

**ANNUAL TOWN MEETING
MINUTES – 3rd Session
June 3, 2013**

Town Moderator, Robert J. Long, called the third session of the 2013 Annual Town Meeting to order on June 3, 2013 at 7:35 p.m. at the Town Hall Auditorium, 298 Central Street, Saugus, MA with 40 members, plus the moderator present.

Joseph Palczynski and Edward S. W. Boesel were appointed and sworn as tellers.

Janet Leuci will, as a courtesy to the Finance Committee, be making motions this evening.

Town Moderator, Robert J. Long led the meeting in the Pledge of Allegiance.

Town Clerk, Joanne Rappa, called the roll.

Town Meeting Member name	Present /Absent	Town Meeting Member name	Present /Absent	Town Meeting Member name	Present /Absent
ALLAN, P.	P	FALASCA, T.	A	CHRISTOPHER, R	P
ATTUBATO, J	P	FOWLER, J.	P	MOSCHELLA, D.	A
BARTOLO, J.	P	GILLIS, J.	P	MOSES, J.	P
BILLINGSLEY, S.	P	GOODWIN, P.	P	PALCZYNSKI, J.	P
BOESEL, E.	P	GROARK, L.	P	PETKEWICH, P.	P
BROOKS, W.	P	HAWKES, T.	P	POLITANO, K.	P
CARLSON, E.	P	JOHNSON, P.	A	RING, D. S.	A
CICOLINI, J.	P	JONES, W.	A	RODENHISER, J.	A
CONNORS, A.	P	KRAMICH, W.	P	ROSSETTI, P.	P
COTTAM, D.	P	LEUCI, J.	P	SERINO, A.	A
D'ANNA, S.	P	LONG, R.	P	SPENCER, B.	P
DEVER, M.	P	LOPRESTI, A.	P	STEWART, W.	P
DEVLIN, F.	P	MALONE, B.	P	SULLIVAN, B.	P
DINARDO, A.	P	MALTAIS, S.	P	SWEEZEY, S.	P
DOCKERY, M.	A	MANOOGIAN, P.	P	VADALA, P.	P
DOHERTY, S.	P	MCCARTHY, S.	P	VECCHIO, M.	P
FAIELLA, E.	A	MCLAUGHLIN, P.	P	Quorum count=	41

41 Members present, a quorum is met.

The Moderator distributed the Finance Committee Reports.

Article 1. Reports of Committees.

Robert Paleschi, Chairman of the Finance Committee, thanked the committee members for all of their hard work this year, meeting once a month for the past several months in order to get the recommendations to members in a timely fashion.

Moderator Long informed members that Superintendent of Schools, Richard Langlois, wanted to be present for the budget and was unavailable this evening.

Mr. Manoogian makes a motion to take Article 2 out of order.

Seconded at 7:55 p.m.

Mrs. Dever asked for a roll call vote on taking up Article 2 this evening.

Brenton Spencer makes a motion to Table Article 2.

Seconded at 8:04 p.m.

Roll call vote on taking up Article 2 was taken.

Town Meeting Member name	Vote	Town Meeting Member name	Vote	Town Meeting Member name	Vote
ALLAN, P.	Y	FALASCA, T.	A	CHRISTOPHER,R	Y
ATTUBATO, J	Y	FOWLER, J.	Y	MOSCHELLA, D.	A
BARTOLO, J.	Y	GILLIS, J.	Y	MOSES, J.	
BILLINGLSEY, S.	Y	GOODWIN, P.	N	PALCZYNSKI, J.	N
BOESEL, E.	N	GROARK, L.	N	PETKEWICH, P.	N
BROOKS, W.	Y	HAWKES, T.	P	POLITANO, K.	N
CARLSON, E.	N	JOHNSON, P.	A	RING, D. S.	A
CICOLINI, J.	Y	JONES, W.	A	RODENHISER, J.	A
CONNORS, A.	Y	KRAMICH, W.	Y	ROSSETTI, P.	N
COTTAM, D.	Y	LEUCI, J.	Y	SERINO, A.	A
D'ANNA, S.	Y	LONG, R.		SPENCER, B.	N
DEVER, M.	N	LOPRESTI, A.	N	STEWART, W.	N
DEVLIN, F.	N	MALONE, B.	N	SULLIVAN, B.	N
DINARDO, A.	Y	MALTAIS, S.	Y	SWEEZEY, S.	Y
DOCKERY, M.	A	MANOOGIAN, P.	Y	VADALA, P.	P
DOHERTY, S.	Y	MCCARTHY, S.	Y	VECCHIO, M.	Y
FAIELLA, E.	A	MCLAUGHLIN, P.	Y		

