

Saugus Board of Selectmen  
September 24, 2013

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

AGENDA

SAUGUS BOARD OF SELECTMEN  
September 24, 2013 – 7:30 PM  
Town Hall Auditorium  
298 Central Street

- 1.) Call to order.
- 2.) Invited Guests: Bryan Nadeau re: SCTS presentation
- 3.) Approval of minutes: August 27; and September 10, 2013
- 4.) Correspondence:
  - Organizations: -Saugus Rotary Club re: request for banner for 27<sup>th</sup> Annual Rotary Auction.
  - Saugus Anti-Drug Coalition & W.R.O.C. re: Regional Opiate Prevention Grant.
  - Licensing: -Home Town Pizza re: request determination of external grease trap requirement.
  - Mr. Ananian re: letter supporting request.
  - McDonalds, 127 Broadway re: response to complaints.
  - Blessed Sacrament Women's Guild re: request for 1 day Beer & Wine License.
  - Sully C's re: request for 2 one day modification of Entertainment License to have a DJ.
  - Other: -Saugus Cable TV Station re: approval of FY14 budget.
  - Fire Dept. re: request to insert Article into next Special Town Meeting Warrant.
  - Police Dept. re: traffic improvements to Denver St. and Marr Rd.
  - Dept. of Telecommunications re: Cable License renewal.
- 5.) Citizen's Comment Period
- 6.) Continued Hearings: -Tumble Inn (from 8/20 & 9/10)  
- Elks Club (from 9/10/13)  
- Mets Cab (from 9/10/13)
- 7.) Public Hearings:
  - 8:00 PM public hearing on amending the Town's Traffic Rules & Regulations Article V, Section 13: BY designating "Handicapped Parking Only" at the following locations:  
In front of #295 Central Street; and in front of #38 Wendell Street.
  - 8:05 PM Verizon for permission to relocate (1) jointly owned pole # P3-40, together with wires, cables, anchors, guys and necessary equipment & fixtures on Winter Street as shown in plan no. 4 dated 08/26/13.
- 8.) Town Manager's Report
  - Town Land & property lease – Kasabuski Rink; 180 Walnut St.; DPW landfill & other Town buildings.
  - Request to call a Special Town Meeting & request to insert Article re: medical marijuana By-Law.
- 9.) Member's Comment Period
  - D. Panetta: - FEMA outreach meeting.
  - Mr. Serino: -ACO letter
- 10.) Citizen's Comment Period
  - Mr. Manoogian re: request for crosswalk on Lincoln Ave. at Guild Road.
  - Ms. Saulenas re: climate change.
  - Mr. Decareau / Saugus Concerned Citizens re: open meeting law, Selectmen, & SCTS.

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The Saugus Board of Selectmen met on September 24, 2013 at 7:30PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Stephen Castinetti, Stephen Horlick, Julie Mitchell, Debra Panetta and the Chairman Michael Serino.

The Board held a moment of silence for Paul Cacciola a dedicated Town employee that worked in inspectional services.

Town Manager's Report:

- Request to call a Special Town Meeting & request to insert Article re: medical marijuana By-Law.

The Town Manager Scott Crabtree explained the Board requested information on the new medical marijuana law and said the Economic Development Coordinator has and introduced Robert Luongo. The Economic Development Coordinator was present and explained the need to have a temporary moratorium until they can draft and approve a zoning by-law. Mr. Horlick agreed and said after the legislation was passed he spoke with the Police Chief and asked the Board to support a moratorium and sent to our State Delegates. Mr. Luongo said they can control locations by zoning but cannot prohibit them. The Chair noted this is time sensitive. Ms. Panetta asked if the information from the waterfront meeting has been posted on the website. Mr. Luongo said not yet.

Ms. Panetta moved the Board vote to call a Special Town Meeting on October 15. (at 7:30 pm)  
Chair seconds 5-0.

Ms. Panetta moved to insert the Article into the (10/15/13) Special Town Meeting Warrant. Chair seconds 5-0.

Mr. Horlick moved to close the warrant. Chair seconds 5-0.

The Manager said he has spoken to the Chairman of the Planning Board and they are scheduling a hearing on this.

