

Saugus Board of Selectmen  
December 8, 2009

The Saugus Board of Selectmen met on December 8, 2009 at 7:00 PM in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Scott Crabtree, Stephen Horlick, Michael Serino and the Chairman Donald Wong. Michael Kelleher was not present.

Invited guests: None this evening.

The Chair excused himself from the table and Vice Chair Crabtree took the Chair.

**7:00PM Show Cause Hearing on: JIN Restaurant Group, LLC d/b/a JIN Asian Cuisine, 20 Rear Frank Bennett Highway;** to revoke or suspend the All Alcoholic Common Victualer's License and Entertainment License and all other licenses and permits held for violation of laws, rules, and regulations and condition of license renewal for failure to pay municipal taxes, fees and/or charges owed for more than twelve months and for breach of payment agreement. This hearing is being held under MGL c. 40, section 57 adopted by the Town of Saugus By-Laws, section 807.

No one was present representing JIN. Special Counsel Ira Zaleznik was present and said the Licensee was given notice on November 17, 2009 and notice was received by the Licensee on November 20, 2009 and the Board received memo from Saugus Collector / Treasurer Wendy Hatch stating money due the Town is still unpaid and suggested to the Board to move forward with the hearing even though the ABCC voted to revoke the License, the appeal period has not run and they could appeal and if successful, the Town would be in the same position, therefore he introduced copy of notice and memo from the Collector / Treasurer and copy of receipt of notice and suggested the Board move forward with the hearing. Mr. Horlick said they already entered into a payment agreement and defaulted and then entered into a second payment agreement and again defaulted and said the Board should take action. Vice Chair asked what actions the Board may make. Special Counsel said under the Statute and By-Law, the Board may revoke, suspend, deny or refuse to renew. Vice Chair asked if the Board's options are to revoke or non-renew. Special Counsel said if they revoke now, the revocation would end the License and the Licensee would need to apply for a new license. Vice Chair asked about not renewing rather than revocation. Special Counsel explained if they don't renew it permits an appeal 30 days and recommend that it is simpler to make decision now rather than waiting for renewal vote. Mr. Horlick said the total amount owed is \$257,183.83 plus interest.

Any in favor or in opposition? Janet Leuci, TMMP4, said she supports action of the Board on behalf of the taxpayers, the Board should take action.

Steve Sweezey, TMMP2, said he supports the Board taking any action the Board can and said the business does not pay their taxes while earning a living and the Board should take the strongest action.

Mr. Serino moved to close the hearing. Vice Chair seconds. Vote: 3-0.

Mr. Serino moved the Board vote to revoke the All Alcoholic Common Victualer's License and Entertainment License and all other Licenses and Permits held by JIN Restaurant Group, LLC d/b/a JIN Asian Cuisine, 20 Rear Frank Bennett Highway, for failure to pay municipal taxes, fees and/or charges owed for more than twelve months and for breach of payment agreement said action is being taken under MGL c. 40, section 57 adopted by the Town of Saugus By-Laws, section 807. Vice Chair seconds. Special Counsel said in his opinion a written decision is needed and would like to draft the Board's decision for the Board's consideration and to adopt at next meeting. Mr. Serino

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amended his motion with no objection to include a written decision of the Board's findings to be drafted by Special Counsel for Board review and adopt at next Board meeting. Mr. Horlick speaking on the motion said times are tough and the business did not liver up to their payment agreement and the Board has no other choice and will support the motion. Vote: 3-0.

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

Mr. Serino moved to take correspondence #1 out of order. Chair seconds.

Vote: 4-0.

Correspondence

1.) Adams Avenue & Elmwood Avenue 4-way stop review.

Lt. O'Brien was present and gave summery and said the Police Dept. doesn't support a 4-way stop and explained concerns.

Ken Doherty, 16 Elmwood Avenue, said he is trying to slow down traffic and agree if speeding a stop would cause accidents, but if going the speed limit there is plenty of time and visibility and said if they put 1 stop sign to solve the problem and would like to try that for 6 months.

