

Saugus Board of Selectmen  
September 8, 2009

The Saugus Board of Selectmen met on September 8, 2009 at 7:30 PM in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Stephen Castinetti, Stephen Horlick, Michael Kelleher, and the Chairman Donald Wong. The Town Manager Andrew Bisignani was also present. Mr. Rossetti was not present.

Invited guests: None this evening.

Approval of minutes:

Mr. Castinetti moved to approve the 8/18/09 minutes. Chair seconds. Vote: 4-0.

Continued hearings: San-Pen Corp.

Show Cause Hearing for the possible suspension, modification, revocation and / or cancellation of the Beer & Wine Common Victualer's License with Permit to serve cordials & liqueurs of San-Pen Corp. d/b/a Tonino's Cucina Italiana, previously located at 36 Hamilton Street for violation of condition of license. Said action is based on the fact the Licensee has ceased to conduct licensed business since on or around May 2008.

Mr. Castinetti moved the Board vote to dispose of the hearing due to the bankruptcy settlement. Chair seconds. Vote: 4-0.

Mr. Kelleher moved to take up correspondence out of order. Chair seconds. Vote: 4-0.

Correspondence

1.) Blessed Sacrament re: request fir Special 1 day Beer & Wine License.

Mr. Kelleher moved to approve the request. Chair seconds. Vote: 4-0.

2.) Mr. Roscoe re: request for Caution sign on Whitney Street.

Mr. Castinetti read police recommendation and said it is a narrow street and does pose a problem with cut through traffic.

Mr. Castinetti moved to install as recommended by Lt. O'Brien "Caution" signs on Whitney Street. Chair seconds. Mr. Kelleher speaking on the motion agreed there is a lot of traffic and it is a cut through and will support the motion. Vote: 4-0.

3.) Lions Club re: request for canning on Essex St. at Sears & Lynn Fells at Village Park.

Mr. Horlick moved to approve the request. Chair seconds. Vote: 4-0.

4.) Police & Fire re: Glen Park Ave. parking.

Lt. O'Brien was present and explained complaints received regarding parking and recommends the Board increase the no parking area. Mr. Castinetti said he has been there and said anything that will alleviate the problem.

Mr. Castinetti moved to support police recommendation. Mr. Kelleher asked about the house without a driveway. Lt. explained this would allow 40' of parking for that house. Mr. Castinetti asked if a fire truck went up there if there would be room with parking at #7. Lt. said yes. Mr. Castinetti asked if the Fire Chief has been. Lt. said yes. Mr. Kelleher said he is inclined to support. Chair seconds. Vote: 4-0. Mr. Kelleher welcomed the Lt. and said he looks forward to working with him.

Mr. Castinetti moved to schedule a public hearing. Chair seconds. Vote: 4-0.

Manager's report

- recommended the appointment of Arthur Grabowski, Jeff Loeser and Ronald Sanders to the Boats and Waterways Commission.

Mr. Castinetti moved the Board vote to confirm the appointments to the Boats & Waterways Commission. Chair seconds.

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

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- recommended the appointment of Marilyn Carlson to the Historical Commission.

Mr. Kelleher moved to confirm the appointment and said she has served in many capacities in the Town and supports the appointment. Chair seconds.

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

- said he sent communication from Town Counsel regarding Hawke St. and to contact him with any questions.

- said the Board's request was forwarded to DPW regarding crosswalks and the crosswalks were not installed because there are no handicapped ramps at the location.

- said the Finance Committee will meet Wednesday, September 16 at 7PM.

Mr. Kelleher moved the Board go back to public hearings. Chair seconds. Vote: 4-0.

7:45 Aggregate Industries, Inc. a/k/a Bardon Trimount, Inc., 1831 Broadway, to extend Special Permit (S-2) to allow the removal of earth and rock and to allow the operation of a quarry at Rear Broadway and Whittier Street, Assessor's Plan 2030, Lot A-61 and Assessor's Plan 2031, Lot A-122 for a period of six months.