Correspondence:

-Saugus Anti-Drug Coalition & W.R.O.C. re: Regional Opiate Prevention Grant.

Greg Nickolas, Youth & Recreation Director was present and introduced Erica Clark & Julia Newhall from MGH. Ms. Clark congratulated Saugus for stepping up to address this issue and explained regional grant and forum tomorrow night. Ms. Panetta asked if they have any idea why Saugus is 3 times higher than the average. Ms. Clark said they need data collection and noted this is a regional problem. The Manager said the team will evaluate data and develop a strategic plan unique to each community. Mr. Horlick thanked him for his efforts. The Manager said this is something the Board has been supportive of.

Mr. Horlick moved to table the 8:00PM and 8:05 public hearings. Chair seconds 5-0.

Invited Guests: Bryan Nadeau re: SCTS presentation

SCTS Operations Manager Bryan Nadeau was present and gave overview of what he has been working on including new website look and inventory system and encouraged those that want events covered to call well in advance and described the production class they offer and encouraged people to become members. Ms. Panetta asked time line to complete inventory system. Mr. Nadeau said 6 months. Ms. Panetta asked about programming. Mr. Nadeau said it is his decision and just ask people to follow the rules. Ms. Panetta asked if he has added any new programming. Mr. Nadeau described shows purchased and some shared by other PEG studios. Ms. Mitchell asked if the high school is involved. Mr. Nadeau said yes. Mr. Horlick noted no charge for Saugus residents' membership.

Correspondence

-Fire Dept. re: request to insert Article into next Special Town Meeting Warrant.

Deputy Fire Chief Michael Newbury was present and requested the Board insert the Article and explained the cost of maintaining the system. Ms. Panetta asked what other communities charge. Deputy Chief said between \$100 & \$600 and thinks \$200 is fair.

Mr. Castinetti moved to insert the Article into next Special Town Meeting Warrant. Chair seconds 5-0.

Citizen's Comment Period

-Mr. Manoogian re: request for crosswalk on Lincoln Ave. at Guild Road.

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Peter Manoogian, TMMP10 was present and said the request was recommended by the Traffic Safety Officer and noted the area has a bus stop and a school bus stop. Sgt. Paul VanSteensburg was present and said he does support the request.

Ms. Panetta moved the Board have the Town Manager install a crosswalk across Lincoln Avenue at Guild Road. Chair seconds 5-0.

Correspondence

-Saugus Cable TV Station re: approval of FY14 budget.

Christopher Peatridge, SCTS Chairman was present and explained proposed budget. Mr. Castinetti asked about legal fees. Mr. Peatridge said it is to cover cost of appeal of employee dismissal and related costs of investigation that led to dismissal. Ms. Panetta asked if any other significant changes are proposed. Mr. Peatridge explained this is a more realistic budget and will have better handle on it after the year end close and reported money in various accounts. Ms. Panetta noted they have cut the admin to 25 hours and asked if that was sufficient. Mr. Peatridge said yes.

Ms. Panetta moved to accept the budget as presented. Chair seconds 5-0.

The Chair thanked them for their hard work.

Ms. Panetta moved to take the 8:05 public hearing off the table. Chair seconds 5-0.

8:05 PM Verizon for permission to relocate (1) jointly owned pole # P3-40, together with wires, cables, anchors, guys and necessary equipment & fixtures on Winter Street as shown in plan no. 4 dated 08/26/13.

Everett Bryan, Right of Way Engineer, Verizon was present and explained request to relocate pole for access to new development.

Any to speak in favor or opposed? None.

Mr. Castinetti moved to close the hearing. Chair seconds 5-0.

Mr. Castinetti moved to grant the request to relocate (1) jointly owned pole # P3-40, together with wires, cables, anchors, guys and necessary equipment & fixtures on Winter Street as shown in plan no. 4 dated 08/26/13. Chair seconds 5-0.

Ms. Panetta asked when it would be done. Mr. Bryan said it will be scheduled as soon as possible.

Correspondence

-Saugus Rotary Club re: request for banner for 27<sup>th</sup> Annual Rotary Auction.

Mr. Horlick moved to approve with standard conditions. Chair seconds 5-0.