Yeas: 22 Nays: 15 Present: 2 at 8:04 p.m.

The vote on Article 2 to be heard this evening passes.

Article as written:

Article 2. To see what sum of money the Town will vote to raise and appropriate for Town charges for the ensuing Fiscal Year 2014. (Town Manager)

A vote was taken to Table Article 2 as moved by Brenton Spencer.

Town Meeting Member name	Vote	Town Meeting Member name	Vote	Town Meeting Member name	Vote
ALLAN, P.	Y	FALASCA, T.	A	CHRISTOPHER,R	Y
ATTUBATO, J	N	FOWLER, J.	N	MOSCHELLA, D.	A
BARTOLO, J.	Y	GILLIS, J.	N	MOSES, J.	
BILLINGLSEY, S.	Y	GOODWIN, P.	Y	PALCZYNSKI, J.	Y
BOESEL, E.	Y	GROARK, L.	Y	PETKEWICH, P.	Y
BROOKS, W.	N	HAWKES, T.	Y	POLITANO, K.	Y
CARLSON, E.	Y	JOHNSON, P.	A	RING, D. S.	A
CICOLINI, J.	N	JONES, W.	A	RODENHISER, J.	A
CONNORS, A.	N	KRAMICH, W.	N	ROSSETTI, P.	Y
COTTAM, D.	N	LEUCI, J.	N	SERINO, A.	A
D'ANNA, S.	N	LONG, R.		SPENCER, B.	Y
DEVER, M.	Y	LOPRESTI, A.	N	STEWART, W.	Y
DEVLIN, F.	Y	MALONE, B.	Y	SULLIVAN, B.	Y
DINARDO, A.	N	MALTAIS, S.	N	SWEEZEY, S.	Y
DOCKERY, M.	A	MANOOGIAN, P.	N	VADALA, P.	N
DOHERTY, S.	Y	MCCARTHY, S.	N	VECCHIO, M.	N
FAIELLA, E.	A	MCLAUGHLIN, P.	N		

Yeas: 21 Nays: 18 at 8:07 p.m.

Article 2 is voted to be Tabled.

Mrs. Leuci, as a courtesy to the Finance Committee, moves Article 3.

Seconded at 8:07 p.m.

Article as written:

Article 3. To see if the Town will vote to make supplementary appropriations to be used in conjunction with money appropriated under Article 2 of the 2012 Annual Town meeting during the current fiscal year, and determine whether the money shall be provided by transfer from available funds; or to see what other action the Town wishes to take in the matter. (Town Manager)

Article as voted:

Article 3. Voted that the sum of \$1,420,591.00 be transferred from available funds to make supplementary appropriations to be used in conjunction with money appropriated under Article 2 of the 2012 Annual Town Meeting for the current fiscal year. The amount of \$717,449.00 to be applied as shown on the General Fund Projected Year-End Appropriation Balances as of 5.29.13, attached, and \$703,142.00 from Free Cash to fund the Snow and Ice deficit in the Highway Department Budget resulting in a net increase of \$703,142.00 to the Fiscal Year 2013 Appropriation.

Yeas: 40 Nays: 0 at 8:10 p.m.

Article 3 passes as recommended by the Finance Committee.

Mrs. Leuci moves, as a courtesy to the Finance Committee, to take Articles 10, 21, 22 and 23 out of order.

Seconded at 8:10 p.m.

Yeas: 39 Nays: 1 at 8:10 p.m.

