

BOARD OF SELECTMEN – March 25, 2013

The meeting of the Board of Selectmen was posted and held at the WCAT Studios, 24 Hemlock Road, Wakefield, MA, with Selectwoman Betsy Sheeran presiding, Selectman Patrick S. Glynn, Selectman Tiziano Doto, Selectman James E. Good, Selectman John Encarnacao and Selectman Paul R. DiNocco and Brian E. Falvey in attendance. Town Administrator Stephen P. Maio and Town Counsel Thomas A. Mullen were also present as well as Clerk to the Board of Selectmen Sherri Eskenas.

Department Head in attendance were Kevin Gill, Town Accountant; David Knox, Director of Information Technology; and Michael Sullivan, Fire Chief.

Chairwoman Sheeran called the meeting to order at 7:03 p.m.

Chairwoman Sheeran stated that there is a need for Executive Session to discuss litigation strategy concerning Attorney General's disapproval of medical marijuana by-law with Town Counsel. Selectman Good so motioned, seconded by Selectman DiNocco and so voted.

Roll Call:

Selectman Doto - yes

Selectman Glynn – yes

Selectman Encarnacao - yes

Selectman Good – yes

Selectman Falvey – yes

Selectman DiNocco – yes

Chairwoman Sheeran – yes

At 7:34 p.m. the Board entered into open session and Chairwoman Sheeran called the meeting to order.

Selectman DiNocco motioned to accept the Board Minutes of March 11, 2013, seconded by Selectman Doto and so voted.

Selectman Good motioned to accept the Executive Board Minutes of March 11, 2013, seconded by Selectmen DiNocco and so voted with Chairwoman Sheeran abstaining.

Appointment of one member to the Council on Aging

Sheila Moran – 272 Albion Street, #12

Gregory Roberts – 35 Forrester Road

Selectman Falvey motioned to appoint Sheila Moran of 272 Albion Street, #12 to the Council on Aging with the appointment expiring May 31, 2014, seconded by Selectman Encarnacao and so voted.

Maureen Miller and Julie Bernardin of the Wakefield interfaith Food Pantry presented to the Board a copy of their 30th year video called "Hunger Hurts...A Community Responds". They also showed a 2 minute trailer highlighting major parts of the video.

Selectman DiNocco motioned to approve the Police budget in the amount of \$4,331,503.00, seconded by Selectmen Doto and so voted.

Selectman Encarnaco motioned to approve the IT Budget in the amount of \$401,873.00, seconded by Selectman Falvey and so voted.

Chairwoman Sheeran recused herself due to discussion regarding the Fire Department Budget, Emergency Management Budget and Group Insurance Budget. Vice Chairman Doto presided.

Selectman Encarnacao motioned to approve the Fire Budget in the amount of \$3,963,372.00, seconded by Selectman DiNocco and so voted.

Selectman Falvey motioned to approve the Emergency Management Budget in the amount of \$25,000.00, seconded by Selectman DiNocco and so voted.

Selectman Encarnacao motioned to approve the Group Insurance Budget in the amount of \$11,944,936.00, seconded by Selectman DiNocco and so voted.

Chairwoman Sheeran returned to the meeting.

Selectman Encarnacao motioned to approve the request from REI to hold Stand Up Paddle Classes at the head of the lake on May 31, 2013; June 8, 2013; July 20, 2013; August 10, 2013; September 21, 2013 from 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m., seconded by Selectman DiNocco and so voted.

Selectman Doto motioned to take off the table the request from Christy Dole of Balance Yoga Studio that was tabled at the February 11, 2013 meeting; seconded by Selectman Falvey and so voted.

Selectman Doto motioned to approve the request from Christy Dole of Balance Yoga Studio and Lucy's Love Bus to conduct a yoga class on the Common to raise money for children with cancer in Massachusetts on August 17, 2013 from 4:00 p.m. until 5:30 p.m., seconded by Selectman Encarnacao. Selectman DiNocco discussed moving the date to August 24, 2013 and stated that Christy Dole was in agreement of the change date. Selectman Doto motioned to approve the request with the change date, seconded by Selectman Encarnacao and so voted with Chairwoman Sheeran opposed.

Selectman Falvey motioned to approve the Wakefield Memorial High School Statement of Interest Certification, seconded by Selectman DiNocco and so voted.

Selectman Doto motioned to approve the Greenwood School Statement of Interest Certification, seconded by Selectman Encarnacao and so voted. Selectman Encarnacao stated that the Wakefield Memorial High School Statement of Interest should take precedence.

Selectman Doto motioned to refer the Medical Marijuana Treatment Center Moratorium bylaw to the Planning Board, seconded by Selectman DiNocco and so voted.

