

Meeting Minutes

AGENDA

Saugus Board of Selectmen
November 16, 2010 at 7:30pm
Town Hall Auditorium, 298 Central Street

- 1.) Call to order.
- 2.) Invited guests: Library Board of Trustees
- 3.) Approval of minutes: October 26, 2010
- 4.) Continued hearings: 0
- 5.) Public hearings:

7:45 Elizabeth Witunsky, for Special Permit (S-2) to allow a dog grooming salon, to be located at 371 Central Street.

7:55 Eli Youseff, for Special Permit (S-2) to allow a hair salon offering nails, waxing and facials, to be located at 4 Howard Street.

Correspondence

- 1.) Wheelabrator re: request for reappointment of Sworn Weighers.
- 2.) Police Dept. re: bus stop at 111 Lincoln Ave.
- 3.) Police Dept. re: Stop signs Jefferson Ave. & Cleveland Ave.
- 4.) Police Dept. re: recommendation regarding Mt. Vernon St. concerns.
- 5.) PAM, Inc. d/b/a LAVO Ristorante suspension dates (voted 8/31/10).
- 6.) Atty. McDonald re: prospective sale of PAM, Inc. d/b/a LAVO Ristorante.

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

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The Saugus Board of Selectmen met on November 16, 2010 at 7:30pm in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Scott Crabtree, Stephen Horlick, Michael Kelleher, Michael Serino and the Chairman Donald Wong.

Invited guests: Library Board of Trustees

Pam Gill, Chairman, Library Board of Trustees was present and gave update on the library that the library was recertified in September and are open 59 hours including 4 evenings and Saturdays and members may now borrow from other libraries and they hired a new children's librarian and listed some events offered and said Saugus Library Foundation provided new computers at the patron stations and trustees are working on fundraising for staff computers and are working on updating their mission statement and goals and revitalizing the Friends of Saugus Public Library and said they are on budget. Mr. Serino thanked her for update and said the Board and Town Meeting supported increasing the library budget and said he hoped a library director would have been in place by now. Ms. Gill explained they originally thought they would just post the job, but after further investigation found they needed to update their mission statement and have long term goals in hopes of bringing in the best person for Saugus. Mr. Horlick said he's glad to see the Rotary Club still involved and said fundraising and the budget are on track and said it sounds like it's going pretty good. Mr. Kelleher thanked her and the Board's hard work and congratulated them. Mr. Crabtree thanked her for update and said the Board was very supportive of the library and asked about the director's position. Ms. Gill said it was suggested by the Library Board of Commissioners. Mr. Crabtree thanked them for the time they have put into it but urged them that the sooner a director is in place the better for the community. Ms. Gill said getting recertified was 1st priority. The Chair thanked them and said he and other businesses are willing to get involved. Ms. Gill said 2 Trustee positions ran out in March and said she hoped the Board would take care of it tonight. Mr. Serino said he personally would like to see a director in place before and explained they may serve until reappointed or replaced. Ms. Gill explained the way the terms are up, 2 every year and if put off there will be two groups would be up. Theresa Lyons, Vice Chair Library Board of Trustees was present and passed out outline of process of hiring a director and explained she was chosen to Chair that committee because of her background and said she feels uneasy heading up a process if not officially a Trustee and requested reappointment. Mr. Horlick said he understands. Ms. Lyons said she's not sure she has the authority to be involved and said it's an uncomfortable situation. Mr. Crabtree said there's a misunderstanding and said his concern is the position of library director is not filled timely and having that position in place was part of supporting funding and that has not happened and there's some concern it's not going to happen and concern there's not going to be continued support for funding. Ms. Lyons said she takes it personally because the mission statement and strategic planning is what held it up and said she's not sure she wants to do it if she's not a Trustee. Mr. Crabtree said the plan changed from what was presented to the Board. Mr. Horlick said he understands and doesn't have a problem reappointing them tonight. Mr. Serino said the Board led the campaign to support the library and Town Meeting appropriated additional money but now they don't have a director and if they are talking about advertising in January it could be a year and