Articles 10, 21, 22, and 23 are voted to be taken out of order.

Mrs. Leuci moves, as a courtesy to the Finance Committee, Article 10.

Seconded at 8:10.5 p.m.

Article as written:

Article 10. To see if the Town will vote to raise and appropriate or transfer from available funds (FY 2014 Chapter 90 Highway) a sum of money for street resurfacing, handicapped ramps and sidewalks. Said sum will be reimbursed by the Commonwealth under the provisions of MGL chapter 90, Section 34. (Town Manager)

Article as voted:

Article 10. Voted to raise and appropriate or transfer from available funds (FY 2014 Chapter 90 Highway) \$925,035.00 for street resurfacing, handicapped ramps, and sidewalks. Said sum will be reimbursed by the Commonwealth under the provisions of MGL chapter 90, Section 34.

Yeas: 39 Nays: 0 at 8:11 p.m.

Article 10 passes as recommended by the Finance Committee.

Mrs. Leuci moves, as a courtesy to the Finance Committee, to refer Article 21 back to the School Committee.

Seconded at 8:12 p.m.

Article as written:

Article 21. To see if the Town will vote to raise and appropriate a sum of money necessary for the purchase of textbooks and technology to align to the curriculum as mandated by the Department of Elementary and Secondary Education not to exceed Three Hundred Thousand dollars (\$300,000). (Saugus School Committee)

Article 21 is referred back to the School Committee by unanimous voice vote at 8:12.5 p.m.

Mrs. Leuci moves, as a courtesy to the Finance Committee, to refer article 22 back to the School Committee.

Seconded at 8:13 p.m.

Article as written:

Article 22. To see if the Town will vote to raise and appropriate a sum of money to fund a master plan to evaluate and recommend future capital planning for the Saugus Public School system. (Saugus School Committee)

Article 22 is referred back to the School Committee by unanimous voice vote at 8:13.5 p.m.

Mrs. Leuci moves, as a courtesy to the Finance Committee to refer Article 23 back to the School Committee.

Seconded at 8:14 p.m.

Article as written:

Article 23. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to address handicap accessibility at Saugus High School and the Ballard Early Childhood Center as mandated by the Americans with Disabilities Act. (Saugus School Committee)

Article 23 is referred back to the School Committee by unanimous voice vote at 8:14.5 p.m.

Moderator Long stated that Articles 19 and 24 are still remaining to be heard tonight and asked for someone to step up and act as Moderator for Article 19, as he would like to speak on the subject.

Peter Rossetti volunteered to act as Moderator.

Mr. DiNardo moves to take Articles 19 and 24 out of order.

Seconded at 8:15 p.m.

Unanimous voice vote to take Articles 19 and 24 out of order.

Mr. DiNardo moves Article 19.

Seconded at 8:16 p.m.

Article as written:

Article 19. To see if the Saugus Town meeting will vote to amend Section 212.00 of the Bylaws of the Town of Saugus referred to as “Duty of Moderator” that currently includes #1 on the list below and adding duties 2 – 8.

212.00 Duty of Moderator

- 1.) It shall be the duty of the Moderator to request all persons not Town Meeting members to retire from such portion of the hall as may be designated by the Moderator to be occupied by Town meeting members during transaction of all Town business.
- 2.) It shall be the duty of the Moderator to read all articles and announce all votes without offering interpretive statements, judgments or commentary.
- 3.) It shall be the duty of the Moderator to ensure that members of Town Meeting will not be referred to by their names, unless being recognized by the Moderator.
- 4.) It shall be the duty of the Moderator to read and explain the purpose of the code of ethics for Town Meeting Members at the beginning of the first Town meeting following a town election in the beginning of each Annual Town Meeting.
- 5.) It shall be the duty of the Moderator to refrain from providing subjective interpretation, judgment, or commentary on any articles prior to and during the consideration by the Town Meeting.
- 6.) It shall be the duty of the Moderator to assist in bringing the annual budget before the Town Meeting within the time frames specified in the Town Charter.
- 7.) In the event that the Moderator wishes to participate in the discussion and vote on an article it shall be his duty to announce prior to any deliberations that he will be participating, relinquished the gavel to a designee from the Town Meeting, and remain in the body until all action on the article is completed. If said article is tabled the Moderator may resume his position until such time as said article is taken from the table.
- 8.) It shall be the duty of the Moderator that when filling vacancies on the Finance Committee the Moderator will use a public process, such as the Town’s web site or other suitable means to solicit qualified applicants from the community.
- 9.) We expect that the Moderator will not seek to influence or participate in the deliberations of the Finance Committee unless he plans to relinquish the gavel when the matter comes before Town Meeting. (Al DiNardo)

