

Saugus Board of Selectmen
May 22, 2012

*****Meeting Minutes*****

AGENDA
Saugus Board of Selectmen
7:30 PM May 22, 2012
Town Hall Auditorium
298 Central Street

- 1.) Call to order.
- 2.) Invited Guests: 0
- 3.) Approval of minutes: April 25; and May 8, 2012
- 4.) Enhanced Citizen's Forum
- 5.) Continued Hearings: - **"Show Cause" Hearing on:** PAM, Inc. d/b/a LAVO Ristorante, 114 Broadway.
FROM: 11/29/11; 12/06/11; 12/13/11 **Held in abeyance / bankruptcy.**
- Sully C's, 168 Broadway (From 5/8/12)

6.) Public Hearings:

- 8:00PM Best Buy Stores, LP d/b/a Best Buy #818, 1201 Broadway, Square One Mall for Valuable / Used Goods License.
- 8:05PM Best Buy Stores, LP d/b/a Best Buy Mobile #2787, 1201 Broadway, Space #E137, Square One Mall for Valuable / Used Goods License.
- 8:10PM Seda Ghazaryan d/b/a Sassoun Jewelry, 348 Central Street for Valuable / Used Goods License.
- 8:20PM JAZ Saugus, LLC d/b/a Zinga, 621 Broadway, for modification of Common Victualer's License by allowing additional seating at the location.

Correspondence

- 1.) Imperio Marience of Saugus re: request for Special Beer & Wine License for Portuguese Feast.
- 2.) Complaints re: Golf Country.
- 3.) Dept. of Telecommunications & Cable re: response to Board's letter.
- 4.) Canine Officer appointments.
- 5.) Saugus Public Library. – continued from 4/24/12 & 4/25/12.

Manager's Report
Member's Motions
Enhanced Citizen's Forum

Saugus Board of Selectmen
May 22, 2012

The Saugus Board of Selectmen met on May 22, 2012 at 7:30PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Stephen Castinetti, Stephen Horlick, Julie Mitchell, Debra Panetta and the Chairman Michael Serino. The Town Manager Scott Crabtree was also present.

Approval of minutes: April 25; and May 8, 2012.

Mr. Castinetti moved to approve the April 25, 2012 minutes. Chair seconds. Vote: 5-0.

Ms. Panetta moved to accept the May 8, 2012 minutes. Chair seconds. Vote: 5-0.

Enhanced Citizen's Forum:

Charles Rich, 12, said the Town's street light contract is coming to an end and going forward he would like the Town to include unlimited light transfers. Mr. Horlick said he had a conversation with the Manager regarding a new contract and there are a few areas that need to be addressed. The Manager said he appreciates the input. Mr. Rich said he has information he will drop off to the Manager on energy savings. The Manager said he is looking into it and will look at what he has.

Ms. Panetta moved to take the continued hearing on Sully C's off the table. Chair seconds. Vote: 5-0.

Continued hearings: - Sully C's, 168 Broadway (From 5/8/12)

Evos Group, Inc. d/b/a Sully C's Bar & Grill, 168 Broadway, for License for two coin operated devices; and application to amend existing Entertainment License by allowing one juke box and eight additional televisions.

Sulyman Celimli, owner was present. The Chair said the Board conducted a site visit and everything seemed ok except for the television plates on the walls and said Lt. Giorgetti did an inspection and filed report. Mr. Horlick asked when they would be open. Mr. Celimli said around 10 days. Ms. Panetta asked if all fees have been paid the Town. Mr. Celimli said yes. The Chair said he will be open by June 1st and if approved he would like that a condition and to have the Lt.'s report on file and the pledge on file along with the pledge violation that remains on file, to also have Lt. Georgetti's report regarding the installation of televisions that were installed without the Board's approval and to also note that the Board also observed the wiring and wall plates for televisions during their site visit. Mr. Castinetti said June 1st is 9 days and offered a deadline on June 4th. All agreed. The Manager said there is alarm fees owed. The Board received recommendation from Collector / Treasurer's Office that nothing is owed. Mr. Celimli said he is not aware and will check. The Manager asked if he made payment. Mr. Celimli said no. The Manager said he knows there is outstanding money owed. Mr. Castinetti asked why the Board doesn't have that information. The Chair said it can be a condition.

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

Mr. Castinetti moved to approve the request for License for two coin operated devices; and to amend existing Entertainment License by allowing one juke box and eight additional televisions; with condition they are open by June 4th; and any fees owed the Town to be paid in 7 days. Chair seconds. Vote: 5-0.

Correspondence

1.) Imperio Marience of Saugus re: request for Special Beer & Wine License for Portuguese Feast.

