



040 (3) 11/16/2015

TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 929-6611
Fax (978) 929-6350

Steven L. Ledoux
Town Manager

October 5, 2015

Please place this in the Legal Ad section of the Acton Beacon on Thursday, November 5, 2015:

Bill to: Office of the Town Manager
472 Main Street
Acton, MA 01720

Please confirm to ltomyl@acton-ma.gov

Regards,

Lisa Tomy
Executive Assistant

**LEGAL NOTICE
TOWN OF ACTON
NOTICE OF HEARING**

The Acton Board of Selectmen will hold a public hearing on November 16, 2015 at 7:30 PM in the Francis Faulkner Hearing Room 204 in Town Hall, 472 Main Street, Acton for an order to show cause for an alleged over service incident at Teamworks, d/b/a Overtime Bar, 30 Great Road, Acton MA on August 28, 2015. The documentation may be inspected at Town Hall during normal business hours.

Acton Board of Selectmen

From: [Frank Widmayer](#)
To: [Lisa Tomy](#)
Cc: [Steve Ledoux](#)
Subject: Potential overserving violation at Teamworks aka Indoor Sports Management, Inc., dba Overtime Bar
Date: Thursday, September 24, 2015 11:26:32 AM
Attachments: [Teamworks - Champ OUI-I report Concord PD \(A0327122xB0BA5\).pdf](#)
[Teamworks - Champ Docket Sheetpdf \(2\) \(A0327150xB0BA5\).pdf](#)

Lisa,

I recommend that the Board of Selectmen call the management of Teamworks in for a hearing to discuss a potential overserving violation resulting in an arrest that occurred in Concord on 8/26/15. The operator stated that she had been drinking at Teamworks prior to being stopped in Concord. The report and the docket sheet have been redacted by Town Counsel and are attached to this mail message.

Regards,
Frank

Frank J. Widmayer III
Chief of Police

From: Jim Cogan
Sent: Thursday, September 10, 2015 8:28 AM
To: Frederick Rentschler; Frank Widmayer; Rich Burrows
Subject: RE: Possible 90-24N Violation - Teamworks

On September 9, 2015 at Chief Widmayer's request I visited Teamwork's and discussed the Concord OUI arrest with the companies president Kevin O'Connell and manager Kris Wallis. Both showed concern about the incident and offered to provide both receipts and video as requested. I also explained that they may be requested to appear before the board of selectmen for a hearing on the incident.

Lt. J Cogan

From: Frederick Rentschler
Sent: Wednesday, September 09, 2015 2:35 PM
To: Frank Widmayer; Rich Burrows; Jim Cogan
Subject: Possible 90-24N Violation - Teamworks

Hello All,

As promised here is the Concord P.D. arrest report and docket sheet regarding the possible 90-24N violation
From, "Teamworks". The arrested party blew a 10 & 11 BAC on the station BT, with a PBT of .127. Her last drink was
at Teamworks Bar. The reports are not redacted. Please let me know if you need anything else on this.

Respectfully,

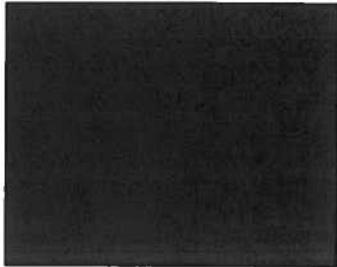
Det. Frederick W. Rentschler
Police Prosecutor
Acton Police Department
371 Main Street
Acton, MA 01720
(978) 929-7525 tel.
(978) 929-7340 fax



**Concord Police Department
Arrest Report**

**Arrest #: 15-16433-AR
Call #: 15-16433**

Date/Time Reported: 08/26/2015 @ 0012
Arrest Date/Time: 08/26/2015 @ 0030
Booking Date/Time: 08/26/2015 @ 0042



OBTN: TCON201502451
Court: Concord District Court
Court Date: 09/23/2015 @ 0900
Reporting Officer: Patrol Officer Kallie Koppenal
Assisting Officer: Patrol Officer Gregory Mailloux
Booking Officer: Sergeant Brian Goldman
Approving Officer: Sergeant Brian Goldman

Signature: _____

Signature: _____

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	F	W	32	NOT AVAIL	[REDACTED]

Military Active Duty: N

HEIGHT: [REDACTED] WEIGHT: [REDACTED] HAIR: BLOND OR STRAWBERRY EYES: HAZEL
BODY: NOT AVAIL. COMPLEXION: LIGHT
DOB: [REDACTED] PLACE OF BIRTH: ENGLAND
LICENSE NUMBER: NOT AVAIL. ETHNICITY: NOT HISPANIC
PCF #: NONE

[CONTACT INFORMATION]

Home Phone (Primary) [REDACTED]

[APPEARANCE]

GENERAL APPEARANCE: ORDERLY
SHIRT: HOODED JACKET
SHOE: DRESS SHOES - SLIP ON TYPE
GLASSES WORN: NO

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE
FATHER'S NAME: [REDACTED]
MOTHER'S NAME: [REDACTED]
EMPLOYER/SCHOOL: [REDACTED]
OCCUPATION: [REDACTED]

Concord Police Department

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NARRATIVE FOR PATROL OFFICER KALLIE C KOPPENAL

Ref: 15-16433-AR

Entered: 08/26/2015 @ 0235 Entry ID: 71
Modified: 08/26/2015 @ 0641 Modified ID: 28
Approved: 08/26/2015 @ 0641 Approval ID: 28

The following is a summary of events which occurred on Wednesday August 26, 2015 while assigned to uniformed patrol in marked Concord Police cruiser #2 in the West sector in the Town of Concord.