Mr. DiNardo spoke in favor of his Article and distributed hand-outs.

Mr. Long spoke in opposition of the Article and distributed hand-outs. Mr. Long stated that according to the current President of the Moderators Association, resolutions dissolve at the end of the session and do not continue on forever.

Mr. DiNardo asked for some clarification by Town Counsel on whether or not Resolutions are binding.

Town Counsel suggested that Resolutions are binding until such time as Town Meeting votes to dissolve the

Resolution.

Mr. DiNardo stated for the record that he “loves the current Moderator, but what he loves even more, is the system of government”. Mr. DiNardo stated that this issue was not about any one person, and that this is in no way personal.

Mr. Manoogian and Mr. Vadala both spoke in favor of the Article.

Mrs. Leuci moves to amend Article 19 in the following manner:

By adding the following at the end of no.8: For the purpose of this By-law, “vacancy” shall be defined as any resignation or death during a term or at the end of any three year term.

By amending no.9 which currently reads, “We expect that the moderator will not influence or participate in the deliberations of the Finance Committee.” To read, “It shall be the duty of the Moderator to neither influence or participate in the deliberations of the Finance Committee.”

By adding a new section after no. 9 that will be entitled “Enforcement” that will read as follows:

“Any Saugus citizen aggrieved by any violation of this By-law may file a complaint with Town Counsel, who in his discretion shall determine that a violation has occurred, after which he shall refer such matter to the Police Chief for enforcement. Violations of this By-law shall be dealt with as a non-criminal offence in accordance with the provisions of M.G.L. Chapter 40, Section 21D. The penalty to apply in the event of a violation shall be as follows: \$25.00 for the first offense; \$50.00 for the second offense; \$100.00 for the third offense and \$200.00 for the fourth and each subsequent offense.”

Seconded at 9:11 p.m.

Mrs. Dever spoke in opposition of Article 19 and requested a roll call vote.

Mr. Long moves referral of Article 19.

Seconded at 9:16 p.m.

Mr. Manoogian, Ms. Dever, Mr. DiNardo, Mr. Vadala and Mr. Spencer all spoke again on the article.

A vote came on Referral.

Town Meeting Member name	Vote	Town Meeting Member name	Vote	Town Meeting Member name	Vote
ALLAN, P.	N	FALASCA, T.	Y	CHRISTOPHER, R	Y
ATTUBATO, J	N	FOWLER, J.	N	MOSCHELLA, D.	A
BARTOLO, J.	Y	GILLIS, J.	N	MOSES, J.	
BILLINGLSEY, S.	N	GOODWIN, P.	Y	PALCZYNSKI, J.	Y
BOESEL, E.	Y	GROARK, L.	Y	PETKEWICH, P.	Y
BROOKS, W.	N	HAWKES, T.	N	POLITANO, K.	Y
CARLSON, E.	Y	JOHNSON, P.	A	RING, D. S.	A
CICOLINI, J.	Y	JONES, W.	A	RODENHISER, J.	A
CONNORS, A.		KRAMICH, W.	N	ROSSETTI, P.	
COTTAM, D.	N	LEUCI, J.	N	SERINO, A.	A
D'ANNA, S.	N	LONG, R.	Y	SPENCER, B.	Y
DEVER, M.	Y	LOPRESTI, A.		STEWART, W.	Y
DEVLIN, F.	N	MALONE, B.	Y	SULLIVAN, B.	N
DINARDO, A.	N	MALTAIS, S.	N	SWEEZEY, S.	Y
DOCKERY, M.		MANOOGIAN, P.	N	VADALA, P.	N
DOHERTY, S.	N	MCCARTHY, S.		VECCHIO, M.	N
FAIELLA, E.	A	MCLAUGHLIN, P.	N		

Yeas: 17 Nays: 20 at 9:33 p.m.

