

Saugus Board of Selectmen  
April 5, 2011

\*\*\*\*\*MEETING MINUTES\*\*\*\*\*

AGENDA  
Saugus Board of Selectmen  
April 5, 2011

6:30pm Town Hall 1<sup>st</sup> Floor Conference Room  
- Sewer update & ACO

7:30 PM Town Hall Auditorium

- 1.) Call to order.
- 2.) Invited Guests: Police Chief Domenic DiMella  
Saugus 8<sup>th</sup> Grade Basketball Travel Team  
Saugus Youth Hockey Squirt A Team
- 3.) Approval of minutes: March 22; & March 28, 2011.
- 4.) Continued hearings: - (Avedisian from 11/30 & 12/7/10 & 3/1 TO: 6/7/11)
- 5.) Public Hearings:

7:45 “Show Cause” Hearing on: DePaolis Group, Inc. d/b/a Urban Crust, 43 Jackson Street; to cancel, revoke or suspend the Common Victualer’s License and Entertainment License and all other licenses and permits held for violation of laws, rules, and regulations and condition of license renewal for failure to pay municipal taxes, fees and/or charges owed for more than twelve months and for breach of payment agreement.

7:55 “Show Cause” Hearing for the purpose of the possible suspension, revocation and / or cancellation of the All Alcoholic Common Victualer’s License and Entertainment License of Twitters Bar & Grille, LLC, 1201 Broadway, Square One Mall, for violation of laws, rules, and regulations and condition of license for failure to exercise the license and failure to notify the licensing Board.

8:05 Michele Davison, owner of Moni J Bella Hair Studio, for Special Permit (S-2) to allow salon offering hair, facials and waxing, to be located at 57 Jackson Street.

8:15 Deborah Grillo d/b/a Victor’s Italian Restaurant, 560 Lincoln Avenue, for Common Victualer’s License; and for determination of variance to waive the external grease trap requirement under Article IV, section 21 of the Town of Saugus Sewer Rules & Regulations. This hearing is being held under Article III, section 12 of the Town of Saugus Sewer Rules & Regulations.

Correspondence

- 1.) Arbor Day Proclamation.
- 2.) Tree Committee re: trees for Hamilton Street project.
- 3.) Veterans Council re: request for Parade Permit and invitation to Memorial Day Parade & ceremony.
- 4.) 99 Restaurant re: request for change of manager to: Zachary Gordon.
- 5.) Prince re: request for 1 day Extended Hours of Operation Permit.
- 6.) Jalapeno’s re: request for 1 day modification of Entertainment License.
- 7.) Blessed Sacrament Stephen Ministry re: request for 1 day Special Beer & Wine License.
- 8.) DEP re: response to Board’s letter regarding Wheelabrator investigation & health issues.
- 9.) Democratic Town Committee re: request for appointment to Board of Registrars.
- 10.) MA Dept. of Fire Services re: New Fire Regulations.  
(tabled 3/22 correspondence: Police Dept. re: Angela’s liquor inspection)

Manager’s Report  
Member’s Motions  
Citizen’s Forum

The Annual Town Meeting will be closed.

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The Saugus Board of Selectmen met on April 5, 2011 at 7:30PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Scott Crabtree, Stephen Horlick, Michael Kelleher, Michael Serino and the Chairman Donald Wong. The Town Manager Andrew Bisignani was also present.

Invited Guests: Saugus 8<sup>th</sup> Grade Basketball Travel Team

Coach John Lightbody introduced Coach John Belveau and Greg Nickolas director of Youth & Recreation and thanked HS coaches Paul Moran, Mark Burcham and John Furey. Mr. Nickolas said Saugus is a hockey powerhouse and is trying to bring basketball to that level. Coach Lightbody read each team member's name and the Board presented each with citation and congratulated them for winning the Championship.

Invited Guests: Saugus Youth Hockey Squirt A Team

Coach Patrick Groark explained the State Tournament and they won the Tier II A State Championship and thanked the coaches Scott Brazis, Bill Heffernan and James Rago and the parents and cheerleaders. Coach Brazis thanked the Board and congratulated the 8<sup>th</sup> Grade Travel Team on their championship. Each team member was introduced and the Board presented each with citation and congratulated them.

Mr. Kelleher said the Board conducts a lot of business in this hall but this is one of the best things the Board gets to do and congratulated the teams and said they make Saugus proud. Mr. Horlick thanked the kids and parents and said the Town is proud of them. Mr. Serino thanked the students and said they are the future of Saugus and with their parents' hard work they have made them someone special. Mr. Crabtree echoed the other members' congratulations to both groups. The Chair thanked them and said they did a great job. Mr. Horlick told the kids they will be back as coaches when they are grown.

Mr. Kelleher moved for rece4ss. Chair seconds. Vote: 5-0.

