

Saugus Board of Selectmen
October 23, 2012

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

AGENDA
Saugus Board of Selectmen
7:30 pm October 23, 2012
Town Hall Auditorium
298 Central Street

1. Call to order.
2. Invited Guests: William Fafard
Saugus Adopt-A-Site Program Participants
3. Approval of Minutes: October 2; October 15; & executive session October 15, 2012
Executive session: December 20, 2011; July 12, 2012; & July 18, 2012
4. Citizen's Forum
5. Continued Hearings: 0
6. Public Hearings:

7:50 PM 222 Central Street for Special Permit (S-2) to allow a second story addition for storage rental business at 222 Central Street.

8:00 PM Eugene & Geraldine Capobianco, for modification of conditions on Special Permit (S-2) voted on 03/01/11 to allow a private stable BY allowing four horses to be stabled at 500 Main Street.

8:10 PM Justin Brown & Anthony Forte for Special Permit (S-2) to allow tattoo, body art, and body piercing, at 55 Jackson Street.

8:20 PM 99 West, LLC d/b/a 99 Restaurant & Pub, 181 Broadway, Zachary Gordon, manager for transfer of All Alcoholic Beverages Common Victualer's License and Entertainment License FROM: 99 West, Inc. d/b/a 99 Restaurant - Pubs, 181 Broadway, Zachary Gordon, manager; and for change in officers & directors; application for issuance of stock; transfer of stock; new stockholders; and for change of corporate name.

8:25 PM Evos Group, Inc. d/b/a Sully C's Bar & Grill, 168 Broadway, for modification of License for coin operated devices by allowing five additional coin operated devices.

8:30 PM Barber Masters, Inc., 643 Broadway, for Entertainment License for televisions

Correspondence

- 1.) Appointments to Cultural Council.
- 2.) Job Lots, 400 Lynn Fells Parkway re: request for 1 day Extended Hours of Operation Permit.
- 3.) Police Dept. re: assessment & recommendation on parks & playgrounds.
- 4.) Rotary Club re: request for banner for the 27th annual Charity Auction.
- 5.) MA Lottery Commission re: Sully C's, 168 Broadway, application for Keno License.

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

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The Saugus Board of Selectmen met on October 23, 2012 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 Town Manager Scott Crabtree was also present.

Invited Guests: William Fafard

William Fafard was present and the Board presented him with citation in recognition of receiving the Best Youth Actor Award from the Eastern MA Association of Community Theaters. His mother, Joanne Fafard explained the selection process.

Invited Guests: Adopt-A-Site Program Participants.

The Town Manager said the Town appreciates the partnership to beautify the Town and the Board presented citation to those present: Michael Green, Stefano Landscaping; Tim Shea, Mary J. Shea Foundation; Paul Fury, 3D's Landscaping; Bob Vitale, Vitale Memorial Fund; and Steve Boccelli, 222 Central Street Storage. The Manager read list of those that could not attend: Jeffrey James Vellucci, CPA; A. Tracia & Sons; Martorelli Landscaping; Dunkin Donuts, 35 Lincoln Ave.; Atlantic Landscape; Shining Star; Done Right Landscape; Kelly's Roast Beef; Morton Island Landscape; RESCO; Procopio Construction; and Carpenito Real Estate. The Manager and Board thanked them.

Correspondence

1.) Appointments to Cultural Council.

Mr. Castinetti moved to appoint Chester Stentiford to the Cultural Council to take effect immediately and expire December 2014. Chair seconds.

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

Ms. Panetta moved to appoint Tracy Hynes to the Cultural Council to take effect immediately and expire December 2014. Chair seconds.

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

Ms. Mitchell moved to appoint Mila Moschella to the Cultural Council to take effect immediately and expire December 2014. Chair seconds.

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

Mr. Horlick moved to appoint Ann Furey to the Cultural Council to take effect immediately and expire December 2014. Chair seconds.

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

Mr. Castinetti moved to appoint Stephen Rich to the Cultural Council to take effect immediately and expire December 2014. Chair seconds.

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

Ms. Panetta moved to reappoint Carol McLaughlin to the Cultural Council to take effect immediately and expire December 2015. Chair seconds.

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

Mr. Horlick moved to reappoint Sheila Nigro to the Cultural Council to take effect immediately and expire December 2015. Chair seconds.

