

BOARD OF SELECTMEN – October 12, 2016

The meeting of the Board of Selectmen was posted and held at the WCAT Studios, 24 Hemlock Road, Wakefield, MA, with Chairman Patrick S. Glynn presiding, Selectman Paul R. DiNocco, Selectwoman Ann McGonigle Santos, Selectwoman Phyllis J. Hull, Selectman Anthony Longo and Selectman Peter J. May in attendance. Town Administrator Stephen P. Maio, Clerk to the Board of Selectmen Sherri A. Dalton and Town Counsel Thomas A. Mullen were also present. Selectman Brian E. Falvey was absent.

Chairman Patrick S. Glynn called the meeting to order at 7:30 p.m.

Selectwoman Hull motioned to approve the minutes of the September 26, 2016 seconded by Selectman DiNocco and so voted.

Connie Tecce of 10 Norway Street spoke against the proposed Dog Park location saying that she would like to find a more suitable location.

Ed Fitzgerald of 1222 Main Street spoke against the proposed Dog Park location saying that he would like to find a more suitable location.

Larry Tecce of 1222 Main Street spoke against the proposed Dog Park location saying that he would like to find a more suitable location.

Selectman DiNocco motioned to approve the request of the Wakefield Center Neighborhood Association to accept and expend a gift or gifts to the Town of Wakefield in the amount of \$2,588.60 with thanks, seconded by Selectwoman Hull and so voted.

Selectwoman Santos motioned to accept the Regular Town Meeting Warrant for November 7, 2016, seconded by Selectman DiNocco and so voted.

Selectwoman Santos motioned to accept the State Election Warrant for November 8, 2016, seconded by Selectwoman Hull and so voted.

Selectwoman Santos motioned to approve the transfer of \$1,000,000.00 to the Debt Service Capital Needs Account, seconded by Selectman DiNocco and so voted.

Selectman DiNocco motioned to reaffirm the Dog Park vote, seconded by Selectwoman Hull and so voted with Selectman Longo opposed due to the location.

Selectwoman Santos motioned to approve the request from the Town Treasurer to transfer \$2,355,439.88 from the Town's capital projects account at The Savings Bank to the Town's general fund so that the GMS, Dolbeare, Woodville, Senior Center and Woodville bond can be paid on October 15, 2016, seconded by Selectman DiNocco and so voted.

At 7:40 p.m. Selectman DiNocco motioned to open the Public Hearing for the laying out of Nazareth Road and Winship Drive as Public Ways, seconded by Selectwoman Santos and so voted.

Roll Call:

Selectwoman Hull – yes

Selectwoman Santos - yes

Selectman May – yes

Selectman Longo – yes

Selectman DiNocco - yes

Chairman Glynn – yes

Attorney Brian McGrail along with his client Bernie Plant appeared before the Board to discuss the laying out of Nazareth Road and Winship Drive and to recommend the acceptance at the November 7, 2016 Town Meeting.

No one from the public spoke in favor or against the laying out of Nazareth Road and Winship Drive. The DPW Director Richard Stinson spoke in favor of the recommendation as did the President of the Homeowners Association.

Selectwoman Santos motioned to recommend the acceptance of Nazareth Road and Winship Drive at Town Meeting on November 7, 2016, seconded by Selectwoman Hull and so voted.

At 7:46 p.m. Selectwoman Santos motioned to close the Public Hearing, seconded by Selectman DiNocco and so voted.

Roll Call:

Selectwoman Hull – yes
Selectwoman Santos - yes
Selectman May – yes
Selectman Longo – yes
Selectman DiNocco - yes
Chairman Glynn – yes

At 8:00 p.m. Selectman DiNocco motioned to open the Public Hearing for the possible suspension or revocation of the liquor license for Caryn's Restaurant at 395-397 Main Street, seconded by Selectwoman Hull and so voted.

Roll Call:

Selectwoman Hull – yes
Selectwoman Santos - yes
Selectman May – yes
Selectman Longo – yes
Selectman DiNocco - yes
Chairman Glynn – yes

Attorney Brian McGrail along with his client Leanne Wheeler owner of Caryn's Restaurant at 395-397 Main Street appeared before the board to answer to questions regarding an incident that took place at Caryn's Restaurant on Friday, September 16, 2016. Patrolman Matthew Powers of the Wakefield Police Department and Sergeant Steven Skory of the Wakefield Police Department were also in attendance. Patrolman Matthew Powers stated that he was assigned to the South Sector of Town in a fully marked cruiser and observed a white male coming from the direction of Caryn's Restaurant that was walking with a staggered gait and appeared to be having a difficult time walking in a straight line. The white male approached the driver's side of a dark colored sedan and reversed out of the parking spot at a quick pace and came to an abrupt stop. Patrolman Powers then observed the vehicle accelerate forward toward the Smith Street exit of the parking lot. The passenger's side of the vehicle struck the curb and continued forward onto Smith Street. The vehicle then turned onto Lincoln Street toward the direction of Main Street and observed the vehicle drift from side to side of the road. Patrolman Powers conducted a motor vehicle stop which subsequently led to the arrest of the operator for OUI-Liquor. While the defendant's property was being inventoried for safekeeping, a receipt was found in the pocket for Caryn's Sports Bar. The receipt was stamped one and a half hours prior to the motor vehicle stop. The receipt was for a \$7.00 vodka drink and had been added into evidence. While Patrolman Powers was in the booking area of the Police Department he observed Sergeant Ryan trying to wake up the defendant. Action Ambulance was immediately requested to the booking room where they placed the defendant on a stretcher at which time the defendant became more alert and then became combative against the Officers and the EMT personnel and was then transported to the Melrose-Wakefield Hospital. While the defendant was being stretchered out of the sally port, EMT personnel reported that the defendant spat towards the officers and used profanity. The defendant was admitted to Melrose-Wakefield Hospital and was bailed