Attorney Richard Magnan, 320 Central Street was present with Ed Persico, General Manager Northeast Quarry Operations and Scott Colby Manager. Mr. Colby explained 6 months ago he gave a draft closure plan to the Board and understands the Board is looking for more information and there are many quarries and are looking at a universal plan to close quarries and did ask the Board through a letter to delay because they're not sure how to proceed and would like to propose the Board form a committee to discuss and to come to a mutual agreement on closure. Mr. Horlick questioned one plan for all quarries because each are different and said he asked to put a committee together a couple of months ago with Town Meeting Members, residents, an engineer and it's not unreasonable to meet by end of October or early November. Mr. Colby said they will work with the Board and clarified they are not trying to develop one plan for all quarries. Mr. Horlick said 20 years is not that far away and said if this is renewed / approved the 25 existing conditions remain.

Any in favor? None.

Any in opposition? Janet Leuci, TMMP4, 35 Wilbur Ave., said she is not in opposition, but they were here 6 months ago and said at that time there would be a meeting and that did not take place and read pieces of the Selectmen minutes of that meeting and said all agreed there would be a meeting and that didn't happen and the Board sent a letter on May 12 with no response and a second letter on July 17 and a response was received on July 23 claiming they need more time and said this is about what is best for the Town and the Town should play a part in planning and asked the Board consider not extending the permit 6 months, but 3 months to put a committee together. Mr. Colby said the Board needs to form the committee and once that's done they will meet right away. Mr. Kelleher asked if they form a committee Aggregate will participate. Mr. Colby said yes.

Al DiNardo, TMMP4, 199 Essex St., in favor of 3 month not 6 month extension.

Tom Stewart, TMMP4, 7 Tuttle St., suggested 3 months extension.

Atty. Magnan asked for clarification on who forms the committee and prefer 6 month extension, but if the Board is not inclined, to condition if committee not formed in

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a period of time and asked for clarification on 3 month goal. The Chair said as long as it's in process he doesn't see any problem extending it. Ms. Leuci said they have a draft closure plan, something to meet on and discuss and 3 months is not just to form a committee. Mr. Kelleher said this will be a long process and don't see it not happen in 6 months and they will form a committee and in 6 months if not happy with the progress will address then. Mr. Horlick said he's inclined to support 3 months and they should meet no later than November. The Chair said he would like to see progress report. Mr. Persico asked for 6 month extension. Mr. DiNardo said they went once on good faith effort and said 3 months is fair and reasonable. Atty. Magnan said if 3 months is approved he wants to clarify who will form the committee. Mr. Kelleher said he will include in motion.

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

Mr. Kelleher moved to approve 6 month extension. The Chair asked he add in 3 months a progress report. Mr. Kelleher amended his motion with no objection. Mr. Horlick included the 25 existing conditions. Mr. Kelleher amended his motion with no objection. Chair seconds.

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

Mr. Kelleher moved a committee be formed consisting of 1 or 2 Selectmen, the Town Manager, Ms. Leuci, 1 or 2 Town Meeting Members from Precinct 4 and asked the Chair immediately form this committee no later than 3 weeks from tonight. Chair seconds. Vote: 4-0.

7:55 on amending the Town's Traffic Rules & Regulations by posting a "4-Way Stop" at the intersection of Elmwood Avenue and Adams Avenue