At approximately 0012 hours I was traveling Eastbound in the left lane on Route 2, a public way owned and maintained by the Commonwealth of Massachusetts. As I traveled over the crest of a hill, I observed a vehicle traveling approximately 75 yards ahead of me. My attention was drawn to this vehicle because it was straddling the fog-line, traveling partially in the right Eastbound lane, and partially in the breakdown lane. The vehicle corrected itself. As it approached the green light at the intersection of Route 62 and Route 2, the vehicle's break lights became illuminated. The operator let off the break, traveling through the green light. As the vehicle approached the intersection of Old Road Nine Acre Corner and Route 2, it drifted into the turn lane and corrected itself returning to the right lane. It then signaled left and moved into the left lane.

At this time I activated my blue emergency lights, signaling the vehicle to pull over. I approached the operator, identified myself and the reason for the stop, and requested her driver's license and vehicle registration. The operator had a cigarette lit which I requested she extinguish. When I shown my flashlight in the direction of the operator's face I observed glassy and slightly bloodshot eyes. I noticed the smell of perfume emanating from the vehicle. There were what appeared to be athletic bags in the back seat of the vehicle. The operator stated she did not have a Massachusetts driver's license. I asked the operator a series of standard questions. She stated she was coming from "Teamworks" in Acton. She had been playing and coaching "football" (soccer) and was headed home to Cambridge. When I asked her why she was driving over the fog line in the breakdown lane, and drifting into a turn lane, she said she was sorry. While speaking to the operator, I noticed the smell of an alcoholic beverage emanating from the window area of the vehicle. She was the only passenger inside the vehicle. When asked if she had consumed any alcoholic beverages, she stated she had one (1) Corona. When I asked her what time she had drank her last alcoholic beverage, she looked at her watch stated "at around 11:00 o'clock." I noticed her speech was strange but it difficult to differentiate whether it was slurred or if it was her accent. Officer Mailloux arrived as backup.

The operator asked if she could retrieve her British license from the backpack in the back seat of her vehicle. When she exited the vehicle, she did so without incident. She was identified at this time as [REDACTED] I asked [REDACTED] to stand at the trunk area of her vehicle. I turned off all front facing emergency lights. I asked [REDACTED] what she does for work. She said she's a [REDACTED] for the [REDACTED] I asked [REDACTED] if she wears contacts or corrective lenses, she stated no. I asked [REDACTED] what the highest level of education she completed was, she stated highschool. I asked her if she had any medical conditions, injuries, or joint problems with her knees or ankles. She stated she had knee problems from [REDACTED] I asked her if it was right to assume that since she played soccer that night, her injuries were old and did not effect her ability to perform standardized field sobriety tests. She stated her injuries were old. Throughout my interaction with [REDACTED] observed her swaying. I could also smell the odor of alcoholic beverage emanating from her as she spoke.

The weather conditions were dry, 71°F with mostly cloudy skies. It was dark. Traffic was light. There was ambient lighting from the parking lot lights at the Emerson Hospital. The breakdown lane which was the area I would be performing standardized field sobriety tests was free of debris or defects. [REDACTED] was wearing a hooded sweatshirt, athletic shorts, and plastic flip flops.

Concord Police Department

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NARRATIVE FOR PATROL OFFICER KALLIE C KOPPENAL

Ref: 15-16433-AR

Entered: 08/26/2015 @ 0235 Entry ID: 71
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Horizontal Gaze Nystagmus: I asked [REDACTED] to touch the tip of my index finger with her right index finger, and then her left. She was able to do both with no issue. I asked [REDACTED] to keep her head still and follow my finger with her eyes only. She stated she understood I observed lack of smooth pursuit in both eyes. I observed distinct and sustained nystagmus at maximum deviation in both eyes. I then observed onset of nystagmus prior to 45 degrees in both eyes. Champ showed 6 of 6 clues for HGN.

Walk and Turn: I told [REDACTED] she could remove her flip flops for the remainder of the field sobriety tests if she felt as though it would help her to perform field sobriety tests to the best of her ability. She removed her flip flops and chose to complete the remaining tests barefoot. I requested [REDACTED] stand with her right foot in front of her left heel to toe, with her arms at her side. I demonstrated the heel to toe stance. I requested she not begin until I told her to. [REDACTED] was unable to maintain the heel to toe stance due to loss of balance. I demonstrated the walk and turn test. [REDACTED] stated she understood my directions and began. She stepped on her toes with her heel several times. She turned incorrectly. [REDACTED] showed 2 of 8 clues: Balance and turned incorrectly.

