

Saugus Board of Selectmen  
March 10, 2009

The Saugus Board of Selectmen met on March 10, 2009 at 7:00 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. Special Counsel Ira Zaleznik was also present.

The Chairman excused himself from the table and Vice Chairman Castinetti took the Chair.

Continued hearings: Tabu – show cause hearing

Show Cause Hearing being held under MGL c.138 Section 12 & MGL c. 140 Section 183A and the Town of Saugus Liquor Rules & Regulations and the Town of Saugus Entertainment Rules & Regulations, for the purpose of the possible suspension, modification, revocation and / or cancellation of the of the Entertainment License and the All Alcoholic Beverages License of JLMT Enterprises, Inc. d/b/a Tabu Ultra Lounge and Nightclub, Carl Amato, manager, 168 Broadway and / or any such other action the Board deems necessary or appropriate. Said action is based on police reports submitted to the Saugus Board of Selectmen alleging violation of MGL c. 138 section 64 and violation of Sections 1.12(a)(1), (2), (3) & (5) and Section 1.04(a) of the Town of Saugus Liquor Rules & Regulations and Sections 1.12(a)(2) & (4) and Section 1.04(a) of the Town of Saugus Entertainment Rules & Regulations. Full reports are on file in the Board of Selectmen’s Office. The Board will also hear evidence pursuant to the provisions of MGL c. 138, Section 12, sixth paragraph, as to the public need for the licensed premises to remain open until 2:00 AM.

Including Supplemental Notice voted 1/20/09.

The Vice Chair passed the Board copy of 3/10/09 letter and read for the record: *This letter will set forth the settlement terms as discussed with the Board of Selectmen (“Board”) at the hearing on March 3, 2009. Subject to the approval and vote of the Board, JLMT Enterprises, Inc., d/b/a TABU (“TABU”) is willing to accept the following disposition of this matter from the Board as follows:*

1. *TABU will consent to the suspension of its alcoholic beverages and entertainment licenses to prohibit sales of alcoholic beverages and offering of entertainment in the nightclub portion of the premises on March 12, March 19, and March 27. This suspension will relate to all service of alcoholic beverages and all entertainment at the night club portion of the licensed premises only. This suspension will be subject to the additional condition that the lounge/restaurant portion of the licensed premises may remain open until 1:00 a.m. on these three dates and that television and music may be played and alcoholic beverages may be served in this portion of the licensed premises, that is the lounge/restaurant portion of the establishment only. The lounge/restaurant portion of the licensed premises will close at 1:00 a.m. on those days;*

2. *TABU will also take the following steps to provide additional security in the parking area, in addition to, and not in substitution for, the security plan already in place and filed with the Board:*

a. *Additional lighting will be installed to illuminate the parking area. Lighting is proposed to be installed on the roof of the premises. Tabu shall apply for all necessary permits to install the lighting forthwith;*

b. *Commencing immediately upon the approval of these terms by the Board by vote*

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*at a regular meeting, TABU shall close all doors for new admissions to all parts of the licensed premises at 1:00 a.m. No new patrons will be admitted to the lounge/restaurant or the nightclub area of the licensed premises after 1:00 a.m. In addition, after 1:00 a.m., patrons will no longer be permitted to move between the lounge/restaurant portion and the nightclub portion of the licensed premises. Security will be stationed at the doors between these two portions of the licensed premises to enforce this restriction;*

*c. TABU shall stagger the closing times between the lounge/restaurant and the night club portion of the licensed premises. The lounge/restaurant portion will stop service at 1:30 a.m, and all patrons will leave the premises between 1:30 and 1:45 a.m. In addition, the 3-4 security personnel in the restaurant area will move outdoors to the parking lot to assist other personnel in clearing the lot. Music will stop in the night club at 1:40 a.m. and patrons will be asked to leave the premises at 1:45 a.m. to 2:00 a.m. into the parking area. It is hoped that staggering the closing time will allow Tabu to remove one-third of the patrons prior to the night club letting out.*

