

Saugus Board of Selectmen
September 18, 2012

*****MEETING MINUTES*****

AGENDA
Saugus Board of Selectmen
7:30 PM September 18, 2012
Town Hall Auditorium
298 Central Street

- 1.) Call to order.
- 2.) Invited Guests: Babe Ruth 15 year olds
Veterans' Agent Regional Agreement
- 3.) Approval of minutes: September 4, 2012
- 4.) Enhanced Citizen's Forum
- 5.) Continued Hearing: - Public hearing on the feasibility of raising fees. (From 8/14/12 & 9/4/12)
- Sully C's, 168 Broadway for transfer of licenses. (From 9/4/12)
- 6.) Public Hearings:

7:50PM Aggregate Industries, 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, for a period of six months.

Correspondence

- 1.) MPO Nominations due 9/28. (From 9/4/12)
- 2.) Selectmen re: Town Meeting Article. (From 9/4/12)
- 3.) Saugus Community Television Station: Rules & Procedures. (From 9/4/12)
- 4.) Knights of Columbus re: annual Tootsie Roll Drive.
- 5.) United Nations Day Proclamation: October 24, 2012.
- 6.) COA re: request to accept \$1,000 gift from Anonymous donor to the Senior Center Gift Account.
- 7.) Solimine, Landergan & Richardson re: invitation to Veterans Memorial Service.
- 8.) Saugus Bike Path - Rail Trail Rules.
- 9.) Saugus Veterans' Council re: request for Parade Permit & invitation to Veterans Day services.
- 10.) Ms. Lehane re: Hamilton Street handicapped ramps.

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

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The Saugus Board of Selectmen met on September 18, 2012 at 7:30PM in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Stephen Castinetti, Stephen Horlick, Julie Mitchell, Debra Panetta and the Chairman Michael Serino. The Town Manager Scott Crabtree was also present.

Invited Guests: Babe Ruth 15 year olds

The Chair recognized Coach Mark Mitchell. Coach Mitchell introduced the other coaches and gave a recap of the season. The Selectmen presented each player with a citation in recognition of qualifying and competing in the EMass State Finals and congratulated them.

Invited Guests: Veterans' Agent Regional Agreement

The Manager introduced those present, Melrose Mayor Rob Dolan, Wakefield Town Administrator Steve Maio and Veteran Ryan McLane and explained they have been working on regionalizing the veterans agent if the Board approves we would have a shared service. Mr. McLane gave his background and gave a power point presentation on the proposal. Mr. Castinetti said as President of the Veterans Council and a veteran he thinks the change is proactive and said the Veterans Council will stand by him. The Manager said the council will have a roll. Mr. McLane said both Melrose & Wakefield have a Veterans Advisory Board. Ms. Panetta congratulated the Manager for working in collaboration and asked if this model could support a fourth community. Mr. McLane said it could. Ms. Panetta asked how long he has been in Melrose. Mr. McLane said 1 year. Ms. Panetta asked about his stated commitment to receiving 100% reimbursement if there is lag time. Mr. McLane said yes, and explained it is calculated by DOR and will appear on the Cherry Sheet. Ms. Panetta asked if he put the budget together. Mr. McLane said yes. Ms. Panetta asked about the 2 year term for the contract if that is typical. Mr. McLane said there are many "outs" in the contract and said the State has approved it. Ms. Panetta asked if it automatically renews. Mr. McLane said there will be discussion on that. Administrator Maio said there are a couple of places in the contract allowing review / termination at budget time. The Manager said the agreement is a partnership and if it's not working they will look at another model and said they are projecting servicing 50 veterans in Saugus and said there is exposure in the line item that was budgeted for \$38,000 and will now cost around \$51,000 and said we will bring veterans services to Town Hall. Mr. Horlick expressed satisfaction with the proposal and thanked them and offered his service to make copies of proposed instructional videos at no charge. Mayor Dolan said the struggles of Saugus are struggles everywhere and said in Melrose he had to convince the citizens regionalization of services is the way to go. Administrator Maio said he's happy to join this collaboration and said it's about what we can do to provide the best services for the lowest price and in this case it will be a better service for a lower price and noted it is required by law for each of our communities to have a veteran's agent.