by a Bail Commissioner. Attorney McGrail asked a series of questions to his client Ms. Wheeler. Ms. Wheeler responded that she was the only one that had served the gentleman in question and that he had one drink and was not intoxicated when he left Caryn's Restaurant. The Board of Selectmen said that since there was an hour and half that went by from the time the gentleman left Caryn's Restaurant to when Patrolman Powers made the arrest there is not enough evidence to suspend the liquor license.

No one from the public spoke regarding the incident at Caryn's Restaurant.

No member of the Board of Selectmen found that the Licensee acted in a manner that warranted a revocation or warning from the Board. Ms. Wheeler was encouraged to contact the police if such a situation should arise in the future.

At 8:28 p.m. Selectwoman Santos motioned to close the Public Hearing, seconded by Selectwoman Hull and so voted.

Roll Call:

Selectwoman Hull – yes

Selectwoman Santos - yes

Selectman May – yes

Selectman Longo – yes

Selectman DiNocco - yes

Chairman Glynn – yes

Selectman DiNocco motioned to schedule a Public Hearing for Tax Classification on October 24, 2016 at 7:40 p.m., seconded by Selectwoman Santos and so voted.

Town Administrator Stephen Maio presented his year-end report for Fiscal Year 2016 which ended June 30, 2016. Town Administrator Maio noted that the Town started Fiscal Year 2016 with a state certified Free Cash balance of \$9.6 million. In November 2015, Town Meeting voted to use \$2,965,874 of that to balance the budget. Free Cash is defined as excess revenues accumulated from higher than expected revenues and/or lower than anticipated expenditures. Town Administrator Maio noted that the state certified \$9.1 Free Cash balance (as of June 30, 2016) is very healthy for a community the size of Wakefield. At next month's Regular Town Meeting, Town Administrator Maio anticipates using \$1.3 million of that Free Cash to balance the budget if approved would leave \$7.6 million in Free Cash. Selectwoman Hull suggested using additional free cash to give a break to the taxpayers. Town Administrator Maio said that it was his belief that the town could afford to give the taxpayers a break and still maintain very healthy balances in its reserves. The Board requested that Mr. Maio meet with the Director of Assessments and factor the use of additional free cash in balancing the FY2017 budget. Mr. Maio stated he would bring that back at the meeting on October 24, 2016.

The Board of Selectman were in receipt of the Clerical Agreement in which they signed and previously voted on.

Selectwoman Hull motioned to appoint Robert MacRobbie of 41 A Gould Street to the Wakefield Cultural Council, seconded by Selectwoman Santos and so voted.

Selectwoman Hull motioned to appoint Caroline Lieber of 1 Elm Street to the Wakefield Cultural Council, seconded by Selectwoman Santos and so voted.

Selectwoman Santos motioned to sign the Ambulance Contract, seconded by Selectman DiNocco and so voted.

Correspondence:

Letter regarding opposition for Dog Park

Invitation to the 2016 "Tis the Season" Holiday Stroll

Comments:

Selectwoman Hull – thank you to the Town for placing the planters in Greenwood; the Dough Boy truck is still taking up spaces in the parking lot

Selectman May – December 3, 2016 is the Holiday Stroll and the Event Planning Committee is still in need of volunteers

Selectwoman Santos – heard from many about the beautiful planters in Greenwood; the Subaru site and the car dealership on the corner of North Avenue and Church have made their property immaculate

Selectman DiNocco – asked that the Event Planning Committee be added to the October 24, 2016 agenda; there is only one yellow sign in the downtown telling drivers that pedestrians have the right of way in the crosswalks and he would like there to be more; congratulations to the Wakefield High School Warriors Football team for their big win over Stoneham and to the Wakefield High School Marching Band for capturing the Gold

Selectman Longo – attended the Open House at the Senior Center which was very nice; would like to step up patrols in the Upper Common and Lower Common area as cars are not stopping for red lights or for pedestrians.

Town Administrator – ask for a motion to set a Public Hearing for an All Alcohol Liquor License for Indian Flames Inc. 33 Tuttle Street on November 14, 2016 at 7:40 p.m. Selectman Paul DiNocco motioned, seconded by Selectwoman Hull and so voted; there will be a Community Meeting with Peg Barringer of Fine Point Associates for a market analysis and an assessment of the business district's potential at the Wakefield High School Theater at 7:00 p.m.; the MAPC study will be on November 17, 2016 at 7:00 at the Civic Center; reminded everyone that early voting for the Presidential Election is available at Town Hall from October 24, 2016 to November 4, 2016 any time that the Town Hall is open and also on Saturday October 29, 2016 from 8:00 a.m. until 1:00 p.m. To cover some of the overtime cost associated with the early voting the Town Clerk has obtained a \$1,000.00 grant from the State.

Selectwoman Santos motioned to adjourn at 9:05 p.m., seconded by Selectman DiNocco and so voted.

Sherri A. Dalton, Clerk