

Saugus Board of Selectmen  
August 16, 2011

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

AGENDA  
SAUGUS BOARD OF SELECTMEN  
August 16, 2011 at 7:30 PM  
Town Hall Auditorium, 298 Central Street

- 1.) Call to order.
- 2.) Invited guests:
  - Ryan Clarke
  - Collector / Treasurer: water bond
- 3.) Approval of minutes: July 26, 2011; & July 29, 2011
- 4.) Continued Hearings:
  - Avedisian from 11/30 & 12/7/10, 3/1 & 6/7/11;
  - Verizon from 6/7/11;
  - Dunkin Donuts S-2 from 7/26/11
  - (Tweeters show cause from 4/5/11 & 7/12/11 TO: 10/25/11)
- 5.) PUBLIC HEARINGS:

7:45pm McDonalds USA, LLC, for modification of Special Permit (S-2) granted 12/14/04 to allow a drive through window BY review and approval of proposed improvements of drive through located at 738 Broadway, Assessor's Plan 1028, Lot 9-11 (10.1).

7:55pm Shabas, Inc. d/b/a Nick's Place, 308 Central Street, for transfer of Common Victualer's License and Entertainment License from Nick's Place, Inc. d/b/a Nick's Place, 308 Central Street; 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.

8:05pm Adnane Haddadi, to operate a taxi cab business in the Town of Saugus and License for five taxi cabs.

Correspondence

- 1.) Veterans' Council re: POW/MIA Candlelight Vigil 8/20/11 & 9/11 Observance.
- 2.) Lottery Commission re: Polcari's request for Keno License.
- 3.) Mr. Riley re: resignation from Library Board of Trustees.
- 4.) Mr. Swezey re: request for reappointment as Traffic Hearings Officer.
- 5.) Review of lease extension: Creation Learning Station, 400 Central St.
- 6.) Mr. Lucey re: SCTV programming.
- 7.) MAPC re: MPO Municipal Elections.
- 8.) Mr. Vadala re: proposed Zoning By-Law amendment.  
(tabled 3/22/11 correspondence: Police Dept. re: Angela's liquor inspection)

New Business: Trash pick-up and recycling.

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

\* Revised 8/12/11

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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 1

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The Saugus Board of Selectmen met on August 16, 2011 at 7:30pm in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Scott Crabtree, Stephen Horlick, Michael Serino and the Chairman Donald Wong. Absent was Michael Kelleher. The Town Manager Andrew Bisignani was also present.

The Board held a moment of silence for William Wong and offered their condolences to the Chair and his family.

Invited guests: Ryan Clarke

Fire Chief James Blanchard was present with Ryan Clarke and explained the incident that occurred of a catastrophic injury to Mr. Clarke's neighbor and his quick and calm response most likely saved the man's life and presented him with a plaque. The Chair read citation from the Board of Selectmen and citation from the State House. The Board presented and congratulated him.

Approval of minutes: July 26, 2011; & July 29, 2011

Mr. Serino moved to approve July 26 minutes. Chair seconds. Vote: 4-0.

Mr. Serino moved to approve July 29 minutes. Chair seconds. Vote: 4-0.

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

Continued Hearings: - Avedisian from 11/30 & 12/7/10, 3/1 & 6/7/11;

"Show Cause" Hearing on: Pamela Avedisian, 60 Salem Turnpike, to revoke, suspend, modify, cancel, or why additional conditions upon the exercise of the licenses ought not to be imposed for failing to conduct a business and/or use its issued license in connection with a business, and/or any and all other statues, Town of Saugus Rules & Regulations, and By-Laws.

