

Saugus Board of Selectmen
November 13, 2012

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

Saugus Board of Selectmen
November 13, 2012 at 7:30PM
Town Hall Auditorium
298 Central Street

- 1.) Call to order.
- 2.) Invited Guests: - Saugus Softball 10 & 11 year old All Star Team
 - Collector / Treasurer re: request to approve bond anticipation note.
- 3.) Approval of Minutes: October 23, 2012; & October 30, 2012
- 4.) Citizen's Forum.
- 5.) Continued Hearings: -222 Central Storage for Special Permit (S-2) to allow a second story.
- 6.) Public Hearings:

7:55PM G.T.T. Enterprises, Inc. d/b/a Polo Gas, 50 Hamilton Street, for Special Permit (S-2) to allow the used car dealer at, Assessor's Plan 1007, Lot 81.
Application is also made for Class II Auto Dealer's License.

8:05PM Edd's Auto Sales, Inc., 961 Broadway, for transfer of Class II Auto Dealer's License from Edd's Auto Exchange, Inc., 961 Broadway.

Correspondence

- 1.) Mr. Maltais re: request to insert Article into next Special or Annual Town Meeting Warrant.
- 2.) Hooters, 1143 Broadway re: request to change hours of operation.
- 3.) Atty. Magnan re: request for additional time for Pace, 190 Main St. to open.
- 4.) La Vita Mia, 36 Hamilton Street re: request to change hours of operation.
- 5.) Buffalo Wild Wings, 180 Main St. re: request for change of manager to Steven Melendez.
- 6.) K-Mart, 180 Main St. re: request for 1 day Extended Hours of Operation Permit.
- 7.) Best Buy, 1201 Broadway re: request for 1 day Extended Hours of Operation Permit.
- 8.) Dept. Telecommunications – Cable Division re: notification of cable license renewal.

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

Saugus Board of Selectmen
November 13, 2012

The Saugus Board of Selectmen met on November 13, 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.

Invited Guests: - Saugus Softball 10 & 11 year old All Star Team

The Chair introduced Chris Jones, President of SLL Softball. Mr. Jones thanked the Board and said the team won the District 16 Championship and introduced their coach Greg Cochrane. Mr. Cochrane introduced each player and the Board presented them with citations and congratulated them. Mr. Horlick commented this has been a wonderful year having the kids come in to the meetings.

Invited Guests: - Collector / Treasurer re: request to approve bond anticipation note.

Collector / Treasurer Wendy Hatch was present and explained the bids for bond anticipation notes and interest rates. Ms. Panetta asked if it's only for 8 months. The Collector / Treasurer said yes and explained she will roll them into long term debt in next fiscal year.

Mr. Castinetti moved it be voted to approve the sale of a \$8,593,000 General Obligation Bond Anticipation Notes (the "Notes") of the Town dated November 15, 2012, and payable July 26, 2013, at par and accrued interest, if any, plus the premiums indicated as follows: 1. \$1,000,000 at interest rate of .90% - premium of \$2,000 – purchaser: Century Subsidiary Investments Inc. III; and 2. \$7,593,000 at 1.00% interest rate – premium \$20,450.29 – purchaser Easter Bank; be it further voted that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated October 31, 2012, and a final Official Statement dated November 7, 2012, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted; be it further voted that the Town Treasurer and Board of Selectmen be, and hereby are, authorized to execute and deliver significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time; and be it further voted that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures in such a form as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes; and be it further voted that each member of the Board of Selectmen, the Town Clerk and Town Treasurer be and hereby are, authorized to take any and all actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes. Chair seconds. 5-0.

The Chair called recess to sign the documents at 7:46PM.

The Chair called the meeting back to order at 7:51PM.

Approval of Minutes: October 23, 2012; & October 30, 2012

Mr. Castinetti moved to accept the 6:30PM October 23, 2012 meeting minutes.
Chair seconds 5-0.

Ms. Panetta moved to accept the regular meeting minutes of October 23, 2012. Mr. Castinetti noted a correction. Chair seconds. 5-0.

Mr. Horlick moved to accept the October 30 minutes. Chair seconds. 5-0.

Citizen's Forum: Bill Kramich, 12 Emory Street, was present and thanked the Manager and DPW for clearing the brook after a tree fell and said they would have been flooded if it wasn't taken care of and asked how, if an emergency, an ambulance could get on the bike path. The Chair said there are access points and said the Town did a good job during the storm.