*d. TABU shall continue to consult with professional security consultants and shall implement such measures as the consultants deem necessary or appropriate to improve security in the parking area of TABU. TABU shall submit any such recommendations to the Chief of Police and to the Board, and if the Chief of Police or the Board shall disapprove of any such measure, TABU shall cease to implement such recommendation.*

*e. This agreed upon disposition shall dispose of all incidents that were the subject of the notice to show cause and the supplemental notice under the Town of Saugus Alcoholic Beverages Rules and Regulations and the Entertainment Rules and Regulations. Nothing herein shall preclude the Board from conducting such additional proceedings in the future as it may deem appropriate under the provisions of Massachusetts law and the rules and regulations of the Town of Saugus for incidents which arise after the incidents which were the subject of the notice to show cause and the supplemental notice.*

Mr. Rossetti said this is a step in the right direction, in progressive discipline and taking a step this way, the Board will not deal with this at a higher level. Mr. Kelleher said the Board takes this very seriously and wants to point out the letter is from Atty. Russell, but is not his proposal, it is a result of discussions in executive session and stressed it is not an offer, but a result of the Board's demands and will support this and said some say the business should be shut down as if they have no legal rights and as happened in the past, it would be overturned and this is progressive discipline and noted a 3 day suspension and security plan reviewed by the Police Chief and will support this and read last sentence again "*Nothing herein shall preclude the Board from conducting such additional proceedings in the future as it may deem appropriate under the provisions of Massachusetts law and the rules and regulations of the Town of Saugus for incidents which arise after the incidents which were the subject of the notice to show cause and the supplemental notice.*" Mr. Horlick asked Special Counsel his opinion regarding shutting down just the nightclub portion and in the future if another establishment is denied the consideration would it open the Board to litigation. Special Counsel said his question is does this set a precedence and his answer is no and explained each license that comes before the Board stands and falls on its own merits and unless the circumstances are identical, each must rise and fall on its own merits. Mr. Horlick asked if the ABCC suspension will effect the entire business. Special Counsel said it depends on what is in front of them and if they

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were to review the proposed disposition he doesn't believe they would have a problem with it and said these are unusual circumstances. Mr. Horlick thanked the Police Chief.

Mr. Rossetti moved the Board vote to approve the agreement as delineated in letter from Atty. Russell dated 3/10/09. Vice Chair seconds. Vote: 4-0.

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

Mr. Rossetti moved to close the 7:00 PM meeting. Vice Chair seconds. Vote: 4-0.

The 7:00 PM meeting closed at 7:12 PM.

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The Saugus Board of Selectmen met on March 10, 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.

The Chairman called the meeting to order.

Invited guests: Eagle Scout Joshua Hollett

Mr. Hollett was present and described his service project. Mr. Castinetti congratulated him and said it is a tremendous accomplishment. Mr. Kelleher congratulated him and said few make it to Eagle Scout and wished him the best of luck. Mr. Rossetti congratulated him and said Saugus produces leaders and he will go on to do good things. Mr. Horlick thanked him for his dedication to Saugus and thanked his parents and Scoutmaster. The Chair read the citation from the Board in recognition of his achievement in attaining the rank of Eagle Scout and presented it to him.

Invited guests: Superintendent of Schools Richard Langlois

The Superintendent was present and presented the school FY10 proposed budget that included: Ingredients of effective schools; formulating a school budget; MCAS 2008 student performance analysis; FY10 projected enrollment; FY10 level service budget; problems facing school district; FY10 critical educational needs; important educational needs; efforts to address critical needs; capital improvement priorities; school funding profile; and what the DESE (Dept. of Ed.) recommend to address fiscal woes.

Mr. Horlick moved to table the 7:45, 7:55 & 8:05 public hearings. Chair seconds. Vote: 5-0.