Bill Kramich, 12 Emory Street, said they should go with the Police Dept. recommendation.

Mr. Serino asked the speed limit. Lt. said 30MPH. Mr. Serino said according to the traffic study the average speed was 27MPH and said he will support the Police recommendation for several reasons: statistics 10 year crash study average 1 accident a year; average speed is 27MPH in a 30MPH; and concern stop signs would back up traffic creating more accidents.

Mr. Serino moved to deny the request. Chair seconds. Mr. Crabtree said he concurs with Mr. Serino and will support police recommendation and is not opposed to look at again at a later date and stated concern with back ups and would like to see how the One-Way pans out. Vote: 4-0.

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

**7:30PM Show Cause Hearing on: JIN Restaurant Group, LLC d/b/a JIN Asian Cuisine, 20 Rear Frank Bennett Highway** as to why its licenses issued pursuant to G.L. c. 138, Section 12, G.L.c. 140, Section 2 and G.L. c. 140, Section 183A should not be revoked, suspended, modified, canceled, or why additional conditions upon the exercise of the licenses ought not to be imposed. The licensee is directed to show cause that it did not permit any disorder, disturbance, or illegality to take place in or on the licensed premises in violation of 204 CMR Section 2:05(2) and G.L. c. 138, Section 64 and in violation of Sections 1.12(a)(1), (2), (3) (4) and (5) of the Alcoholic License Rules and Regulations and Sections 1.12(a)(1), (2), (4), (5) and (6) of the Entertainment License Rules and Regulations of the Town of Saugus. This hearing is a continuation of the hearing, previously commenced on October 6, 2009, and the notice issued for that hearing is incorporated herein by reference.

In addition to the grounds set forth in the hearing notice dated September 25, 2009, the Board of Selectmen will hear evidence so as to determine whether the licensee violated the laws, rules and regulations applicable to his license by: 1. Serving alcoholic beverages while its license was suspended; 2. Performing renovations to its premises while its license was suspended. See Section 1.13(c) of the Town of Saugus Liquor Rules and Regulations; 3. Performing renovations to its premises without the prior approval of the Board. See Section 1.07(c) of the Town of Saugus Liquor Rules and Regulations; 4. Transferring a beneficial interest in a license without the prior approval of the Board; 5. Transferring or pledging stock in a corporation holding a license to sell alcoholic beverages without the prior approval of the Board; 6. Submitting an

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application to the Board containing false or misleading statements; and 7. Transferring ownership, management or control of the licensed premises without the prior approval of the Board.

As set forth in the September 25, 2009 notice of hearing, the Board will also hear evidence pursuant to the provisions of G.L c. 138, section 12, sixth paragraph, and related provisions of law as to the public need for the licensed premises to remain open until 2:00 AM. This review shall consider hours of operation for all licenses and all activities conducted on the premises.

Special Counsel Ira Zaleznik noted for the record the Licensee or representative was not present and suggest the Board may proceed and said regarding this action, again, to proceed for back up to other actions, if the licensee files an appeal of revocation, and is successful, that would reinstitute the license even though improbable, but could be in the same position and it's important the Board take action for the purpose of educating licensees on appropriate ways under the Law and under Town regulations and explained last hearing the proceedings were held in abeyance, premises closed and were to negotiate an agreement and said they did close but no proposal was presented and in the interim an election was held and changes in the Board and explained the nightclub is closed, renovations and changes were made without Board approval and suggest the Board proceed with the hearing and can present evidence in a summery fashion. Vice Chair asked if he had any communication with Counsel for JIN. Special Counsel said he did today and did not believe they were going to appear they were under the impression the Board would not go forward and said they thought it was cancelled. Vice Chair said the show cause hearing was set up in November and Mr. Kelleher said he would be out of State on Dec. 9<sup>th</sup> and received an e-mail from him that he had a family commitment and couldn't attend this evening.

