

Saugus Board of Selectmen
September 29, 2009

The Saugus Board of Selectmen met on September 29, 2009 at 7:30 PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Stephen Castinetti, Stephen Horlick, Michael Kelleher, Peter Rossetti Jr. and the Chairman Donald Wong. The Town Manager Andrew Bisignani was also present.

The Board observed a moment of silence for John Burns.

Invited guests: Ann Marie Crowell & Harry Mazman, Founder's Day Persons of the Year
Donna Gould, Chairman of the Founder's Day Committee was present and thanked the Board for inviting this year's recipients and said due to the rain, the presentation was cancelled on Founder's Day and explained the history of and announced past recipients. Fred Brooks read a statement regarding Harry Mazman and his commitment to the Town through the Boosters Club and presented him with a plaque. Mr. Mazman thanked all and noted a lot of people helped make the success. Janice Jarosz read a statement regarding Ann Marie Crowell and her commitment to gun safety programs and presented her with a plaque. Ms. Crowell thanked them and said she appreciates that her message is being heard. Senator Thomas McGee said Congressman Tierney was unable to attend and asked he make presentation and read citation. Representative Mark Falzone said Sen. Galluccio and Rep. Reinstein were unable to attend and extending their congratulations to the honorees. Sen. McGee and Rep. Falzone presented citations. The Manager said on behalf of the Town he wanted to thank Ms. Gould for her being Chairman of the Founder's Day Committee for 30 years and presented her with a rocking chair. Ms. Gould thanked them and said the Youth & Rec. has taken up the charge and will do a fine job and thanked Kathy Blasingame and Sue Dunn for their help through the years.

The Chair called a recess at 8:04 PM.

The Chair called the meeting back to order at 8:15 PM.

Invited guests: Maddy's representative.

Robert Wong was present. Mr. Kelleher said a while back the Board decided, when things happen a liquor establishments it's best to bring them in to discuss what happened and thanked him for coming. Mr. Wong explained the incident of July 29 it was a private function, a 21st birthday party with 50-60 people including family, no cover charge and it ended at 12:30 everyone was out and by 1AM the DJ was out and at 1:50 AM there was an altercation in the parking lot. Mr. Kelleher thanked him and said to clarify that the incident happened was not associated with his establishment. Mr. Wong said no. Police Chief Domenic DiMella was present and said through the investigation they were cooperative and an arrest was made and said the place was closed and it happened sometime after.

Invited guests: JIN representative.

Mr. Castinetti explained the Board scheduled a show cause hearing next week.

Mr. Horlick commented the Board takes all incidents seriously and license holders should do what they should for public safety and incidents to stay on file.

Approval of minutes: September 8, 2009.

Mr. Castinetti moved to accept the minutes of September 8, 2009. Chair seconds. Mr. Rossetti said he will be voting present because he was not at the meeting. Vote: 4-0 with Mr. Rossetti voting present.

The Chairman excused himself from the table and Vice Chair Castinetti took the Chair.

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7:45 MGA Foods, Inc. d/b/a La Vita Mia, 36 - 38 Hamilton Street, for Entertainment License to offer televisions.

Attorney Richard Magnan, 320 Central Street and owner Gaetano DeSimone were present. Atty. explained application for 3 televisions.

Any in favor or in opposition? None.

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

Mr. Kelleher moved to approve request for Entertainment License for three televisions. Vice Chair seconds. Vote: 4-0.

Mr. Wong returned to the table and resumed the Chair.

7:55 Public hearing on amending the Town's Traffic Rules & Regulations by posting a "No Parking" on Glen Park Avenue.

Lt. O'Brien was present and explained parking complaints and letter from the Fire Chief and passed out diagram of proposal and explained. Mr. Castinetti asked about #7 with no off street parking. Lt. said three homes are directly affected and only #7 has no off street parking and it's his recommendation to allow 40' of parking in front. Mr. Kelleher said it seems not changing anything. Lt. explained the posted signs now and proposing an additional 100' of no parking. Mr. Kelleher said he hasn't seen parking there. Lt. said there are complaints. Mr. Kelleher said the Fire Chief has requesting this as a safety matter. Mr. Horlick asked about snow in winter months, where they would park. Lt. said on grass area or will be ticketed.