Mr. Castinetti thanked him and said a lot of work was put into this and he is a huge proponent of schools and he did reluctantly take his son out of Saugus schools and said the schools impact the entire Town and support him in his goals and said he appreciates him taking a proactive stand. Mr. Kelleher thanked him and said in his nine years as a Selectman he has never seen it articulated quite like this and he is asking for help and said the bottom line is kids have only 1 shot and go off to college prepared or not and every community's single responsibility is education and hope he will help if unpopular proposals are made such as taxation of non essentials. Mr. Rossetti said he did an excellent job and presented the issues and the same problems are in every community and he is making good use of resources and doing a great job and said he wished there were more resources to give him. The Superintendent said the economy has effected the business community as well, but businesses in Saugus have been great and said he wants to preserve everything and wants a collaboration to work with them and offered to meet anytime to answer any questions. Mr. Horlick thanked him and said its one of the most comprehensive presentations and is concerned and said the Town use to have a grant writer and asked if he could get a list to add to stimulus projects. The Superintendent said architectural and engineering must have been completed to get on the list and that is something that originates from the Town. The Chairman said as cofounder of Saugus Business Partnership and his work with Saugus Business & Educational Collaborative they have provided to schools and will work on more projects.

Mr. Horlick moved to table the 8:15, 8:25 & 8:35 public hearings. Chair seconds. Vote: 5-0.

The Superintendent stressed the importance of having a voted budget before June.

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Mr. Kelleher moved a 10 minute recess. Chair seconds. Vote: 5-0.

Meeting recessed at 8:47 PM.

The Chair called the meeting back to order at 8:56 PM.

Approval of minutes: February 10; February 11; February 17; February 24 & March 3.

Mr. Rossetti moved to approve the February 10, 2009 minutes. Chair seconds.  
Vote: 5-0.

Mr. Castinetti moved to approve the February 11, 2009 minutes. Chair seconds.  
Vote: 5-0.

Mr. Kelleher moved to approve the February 17, 2009 minutes. Chair seconds.  
Vote: 5-0.

Mr. Horlick moved to approve the February 24, 2009 minutes. Chair seconds.  
Vote: 5-0. Mr. Rossetti asked the top line of page 2 be clarified.

Mr. Castinetti moved to approve the March 3, 2009 minutes. Chair seconds. Vote:  
5-0.

Continued hearings: Oasis – continued until certificate of occupancy.

Mr. Kelleher said the Board addressed Tabu continued hearing at 7PM.

Mr. Kelleher moved to take up continued hearing on Oasis. Chair seconds. Vote:  
5-0.

Show Cause Hearing being held under MGL c.138 Section 12 and 64 & MGL c. 140 Section 183A and the Town of Saugus Liquor Rules & Regulations and the Town of Saugus Entertainment Rules & Regulations, for the purpose of the possible suspension, modification, revocation and / or cancellation of the of the Entertainment License and the All Alcoholic Beverages License of Alwadi, LLC d/b/a The Oasis, Maribel Abdel-Hadi, manager, 24 Frank Bennett Highway and / or any such other action the Board deems necessary or appropriate.

Said action is based on police reports submitted to the Saugus Board of Selectmen alleging violations of MGL c. 138 section 64 and MGL c. 140 section 183D, violation of Sections 1.12(a) (1), (2), (3) & (5); and Section 1.04(a) of the Town of Saugus Liquor Rules & Regulations and Sections 1.12(a) (2) & (4) and Section 1.04(a) of the Town of Saugus Entertainment Rules & Regulations. Full reports are on file in the Board of Selectmen's Office.

The Board will also hear evidence pursuant to the provisions of MGL c. 138, Section 12, sixth paragraph, as to the public need for the licensed premises to remain open until 2:00 AM.

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

Mr. Kelleher moved the Board dismiss and vote to take no action based on the fact that the business is not in operation; that the business no longer exists; and that the business no longer holds a liquor license. Chair seconds. Vote: 5-0.

Mr. Rossetti excused himself from the hearing because they are a client and left the table.

Mr. Castinetti moved to take the 7:45 public hearing off the table. Chair seconds.  
Vote: 4-0.

7:45 Frank Misiano d/b/a Bella Hair, for Special Permit (S-2) to allow: hair salon offering manicure, facials and waxing at 34 Felton Street aka 10 Frank Bennett Highway, aka 1360 Broadway, Unit #2, Assessor's Plan 2028, Lot 575.