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

Continued Hearings: -222 Central Storage for Special Permit (S-2) to allow a second story.
222 Central Street for Special Permit (S-2) to allow a second story addition for storage rental business at 222 Central Street.

Joseph Boccelli, owner was present and presented hand-outs and said he believes their questions were answered noting landscape plan, taxes and site visit. The Chair asked how many lots. Mr. Boccelli

Saugus Board of Selectmen
November 13, 2012

said 4, The Chair said the 17 spaces up front cannot be counted toward this because it is a separate lot and would need permission for off premise parking and said when they were here before they were to install a fire alarm radio box. Mr. Boccelli said that was done. The Chair read fire dept. recommendation. Ms. Panetta asked about landscape plan. Mr. Boccelli showed on plan. Ms. Mitchell asked if there's any way to not have big trucks come from the Center because that is a dangerous curve. Mr. Boccelli said he sent letters to his tenants and spoke with the trash hauler but he can't stop other businesses using the road. Mr. Castinetti asked what is needed for this to move forward. The Chair explained the parking spaces, need sizes and square footage. Mr. Castinetti asked what the Building Inspector said about parking. The Chair said there should be a site plan with parking spaces. Mr. Boccelli said 1 space for every 1,000 s.f. is needed. The Chair said he would need permission from the Board to use parking on other lots according to zoning. Mr. Boccelli said he reviewed this with the Building Inspector and there's enough parking. The Chair said he spoke with the Building Inspector tonight and that's not what he got. Ms. Panetta asked if he would be more comfortable getting his question answered. The Chair said he can't vote on this tonight. Mr. Castinetti asked if the Chair got answers to his letter. The Chair said yes 1 per 1,000 s.f. Mr. Horlick said the confusion is there's no dimensions of the lot or spaces and must be in compliance with handicapped parking also. Mr. Boccelli said he wasn't aware parking plan was an issue and said he addressed everything on the letter from last meeting. Mr. Castinetti said there's enough parking on the lot now. The Chair said he doesn't know the size.

Any to speak in favor or in opposition? None.

The Chair suggested continuing the hearing to get a stamped engineer plan and letter from the fire dept regarding the radio box.

Ms. Panetta moved to continue the hearing. Chair seconds.

Mr. Castinetti asked a complete list of what is needed. The Chair said a certified engineer drawing with dimensions of lots and parking spaces; may need an S-2 for off premise parking; landscape plan. Ms. Panetta said when they met they discussed ideas and this isn't much here and would like a more detailed plan. Mr. Horlick asked for handicapped spots to be marked on the plan also. The Chair added fire dept. confirmation radio box was installed. Vote: 5-0.

The Chair said the hearing will be continued to November 27th and if they need more time to contact the office.

Mr. Castinetti moved to take up the 7:55 hearing. Chair seconds. Vote: 5-0.

7:55PM G.T.T. Enterprises, Inc. d/b/a Polo Gas, 50 Hamilton Street, for Special Permit (S-2) to allow the used car dealer. Application is also made for Class II Auto Dealer's License.

Attorney William Hudack, 316 Central Street was present with applicant George Harb and explained they have operated the gas station for 10 years and have bought the property and described location and parking and said the Building Inspector walked the property and has no objection. Ms. Panetta asked about money owed. Atty. Hudack said if it's not in escrow from the closing they will take care of it. Ms. Panetta asked for further clarification of where the vehicles would be parked. Atty. Hudack explained. Mr. Horlick said there's no parking dimensions on the plan and said the application states this will be your primary business. Atty. Hudack said they will submit a new plan.

Any to speak for or opposed? None.

The Chair asked if he was familiar with MGL c. 140, section 57-58 and said it needs to be your primary business and said the Board doesn't issue to gas stations only body shops. Mr. Horlick noted 3 dealers on the street. Mr. Harb said he is only trying to improve his business and has already spoken to a garage to do his repairs and said he has been in business for 10 years there. The Chair read opinion from Town Counsel dated June 12, 2000.

Ms. Panetta moved to deny the request. Chair added the following reasons: failure to meet MGL c. 140 sections 57 & 58 being the principal business; lot too small and not sufficient area for parking and will impact access and egress for current business; public need is already served with 20 Town wide and 3 on Hamilton Street; and to date the Board has not allowed Class II licenses at gas stations. Chair seconds. Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Ms. Mitchell, yes; Ms. Panetta, yes; Mr. Serino, yes.

