

Saugus Board of Selectmen  
December 13, 2011

\*\*\*\*\* **MEETING MINUTES** \*\*\*\*\*

AGENDA  
Saugus Board of Selectmen  
December 13, 2011, 7:30PM  
Town Hall Auditorium  
298 Central Street

1. Call to order.
2. Invited guests: Collector / Treasurer re: MWRA loan
3. Approval of minutes: 0
4. Enhanced Citizen's Forum
5. Continued Hearings:
  - **"Show Cause" Hearing on:** PAM, Inc. d/b/a LAVO Ristorante, 114 Broadway; and Pamela Avedisian, 60 Salem Turnpike. FROM: 11/29/11; 12/06/11 **TO: 12/13/11.**
  - **"Show Cause" Hearing on:** Massachusetts CVS Pharmacy, LLC d/b/a CVS Pharmacy #2500, 1075 Broadway; Ronnie's Deli, 1539 B Broadway; Mayflower Square One Mall, 1201 Broadway; Mangia Fresco, LLC d/b/a Subway, 124 K Broadway; and DePaolis Group, Inc. d/b/a Urban Crust, 43 Jackson Street. From 11/29/11; 12/06/11 **TO: 12/13/11.**
  - McKay Construction S-2 from: 10/25/11; 11/15/11; 11/29/11 **TO: 12/13/11**
  - Sully C's, 168 Broadway from: 11/15/11; 11/29/11 **TO: 12/13/11**

**PUBLIC HEARINGS:**

7:45 National Grid for installation of approximately 5 feet of 2-4" concrete encased conduit from edge of 129 Ballard Street to new pole for underground facilities as shown in plan no. #10411535 dated 09/16/2011.

**Correspondence**

- 1.) Atty. Magnan re: 131 Ballard Street negative easement.
- 2.) Eustis St. / Revere Development follow up.
- 3.) Manager re: reappointments to Commission on Disability & Board of Assessors.
- 4.) Applications for appointment to Affordable Housing Trust Board of Trustees; Cultural Council; Cemetery Commission and Public Access Board of Directors.
- 5.) 2012 License Renewals.
- 6.) Town Manager's request for executive session re: employment.  
(Tabled 3/22/11 correspondence: Police Dept. re: Angela's liquor inspection)

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

Saugus Board of Selectmen  
December 13, 2011

The Saugus Board of Selectmen met on December 13, 2011 at 7:30 PM in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Stephen Castinetti, Stephen Horlick, Debra Panetta, Michael Serino and the Chairman Scott Crabtree. The Town Manager Andrew Bisignani was also present.

Invited guests: Collector / Treasurer re: MWRA loan

Collector / Treasurer Wendy Hatch was present and explained. Mr. Serino requested copy of all loans since the beginning of the sewer project. Ms. Panetta asked if each phase the interest stays the same. Collector / Treasurer said no but it has remained under.

Mr. Serino moved it be VOTED:

- “(1) *That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$4,703,146 (the “Bonds”) pursuant to Chapters 29C and 44 of the General Laws and a votes of the Town passed Town passed February 22, 2010 (Article 15), which authorized a total borrowing of \$2,082,500; and May 16, 2011 (Article 5) which authorized a total borrowing of \$3,130,646;*
- (2) *that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the “Notes”) from time to time in an aggregate principal amount not to exceed \$4,703,146;*
- (3) *that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the “Trust”) at a price determined pursuant to the Loan Agreement;*
- (4) *that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Loan Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;*
- (5) *that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and*
- (6) *that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Loan Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.*

*I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decisions in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L c.30A, §§18-25, as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.”*

Chair seconds. Vote: 5-0.

Mr. Horlick moved for recess. Chair seconds. Vote: 5-0. Meeting recessed at 7:42pm.

Saugus Board of Selectmen  
December 13, 2011

The Chair called the meeting back to order at 7:46pm.

The Chair recognized Town Meeting Members present Maureen Dever, Barbara Malone, Al DiNardo, Wayne Brooks and former Member Ray Lawrence, and thanked them for their participation.