Meeting recessed at 8:05pm.

The meeting was called back to order at 8:13pm.

Invited Guests: Police Chief Domenic DiMella

The Chief thanked the Board and Town Manager for the recognition and said it's not about him but about a cause and explained *Protect Mass. Children* is trying to put 3 bills before the legislature to enact tougher laws on pedophiles and abuse. The Chair thanked him for supporting his bills and said he is the 1<sup>st</sup> chief to endorse them and presented him citation from the House of Representatives. Mr. Serino congratulated him and noted he was the first recipient from the organization. Mr. Crabtree thanked the chief and said they are proud and said the chief is always out front on things and advocates and this is an example of his hard work on social issues. Mr. Horlick thanked the chief and said he worked with the Board to clean up the problems on Rte. 1 and is always helping children and the elderly. Mr. Kelleher also thanked him And said he and his staff go above and beyond their duties. The Chair thanked him for endorsing the bills he put through.

Mr. Kelleher noted some present for correspondence and moved to take correspondence #3 out of order. Chair seconds. Vote: 5-0.

Correspondence

3.) Veterans Council re: request for Parade Permit and invitation.

Stephen Castinetti, President was present and invited the Board to Memorial Day Parade and celebration on May 28 and requested parade permit. Mr. Serino thanked him and the Veterans Council. Mr. Serino moved to grant the Parade Permit for Saturday May 28 at 9AM. Chair seconds. Vote: 5-0.

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***Applications with supporting documentation, correspondence and documents presented and discussed at the meeting are on file in the Board of Selectmen's Office and are available upon request.*** Page 2

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Approval of minutes: March 22; and March 28, 2011

Mr. Horlick moved to approve the minutes of 3/22/11. Chair seconds. Vote: 5-0.

Mr. Serino moved to accept the minutes of 3/28/11. Chair seconds. Vote: 4-0 and 1 present.

Mr. Crabtree moved to take correspondence #5 out of order. Chair seconds. Vote: 5-0.

Correspondence, continued

5.) Prince re: request for 1 day extended hours of operation permit.

Steven Castraberti, owner / manager was present and explained the request is for North Reading post prom party. Mr. Horlick thanked him for all he does.

Mr. Serino moved to approve the 1 day extended hours of operation on the Common Victualer's and Entertainment only at Prince Restaurant and allow the business to be open for operation until 4AM. Chair seconds. Vote: 5-0.

4.) 99 Restaurant re: request for change of manager.

Zachary Gordon was present. Mr. Kelleher asked his experience. Mr. Gordon gave his background. Mr. Kelleher asked about training. Mr. Gordon said he is certified. Mr. Serino asked if he would be on premise 50 hours a week. Mr. Gordon said yes.

Mr. Serino asked if CORI was back. Their clerk said no. Mr. Serino said the Board can vote conditional and asked if application fee was filed. Their clerk said it was.

Mr. Serino moved to approve the request pending background check. Chair seconds. Vote: 5-0.

7:45 "Show Cause" Hearing on: DePaolis Group, Inc. d/b/a Urban Crust, 43 Jackson Street; to cancel, revoke or suspend the Common Victualer's License and Entertainment License and all other licenses and permits held for violation of laws, rules, and regulations and condition of license renewal for failure to pay municipal taxes, fees and/or charges owed for more than twelve months and for breach of payment agreement.

Their clerk informed the Board money owed has been paid in full.

Mr. Kelleher moved to dismiss. Chair seconds. Vote: 5-0.

Mr. Crabtree said he's happy to accommodate during these hard times, but this is an ongoing issue with this business.

Mr. Wong excused himself from the table and Vice Chair Crabtree took the Chair.

7:55 "Show Cause" Hearing for the purpose of the possible suspension, revocation and / or cancellation of the All Alcoholic Common Victualer's License and Entertainment License of Twitters Bar & Grille, LLC, 1201 Broadway, Square One Mall, for violation of laws, rules, and regulations and condition of license for failure to exercise the license and failure to notify the licensing Board.

Attorney Glen Frank, Lawson & Weitzen was present representing Twitters and requested the Board allow them 60-90 days to find a suitable candidate to transfer the license to. Vice Chair asked if he works for Lawson & Weitzen and that firm represents the Board on some liquor issues if he sees any conflict with that. Atty. Frank said no and explained the business is not a corporation and they did make a good faith effort to make the business work and invested a lot of time and effort into it and would like time. Mr. Kelleher asked if they have no intention on reopening the business. Atty. Frank said no. Mr. Kelleher asked when they closed. Atty. Frank said January 17. Mr. Kelleher asked regarding the special legislation how it ties to the mall. Vice Chair said as clarification the special legislation allowed the Board to issue an additional license to be exercised at the mall but does not give ownership to the mall, only the location where it can be exercised and said there are two issues before the Board, 1.) closing without notification to the

