

Saugus Board of Selectmen
January 5, 2010

The Saugus Board of Selectmen met on January 5, 2010 at 7:30 PM in the Town Hall Auditorium. Present were: Selectmen Stephen Horlick, Michael Kelleher, Michael Serino and the Chairman Donald Wong. Also present was the Town Manager Andrew Bisignani. Selectman Scott Crabtree was not present.

The Chairman said Selectman Crabtree was not present due to a vacation planned before the election.

Invited guests: None this evening.

Approval of minutes: December 8, 2009.

Mr. Serino moved the Board vote to approve the minutes of 12/8/09. Chair seconds. Vote: 4-0.

Continued hearings: Karen Bentage and Pamela Zerber for S-2.

Karen Bentlage and Pamela Zerber, for Special Permit (S-2) to allow: at unit B700/ Suite M & 800/ Suite N a 10-12 room massage spa offering massage and facials; at unit B600/ Suite L a 6 room waxing facility; and at unit B500/Suite K a 8-10 room tanning salon, to be located at 358 Broadway, located at the Shops of Saugus, Assessor's Plan 1047, Lot 64.

Pamela Zerber was present. Mr. Serino asked clarification on square footage. Ms. Zerber explained three locations.

Any in favor or in opposition? None.

Mr. Serino moved to close the hearing. Chair seconds. Vote: 4-0.

Mr. Serino moved to grant the Special Permit (S-2) to allow: at unit B700/ Suite M & 800/ Suite N a 10-12 room massage spa offering massage and facials 3,200 s.f., hours of operation 8AM to 10PM, 7 days a week; and at unit B600/ Suite L a 6 room waxing facility, 1,200 s.f., hours of operation 9AM to 9PM, 7 days a week; and at unit B500/Suite K a 8-10 room tanning salon, 2,000 s.f., hours of operation 8AM to 10PM, 7 days a week; Board of Health, Inspectional Services and Fire Dept. recommendation to be met; and money owed by the property owner to be paid. Chair seconds.

Roll call vote: Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Serino, yes; Mr. Wong, yes. Vote: 4-0.

Mr. Kelleher moved to take correspondence out of order. Chair seconds. Vote: 4-0.

Correspondence

1.) School Committee re: request Article be inserted in next Special Town Meeting Warrant.

Mr. Serino said the Board requested this months ago. The Manager said it is included in his Articles to be presented later in the meeting and would be happy to amend his Article to include the School Committee.

Mr. Serino moved to insert the Article. Chair seconds. Mr. Horlick speaking on the motion said he attended the reopening of the middle school library and it's a start to help rebuild the library and 100% will go toward books. Vote: 4-0.

2.) Burger King, 720 Broadway re: request for 2010 License renewal.

Mr. Serino moved to renew the Common Victualer's License. Chair seconds. Vote: 4-0.

3.) RCN response to Board's letter requesting update.

Mr. Serino said it doesn't look promising and moved to refer the correspondence to the file. Chair seconds. Vote: 4-0.

4.) Theatre Company of Saugus re: request for banner.

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Mr. Kelleher moved to approve the request. Chair seconds. Vote: 4-0.

Mr. Kelleher moved to go back to public hearings. Chair seconds. Vote: 4-0.

7:45 Verizon New England, Inc. for installation of (2) jointly owned poles # 81/14-1 and # 81/14 on the westerly side of Walden Terrace with wires, cables and fixtures, and any other necessary fixtures as shown in plan no. P2009-015 dated 10/12/2009.

Everette Bryan, Verizon, 459 Main Street was present and explained. Mr. Kelleher asked for copy of plan. Mr. Bryan gave him one. Mr. Kelleher asked if the new poles were for new homes. Mr. Bryan said correct. Mr. Kelleher asked why not closer to homes served. Mr. Bryan explained where lines feed from. Mr. Horlick asked about double poles. Mr. Bryan said he would provide updated report.

Any in favor? Jason Barnes, contractor for development said the poles are necessary to provide service to the new homes.

Mr. Serino asked about money owed for details. Mr. Bryan said there is a lag time in processing and paying bills and will look into it.

Any in opposition? None.

Mr. Kelleher moved to close the hearing. Chair seconds. Vote: 4-0.

Mr. Kelleher moved to allow the installation of (2) jointly owned poles # 81/14-1 and # 81/14 on the westerly side of Walden Terrace with wires, cables and fixtures, and any other necessary fixtures as shown in plan no. P2009-015 dated 10/12/2009. Mr. Serino added condition of Fire Dept. & DPW be met; and notice to be given 72 hours in advance of any work and to stake out pole locations. Mr. Kelleher amended his motion to include Mr. Serino's conditions and added condition of notification to abutters 72 hours in advance as well. Chair seconds. Vote: 4-0.