Continued Hearings:

- **“Show Cause” Hearing on:** PAM, Inc. d/b/a LAVO Ristorante, 114 Broadway; and Pamela Avedisian, 60 Salem Turnpike. FROM: 11/29/11; 12/06/11 **TO: 12/13/11.** The Chair requested the hearing on PAM, Inc. be put in abeyance until the bankruptcy is settled.

Mr. Castinetti moved to hold the hearing on PAM, Inc. in abeyance until the bankruptcy is settled. Chair seconds. Vote: 5-0.

No one was present. The Chair said absent any payment or payment agreement he would recommend a vote to revoke.

Mr. Horlick moved the Board vote to revoke the All Alcoholic Common Victualer’s License and Entertainment License held by Pamela Avedisian, 60 Salem Turnpike for failure to pay municipal taxes and / or fees for more than 12 months and failure to have an approved payment agreement. Chair seconds. Vote: 5-0.

- **“Show Cause” Hearing on:** Massachusetts CVS Pharmacy, LLC d/b/a CVS Pharmacy #2500, 1075 Broadway; Ronnie’s Deli, 1539 B Broadway; Mayflower Square One Mall, 1201 Broadway; Mangia Fresco, LLC d/b/a Subway, 124 K Broadway; and DePaolis Group, Inc. d/b/a Urban Crust, 43 Jackson Street. From 11/29/11; 12/06/11 **TO: 12/13/11.**

The clerk gave update. Mr. Castinetti said CVS has been historically late and if lose permit it could negatively impact the community. Mr. Horlick said they could wait until next week.

Mr. Serino moved to continue the hearing to 12/20/11. Chair seconds. Vote: 5-0.

- McKay Construction S-2 from: 10/25/11; 11/15/11; 11/29/11 **TO: 12/13/11**  
**McKay Construction Services, Inc.**, for Special Permit (S-2) to allow a contractor’s yard at 0 Rear Pennsylvania Avenue.

Attorney Richard Magnan, 194 Central Street was present and gave summary since the applicant bought the property and taxes paid and entered into DEP clean up agreement and the Board conducted a site visit and explained another portion was granted a contractor’s yard along with an existing S-2 so is consistent use and in harmony with Zoning By-Law. Atty. Meehan, 191 South Main St. Middleton was present and addressed access question raised. Atty. Magnan said Lynnfield Town Counsel raised an issue and said Atty. Richard Nylan was present and he represents the applicant with DEP. Lynnfield Town Counsel Tom Mullen was present and disagreed and said there are two uses and not permitted according to Lynnfield zoning. The Chair asked if the equipment was enclosed in accordance with Lynnfield zoning would he still be opposed. Atty. Mullen said he still had environmental concerns. And said it doesn’t about a street and has no sewer or water and access is over a private easement in Lynnfield. The Chair asked if there would be any circumstances where Lynnfield would not oppose a contractor’s yard. Atty. Mullen said Lynnfield doesn’t want a contractor’s yard. The Chair said Lynnfield is a neighbor and wants to hear and take into consideration. Atty. Magnan said its interesting zoning issues keep being raised and he asked last time as a courtesy to inform him in advance. Atty. Richard Nylan, 10 Post Office Square, Boston was present and said they have met requirements for S-2 and said there are a lot of problems on the site and entered into agreement with DEP and Conservation and after 2 site visits and 2 public hearings it was approved and has been appealed by abutter and has no doubt the order will be upheld and said it’s unfortunate they are unable to use the property and said they are in compliance. The Chair said if appeal is pending they may need to wait. Atty. Nylan said it wouldn’t prohibit them granting but can’t conduct work until