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could be seen as a waste of the \$65,000 in the budget not being used and said he doesn't mind reappointing them but for one year, not for full appointment. Ms. Lyons said she doesn't need to do this but want to work for the library and is uncomfortable that she doesn't have their support and said the Trustees get the message loud and clear and hopes this gets them moving, but why is it on her head. Mr. Crabtree said it's not a personal issue and said the position of the Board is in Town Meeting Members asking questions and who's responsible and said they should work on their mission statement and goals and get a person on board and said he fears they will lose Town Meeting support if not addressed. Ms. Gill said this is the first she heard of the concern and feels this conversation is strange and said it was her understanding that the 2 members were supported for reappointment after the interviews and they continue in their roles and said either they are qualified or they are not. Mr. Crabtree said he's not sure it has to do with qualifications it has to do with support of funding and said what the Board was told at the interviews is different now. Mr. Horlick said he understands and doesn't have a problem reappointing them. Mr. Crabtree asked if a director is needed to maintain certification. Ms. Gill said they have the authority to search this year and explained the requirement was extended through the fiscal year. Mr. Crabtree asked if that's the plan. Ms. Gill said yes and plan on posting the position the 1st of the year. Mr. Crabtree said if they are unable to find one they could lose certification. Mr. Kelleher said he understands all sides and is supportive of the sitting members and wants to reappoint them. Mr. Serino agreed, but for 6 months and said he appreciates their work and explained the Board has an obligation and asked they get a director in place by June 1.

Mr. Serino moved to reappoint Joanne Vannah to the Library Board of Trustees to expire May 31, 2011. Chair seconds. Vote: 5-0.

Mr. Kelleher moved to reappoint Teresa Lyons to the Library Board of Trustees to expire May 31, 2011. Chair seconds. Mr. Crabtree speaking on the motion said he is pleased with her qualifications and feels the Trustees need her strength to get a director in place. Vote: 5-0.

Approval of minutes:

Mr. Serino moved to approve the October 26, 2010 minutes. Chair seconds. Vote: 5-0.

7:45 Elizabeth Witunsky, for Special Permit (S-2) to allow a dog grooming salon, to be located at 371 Central Street.

Elizabeth Witunsky, 117 Adams Street, Lynn was present. Mr. Kelleher asked about overnight boarding. Ms. Witunsky said no and explained her past experience. Mr. Horlick asked hours of operation. Ms. Witunsky said 7am to 8pm Monday through Saturday. Mr. Serino noted water / sewer owed by the property owner.

Any for or against? Holly Stickney, 5 Denver Street said she lives behind the location and is concerned where the animals will relieve themselves. Ms. Witunsky said not outside and explained there's a 3 hour limit and doesn't keep dogs all day. Mr. Serino asked if there's a place inside. Ms. Witunsky explained layout and areas.

Anthony Witunsky, 117 Adams Street, Lynn explained their insurance will not allow for dogs to be outside. Mr. Kelleher asked if there's a seating area. Ms. Witunsky explained people do not wait for their animals. Mr. Kelleher said there's no

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parking there. Ms. Serino said the Board can condition permit that no animals be outside. Ms. Witunsky said she never had a problem in the past.

Devin McKinney, 111 Eastern Ave., said she has worked with Ms. Witunsky and she is very clean.

Mr. Horlick asked about 7 am opening request. Ms. Witunsky said it's just in case she has a special appointment.

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

Mr. Serino moved to grant the Special Permit (S-2) to allow a dog grooming salon, to be located at 371 Central Street with the following conditions: hours of operation Monday through Saturday 7am to 8pm; no boarding of animals overnight; no animals outside the building; must meet all Board of Health requirements; and money owed the Town to be paid by the landlord. Chair seconds.

Roll call vote: Mr. Crabtree, yes; Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Serino, yes; Mr. Wong, yes. Vote: 5-0.

Mr. Kelleher moved for recess. Chair seconds. Vote: 5-0,

Meeting recessed at 8:35pm.

The Chair called the meeting back to order at 8:45pm.

7:55 Eli Youseff, for Special Permit (S-2) to allow a hair salon offering nails, waxing and facials, to be located at 4 Howard Street.