Ken Doherty, 16 Elmwood Ave., was present and said at the 8/19 meeting he presented a petition with 55 signatures requesting 4-way stop and have an additional 15 signatures and said he read Lt. O'Brien's response. Mr. Kelleher said this has a 10 year history and have tried everything and the only solution he has long favored is 4-way stop and feels it's the right thing to do. The Chair said the Board has gone to the location a few times and they all agreed in February they would look at it and that's what he would like to do. Mr. Kelleher said nothing will change. Lt. O'Brien explained he is new to this issue and expressed his concern that they just changed to 1-way in May and concern that it hasn't been 3 months yet and asked they give it time. Mr. Castinetti said he recalls 2 years ago this was one of the 1<sup>st</sup> issues he was involved in and since that time the put no parking and then pulled them and the 1-way he is inclined to give time and would like to know from the majority of the neighborhood and suggested they stick to original date in February with report. Mr. Kelleher said he understands what the book says, but that's not for Saugus and said they should address it now because there are no sidewalks and school is starting. Mr. Horlick referenced the 2003-2007 incident reports and said when they did a site visit the main problem was left turn and now with 1-way you can no longer take that left and said he knows it takes time to get used to 1-way and if they wait we'll see people obey signs and maybe post some speed limit signs and said he is not inclined to vote tonight. Mr. Kelleher said this isn't about accidents that happened, its about accidents that could happen.

Any in favor or in opposition?

Richard Lyons, 124 Adams Ave., agree with police & opposes 4-way stop.

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Eric Lyons, 124 Adams Ave., opposed to 4-way stop.

Stephanie, 125 Adams Ave., opposed to 4-way stop.

Donna Hoffman, 24 Elmwood Ave., in favor of 4-way stop.

Mr. Marciano, 22 Elmwood Ave., said problem is people running stop sign on Elmwood and 1-way has helped and suggested trying other side of Elmwood 1-way going away from Adams Ave.

Lt. said he has stepped up enforcement as much as he can. Mr. Castinetti asked he look into the 1-way suggestion also. Lt. said the issue is speeding and not obeying the stop on Elmwood Ave. Mr. Kelleher said 4-way is the only way to slow down traffic. Lt. said he believes the 1-way will solve it.

Arthur Grabowski, 66 Denver St., TMMP8, said he believes the issue is accident avoidance and said there are issues with traffic and speeding everywhere in Town and pointed out the 4-way stops that were great success, Vine & Talbot, Elm & Saville, and at Felton St. he said speeding is the problem.

Mr. Castinetti said there is a blind spot over the hill and will increase rear end collisions and asked the Lt. to look at all the issues. Mr. Kelleher said they have been trying to do this for 10 years and he doesn't know another way to slow traffic.

Al DiNardo, TMMP4, 199 Essex Street, said 4-way stop works.

Mr. Horlick said Saville Street has a certain amount of traffic on both streets and said Vine was temporary and never voted to make permanent and said they don't have enforcement and would rather wait and hear at February meeting. The Chair agreed and said it takes time to learn new signs and its only 3 months and would like to extend this to February. Mr. Horlick said there is a blind spot before the intersection on Adams Ave. and more visibility at other locations. Ms. Hoffman said she would rather see a car stop short rather than accident and said they are trying to prevent something from happening. Mr. Doherty said he's surprised at some comments and said they are losing track of the cause which is speeding on Adams Ave. and said he doesn't want to wait and its time to vote for a 4-way stop now.

Ken Nadeau, 42 Elmwood Ave, said Mr. Doherty got 70 signatures and they live in the area and have a better idea of what is best for the area and the 1-way is not working.

Mr. Kelleher said for 10 years it comes to slow traffic and only way is stop signs and he will support 4-way stop.

Michael Barker, 122 Adams Ave., in favor of 4-way stop.

Jean Barker, 122 Adams Ave., in favor of 4-way stop.

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

Mr. Horlick moved to try the 4-way stop for 6 months (March 2010) and look at where "Stop sign ahead" and "slow" signs and other signs should be installed. Mr. Castinetti speaking on the motion asked he amend the motion to hear from all the neighbors. Mr. Kelleher said he will support the motion. Mr. Castinetti said he wants to hear from those directly affected. Mr. Kelleher said they will get that with 6 month test. Mr. Castinetti said he will not support the motion. The Chair asked the motion be amended to after February review. Mr. Horlick said he's not for permanent signs, only 6 months with other signs to slow down. Chair seconds. Vote: 2-2 with Mr. Castinetti and Mr. Wong voting in opposition. Motion failed.