Saugus Board of Selectmen
November 13, 2012

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

8:05PM Edd's Auto Sales, Inc., 961 Broadway, for transfer of Class II Auto Dealer's License from Edd's Auto Exchange, Inc., 961 Broadway.

John Longtin, 10 Winslow Street, Everett was present. The Chair asked about money owed. Mr. Longtin said he gave it to the landlord to address. Mr. Horlick asked if he will be sole owner. Mr. Longtin said yes. The Chair asked if conditions would stay the same. Mr. Longtin said yes. Ms. Panetta noted comment from fire dept and read. Mr. Longtin said he is aware. Mr. Horlick asked he get letter from who will do repairs. Mr. Longtin said he will.

Any in favor or in opposition? None.

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

Mr. Castinetti moved to approve the request for transfer of Class II Auto Dealer's License. The Chair added conditions to remain the same; and letter from repair company to the Board within fourteen days; and payment made within fourteen days. Mr. Horlick added fire dept recommendation. Chair seconds.

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

Correspondence

1.) Mr. Maltais re: request to insert Article into next Special or Annual Town Meeting Warrant.

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

2.) Hooters, 1143 Broadway re: request to change hours of operation.

Hooters Director of Operations was present with manager Jon Dowie and explained the intent is for one additional hour on Sunday only as some competitors are open and said he was not aware there were 25 incidents and will work with the police dept. Ms. Panetta asked about violations. Sgt. VanSteensburg was present and had a spread sheet for 5 years. Mr. Horlick asked most recent. Sgt. Said there was 1 incident in 2012. Mr. Castinetti asked how many incidents were referred to the Selectmen. Sgt. said none and said he is not aware of any liquor violations and said management is cooperative with police. The Chair said he doesn't have a problem with the request.

Mr. Castinetti moved to approve the request for 12:00am closing on Sunday. The Chair seconds. The Chair said if it looks good they can come back in a year to look at hours. Vote 5-0.

3.) Atty. Magnan re: request for additional time for Pace, 190 Main St. to open.

Attorney Richard Magnan and owner Joe Pace were present. Atty. Magnan explained additional time needed to open. Mr. Castinetti said it's a big project. The Chair said they are making progress.

Mr. Horlick moved to extend the deadline for Pace's to open to January 31, 2012. Chair seconds 5-0.

4.) La Vita Mia, 36 Hamilton Street re: request to change hours of operation.

Attorney Richard Magnan was present with owner Danny DeSimone and explained the request to open for breakfast at 7AM and closing will remain the same and passed out copy of menu. Ms. Panetta asked time open now. Mr. DeSimone said 4PM. Ms. Panetta asked why ask for every day if only will open Saturday & Sunday. Attorney Magnan said he drafted the letter. Mr. DeSimone said the Saturday & Sunday will be a trial period and may expand to other days.

Mr. Horlick moved to grant the request to change hours of operation to open at 7AM Monday through Sunday. Chair seconds 5-0.

Ms. Panetta asked when he would start serving breakfast. Mr. DeSimone said in about 2 weeks.

5.) Buffalo Wild Wings, 180 Main St. re: request for change of manager to Steven Melendez.

Steve Melendez was present with Scot Nery and gave his background and experience. The Chair said the CORI came back OK. Mr. Horlick said there were a few incidents with closing on time in the past. Mr. Nery explained the change and one reason why he has been brought back to this location. Mr. Horlick asked if he will continue training. Mr. Melendez said yes.

Mr. Horlick moved to grant request for change of manager. Chair seconds 5-0.

6.) K-Mart, 180 Main St. re: request for 1 day Extended Hours of Operation Permit.

Saugus Board of Selectmen
November 13, 2012

Barry O'Neil, North Reading was present.

Ms. Panetta moved to grant the request to be open on Black Friday at 12 AM to 11PM. The Chair said if they expect a crowd, to request a police detail. Chair seconds 5-0.

7.) Best Buy, 1201 Broadway re: request for 1 day Extended Hours of Operation Permit.