Attorney Stephen Miller, McDermott, Quilty & Miller was present representing Pamela Avedisian and Special Counsel Ira Zaleznik representing the Board. Atty. Miller said Rick Salvo, Engineering Alliance was present to give update and Attorney Jamy Madeja was present for update and passed out letter regarding sewer issues and said they filed last night a copy lease between the LLC and Ms. Avedisian and purchase & sales agreement regarding the license. Special Counsel noted Purchase & sales agreement "Exhibit #1"; lease agreement "Exhibit #2"; Sawyer Realty Holdings letter "Exhibit #3"; Engineering Alliance update "Exhibit #4"; and chronology of activity Atty. Madeja "Exhibit #5". Atty. Miller said the plan is going forward with project and asked for the opportunity to give a reasonable time frame to transfer the license. Vice Chair said the Board will take it under advisement and would like an update. Atty. Madeja, Buchanan Associates, use counsel explained she is handling dealings with the Commonwealth and understands concerns but this has taken a long time for closure and said as it stands August 3 received communication from AG that was assigned the matter that we have reached an agreement but have not received the signature copy as yet and it's her understanding the agreement will please the local Conservation Commission and adheres to their requirements, but they have not been assigned a DEP file number. Vice Chair said the AG's office refers to civil enforcement regarding alleged damage. Atty. Madeja explained work being done. Vice Chair asked if signed where do the outstanding issues stand and explained the Board sets policy on licensing and the non-use effects the Town and asked where it stands regarding permitting relevant to the license being used. Atty. Madeja said they filed application December 30, 2010 for reconstruction and that can be acted upon and a public hearing will be held on the new Chapter 91 License and would guess another 3 or 4 months and will go forward even with transfer of license they will go forward with reconstruction. Vice Chair said concern was expressed regarding water & sewer and asked for update. Atty. Madeja defer to the engineer. Special Counsel said he had no questions. Mr. Serino said the first time they applied for license with DEP wasn't until December 2010. Atty. Madeja said the license is valid and doesn't expire and explained the want to rebuild the structure. Mr. Serino asked when they applied to local Conservation Commission. Atty. Madeja said December 30, 2010.

Rick Salvo, Engineering Alliance was present and passed out a letter summarizing and explained the water connection to an MWRA water main that is metered and that will be the case moving forward and said he has looked at options for sewer and explained existing tight tanks, but if the business is expanded they would need to hook in via Ballard St., Bristow St. or Revere. Vice Chair asked for

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clarification that they are proposing now is replacing in the original footprint rather than original proposal. Atty. Madeja explained the Commonwealth requires reconstruction of what was there and then file for expansion. Vice Chair asked what size it would be. Atty. Madeja said approximately 20 seats inside. Vice Chair asked after the expansion how many. Atty. Miller said he did not represent at the original proposal but it is his understanding it is to be 200 seats. Mr. Serino said 190 seats. Atty. Madeja said they hope to file both reconstruction and expansion at same time. Vice Chair said the only thing they are sure of is 20 seats and that is different from what plan was approved. Mr. Horlick said last they were here they looking for 20 seats and 40 to 60 expansion. Atty. Madeja said she cannot acknowledge she said 40 – 60 seats. Mr. Horlick said if they expand to 200-220 seats they would need to tie into sewer. Mr. Salvo said they have the ability to pump to Ballard St. or Revere. Mr. Horlick asked estimated cost. Mr. Salvo said he prepared concepts to owner, no cost estimates. Vice Chair said the expansion is contingent on sewer approval and expressed concern 2 ½ years and not used the license and they have afforded enough time to get resolution and understands it's a complicated process but the license was issued for 200 seat function hall and now it's a 20 seat and said a license is suppose to benefit the community and there is a high demand for licenses and would like to see it benefit the community through meals tax, employment etc. and what was original approved was exciting and has seemed to fall apart.

Special Counsel said the P&S was presented 8/15 and asked when application would be filed. Atty. Miller said he has not spoken to the buyers but usually give 21 days. Counsel asked what efforts were made in finding a buyer. Atty. Miller said he has not been involved and his client did have a tentative in March that fell through. Counsel noted the sale price of \$15000 payable balloon note and a pledge would need approval of the Board and ABCC and asked reason. Atty. Miller said a promissory note and he didn't negotiate the terms that is what was agreed to. Counsel reference paragraph 6B on page 3 that these proceedings are not disclosed. Atty. Miller said that's an error and take responsibility and explained it is a standard form and said the buyer is fully aware of the pending actions. Counsel asked if the same was true for paragraph G on page 4. Atty. Miller said he will amend to include that and 21 day filing term.