Mr. Castinetti moved the Board vote to accept the regionalization agreement with Melrose and Wakefield for veteran's services. Chair seconds.

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

The Manager noted the Fire Chief present. The Chair recognized the Chief. Chief Donald McQuaid was present and read a statement regarding the closing of Essex Street Fire Station and asked the Board to consider if money becomes available. The Chair said budget has been a tough battle and hope the Town receives the grant for additional firefighters. Mr. Horlick congratulated him on his position and said if money becomes available this manager will hire new men. Ms. Panetta said none of the Board Members want to see the station close and is sure the manager will do what he can. The Manager said there are financial constraints and said we need to come up with ideas and is hopeful of getting the grant.

Ms. Panetta moved to take the 7:50 public hearing off the table. Chair seconds. Vote: 5-0.

7:50PM Aggregate Industries, 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, for a period of six months.

Attorney Richard Magnan, 194 Central Street was present with Scott Colby of Aggregate Industries and explained. The Chair asked if there were no blasts last year. Mr. Colby said no blasts. Mr. Horlick read fire dept. recommendation: "*Fire Dept. detail required with 24 hours notice.*" Atty. Magnan

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said that is one of the standard conditions. Mr. Horlick asked about monitoring the fence. Mr. Colby said they walk the fence once a month.

Any to speak in favor or opposed? None.

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

Mr. Horlick moved 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, for a period of six months of Aggregate Industries with the standard conditions including recommendation of fire dept. Chair seconds.

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

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

Continued Hearing: - Sully C's, 168 Broadway for transfer of licenses. (From 9/4/12)

EKB Corporation, Inc. d/b/a Sully C's Bar & Grill, 168 Broadway, for transfer of All Alcoholic Beverages Common Victualer's License and change of manager TO: Elaine K. Byrne FROM: Evos Group, Inc. d/b/a Sully C's Bar & Grill, 168 Broadway; and for change of hours of operation TO: 11am to 1am. Application is also being made for transfer of Entertainment License; one Juke Box; and two coin operated devices.

The Chair said the Board did receive response from the Building Inspector and read. Charles Saldi was present representing applicant Elaine Byrne and said Ms. Byrne has attended the training for servsafe and took the exam and has been TIPS certified. The Chair said it is noted that ServSafe certification results will be issued in two weeks. Mr. Horlick said at last meeting he said he wasn't an attorney and asked in what capacity he represents. Mr. Saldi said he is a registered public accountant and he forms corporations and he did attend law school but is not an attorney and said he has run his business in Saugus for 36 years. Mr. Horlick said the applicant has no restaurant experience or liquor experience. Mr. Saldi said she did work in a family restaurant a long time ago but not with liquor. Mr. Horlick asked if she was ever a bar tender. Mr. Saldi said he doesn't believe so. Mr. Horlick said he has concern she has no experience as a manager and the manager should be the most experienced. Mr. Saldi said the owners will stay for guidance and explained. Mr. Horlick said if he wants her to succeed then why not hire her to train her as manager for 6 months to a year and then come back. Mr. Saldi said she has gained experience over the two months and said the owners aren't leaving and understands it takes time but believes the co-management team would be for at least 6 months. Mr. Horlick said he only voted for managers with experience. Ms. Panetta said people have commented on the fact the license was granted 3 months ago and the Board voted the transfer in good faith and now he's selling the business. Mr. Saldi said he was not involved when that happened and said if there was no offer they would still be running the business and said he is at a loss regarding the comments on experience and agreed it is on her to learn and she did address the training and is learning the day to day activities of running a restaurant. Mr. Castinetti said this is a prime example of capitalism by building and then selling a business and noted the owner is there every day and is not sure if we would be overstepping our boundaries directing who to hire.

Any to speak in favor or opposed? None.