Article is **NOT** referred.

A vote came on Mrs. Leuci’s Amendment.

Town Meeting Member name	Vote	Town Meeting Member name	Vote	Town Meeting Member name	Vote
ALLAN, P.	Y	FALASCA, T.	Y	CHRISTOPHER, R	Y
ATTUBATO, J	Y	FOWLER, J.	Y	MOSCHELLA, D.	A
BARTOLO, J.	Y	GILLIS, J.	Y	MOSES, J.	
BILLINGLSEY, S.	Y	GOODWIN, P.	Y	PALCZYNSKI, J.	Y
BOESEL, E.	Y	GROARK, L.	Y	PETKEWICH, P.	Y
BROOKS, W.	Y	HAWKES, T.	Y	POLITANO, K.	Y
CARLSON, E.	Y	JOHNSON, P.	A	RING, D. S.	A
CICOLINI, J.	Y	JONES, W.	A	RODENHISER, J.	A
CONNORS, A.		KRAMICH, W.	Y	ROSSETTI, P.	
COTTAM, D.	Y	LEUCI, J.	Y	SERINO, A.	A
D'ANNA, S.	Y	LONG, R.	Y	SPENCER, B.	Y
DEVER, M.	Y	LOPRESTI, A.		STEWART, W.	Y
DEVLIN, F.	Y	MALONE, B.	Y	SULLIVAN, B.	Y
DINARDO, A.	Y	MALTAIS, S.	Y	SWEEZEY, S.	Y
DOCKERY, M.		MANOOGIAN, P.	Y	VADALA, P.	N
DOHERTY, S.	Y	MCCARTHY, S.		VECCHIO, M.	Y
FAIELLA, E.	A	MCLAUGHLIN, P.	Y		

Yeas: 36 Nays: 1 at 9:34 p.m.

Mrs. Leuci's amendment passes.

A vote came on Article 19 as Amended.

Article as voted:

Article 19. Voted to amend Section 212.00 of the Bylaws of the Town of Saugus referred to as "Duty of Moderator" that currently includes #1 on the list below and adding duties 2 – 8.

212.00 Duty of Moderator

- 1.) It shall be the duty of the Moderator to request all persons not Town Meeting members to retire from such portion of the hall as may be designated by the Moderator to be occupied by Town meeting members during transaction of all Town business.
- 2.) It shall be the duty of the Moderator to read all articles and announce all votes without offering interpretive statements, judgments or commentary.
- 3.) It shall be the duty of the Moderator to ensure that members of Town Meeting will not be referred to by their names, unless being recognized by the Moderator.
- 4.) It shall be the duty of the Moderator to read and explain the purpose of the code of ethics for Town Meeting Members at the beginning of the first Town meeting following a town election in the beginning of each Annual Town Meeting.
- 5.) It shall be the duty of the Moderator to refrain from providing subjective interpretation, judgment, or commentary on any articles prior to and during the consideration by the Town Meeting.
- 6.) It shall be the duty of the Moderator to assist in bringing the annual budget before the Town Meeting within the time frames specified in the Town Charter.
- 7.) In the event that the Moderator wishes to participate in the discussion and vote on an article it shall be his duty to announce prior to any deliberations that he will be participating, relinquished the gavel to a designee from the Town Meeting, and remain in the body until all action on the article is completed. If said article is tabled the Moderator may resume his position until such time as said article is taken from the table.
- 8.) It shall be the duty of the Moderator that when filling vacancies on the Finance Committee the Moderator will use a public process, such as the Town's web site or other suitable means to solicit qualified applicants from the community. For the purpose of this By-law, "vacancy" shall be defined as any resignation or death during a term or at the end of any three year term.
- 9.) It shall be the duty of the moderator to neither influence or participate in the deliberations of the Finance Committee.