Special Counsel introduced the following:

Exhibit #1: Notice of hearing dated November 17, 2009;

Exhibit #2: receipt of notice received on 11/20/09 and said the Board can proceed and read from notice "Failure to appear at the time and place designated could result in an order of the Board taking such action as they deem necessary and appropriate";

Exhibit #3: incorporated notice of September 25, 2009, two incidents, one shooting on 9/12/09 on Rte. 1 that lead back to the nightclub and a shooting in front of the premises on 9/19/09 and said the Board took some testimony;

Exhibit #4: DVD of prior hearing with testimony that the nightclub had become a hang out for gangs and rival gangs and that posed a continual threat to public safety;

Exhibit #5: Pictures of renovations conducted without approval of the Board;

Exhibit #6: report of Lt. Giorgetti that investigated and found sale and service of alcohol while license was suspended by order of the ABCC;

Exhibit #7: Lt. Giorgetti's report regarding renovations while under suspension by ABCC;

Exhibit #8: introduced decision of ABCC that documents effective changes were made in ownership and interest of the license without Board prior approval and noted the licensee was notified in August for failing to follow up on procedures for change and never attended to it and said at the ABCC hearing they heard testimony that 30% interest in the license was changed without approval of the Board or the ABCC;

Special Counsel said the last incident on Saturday November 28, Lt. Coogan reports sale and service of alcohol (Champaign) while license suspended / revoked by the

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ABCC. Vice Chair said they were not noticed on that incident. Special Counsel said they were clearly warned that action was subject to this show cause hearing. Vice Chair said second count of serving after revocation. Special Counsel said yes. Vice Chair asked if any will testify and said the Board may have questions. Special Counsel said if the Board has questions, the Chief and Lt. Giorgetti are present and said the documents speak for themselves.

Vice Chair asked the Chief compared to other establishments, incidents of violence, disorder and use of resources. Police Chief Domenic DiMella was present and said many more incidents at this establishment. Mr. Horlick asked his recommendation. Chief said he recommends revocation of licenses. Vice Chair said he would like to consider, as a back up in case of appeal or injunction, action of the Board include rollback in hours. Mr. Serino asked if the Board decided to do both would it be in the same motion or separate. Special Counsel said they could include in the same motion and in producing the draft decision will include rollback and revocation. Vice Chair asked Chief's opinion on hours. Chief said he recommends this establishment close at midnight. Mr. Horlick asked entertainment at 11:00 and alcohol at 12. Chief said no later than 12 midnight. Mr. Serino asked if separate action on entertainment is needed. Special Counsel said the same motion and explained alcohol the standards are well defined and there's no legal standard for entertainment rollback and explained the Board should include the reasons in the motion. Mr. Horlick said they should include the neighborhood disturbances and public safety. Special Counsel said yes and the close proximity to a neighborhood.

Any in favor or in opposition?

Bill Kramich, 12 Emory Street, in favor of Board taking action.

Steve Swezey, TMMP2, said the management has demonstrated time and time again they have no regard for the Town or laws and in favor of the Board do whatever they can to help the neighborhood and to prevent the mismanagement come back.

Maureen Dever, TMMP3, asked they rollback hours and take any and all action because this place has had a detrimental effect on the community.

Laurie Campanile, 9 Tuttle Lane, said it's a dead end street below the backside of JIN and said it was a restaurant and then a nightclub and said the noise has to stop.

Janet Leuci, TMMP4, urged the Board take the strongest action by revoking the licenses and said the business has a total disregard for the Town.

Vice Chair asked for summery of entertainment and noise issues. Chief said the residents are correct it was a restaurant that morphed into a nightclub with loud music and parking issues and disturbances in the neighborhood and said the business doesn't work with the police or the neighborhood.

Mr. Serino moved to close the hearing. Vice Chair seconds. Vote: 3-0.