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Frank Misiano, 18 Fairview Ace., Lynnfield was present and explained. Mr. Horlick asked if he had a description / layout and parking plan. Mr. Misiano said yes, he submitted it with application and said hours Tuesday – Saturday 9AM to 6PM for hair salon, nails, facials and waxing. Mr. Horlick asked if he read recommendations. Mr. Misiano said yes. Mr. Kelleher asked if he is not open Sunday and Monday. Mr. Misiano said no, but may later want to and will request Monday through Saturday. Mr. Castinetti noted outstanding money owed the Town by the property owner and said the Board will condition it be paid.

Any in favor or in opposition? None.

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

Mr. Castinetti moved to grant the Special Permit (S-2) to allow: hair salon offering manicure, facials and waxing at 34 Felton Street aka 10 Frank Bennett Highway, aka 1360 Broadway, Unit #2, Assessor's Plan 2028, Lot 575 with the following conditions: hours of operation to be Monday through Saturday 9AM to 6PM; and subject to payment of outstanding money owed. Chair seconds.

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

Mr. Rossetti returned to the table.

Mr. Castinetti said the next applicant is a client and he will step down on the 2 hearings and the 3<sup>rd</sup> because it is on the same issue and excused himself from the table. The Chairman also excused himself from the table and passed the Chair to Mr. Kelleher.

7:55 MGA Foods, Inc. d/b/a La Vita Mia, Gaetano Desimone, Manager for change in location of Beer & Wine Common Victualer's License and Permit to serve cordials & liqueurs FROM: 331 Main Street TO: 36-38 Hamilton Street.

Attorney Richard Magnan, 320 Central Street was present with applicant Gaetano DeSimone and explained the issue with a license that is technically at the proposed location and understands the Board would be unable to transfer the license location at this time and said he noted correspondence #2 is requesting the Board's action regarding the license and asked the Board continue the hearing in hopes something happens soon.

Any in favor or in opposition? None.

Mr. Rossetti moved to continue the hearing. Mr. Kelleher seconds. Vote: 3-0.

Mr. Horlick moved to take the 8:05 hearing off the table. Mr. Kelleher seconds. Vote: 3-0.

Mr. Kelleher explained the 8:05 and the 8:25 hearings are regarding the same issue and explained the Board will hear the request and continue, then hear the 2<sup>nd</sup> request and continue, then make a decision.

8:05 MGA Foods, Inc. d/b/a La Vita Mia, 331 Main Street, Gaetano Desimone, Manager for change in license of License type FROM: of Beer & Wine Common Victualer's License and Permit to serve cordials & liqueurs TO: All Alcoholic Common Victualer's License.

Attorney Richard Magnan was present with applicant Mr. DeSimone and explained the ABCC's leading case on inactive licenses is Saugus International Airport and described the existing business of 13 years with no problems and no complaints and read the statutory standards of issuing a license and read the Town's Liquor Rules & Regulations stating the applicant has a family operation and would never turn into a nightclub. Mr. Horlick asked capacity. Atty. said no change.

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Any in favor or in opposition? Rick Salvo, 6 Rockland Terrace, in favor.

Kyle Shinnick, in favor.

Mr. Horlick moved to continue the hearing to later in the evening. Mr. Kelleher seconds. Vote: 3-0.

8:25 Twitters Bar & Grille, LLC, John Carlino, manager, for NEW All Alcoholic Common Victualer's License and Entertainment License, to be located at 1201 Broadway, Square One Mall.

Attorney Jordan Shapiro, 640 Main Street, Malden was present with applicant John Carlino and explained the applicant's background 25 years in the restaurant business and the need for a restaurant at the Square One Mall with hours 11 AM to 12:30 AM and asked for approval. Mr. Rossetti asked for menu. Mr. Carlino said it was submitted with application. Mr. Rossetti asked about entertainment. Mr. Carlino said tv's and music only. Mr. Rossetti asked if no changes to layout. Mr. Carlino said no. Mr. Rossetti asked about when the mall closes. Mr. Carlino described the separate entrance. Mr. Rossetti asked about a sign to indicate that. Mr. Carlino said yes, same as was there before. Mr. Horlick asked 7 days a week 11 to 12:30AM. Mr. Carlino said yes. Mr. Horlick asked about training. Mr. Carlino said all are TIP certified and he does regular training and explained his background as supervisor of training.