-Home Town Pizza re: request determination of external grease trap requirement.

-Mr. Ananian re: letter supporting request.

Joseph Ananian, property owner 1 Essex Street, was present with applicants Adalberto Gimenes and his son. Mr. Ananian and asked what their alternatives are. The Chair said he spoke with Town Counsel and one option is to appeal at Superior Court and said the property owner is responsible to install if you want a restaurant establishment. Mr. Ananian said they bought the business "turn-key" with no changes and asked if he means this will not be voted on tonight. The Chair explained he must reapply and a public hearing will be scheduled. Mr. Ananian said the applicant went to Town Dept. before he purchased the business and explained location. The Chair said he will have to reapply. Mr. Ananian said the applicant doesn't understand. Mr. Horlick asked if he understood the application and asked about cost. Mr. Gimenes said they called 2 or 3 plumbers and some say it's impossible and some say it will cost \$30,000-\$50,000 and said he doesn't understand the previous waiver was granted in April and nothing is changing and had 2 inspections and were told everything is fine. Mr. Horlick said at last meeting the Board voted to notify all businesses. Mr. Castinetti said at last meeting it was suggested to look at alternatives and would like to ask the Plumbing Inspector questions about alternatives to exterior traps and would like to postpone all grease trap issues until we can look into alternatives. The Chair said the sewer regulations have been in effect since 1987 and most probably have external traps and just need to catch up on a few. The Manager said the Town's policy is all must have external grease traps. Mr. Castinetti said the Plumbing Inspector has knowledge we don't have to make informed decisions. The Manager said his job is to enforce regulations. Mr. Horlick said there are options out there but have not

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seen alternatives brought to the Board on hardship cases. The Chair said it's up to the applicant and they can apply.

-McDonalds, 127 Broadway re: response to complaints.

Lindsay Waller, owner was present and apologized for the error and explained and said now that she is aware they will abide by the hours on the license. The Chair said he appreciates that.

-Blessed Sacrament Women's Guild re: request for 1 day Beer & Wine License.

Mr. Castinetti moved to grant the request. Chair seconds 5-0.

-Sully C's re: request for 2 one day modification of Entertainment License to have a DJ.

Attorney George Gregson, 325 Central Street was present with applicant Elaine Byrne and explained the request for two events.

Mr. Castinetti moved to approve the request for 2 days: October 26, 2013 & November 27, 2013 as requested. Chair seconds 5-0.

-Police Dept. re: traffic improvements to Denver St. and Marr Rd.

Sgt. VanSteenburg was present and explained the issues in the area and submitted report on how they will be addressed and wanted the Board to be aware. The Chair thanked him. Ms. Mitchell noted the brush needs to be cut and expressed concern with not being able to see around it. Mr. Horlick agreed visibility is an issue with overgrowth.

-Dept. of Telecommunications re: Cable License renewal.

The Chair requested copy be sent to Cable Advisory Board.

Continued Hearings: -Tumble Inn (from 8/20 & 9/10)

Laurie Cunha d/b/a Tumble Inn Diner, 488 Lincoln Avenue, Application for a 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.

Laurie Cunha was present with Richard Scirocco. The Chair read recommendations from the Plumbing Inspector and Board of Health. Ms. Panetta said the plumbing inspector noted the internal trap is undersized. Mr. Scirocco said they did research Title V and noted they are a lower production establishment that has been in operation more than 20 years. The Chair said the Board was not aware this location did not have an external trap the last time it was transferred. Ms. Panetta said at this time they have recommendations for an external trap to be installed; she will not support a waiver and suggested they work with the property owner. Attorney Manny Rabbit representing the current business owner was present and said there is ledge in back and they are looking for another way to solve this and said they do have a cost range but not an estimate and they would need to core the property to come up with an estimate. The Chair said it's up to the property owner to make an investment in the property.

Ms. Panetta moved to close the hearing. Chair seconds 5-0.

Ms. Panetta moved to deny the request for variance to waive the external grease trap requirement. Chair seconds. Mr. Castinetti said based on previous discussion he will abstain because he does not have adequate information. Vote 4-0 and 1 abstention by Mr. Castinetti.