The Chair said the Mall is requesting the Permit for the whole mall and said it makes sense rather than them coming individually. GM Matthew Bourassa was present. The Chair suggested they contact the police dept. Mr. Bourassa said he has. Ms. Panetta asked if they wanted to open at 12:30AM what time they will close. Mr. Bourassa said 10PM.

Ms. Panetta moved to grant the request to Square One Mall to be open on Black Friday at 12:30AM to 10PM. Chair seconds 5-0.

8.) Dept. Telecommunications – Cable Division re: notification of cable license renewal.

The Chair explained this is notification of cable license expiration in 2016 and said the Board advertised for Cable Commission.

Late Correspondence:

Sgt. VanSteenburg was present and requested temporary barriers be approved for the holiday season at Main Street overpass & Essex Street overpass. The Chair said it would be nice down the line to do a permanent fix.

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

Manager's Report

- Working on completing the audit. The Chair asked if it will include a management letter. The Manager said yes.

- Announced a Special Town Meeting on Monday Nov. 19th and Tax Classification hearing Nov. 20th.

- Are conducting interviews for Human Resources Coordinator. They received 40 applications.

Member's Motions

The Chair thanked DPW, Emergency Management, Police and Fire for the work during Hurricane Sandy and said our area was lucky and said we had 3 power outages in a week and would like to send a letter to National Grid and invite a representative in regarding outages. Mr. Horlick said it's a good idea.

The Chair said the Article for Lincoln Ave. reconstruction was referred to the Selectmen by the Finance Committee and said the Selectmen support this project and thinks the Board should go on record not to support the Finance Committee referral back to the Board and support the project. Mr. Castinetti asked if there were any comments as to why they referred it to the Board. The Chair said they were concerned with borrowing. The Manager said a couple of members would not support a borrowing Article. The Chair said if they don't support borrowing they should have voted against it rather than send it back.

Ms. Panetta moved the Board vote to not support the Finance Committee recommendation to refer the Article to the Selectmen and vote to support the Article for the Lincoln Ave. reconstruction project. Chair seconds. Vote: 5-0.

The Chair reminded the public of the Special Town Meeting Nov. 19th and tax classification hearing on Nov. 20th.

The Chair thanked the Veterans' Council for the parade.

Mr. Horlick: Thanked everyone that worked during the hurricane.

- thanked the Veterans Council and everyone that attended the parade.

- asked if the road will be resurfaced on Broadway after the water project. The Manager said he will check.

Mr. Horlick moved to send a letter to Fran Trainer thanking her for her service to the Town. Chair seconds. Vote: 5-0.

- read a couple of articles that said the State had a surplus and asked to send a letter to the State Delegation to see if some could come back to Saugus.

Saugus Board of Selectmen
November 13, 2012

Mr. Horlick moved to request the State Delegation to look for supplemental bills to get added funds for next year. Chair seconds. Vote: 5-0.

Ms. Mitchell: said she attended the parade and it was well attended.

- said there's an issue with an injured coyote and warned people to stay away. The Manager said animal control and environmental police were notified.

- asked if compost is still open. The Manager said it's not closed yet.

- Announced annual tree lighting Friday Nov. 30th 6-9PM and said there will be a lot of free activities.

Mr. Castinetti: said there's concern on the bike path crossing at Central Street with cars backing out of spots and asked if it could be painted red crosswalk. The Chair said it is planned and signage.

- thanked those that came out to support Veterans Day and thanked Revere ROTC and US Naval Sea Cadet Corp of Boston and SHS band, veterans and their families.

- wished all a happy Thanksgiving.

Ms. Panetta: Announced Saugus River Watershed banquet.

- said she and Selectman Horlick attended the 20th anniversary of Bike to the Sea in Malden and said it's wonderful to see this to fruition.

- reminded all of the holiday tree festival at MEG.

- asked about putting a bus shelter on Walnut Street at Walnut Plaza. The Chair said as MBTA Rep. the bus stop has been an issue for years and said it's a State road and has been trying to get them to make improvements there.

- said Veterans Day was wonderful.

- said in their packet the Board received information from the Board of Health and they have concerns with Wheelabrator reports and said their next meeting will be held on December 3rd. The Chair said the Board of Health will keep in contact on the issue.

- Wished all a happy Thanksgiving.

Citizen's Forum: None.

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

Meeting adjourned at 10:06PM.

Respectfully submitted,

Wendy Reed, Clerk