Mr. Crabtree noted the licensee did not appear. Atty. Miller said they explained last evening she is unavailable. Vice Chair asked if any other testimony. Atty. Miller said no. Vice Chair said the Board will take into consideration what was presented yesterday and looking at the surface he does not have enough information, no seating, P&S in the 11<sup>th</sup> hour, past original notice dated November 12, 2010, no application and what raises concern with the P&S and the issue that there were no conditions on the license when issued and to move a license to a sub shop with no seating and have to consider time and he has been sensitive to the process they are going through but they have had plenty of time. Mr. Serino said this has been going on too long and they have had plenty of opportunity to sell the license or use it. Mr. Horlick said the process allows 6 months and that expired May/ June and if they did have a P&S in February they had plenty of time to approach for transfer and the Board has given adequate time and leeway and does understand the problems with DEP/AG. Vice Chair said this is a public hearing and swore in those to testify.

Bill Kramich, 12 Emory Street, said he doesn't remember a restaurant and it's a bad spot for it and said the Board should refuse the transfer and let someone have it that will use it. Vice Chair clarified the Board is not discussing a transfer at this time. Mr. Kramich said he is in favor of the Board to cancel the license.

Special Counsel said the Board has a broad range of discretion to proceed and may proceed to cancel the license under section 77 of chapter 138 and they will have a right to appeal; the Board could table and consider a transfer application if its forth coming; the Board has the right to defer action to a later time; and commented regarding the proceedings last night, if the license is cancelled this evening if appeal the Board does have the right to continue pursuing ownership issues and if vote to cancel the Board could hear transfer application and if favorable, could rescind the cancellation for purpose of transfer and said there are a broad range of options. Mr. Serino noted the Entertainment License also. Counsel said if cancellation is warranted it would be under chapter 140, section 183A. Atty. Miller asked

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if they will receive a written decision. Counsel explained usually the practice has been a motion is made and voted and a draft decision is voted at a subsequent meeting to be considered or amended. Atty. Miller confirmed the right to appeal will be 5 days after receipt of written decision.

Mr. Serino moved to close the evidence and close the public hearing. Vice Chair seconds. Vote: 3-0.

Mr. Serino moved the Board vote to cancel the All Alcoholic Common Victualer's license and Entertainment License for the following reasons: licenses have been inactive for two and a half years; the licenses were issued February 2009; false filing: original application and approval was for 190 seats and now representing 20 seats; applicant was to start construction April 2009; DEP issues are mostly the fault of the applicant filling wetlands and stripping vegetation; the licenses were issued 2009 and applicant didn't file with DEP until December 2010 for permits; lost revenue to the Town in meals tax and other benefits; the Board gave the applicant over six months; lack of evidence; no transfer application; false filing section 6B of P&S regarding outstanding issues / violations; and no good faith effort plan to transfer the license. Vice Chair seconds.

Vice Chair added reasons as follows: applicant had more than adequate time and notice was given November 12, 2010; there is no definitive way to get sewer; no definitive date as to when it will be completed and in use; original proposal is different from what presented now. And said they have to make sure the license is used and wished there was conditions so they wouldn't have had to go through this process and said he sympathizes with what they need to go through at the State but they were given fair and adequate notice and said regarding the pizza shop P&S there is no seating and no parking and doesn't seem realistic based on the information they have and no transfer application and no money up front seems as though it is a park and transfer back move and for those reasons he will support the motion.

Mr. Horlick agreed with Board Members and said he didn't support original application for 200 seat function hall because no information was provided and water / sewer issue and construction was to start in 60 days and there were delays and the Board tried to get the owner here plus numerous opportunities to transfer because there are plenty looking for licenses and will support the motion.

Vice Chair added that Special Counsel will draft findings and the Board will review and amend or adopt at next meeting and serve licensee. Mr. Serino amended his motion to include. Motion as amended Vote: 3-0.

Mr. Horlick moved for recess. Vice Chair seconds. Vote: 3-0.

Meeting recessed at 8:57pm.

The Chairman called the meeting back to order at 9:08pm.

Continued Hearings: Verizon

Verizon for installation of four (4) jointly owned poles on Central Street: one (1) jointly owned pole on Pranker Street; and one (1) jointly owned pole on Lake Circle; as shown in plan marked Verizon New England, Inc., No. 1, dated 04/7/2011.