Mr. Serino moved based on evidence presented that there was serving of alcoholic beverages while its license was suspended; renovations were preformed to its premises while its license was suspended; renovations were preformed to its premises without the prior approval of the Board; a transfer of a beneficial interest in a license without the prior approval of the Board; a transfer or pledging stock in a corporation holding a license to sell alcoholic beverages without the prior approval of the Board; Submitting an application to the Board containing false or misleading statements; the Transferring of ownership, management or control of the licensed premises without the prior approval of

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the Board; public safety; jeopardizing the Town; and establishment is a public nuisance; noise; disruption; litter; motion to rollback hours of operation of entertainment license and alcohol to 12 midnight based on all evidence provided. Vice Chair seconds. Mr. Horlick speaking on the motion added the following reasons with no objection: no public need to be open after midnight; most disturbances occurred after midnight; to assist in crowd control and police resources / public safety issues. The Vice Chair said he is in favor of the motion based on what he heard and read. Vote: 3-0.

Vice Chair said Special Counsel will draft decision for the Board to adopt at next meeting.

Mr. Serino moved the Board vote to revoke the All Alcoholic Beverages Common Victualer's License and Entertainment License of JIN Restaurant Group, LLC d/b/a JIN Asian Cuisine, 20 Rear Frank Bennett Highway based on same reasons for support of rollback. Vice Chair seconds. Vice Chair asked Special Counsel if they should include all counts or separate ruling on each. Special Counsel said there's no need for separate rulings and explained the items are cumulative and each individual count, any one would support the action of the Board. Vote: 3-0.

Mr. Serino moved for 5 minutes recess. Vice Chair seconds. Vote: 3-0.

Vice Chair called recess at 8:22PM.

The Chairman returned to the table and called the meeting back to order at 8:32PM.

Continued hearings: 222 Central Storage

222 Central Storage, LLC, for used Goods License to be located at 222 Central St.

Joseph Boccelli, owner was present and explained he met with the Fire Chief and received quotes for new radio box fire monitoring system of \$8,000 to \$10,000 and can't afford that, but the Chief is allowing his company to purchase and install so he can spread out the payment and passed out copy of document. Mr. Crabtree asked time frame. Mr. Boccelli said once the Board approves, he will sign the contract and they will order the equipment. The Chair said he wants the Chief's approval first. Mr. Boccelli said he asked the Chief for something in writing and he said it would be condition the license not be issued until he signs off. Mr. Crabtree said he doesn't see the Chief's recommendation on the proposal. Mr. Boccelli explained this is the only company that can do Saugus. The Chair said he wants something from the Fire Chief in writing. Mr. Boccelli said he was told do the work and he would get the license. Mr. Serino said he has an issue with what is being proposed saying it is now a storage facility and wants to turn it into retail and would like an opinion if it could be changed into a flea market because this is changing use of the property and want an opinion from Town Counsel and Building Inspector and will not support this. Mr. Crabtree asked his intent. Mr. Boccelli said he always had retail for packaging goods etc. and started selling used items when he was told by the Building Inspector he needed a license for that and that's why he's here. Mr. Crabtree said 2 different things, storage and selling items. Mr. Boccelli said its light traffic he doesn't have that much product. The Chair said they are storage and if had a fire they will need to have box up to par and they should get legal opinion from Town Counsel and the Building Inspector. Mr. Serino said it would be a substantial change in use of the premises. Mr. Horlick asked if any other businesses are at the location. Mr. Boccelli said real estate and used equipment. Mr. Horlick asked about body shop. Mr. Boccelli explained. Mr. Horlick said they have auctions and after, if granted other facilities would

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want the same and it would be like a flea market. The Chair agreed to have Town Counsel and Building Inspector opinion. Mr. Crabtree said change in use would affect parking. Mr. Serino agreed and believes he needs more parking and should continue to next meeting.

Mr. Serino moved to continue the hearing to next meeting and request opinion from Town Counsel and Building Inspector on what needed and the Fire Chief recommendation. Chair seconds. Vote: 3-1 with Mr. Horlick voting in opposition. Mr. Horlick said he is not in favor of continuing to next meeting.

Mr. Serino moved to take the 7:45 PM public hearing off the table. Chair seconds. Vote: 4-0.