The Chair said he cannot support the transfer, but maybe if she had experience especially with alcohol. Mr. Horlick said this is a request for transfer of liquor license and has concern with her not having experience and maybe she could come back after she gets experience. The Chair said even if approved the ABCC would have final say and noted on the application it asked for experience. Mr. Castinetti noted the minutes of September 4th and read and said the applicant has done all requested her to do at that meeting.

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

Mr. Horlick moved the Board vote to not approve the application of EKB Corporation, Inc. d/b/a Sully C's Bar & Grill, 168 Broadway, for transfer of All Alcoholic Beverages Common Victualer's License and change of manager TO: Elaine K. Byrne FROM: Evos Group, Inc. d/b/a Sully C's Bar & Grill, 168 Broadway; and for change of hours of operation TO: 11am to 1am; and for transfer of Entertainment License; one Juke Box; and two coin operated devices. Chair seconds.

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

Ms. Panetta moved to take the continued hearing on fees off the table. Chair seconds. Vote: 5-0.

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Continued Hearing: - Public hearing on the feasibility of raising fees. (From 8/14/12 & 9/4/12)
Notice is hereby given that the Saugus Board of Selectmen will conduct a public hearing on the feasibility raising building fees, electrical fees and other fees of the Building Dept; and license fees and other fees set by the Board of Selectmen.

The Chair explained the hearing was continued to look at alcohol and dumpster fee and said he spoke with the Building Inspector and agrees with a possible \$10 a week after the first 30 days. Mr. Castinetti said he spoke to the Building Inspector as well and he expressed concern with dragging dumpsters over sidewalks and causing damage and is inclined to support the \$50 fee based on what he was told. The Manager said this would protect neighborhoods and noted some dumpsters are on site for months. The Chair said the only way to address them being on site for more than 30 days is the \$10 fee.
Any to speak in favor or opposed? None.

Ms. Panetta asked if someone was remodeling how long that takes and said she doesn't know how many are used and doesn't like an additional fee especially if residents were affected by flooding or some tragedy. The Manager said if it was for a disaster the insurance would cover it.

Mr. Castinetti moved to support the Building Commissioner's request for a one-time fee of \$50 for dumpster on private property plus \$10 for every additional week based on the discussion he had with the Building Commissioner including if on the street with approval of DPW. The Chair seconds. The Chair speaking on the motion said he agreed with the \$10 after the first 30 days but doesn't agree with the initial \$50 fee. Mr. Horlick said he runs into this a lot and on the \$50 fee to register the dumpster and said the main issue is damage to sidewalks and they should be registered.

Mr. Castinetti amended his motion for a \$25 fee. Chair seconds.

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

The Chair asked the Board their thoughts on raising alcohol fees and said they were last raised in 2003 and read and said in this economy he's not sure if they should touch them now. Mr. Castinetti said he kind of agrees and proposed putting it off for a year. Mr. Horlick agreed.

Mr. Castinetti moved to take no action. Chair seconds. Vote: 5-0.

Approval of minutes: September 4, 2012

The Chair offered a couple of corrections. Mr. Castinetti moved to approve as corrected. Chair seconds. Vote: 5-0.

Correspondence

1.) MPO Nominations due 9/28. (From 9/4/12)

The Chair said the election will be held on October 24th.

Mr. Castinetti moved to continue to October 2nd. Chair seconds. Vote: 5-0.

2.) Selectmen re: Town Meeting Article. (From 9/4/12)

The Chair said he spoke with Town Counsel and would like some restriction on them and save for economic development on Rte. 1 and read. Mr. Castinetti referenced the minutes of the previous discussion and said they were earmarked for the 2 unsuccessful applicants that came for the Board and is more inclined to take care of Saugus businesses and maintain autonomy. Mr. Horlick said he made calls to see what the legislative body would be inclined to do and they are more inclined to approve more licenses for economic development of a community and is not sure if they would approve it and said it can be amended on Town Meeting floor. The Chair said he talked to several Town Meeting Members and they feel they should be set aside for economic development. Mr. Castinetti said the minutes reflect they were intended for the 2 applicants that came before them. Ms. Mitchell asked if Pushcart got a full license asked if the beer & wine would come back. The Chair said yes. Mr. Horlick said the only way to get additional licenses was to give them to a specific location like the mall. Mr. Castinetti said liquor laws are changing and are more lax. Ms. Panetta said whatever the Board decides it must go to Town Meeting and can be debated at that point. The Chair said the two additional licenses that were granted in the past were restricted to the location.

