

Saugus Board of Selectmen
June 8, 2010

AGENDA
Saugus Board of Selectmen
June 8, 2010, 7:30 PM
Town Hall Auditorium, 298 Central Street

- 1.) Call to order.
- 2.) Invited guests:
- 3.) Approval of minutes: May 19; and May 25, 2010
- 4.) Continued hearings:
 - Hot Topic for Entertainment License from 1/26 & 3/16
 - Crystall Kimball S-2 from 5/4/10
 - Dunkin Donuts Extended Hours of Op. Permit from 5/25/10
 - (TO: 6/15/10 Liquor & Entertainment Rules & Regs. from 12/16/09)

5.) PUBLIC HEARINGS:

7:45 Great North East Co. d/b/a Olivia's Ice Cream Cafe, for Common Victualer's License; and for Entertainment License to be located at 343 Main Street, Village Park Plaza.

7:55 ZRC Operations Company d/b/a Qdoba Mexican Grill, 366 Broadway, for transfer of Common Victualer's License; and for transfer of Entertainment License from Chair 5 Restaurants, LLC d/b/a Qdoba Mexican Grill, 366 Broadway.

Correspondence

- 1.) Police Dept. re: request for signs on Bow Street.
- 2.) Police Dept. re: request for yellow line improvements on Main St. prior to Lynn Fells.
- 3.) Harry Agganis Special Olympics re: request for banners.

Manager's Report
Member's Motions
Citizen's Forum
(Posted on 6/01/10)

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The Saugus Board of Selectmen met on June 8, 2010 at 7:30 PM in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Scott Crabtree, Stephen Horlick, Michael Kelleher, Michael Serino and the Chairman Donald Wong.

Invited guests: None this evening.

Approval of minutes: May 19; and May 25, 2010

Mr. Serino moved to accept the 5/19/10 minutes. Chair seconds. Vote: 5-0.

Mr. Horlick moved to accept the 5/25/10 minutes. Chair seconds. Vote: 4-0 with Mr. Kelleher voting present.

Continued hearings: - Hot Topic for Entertainment License from 1/26 & 3/16

The Chair said the applicant requests to continue to June 22.

Mr. Kelleher moved to continue the hearing to June 22. Chair seconds.

Mr. Crabtree asked if there is update on requests. Their clerk said no. Mr. Crabtree said the Board continued this for the applicant to meet with departments to address issues raised and would like the clerk to request they submit what is holding them up.

Vote: 5-0.

Continued hearings: - Crystal Kimball S-2 from 5/4/10

Crystal Kimball Lane Real Estate Trust, owner, for Special Permit (S-2) to allow a the use of a contractor's yard for the storage of vehicles, equipment, & inventory related to the contractor's business, located at Pennsylvania Avenue.

Attorney Jay Kimball, Attorney Matt Kimball, Chris Sparages, Reed Corporation: brothers W. Wesley (Wes) and Billings (Biz) Reed and land owner Mr. Masiello were present. Attorney Kimball explained the location and handed out copy of plan. Attorney Kimball said the hours of operation Monday through Saturday 7am to 8pm and explained landscape activities and granite manufacturing and the business has been family owned for 40 years and explained no access to Saugus and address concerns of the fire dept. saying there will be no gate and concerns easements may be needed, said the land is owned by same owner and easements will not be necessary and noted concern regarding septic and explained they will be going before the Board of Health for plan approval. Chris Sparages, Hayes Engineering explained septic design and water and electric service will come from Lynnfield and showed on plan the closest residential property.

Mr. Kelleher asked if any portion of the lot is in Lynnfield. Atty. Kimball said no. Mr. Kelleher asked why put in water from Lynnfield. Attorney Kimball said there is no effective way from Saugus and said they will be putting a small office on the site and will need water, sewer and electric service. Mr. Horlick asked he explain granite manufacturing. Attorney Kimball said they reclaim used granite from demolition and cut pieces for landscape design and other uses. Mr. Horlick asked if it is tested. Attorney said it is solid granite. Mr. Horlick asked if there will be storage of riprap. Attorney said no. Mr. Horlick asked if clean landscape material only. Attorney said yes. Mr. Horlick asked about loom and mulch. Attorney said occasionally. Mr. Horlick said the Board has required stone wall bins for storage. Attorney said they are in existence or will install. Mr. Horlick said he would like a site visit. Attorney agreed. Mr. Serino said he doesn't see a benefit to the Town and read a list of vehicles to be stored on site and asked if they will be registered in Saugus. Attorney said yes, the law states so. Mr. Serino said he served on the Conservation Commission and was on the Board during previous applications and asked where they are with Conservation. Attorney said there is an order of conditions and explained they are in compliance. Mr. Serino asked if any outstanding

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issues. Attorney explained the site on three sides is owned by McCarthy, but this site is clean and said if those lots have problems it doesn't affect this lot. Mr. Crabtree asked if there is activity on the site now. Atty. said yes in hopes of receiving S-2, they have done some work, and said there are no violations. Mr. Kelleher asked he point at nearest residence. Mr. Sparages measured and showed the closest at 700-800' away and noted on the map a hill between the properties as a natural buffer. Mr. Kelleher asked if the roadway is the only way in. Mr. Sparages said yes. The Chairman asked about dust control. Attorney explained not much need for and do use water when needed and explained the stone cutting is slitting and there's no dust.