Enforcement

Any Saugus citizen aggrieved by any violation of this By-law may file a complaint with Town Counsel, who in his discretion shall determine that a violation has occurred, after which he shall refer such matter to the Police Chief for enforcement. Violations of this By-law shall be dealt with as a non-criminal offense in accordance with the provisions of M.G.L. Chapter 40, Section 21D. The penalty to apply in the event of a violation shall be as

follows: \$25.00 for the first offense; \$50.00 for the second offense; \$100.00 for the third offense and \$200.00 for the fourth and each subsequent offense.

Town Meeting Member name	Vote	Town Meeting Member name	Vote	Town Meeting Member name	Vote
ALLAN, P.	Y	FALASCA, T.	N	CHRISTOPHER, R	Y
ATTUBATO, J	Y	FOWLER, J.	Y	MOSCHELLA, D.	A
BARTOLO, J.	Y	GILLIS, J.	Y	MOSES, J.	
BILLINGLSEY, S.	Y	GOODWIN, P.	N	PALCZYNSKI, J.	N
BOESEL, E.	N	GROARK, L.	N	PETKEWICH, P.	N
BROOKS, W.	Y	HAWKES, T.	Y	POLITANO, K.	N
CARLSON, E.	N	JOHNSON, P.	A	RING, D. S.	A
CICOLINI, J.	Y	JONES, W.	A	RODENHISER, J.	A
CONNORS, A.		KRAMICH, W.	Y	ROSSETTI, P.	
COTTAM, D.	Y	LEUCI, J.	Y	SERINO, A.	A
D'ANNA, S.	Y	LONG, R.	N	SPENCER, B.	N
DEVER, M.	N	LOPRESTI, A.		STEWART, W.	N
DEVLIN, F.	Y	MALONE, B.	N	SULLIVAN, B.	Y
DINARDO, A.	Y	MALTAIS, S.	Y	SWEEZEY, S.	N
DOCKERY, M.		MANOOGIAN, P.	Y	VADALA, P.	Y
DOHERTY, S.	Y	MCCARTHY, S.		VECCHIO, M.	N
FAIELLA, E.	A	MCLAUGHLIN, P.	Y		

Yeas: 22 Nays: 15 at 9:35 p.m.

Article 19 passed as Amended.

Mr. Manoogian makes a motion to take Article 2 off the table.

Seconded at 9:35 p.m.

It was noted that Article 24 was already voted to be taken out of order next.

Mr. Manoogian withdraws his motion.

Mr. Long resumes his position as Moderator.

Mr. Hawkes moves Article 24.

Seconded at 9:38 p.m.

Article as written:

Article 24. To see if the Saugus Town Meeting will vote to approve a new Archaeological Resource Bylaw.

903.00 Archaeological Resource Bylaw

1) Intent and purpose

The importance of archeology is being recognized on an international scale with the discovery of human remains and ancient technology. Scientific study of ancient to recent historic cultural resource is imperative for understanding our civilization and to teach lessons needed to evolve our present culture to form a better future. This bylaw is being offered to help prevent deliberate or inadvertent destruction of significant archaeological resource within the boundaries of the Town of Saugus.

2) Definitions

When the following terms are given they shall have these definitions:

- a) MHC: The Massachusetts Historical Commission.
- b) Archaeological Site; An area that is listed in the MHC's Inventory of Archaeological Assets of the Commonwealth.
- c) Pot Hunter(s); An individual or group of individuals who willingly disturb, destroy or plunder artifacts at an Archaeological Site.

3) Authority

The Saugus Historical Commission shall review threatened Archaeological Sites to offer recommendations to the property owner to consider mitigation of same that may avoid adverse impacts.