Mr. Castinetti moved to submit the Article as written. Chair seconds.

Roll call vote: Mr. Castinetti, yes; Mr. Horlick, no; Ms. Mitchell, yes; Ms. Panetta, no; Mr. Serino, no.

Ms. Panetta moved to submit the Article drafted by Mr. Serino. Chair seconds.

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Roll call vote: Mr. Castinetti, no; Mr. Horlick, yes; Ms. Mitchell, yes; Ms. Panetta, yes; Mr. Serino, yes.

3.) Saugus Community Television Station: Rules & Procedures. (From 9/4/12)

Chris Peatridge, Chair SCTS was present. Ms. Mitchell asked if the regulations were made public. The Chair said yes. Ms. Mitchell said they weren't on the websites. The Chair agreed they should have been and asked it be put on their website and announced hard copies would be in the Selectmen's Office. Mr. Peatridge said they received correspondence back from their attorney and the SCTS Board will meet Wednesday to discuss changes and will submit a final draft to the Board after that. Mr. Castinetti asked he also include a list of changes made. The Chair said they can take it up at next meeting.

4.) Knights of Columbus re: annual Tootsie Roll Drive.

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

5.) United Nations Day Proclamation: October 24, 2012.

Mr. Horlick moved to proclaim October 24th as United Nations Day. Chair seconds. Vote: 5-0.

6.) COA re: request to accept \$1,000 gift from Anonymous donor to the Senior Center Gift Account. Mr. Castinetti moved to accept the gift of \$1,000 from an anonymous donor to the Senior Center Gift Account. Chair seconds. Vote: 5-0.

7.) Solimine, Landergan & Richardson re: invitation to Veterans Memorial Service.

Mr. Castinetti said they are huge supports of veterans and he has already confirmed his attendance. The Chair asked a letter be sent thanking them for the invitation.

8.) Saugus Bike Path - Rail Trail Rules.

The Chair explained. Mr. Horlick asked about penalty for motorized vehicles on the trail. The Chair said we have By-Laws in place. The Manager agreed. Sgt. VanSteensburg was present and said we do have By-Laws and the General Laws to help enforce. Ms. Panetta asked if no alcohol should be included.

Ms. Panetta moved to accept the rules. Chair seconds. Vote: 5-0.

9.) Saugus Veterans' Council re: request for Parade Permit & invitation to Veterans Day services.

Mr. Castinetti read request and noted it falls on a Sunday.

Mr. Horlick moved to approve Parade Permit. Chair seconds. Vote: 5-0.

10.) Ms. Lehane re: Hamilton Street handicapped ramps.

Terri Lehane, 24 Burrill Street was present and read her letter. The Manager said Town Meeting Members walked the area and he did send this complaint to CDM for written comment and is waiting for response and will forward to the Board. Mr. Horlick said he did go on the walk through and looked at ramps for the last three bids and there were some issues with Hamilton Street project brought up and they are being corrected. The Manager said a resident did come forward but never followed up with sending him pictures and other information he said he would send. Ms. Lehane asked if she should wait for response. The Manager said yes. Ms. Panetta asked if she spoke with the Sidewalk Committee. Ms. Lehane said she talked to Mr. Manoogian and he said it's a contractual issue and would be up to the Manager and the Board to address. The Manager said he did forward a copy to the Sidewalk Committee Chair and CDM and said he will get answers and go from there.

Manager's Report

- Said there are budget issues and have completed financial audit last week and that was one of the requirements of DPR and they are satisfied and said the management letter is still being worked on and will have in next few weeks and said regarding the single audit done by Melanson & Heath, issued a letter for them to complete the school dept. audit.

- said budget & actuals are going up on line and will be in a new format.

- said regarding personnel that he has started interviews for plumbing inspector.