Joseph Gleason, Verizon was present with National Grid Project Manager Scott K. Mr. Gleason said this hearing was continued from June so they could address some of the neighborhood concerns and will be withdrawing request for Central Street and explained the other two locations. Mr. Serino thanked him and asked when the McIntyre Street pole will be replaced. Mr. Gleason apologized and explained Verizon is in a work stoppage and cannot give a definitive time frame. Mr. Horlick said he requested they look into laminate poles. Mr. Phillip Corsea lead engineer National Grid explained upgrades and elimination of two substations and the need to upgrade poles and wires and design to place equipment 40-50 year life and are trying to remove tree guys. Mr. Horlick asked about laminate poles. Mr. Corsea said they are more objectionable in a residential area. Mr. Horlick asked load capacity. Mr. Corsea said to not need a guy the base would be twice the size of the podium. Mr. Horlick noted Wakefield's rectangular poles that aren't that wide and asked why not replace with laminate pole with no guy. Mr. Corsea said it would be a larger maintenance issue.

Any to speak for or against?

Bill Kramich, 12 Emory Street, against double poles.

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Mary Sparks, 9 Central Street, said it sounds like the guy will stay in the tree and not put a stub pole. Mr. Serino said that is correct and they are withdrawing that request.

Wayne Sanders, 15 Central Street, said it's the best solution for Central Street and he is in favor of laminate poles.

Arthur Grabowski, 66 Denver Street, concerned with double poles.

The Chair asked Verizon to re-look at what they are doing. Mr. Gleason said he doesn't know much about laminate poles and that would be a decision for his supervisors and will need to take the request back to look into. Mr. Crabtree said what has been expressed is we look at the aesthetics of the Town and plan. Mr. Horlick said he asked them to look into it at last meeting. Mr. Gleason apologized and said he doesn't recall the request but is happy to take the request back for cost analysis. Mr. Crabtree said regarding the dead tree issue is a safety concern and asked if they inspect. Mr. Gleason said the tree guys aren't documented and they have been addressing them as they come across them. Mr. Crabtree urged them to get the information and said he would like to look at the master plan. Mr. Corsea said they submitted plan and cautioned that laminate poles are individual and if one is hit or damaged there isn't a readily available replacement and said they have no plan in place to use them.

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

Mr. Serino moved to grant the petitioner leave to withdraw the Central Street petition without prejudice. Chair seconds. Vote: 4-0.

Mr. Serino moved to allow the installation of stub poles on Oak Point Road and the replacement of pole on McIntyre Street within 6 months and approve pole on Central St. by Melrose Auto body. Chair seconds. Vote: 4-0.

Continued hearing: Dunkin Donuts S-2

Dunkin Donuts, Tiberio Furtado, owner, for Special Permit (S-2) to allow a drive through window, to be located at 700 Broadway, Sunoco Gas Station.

Rick Salvo, Engineering Alliance was present and requested the Board to table until next meeting hopefully have a full Board.

Any in favor or against? None

Mr. Serino moved to continue the hearing. Chair seconds. Vote: 4-0.

7:45pm McDonalds USA, LLC, for modification of Special Permit (S-2) granted 12/14/04 to allow a drive through window BY review and approval of proposed improvements of drive through located at 738 Broadway, Assessor's Plan 1028, Lot 9-11 (10.1).

John Kucich, Bohler Engineering was present representing McDonald's and explained the proposed side by side drive through and passed out copy and explained the purpose is to speed up order time and reduces back up and explained changes and parking in compliance with by-law and nothing else will change. The Chair asked about the side by side lanes merging. Mr. Kucich explained how it works. Mr. Horlick asked if it effects the break out lane or fire lane. Mr. Kucich explained there's a full by pass but not beyond the ordering and said there's no issue with fire.

Any to speak for or against? None.

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

Mr. Horlick moved to grant the modification of Special Permit (S-2) granted 12/14/04 to allow a drive through window BY review and approval of proposed improvements of drive through located at 738 Broadway with same conditions; fire department approval; and that any change in plans must come back to the Board for approval.

Roll call vote: Mr. Crabtree, yes; Mr. Horlick, yes; Mr. Serino, yes; Mr. Wong, yes. Vote: 4-0.

7:55pm Shabas, Inc. d/b/a Nick's Place, 308 Central Street, for transfer of Common Victualer's License and Entertainment License from Nick's Place, Inc. d/b/a Nick's Place, 308 Central Street; 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.

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Attorney Richard Magnan was present representing applicant and explained transfer request with everything the same.