Any in favor or in opposition?

Tom Grant, 241 Lincoln Ave., said it's fine where they are and wants no changes on south side.

Eddie Pauley, 7 Glen Park Ave., lives there for 35 years and yet to see an emergency vehicle not make it and wants it to stay as it is now.

Charles Chesna, 36 Glen Park Ave., lives there since 1972 said the problem is trucks parked on the curve.

Anthony Chesna, 29 Glen Park Avenue in favor.

Elizabeth Pauley, 7 Glen Park Ave., confirmed there will be 2 spaces in front of her house.

Bryan Chan, 213 Lincoln Ave., asked if he can park in front of his driveway. Mr. Castinetti said yes and asked if he parks in a no parking zone. Mr. Chan said no.

George Kontogiannis, 34 Glen Park Ave., lived there 7 years and frustrating the truck is in the way and not easy access to his house.

Mr. Kelleher said the Chief had him at public safety issue and the issue with the truck, the police take action. Mr. Pauley said there is no reason the change it.

Diane Famigletti, 25 Glen Park Ave., lived there 23 years and said they need to be considerate and she is not against her neighbor, but they need to respect the neighborhood.

Mr. Chesna said to make it clear that Mr. Chan asked if he could park in front of his driveway and the Board said yes, and wants the Board to understand the property line and would be a problem. Mr. Kelleher said that is enforcement and said the request came from the Fire Chief through Lt. O'Brien as a public safety issue and if someone is parked illegally to call the police. Mr. Horlick said if the truck is parked illegally it will get a ticket.

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Ba Chan, 213 Lincoln Ave., said when the signs went up he stopped parking there and his truck is not sticking out into the street and it's not past the guardrail.

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

Mr. Kelleher moved the recommendation of the Fire Chief supported by Lt.

O'Brien: to amend the Town's Traffic Rules and Regulations by posting "No Parking" on Glen Park Avenue on the north side 230' from Lincoln Avenue and "No Parking" from 270' from Lincoln Avenue to 370' from Lincoln Avenue; and on the south side "No Parking" for approximately 340' from Lincoln Avenue. Chair seconds. Mr. Kelleher speaking on the motion said it is pretty clear it is a tough situation and the Board has to provide public safety. Vote: 5-0.

Correspondence

1.) Mr. Manoogian re: request to insert Article in next Special Town Meeting Warrant.

Peter Manoogian, 50 Ballard Street was present. Mr. Rossetti said the Board received correspondence from the Town Clerk regarding upcoming Special Elections and it would seem better to postpone the October Special to November. Mr. Manoogian noted the Finance Committee is studying the building maintenance request. The Manager said he is moving forward with the Belmonte planning and waiting until November wont make a difference.

Mr. Rossetti moved to insert the Article into the November Special Town Meeting Warrant. Chair seconds. Vote: 5-0.

Mr. Horlick moved to cancel the October Special Town Meeting. Chair seconds. Vote: 5-0.

2.) Atty. Magnan re: request to insert Article in next Special Town Meeting Warrant.

Attorney Richard Magnan, 320 Central Street was present and explained the rezoning article was referred to the next special from the annual town meeting and if not heard within 6 months he may need another hearing before the Planning Board.

Mr. Kelleher moved to insert the Article into the November Special Town Meeting Warrant. Chair seconds. Vote: 5-0.

3.) Mr. Picardi re: request for appointment as constable.

Marc Picardi, 1 Crescent Meadow Lane, Georgetown, was present. Mr. Kelleher noted paperwork is in order.

Mr. Kelleher moved reappointment as constable. Chair seconds. Vote: 5-0.

4.) United Nations Day Proclamation – October 24, 2009

Mr. Rossetti moved the Board vote to proclaim October 24, 2009 United Nations Day in the Town of Saugus. Chair seconds. Vote: 5-0.

5.) SCTV, Inc. re: request for release of funds.

Rich Garabedian Director, SCTV, Inc. was present. Mr. Rossetti said the money being requested is not Town money, but money paid from Comcast for purpose of running the cable studio.

