

Saugus Board of Selectmen
November 27, 2012

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

AGENDA

Saugus Board of Selectmen
November 27, 2012 at 7:30PM
Town Hall Auditorium
298 Central Street

- 1.) Call to order.
- 2.) Invited Guests: 0
- 3.) Approval of Minutes: November 13; and November 20, 2012
- 4.) Citizen's Forum.
- 5.) Continued Hearings: - 222 Central Storage from: 10/23; & 11/13/12.
- 6.) Public Hearings:

7:45 Show Cause for failure of the property owner and / or tenants of the following establishments to pay municipal taxes, fees, and / or any other money owed the Town for more than twelve months:
Applebee's New England, LLC d/b/a Applebee's Neighborhood Grill & Bar, 214 Broadway;
Hammersmith Family Restaurant, Inc., 330 Central Street; Eastern Partners, Inc. d/b/a Out of Asia, 1268 Broadway; T.A.N., Inc. d/b/a Ristorante Donatello, 44 Broadway; Angela's Coal Fired Pizza, LLC, 890 Broadway; Personal Chef Co., Inc., 124 Broadway; and L & D Beverage Company, d/b/a L & D Liquor and Convenience, 124 A Broadway.

7:50 Show Cause failure of the property owner and / or tenants of the following establishments to pay municipal taxes, fees, and / or any other money owed the Town for more than twelve months:
Chapman Auto Body, Inc. d/b/a Chapman Auto, 16 Rear Hamilton Street; Edd's Auto Exchange, Inc., 961 Broadway; Pro Collision Center, Inc., 233 Hamilton Street; C & Y Good Pie, LLC d/b/a Domino's Pizza, 1268 Broadway; Vital Transportation, Inc. d/b/a Home Town Pizza, 23 Essex Street; ZRC Operations Company d/b/a Qdoba Mexican Grill, 366 Broadway; Santoro's Sub Villa, Inc., 259 Essex Street; Mangia Fresco, SA, LLC d/b/a Subway, 124-K Broadway; Taco Bell of America Inc. #4312, 421 Broadway; Luke 5 Fitness, LLC d/b/a Cross Fit Route 1, 184 Broadway; Saugus Taxi, 74 Hamilton Street; A & A Taxi, 74 Hamilton Street; Cliftondale Santos, Inc., 2 Essex Street; and Om Anand Corp. d/b/a Saugus Center Convenience.

7:55 Rt. 1 Auto Group, Inc., 160 Broadway for transfer of Class II Auto Dealer's License FROM: Boston Auto Trade, Kenneth Michaud & Shohel Hossain, 160 Broadway.

8:00 NBT Store for Special Permit (S-2) to allow automotive use in a B-2 Zone for a national tire and battery store, to be located at 564 Broadway.

8:10 Town's Traffic Rules & Regulations: to amend Article V, Section 2. Parking Prohibited on Certain Streets: BY designating "No Parking" on Central Street as follows: FROM the curb cut at 344 Central Street TO the fence by the rail trail crossing.

Correspondence

- 1.) Wheelabrator re: request for reappointment of Sworn Weighers.
- 2.) Saugus School Committee re: request to accept gift of a scoreboard for SHS.

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

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The Saugus Board of Selectmen met on November 27, 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.

The Chair took Correspondence out of order.

Correspondence

2.) Saugus School Committee re: request to accept gift of a scoreboard for SHS.

Corinne Riley, Vice Chair Saugus School Committee was present and requested the Board accept the gift. The Chair explained gifts to the Town must be accepted by the Selectmen. Ms. Panetta stated she does not want the children disappointed but voting for this does not mean they condone the negative impact this business has on the environment and she does not see it as a gift but as mitigation. Mr. Horlick agreed and said he will accept the gift but doesn't accept what went on there. The Chair said he lives in that Precinct but knows how to separate the two issues. Mr. Castinetti said he thinks they all have the same sentiment and can accept the gift without buying into it.

Mr. Castinetti moved the Board vote to accept the gift of a new scoreboard for Saugus High School from Wheelabrator that was unanimously accepted by the School Committee. Chair seconds. Vote: 5-0.

Approval of Minutes: November 13; and November 20, 2012

Mr. Castinetti moved to accept the November 13 minutes. Chair seconds. Vote: 5-0.

Ms. Panetta moved to accept the November 20 minutes. Chair seconds. Vote: 5-0.

Citizen's Forum None.

Continued Hearings: - 222 Central Storage from: 10/23; & 11/13/12.

Mr. Castinetti moved to remove the continued hearing from the table. Chair seconds. Vote: 5-0.
222 Central Street for Special Permit (S-2) to allow a second story addition for storage rental business at 222 Central Street, Assessor's Plan 1004, Lot 117.