Any to speak for or against? Bill Kramich, 12 Emory Street, said since they have been there, there has been no problem.

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

Mr. Serino moved to grant the transfer with same conditions, same hours of operation and must meet requirements of fire dept. and inspectional services and grant the external grease trap waiver with standard restrictions and any changes must come back to the Board. Chair seconds. Vote: 4-0.

8:05pm Adnane Haddadi, to operate a taxi cab business in the Town of Saugus and License for five taxi cabs.

Adnane Haddadi, Pauline Street, Winthrop was present. The Chair asked if he will have a dispatch office in Town. Mr. Haddadi said not at this time. Mr. Horlick asked if he was going to store the vehicles in Saugus. Mr. Haddadi said no but have permission to stand at Stop & Shop and gave the Board a letter from them. Mr. Serino asked a description of vehicles. Mr. Haddadi said crown Victoria and a mini van. Mr. Horlick asked if he will offer a discount to the elderly. Mr. Haddadi said absolutely and said he has 10 years experience.

Any for or against? None.

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

Mr. Serino moved to grant request for license to operate a taxi cab business in the Town of Saugus and License for five taxi cabs with condition they meet all requirements of the by-law. Chair seconds. Vote: 4-0.

Mr. Crabtree moved for recess. Chair seconds. Vote: 4-0. Meeting recessed at 10:10pm.

The Chair called the meeting back to order at 10:17pm.

Mr. Serino moved to take correspondence #2 out of order. Chair seconds. Vote: 4-0.

Correspondence

2.) Lottery Commission re: Polcari's request for Keno License.

Mr. Serino said the Board dealt with this last meeting.

Mr. Serino moved the Board notify the Mass. Lottery the Board has no objection. Chair seconds. Vote: 4-0.

Mr. Crabtree moved to take new business / trash pick-up and recycling out of order. Chair seconds. Vote: 4-0.

New Business: Trash pick-up and recycling.

Mr. Crabtree said as everyone is aware, a new trash / recycling policy was implemented August 1<sup>st</sup> and everyone has received numerous calls and some have to do with change and enforcement of barrel size was incorporated at the same time as reduction and said it was discussed at Town Meeting and was referred to the Selectmen regarding establishing a fee / sticker program and feels there needs to be a discussion and said Mr. Serino submitted a draft for the Board's review and wants to work together get information out and educate and said the current policy doesn't have an option for relief and have spoken with the Manager regarding barrel size and thinks that was worked out and said he is supportive of recycling and not about finger pointing or blame but there's no working together and people are concerned that we go from 5 to 3 and wonder if we are going to no pick-up and a By-Law was suggested and proposals should come from the Town Manager and recycling and Board of Health and then approved by elected representatives. The Chair said he would like to hear from the Health Dept. and talk about a by-law and said the department heads are educated in those areas and don't mind talking and communicating but does not want to micromanage departments and said the Board hires a manager to manage. Mr. Crabtree said he doesn't see it as micromanaging and said a policy was implemented without issues worked out and has missing elements such as relief for certain circumstances.

Diane Serino, Vice Chair Board of Health, 32 Carr Road, was present and said she has served on the Board of Health 20+ years and feels frustration and annoyance and said the Board of Health has always kept the Board informed and said its embarrassing to find out from newspapers because the

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Selectmen have not expressed concern to the Board of Health about putting this into effect and asked if it's a control issue or a political issue. Mr. Crabtree said it's not about politics it's about what's in place is not comprehensive and said the Board is informed and has been supportive of recycling but what was implemented was not done correctly, we did not work together.

Lorna Cerbone, Recycling / Solid Waste Coordinator said they did nothing different from the last time there was a reduction and feels the issue was twisted and confused with the proposed trash fee and said when we went from 10 to 5 barrels they did allow use of sticker as an option for overflow, but that was taken away and agree there needs to be an option and said some say they didn't see or read the press releases but agree they should get on the same page regarding waste reduction and said the new norm is 3 barrels and feels that limit is generous. Mr. Serino said when we went from 10 to 5 barrels it was not much of an impact and maybe people feel the crunch time and this is more of an impact and panic. Mr. Horlick said there's confusion and maybe it should have been implemented over two years. Ms. Cerbone said we don't have automated trucks that pick up toters. Mr. Horlick said an average of \$3 a week in stickers would generate \$811,000 and he looks at that as a trash fee.