Mr. Rossetti moved to support the request for the release of funds. Chair seconds. Mr. Horlick asked how much in their account. Mr. Garabedian said about \$201,000. Mr. Horlick ask how much in Town account. Mr. Garabedian said \$219,837.90. Mr. Horlick advised they not put all in same account. Mr. Garabedian said they have investment plans. Vote: 5-0.

6.) Knights of Columbus re: annual "Tootsie Roll Charity Drive" October 9-12, 2009.

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Mr. Castinetti moved the Board vote to support the request. Chair seconds. Vote: 5-0.

7.) State Lottery re: Hannaford, 357 Broadway, application for "KENO To Go".

Mr. Kelleher moved the Board notify the State Lottery Commission they have no objection to the request. Chair seconds. Vote: 5-0.

8.) Mr. Collette re: request for reappointment as constable.

Robert Collette, 301 Lincoln Avenue was present. Mr. Kelleher noted paperwork in order.

Mr. Kelleher moved to reappoint Mr. Collette as constable. Chair seconds. Vote: 5-0.

9.) Request for acceptance of drainage easement from Diane Smith.

The Manager explained drainage work done in the area.

Mr. Castinetti moved the Board vote the forgoing drainage easement from Diane M. Smith herby accepted by the Town of Saugus, acting by and through its Board of Selectmen, pursuant to the authority granted by G.L. c. 83, section 4, and every other authority appertaining, on this 29th day of September 2009. Chair seconds. Vote: 5-0.

Manager's report

- recommended the appointment of Michelle Howley to the Commission on Disability.

Mr. Castinetti moved the Board vote to confirm the appointment. Chair seconds.
Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Rossetti, yes; Mr. Wong, yes. Vote: 5-0.

- Dale Street update: met last week and attorney has requested waiver of I&I fee a letter was sent to DEP and hope to have answer within 2 weeks.

- Public service announcements:

- Household Hazardous Waste Saturday October 24 9 am to 12 noon.

- Curbside leaf collection weeks of November 2, 16 & 30.

Mr. Castinetti asked for update on Hesper Street. The Manager said the issue is in court and the mortgage company will replace or repair the wall and are assessing their options.

The Chair said the committee has been formed to meet on Aggregate and Mr. Castinetti will schedule a meeting soon.

The Chair said he wants to respond to comments and said a lot has happened and he is also outraged and disgusted at some establishments and said he is not allowed to vote on liquor issues but want to assure he is present at meetings as a business owner and resident of the Town and is available to consult and said he has spent 30 years contributing to the Town and stressed businesses must conduct themselves with the same values we hold close and safety and well being must be a priority and said the violence must end and as the Chairman of the Board of Selectmen, as a business owner and as a resident of Saugus he will see it's done.

Member's motions

Mr. Castinetti: Special Olympics was a worthwhile event and thanked Steve Agganis and Bob Davis.

- October 3rd the Veterans Council with other groups will meet at the Cemetery to address the upkeep of Veterans' markers.

- October 14th is the last day to register to vote.

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Mr. Rossetti: Thanked Steve Agganis and Bob Davis on their work on the Special Olympics.

- Founder's Day was not successful this year due to rain and the Town will sponsor Funder's Day on October 4 at Saugus High School.
- October 10th is Fall Foliage Festival at Breakheart.
- The proposed charter was mailed out and strongly encourage everyone to read it and forums will be coming up and encourage people to bring their questions.
- MAPC is asking if the Board wants to appoint an alternate. Mr. Kelleher said he will check with Ms. Fasano.
- Meetings are to be set with our State Delegates and the water & sewer committee.
- Updates have been requested on the Essex / Felton traffic light and should have update by next meeting.
- Meeting regarding rent control on Wednesday.
- Special elections will be primary for Senate seat 12/8 and main election on 1/19 and Town election on 11/3.
- House bill on deposit on water bottles, the Board may want to support.
- The Town hired 2 police officers and welcomed them.
- Meals tax goes into effect Thursday and hope it's a good source of revenue.
- Announced Halloween Ghost Story Contest.

Mr. Kelleher: said it was a marvelous ceremony and a great way to start a meeting.