Selectman Doto motioned to approve the request from the Traffic Advisory Committee to make a small access road that connects Prospect Street and Cedar Street a "One-Way". The Traffic Advisory Committee is recommending "that this access road be made into a "one-way" for vehicles traveling east from Cedar Street to Prospect Street. There should be "Do Not Enter" signs installed on both sides of the eastern end of this roadway to prohibit westbound vehicles from entering. The white stop line at the eastern end of the access road should be extended the entire width of the roadway. Westbound traffic that wishes to turn south onto Cedar Street must make the turn onto Cedar Street at the intersection with Prospect Street", seconded by Selectman DiNocco and so voted. Selectman Good brought up discussion and Town Administrator Stephen P. Maio stated that this is a citizen petition and that he recommends approval.

Selectman Doto motioned to approve the request from the Traffic Advisory Committee where DiBiase Construction is looking to finalize the Stoney Hill subdivision and the installation of a crosswalk that includes curb cutouts on Montrose Avenue where it intersects with Stoney Hill Lane. After a site visit the Traffic Advisory Committee determined that the existing crosswalk that was painted by the DPW during their annual line painting and warnings signs for the crosswalk were installed for both the northbound and southbound traffic should suffice and the curb cutouts cannot be done because the underground utilities are too close to the road surface to allow for curb cutouts, seconded by Selectman Falvey and so voted.

Selectman Doto motioned to approve the request from The Friends of Lake Quannapowitt to hold their spring cleanup on May 4, 2013 from 9:00 a.m. until 12:00 p.m., seconded by Selectman DiNocco and so voted.

Selectman Doto motioned to approve the request from Holly Irgens from Ultimate Boot Camps to hold a free public fitness event on May 5, 2013 from 9:00 a.m. until 11:00 a.m. next to the gazebo, seconded by Selectman DiNocco and so voted.

Selectman Doto motioned to approve the request from William Dee of the Knights of Columbus to conduct their annual charity Easter Flower Sale to be held March 27, 2013 to March 30, 2013 at the Knights of Columbus, seconded by Selectman DiNocco and so voted.

Selectman Falvey motioned to indefinitely table the request from the Wakefield Municipal Gas & Light Department to locate poles, wires, cables and fixtures on Armory Street and Main Street, seconded by Selectman DiNocco and so voted.

Selectman Falvey motioned to approve the following Peddler License's from Anne Lucey of The Road Dog:

- Teddy Borus – 365 Lynnfells Parkway, Saugus
- Ryan O'Leary – 8 Joyce Road, Peabody
- Tim Maffa – 33 Grafton Street, Wakefield
- Maureen Lucey – 51 Summer Street, Saugus
- Christian Concessi – 14 Lakeshore Drive, Wakefield
- Thomas Lucey – 51 Summer Street, Saugus

seconded by Selectman DiNocco and so voted. Chairwoman Sheeran discussed the rules of a Peddler License in which every 30 minutes they need to move 100 feet and they cannot move back to the same

location.

Correspondence:

Letter from the Massachusetts State Lottery Commission

Letters from Comcast.

Comments:

Town Counsel – The Board in Executive Session considered the disapproval of the Attorney General regarding the zoning amendment which forbade medical marijuana treatment centers in all zoning districts. He is honored that the Board authorized him to bring an appropriate appeal to the court.

Town Administrator – received an email from Tim Morgan President of the Wakefield Little League regarding permission to hold their opening day parade on Saturday April 20, 2013 at 10:00 a.m. starting at the Lower Common and ending at Fernald Field.

Selectman DiNocco motioned to approve the request from Tim Morgan President of the Wakefield Little League, seconded by Selectman Falvey and so voted.

received a Subordination request of a Community Development/Housing Rehab Loan for property at 11 Morrison Road from an Attorney in Lynnfield.

Selectman Encarnacao motioned to approve the Subordination Agreement and authorize Chairwoman Sheeran to sign, seconded by Selectman DiNocco and so voted.

reminded the Board regarding the Conflict of Interest test which needs to be completed by April 5, 2013; requesting that there will be an item on the April 8, 2013 Agenda regarding a presentation on the recreation fields project being Beasley, Landrigan, Dobbins tennis courts.

Selectman Falvey – condolences to Dr. Mullen's family; update on the poles at the head of the lake.

Selectman DiNocco – condolences to Dr. Mullen's family; Happy Passover; congratulations to the Wakefield High School music for placing gold; congratulations to everyone that participated in the Celebrate the Green.

Selectman Good – Happy Easter; condolences to Dr. Mullen's family.

Selectman Encarnacao – condolences to Dr. Mullen's family; The 6th Annual Wakefield Memorial High School Alumni Foundation Hall of Fame will be on April 5, 2013 at the Sheraton.

Chairwoman Sheeran – inquired about the land in Stoneham; inquired if all the Boards were up to date; veterans chair is at Town Hall; condolences to Dr. Mullen's family; Happy Holidays.

Board Members signed weekly Warrants; Subordination Agreement.

Selectman Encarnacao motioned to adjourn at 8:44 p.m., seconded by Selectman Doto and so voted.

Sherri A. Eskenas, Clerk