Any in favor? Marilyn Carlson, 26 Donna Road, explained her experience visiting this business on behalf of the Historical Commission and said it is neat and well kept and would like to be recorded in favor.

Any in opposition? None.

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

Mr. Horlick requested a site visit. Board discussed dates and times.

Mr. Horlick moved to schedule site visit June 19 at 9AM and continue the hearing to June 22. Chair seconds. Vote: 5-0.

Continued hearings: - Dunkin Donuts Extended Hours of Op. Permit from 5/25/10

Ansaug, LLC d/b/a Dunkin Donuts, 508 Lincoln Avenue, for Permit to extend hours of operation in accordance with Section 810.00 of the Town of Saugus By-Laws by allowing business to be open for operation at 4:00 AM.

Paul Bunker District Manager was present said the hearing was continued because of concerns around the dumpster area and said all issues have been addressed. Mr. Serino asked if the Board of Health submitted update. Their clerk said no. Mr. Kelleher said the Board doesn't have the paperwork and could take it up next week. Mr. Bunker said they inspected and they did all that was expected of them. Mr. Crabtree said he appreciates that and apologized and explained the Board bases decisions on Dept. recommendations and the Board didn't receive an update so it's difficult to make a decision. Mr. Crabtree noted the Board will be moving their meeting from Tuesday to Wednesday June 16 and asked if neighbors were notified. Mr. Bunker said they had a petition out. Mr. Crabtree asked about neighbor in the rear. Mr. Bunker said he was unaware of issues. Manager Patricia Lincoln was present and explained the neighbors concerns were addressed. Mr. Crabtree asked if neighbors were notified. Their clerk said it was not required. Mr. Serino said that's a flaw in the By-Law. Mr. Crabtree said he is not saying he's opposed but feels direct abutters should be notified in the future.

Mr. Kelleher moved to request update / information be submitted by the Board of Health prior to next meeting. Chair seconds. Vote: 5-0.

Mr. Kelleher moved to continue the hearing to Wednesday June 16 at 7:30PM. Chair seconds. Vote: 5-0.

7:45 Great North East Co. d/b/a Olivia's Ice Cream Cafe, for Common Victualer's License; and for Entertainment License to be located at 343 Main Street, Village Park Plaza.

Richard Bowen was present and explained change of ownership. Mr. Kelleher asked about entertainment. Mr. Bowen said only television and hours would be 10am to 10pm.

Any in favor or in opposition? None.

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

Mr. Kelleher moved to grant the Common Victualer's License and Entertainment License. Mr. Serino added without objection the following conditions: entertainment restricted to one television; capacity set at 20; hours of operation Sunday through Saturday 10am to 10pm. Chair seconds. Vote: 5-0.

7:55 ZRC Operations Company d/b/a Qdoba Mexican Grill, 366 Broadway, for transfer of Common Victualer's License; and for transfer of Entertainment License from Chair 5 Restaurants, LLC d/b/a Qdoba Mexican Grill, 366 Broadway.

Kevin Brown, manager said everything will stay the same.

Any in favor or in opposition? None.

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

Mr. Serino moved to grant the Common Victualer's License and Entertainment License with hours of operation 11am to 11pm; entertainment restricted to 4 televisions; and capacity set at 60. Chair seconds. Vote: 5-0.

Correspondence

1.) Police Dept. re: request for signs on Bow Street.

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

2.) Police Dept. re: request for yellow line improvements on Main St. prior to Lynn Fells.

Mr. Kelleher said this is a long standing issue to try to correct traffic problems.

Mr. Kelleher moved to approve request. Chair seconds. Mr. Horlick said lines need to be painted and asked about program. The Manager said they are doing that now with crosswalk painting. Vote: 5-0.

3.) Harry Agganis Special Olympics re: request for banners.

Steve Agganis, 7 Felmont Ave. was present and said this will be the 5th year and explained this year it will be held at the high school and all proceeds will go to SPS special needs students. The Chair asked about date availability at locations. Their clerk said the poles are available.

