

Saugus Board of Selectmen
January 6, 2009

The Saugus Board of Selectmen met on January 6, 2009 at 7:30 PM in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Stephen Castinetti, Stephen Horlick, Michael Kelleher, Peter Rossetti Jr. and the Chairman Donald Wong. The Town Manager Andrew Bisignani was also present.

Invited Guests: John Rogalski

Mr. Rogalski was present and the Chairman thanked him for all he has done for groups and non-profits. Mr. Rossetti said he worked with him on some Town events and he was always readily available and it is fitting upon his retirement to say thank you and wish him well. Mr. Kelleher agreed and said his help to organizations in Town showed great community spirit and thanked him. Mr. Horlick thanked him and said he also provided a number of jobs to students and thanked him and his employees. Mr. Castinetti said everybody has the utmost praise for him and wished him the best of luck in his retirement. The Chair read the citation and presented it to him.

Invited Guests: Saugus Pop Warner Football A Team.

Mr. Kelleher said he invited the team in to congratulate them on a wonderful job and they have a great team, great coaches and great parents and invited them all up to congratulate them. Mr. Kelleher said they won the 1st game in the play off games.

Police Chief Domenic DiMella requested to address the Board regarding the incident at JIN. Mr. Castinetti said he will step down because they are a customer he does business with and he and the Chairman left the table. Mr. Kelleher took the Chair.

The Chief read his letter submitted to the Board dated January 6, 2009 regarding the incidents that took place at Orchid Night Club on 1-1-09 and recommended the Board call a show cause hearing for violations. Mr. Horlick said his letter states there were approximately 1,000 or more patrons. Mr. Rossetti cautioned Mr. Horlick to stay with the issue before them and not render opinion at this time. Mr. Horlick said they may have been over capacity in violation of their license and the Board must site what violations happened. Mr. Kelleher said it can be part of the motion. The Chief said there was no actual count, but the manager said 1,066 patrons. Mr. Kelleher asked his recommendation. The Chief recommended the Board call a show cause hearing. Mr. Rossetti said he always supports the Chief's recommendation.

Mr. Rossetti moved the Board call a show cause hearing. Mr. Kelleher seconds. Mr. Horlick said the Board must site the violations they are calling them on. Mr. Rossetti said the Board will meet with the Chief and Counsel. Mr. Kelleher said the vote is to schedule a hearing. Vote: 3-0.

Mr. Castinetti and Mr. Wong returned to the table.

Approval of minutes: December 16, 2008

Mr. Rossetti moved to approve subject to any changes. Chair seconds. Vote: 5-0.

Continued hearings: Non for this evening.

Mr. Kelleher said he wanted to address misinformation and correct the statement that these hearings are just sitting with no action and said it is not the case and explained Oasis is continued because the business is closed and they must come back before the Board before the reopen and regarding Tabu, the Chief asked for additional time.

The Chairman excused himself from the table.

7:45 Pamela Avedisian, for transfer of All Alcoholic Common Victualer's License and Entertainment License from Vogue Concessions, Inc. d/b/a Spin, 1466 Broadway to NEW location 60 Salem Turnpike and for NEW manager, Pamela Avedisian.

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Attorney George Gregson, 325 Central Street was present and asked permission to continue due to comments received from the Town departments to address them and said Rte. 107 is under major work and if successful they will start work on the property, and will address all comments and concerns and requested it be continued to the 1st meeting in February.

Mr. Rossetti moved to continue the hearing to the 1st meeting in February. Vice Chair seconds. Vote: 4-0.

Mr. Wong returned to the table.

7:55 Donna Lombardo d/b/a Skin Sensations, for Special Permit (S-2) to allow: Esthetics, make-up, skin care, body care, waxing, manicure, pedicure, & massage therapy, to be located at 38 Main Street.

Donna Lombardo, 42 W. Emerson St, Melrose was present. Mr. Kelleher asked if she had or has a similar business. Ms. Lombardo said yes and this is a new location. Mr. Rossetti said she must have fire inspection before opening. Mr. Horlick asked the number of customers. Ms. Lombardo said 3 to 10 a day and it is by appointment only. Mr. Horlick asked if she has off street parking. Ms. Lombardo said yes.

Any in favor or in opposition? None.

Mr. Castinetti moved to close the hearing. Chair seconds. Vote: 5-0.