Any in favor or in opposition? Susan Yee, General Manager, Square One Mall, said one of her challenges since she has been manager is finding the right business for this location and feels they are a perfect fit and is in favor.

Mr. Rossetti moved to continue the hearing. Mr. Kelleher seconds. Vote: 3-0.

Mr. Kelleher said the Board has 2 continued hearings, La Vita Mia and Twitters.

Mr. Rossetti moved to take up the continued hearing on La Vita Mia. Mr.

Kelleher seconds. Vote: 3-0.

MGA Foods, Inc. d/b/a La Vita Mia, 331 Main Street, Gaetano Desimone, manager for change in license of License type FROM: of Beer & Wine Common Victualer's License and Permit to serve cordials & liqueurs TO: All Alcoholic Common Victualer's License.

Mr. Rossetti said this has been a local restaurant for a number of years and they have been asking for a full liquor license for a while and will support them getting it.

Mr. Rossetti moved to grant the request for change in License type FROM: of Beer & Wine Common Victualer's License and Permit to serve cordials & liqueurs TO: All Alcoholic Common Victualer's License. Mr. Kelleher seconds. Mr. Kelleher speaking on the motion said he has experience this happen before with 3 applications for 1 available license and the Board supported the local business and said this applicant has been in business for 13 years and would love to grant both, but only have one. Vote: 3-0.

Mr. Horlick moved to take up Twitters hearing. Mr. Kelleher seconds. Vote: 3-0.

Twitters Bar & Grille, LLC, John Carlino, manager, for NEW All Alcoholic Common Victualer's License and Entertainment License, to be located at 1201 Broadway, Square One Mall.

Mr. Horlick moved to close the hearing. Mr. Kelleher seconds. Vote: 3-0.

Mr. Horlick moved to deny the request because no license is available. Mr. Kelleher seconds. Mr. Kelleher speaking on the motion said he regrets not having an available license for them. Vote: 3-0.

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

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Mr. Castinetti moved to take up the 8:15 public hearing. Chair seconds. Vote: 5-0.  
8:15 Aggregate Industries, Inc. a/k/a Bardon Trimount, Inc., 1831 Broadway, to extend Special Permit (S-2) to allow the removal of earth and rock and to allow the operation of a quarry at Rear Broadway and Whittier Street, Assessor's Plan 2030, Lot A-61 and Assessor's Plan 2031, Lot A-122 for a period of six months.

Attorney Richard Magnan was present with Scott Colby and Dennis Lydon, Project Manager, and explained request. Mr. Colby apologized to the Board that they received the draft closure plan today and explained typical closure plans consist of filling of the quarry with either water or soil and they feel soil is the best way to go and said this is a draft a beginning point for discussion. Mr. Kelleher agreed and suggested a separate meeting to discuss the closure plan and said there has been limited activity at the quarry and asked if they anticipate more activity. Mr. Colby said they blast once every 2 years and plan 1 blast this year. Mr. Kelleher asked when that will be. Mr. Colby said in the summer and will give advanced warning. Mr. Kelleher asked if they will continue to notify the neighbors. Mr. Colby said they would along with all conditions of their permit. Mr. Kelleher asked the lowest point in the quarry. Mr. Colby explained depths in the old section and new. Mr. Kelleher asked if they will continue to use the wheel wash and monitor. Mr. Colby said yes. Mr. Kelleher asked if after the Rte. 107 bridge is open are they still committed to using that route. Mr. Colby said yes. Mr. Lydon said he submitted a letter to the Board addressing that and they will use Route 107 exclusively after the bridge is open. Mr. Kelleher asked if they notify drivers. Mr. Lydon said yes, they dispatch routes. Mr. Kelleher asked if they are taking material from the Rte. 1 site work (next to McDonalds). Mr. Lydon said they did 1 at one time, but no longer. Mr. Horlick thanked them and said closure could take a number of years and thanked them for starting the process now and noted money owed. Atty. Magnan said he will have that addressed. Mr. Horlick asked about restriction #25. Atty. Magnan said that will stay. Mr. Horlick said when they meet they should put a committee together. Mr. Colby agreed. Mr. Horlick said they may need a consultant.