- 4) Regulation
 - a) Property owners are required to submit to a review of a threatened Archaeological Site by the Saugus Historical Commission prior to applicable permits being issued.
 - b) If an Archaeological Site qualifies for listing with the National Register of Historic Places, the Historical Commission may request the property owner to consider special protection of the site by mitigation or other means.
 - c) Private property owners shall be exempt from enforcement fines from (5) (a) of this section.
- 5) Enforcement
 - a) Any person(s) who trespasses on an Archaeological Site and are engaging in the act of Pot Hunter(s) are subject to fines up to \$300.00 per incident.
 - b) Enforcement of fines may be levied by:
 - Saugus Conservation Officer
 - Massachusetts Environmental Police
 - Saugus Police
 - Massachusetts State Police
 - c) Fines shall be assessed and collected under MGL Chapter 40 Section 21D (adopted as part of this Bylaw).
- 6) Severability
If any part of this Bylaw shall be found invalid in any Court of Law for any reason, the remainder of this Bylaw shall remain valid and in full force and effect.

(Timothy R. Hawkes)

Mr. Hawkes moves to amend Article 24 to read as follows:

To see if the Saugus Town Meeting will vote to approve a new Archaeological Resource Bylaw.

903.00 Archaeological Resource Bylaw

- 1) Intent and purpose
Archeology involves the systematic discovery of sub-surface remains and specimens which provides important information on past occupation of a site in order to provide an understanding of the evolution of the area and the development of past and present civilizations and culture. Archaeological resources are subject to destruction by inadvertent actions as well as deliberate actions which remove artifacts from their cultural context. The purpose of this bylaw is to help prevent deliberate or inadvertent destruction of significant archaeological resource within the boundaries of the Town of Saugus.
- 2) Definitions
When the following terms are given they shall have these definitions:
 - a) Archaeological Site – An area that is listed in the Inventory of Archaeological Assets of the Commonwealth maintained by the State Archaeologist pursuant to MGL Chapter 9 Section 26A (1)
 - b) MHC – Massachusetts Historical Commission
 - c) SHC – Saugus Historical Commission
 - d) Pot Hunting – the act of willfully disturbing, destroying or plundering artifacts at an Archaeological Site.
- 3) Regulation or Archaeological Sites
 - a) Prior to applicable permits being issued, property owners proposing projects on presently undeveloped land shall request a determination from the MHC as to whether or not the project area is within an Archaeological Site. A copy of such request shall be provided to the SHC.
 - b) Should a project area include an Archaeological Site, the SHC shall review the project to offer recommendations to the property owner to consider mitigation of same that may avoid adverse impacts as defined by MGL Chapter 9 Section 26B.
 - c) Except as required to exercise its responsibilities under this section, the SHC shall maintain the confidentiality of the location of Archaeological Sites in accordance with MGL Chapter 9 Section 26A(1)
- 4) Prevention of Pot Hunting
 - a) Any person or persons who trespass on an Archaeological Site and are or were engaged in the act of Pot Hunting shall be subject to fines up to \$300.00 per incident.
 - b) Enforcement of fines may be levied by:
 - Saugus Conservation Officer
 - Massachusetts Environmental Police
 - Saugus Police
 - Massachusetts State police
 - c) Fines shall be assessed and collected under MGL Chapter 40 Section 21D (adopted as part of this Bylaw).

5) Severability

If any part of this Bylaw shall be found invalid in any Court of Law for any reason, the remainder of the Bylaw shall remain valid and in full force and effect.

Seconded at 9:48 p.m.

Mr. Hawkes discussed his amendment and why Saugus resources are so valuable.

Marilyn Carlson, representing the Historical Commission, stated that the Commission supports the Article. Mr. Manoogian voiced his support for the article as well.

Mr. Hawkes amendment passed by unanimous voice vote at 9:55 p.m.

Article as voted:

Article 24. Voted to approve a new Archaeological Resource Bylaw.

903.00 Archaeological Resource Bylaw

1) Intent and purpose

Archeology involves the systematic discovery of sub-surface remains and specimens which provides important information on past occupation of a site in order to provide an understanding of the evolution of the area and the development of past and present civilizations and culture. Archaeological resources are subject to destruction by inadvertent actions as well as deliberate actions which remove artifacts from their cultural context. The purpose of this bylaw is to help prevent deliberate or inadvertent destruction of significant archaeological resource within the boundaries of the Town of Saugus.