Mr. Wong excused himself from the table and Vice Chair Crabtree took the Chair. **7:45PM “Show Cause” Hearing on:** Applebee’s Restaurants North, LLC d/b/a Applebee’s Neighborhood Grill & Bar, 214 Broadway; and Personal Chef Co. Inc., 124 Broadway; to deny, revoke or suspend all licenses and permits held for failure to pay municipal taxes / fees owed. This hearing is being held under MGL c. 40, section 57 adopted by the Town of Saugus By-Laws, section 807.

Mr. Serino moved the Board vote to take no action since all are paid. Vice Chair seconds. Vote: 3-0.

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

Mr. Serino moved to take the 7:55PM public hearing off the table. Chair seconds. Vote: 4-0.

**7:55PM “Show Cause” Hearing on:** Ken’s Tulsa, Inc. d/b/a Ken’s Car Care Center, 20 Salem Turnpike; Pro Collision Center, 233 Hamilton St.; Sauro, Inc., 2 Howard Street; Michael Accomando d/b/a Banana Splitz, 526 Lincoln Avenue; Michael DePaolis Group, Inc. d/b/a Nico’s Pasta & Panini, 43 Jackson St.; Chair 5 Restaurants, LLC d/b/a Qdoba Mexican Grill, 366 Broadway; Square One Mall Food Court, 1201 Broadway; Massachusetts CVS Pharmacy, LLC d/b/a CVS Pharmacy #2500, 1075 Broadway; Exxon Mobil Corporation d/b/a Mobil #10533, 1123 Broadway; Mark Occhipinti d/b/a Mark’s Flowers & Novelty, Selliah Anapayan d/b/a Saugus Taxi and A & A Taxi, inc., 74 Hamilton Street; and Susan Ustas d/b/a Zu Zu’s Beads, 469 A Lincoln Avenue; to deny, revoke or suspend all licenses and permits held for failure to pay municipal taxes / fees owed. This hearing is being held under MGL c. 40, section 57 adopted by the Town of Saugus By-Laws, section 807.

Mr. Serino moved the Board vote to take no action on all paid. Chair seconds. Vote: 4-0.

Mr. Serino moved the Board vote to accept payment plans signed by the Collector / Treasurer for Nico’s and for Mark Occhipinti. Chair seconds. Vote: 4-0.

The four remaining establishments are A&A Taxi, Saugus Taxi, Sauro, Inc. and Banana Splitz.

Ed Brown, 442 Main Street, said he was present representing Sauro Inc. and explained location and said he paid everything and the Registry is looking into the other outstanding and said he has a lot to use at any time. Mr. Serino asked for plot plan. Mr. Brown said he doesn’t have it with him and explained location. Mr. Horlick said when the license was issued there was a building and there should be a structure. Mr. Brown said he can put cars there. Mr. Crabtree said he lacks the history on this. Their clerk explained the license was issued and it is a separate lot, but the business closed more than

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a year ago and sent a letter requesting intent with no response and a licensee must have a location. Mr. Brown said taxes are paid. Mr. Serino wants to see plot plan and check documents.

Mr. Serino moved to continue Sauro, Inc. to Dec. 15. Chair seconds. Vote: 4-0.

Mr. Serino moved to continue hearing on A&A Taxi, Saugus Taxi & Banana Splitz to Dec. 15. Chair seconds. Vote: 4-0.

2010 License Renewals

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

Mr. Serino moved the Board vote to renew for 2010 the following All Alcoholic Common Victualer's Licenses with the same conditions / restrictions:

99 Restaurant, 181 Broadway	Entertainment
Border Café, 356 Broadway	Entertainment
Continental, 266 Broadway	Entertainment
Donatello's, 44 Broadway	Entertainment
Fuddrucker's, 910 Broadway	Entertainment & 12 coin operated devices
Hilltop, 855 Broadway	Entertainment & 1 coin operated device
Hooters, 1143 Broadway	Entertainment
Kowloon, 948 Broadway	Entertainment
Ballard, 128-130 Ballard St.	Entertainment
Maddy's, 1639 Broadway	Entertainment, 1 coin operated device
Midwest Grill, 910 Broadway	Entertainment
Old Saugus, 114 Broadway	Entertainment
Out of Asia, 1268 Broadway	
Prince, 517 Broadway	Entertainment & 2 coin operated devices
Polcari's, 92 Broadway	Entertainment & juke box
Sake, 670 Broadway	Entertainment
Spud's, 22 Lincoln Ave.	Entertainment & 2 coin operated devices
Tabu, 168 Broadway	Entertainment, 4 coin operated devices & juke box
ZAZA, 114 Broadway	Entertainment

Vice Chair seconds. Vote: 3-0.