- said regarding tech & organizational change he signed a contract to move forward with a project of installation and implementation and explained the system that will track costs and will help in budgeting correctly.

- looking into new phone system.

- did a spot for cable on west Nile & EEE and is trying to improve dialog and did a spot with the Fire Chief to get information out to the public and will be using facebook & twitter also.

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- will be attending a seminar on “New World Systems” with an ultimate goal of going paperless.
- attending a seminar on regional economic development plan.
- signed up for the legislative breakfast and invited Board Members to attend.
- update on bike path and announced clean up dates on the 22nd & 29th and they need volunteers. The Chair said there’s a grant in the pipeline for paving the trail.
- thanked the Board for their support on regionalization.

Member’s Motions

The Chair announced Household hazardous waste day October 20th; announced the Board is accepting applications for appointment to the Cultural Council; read a letter regarding the compost site and said he’s not happy an employee telling people the Board wants to close the site. The Manager said it’s a personnel issue and will address it and said there are 1 or 2 employees creating an issue and said there’s no intention to close the yard but does want it run more efficient and better service. The Chair asked if sign-in is necessary. The Manager said he will look into it. Mr. Horlick said there was an incident in the spring with a contractor allowed to dump there and said the Board has no intention on closing the site. The Chair said he enjoyed the Town Hall cook out.

Ms. Mitchell: said Founder’s Day was a great success and thanked everyone.

- announced Saugus Deli grand opening event Saturday.

Mr. Castinetti: asked their clerk to get list of adopt a site sponsors and invite in for citation.

- received complaint of parking on both sides of Summer Street. Sgt. VanSteensburg said he received a call also and is looking into it.

- said while preparing for Veterans Day he saw vandalism to the memorial and asked if the police could keep an eye out. Sgt. VanSteensburg said he is working on evaluating signage at the parks.

- announced Friday night at the library the POW/MIA ceremony will be held.

- announced fundraiser at American Legion October 20th dinner.

- said last meeting he brought up double poles and met with their clerk and according to the report the fire dept. are holding up a large number of them and asked to send letters to the fire dept. and electric company to move it along.

- asked if applications were received for Industrial Development Committee. The Manager said 2 and said he will be scheduling another meeting.

- said he and Selectmen Mitchell attended retirement party of Fire Chief Blanchard and said Congressman Tierney, Senator McGee and Representative Wong made presentations and would like the Board to invite him in for citation.

Mr. Castinetti moved to invite James Blanchard in to next meeting for citation. Chair seconds.
Vote: 5-0.

Ms. Panetta: Asked if Saugus Deli was having a ribbon cutting. Ms. Mitchell said yes and the Board was invited to attend at 11:30AM.

- asked if they should wait for the management letter before asking questions on the audit. The Manager said yes.

- said Founder’s Day was amazing and congratulated Greg and his staff.

- announced the Sons of Italy dinner at the Knights of Columbus.

- said the Board received a phone message in their packets with complaint about the sign at Hooters and asked what they can do. The Chair said he had their clerk copy to Hooters. Mr. Horlick said he called her and explained there isn’t a lot they could do.

- received correspondence from their clerk regarding 2 traffic signals. Their clerk explained they were approved but due to budget constraints have not been funded. The Chair said there’s no funding. Ms. Panetta said one goes back to 2007. The Manager said they can discuss it.

Mr. Horlick: received a request regarding 3 Burrill Street to repair water shut-off so they can repave their driveway. The Manager will look into it.

- thanked the Manager for brush cutting on Walnut and Gianna.

- thanked everyone for coming out on Founder’s Day and said Greg & staff did a job well done and thanked Julie for her help.

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- thanked the Fire Dept. for the 9/11 ceremony. The Chair said he didn't know about the ceremony until Mr. Horlick called. Mr. Horlick said he called the Board Members to let them know.

Citizen's Forum:

Chris Peatridge suggested that when the fire station is closed, have the ambulance respond to medical calls.

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

Meeting adjourned at 10:51PM.

Respectfully submitted,
Wendy Reed, Clerk