Tony Sousa, Sycamore St. Somerville was present and announced this will be their 86th year and said they make every effort to work with the neighbors. Mr. Castinetti asked why the police are recommending a change in time, if there hasn't been any problems. Lt. Anthony LoPresti was present said he is not opposed to 11:00PM close. Mr. Castinetti asked why change it if it's not a problem. The Chair agreed it hasn't been a problem. Ms. Panetta asked what time they lower the music. Mr. Sousa said 10PM and explained last year they moved the stage away from the homes. Lt. LoPresti said he's not opposed to same time as last year. The Chair asked about temporary no parking signs and asked if they do that every year. Mr. Sousa said no, but they want to make sure parking isn't an issue. Lt. LoPresti said those were requested last year. Mr. Castinetti said he's inclined to support 11:30 close and for them to deal directly with police dept on no parking areas.

Mr. Castinetti moved to approve request for Special Beer & Wine License for Portuguese Feast for June 29, June 30 and July 1, 2012 with hours: June 29 & 30th 5:00PM to 11:30PM and July 1 from

Saugus Board of Selectmen
May 22, 2012

11AM to 8PM; with stipulation temporary no parking signs to be arranged with police dept. The Chair added: music turned down by 10PM; and Saugus and State police details. Chair seconds. Vote: 5-0.

4.) Canine Officer appointments.

Mr. Horlick moved the Board vote to reappoint Harry Young as Canine Officer. Chair seconds. Mr. Castinetti read letter of commendation from Saugus Animal Hospital. The Chair agreed he does a good job. Ms. Panetta said she found him to be very kind.

Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Ms. Mitchell, yes; Ms. Panetta, yes; Mr. Serino, yes.

Mr. Castinetti moved recess. Chair seconds. Vote: 5-0. Meeting recessed at 7:00PM.

The Chair called the meeting back to order at 8:05PM.

8:00PM Best Buy Stores, LP d/b/a Best Buy #818, 1201 Broadway, Square One Mall for Valuable / Used Goods License.

Seth Williams, Quincy was present and explained the exchange / trade in program and said no cash is exchanged, they offer gift cards and described the process and procedures. The Chair asked hours of operation. Mr. Williams said 10AM to 9PM and 11AM to 6PM on Sunday.

The Chair explained the process of issuing available licenses and said the Board will hear all applications and may continue to next meeting or decide to deliberate and decide which if any applicant to approve and deny the remaining based on no license being available to issue.

Ms. Panetta asked if she brought a game system in asked what the process is for determining value and asked if gift cards expire. Mr. Williams said it is computerized and based on condition and said the gift cards do not expire. The Chair noted back flow owed and asked if it was the mall or this location. Their clerk said the mall. Ms. Mitchell said they are going for 2 licenses. Mr. Williams said yes and said the other is a satellite location in the mall that is mainly cell phones & tablets.

Ms. Panetta moved to continue the hearing.

8:05PM Best Buy Stores, LP d/b/a Best Buy Mobile #2787, 1201 Broadway, Space #E137, Square One Mall for Valuable / Used Goods License.

Amanda Barnes, Main Street, explained the store sells cell phones and tablets and explained tracking on phones to ensure they are not stolen. The Chair asked if they were a cart. Ms. Barnes said no, a full store next to CVS. Mr. Horlick asked hours. Ms. Barnes said same as mall. Ms. Panetta asked same question if she brought a game system in. Ms. Barnes said it would be the same process. Mr. Horlick asked why they would need one in the same location. Ms. Barnes said it's a corporate decision. Mr. Williams said it's a strategic play to position in the mall near many other cell phone stores and kiosks and noted Best Buy offers all service providers. Ms. Panetta asked if they had to choose, where they would want it. Ms. Barnes said obviously the main store. Gregory Heffort, Lynn was present and said he is an employee of Best Buy Mobile and explained they offer all carriers but are unable to trade in. Mr. Horlick said if they get both licenses they will lock up licenses and others will be unable to compete.

Any in favor or in opposition? None.

Mr. Horlick moved to continue the hearing. Chair seconds. Vote: 5-0.

8:10PM Seda Ghazaryan d/b/a Sassoun Jewelry, 348 Central Street for Valuable / Used Goods License.