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licensing authority; and 2.) not exercising the license. Mr. Kelleher asked to hear from the mall manager. Vice Chair swore her in. Susan Yee, General Manager was present said she's disappointed they closed and the mall was not given notification either and as soon as she was aware she called their office to let the Board know. Vice Chair swore in Lt. Giorgetti. Lt. Detective Ronald Giorgetti was present and read his report. Mr. Horlick asked if they are in process of filling the space. Atty. Frank said he has spoken to some brokers. Mr. Horlick said he wants to see businesses succeed but license holders submit a written statement that they read and understand the Saugus Liquor Rules & Regulations and would like to see something in before license renewal time. Atty. Frank apologized that proper notice wasn't given and is willing to come back with progress report. Vice Chair said the Board wants something to benefit the community and from a legal standpoint the Board doesn't want licenses unused and the Board is putting your client on notice that we intend to cancel, or revoke the license after 6 months. Mr. Serino said 90 days is reasonable and is filling to continue the hearing until then. Mr. Horlick said they should be actively looking for a new tenant.

Mr. Serino moved to continue the hearing until the first meeting in July. Vice Chair added with no objection: the Board is giving notice to the license holder as of the date it is adopted that they have six months to exercise the license or the Board will conduct further hearing at the first meeting of the Board in July and nothing in the notice will prevent the Board from exercising their power and authority under the law. Vice Chair seconds. Vote: 4-0.

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

8:05 Michele Davison, owner of Moni J Bella Hair Studio, for Special Permit (S-2) to allow salon offering hair, facials and waxing, to be located at 57 Jackson Street.

George Moriello, 6 Clifondale Avenue, TMMP6 and property owner introduced the applicant Michele Davison. Mr. Serino asked number of stations and hours of operation. Ms. Davison said 4 stations and is asking for Monday through Thursday 10am to 8pm and Friday & Saturday 9am to 4:30pm. Mr. Horlick asked for her address for the record. Ms. Davison said 7 Thomas Street, Saugus.

Any to speak for or against? None.

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

Mr. Kelleher moved to grant the S-2. Mr. Serino added with no objection: limit of four stations; and hours of operation to be Monday through Thursday 10am to 8pm and Friday & Saturday 9am to 4:30pm. Chair seconds.

Roll call vote: Mr. Crabtree, yes; Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Serino, yes; Mr. Wong, yes. Motion passes 5-0.

Mr. Horlick wished her luck. Mr. Moriello thanked the Board and with their support they allow Clifondale Square to prosper. Mr. Crabtree said that he has stated many times that he and the Board are supportive of businesses that benefit Saugus. Mr. Serino said the Board granted 40 new business this year.

8:15 Deborah Grillo d/b/a Victor's Italian Restaurant, 560 Lincoln Avenue, for Common Victualer's License; and for determination of variance to waive the external grease trap requirement under Article IV, section 21 of the Town of Saugus Sewer Rules & Regulations. This hearing is being held under Article III, section 12 of the Town of Saugus Sewer Rules & Regulations.

Deborah Grillo was present with Paul Cunningham. Mr. Serino asked hours of operation and noted she is requesting 3 tables with 9 seats. Ms. Grillo said 11am to 9pm Monday through

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Saturday. Mr. Crabtree asked if she is providing invoices to the Board of Health for grease trap. Ms. Grillo said yes. Mr. Horlick asked if any fried food. Ms. Grillo said no fryolator.

Any to speak for or against? None.

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

Mr. Serino moved to grant the Common Victualer's with external grease trap waiver with standard conditions with 3 tables and 9 seats and hours of operation to be 11am to 9pm Monday – Saturday. Chair seconds. Vote: 5-0.

Correspondence, continued

1.) Arbor Day Proclamation.

Mr. Horlick moved the Board vote to proclaim April 29, 2011 Arbor Day and the week of April 29 – May 6, 2011 as Arbor Day Week in the Town of Saugus. Chair seconds. Vote: 5-0.

2.) Tree Committee re: trees for Hamilton Street project.

Mr. Horlick said he brought up at last meeting the need to schedule a meeting regarding Hamilton Street. The Manager said he has already arranged a meeting between the Chair and CDM.

6.) Jalapeno's re: request for 1 day modification of Entertainment License.

Their clerk explained the request and the details have not been finalized yet.

Mr. Serino moved to continue to next meeting. Chair seconds. Vote: 5-0.

7.) Blessed Sacrament Stephen Ministry re: request for 1 day Special Beer & Wine License.

Mr. Serino moved to grant the request. Chair seconds. Mr. Kelleher speaking on the motion said it's a great organization and a pleasure to endorse this years' event as he has done for many years. Mr. Horlick added with no objection: license valid May 4, 2011 from 6pm to 11pm. Vote: 5-0.