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Mr. Castinetti moved to notify residents at next meeting to speak in favor or in opposition. Mr. Kelleher said he won't support the motion and said he will do what he thinks is right and don't need more public input. Ms. Hoffman said there are new residents on the street that aren't aware and won't come to the meeting. Mr. Doherty said if they wanted to come they should have been here. Mr. Lyons said he wasn't asked to sign the petition and they should wait until February.

Mr. Castinetti withdrew his motion with no objection.

Mr. Castinetti said they can revisit in 2 months (November meeting). Mr. Horlick asked the Lt. about signs on Adams Ave. Lt. said some have lost track of the issue which is speeding and the intersection and explained there isn't a high volume of accidents and said he believes over 10 years he doesn't agree it is a dangerous intersection with 11 accidents and 6 of those accidents were south on Elmwood and addressed that with 1-way and said the Board has not given time to see if it works and said enforcement is the answer and maybe hire a traffic engineer to put the issue to an end and asked the Board to give it more time and said he does not recommend a 4-way stop and the 3 Safety Officer's before him did not recommend the 4-way stop. The Chair said they need enforcement and tickets will educate the public. Mr. Horlick said they can look at it in November and in February.

Mr. Castinetti amended his motion to include: to see as much enforcement with statistics on and data off the speed monitor. Chair seconds. Mr. Castinetti asked the Manager to get estimate on traffic engineer. Vote: 4-0.

Member's motions

The Chair announced Founder's Day on Sept. 12 9-4 and announced the proposed charter has been mailed and all should have copy by 9/14 and if anyone wants additional copies they can at the Town Clerk's Office or the Selectmen's Office.

Mr. Castinetti: Friday the Veterans will hold a 9/11 observance at Town Hall at 6:30PM.

- 12<sup>th</sup> is Founder's Day;

- 19<sup>th</sup> at 9 is Special Olympics at World Series Park;

- October 3 at 9AM the Veterans Council will be fixing grave markers at the cemetery.

Mr. Kelleher: said the Exxon station is coming down and asked for update. The Manager said any day now.

- reminded the Manager he wants to schedule a meeting with him regarding a By-Law for abandoned buildings.

- asked the Chair to call the Joint Committee on new schools meeting and explained there is an Article before Town Meeting regarding the Curley Property and it was discussed to use property for combined middle/high school.

- Founder's Day September 12.

Mr. Horlick: thanked the Manager for clean up in Golden Hills area and said the only thing left is the guard rail. The Manager said he believes it's on private property.

- said the 1<sup>st</sup> water main project is done and asked if some will be done next year. The Manager said he will look into it.

- thanked police and the Manager for stepped up patrols at Bristow Street Park.

- thanked everyone to attend Founder's Day.

Mr. Kelleher welcomed Lt. O'Brien.

Citizen's forum

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Michael Russo, 14 Dale Street, thanked the Manager for rectifying the sewer issue on Dale Street and asked of the issue regarding the I&I fee. Mr. Castinetti said he has received information on the history of sewer request and is inclined to support the request and asked for the Chair to call a Sewer Commission meeting.

Mr. Castinetti moved the Chair schedule a Sewer Commission meeting and to invite the Town Manager, Town Counsel, neighbors on Dale Street. Mr. Horlick added with no objection to invite Special Counsel. Mr. Kelleher agreed this is special and unique circumstances. Chair seconds. Vote: 4-0.

The Manager said he will organize a meeting for the Board. Mr. Kelleher asked that residents be notified. The Manager said he has their e-mail and it will be publicly posted.

Mr. Castinetti moved to adjourn. Chair seconds. Vote: 4-0.  
Meeting adjourned at 9:56 PM.  
Respectfully submitted,  
Wendy Reed, Clerk