Mr. Castinetti moved to grant the S-2 to allow esthetics, make-up, skin care, body care, waxing, manicure, pedicure, & massage therapy, to be located at 38 Main Street. Chair seconds.

Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Rossetti, yes; Mr. Wong, yes. Vote: 5-0.

Mr. Castinetti moved to table the 8:05 public hearing and take up correspondence #1 at this time. Chair seconds. Vote: 5-0.

Correspondence

1.) Adams Avenue review of "No Parking" signs 4 months after installation.

Lt. Swezey was present and explained the past history of the location. Mr. Kelleher said 1 reason to post them was to make the road safer and without sidewalks, in his opinion is it safer with or without the signs. Lt. said the residents affected are against it and believe it is a neighborhood dispute and will look to survey the street and the intersection. Mr. Kelleher asked in his personal assessment is this a neighborhood dispute and the no parking effecting safety of the street. Lt. said no, but anything they can do to make it safer and would like 1 year or until April to review before making a determination. Mr. Kelleher asked about 4-way stop. Lt. said his opinion has not changed, but maybe a one way and is looking into it. Mr. Castinetti asked if he wanted more time. Lt. said yes. Mr. Horlick asked how long. Lt. said June after school is out. Mr. Kelleher said neighbors are here and asked the confine their comments to the issue.

Sandra Lyons, 120 Adams Ave., was present and passed out pictures of the area and explained each and asked they take down the signs to restore the peace. Mr. Castinetti asked what she meant by "restore the peace".

Glenn Brownell, 121 Adams Avenue said he will respond and explained the verbal attack on his daughter.

Richard Lyons, 124 Adams Avenue, said the signs are a nuisance and thinks the issue is speeding, not parking and there are too many signs there.

Mr. Castinetti said he's not familiar with the layout and would like a site visit.

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Mr. Castinetti moved to schedule a site visit. Mr. Kelleher said there are other neighbors that want to speak and agree he doesn't see how the signs make it safer. Mr. Castinetti said the Board did meet on Adams at Vine regarding speeding and it is incumbent of the Board to understand the issue before them. (Discussion on date and time) Mr. Castinetti added to his motion to meet on Saturday, January 10 at 9AM in front of #121 Adams Avenue. Chair seconds. Vote: 5-0.

Mr. Castinetti read correspondence received from Robert DiBiasio, 117 Adams Ave, opposed to signs.

Jean & Michael Barker, 122 Adams Avenue, were present and Mr. Barker said they want to help the neighbors and tried asking they not park in front of his home or close to his driveway because they can't see pulling out.

8:05 Public hearing on amending the Town's Traffic Rules & Regulations ARTICLE V, SECTION 2. "Parking Prohibited on Certain Streets" by designating "No Parking" on the north side of Glen Park Avenue approximately 190' from Lincoln Avenue and on the South side of Glen Park Avenue approximately 222' from Lincoln Avenue.

Ba & Brian Chan, 213 Lincoln Avenue, were present and described conditions on Glen Park Ave. especially with snow and plowing and the Fire Chief would like no parking all the way up. Lt. explained signs were posted, but not legal and needs Board approval. Mr. Horlick said the Board was there for a site visit on another issue and asked if cars parked are an issue. Mr. Chan said there was never an accident. Mr. Kelleher said it is a unique location.

Anthony Chesna, 29 Glen Park Ave., said for safety reasons there should be no parking on the left side.

Charles Chesna, 36 Glen Park Ave., said the fire would like no parking all the way on the south side.

Mr. Kelleher asked why not no parking on both sides all the way up. Lt. said there would be a resident affected because they have no off street parking and this would allow space for them. Mr. Castinetti said there are a multitude of safety issues and access for public safety is most important. Mr. Kelleher said no parking should go all the way up.

Mr. Castinetti moved to close the hearing. Chair seconds. Vote: 5-0.

Mr. Castinetti moved the Board amend the traffic rules & regulations by posting "No Parking" signs on the north side of Glen Park Avenue approximately 190' from Lincoln Avenue and on the South side of Glen Park Avenue all the way to the top. Chair seconds. Vote: 5-0.

Mr. Kelleher moved to ask the Manager to maintain the park including cleaning and cut as needed. Chair seconds. Vote: 5-0.