Mr. Horlick moved to take up correspondence. Chair seconds. Vote: 4-0.

Correspondence, continued

5.) Newbury Comics, 180 Main St. re: request for 2010 License renewal.

6.) Starbucks, 336 B Broadway re: request for 2010 License renewal.

7.) Starbucks, 723 Broadway re: request for 2010 License renewal.

Mr. Kelleher moved to renew Newbury Comics Valuable Goods License; Starbucks Common Victualer's License; Starbucks, 723 Broadway Common Victualer's & Extended Hours of Operations Permit; and Nicky's Pizza Time Common Victualer's License 2010 with same conditions/restrictions. Chair seconds. Vote: 4-0.

Mr. Serino asked if there were any other. Their clerk said no and all other licenses expired Dec. 31 and would need to apply for a new license.

7:55 Hannoush Jewelers, Inc., for Valuable / Used Goods License to be located at 1277 Broadway, Square One Mall, Unit #N115.

Charbel Chaker was present. Mr. Serino asked what is at location now. Mr. Chaker said he is, Hannoush. Mr. Serino said his CORI came back fine. Mr. Kelleher said he already sells and asked if he also wants to buy. Mr. Chaker said yes and he has been in business for 10 years. Mr. Horlick asked the mall manager for update on complaints received last meeting. Susan Yee, General Manager of Square One Mall was present and said she checked and the last call received was last summer.

Any in favor? Susan Yee, General Manager Square One Mall.

Any in opposition? None.

Mr. Kelleher moved to close the hearing. Chair seconds. Vote: 4-0.

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Mr. Kelleher moved to approve the request for Valuable / Used Goods License to be located at 1277 Broadway, Square One Mall, Unit #N115. Chair seconds. Vote: 4-0.

Manager's report

- Announced starting January 9, Saturdays in January & February from 8-noon at DPW, recycling drop off of televisions & monitors.

Mr. Kelleher asked how the public will know about it. The Manager said announcements on cable and newspapers. Mr. Kelleher asked if it could be included in next mailing. The Manager said not for January because bills have already gone out. Mr. Kelleher said it's a great program. Mr. Horlick said he noticed less illegal dumping and asked he post flyers at the Senior Center & Library.

- Extended a public thank you to Wendy Carpenito of Carpenito Real Estate and Joe Pace of J. Pace & Son and said both through their companies sent trays of food for Town Hall employees and it was very generous of them.

- Said on 12/28 there was a carjacking in Lynn and the individual was apprehended in Saugus and those officers deserve recognition. 1st on scene Officer Jeffrey Wood and thanked him on behalf of the Town of Saugus and assisting was Officer John Naglieri and thanked them for a satisfactory ending. Mr. Kelleher agreed and said they went above and beyond.

Mr. Kelleher moved to invite them in for citation. Chair seconds. Vote: 4-0.
- Asked the Board's permission to post employment position of Traffic Hearings Officer to assist the Parking Clerk and explained.

Mr. Serino said the Board is the Traffic Commissioners and moved the position be advertised for 14 days and to scheduler interviews on January 26. Chair seconds. Vote: 4-0.

- Recommended the reappointment of Phyllis O'Hearn, James Nicholl, Leona Verrengia, Loretta Nicolo and Mary Dunlop to the Council on Aging.

Mr. Serino moved to confirm the requests for reappointment. Chair seconds.

Roll call vote:

Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Serino, yes; Mr. Wong, yes. Vote: 4-0.

- Recommended the reappointment of Kevin Currie and Virginia Bolduc to the Commission on Disabilities.

Mr. Serino moved to confirm the requests for reappointments.

Roll call vote:

Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Serino, yes; Mr. Wong, yes. Vote: 4-0.

- Recommended the reappointment of Leon Valliere to the Board of Assessors.

Mr. Horlick moved to confirm the request for reappointment.

Roll call vote:

Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Serino, abstain; Mr. Wong, yes. Vote: 3-0.

- Recommended the reappointment of Pamela Harris to the Board of Health.

Roll call vote:

Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Serino, abstain; Mr. Wong, yes. Vote: 3-0.

Mr. Kelleher moved the Board take up public hearings. Chair seconds. Vote: 4-0.