The Chair said the Board received correspondence from the applicant requesting to continue.

Mr. Castinetti moved to continue the hearing to December 4th. Chair seconds. Vote: 5-0.

Correspondence

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

The Chair noted the CORIs came back OK.

Mr. Castinetti moved to reappoint Steve Braga and James Catizone as Sworn Weighers at Wheelabrator. Chair seconds. Vote: 5-0.

Manager's Report

- will be presenting to the Board a proposal for financial policies for the Board to look at and explained he would like to change practices.

The Chair called recess at 7:42PM.

The Chair called the meeting back to order at 7:48PM.

7:45 Show Cause for failure of the property owner and / or tenants of the following establishments to pay municipal taxes, fees, and / or any other money owed the Town for more than twelve months: Applebee's New England, LLC d/b/a Applebee's Neighborhood Grill & Bar, 214 Broadway; Hammersmith Family Restaurant, Inc., 330 Central Street; Eastern Partners, Inc. d/b/a Out of Asia, 1268 Broadway; T.A.N., Inc. d/b/a Ristorante Donatello, 44 Broadway; Angela's Coal Fired Pizza, LLC, 890 Broadway; Personal Chef Co., Inc., 124 Broadway; and L & D Beverage Company, d/b/a L & D Liquor and Convenience, 124 A Broadway.

The Chair gave update: Applebee's paid; Hammersmith not; Out of Asia has payment plan to be approved; Donatello's has payment plan to be approved; Angela's not paid; Personal Chef not paid; and L&D Liquors not paid. The Chair read payment plan for Out of Asia.

Mr. Castinetti moved to accept the payment plan for Out of Asia. Chair seconds. Vote: 5-0.

Mr. Horlick moved to accept the payment plan for Donatello's. Chair seconds. Vote: 5-0.

Mr. Horlick moved to take no action and continue the hearing. Chair seconds. Vote: 5-0.

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Ms. Panetta asked if any have contacted the office. Their clerk said Personal Chef is working on a payment plan but has had no contact from Hammersmith, Angela's, and L&D.

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The Chair gave update: Chapman has payment plan to be accepted; Edd's not paid; Pro Collision not paid; Dominos not paid; Home Town not paid; Qdoba not paid; Santoro's not paid; Subway paid; Taco Bell was their bill; Cross Fit not paid; Saugus Taxi not paid; A & A Taxi not paid; Clifondale Santos paid; and Center Convenience paid. The Chair said the Board needs to accept Chapman payment agreement. Their clerk clarified the money owed is the property owner.

Mr. Castinetti moved to accept the payment agreement for Chapman Auto Body. Chair seconds. Vote: 5-0.

Ms. Panetta moved to take no action and continue the hearing on Edd's Auto; Pro Collision; Home Town Pizza; Qdoba; Santoro's; Cross Fit; Saugus Tax; and A&A Taxi. Chair seconds. Vote: 5-0.

7:55 Rt. 1 Auto Group, Inc., 160 Broadway for transfer of Class II Auto Dealer's License FROM: Boston Auto Trade, Kenneth Michaud & Shohel Hossain, 160 Broadway.

John Orlandella, Bayberry Lane, Ayer was present and said the business will stay the same and requested the transfer. The Chair asked if all conditions would be the same and read. Mr. Orlandella said yes. Ms. Panetta asked if he does repairs on site. Mr. Orlandella said yes. The Chair said the CORI was OK and no money owed and no objections from Inspectional Services.

Any to speak in favor or opposition? None.

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

Ms. Panetta moved to approve the transfer of Class II Auto Dealer's License to Rte. 1 Auto Group, 160 Broadway. Chair seconds.

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

8:00 NBT Store for Special Permit (S-2) to allow automotive use in a B-2 Zone for a national tire and battery store, to be located at 564 Broadway.

Attorney Richard Magnan, 194 Central Street was present with Todd Carr and described the property location and the need for S-2 per Zoning By-Law and explained the lot has been subdivided and parking requirements and summarized the business and conditions of the Planning Board. The Chair asked if Maryland Development owns the property. Atty. Magnan said yes but it's under agreement. The Chair asked if the bank uses parking spots. Atty. Magnan said there are multiple easements on the property. Mr. Castinetti asked if this will block entrance to the book store. Atty. Magnan said no. Ms. Panetta asked clarification of location. Atty. Magnan showed plan. The Chair asked about landscape plan. Atty. Magnan said its part of the site plan submission. The Chair said he would want to make it a condition. Atty. Magnan said it's already condition of site plan review. Mr. Horlick asked if they would do State inspections. Mr. Carr explained. Ms. Panetta asked about existing S-2 Permits and if they expire after 2 years. Atty. Magnan said after 2 years the use is abandoned. Ms. Mitchell asked how long the project will take. Mr. Carr said 120 days and will start in March. The Chair said the Treasurer reported money owed. Atty. Magnan said he received that tonight and it will be paid. The Chair asked if they are working out the Fire Dept. requests. Atty. Magnan said yes.