Continued Hearings: -Elks (from 9/10/13)

Saugus – Everett Lodge #642 B.P.O.E., 401 Main Street, Fred Cohen, manager, for change in description of licensed premises / alteration by including the "grove area" on the Club All Alcoholic Common Victualer's License and on the Entertainment License.

The Chair said they are requesting to continue because they have not notified the abutters.

Mr. Castinetti moved to continue the hearing. Chair seconds 5-0.

Continued Hearings: - Mets Cab (from 9/10/13)

W & S 2, Inc. d/b/a Mets Cab, with office at 133 D North St., Newtonville, for modification of Taxi License for two additional taxi cabs.

Nga Yu Suen, 133 North St., Newtonville was present. The Chair read recommendations.

Any to speak in favor or opposed? None.

Ms. Panetta asked where the cabs are kept. Mr. Suen said Medford. Ms. Panetta asked if they are registered in Saugus. Mr. Suen said yes.

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Ms. Panetta moved to close the hearing. Chair seconds 5-0.

Ms. Panetta moved to grant request for two additional cabs with condition they be registered in Saugus. Chair seconds 5-0.

8:00 PM public hearing on amending the Town's Traffic Rules & Regulations Article V, Section 13: BY designating "Handicapped Parking Only" at the following locations: In front of #295 Central Street; and in front of #38 Wendell Street.

Sgt. VanSteensburg was present and explained the need for space on Wendell Street.

Any to speak in favor or opposed? None.

Mr. Castinetti moved to close the hearing on Wendell St. Chair seconds 5-0.

Mr. Castinetti moved to grant the request to amend the Town's Traffic Rules & Regulations Article V, Section 13: BY designating "Handicapped Parking Only" in front of #38 Wendell Street. Chair seconds 5-0.

Sgt. VanSteensburg said he supports the request in front of the library and described location. Mr. Castinetti asked if there is a ramp onto the sidewalk there. Sgt. said yes. The Chair asked about eliminating one spot in the parking lot. Sgt. said that's a good suggestion.

Ms. Panetta moved to close the hearing on Central Street. Chair seconds 5-0.

Ms. Panetta moved to amend the Town's Traffic Rules & Regulations Article V, Section 13: BY designating "Handicapped Parking Only" in front of #295 Central Street. Chair seconds 5-0.

Manager's Report

-said the Board received update this evening regarding traffic issues at the Church on Main St.

-said the catch basins on Eustis Street are operating properly.

-said the crosswalks at the rail trail are being addressed.

-said he did follow up on the request for more barrels at the squares and will be increasing the number and reminded the hauler to pick up daily.

-said the Board requested a meeting regarding Elm St. Bridge and that is being scheduled. The Chair said it may be on Oct. 24<sup>th</sup> and asked if grant consultant will attend. The Manager said yes. Ms. Mitchell asked to notify the public. The Chair said yes and it will be in the auditorium and televised. Mr. Horlick said he would like to see a colored map showing the scope of the problem.

-said he will be holding a dept. head meeting to discuss the community innovation grant.

-said he's in process of hiring new police officers.

-said he's had discussions with unions on health insurance to save money.

-said Weylu's property has been sold and back taxes have been paid and met with new owner / developer that owns adjacent property and now has Rte. 1 access.

-said the pump station valve has been installed and Juniper Dr. is done and noted the sewer station issue was resolved.

-said the Lincoln Ave. project is going well.

-announced FEMA meeting in Lynn on new flood maps on 9/30, 3-8 pm at Lynn City Hall.

-said there was a glitch in the reverse 911 system and they are looking at the problem.

-Town Land & property lease – Kasabuski Rink; 180 Walnut St.; DPW landfill & other Town buildings.

Mr. Castinetti asked for update on Kasabuski Rink. The Manager said he copied the Board on correspondence and does not have any additional information.

-requested the Board to authorize him to engage in negotiations over leases at various locations.

Ms. Panetta moved the Board authorize the Town Manager to negotiate property leases. Chair seconds 5-0.

Approval of minutes: August 27; and September 10, 2013

Mr. Castinetti moved to accept the August 27<sup>th</sup> minutes. Chair seconds 5-0.