2) Definitions

When the following terms are given they shall have these definitions:

- a) Archaeological Site – An area that is listed in the Inventory of Archaeological Assets of the Commonwealth maintained by the State Archaeologist pursuant to MGL Chapter 9 Section 26A (1)
- b) MHC – Massachusetts Historical Commission
- c) SHC – Saugus Historical Commission
- d) Pot Hunting – the act of willfully disturbing, destroying or plundering artifacts at an Archaeological Site.

3) Regulation or Archaeological Sites

- a) Prior to applicable permits being issued, property owners proposing projects on presently undeveloped land shall request a determination from the MHC as to whether or not the project area is within an Archaeological Site. A copy of such request shall be provided to the SHC.
- b) Should a project area include an Archaeological Site, the SHC shall review the project to offer recommendations to the property owner to consider mitigation of same that may avoid adverse impacts as defined by MGL Chapter 9 Section 26B.
- c) Except as required to exercise its responsibilities under this section, the SHC shall maintain the confidentiality of the location of Archaeological Sites in accordance with MGL Chapter 9 Section 26A(1)

4) Prevention of Pot Hunting

- a) Any person or persons who trespass on an Archaeological Site and are or were engaged in the act of Pot Hunting shall be subject to fines up to \$300.00 per incident.
- b) Enforcement of fines may be levied by:
Saugus Conservation Officer
Massachusetts Environmental Police
Saugus Police
Massachusetts State police
- c) Fines shall be assessed and collected under MGL Chapter 40 Section 21D (adopted as part of this Bylaw).

5) Severability

If any part of this Bylaw shall be found invalid in any Court of Law for any reason, the remainder of the Bylaw shall remain valid and in full force and effect.

Yeas: 34 Nays: 0 at 9:56 p.m.

Article 24 passed as amended.

Mr. Manoogian moves to take Article 16 off the Table.

Seconded at 9:57 p.m.

Vote to take Article 16 off the table.

Yeas: 19 Nays: 9 at 9:58 p.m.

Article 16 is voted to be taken off the table.

Article as written:

Article 16. To see if the Saugus Town Meeting will vote to implement Section 517.00 of the Town's Bylaws that established, by vote of the 2012 Annual Town Meeting, a five member audit committee consisting of Town Meeting members using the following process:

- 1.) The town meeting shall determine a process for identifying nominees among the membership.
- 2.) The town meeting shall determine a process for nominating candidates and voting on candidates.
- 3.) The town meeting shall elect an audit committee prior to the conclusion of the 2013 annual town meeting.
(Peter Manoogian)

Mr. Manoogian moves to amend Article 16 as follows:

MOTION TO REFER ARTICLE 16

To refer Article 16 to the first town meeting held after the 2013 town election and to request that the town clerk provide notice to the newly elected and re-elected town meeting members after the 2013 town election, but prior to the first town meeting, that the implementation of 517.00 must take place at said meeting.

Seconded at 10:00 p.m.

Mr. Manoogian noted that the Town Clerk has agreed to serve notice to all Town Meeting members after the November 2013 Local Election of this by-law.

Ms. Dever spoke on the Article.

Vote came on Mr. Manoogians motion to refer.

Article as voted:

Article 16. Voted to refer Article 16 to the first town meeting held after the 2013 town election and to request that the town clerk provide notice to the newly elected and re-elected town meeting members after the 2013 town election, but prior to the first town meeting, that the implementation of 517.00 must take place at said meeting.

Yeas: 28 Nays: 3 at 10:06 p.m.

Article 16 is voted to refer.

Mr. Edward S. W. Boesel moves to adjourn to June 10, 2013 at 7:30 p.m.

Seconded at 10:12 p.m.

Unanimous Voice Vote to Adjourn to June 10, 2013 at 7:30 p.m. in the Town Hall Auditorium.

Respectfully submitted,

Joanne D. Rappa
Town Clerk