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

Approval of Minutes: October 2; October 15; & executive session October 15, 2012

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Mr. Castinetti moved to accept the October 2, 2012 minutes. Chair seconds 5-0.

Ms. Panetta moved to accept the October 15, 2012 minutes. Chair seconds 5-0.

Mr. Castinetti moved to accept the 10/15/12 executive session minutes. Chair seconds 5-0.

Ms. Panetta moved to accept the 12/20/11 executive session minutes. Chair seconds 5-0.

Mr. Horlick moved to accept the 7/12/12 executive session minutes. Chair seconds 4-0 with 1 abstention by Ms. Panetta.

Mr. Horlick offered a correction and Ms. Panetta moved to accept the 7/18/12 executive session minutes as amended. Chair seconds 5-0.

Citizen's Forum Tom Lucey, 51 Summer Street, was present and expressed his disappointment with the Board not approving the SCTS rules and concern with abusive behavior continuing. The Chair explained

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the Selectmen appoint Boards and they all set their own rules & procedures and should treat them in the same manner. Mr. Horlick agreed the new Board will address.

7:50 PM 222 Central Street for Special Permit (S-2) to allow a second story addition for storage rental business at 222 Central Street.

Steve Boccelli, owner was present with architect Stephen Livermore and explained the expansion is former customer demand and noted 75% of his clients are from Saugus, showed pictures before he renovated and showed concept drawing staying within the original footprint. The Chair asked the height. Mr. Boccelli said 40'. Ms. Panetta asked how long it will take. Mr. Boccelli said 6 months. Ms. Panetta noted back taxes due. Mr. Boccelli said he is caught up for 222 Central and is on a payment plan for 228 Central Street. The Chair said the Board didn't receive notification of payment plan. Mr. Castinetti said he toured the property and it looks like it would be a plus for the neighborhood and asked if the building is higher than 40' now. Mr. Livermore explained the highest peak is 53' but median height in front will be 40'. The Chair said the Board granted an S-2 in 2011 for 5 vehicles and he did look at the site and it seems there are a lot of vehicles that may be unregistered. Mr. Boccelli said one was just towed there and will have it removed. Mr. Livermore said the parking plan addresses it. Ms. Mitchell asked number of units. Mr. Boccelli said 80. Ms. Mitchell asked how many he has now. Mr. Boccelli said 210. Mr. Horlick asked if hours will be the same. Mr. Boccelli said yes. Mr. Horlick asked if he estimates work at 6 months if it will be completed by June or July. Mr. Boccelli said yes. Mr. Horlick asked when it is done if they are moving the position of the trucks. Mr. Boccelli said yes and said he likes to have one in front. Mr. Horlick asked if there are any issues with DEP. Mr. Boccelli said no and explained he went to Conservation. Ms. Panetta asked square footage. Mr. Boccelli said its 38,000 s.f. and he's adding 15,000 s.f. and noted he has small units and new ones will be larger.

Any to speak in favor or opposed? Robyn McPhee, 223 Central Street said she was present to speak in favor and in opposition and explained her neighbors were unable to attend and have concern with large trucks and traffic and said they have been good neighbors and have addressed problems they had in the past. The Chair said he would like a site visit and would like to see a landscape plan by next meeting and the Board will need to restrict hours of deliveries and would like something in writing regarding the height and number of units and would like to talk to the Treasurer regarding the payment plan. Mr. Horlick agreed.

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

The Board will conduct a site visit on Saturday at 8:30AM. Mr. Horlick requested letters be sent to the abutters notifying them.

8:00 PM Eugene & Geraldine Capobianco, for modification of conditions on Special Permit (S-2) voted on 03/01/11 to allow a private stable BY allowing four horses to be stabled at 500 Main Street.

Eugene Capobianco, 500 Main Street was present and explained his original application in March 2011 for four horses and two were granted and was told he could come back to allow two more and showed photos of the barn. The Chair said the Board received letter in opposition from Robert & AnnMarie Delorfano, 93 Juniper Drive and read. Mr. Capobianco said they sent a similar letter when he first applied and there were no horses on site and said the Board of Health and animal inspector have been to his home and there have been no complaints. Mr. Castinetti asked how close the abutter is. Mr. Capobianco said about 200'. Mr. Castinetti asked if there were any other properties in between. Mr. Capobianco said no. Mr. Castinetti asked about manure pick up. Mr. Capobianco said about once a week or when the truck is full. Ms. Panetta said it looks 100% complete. Mr. Capobianco said its 99% complete and explained. Ms. Panetta asked if it's for his own personal horses. Mr. Capobianco said yes. Mr. Horlick said the fire dept. noted the need for fire prevention. Mr. Capobianco explained the existing system. Mr. Horlick said he owes some money to the Town. Mr. Capobianco said he will take care of it.