Correspondence, continued

2.) Mr. Serino MBTA Rep. re: response to temporary bus stops on Ballard St.

Michael Serino, MBTA Rep. was present and said he did receive request and responded to the Board and was notified bus stops signs were installed without authorization and had them covered until the Board votes and read his recommendation for temporary bus stops noting for only during the detour about 5 months. Mr. Castinetti asked if the signs were still up. Mr. Serino said yes, but covered. Mr. Kelleher thanked him and said it may come up at the community meeting.

Mr. Kelleher moved to support the recommendation of the MBTA Rep. by requesting the MBTA install temporary bus stops: one in front of Vitale Park and one in

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front of Eastern Tool. Mr. Rossetti speaking on the motion said they ran into an issue in Cliftondale when a bus stop was moved with people parking all day. Mr. Serino said that wouldn't be a problem and would prefer the stops in front of business rather than residences. Mr. Horlick asked if moving the bus stop in front of the Ballard.

Peter Manoogian, 50 Ballard Street, was present and supports the recommendation and asked for temporary shelters. Mr. Manoogian said he did not hear if the Board opened the 7:45 public hearing for comments.

Carolyn Fisher, 58 Ballard Street and Lynda Myers, 96 Ballard Street were present and said they would prefer to get the bus at Rte. 107 inbound and at Vitale Park outbound and doesn't feel parking will be a problem. Mr. Castinetti clarified if they don't put a shelter they would prefer to get the bus where they do now. Ms. Fisher said yes. Mr. Kelleher asked if there's a shelter they are not opposed. Ms. Myers said the issue is coming home. Mr. Castinetti asked if they would be moving the sign in front of the Ballard to Vitale Park. Mr. Kelleher said no, not a relocation, but eliminating those signs not authorized and to establish one at Vitale Park and one at Eastern Tool and ask as a reminder the MBTA continue to maintain the shelter on Rte. 107.

Mr. Kelleher moved to request the MBTA eliminate those signs not authorized and to establish temporary bus stops, one at Vitale Park and one at Eastern Tool and ask as a reminder the MBTA continue to maintain the shelter on Rte. 107. Chair seconds. Vote: 5-0.

3.) Mr. Abdel-Hadi re: Alwadi, LLC d/b/a The Oasis Liquor License.

Mr. Castinetti said they have submitted application. Mr. Kelleher said no action required.

4.) VFW re: notification of temporary closing of VFW.

5.) FY10 Board of Selectmen Preliminary Budget.

Mr. Rossetti said the Board received correspondence from the Charter Commission reminding the Board they are obligated to distribute the proposed charter and don't know exactly the amount needed. Mr. Kelleher said mailing cost. Mr. Manoogian, Charter Commission Chairman was present and said they have Town resources at their disposal and just a reminder the Board is obligated to distribute. The Chair asked estimated cost. Mr. Manoogian said the Charter Commission is only obligated for the cost of newspaper notification and said the Board needs to find out the number of registered voter households and printing costs. Mr. Kelleher suggested Mr. Rossetti get estimated cost and wont take action now on the budget.

6.) Town Counsel re: response to Vine Street request.

Mr. Horlick moved to refer to the file. Mr. Kelleher said while we are looking at infrastructure if this falls under that we can consider. The Manager said he has looked with the Affordable Housing, but liability of clean up and would be expensive.

The Chair announced the following: ITAM community meeting at 7PM on traffic with Mass Highway; Barbara Cimino is retiring and thanked her; and wished all happy new year.

Manager's report

- asked the Board accept a donation of \$1,500 from Danvers Bank for cemetery markers.

Mr. Castinetti moved to accept the gift of \$1,500 from Danvers Bank for cemetery grave markers. Mr. Horlick asked a thank you letter be sent also. Chair seconds. Vote: 5-0.

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- reminded the public of parking restrictions during snow emergencies.

Member's motions

Mr. Castinetti: said Harbor Master applications closed 12/31 and would like to schedule interview. Mr. Horlick said to include interviews for Cultural and Cemetery applicants on the same night. The Board scheduled interviews on 1/13/09 at 7PM.

- said Jaffrey Street has been posted "One Way", but people still use it and asked the Manager to have the sign turned so it can be easily seen by those coming from Melrose.
- asked the Manager if he is looking into lighting on Mountain Ave. The Manager said yes.