Mr. Horlick moved the Board vote to renew for 2010 the following Beer & Wine Common Victualer's Licenses with the same conditions / restrictions:

Angela's, 890 Broadway	Entertainment
Caffe' Di Calabria, 184 Broadway	Cordials & Liqueurs & Entertainment;

And to renew for 2010 the following All Alcoholic Common Victualer's Club Licenses with the same conditions / restrictions:

Elks, 401 Main St.	Entertainment & 1 coin operated device
K of C, 1 K of C Dr.	Entertainment & 1 coin operated device
Melrose Fish & Game, Rear Cheever Ave.	Entertainment & 1 coin operated device;

And to renew for 2010 the following All Alcoholic Package Store Licenses with the same conditions / restrictions:

Amato's, 206 Lincoln Ave	
Boscy's, 216 Broadway	
Clifftondale, 7 Essex St.	
Guy's, 7 Main St.	
Nasty Nonni's, 321 Main St.	

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Ourglass, 124 Broadway  
And to renew for 2010 the following Beer & Wine Package Store License with the same conditions / restrictions:

White Hen, 304 Lincoln Ave.

(Common Victualer's & Extended Hours of Operation Permit on retail & CV only)

Vice Chair seconds. Vote: 3-0.

Mr. Wong returned to the table and resumed the Chair. Mr. Horlick excused himself from the table and explained he will abstain from voting on the yacht club because he has applied for membership.

Mr. Serino moved the Board vote to renew for 2010 the following All Alcoholic Common Victualer's Club License with the same conditions / restrictions:

Fox Hill, 114 Ballard St. Entertainment & juke box

Chair seconds. Vote: 3-0.

Mr. Horlick returned to the table.

Mr. Crabtree moved the Board vote to renew for 2010 the following Class II Auto Dealer's Licenses with the same conditions / restrictions:

Auto House USA, 1134 Broadway

Ballard St. Auto, 119 Ballard St.

Casella, 56 Denver St.

Chapman Auto Body, 16 Rear Hamilton St.

Collision Solution Center, 24 Rear Frank Bennett Highway

Colonial Auto Sales, 1753 Broadway

Euro Car Garage, 214-218 Hamilton St.

Jimbo's Auto Body, 136 Broadway

Ken's Car Care Center, 20 Salem Turnpike

New England Auto Sales, 19 Salem Turnpike

Nickole Auto Body, 819 Broadway

Noah's Motors, 622 Broadway

Owen Infiorati Motors, 109 Broadway

Pro Collision Center, 233 Hamilton St.

Rte. 1 Auto Group, 160 Broadway

T.J.'s Auto, 124 Rear Ballard St.

U-Haul, 66 Broadway

Chair seconds. Vote: 4-0.

Mr. Serino moved the Board vote to renew for 2010 the following Class III Auto Dealer's Licenses with the same conditions / restrictions:

New England Car Parts, 139 Ballard St.

Nickole Auto Body, 819 Broadway

Patty's Auto Parts, 140 Salem Turnpike

Chair seconds. Vote: 4-0.