8.) DEP re: response to Board's letter regarding Wheelabrator investigation & health issues.

Mr. Serino read the letter. Mr. Serino moved to refer the correspondence to our State Delegates and Board of Health. Chair seconds. Vote: 5-0.

9.) Democratic Town Committee re: request for appointment to Board of Registrars.

Mr. Serino moved to reappoint Marcia Pollack to the Board of Registrars. Chair seconds. Vote: 5-0.

10.) MA Dept. of Fire Services re: New Fire Regulations.

Mr. Crabtree said there are new regulation and most falls under the fire dept. Mr. Crabtree moved the Board send notice with explanation to license holders with 100+ capacity and serve alcohol and / or offer entertainment and to send letter to the Fire Chief asking he do his due diligence to get establishments into compliance and to notify the police of those not in compliance. Chair seconds. Vote: 5-0.

Manager's report

- recommended the reappointment of Lynda Myers to the Boats and Waterways Commission.

Mr. Serino moved to confirm the reappointment to expire on 3/27/14. Chair seconds.

Roll call vote: Mr. Crabtree, yes; Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Serino, yes; Mr. Wong, yes. Motion passes 5-0.

Announced the compost and recycling site is open on Saturdays.

- said he received communication from the Town Clerk requesting the Board close the Annual Town Meeting Warrant.

Mr. Serino moved to leave the Annual Town Meeting Warrant open until April 11, 2011 for the Manager to submit Articles and any other submitted to the Selectmen with the proper number of signatures be inserted. Chair seconds. Vote: 5-0.

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Mr. Serino moved to insert Article submitted by Theresa Lehane into the Annual Town Meeting Warrant. Chair seconds. Vote: 5-0.

Mr. Serino moved to insert the Article submitted by Jeffrey Moses into the Annual Town Meeting Warrant. Chair seconds. Vote: 5-0.

Member's motions

Mr. Crabtree: Gave update and said public officials are moving forward with looking at efficiency and saving money and will be meeting to discuss short term solutions and long term solutions and said Town Meeting voted to authorize the Board to petition the legislature for a special one time assessment and the Board did vote to do that and encouraged anyone with questions to call a Board Member or Town Manager and asked the Chair for update on the bill. The Chair said the bill was filed by him, Rep. Reinstein, Sen. McGee and Sen. DiDomenico and is in committee and they are trying to put it on the fast track. Mr. Crabtree asked he extend the Boards gratitude.

- gave update on Saugus symposium April 27<sup>th</sup> from 4-7pm in the Town Hall Auditorium and said the forum is taking shape and geared toward real estate or people interested in buying in Saugus and for interested Saugus residents and department will talk about the positive things going on in Town and feels this will improve our reputation because we have a lot to be proud of.

Mr. Serino: said he has requested minutes from the library Board of Trustees and asked the clerk to call the chairman and said he also requested minutes from the Zoning Board of Appeals and found out they don't keep minutes and requested they submit agendas and any votes taken and explained Selectmen can't attend every meeting and they do receive minutes from other Boards and Commissions and that helps keep the Board informed.

Mr. Serino moved the request. Chair seconds. Vote: 5-0.

- said he has had discussions regarding the process of approving cell towers.

Mr. Serino moved to schedule a meeting with Town Counsel, Zoning Officer / Building Inspector and Zoning Board of Appeals regarding cell tower application process. Chair seconds. Vote: 5-0.

Mr. Horlick: announced Town Hall employees' pot luck supper to benefit Toys for Tots.

- said he received a call from residents on Hanson Road regarding heavy construction vehicles putting wear and tear on the road and the speed of trucks and asked the Manager to look into it.

Mr. Kelleher: asked the manager to put announcement out informing residents to sweep sand off the sidewalks for the street sweepers. Mr. Crabtree noted the new system in place where you can log concerns on line.

- said a lot of great things are happening and because the economy is effecting people we may not be aware of he and his daughter are launching a face book connector to help network people in need with volunteers and / or services and the page will be called People Helping People. Mr. Crabtree said he supports the idea and offered assistance if needed. Mr. Horlick said Mr. Kelleher always comes up with creative ideas.

The Chair thanked the police chief and 8<sup>th</sup> grade basketball team and hockey team in earlier. Mr. Horlick asked a letter be sent to DPW thanking them for their efforts and hard work this winter.

Citizen's Forum

Theresa Lehane, 24 Burrill Street, asked if he Article was voted. The Chair said yes. The Manager explained the Annual Town Meeting begins in May. Mr. Crabtree explained process.

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Mr. Horlick said a dollar amount will be needed. Ms. Lehane said Paul Ross (CDM) was giving the number to the Manager.

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

Meeting adjourned at 9:43pm.

Respectfully submitted,  
Wendy Reed, Clerk