One leg stand: I asked [REDACTED] to stand with her feet together and arms at her side and demonstrated the one-leg stand test. [REDACTED] stated she understood my instruction. [REDACTED] put her foot down two (2) times. She showed 1 of 4 clues: Putting a foot down.

Portable Breath Test: [REDACTED] blew the PBT with a .127% reading.

Based on [REDACTED] operation of the motor vehicle and marked lanes violations, the odor of alcoholic beverage, the bloodshot glassy eyes, the admittance to having consumed alcoholic beverage(s), the performance of standardized field sobriety tests, and the breath test of a .127%, she was handcuffed (DL) and placed under arrest for Operating Under the Influence of Liquor. [REDACTED] was searched for weapons and placed in the back of car #2. She was transported by me to the Concord Police Department. Officer Mailloux took inventory of the vehicle and stood by for tow (International Collision).

During booking, [REDACTED] asked to use the bathroom several times. There was an odor of alcoholic beverage that was not present prior to [REDACTED] having entered the booking area. [REDACTED] was afforded all rights in accordance to miranda. She was notified of her right to a doctor. [REDACTED] was notified of her right to submit to a chemical breath test to which she consented. She blew readings of .107% and .110% and was notified that her right to operate a motor vehicle would be suspended for thirty (30) days. [REDACTED] exercised her right to a phone call but was unable to reach anyone. She was placed in cell M1 and will be held until she is brought to Concord District Court on Wednesday 08/26/15 at 0830 hours to answer to said charges. [REDACTED] was issued citation [REDACTED] for OUI Liquor and Marked Lanes.

Respectfully Submitted,
Officer Kallie Koppenal #71
Concord Police Department

Overtime
 30 Great Road
 Acton, MA 01742
 (978) 287-5533

OVERTIME ACTON
 30 GREAT RD
 ACTON, MA 01720
 978-287-5533

08 25 2015 22:25:51
 Merchant ID: +136005482040332
 Device ID: 0522
 Terminal ID: PD061

CREDIT CARD
 VISA SALE

CARD # XXXXXXXXXXXX5125
 TRANS # 005
 Batch #: 2
 Approval Code: 190564
 ACI Code: E
 TRANS ID: 085238112082129
 Entry Method: Swiped
 Mode: Online

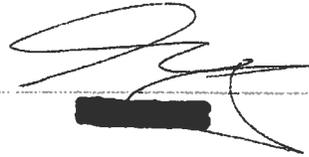
SALE AMOUNT \$14.50

TIP AMOUNT 3.00

TOTAL AMOUNT 17.50

Gratuity Guidelines

10% = \$1.45 15% = \$2.17 20% = \$2.90

X 

MERCHANT COPY

OVERTIME ACTON
 30 GREAT RD
 ACTON, MA 01720
 978-287-5533

08 25 2015 21:27:42
 Merchant ID: +136005482040332
 Device ID: 0522
 Terminal ID: PD061

CREDIT CARD
 VISA SALE

CARD # XXXXXXXXXXXX5125
 TRANS # 003
 Batch #: 2
 Approval Code: 120684
 ACI Code: E
 TRANS ID: 165238077199796
 Entry Method: Swiped
 Mode: Online

SALE AMOUNT \$18.00

TIP AMOUNT 1.00

TOTAL AMOUNT 19.00

Gratuity Guidelines

10% = \$1.80 15% = \$2.70 20% = \$3.60

X 

MERCHANT COPY

Server: Bartender

Station: 1

Order #: 20866

OVERTIME

Bar Tab: mitch

>> SETTLED <<

1 Strong Bow Cider 16oz	4.00
1 Sam Summer Pint	3.00
1 Sierra Nevada Pint	4.00
1 Sam Summer Pint	3.00
1 Summer Shandy Pint	3.00
1 Corona Extra	3.50
1 Strong Bow Cider 16oz	4.00
1 Sierra Nevada Pint	4.00
1 Sam Summer Pint	3.00
1 Newcastle Pint	4.00
1 Corona Extra	3.50
1 Sierra Nevada Pint	4.00
1 Corona Extra	3.50
1 Sam Summer Pint	3.00
1 Strong Bow Cider 16oz	4.00
1 Corona Extra	3.50
1 Sam Summer Pint	3.00
1 Corona Extra	3.50
1 Strong Bow Cider 16oz	4.00
1 Newcastle Pint	4.00
1 Corona Extra	3.50
1 Strong Bow Cider 16oz	4.00

SUB TOTAL: 79.00
 MA food tax: 0.00

ORDER TOTAL: 79.00
 Gratuity: 9.50

TOTAL: \$88.50

Inclusive Tax COLLECTED 5.17

Visa Tendered: 40.00
 Visa Tendered: 17.50
 Visa Tendered: 13.00
 Visa Tendered: 18.00
 TOTAL TENDERED: \$88.50

CHANGE: 0.00

>> Ticket #: 3 <<

Created: 8/25/2015 9:46:44 PM
 SETTLED: 8/25/2015 11:45:01 PM