Mr. Horlick moved the Board vote to renew for 2010 the following Common Victualer's Licenses with the same conditions / restrictions:

Barnes & Noble, 444 Broadway

Bob's, 263 Broadway

Boston Market, 168 Broadway

Burger King, 1449 Broadway

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Celestial Dragon, 44 Hamilton St.  
China Buffet, 180 Main St.  
Chipotle, 444 Broadway  
Dunkin Donuts, 42 Hamilton St. 5AM Permit  
Dunkin Donuts, 86 Broadway 5AM Permit including trash & deliveries  
Dunkin Donuts, 339 Main St. 5AM Permit  
Dunkin Donuts, 508 Lincoln Ave.  
Dunkin Donuts, 533 Broadway 2AM to 6AM Permit & 5AM trash & deliveries  
Dunkin Donuts, 1204 Broadway 2AM to 6AM Permit  
Friendly's, 777 Broadway Entertainment & 1 coin operated device  
Golf Country, 860 Broadway Driving Range  
Hess Express, 240 Broadway 2AM to 6AM Permit (excluding Common Vic.)  
Hockey Town, 953 Broadway juke box, 6 coin operated devices & skating rink  
Hong Kong Express, 461 Lincoln Ave.  
IHOP, 114 Broadway 2AM to 6AM Permit (Friday & Saturday only)  
K-Mart, 180 Main St. 1 coin operated device  
Kane's, 120 Lincoln Ave. 3:30AM Permit  
Kentucky Fried Chicken, 421 Broadway  
Lendy's Deli, 653 Broadway  
McDonalds, 738 Broadway 2AM to 6AM Permit  
McDonalds, 127 Broadway  
Mike's Place, 237 Hamilton St.  
Chair seconds. Vote: 4-0.

Mr. Crabtree moved the Board vote to renew for 2010 the following Common Victualer's Licenses with the same conditions / restrictions:

Okasan Sushi, 124 Broadway  
Pace, 325 Main Street  
Panera Bread, 647 Broadway  
Papa Gino's, 285 Broadway 1 coin operated device  
Peter's, 48 Hamilton St.  
Qdoba's, 366 Broadway Entertainment  
Roller World, 425 R. Broadway Entertainment, 10 coin operated devices & rink  
Mini Golf, 1565-1575 Broadway Entertainment, 23 coin operated devices & golf  
Soc's, 67 Lynn Fells Parkway Trans. Vendor/seasonal  
Stella's, 465 Essex St.  
Santoro's, 259 Essex St.  
Subway, 124K Broadway  
Super Seven, 240 Lincoln Ave.  
Taco Bell, 421 Broadway  
Target, 400 Lynn Fells Parkway  
Tumble Inn, 488 Lincoln Ave. Entertainment & 4:30AM Permit  
Chair seconds. Vote: 4-0.

Mr. Horlick excused himself from the table and explained he will abstain from voting on Gamestop.

Mr. Crabtree moved the Board vote to renew for 2010 the following Valuable / Used Goods License with the same conditions / restrictions:

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Gamestop, 741 Broadway  
Chair seconds. Vote: 3-0.

Mr. Horlick returned to the table.

Mr. Crabtree moved the Board vote to renew for 2010 the following Valuable / Used Goods Licenses with the same conditions / restrictions:

Cash Converters, 184 Broadway  
GCA Jewelers, 451 Lincoln Ave.  
J & S Jewelry, 406 Lincoln Ave.  
Repair Palace, 1325 Broadway  
Duodecimal Associates, 3 Eustis St.  
Nicolo's, 469 Lincoln Avenue

Chair seconds. Vote: 4-0.

Mr. Horlick excused himself from the table and explained he will abstain from voting on Gamestop.

Mr. Crabtree moved the Board vote to renew for 2010 the following Valuable / Used Goods License with the same conditions / restrictions:

Gamestop, 1201 Broadway

Chair seconds. Vote: 3-0.

Mr. Horlick returned to the table.

Mr. Crabtree moved the Board vote to renew for 2010 the following miscellaneous Licenses with the same conditions / restrictions:

Tina Jace, 624 Broadway	Fortune Telling
L.A. Fitness, 1450 Broadway	Entertainment & 5AM Permit Monday-Friday only
North Suburban, 201 Forest St.	3 coin operated devices
Game Time, at Square One Mall	1 coin operated device
Superior Amusements at Mall	2 coin operated devices

Chair seconds. Vote: 4-0.