Frank Giacalone, Health Director said regarding going to 2 barrels then zero pick up that was never discussed. Mr. Horlick asked if we still pick up recycling from small businesses. Ms. Cerbone said they haven't picked up businesses in 3-5 years and said any resident can use the drop off site. Mr. Giacalone said regarding the comment of lack of communication that they made every effort to get the message out and explained the process and survey. Mr. Crabtree said they didn't communicate with Town Meeting and they need to work together. Mr. Giacalone said they made notices and flyers and copied the Selectmen and said under Mass. General Law the authority is under the Board of Health and feels the by-law proposed was almost like retaliation and censorship under the rights under the law and they held public meetings on the issue and disappointed no one showed up. Mr. Crabtree said the issue is it's not a community effort and agree with the recycling coordinator they made every effort, but this is about not working with Town Meeting over the sticker fee and under the law they have authority over trash but disagree they have authority over recycling. Mr. Giacalone said recycling is classified as solid waste by DEP. Mr. Crabtree disagreed. Mr. Giacalone said it falls under the authority of the Board of Health and said this was not meant as a pay-as-you-throw, it was just an option, like last time, for additional trash to use a green sticker. Mr. Horlick said there was a recycling committee. Mr. Crabtree asked about the hazardous materials in the dumpsters from the crash and asked why they are still there. Mr. Giacalone said he would be looking into it.

Everett Millea, 142 Main Street, said he has no problem with the Board of Health but he never heard of a meeting about this and said he's had the same barrel 10 years and now told he can't use it and asked how much we make in recycling. The Manager said we get no return on recycling and we don't pay to have it picked up and said it does reduce the amount paid in tipping fees and said there are over 8,000 pick-ups a week and the new policy went into effect August 1<sup>st</sup> and announcements went out well in advance and didn't hear one objection or complaint and said it's not about the haulers it's over larger barrels and the contract is what it is and said because of the comments and complaints he asked they reconsider and they have agreed to accommodate.

Bill Kramich, 12 Emory Street, asked if we have to guarantee an amount of recycling. The Manager said no and said they have a fixed rate for 5 years. Mr. Kramich said they won't pick-up his broken recycling bin that's broke. Ms. Cerbone said put a note on it.

Ray Lawrence, TMMP8, said they should look at who's not recycling.

Arthur Grabowski, 66 Denver Street, said don't lose site of an unelected Board making decisions.

Mr. Giacalone said the Board of Health is there for the community and serve weather elected or appointed can't draw a line who should make decisions and said the Board of Health are residents and everything they do effect them also and you're taking away their right under the law to make rules and regulations and said there's a procedure, it has to be posted in the paper and they followed the law and said this wasn't a one day decision and they held public hearings and they held posted meetings.

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Brian Ciampa, 56 Walden Pond Avenue, asked why they can't wheel the barrel over to the truck and lift the bags out. Ms. Cerbone explained they have pulled bags out but they are concerned with hazards such as needles, dog waste, kitty litter etc.

Charles Chesna, 29 Glen Park Avenue, said he has no problem recycling and is aware of the cost and compiled information and questioned do we pay enough or not enough and asked what's the target and said it must be the green stickers and would like to see a pie chart showing the costs.

Peter Vadala, 43 Pearson Street, said this sounds like an accountability thing.

Mr. Serino said he submitted a draft by-law to Board Members for comment and would like to have an Article for next Town Meeting Warrant and should meet on it.

Mr. Serino moved to schedule a meeting on August 30 at 7:00pm. Chair seconds. Vote: 4-0.

Correspondence, continued

1.) Veterans' Council re: POW/MIA Candlelight Vigil 8/20/11 & 9/11 Observance.

Mr. Horlick moved to accept the invitation and refer to the file. Chair seconds. Vote: 4-0.

3.) Mr. Riley re: resignation from Library Board of Trustees.

Mr. Serino moved to accept the resignation. Chair seconds. Vote: 4-0.

4.) Mr. Swezey re: request for reappointment as Traffic Hearings Officer.

Mr. Serino moved to reappoint Stephen Swezey as Traffic Hearings Officer to expire August 2012. Chair seconds. Vote: 4-0.

5.) Review of lease extension: Creation Learning Station, 400 Central St.