Any in favor or in opposition? Janet Leuci, 35 Wilbur Ave., TMMP4, thanked them for the draft and when she reviewed it there were no attachments and said she and TMM Tom Stewart attended the meeting in Peabody on their closure plan there and they are the same and agree a committee should be formed and agree a professional is needed. Mr. Horlick said when they have the meeting they will discuss it.

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

Mr. Kelleher moved to grant the request to extend Special Permit (S-2) to allow the removal of earth and rock and to allow the operation of a quarry at Rear Broadway and Whittier Street, Assessor's Plan 2030, Lot A-61 and Assessor's Plan 2031, Lot A-122 for a period of six months with all existing conditions to remain. Mr. Horlick added and all money owed to be paid. Chair seconds.

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

Mr. Kelleher moved to take the 8:35 public hearing off the table. Chair seconds. Vote: 5-0.

8:35 Friendly Ice Cream Corp. d/b/a Friendly's #896, 777 Broadway, for Entertainment License.



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Ben Kirkwood, manager was present. Mr. Castinetti asked him to describe entertainment. Mr. Kirkwood said one television only.

Any in favor or in opposition? None.

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

Mr. Kelleher moved to grant the Entertainment License. Chair seconds. Vote: 5-0.

Correspondence

1.) Non payment & breach of payment agreement of Michael DePaolis Group, Inc.

Mr. Rossetti moved to accept the payment agreement. Chair seconds. Vote: 5-0.

2.) Ms. Kramer re: request for hearing regarding San-Pen Corp. Beer & Wine License.

Mr. Rossetti moved the Board vote to schedule a show cause hearing on Pan-Pen Corp. d/b/a Tonino's Cucina Italiana for non use of license on March 31, 2009 at 7:00PM. Chair seconds. Vote: 5-0.

3.) Student Government Day Proclamation.

Mr. Kelleher moved to proclaim May 5, 2009 Student Government Day in the Town of Saugus. Chair seconds. Vote: 5-0.

4.) Saugus American Little League re: request for Parade Permit and invitation.

Mr. Horlick moved to grant the Parade Permit and accept the invitation. Chair seconds. Vote: 5-0.

5.) S.A.V.E. re: request for "Saugus Recycles" banner on Main St.

Mr. Rossetti moved to grant the request. Chair seconds. Vote: 5-0.

6.) Saugus National Little League re: request for Parade Permit and invitation.

Mr. Kelleher moved to grant the Parade Permit and accept the invitation. Chair seconds. Vote: 5-0.

(Review re: Spin License – tabled 12/9/08)

Mr. Castinetti moved to take the Spin License review off the table. Chair seconds. Vote: 5-0.

Mr. Castinetti moved to dispose of the correspondence and said the Board approved a transfer of that license to a new location. Chair seconds. Vote: 5-0.

The Chairman thanked the Superintendent of Schools for giving the Board an education on education and said the Saugus Business Education Collaborative has scheduled the annual "Taste for Education" at Danversport Yacht Club April 27.

Manager's report

- Said the drainage and flooding issue on Stone St. & Catalpa St. is moving forward and the DPW is addressing and resolving the issue.

- Announced the tentative opening of the compost facility on April 18 at 8AM.

- Remind everyone the Finance Committee will meet 3/11/09 on the FY10 Budget and the exit conference on the landfill audit.

Member's motions

Mr. Castinetti: said he received calls regarding snow plowing from a Lincoln Ave. resident about trucks traveling at too great a speed and asked the Manager to speak with DPW. The Manager said he sent a directive to DPW to travel at a reasonable speed so as not to damage property.

- said the Board has some appointments this evening.

Mr. Castinetti moved to appoint Thomas Traverse as a Regular Member on the Zoning Board of Appeals. Chair seconds. Vote: 5-0.

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Mr. Castinetti moved to reappoint Pam Gill and Patricia Fish to the Library Board of Trustees. Mr. Horlick speaking on the motion said he would like to readvertise and / or wait to make appointments to next meeting. Mr. Kelleher said he has no problem with that and said the Board received a resignation to the Library Board of Trustees so they have to advertise any way. Mr. Rossetti respectfully disagreed and said they have 2 applicants now and it would send the wrong message to them to tell them to wait and should reappoint today. Mr. Castinetti agreed. The Chair also agreed. Mr. Kelleher said he will support the motion.

