

Selectmen's Minutes
Town Hall, 2nd Floor Stage Conference Area, 30 Martin Street

August 10, 2020

Present: Chairman Ruth R. Pereen, Selectman Guy D. Bradford, Chief Paul Francis, Board of Health Agent Erin Kirchner, and Selectmen's Assistant Pamela J. Witham.

Present via Telephone Conferencing: Town Administrator Brendhan Zubricki and Town Counsel Gregg Corbo.

EXECUTIVE SESSION

At 6:10 p.m., Chairman Pereen entertained a motion to move to Executive Session pursuant to M.G.L. c. 30A, §21(a)(3) to discuss potential litigation with respect to an event at the Riversbend Restaurant property on August 8, 2020. She stated that discussing this matter in Open Session would have a detrimental effect on the Town's litigating position. and that the Board would be returning to Open Session later this evening to finish tonight's business. She invited Town Counsel Gregg Corbo, Chief Paul Francis, Board of Health Agent Erin Kirchner, and Town Administrator Brendhan Zubricki to join the Executive Session. The motion was moved and seconded. Selectman Bradford stated the he, Guy Bradford, voted in favor of moving to Executive Session; and, Chairman Pereen stated the she, Ruth Pereen, also was in favor of moving to Executive Session. Following the Roll Call Vote, the Board, their Assistant, Town Counsel Gregg Corbo, Chief Paul Francis, Board of Health Agent Erin Kirchner, and Town Administrator Brendhan Zubricki moved to Executive Session.

This matter involves multiple complaints that the Riversbend Restaurant was holding a wedding in alleged violation of State COVID rules, and/or the establishments standing entertainment and alcohol licenses.

Town Counsel Corbo said: TEXT REDACTED.

Chairman Pereen led the discussion. The Riversbend had applied for a one-day license to host a wedding on August 8, but later informed the Board that they wished to withdraw their request and would not be applying for any one-day licenses for the remainder of the year due to COVID. On Friday, the Riversbend posted on Facebook that they would be closed on 8/8/2020. On Saturday, the neighbors and people across the River, on Water Street, began reporting that the Riversbend staff and owners, as well as delivery trucks were at the restaurant. As a result of the corona virus pandemic, the State has enacted certain restrictions which include limiting the number of people at gatherings. Chief Francis sent a patrolman to the Riversbend to take a headcount. The headcount turned up 16 people who were preparing to leave after a separate function had wrapped up, 13 wedding-related people inside the restaurant, 4 employees, the two owners, and the bride and groom, on the lawn (22 altogether, related to the wedding). The owner stated that they had hosted a gathering for the Landmark School and the attendees from the School event were just leaving. They were also hosting a wedding and those people were just arriving. The officer's headcount was within the limits allowed by present State COVID rules.

The patrolman and other people had also seen a DJ unloading his equipment, but no one had heard any music and no one had complained. When the DJ approached the facility from the parking lot, he was headed to the restaurant entrance, suggesting indoor music (which Riversbend is separately licensed for). Following the discussion, without evidence of any other facts which would suggest any type of violation, everyone was in agreement that no action should be taken at this point. If new evidence is provided at a later date, the matter can be brought back up.

There being no further reason for an Executive Session, a motion was made and seconded to return to Open Session. Chairman Pereen stated that she, Ruth Pereen voted to return to Open Session; and, Selectman Bradford said that he, Guy Bradford, voted to return to Open Session. The Board, their Assistant, Town Counsel Gregg Corbo, Chief Paul Francis, Board of Health Agent Erin Kirchner, and Mr. Zubricki returned to Open Session at 6:49 pm.

Prepared by: _____
Pamela J. Witham

Attested by: _____
Guy D. Bradford