Eli Youseff property owner was present with Sabrina Chau. Mr. Kelleher asked if he ran a salon before. Mr. Youseff said Ms. Chau will run it. Ms. Chau said she managed a salon before. Mr. Kelleher asked the number of stations. Ms. Chau said 5 pedicure, 3-5 nail and 1 facial / waxing station. Mr. Kelleher asked what business was at the location before. Mr. Youseff said liquor store, then a photo place. Mr. Horlick asked hours. Ms. Chau said 8am to 7pm, but would like 10pm in case she has special appointments. Mr. Crabtree asked for copy of Health Director's comments. Mr. Serino asked number of parking spaces. Mr. Youseff said 16. Mr. Kelleher said the plumbing needs to be reviewed. The Chair said as long as it's to code.

Any for or against? None.

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

Mr. Kelleher moved to grant the Special Permit (S-2) to allow a hair salon offering nails, waxing and facials, to be located at 4 Howard Street with the following conditions: hours of operation 8am to 10pm, 7 days a week; money owed to be paid; Board of Health requirement that the plumbing be reviewed by Plumbing Inspector. Mr. Serino added without objection: restricted to five pedicure stations, three nail stations and one facial / waxing station. Chair seconds.

Roll call vote: Mr. Crabtree, yes; Mr. Horlick, yes; Mr. Kelleher, yes; Mr. Serino, yes; Mr. Wong, yes. Vote: 5-0.

Correspondence

1.) Wheelabrator re: request for reappointment of Sworn Weighers.

Mr. Serino moved to reappoint Steve Braga as Sworn Weigher at Wheelabrator to expire November 30, 2011. Chair seconds. Vote: 5-0.

Mr. Horlick moved to reappoint James Catizone as Sworn Weigher at Wheelabrator to expire November 31, 2011. Chair seconds. Vote: 5-0.

2.) Police Dept. re: bus stop at 111 Lincoln Ave.

Mr. Serino said the police recommend not to relocate bus stop.

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Mr. Serino moved to refer the correspondence to the file. Chair seconds. Vote: 5-0.

3.) Police Dept. re: Stop signs Jefferson Ave. & Cleveland Ave.

Mr. Serino moved to have the two nonapproved stop signs removed from Jefferson Avenue. Chair seconds. Vote: 5-0.

Mr. Serino moved to schedule a public hearing on 2 stop signs on Cleveland Avenue on January 4. Chair seconds. Vote: 5-0.

4.) Police Dept. re: recommendation regarding Mt. Vernon St. concerns.

Mr. Kelleher moved to schedule a public hearing on January 4. Chair seconds. Vote: 5-0.

Mr. Wong excused himself from the table and Vice Chair Crabtree took the Chair.

5.) PAM, Inc. d/b/a LAVO Ristorante suspension dates (voted 8/31/10).

6.) Atty. McDonald re: prospective sale of PAM, Inc. d/b/a LAVO Ristorante.

Atty. Patrick MacDonald, 15 Ferry St., Malden was present representing PAM, Inc. and said Michael Reppucci and Paul Cucinatti were present and explained original request was to present a purchase & Sales agreement, but regret to inform the Board it fell through and requested until the 1st of the year in consideration will withdraw ABCC appeal and Superior Court action and asked the Board to defer the suspension and his clients are trying to generate good will with the Board. Vice Chair asked even though the sale fell through they are asking the Board to forego taking action on 2 day suspension and his clients will withdraw pending appeals. Atty. Said correct. Vice Chair said he's not sure if days served would adversely affect a sale and thinks the Board would consider it not fall on a purchaser but would like to hear from the buyer.

Michael Reppucci, Canterbury St. Andover was present and said he is having a P&S drawn up now and will give copy to the Board and hopefully this sale happens. Vice Chair said it's their choice to sell and the Board has to consider how to deal with the suspension and his request. Mr. Reppucci said he doesn't want to scare any potential buyer off. Vice Chair said regarding the two day suspension that he is sensitive to the fact they are trying to sell but his concern is there were infractions and penalty imposed and he would lean toward suspension be served. Mr. Serino said he's willing to entertain P&S but agrees with the Vice Chair on suspension. Mr. Horlick said he would like to see P&S and can consider suspension dates December 1 & 2 or 2 & 3 and the Board has a meeting on November 30.

Mr. Horlick moved the Board vote to impose the two day suspension of PAM, Inc. be served on December 2, 2010 and on December 3, 2010. Vice Chair seconds. Vote: 4-0.