Seda Ghazaryan, 22 Lynnway, Revere was present with Dzovinar Hovsepian were present. The Chair asked if she was the owner. Ms. Ghazaryan said yes. The Chair said the Board received police report that states she is not the owner. Ms. Ghazaryan said they have been in business a long time and would like to buy gold & silver and understands she must keep it for 30 days. The Chair asked hours. Ms. Ghazaryan said 10-6pm and Saturday 10-3pm and closed Sunday. Mr. Horlick asked if they will buy watches and other jewelry. Ms. Ghazaryan said yes. Lt. LoPresti said Lt. Giorgetti submitted report and read cover letter that explained he could not find any evidence of her having ownership and only Arthur Housepain could be connected to Sassoun Jewelry. Ms. Hovsepain said she helps in the store and last year her brother transferred the business to Seda and said this is a family run business and want to be successful. The Chair asked if they ever had a license. Ms. Houvepain said no. Mr. Castinetti said the Lt. did research on the business and her name did not come up anywhere and asked why. Ms. Ghazaryan said

Saugus Board of Selectmen
May 22, 2012

she has papers and will get a copy. Mr. Castinetti said the personal property is in Arthur Housepain name. Ms. Hovepain said she paid it with Seda's check today and she applied for an EIN number for taxes. Ms. Panetta asked who Arthur is. Ms. Ghazayan said her husband.

Any bin favor or in opposition. None.

Ms. Panetta moved to continue the hearing. Chair seconds. Vote: 5-0.

The Chair said Lt. Giorgetti submitted a recommendation the Board limit the number of licenses to 8. Mr. Castinetti asked how they determined the number of licenses. The Chair said the Selectmen set it as policy and said he would like to see it stay at 10 with 5 jewelry and 5 non-jewelry. Ms. Mitchell asked if there was a list. The Chair read. Ms. Mitchell asked if consignment needed a license. The Chair said they do under the new By-Law. Mr. Horlick said he understands the police want to make their job easier, but if they limit the number they may have to deny a license to someone opening a business. The Manager said he was on the Board when we talked about it and discussed concerns of the police dept. and the Board needs to look at the need and balance it. Mr. Horlick said some business follow the rules and others don't. The Chair said he supports the police recommendation of 5 jewelry and 5 non-jewelry. Mr. Castinetti said he agrees with Mr. Horlick and likes to have flexibility and don't want to be overly restrictive and said in this case it is an easy decision.

Mr. Castinetti moved to grant a Valuable / Used Goods License to Best Buy. The Chair seconds and said it makes the most sense. Ms. Panetta agreed and will support the motion.

Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Ms. Mitchell, yes; Ms. Panetta, yes; Mr. Serino, yes.

Ms. Panetta said good points were made regarding 2 licenses at one location.

Mr. Horlick moved to close the hearing on Best Buy Mobile. Chair seconds. Vote: 5-0.

Mr. Castinetti said he would like to issue the license. Mr. Horlick suggesting advertising again.

Ms. Panetta moved to deny the license to Best Buy Mobile. Mr. Castinetti amended the motion, with no objection, to include if a license is available they can apply for it. Chair seconds. Vote: 5-0.

Mr. Castinetti said he is bothered by the Sassoun ownership issue.

Mr. Castinetti moved to deny the request of Sassoun Jewelers at this time. Ms. Panetta added with no objection to afford them the same opportunity to apply at a later date. Mr. Horlick added with no objection reason for denial: police dept. not recommending it. Chair seconds.

Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Ms. Mitchell, yes; Ms. Panetta, yes; Mr. Serino, yes.

8:20PM JAZ Saugus, LLC d/b/a Zinga, 621 Broadway, for modification of Common Victualer's License by allowing additional seating at the location.

Loraine Jenks, 12 Tarbox Lane, N. Reading, was present and explained the original plan was changed to move the bathrooms which created more space for seating. Ms. Panetta asked when they plan on opening. Ms. Jenks said the opened today. Ms. Panetta asked if the Board approved outside seating. Ms. Jenks said yes. The Chair asked if hours would be the same. Ms. Jenks 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 allow modification of Common Victualer's License by allowing 39 seats inside; and all other conditions to remain the same. Chair seconds. Vote: 5-0.

Correspondence, continued

2.) Complaints re: Golf Country.

Attorney Richard Magnan was present with Rick & John Nekoroski and gave background on Golf Town / Golf Country and said they are sensitive to the neighbors and the owner has installed additional fencing and they have adopted the policy of use of low-flight balls and the 2nd level will be restricted to irons only. The Chair asked if the neighbor was notified. Mr. Castinetti said he did not. Mr. Horlick said low-flight balls was a condition on one of the Special Permits. Atty. Magnan said it was, but was one of the restrictions deleted in court. Mr. Castinetti said he's not crazy about the attitude and they need to resolve the issues. Ms. Panetta asked if people can bring their own golfballs. Atty. Magnan said no. Ms. Mitchell said she hasn't heard of problems there in quite a while and asked if the nets have been inspected for holes. John Nekoroski said every year they inspect and sew up the holes / rips for the

Saugus Board of Selectmen
May 22, 2012

season. Mr. Horlick said there used to be issues but he hasn't heard anything for past 4 years. The Chair asked they submit their proposal in writing. Ms. Mitchell asked if a company repairs the nets or they do it themselves and if they could get a document that says the rips were repaired. Atty. Magnan said yes.