8:05 Geffter Goncalves d/b/a Jeff's Place, 23 Essex Street, for transfer of Common Victualer's License from Konstandini Enterprises, Inc. d/b/a DeLeo's Pizza, 23 Essex St.

Geffter Goncalves, 22 Pulaski St., Peabody was present Mr. Kelleher asked if this is a transfer. Mr. Goncalves said yes. Mr. Kelleher asked if it will be same type business.

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Mr. Goncalves said yes. Mr. Kelleher asked if he was aware of the Building Inspector's comments. Mr. Goncalves said yes. Mr. Serino asked if hours would be the same. Mr. Goncalves said yes.

Any in favor or in opposition? None.

Mr. Serino moved to close the hearing. Chair seconds. Vote: 4-0.

Mr. Serino moved to grant transfer of Common Victualer's License from Konstandini Enterprises, Inc. d/b/a DeLeo's Pizza, 23 Essex St. with same conditions; same hours of operation; and Inspectional Services recommendations. Chair seconds. Vote: 4-0.

The Chairman excused himself from the table and Mr. Serino took the Chair.
8:15 Anh Tran, d/b/a ATM MABO, LLC, Steven Fung, manager, for NEW Beer & Wine Common Victualer's License; AND Entertainment License, to be located at 20 Rear Frank Bennett Highway.

Attorney George Gregson, 325 Central Street was present with proposed manager Steven Fung and explained the eviction of former tenant for nonpayment and understand they also owed money to the Town that his client has met with the Collector / Treasurer and has signed a payment agreement and asked the Board continue the hearing and explained they would like to start with a beer & wine license to work back into the Town's trust and said Mr. Fung is very experienced. Mr. Serino said he spoke with Selectman Crabtree and he also agrees it should be continued.

Mr. Horlick moved to continue the hearing. Mr. Serino seconds. Vote: 3-0.

Mr. Wong returned to the table and resumed the Chair.

Member's Motions

Mr. Serino: Asked for update on Hamilton Street. The Manager said weather permitting, the end of February. Mr. Serino said hopefully get it paved. The Manager said yes, it is first on the agenda. Mr. Serino asked about sidewalks also. The Manager said they are doing design options.

- Said the Board will meet with the Manager in February for 5 year CIP.
- Said he has received complaints regarding street sweeping and asked the Manager to include sweeping twice a year in the budget as it might be mandated. The Manager said it will be mandated 2010 and next year they may have to include 2nd sweep.
- Said the Board has appointments to make, but should wait until next meeting for Selectman Crabtree.

Mr. Horlick: Said it has been some time since DCR took the Bacon Property and would like to send a letter asking for status of the property.

Mr. Horlick moved the Board send letter to DCR for update. Chair seconds. Vote: 4-0.

- Said this was a tough weekend plowing and asked for update. The Manager said plowing started at 3AM full plowing and full sanding of hills and if there is accumulation, they call in private contractors and did do that at 3AM. Mr. Horlick asked about the 3" rule. The Manager said last year they had a deficit and he doesn't mind DPW are first out to do main streets and as it gets worse they call private contractors and he leaves that up to the superintendent.

Mr. Kelleher: Said the storm's timing was when people out rushing home from work early and wished they got salt on the roads quicker and said DPW does a great job and feels it was just a case of timing.

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- Said he intended to ask the traffic officer for update on Lynn Fells / Main St light because the timing is off and ask for update on Essex St at mall entrance and asked the Manager to follow up on those.

- Said he has been asking to reactivate the Board of Public Welfare as set in the Charter and explained the need for such a Board.

Mr. Kelleher moved the Board seek out and invite members of the community to apply to the Town Manager for appointment to the Board of Public Welfare. Chair seconds. Mr. Serino speaking on the motion said he doesn't have a problem with Mr. Kelleher's motion. The Public Welfare Board was created in the 1930's in response to the great depression. There was a proposal by the Charter Commission to eliminate the Public Welfare Board since it has not been exercised in Saugus for at least 60 years. In response to Mr. Kelleher's comments to raising \$14,000 for the Kelleher Family Trust Fund, Mr. Serino asked Mr. Kelleher if \$10,000 of that money was donated by the Tennessee Gas Company and Mr. Kelleher replied yes. Vote: 4-0.

Mr. Kelleher moved to cancel the February 18 Special Town Meeting. Chair seconds. Vote: 4-0.

The Chair wished all a happy 2010.

Mr. Serino moved to adjourn. Chair seconds. Vote: 4-0.

Meeting adjourned at 8:35PM.

Respectfully submitted,

Wendy Reed, Clerk