- Asked the Manager to continue communication regarding the Exxon station.
- Said he has heard more talk of reductions in State aid. The Manager said he has heard the same, but no formal announcement yet. Mr. Kelleher asked how much of the meals tax is available. The Manager explained some has been appropriate, but once the tax rate is set all additional revenue will be deposited in the general fund.
- 8th year the Kelleher Family Fund will host fuel assistance program and will be aired on cable through the winter months.
- Congratulated Joanne and Steve Rappa on their new grandchild.

Mr. Horlick: commented with the passing of John Burns who dedicated his life to Saugus and remembered for all he did for the Town and tonight 2 people were recognized for all they do for the town.

- asked the Manager for update on Griswald Dam. The Manager said the engineer is dealing with DCR and will need funding to address it.
- Said he met with Castlerock Road residents regarding the gate and asked he meet with them to address it. The Manager said he did and it should be completed.
- asked if we can recoup cost of Hitchinghill expenditures. The Manager said that was last year emergency expenditure and he was instructed to provide safety to residents.
- thanked the Board for supporting his motion regarding the shellfish industry and it was announced that money was approved for disaster relief.

Citizen's forum:

Janet Leuci TMMP4, Bob Long TMMP9 and Peter Manoogian TMMP10 were present. Ms. Leuci said the Town Meeting Members present are bringing their concerns and concerns of the Town and would like to present a petition signed by 32 Town Meeting Members and 162 residents and read petition for roll back of liquor licenses to 1AM and read a list of communities that currently have 1AM or earlier closing and said people are worried.

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Bob Long TMMP9, said countless hours have been spent on hearings and this is dragging us down and as representatives of the Town must stop it and this will be a huge step in addressing a need.

Mr. Rossetti moved the Board accept the petition. Chair seconds. Vote: 5-0.

Peter Manoogian TMMP10, said in 1987 when he served on the Board the hours were 2:30AM and they rolled back to 2AM and should do this to be in line with other communities around us and regarding appeals, if they treat everyone the same it is the cheapest and best way and stated the needs of the many must outweigh the needs of the few and requested the Board schedule a public hearing.

Mr. Castinetti cautioned the Board there is a show cause scheduled and not to say anything that might prejudice the case coming before them.

Maureen Dever TMMP3, said there is a general sense of anger and frustration and worry and asked the Board to make public policy and make hours consistent with other communities.

Rick Smith TMM, said he agrees with all said and they all care.

Tom Stewart TMMP4, said on behalf of his precinct he express concern and has family members in public safety and is concerned.

Joyce Rodenhiser TMMP 1, concur with previous speakers.

Barbara Malone TMMP2, agree with all said.

Arthur Grabowski TMMP8, said granting a license is not a right, but a privilege.

Ann Devlin TMMPP1, on record urge support of roll back from 2AM to 1AM.

Jean Bartolo TMMP6, asked why they would put public safety in jeopardy.

Mr. Castinetti said the Board does what they can and anger should be directed at the judge that gave the license back.

Tim Hawkes TMMP7, asked they support the petition.

Al DiNardo TMMP4, hoping when the Palace closed so would violence and want to be on record in support of roll back.

Linda Quiles, 1 Griswold Street, asked the Board to roll back hours and said she has written complaints and called police and asked they please consider.

Robert Brown, 29 Felton Street, said a roll back won't solve the problem because there's not enough parking and they are parking in the neighborhood.

Bob Campanile, 9 Tuttle Lane, said he reported to the police and asked they please consider roll back.

Mr. Castinetti said he is equally outraged as they are and its not just 1 establishment, but several and won't tolerate it and do what we can and please understand they are on the same side.

Ms. Leuci said this is something the Board can do that will not be challenged if it's across the board and action is most important.

Mr. Horlick said he brought up a roll back and the chief not favorable but the chief may support it now and said he's receiving calls and said he thinks the Board should look into it and get information from the chief. Ms. Dever said she understands their position, but it's the Board's responsibility not the police chief. Mr. Horlick said in the past officers have been injured at establishments.

The Chair excused himself from the table.

Mr. Horlick moved the Board vote to set a date to look at 1AM closing. Vice Chair Castinetti seconds. Mr. Kelleher speaking on the motion said he supports the

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motion and will enlist resources available to them and will have a public hearing. Vote:
4-0.

The Chair returned to the table.

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

Meeting adjourned at 10:43 PM.

Respectfully submitted,
Wendy Reed, Clerk