Saugus Board of Selectmen  
December 13, 2011

issue resolved. The Chair said they had a site visit. Atty. Nylan explained status report. Mr. Horlick said in his opinion there has been issues for 18 years he's been on the Board and would like to see everyone sign off that all work is done and said things are going on there that shouldn't be and he sent the Building Inspector. Atty. Nylan said they can make condition of S-2 and said the applicant purchased the property and paid back taxes and anytime he has been contacted he has responded and addressed immediately and wants to be a good neighbor and clean up the site. Atty. Magnan request the Board continue the hearing. Ms. Panetta said Lynnfield did not have an issue with the other contractor receiving S-2. Atty. Magnan explained the Lynnfield contractor purchased a portion of the lot to expand his business. Mr. Serino said an S-2 was granted to auto auction and it wasn't recorded. Atty. Magnan said it was abandoned. Mr. Serino asked about vehicles on site. Anthony Rossi, Chelsea said he spoke with his partner and the contractor will be off site until in compliance and said he understands concerns and explained a portion of the property was sold to Crystal Trucking and Saugus granted a contractor's yard and Lynnfield was not opposed and said he feels that created a standing.

Mr. Serino moved to continue the hearing to January 10. Chair seconds. Vote: 5-0.

Enhanced Citizen's Forum

Marilyn Carlson, Historical Commission was present with members Jean Swanson, Ray Lawrence, Melita Davis, and Steve Rich and read request for funding from RESCO settlement to use to create Round Hill Park. Steve Rich explained the plan for the site. The Chair said the deadline has passed for DEP approved plan but would support funding for this project. Ms. Panetta said it was a privilege to vote as a Town Meeting Member to support the project. Mr. Serino thanked them for their work.

Janice Jarosz, 5 Wilson Street, President SCTV, Inc. read a letter requesting to extend agreement between the Town and PEG. The Chair said they will put on a future agenda for discussion. Peter Rossetti, Member SCTV, Inc. spoke in favor of the Board extending agreement and said they are making progress. Mr. Serino said the Board will take it under advisement. Mr. Horlick thanked them.

Thomas Lucey, said he has an ongoing issue with SCTV with the executive director and Downin Town show and lodged a complaint back in July and never heard back and said their meetings weren't posted until recently and went to a meeting to follow up on complaint and said the way he was treated and others members of the public and asked if there's anything the Board could do. Mr. Horlick said the Board voted to refer the complaint to PEG Board of Directors. Mr. Lucey said some have resigned and believes they have no interest in resolving the issue and feels they conspired to sweep it under the rug. The Chair said from the Board's standpoint it's an organizational issue and the Board does appoint 2 directors and are they have been requested to consider renewal. Mr. Horlick said the Board held interviews tonight. Mr. Lucey said it's the conduct of 1 show. The Chair said the issue is under direction of SCTV and the Board doesn't have purview. Mr. Lucey said he wants to make the Board aware. The Chair said when it's on the agenda the Board will look at renewing the agreement. Mr. Lucey said he is opposed.

Barbara Malone, 21 Myrtle Street, said she is not opposed to renewal and said she was at the meeting and was treated with disrespect and said there are no documented members, just a list of names and has concern with oversight. The Chair asked she put ideas in writing and the Board will consider when it comes up. Ms. Panetta said there was an audit of last year and a lot of processes were put in place and they found no significant deficiencies. Mr. Horlick said according to agreement meetings are open to the public.

Al DiNardo, TMM, 199 Essex Street, said he was one of original appointments and it had a lot of potential but it began to change and he had concerns about it going off course and he offered not to continue.

Maureen Dever, TMMP3, Atherton Street, said there's talk of license renewal and she attended the meeting and if they saw how the gentleman was treated any one of them would have spoken

Saugus Board of Selectmen  
December 13, 2011

up and said as they go forward she would like them to think about over 90,000 subscribers and over \$500,000 plus \$200,000 in cd's and suggested they hire a consultant to educate on local programming and instead she sees civil discourse and people victimized.