Mr. Horlick moved to refer to the file. Chair seconds. Vote: 4-0.

6.) Mr. Lucey re: SCTV programming.

Mr. Horlick moved to refer to PEG Board of Directors. Chair seconds. Vote: 4-0.

7.) MAPC re: MPO Municipal Elections.

Mr. Serino moved to refer to the file. Chair seconds. Vote: 4-0.

8.) Mr. Vadala re: proposed Zoning By-Law amendment.

Peter Vadala, 43 Pearson Street, was present and asked for their support in drafting a by-law regarding questionable places and restrict the garbage on Route 1. Mr. Horlick explained the Board did deny the license, but a judge overruled the Board. Mr. Vadala said that place is not a restaurant and is borderline adult entertainment and ask to put something in place with zoning legislation and asked their support. Mr. Serino suggested he talk with Town Counsel.

Mr. Serino moved for recess. Chair seconds. Vote: 4-0. Meeting recessed at 12:50am.

The meeting was called back to order at 12:55am.

Manager's Report

MWRA loan: the Manager explained the MWRA Water Bond.

Mr. Serino moved it be Voted: that the sale of the \$881,750 Water Bond of the Town dated August 22, 2011, to the Massachusetts Water Resources Authority (the "Authority") is hereby approved and the Town Treasurer or other appropriate town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on August 15 of the years and in the principal amounts as follows:

<u>Year</u>	<u>Installment</u>	<u>Year</u>	<u>Installment</u>
2012	\$88,175	2017	\$88,175
2013	88,175	2018	88,175
2014	88,175	2019	88,175
2015	88,175	2020	88,175
2016	88,175	2021	88,175

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 vote. Chair seconds. Vote: 4-0.



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- recommended the reappointment of Jean Swanson to the Historical Commission.

Mr. Horlick moved to confirm the reappointment. Chair seconds.

Roll call vote: Mr. Crabtree, yes; Mr. Horlick, yes; Mr. Serino, yes; Mr. Wong, yes. Vote: 4-0.

Member's Motions

Mr. Crabtree: Nothing this evening.

Mr. Serino: said there's an opening on the Aggregate Committee.

Mr. Horlick moved to appoint Selectman Serino to the Aggregate Post-Closure Use Committee. Chair seconds. Vote: 3-0 and 1 abstention by Mr. Serino.

- said the Board received a letter from the Town Clerk regarding a girl scout project.

Mr. Serino moved to invite Julia Azzari to next meeting. Chair seconds. Vote: 4-0.

- Offered his condolences to the Chair and his family and said he was one of the great family business that established Route 1 as is today.

Mr. Horlick: said he talked to the Manager about looking into solar powered recycling units and asked for follow up on overflow trash at Cliftondale.

- asked about a meeting regarding Hamilton Street. The Manager said issues were addressed. He suggested scheduling CDM in at 6:30 on August 30<sup>th</sup>.

- asked for update on house on Wendell Street. The Manager said the Building Inspector is working on it and will get update.

- Offered condolences to the Wong Family and said he attended the wake and said the amount Mr. Wong did for the community and for Boston and said he started a successful business and took care of his family and community and said as they lost founders of Hilltop, Prince and now Kowloon which are reasons we are on the map, that we should have somewhere in Town to honor them with a plaque or something.

Mr. Horlick moved to schedule a meeting and ask the Chamber to be involved and discuss it. Vice Chair Crabtree seconds. Vote: 3-0 and 1 abstention by Mr. Wong.

The Chair thanked everyone for their kind words and thoughts and said he had some good news and announced he became a grandfather again this Saturday and said that's the good part of life.

Citizen's Forum:

Pam Gill, Chairman, Library Board of Trustees was present with Trustee Joanne Vannah and requested the Board's plan in filling the vacancy on the Board of Trustees. Mr. Serino said in his opinion there's an investigation and is not considering until it's straightened out. Ms. Gill said they only have 5 remaining members. Ms. Vannah said they are two separate issues. Mr. Serino said he's not ready to do it now. Mr. Horlick agreed they should wait and see where the investigation pans out.

Mr. Serino moved to adjourn. Chair seconds. Vote: 4-0. Meeting adjourned at 1:15am.

Respectfully submitted,

Wendy L. Reed, Clerk