Mr. Serino moved to grant the request for banners at both locations from June 18 to July 18. Chair seconds. Mr. Horlick thanked him for all his hard work Vote: 5-0.

Manager's Report

- recommended the appointment of Peter Rossetti Jr. as Associate Member on the Planning Board.

Mr. Kelleher said Mr. Rossetti is qualified. Mr. Serino said he will be a good addition and has experience being a past member on the Zoning Board of Appeals.

Mr. Serino moved to confirm the appointment. Chair seconds. Mr. Horlick said Mr. Rossetti is on Town Meeting and he and his family have been involved for decades and thanked him. Mr. Crabtree agreed and said he appreciates his willingness to serve. The Chair agreed also.

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

- read request from the Collector / Treasurer.

Mr. Kelleher voted to approve Chair seconds. Vote: 5-0. Mr. Serino moved the Board vote as follows:

Voted: to approve the sale of a \$1,825,000 General Obligation Bond Anticipation Note (the "Note") of the town dated June 11, 2010, and payable March 3, 2011 as follows:

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<u>Par</u>	<u>Purchaser</u>	<u>Percent</u>	<u>Premium</u>
\$1,000,000	Century Bank	1.30%	\$3,000.00
\$825,000	Eastern Bank	1.75%	\$3,910.50

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 21, 2010, and a final Official Statement dated May 27, 2010, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the consent to the financial advisor bidding for the Note, as executed prior to the bidding for the Note, is hereby confirmed.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a material events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Chair seconds. Vote: 5-0.

Member's Motions

Mr. Crabtree: said he received letter requesting traffic be looked at on Clifton Ave. and referred it to the Manager to have police look into.

Mr. Serino: said the Board received two resignations from the Affordable Housing and the Board did receive two applications.

Mr. Serino moved to appoint Robert Cox to the Affordable Housing Trust Board of Trustees to expire December 2012. Chair seconds. Mr. Horlick said he will not vote because he sits on the Board. Vote: 4-0 and Mr. Horlick voting present.

Mr. Serino moved to appoint Lori Barrett to the Affordable Housing Trust Board of Trustees to expire December 2012. Chair seconds. Vote: 4-0 and Mr. Horlick voting present.

- said the Cable Commission has been advertised and only 1 person put in for reappointment.

Mr. Kelleher moved to reappoint John Kilkelly to the Cable Commission to expire May 2011. Chair seconds. Vote: 5-0.

- Said Deputy Assessor Ron Keohan was elected president of MA Association of Assessors. The Manager said yes and congratulated him and said he has been very successful in his field and he encourages employees to further their education and training and the Assessor's Office is an example and said Meredith Stone completed her certification as MA credited assessor and Tammy Sands did last year and congratulated them. The Chair said we are fortunate to have employees like this. The Manager agreed and said he encourages employees and they do attend trainings and courses and are proud of their accomplishments.

Mr. Serino moved to invite them in for citation. Chair seconds. Vote: 5-0.

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- said he has received complaint regarding power outages and asked the Manager to look into it. The Manager said he will contact them.

- Thanked the Schools for invitations and said he attended the Middle School Scholars Awards and the Boosters Award Ceremony and congratulated all the students.

- Thanked the Veterans Council for Memorial Day Parade and ceremony and acknowledged the school bands and others that attended.

Mr. Horlick: Said the Memorial Day Parade was nice and thanked the Veterans Council and Veterans.

- requested the Manager look into a section of sidewalk on Lincoln Avenue at Ballard Street and described the area.

- said the Board received invitation to flag burning ceremony at RESCO and announced to the public that there is a bin at Town Hall for any flags that need to be disposed of properly and thanked them for donating the collection bin.

Mr. Kelleher: asked for update on spring clean up. The Manager said they are ahead of schedule but are still sweeping and are hoping to be done by July. Mr. Kelleher asked if there's any chance the crosswalks in Cliftondale and Saugus Center be painted green. The Manager said he will look into it.

- said the Town has done a great job with handicapped sidewalks and asked for update. The Manager said the program continues and said handicapped ramps will be installed on Central St. to Lincoln Ave., all of Hamilton St., an area on Winter Street, and Essex St. from Cliftondale to Rte. 1. Mr. Kelleher asked if Commission on Disability has reviewed. The Manager said yes and the plan was developed through meetings of the Sidewalk Committee.

Mr. Crabtree said the Board may need to reschedule the June 15 meeting to June 16 due to a conflict.

Mr. Crabtree moved to reschedule the June 15 meeting to June 16. Chair seconds. Vote: 5-0.

Citizen's Forum: None.

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

Meeting adjourned at 8:54 PM.

Respectfully submitted,

Wendy Reed, Clerk