Any to speak in favor or opposed? Mr. Ear, 496 Main Street complained of the strange smell.

Ms. Panetta said with 4 horses there will be more manure. Mr. Capobianco said when the truck is full it is taken and agreed it would be more often and said this was the first he's heard a complaint and agreed to move the manure truck to the other side away from Mr. Ear's property. Mr. Castinetti said if

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there are problems residents should contact the Board of Health. The Chair said the Board of Health will need to issue the permit for the additional horses. Mr. Horlick read from minutes of meeting and said there have been no complaints to the Board of Health.

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

Mr. Castinetti moved to grant the request to stable four horses subject to condition the manure truck be moved to the other side of the property. The Chair added with no objection: condition he must meet Board of Health and Fire Department recommendations and outstanding money owed to be paid within 14 days. Chair seconds.

Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Ms. Mitchell, yes; Ms. Panetta, yes; Mr. Serino, yes.
8:10 PM Justin Brown & Anthony Forte for Special Permit (S-2) to allow tattoo, body art, and body piercing, at 55 Jackson Street.

The Chair said the applicant has sent a letter requesting to withdraw the application.

Mr. Castinetti moved the Board grant the petitioner leave to withdraw without prejudice. Chair seconds.

Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Ms. Mitchell, yes; Ms. Panetta, yes; Mr. Serino, yes.
8:20 PM 99 West, LLC d/b/a 99 Restaurant & Pub, 181 Broadway, Zachary Gordon, manager for transfer of All Alcoholic Beverages Common Victualer's License and Entertainment License FROM: 99 West, Inc. d/b/a 99 Restaurant - Pubs, 181 Broadway, Zachary Gordon, manager; and for change in officers & directors; application for issuance of stock; transfer of stock; new stockholders; and for change of corporate name.

Zachary Gordon, manager was present and explained. The Chair said they are going from Inc. to LLC and everything would remain the same and noted the lease expires 2019 and there's no pledge. Mr. Horlick asked his experience. Mr. Gordon gave his background. The Chair said no objections from depts. and no money owed.

Any to speak opposed or in favor? None.

The Chair asked if he was the manager now. Mr. Gordon said yes, for 20 months.

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

Mr. Horlick moved to grant the request and noted the manager has prior experience and said no other changes and all conditions remain the same. The Chair added all conditions on current licenses remain the same. Chair seconds Vote: 5-0.

8:25 PM Evos Group, Inc. d/b/a Sully C's Bar & Grill, 168 Broadway, for modification of License for coin operated devices by allowing five additional coin operated devices.

Attorney Richard Magnan was present with applicant Suleyman Celimli and explained request for 2 basketball games and 3 pool tables and change in floor plan and decreased seating and said everything else would stay the same and said a petition in favor was submitted earlier. The Chair asked proposed location of basketball games. Atty. Magnan described on plan. The Chair noted taxes owed. Atty. Magnan said he was presented that this evening and they don't know who "North Five Development & Construction, Inc. is but will take care of it. Ms. Panetta asked what kind of basketball games. Mr. Celimli explained. Ms. Panetta asked if they will be far enough away from patrons. Mr. Celimli said yes.

Any to speak opposed or in favor? None.

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

Ms. Panetta moved to grant request for five additional coin operated devices: 2 basketball games and three pool tables; change in seating capacity to 220 seats on all licenses; and same hours. Chair seconds 5-0.

8:30 PM Barber Masters, Inc., 643 Broadway, for Entertainment License for televisions.

Rebecca Bardos, Scotts Mill Court was present with her father that showed pictures of proposed placement of televisions. The Chair noted no department objections. Ms. Panetta asked if she is the only one working. Ms. Bardos said she has hired others and will have 4 people working. The Chair noted hours of operation requested.

Any to speak in favor or opposed? None.

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

Mr. Castinetti moved to grant the request for Entertainment License for six televisions; hours of operation Monday through Friday 9am to 8pm; Saturday 9 am to 6 pm and Sunday 10 am to 5pm. Chair seconds 5-0.

Correspondence, continued

2.) Job Lots, 400 Lynn Fells Parkway re: request for 1 day Extended Hours of Operation Permit.