Mr. Crabtree moved the Board vote to renew for 2010 the following Extended Hours of Operation Permits with the same conditions / restrictions:

Walgreens, 1228 Broadway	2 AM to 6 AM
Jiffy Mart, 4 Howard Street	4:30 AM
Stop & Shop, 164 Main Street	2 AM to 6 AM, Monday - Saturday only
Hess Corp., 1252 Broadway	2 AM to 6 AM
Clifftondale Santos, 2 Essex St.	2 AM to 6 AM
Center Convenience, 307 Central St.	5AM
Walgreen's, 166 Walnut Street	2 AM to 6 AM
Flex Fitness, 304 Lincoln Ave.	5AM

Chair seconds. Vote: 4-0.

The Chair said the Board advertised for appointment to Cultural Counsel. Their clerk said no applications were submitted.

Mr. Horlick moved to readvertise. Chair seconds. Vote: 4-0.

The Chair said the Board received applications for appointment to the Cemetery Commission. Mr. Serino said he would like an interview for new applicant. The Board set 7PM on 12/15 and 6:30 on 17<sup>th</sup> as back up date.

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The Chair said the Board received applications for appointment to Affordable Housing Trust Board of Trustees. The Board set interviews for same time as Cemetery Commission applicants.

Mr. Horlick moved to readvertise. Chair seconds. Vote: 4-0.

The Chair said the next Special Town Meeting for January would fall on a holiday.

Mr. Serino moved the Board vote to cancel the January Special Town Meeting. Chair seconds. Vote: 4-0.

The Chair explained there was a small error made regarding openings on the PEG Access Board and there are no openings until 2010 and apologized and thanked the person that applied.

The Chair thanked the past Board and the current Board of Selectmen, the Police Chief, Fire Chief, ABCC and all Town Departments for helping bring a business that was not suitable to the Town of Saugus closed and said we can go after businesses that are not suitable and will continue to go after the ones not suitable.

Member's motions

Mr. Crabtree: said he would like to reiterate the fact the Boards and everyone's hard work to put a habitual problem to rest.

- Said he attended the MEG Foundation brunch and thanked them.
- Thanked SCTV and Down'in Town Show and said he had a positive experience.

Mr. Serino: Said the Board received copy of letter from Tom Raiche that re has resigned from the Youth & Rec. Commission because he has moved.

Mr. Serino moved to send a letter thanking him for his service. Chair seconds. Vote: 4-0.

- Said he attended the Cliftdale School fundraiser and thanked them for their hard work and said he was on the study committee and its nice to see the progress made.
- Thanked DPW, Emergency Management, Sue Dunn and Town Hall employees for a great job on the tree lighting ceremony.

Mr. Crabtree thanked the Manager, Sue Dunn for the tree lighting and thanked them for allowing his son to be one of the light switchers.

Mr. Horlick: said the stroll went smoothly and thanked those that participated.

- Thanked those that attended the time for Mr. Burns and said he was a great man and noted Mark Falzone's talent at the piano.
- Thanked Comcast for participation and all the people that came out and Santa for the tree lighting ceremony.
- Announced if anyone wants or needs a sand barrel to call DPW.

Citizen's Forum

Bill Kramich, 12 Emory Street, was present and said as a concerned citizen he has concern with the purchase of boilers and air exchangers because they bought them in 2001 and now found to be incompatible and the Board has the right to investigate and go after the engineer that told us and asked what protection the Town has from that happening this time. Mr. Horlick said there were a number of things done under the previous administration and assured him the Manager does stay on top of these things. Mr. Kramich said Town Meeting also appropriated \$6,000 to number the doors at the high school and the Board should look into the spending of the people's money. Mr. Crabtree asked if the numbers are completed. Mr. Kramich said yes.

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Mr. Horlick said he received calls regarding concern with Comcast phone service that during a power outage phones are dead after a period of time and unable to call 911.

Mr. Horlick moved the Board send a letter to Comcast requesting battery backup and ask how their customers can call 911 in an outage. Chair seconds. Vote: 4-0.

Mr. Horlick moved to adjourn. Chair seconds. Vote: 4-0.  
Meeting adjourned at 9:50PM.

Respectfully submitted,  
Wendy Reed, Clerk