approve the Town of Wakefield to advertise for bids for 138 New Salem Street. Selectman May seconded. Motion passed 6-0-0.

**Presentation
/ Action Item
– Library
Request**

Selectman Falvey motioned to approve the request from the Lucius Beebe Memorial Library to accept and expend a gift or gifts in the amount of \$7,486.00 from various donors with thanks. Selectwoman Santos seconded. Motion passed 6-0-0.

**Personnel /
Appointments
– Wakefield
Retirement
Board**

Selectman May motioned to appoint Richard E. Smith of One Union Street, Wakefield as the Second Member to the Wakefield Retirement Board. Selectman Longo seconded. Motion passed 6-0-0.

**Warrant
Review and
Signing**

Selectman Longo signed Warrant #21 dated November 21, 2017 through Warrant #23 dated December 5, 2017.

**Public
Hearing –
Dockside at
Wakefield,
Inc. d/b/a
Dockside Your
Neighborhood
Family
Restaurant**

At 7:30 p.m. Selectman Falvey motioned to open the Public Hearing under Chapter 138 concerning alleged infractions by, and a possible discipline of, Dockside at Wakefield, Inc. d/b/a Dockside Your Neighborhood Family Restaurant at 1099 Main Street. Selectwoman Santos seconded. Motion passed on a roll call vote with all six member voting in the affirmative.

Chairman DiNocco asked Police Chief Richard Smith to summarize the events of the incident. Police Chief Smith said that one of his officers was at an unrelated traffic stop on Main Street near J.J. Round Playground when he observed a man and a woman walking north on Main Street. Moments later the officer heard a female scream and saw her lying on the ground. The officer radioed for backup and began approaching the pair. The man was extremely agitated and both he and the female appeared to be extremely intoxicated. The man told the officers that they had been drinking at the Dockside. The woman was uncooperative and very confused and was unaware of where she was. She also denied needing any help. As one of the officers tried to assist the female, the male began flailing his arms and yelling at the officers. He became assaultive and resisted when they tried to place him in handcuffs for his own protection. The man ultimately had to be taken to the ground and hit with a taser twice before officers could handcuff him. The man was taken to Melrose-Wakefield Hospital and the woman was taken to Winchester Hospital. The selectmen next heard from Dockside owner Jack Urbaczewski and his attorney, Steven Grant. Attorney Grant supplied the selectmen with copies of handbooks, manuals, policies and procedures covering alcohol protocol. According to Mr. Urbaczewski, bartenders are to fill out logs and reports at the end of each shift noting any incidents. He said that none of the logs or reports made any reference to the pair in question or to any intoxicated individuals that night. Mr. Urbaczewski said he called a meeting of the staff after learning of the incident and was told the male was a regular customer but had never been a problem. Attorney Grant told the selectmen that he contacted the man and that he told him that he had a few beers at the Dockside that night but after he and the woman left they purchased whiskey nips at a nearby liquor store which he and the female consumed after leaving the Dockside. Attorney Grant noted to the selectmen that the Dockside has been in business for 14 years in Wakefield and that there had been no previous incidents before the Board. Selectman Falvey acknowledged that the Dockside had no negative history but when the Police Chief is concerned enough to bring an issue to the Board, the police deserve the Board's full attention and support. Selectwoman Santos noted that when the Board of Health was drafting new Alcohol Rules and Regulations, Mr. Urbaczewski was one of the licensed establishments who welcomed the stricter rules. Town Counsel Thomas Mullen outlined the Boards options stating that for a first offense the Board would have to find that an incident did occur. The Board then could issue a warning or suspend the liquor license for up to two consecutive days. Selectwoman Santos felt that bringing the licensee before the Board was enough of a warning and an official one was not warranted. Selectmen Falvey stated that he is skeptical of a particular statement and absent that he would have favored a warning. Police Chief Smith added that his role is public safety and the man admitted drinking at the Dockside and never said anything about purchasing nips at a nearby liquor store. Chief Smith also said that if one of the individuals had stumbled into the street and been hit by a car, a civil suit would have been a real possibility. The Board decided to take no action. At 8:14 p.m. Selectman Longo motioned to close the Public Hearing. Selectwoman Santos seconded. Motion passed on a

roll call vote with all six members voting in the affirmative.

Matters Not Anticipated By The Chair Within 48 Hours of Meeting

Selectwoman Santos – would like the Town to have a plan regarding shelters

Selectwoman Butt – Sustainable Wakefield has enter to roof top solar; hateful graffiti was found in the schools and would like the town to find way to address hatful crimes; MLK Day at the Middle School from 10:00 a.m. – 11:00 a.m.; would like the Town to remember all the great candidates that apply for positions for future appointments

Selectman Longo – thanks to the DPW regarding the storm; thanks to Melanson Oil for responding quickly to calls

Selectman Falvey – roads are still tight and inquired if there was going to be more snow removal

Town Administrator – first part of budgets will be on the January 22, 2018 agenda; attended a program that Marion Ryan put on at the Vocational School regarding Domestic Violence

Chairman DiNocco – would like to revisit Peddler Licenses and the rules and regulations to either have them removed or allow more time; corners need to be removed of snow and culverts need to be cleaned of snow; Wingo starts January 15, 2018

Next Board Meeting

The next regular Board of Selectmen meeting is scheduled for January 22, 2018 at 7:00 p.m. at the WCAT Studio at 24 Hemlock Road.

Adjournment

At 8:21 p.m. Selectman May motioned to adjourn. Selectwoman Santos seconded. Motion passed 6-0-0

Respectfully submitted,



Sherri A. Dalton, Executive Assistant