

## **BOARD OF SELECTMEN – June 10, 2013**

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

Chairman Doto called the meeting to order at 7:30 p.m.

Selectman Falvey motioned to accept the Board Minutes of May 29, 2013, seconded by Selectman Glynn and so voted.

Selectman Falvey motioned to accept the Executive Board Minutes of May 29, 2013, seconded by Selectman Glynn and so voted.

Appointment to the Event Planning Committee  
Adam Pinkney – 10 Melvin Street  
Walter Schofield – 5 Galvin Circle

Selectman Glynn motioned to appoint Adam Pinkney of 10 Melvin Street and Walter Schofield of 5 Galvin Circle to the Events Planning Committee, seconded by Selectman DiNocco and so voted.

Town Administrator Stephen P. Maio advised the Board that Clayton Fraitten an employee of the Department of Public Works is the Employee of the Quarter. Richard Stinson Director of the Department of Public Works and Clayton Fraitten were before the Board. Mr. Stinson spoke about the incident on Arundel Avenue whereas one of the houses had water flowing out of a manhole cover in their driveway that Mr. Fraitten witnessed. Upon further investigation by Mr. Fraitten a broken pipe was discovered on Harrison Avenue in an abandon home and the Water Department and property owner were notified and the water was shut off to the house. Thanks to the efforts of Mr. Fraitten a potential hazardous situation was averted. The Board presented Mr. Fraitten with a donated gift certificate to Sabatino's Restaurant.

Selectman Falvey motioned to set and sign the Special State Election Warrant for June 25, 2013, seconded by Selectman DiNocco and so voted.

Selectman DiNocco motioned to approve the request from Sharon Gilley Library Director to accept and expend a gift or gifts to the Library in the amount of \$7,741.00 with thanks, seconded by Selectwoman Santos and so voted.

Dr. Garry Murphy Interim Superintendent of the Wakefield Public Schools was before the Board and presented the Inter-municipal Agreement Between Reading Public Schools and Wakefield Public Schools for the employment of the School Nutrition Director. Selectman Falvey motioned to approve the Inter-municipal Agreement Between Reading Public Schools and Wakefield Public Schools, seconded by Selectman DiNocco and so voted.

Town Administrator Stephen P. Maio presented to the Board the Naming Rights Agreement for the theater known as the Center for the Performing Arts. Town Administrator Maio told the Board that the Town issued a request for proposals and three requests were issued. The Savings Bank was the only proposal that the Town ultimately received naming the Center as The Savings Bank Theatre. Selectwoman Santos motioned to approve the naming rights as presented on the Naming Rights Agreement, seconded by Selectman DiNocco and so voted with Selectman Glynn and Selectman Falvey abstaining.

Selectman DiNocco motioned to approve the request from Judy Luciano, Director of the Council on Aging to accept and expend a gift or gifts to the Council on Aging in the amount of \$1,962.00 with thanks, seconded by Selectwoman Hull and so voted.

Attorney Brian McGrail was before the Board regarding the purchase of the Franklin School property. Attorney McGrail's client Collins Development would like to delete the playground component in proposal that was submitted to the Board of Selectmen because during the Planning Board Special Permit process it was determined that the playground could be problematic from a safety and/or a policing perspective and in lieu would like to make a \$20,000.00 donation to the Town of Wakefield to be used for renovations to the J.J. Round Park. Selectman Falvey and Selectman Glynn thought that the \$20,000.00 was not enough and suggested to the Board that they accept the \$20,000.00 but would like the Town Administrator to negotiate for more money. After much discussion Chairman Doto motioned to authorize the Town Administrator to amend the Purchase and Sales Agreement and to negotiate for more money, seconded by Selectman Falvey and so voted with Selectman DiNocco not in favor and Selectman Glynn not in favor.

Attorney Brian McGrail requested that the Board of Selectmen also amend the Purchase and Sales Agreement to allow up to seven (7) three (3) bedroom units. Selectman DiNocco commented that there should be a minimum of four (4) three (3) bedroom units. After discussion Chairman Doto motioned to amend the Purchase and Sales Agreement to allow up to seven (7) three (3) bedroom units; seconded by Selectman Falvey and so voted with Selectman DiNocco not in favor.

Attorney Brian McGrail advised the Board that there are a number encroachments where neighbors' driveways or staircases actually encroach on the edges of the Franklin School property. Attorney McGrail requested that the Board of Selectmen grant easements for the abutters. Chairman Doto motioned to have easements for the abutters, seconded by Selectman Glynn and so voted.

Selectman DiNocco motioned to schedule a Public Hearing on June 24, 2013 at 7:45 p.m. for the placement of a new jointly-owned pole no. 215/7 for service to a new house at 24 Morgan Avenue, seconded by Selectwoman Hull and so voted.

Selectman Falvey motioned to take off the 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 DiNocco motioned to schedule a Public Hearing on June 24, 2013 at 8:00 p.m. to relocate Pole 80/1 six feet (6') Westerly of its present location on Armory Street on the Northerly side; also from Pole 80/1, proceed Easterly to Main Street to Electric Manhole and then across Main Street to driveway next to 460-472 Main Street with electric and fire alarm conduits; also on sidewalk in front of 460-472 Main Street

to remove one (1) steel guy Pole, seconded by Selectwoman Hull and so voted.

Selectman DiNocco motioned to approve a new application from Jack Urbaczewski from Boston Froyo for a Common Victualler License, seconded by Selectman Falvey and so voted.

Wendy Denis was before the Board regarding the application from Charlton Orchards Group. Selectman Falvey motioned to approve the renewal application from Charlton Orchards Group, LLC for a special license to sell wine at the Wakefield Farmers' Market, seconded by Selectman Glynn and so voted.

Selectman Falvey motioned to approve the renewal application from City Taxi & Transportation for a Taxi License, seconded by Selectman DiNocco and so voted.

Correspondence:

The Board received the following correspondence:

- Letters from Comcast

Comments:

Selectwoman Hull – spoke in great length regarding the zoning bylaws in that the rules need to be reviewed. Selectman Falvey answered that there is a newly formed committee that is doing just that and that Selectwoman Hull and anyone else is welcomed to come to any of the meetings.

Selectman DiNocco – spoke about the double pole hearing that will be June 18<sup>th</sup> and would like someone from the Town to go around and take pictures of all the double poles; Chamber Annual Meeting is 6/18/13 from 5:30 p.m. until 9:00 p.m.; Jazz on the Plaza has begun on Thursday nights.

Selectman Glynn – congratulated the high school on the wonderful commencement

Selectman Falvey – thank you to everyone that participated in the One Fund Benefit Concern; inquired about where the Town stands on the medical marijuana issue. Town Counsel Thomas Mullen said that legally the moratorium article has been approved by the Attorney General so there cannot be any establishment of a medical marijuana treatment center in any zone of Wakefield until July 1, 2014. The challenge to the Attorney General's rejection of Wakefield's attempt to ban treatment centers town wide is pending in Superior Court.

Chairman Doto – please remember the Food Pantry

Board Members signed the Special State Election Warrant; Naming Rights Agreement

Selectman DiNocco motioned to adjourn at 8:35 p.m., seconded by Selectwoman Hull and so voted.

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Sherri A. Eskenas, Clerk