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

Manager's Report

- announced overnight parking ban in effect 11/15 through 3/31.

- said regarding Elm Street area flooding issue that he engaged the services of CDM and they came up with a plan and we have submitted it for Federal grant application and copy is in the library for review.

The Chair thanked everyone involved in Veterans' Day Parade and thanked those that donated food and thanked those that serve our country.

Member's Motions

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Mr. Crabtree: said Veterans' Day was a great day and thanked servicemen.

- congratulated Donald Wong as new State Rep and wished him much success. The Chair thanked the Board and community for putting their trust in him and said we will work together for positive things.

- thanked Mark Falzone for his 10 years of service and wished him well in future endeavors.

- asked the Manager regarding the news of a deficit that he explain. The Manager said we are not in any financial trouble and said there has been negative comments but wants the public to be aware we are on solid ground and explained free cash and said we have overcome a lot of issues in the past but emphasized this is not an operating deficit and it doesn't have to be raised and there will be no cuts and no effect on the budget and said the DOR said it was more of an oversight and any free cash lost this year will be available next year and stressed our financial condition has greatly improved. Mr. Kelleher said when it came out he called the Manager and was satisfied with explanation. Mr. Horlick said when he heard about it he called the Manager and he understands and said it may be available next year when we will need it.

- said he would like to bring some conclusion to the Kasabuski insurance issue and asked about letter stating their insurance is adequate. The Manager said he asked Counsel for that and will follow up on it and said he has not cancelled the Town insurance until the Board is satisfied with their coverage.

- asked he follow up on scheduling a meeting with the Board and MAPC or our consultant.

- said it was voted that the Selectmen will have to approve any leases and asked the Manager to get a list of what we have with expiration dates.

- said the Board met to discuss CIP and wants to schedule a meeting to discuss future budget issues and priorities in developing the budget. Mr. Kelleher suggested and the Board agreed to meet 11/30 at 7pm. Mr. Crabtree said letters were sent out to departments asking to prioritize and the Board has received 3 back.

Mr. Crabtree moved to send out reminder to departments with deadline of Nov. 25. Chair seconds. Vote: 5-0.

Mr. Serino: congratulated Mr. Wong on his win as State Rep.

- Thanked the Veterans and all involved on Veterans' Day.

- thanked DPW employees Tim Wendell and Mike Dockery for digging the holes for the Tree Committee plantings.

- received a letter from Peter Bogdan regarding Community Preservation Act and explained it was tried several years ago and failed but thinks the Board should submit an Article and take the lead because it does open up grant opportunities and feels it would be good for the Town in the long run and is willing to be liaison and said he served on the Conservation Commission and is a member of SAVE.

Mr. Kelleher moved the Board vote to appoint Mr. Serino as liaison. Chair seconds. Vote: 5-0.

Mr. Horlick: said the Board received a copy of letter of resignation of Sean Hughes, Planning Board.

Mr. Horlick moved the Board send letter thanking him for his service. Chair seconds. Vote: 5-0.

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- asked the Manager to look into the Comcast community service program.
- said the Town received an estimated \$800,000 in meals tax and said other communities has taken a percentage of theirs to designate and thinks the Board should discuss doing that.
- thanked everyone involved in the Veterans' Day Parade and thanked our servicemen.

Mr. Kelleher: congratulated Mr. Wong on his election and wished him the best.

- Thanked Mark Falzone for 10 years of service.
- said Verizon has stepped up their expansion plans.

Mr. Kelleher moved the Board send letter to Verizon inviting them to look at expanding service to Saugus as a future location. Chair seconds. Vote: 5-0.

- said he wasn't there but thanked those that attended Veterans' Day service

Mr. Horlick thanked Mr. Wong for running a clean race and said he knows he will fight for us and thanked Mark Falzone for his service. The Chair thanked Mark Falzone for his 10 years of service and thanked the Board, the Town Manager and Wendy.

Citizen's forum: None.

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

Meeting adjourned at 9:46pm.

Respectfully submitted,

Wendy L. Reed, Clerk

Applications with supporting documentation, correspondence and documents presented and discussed at the meeting are on file in the Board of Selectmen's Office and are available upon request.