- said Tabu continued show cause hearing will resume on 1/20/09 at 7PM.

Mr. Rossetti: said we have had several inclement weather days and DPW has done an excellent job plowing and sanding.

- said the Charter Commission has invited the Board to participate in focus groups on 1/24 at 9AM.
- said there have been issues with clogged sewer pipes and grease and asked the public to contact the Town Manager or police if they witness any unauthorized access to the sewer.
- asked the Manager about budget review. The Manager said he is scheduling with Finance Committee.
- said a community meeting with Mass Highway tomorrow at 7pm at the ITAM.
- said with the present economy the value of recyclables has decreased but please keep recycling because it reduces the tonnage we pay for disposal.
- said the Board received correspondence regarding cable issues and said the Board does not have the ability to choose stations offered in Saugus that is not something the Board makes decisions on and said there have been questions regarding cable competition and said the Board did meet with Verizon and let them know they would be welcomed to come and said they should request another meeting with their rep.

Mr. Rossetti moved to send a letter to Verizon Rep. requesting them come in and talk with the Board. Chair seconds. Vote: 5-0.

- said the Board received request from Rick Mytkowicz requesting to create a committee to look at drainage by-law.

Mr. Rossetti moved to invite him to the next Board meeting. Chair seconds. Vote: 5-0.

Mr. Kelleher: said to clarify the community meeting at the ITAM at 7PM with Mass Highway is a community meeting.

- said cuts are coming and 10% cut could be a 5%-10%-15% cut and asked the Manager what that would look like. The Manager said he is not prepared to give a detailed plan at this time and have consulted and do have options, but he needs to know what the cuts are going to be and should know in 2 weeks and will be scheduling 6 month review with the Finance Committee soon. Mr. Kelleher said he didn't expect a detailed lay out and hears over \$350 million will be taken out of local aid and that is a scary number and the Governor is talking about giving local resources to help off set the cuts.

- asked that Ballard Street, Lincoln Ave. and the bus stops be given special attention and possible snow removal and not use our resources, but the state's because it is their project.

- said the Board said it would reconvene the water & sewer subcommittee and asked Board Members check available dates.

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- said there is some confusion regarding JIN and what the Board did or did not do and he has strong feelings regarding elected vs. appointed licensing board and said he is addressing this because it came up as "political" and said anyone can google appointed boards and their political problems, but this elected board answers to 25,000 bosses and that is democracy, accountability day to day and clarified he never suggested other appointed boards in this town lack expertise or that they don't work hard and further clarified that what came before the Board was requested and the Building Inspector reviewed the plans and the ABCC reviewed and it was determined it didn't need to go before the Board for changes and we need to control misinformation.

- wished all a happy new year.

Mr. Horlick: asked the Manager check 4 Ashford Street, if it is public they would like to be plowed, but were told they are responsible.

- thanked DPW the signs on the Fellsway and asked if they can take the green signs down.

- said he attended a meeting DEP Solid Waste Management Plan and would like to send a letter to DEP.

Mr. Horlick moved the Board send a letter to DEP in opposition to any expansion of trash incinerators. Mr. Kelleher thanked him for bringing that up and agree and will support. Chair seconds. Vote: 5-0.

- asked for update on landfill audit. The Manager said he has been in communication with the auditors and they did promise they will have it soon.

- said regarding the incident at the library where a woman was locked in after closing.

Mr. Horlick moved to send a letter to the Library Board of Trustees to respond as to what happened and that this will not happen again. Mr. Horlick said if it were a child or a person with a medical condition or what if vandals or thieves. Chair seconds. Vote: 5-0.

- said the Board called a show cause on JIN and will reserve his comments to that time.

Citizen's forum

Peter Manoogian, 50 Ballard Street, said the Charter Commission is meeting this Thursday night and invited the Board to attend and share their thoughts.

Lawrence Jedrey, 28 Glen Park Ave., said the no parking should be decided by the fire chief. Mr. Kelleher said the voted the fire chief's recommendation.

Jeffrey???, said he is concerned with our public safety resources and having to call for help. Mr. Kelleher said the Board called to schedule a show cause hearing.

Mr. Horlick moved to adjourn. Chair seconds. Vote: 5-0.

Meeting adjourned at 10:17PM.

Respectfully submitted,

Wendy Reed, Clerk