Garry Bergeron, district manager was present and explained the “Black Friday” event. Ms. Panetta asked what time they will open. Mr. Bergeron said midnight. Mr. Horlick noted police recommendation regarding large crowds.

Ms. Panetta moved to grant the one day Extended Hours of Operation Permit for November 23, 2012 from 12:00am to 11:00pm and if needed, call for a police detail. Chair seconds 5-0.

3.) Police Dept. re: assessment & recommendation on parks & playgrounds.

Sgt. VanSteenburg was present and explained the report is in response to the problems at our parks and the growing number of complaints and said the police dept. is trying to do their part in increased patrols but still having issues and a collaborative effort is needed and explained the roles of various departments and the role of the Selectmen and requested the Board consider changing the By-Law to reflect parks close at sunset. The Chair agreed and noted that is how the rail trail worded their rules and thanked him for his work on the report. Ms. Mitchell asked if there are cameras. Sgt. Said Vets School has them. Ms. Panetta asked if we have a parks committee. The Manager said he will look at the report and prioritize projects.

4.) Rotary Club re: request for banner for the 27th annual Charity Auction.

Mr. Horlick moved to approve. Chair seconds 5-0.

5.) MA Lottery Commission re: Sully C’s, 168 Broadway, application for Keno License.

Ms. Panetta moved to refer the correspondence to the file. Chair seconds 5-0.

Manager’s Report

- Gave update on finances: single audit is complete and are completed the annual audit.
- Has been in contact with DOR and we need to set the tax rate.
- Personnel: hired a Plumbing Inspector, Jim Kennedy & congratulated him; and are in process of interviewing for clerk at police station; and will be posting a human resource manager’s position; has also hired new firefighters and in the process of hiring 2 more firefighters to address the staffing issues and in process of hiring 3 police officers.
- Fuel management system in process of evaluating sites and will install in next few weeks and said they will need to look at the tanks and pumps, we may have issues.
- Are moving forward with new accounting software.
- Are looking at solar / alternative energy and a few different ways to reduce energy costs.
- Economic Development Committee has 7 Town Meeting Members, a Selectman and himself so far. Mr. Horlick said he was willing to serve also.
- Spoke at the Men’s Club at the Senior Center.
- Household hazardous waste day went well and have been meeting on opening the new CHARMS center for hard to dispose of items and are working on the renovation of Bristow Park.
- Belmonte project is moving along and on schedule.
- recommended the appointment of Jeff Mitchell to Youth & Rec. Commission. Mr. Horlick confirmed it was a 3 year appointment.

Ms. Panetta moved to confirm the appointment. Chair seconds.

Roll call vote:

Mr. Castinetti, yes; Mr. Horlick, yes; Ms. Mitchell, abstain; Ms. Panetta, yes; Mr. Serino, yes.

Member’s Motions

- The Chair informed the Board he submitted absentee ballot for MPO elections.
- asked that Cable Commission and Library Board of Trustees be advertised for a month.
 - asked Board Members to review 2013 meeting dates.

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- said the Manager's looking for the Board to call a Special Town Meeting and the Board of Assessors are ready for tax classification hearing.

Ms. Panetta: community announcements including tree decorating at MEG and dance at K of C.

Mr. Horlick: said there are a couple of organizations that will help with brook cleaning.

- wished all well appointed to the Cultural Council.

- thanked the Men's Club.

- said Saturday he had a great time.

Ms. Mitchell: congratulated Mr. Castinetti on the parade funds fundraiser.

- announced some events in Town.

Mr. Castinetti: offered and the Board held a moment of silence for Chris Serino that passed away.

- said the MRE dinner was a great night and thanked Bill Diotte, Paul Allen, Shirley Diotte, Arthur Grabowski and recognized everyone else that helped make it a success.

- the Board received letter from the Historical Commission regarding Round Hill project.

- asked the Manager look into getting the DeFranzo sign changed to reflect Medal of Honor.

- Veterans Day November 11.

- election in a couple of weeks and urged people to vote.

- received memo regarding establishments that are 12 months or more in arrears.

Mr. Castinetti moved to schedule a show cause hearing on licensed establishments that are 12 months or more in arrears, if needed. Chair seconds 5-0.

Citizen's Forum: None.

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

Meeting adjourned at 10:00PM.

Respectfully submitted,

Wendy Reed, Clerk