Any to speak in favor or in opposition? None.

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

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“Mr. Castinetti moved to grant the Special Permit (S-2) to NBT Store for Special Permit (S-2) to allow automotive use in a B-2 Zone for a national tire and battery store, to be located at 564 Broadway. The Chair added the following conditions: hours of operation Monday to Saturday 7:30AM to 8:00PM and Sunday 9:00AM to 6:00PM; landscape plan as submitted; no storage of vehicles outside during non business hours; all work to be done inside the building; all money owed to be paid; and Fire Dept. recommendations met. Chair seconds.”

Roll call vote: Mr. Castinetti, yes; Mr. Horlick, yes; Ms. Mitchell, yes; Ms. Panetta, yes; Mr. Serino, yes.
8:10 Town's Traffic Rules & Regulations: to amend Article V, Section 2. Parking Prohibited on Certain Streets: BY designating “No Parking” on Central Street as follows: FROM the curb cut at 344 Central Street TO the fence by the rail trail crossing.

The Chair explained he requested this be looked at and read police recommendation.

Any to speak in favor or in opposition? None.

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

Mr. Castinetti moved to approve the No Parking. Chair seconds. Mr. Castinetti speaking on the motion said he was at the location with the Manager and having cars parked there makes it more hazardous. Vote: 5-0.

Member's Motions

Ms. Mitchell: remind all of the tree lighting ceremony Friday 6-9pm and Holiday Stroll on Saturday and listed some events.

Mr. Castinetti: apologized he will not be at the tree lighting ceremony due to a previous commitment.
- said he met with Rep. Wong and said he would like the Town to move on the \$30,000 grant for the tennis courts and don't want to lose the money. The Manager said he has not received communication from the State.

- said the Globe had an article about medical marijuana dispensaries.

Mr. Castinetti moved the Board vote to ban medical marijuana dispensaries in the Town of Saugus. Chair seconds. Ms. Panetta speaking on the motion said she also received a call from the paper saying the Board approved it and we did not. The Manager explained some communities have By-Laws and he did give information to the Board of Health. Vote: 5-0.

- asked the Manager to look into not using barrels at access points to Rte. 1.

- said the Board received requests for appointments and said he recommends they conduct CORI's on all positions. The Chair said he will check with Town Counsel.

Mr. Castinetti moved background checks be done on appointments subject to recommendation of Town Counsel. Chair seconds. Vote: 5-0.

The Board discussed conducting CORIs and process.

Ms. Panetta: asked for update on financial systems. The Manager said there is more demonstrations scheduled and described and said there's a committee evaluating each and will bring him recommendation.

- said a few months back the Manager mentioned “piggy-backing” on other community financial systems. The Manager said he looked at infrastructure and hardware.

The Manager said as update they are awaiting the DOR certification of the tax rate and should hear something shortly.

- said at the Saugus River Watershed Council banquet the Town Tree Committee received an award and so did Bike to the Sea.

- announced Friday night tree lighting and Saturday breakfast with Santa at Waybright and all schools have events on Saturday's Holiday Stroll.

Mr. Horlick: said he had a conversation with the Manager about the tree lighting ceremony and said he better get Julie involved and announced Santa will be at Town Hall and each year this will get better and better and said he had a conversation with the president of the Chamber of Commerce and said it would be nice to get the trolleys back on the stroll.

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- said the Board's motion on medical marijuana was based on if the Governor signed it as a State License and thinks local communities need something to opt out and we need to work with the Board of Health on a By-Law or Zoning to address it.

- wished everyone a great Christmas holiday season and asked people consider spending their money at local businesses who give back to the community all year.

The Manager announced MEG Foundation tree decorating fundraiser.

The Manager announced wireless connection in Town Hall.

The Chair said their clerk submitted meeting schedule for 2013.

Ms. Panetta moved to accept the meeting schedule through June 2013. Chair seconds. Vote: 5-0.

The Chair said the Board received letter from MPO re: TIP Program and said the comment period is open until December 18th and would like the Town Manager and DPW Director see what projects should be included and said he would like the Board to send a request for total reconstruction of Rte. 1.

Ms. Panetta moved to submit. Chair seconds. Vote: 5-0.

The Chair asked if the Board wanted to hold interviews or wait for opinion on CORI checks. The Board requested it be advertised for another 30 days.

The Chair congratulated Pop Warner cheerleaders going to Disney competition.

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

Meeting adjourned at 8:53PM.

Respectfully submitted,

Wendy Reed, Clerk