Mr. Castinetti moved to reappoint Pam Gill and Patricia Fish to the Library Board of Trustees. Chair seconds. Vote: 5-0.

Mr. Castinetti moved to readvertise for openings. Chair seconds. Vote: 5-0.

Mr. Rossetti: said Patty Flickinger in the Town Clerk's Office had a serious injury and anyone that wants to wish her well may contact the Town Clerk.

- announced Breakheart movie nights are free and they will be planning activities for their 75<sup>th</sup> anniversary.

Mr. Rossetti moved to appoint Michael Wlodyka to the Saugus Community Television PEG Board of Directors. Chair seconds. Vote: 5-0.

- announced the Affordable Housing Committee will hold a public forum on the in-law apartment by-law tomorrow night at 7PM.

- Thursday Charter Commission will hold a public hearing on the draft proposal.

- Asked the Manager about the plowing deficit. The Manager said around \$900,000 and spent in excess of \$1million. Mr. Rossetti asked he clarify plowing policy because the news represented incorrect information. The Manager explained the Town is plowing and sanding and main streets, critical areas and hills are priority, but his policy is they don't call in contractors unless 4" of snow.

- Said the Manager submitted a list of stimulus projects for the Town. The Manager said he attended many meetings and it was made clear they would only consider projects designed and engineered ready for bid or already out to bid and the ones he submitted fell within those guidelines, but what we need is money for general relief and restoration of State Aide.

- Said the Town received an environmental grant. The Manager said yes for water conservation kits & rain barrels with a total value of \$1,655.

- Announced the Annual Report is out and anyone that would like a copy can contact the Selectmen's Office.

- Announced Shadow Day at Saugus High School on April 8 and if anyone is interested in being a sponsor to contact Laurie Golan at SHS.

- Announced the Annual Town Meeting Warrant will close March 31 and suggested the Board leave it open for the Manager. The Manager said he is 90% complete on the Warrant and requested due to unknown circumstances to leave it open 2 weeks after. Mr. Horlick said because of that he will, but he likes to see articles in advance. The Manager said he will submit a draft.

Mr. Rossetti moved the Board close the Warrant on March 31 and leave it open for 2 weeks after for the Manager. Chair seconds. Vote: 5-0.

- Said a letter was sent to the Governor with incorrect statements and said Saugus is the 4<sup>th</sup> largest in students at the Voc School.

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Mr. Kelleher: said he did send a letter to the Governor and did send a letter to the Attorney General and was criticized for not copying the Board, but he did, through their clerk and feels that is the way it should be done so there are no violations or conflicts and reminded the Board we're spending too many dollars and there must be some way, so he will press every button until he finds the one that opens the door.

- congratulated Kathy Tozza and said she won a courageous battle with cancer and is now cancer free and wished her well.

- said he watched the anchor on a news station say unexpected things about our Town regarding snow plowing and its unfortunate, but news loves to cover the negative stuff.

Mr. Horlick: said regarding snow plowing the main roads should be done.

- said the Board received a letter regarding gas leaks. The Manager said he sent the letter to the Fire Dept. & Inspectional Services, DPW & Board of Health.

- Thanked Sen. Kerry's Office regarding additional funding received for housing.

Mr. Horlick moved the Board send a thank you letter to Sen. Kerry. Chair seconds. Vote: 5-0.

- Asked their clerk to follow up on letter sent to State Delegates.

- Asked about electrical situation at the pump station. The Manager explained.

- Asked about RESCO negotiations on tipping fees. The Manager said they are in negotiations and will keep the Board updated.

- Said there was a police report regarding RESCO pump problem. The Manager said yes the pump on their property and explained.

Mr. Rossetti said Mr. Beninati called regarding a retirement issue and said for the record the Board is looking into it for him.

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

Meeting adjourned at 10:46 PM.

Respectfully submitted,

Wendy Reed, Clerk