Ms. Panetta moved to accept the September 10<sup>th</sup> minutes. The Chair offered a couple of corrections. Chair seconds 5-0.

Member's Comment Period

D. Panetta: - FEMA outreach meeting.

Ms. Panetta announced the FEMA outreach meeting at Lynn City Hall on Sept. 30 from 3-8 pm.

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-said the staggered election bill has been voted and is sitting on the Governor's desk. Mr. Castinetti said the Clerk has to have it by Oct. 1<sup>st</sup> to get it on the ballot.

-congratulated everyone on the Belmonte project.

-congratulated those involved in the Special Olympics and said it was a great day.

-announced the fall festival at Breakheart.

Mr. Serino: -ACO letter

The Chair said he drafted the letter as discussed and would like to send it out with license renewals.

Ms. Panetta moved to include letter in renewal packets. Chair seconds 5-0.

-said the ABCC will hold an outreach seminar at public safety building Oct. 15<sup>th</sup>.

-said the Special Olympics was a great day.

-asked their clerk to advertise for vacancies on the Zoning Board of Appeals.

Mr. Castinetti:

-said the Board received update on the parking issue on Walnut St. Sgt. VanSteensburg said the police are monitoring it.

-said last meeting is was brought up about debris on the rail trail and the Board of Health asked the people to move it and asked they keep an eye on it. The Manager said the graffiti was taken care of.

-congratulated Deputy Chief Newbury on promotion.

-said he received e-mails regarding Earth Challenge. Their clerk said she forwarded to Alternative Energy Committee.

-announced the 4<sup>th</sup> annual Trivia night.

-announced community blood drive at Blessed Sacrament.

-said Friday night there was a POW/MIA ceremony and thanked those that came.

-announced Veterans' Appreciation Day parade in Lynn on Sunday.

Ms. Mitchell:

-said she attended the Special Olympics and kudos to the organizers.

-announced 4<sup>th</sup> annual SBEC trivia night and said all money raised goes back to the schools.

Mr. Horlick:

-thanked everyone that attended the middle school ceremony and thanked the public for voting for the project.

-thanked all involved in the Special Olympics.

-said he attended the POW/MIS ceremony.

-asked the Town Manager to get him a copy of who has special status.

-said he would like to send a letter to Lynn Water & Sewer re: grease issues and he will draft it.

-said he would like to see government cut back on foreign aid and fix things here.

Ms. Mitchell moved for recess. Chair seconds 5-0. Meeting recessed at 10:54PM.

The Chair called the meeting back to order at 11:00PM.

Citizen's Comment Period

Dennis Gould was present and explained the handicapped spots at the library and asked they not remove one from the rear and explained the front spot would not comply and asked they reverse the vote. The Chair suggest he work with the police.

Mr. Gould asked they stop using reverse 911 for announcements and said it should be used for safety issues.

-Ms. Saulenas re: climate change.

Was not present.

- Mr. Decareau / Saugus Concerned Citizens re: open meeting law, Selectmen, & SCTS.

Gene Decareau, 388 Central Street said at last meeting he mentioned the cable board is not following the by-laws and 1 item was not holding their meetings at the high school and the reason stated was it was not handicapped accessible and have found it is and said the by-laws state the board is to hold a public hearing to change the by-laws and they did not do that and they hired outside counsel without coming to this Board for approval and did not follow the by-laws. The Chair said he would take it under

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advisement. Mr. Decareau asked he show him where in the open meeting law it says must be on the agenda. The Chair announced regional forum held on the open meeting law.

Chris Peatridge, SCTS Chairman said the studio at the high school has a lip at the entrance and is not handicapped accessible and does not fit a lot of people and said regarding hiring a lawyer they seeked guidance from Town Counsel.

Mr. Castinetti announced they (Saugus Concerned Citizens) gathered enough signatures to place their question on the ballot and congratulated them.

Mr. Decaareau said they did not answer the question why they don't follow the rules.

Chet Stentiford, 47 Newhall Avenue, said they should not have held that dismissal hearing at a public meeting.

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

Meeting adjourned at 11:20PM.

Respectfully submitted,  
Wendy Reed, Clerk