3.) Dept. of Telecommunications & Cable re: response to Board's letter.

John Truesdale, 3 Apple Lane was present and said he read the response regarding billing due dates and they take each complaint on a case by case basis and said he spoke with Comcast and called Markey's Office and said the Board needs to send a letter that this is what we want and they should make the changes. Mr. Castinetti said no one is delinquent on their bill until 30 days and that means if its due on August 22nd you have until September 21st to pay and if his concern is to have to pay for service before its provided, he could wait 7 days after use before he needs to pay it. Mr. Truesdale said it doesn't say that on the bill. Ms. Panetta said she made a few calls as to why we pay ahead and was told cable service is "entertainment" like buying a movie ticket before you see it. Mr. Horlick said they must abide by the law, but doesn't see why they can't extend the deadline 5 days. Mr. Truesdale said it takes time in the mail. Mr. Horlick said other companies don't charge ahead and the Board has tried to get Verizon to come to Town, but they keep saying they aren't expanding service at this time. The Chair said there isn't much more the Board can do, but their license is up in 2016 and can discuss it at that time. Ms. Panetta said she has received her bill after the due date indicated. Mr. Truesdale said he would like to ask for more lead time and not pay up front.

5.) Saugus Public Library. – continued from 4/24/12 & 4/25/12.

The Chair said the Board needs to close this issue. The Manager suggested they continue until they have a chance to review.

Manager's Report

- said he is continuing on trying to correct the past administration's financial practices and had to lay off people and reduce hours to minimize or reduce the FY12 deficit and will continue to reduce expenditures by looking into cell phones; motor vehicle expenses; implementing fuel management system; among other things.
- announced the DPW fixed a hydrant and commended the DPW for their work on a water break on Water Street.
- said he held a dept. head meeting and outlined processes he is trying to improve and said he engaged a consultant through Powers & Sullivan and he will be overseeing the Accounting Dept. and handling DOR reporting required.
- met with the Police, Fire & DPW over budget issues and will be meeting weekly with them.
- said they are getting ready for the Veterans Day Parade and painting crosswalks.
- he and his financial team will be meeting with Selectmen Chair, the Superintendent, School Committee Chair and school financial team.
- looking into LED replacement lighting program.
- had a conference call with DOR.
- Adam Sandler is filming at Stackpole and they have made some improvements including moving the flag pole and will be painting.

The Chair said the Board should meet next week re: FY12 budget.

Mr. Castinetti asked how the lay-offs play into the deficit and asked about savings. The Manager said he doesn't have that and will get it and explained savings will factor into next year's budget. Mr. Castinetti asked when the audit will be done and said he is anxious. The Manager said a day or 2. Mr. Castinetti said he does not like not having answers. The Chair agreed and asked the time line for the budget. The Manager said they need a base line to start.

Member's Motions

Ms. Panetta: announced SAVE annual dinner.

- announced Tree Committee holding lecture on landscape rejuvenation.
- announced River Night was a great success and said she was asked about river dredging and said Lynn is dredging and there are grants and have some information for the Manager to look into.

Saugus Board of Selectmen
May 22, 2012

- said the Board received copy of letter sent to the State regarding handicapped access over Route 1, Essex Street.
 - said the Board requested the bus stop at Lincoln & Central be moved for safety reasons and announced that has been done.
 - said the Board received invitation to BMS Night of Excellence and said it is being held the night of Town Meeting.
 - said the Board received invitation to awards night and to graduation on June 1st.
- Mr. Horlick: said he is glad the fire hydrant was replaced by DPW and is glad it was done in-house.
- said he requested a meeting regarding Hamilton Street. The Manager said dates will be sent out to schedule and said they need to discuss Elm St. also.
- Ms. Mitchell: said parents are asking if Stackpole will be ready for graduation. The Manager said it will, weather permitting.
- congratulated SHS seniors on their graduation.
 - congratulated the girls golf team and said they are going to the State Tournament.

The Manager said they are looking into options regarding the beaver dam at Cedar Glen.

Mr. Castinetti: announced the Veterans Day ceremony will be held on Saturday, May 26 and parade will step off from Jackson Street at 9AM.

The Chair announced Pat Cardalisco and Joe Attubato are retiring from DPW and wished them well.

Mr. Castinetti moved recess to review the library document. Chair seconds. Vote 4-0.

Meeting recessed at 10:22PM.

The Chair called the meeting back to order at 10:28PM.

Correspondence, continued

5.) Saugus Public Library. – continued from 4/24/12 & 4/25/12.

Mr. Castinetti moved to close the Saugus Public Library issue. Chair seconds. Vote: 5-0.

The Board signed a separation of employment agreement.

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

Meeting adjourned at 10:28PM.

Respectfully submitted,

Wendy Reed, Clerk