Rich Garabidian, executive director SCTV, 846 Broadway said there have been a lot of allegations and half truths and said meetings are posted with agendas and said one show is being targeted and feels they need to move on and is proud to be part of SCTV and feels they all have the same goals. The Chair said it's not uncommon to cable. Mr. Horlick said there are 4 openings and new directors may look at things differently. Ms. Dever suggested the Board get a copy of the last meeting and said it's not about one person or one show. The Chair said it will be discussed when it's on a future agenda.

Ms. Panetta left the table. Mr. Castinetti moved recess. Chair seconds. Vote: 4-0. Meeting recessed at 9:28pm.

The Chair called the meeting back to order at 9:41pm.

Continued Hearings: - Sully C's, 168 Broadway from: 11/15/11; 11/29/11 **TO: 12/13/11**  
Evos Group, Inc. d/b/a Sully C's Bar & Grill, 168 Broadway, for transfer of All Alcoholic Common  
Victualer's License; and Entertainment License FROM: De La Mora, Inc. d/b/a Jalapeno's Saugus,  
168 Broadway. Application is also being made for change of manager TO: Suleyman Celimli; and application for alteration of premises.

Attorney Richard Magnan explained the hearing was continued to provide additional materials requested by the Board. The Chair said outside the bankruptcy there was a private agreement between 2 individuals absent a pledge approval. Atty. Magnan said there was no intention to conceal anything and asked they allow the transfer. The Chair asked when they opened. Atty. Magnan said Dec. 15<sup>th</sup>. The Chair asked when pledge agreement was signed. Atty. Magnan said around same date. The Chair said when transfer was approved there was no pledge and it's hard to think it wasn't an end run around the Board and said the Board has option to deny based on pledge or option to keep as a 12AM license due to sensitivity of neighborhood and rather than giving 6 weeks to open he would like a definitive date not delay to market. Mr. Serino said he's not happy with the pledge and said he won't support later than 12AM license with seating capacity 246 on all licenses. Ms. Panetta said there is a noise factor and would like to see a full business plan. Mr. Castinetti said he spoke with neighbors and the main concern is entertainment and noise. The Chair said he wants a good neighbor and something that will benefit the community. Mr. Horlick said 12AM would work. The Chair said they could limit the band to a certain hour.

Any in favor or in opposition? Kevin Crowell, Bow Street, said there's a traffic issue also and doesn't want to go through what they went through. The Chair said if anything is going on to the contrary they will be called in. Ms. Panetta agreed she doesn't want to see that again.

Mr. Serino said he's not sure he would support 3 piece band and doesn't see the need for it. Mr. Horlick said the new Bistro had similar. Mr. Castinetti said there's a lot of empty store fronts which means less revenue for the Town and should help businesses succeed and doesn't see a problem with 3 piece jazz band. The Chair said he has concern with the pledge. Atty. Magnan withdrew jazz band at this time. The Chair said he wants it on record that the applicant did enter into a pledge agreement with Board approval.

Mr. Serino moved the Board find that two pledge agreements dated December 15 were entered into without approval of the Board of Selectmen or the ABCC. Chair seconds. Vote: 5-0.

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

Mr. Serino moved to grant transfer of All Alcoholic Common Victualer's License; and Entertainment License FROM: De La Mora, Inc. d/b/a Jalapeno's Saugus, 168 Broadway and approve change of manager TO: Suleyman Celimli and approve application for alteration of premises with closing time 12:00AM; seating for 246; capacity on all license limited to 246; entertainment restricted to ten televisions and radio. The Chair added condition no pledge allowed; must be open and operating and

Saugus Board of Selectmen  
December 13, 2011

license exercised twelve weeks from today as well as condition business plan not to include 3 piece band. Chair seconds. Vote: 5-0.

7:45 National Grid for installation of approximately 5 feet of 2-4" concrete encased conduit from edge of 129 Ballard Street to new pole for underground facilities as shown in plan no. #10411535 dated 09/16/2011.

National Grid Representative was present and explained. Ms. Panetta asked why they were doing the work. Rep. explained for new construction on site.

Any in favor or in opposition? None.

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

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

Correspondence

1.) Atty. Magnan re: 131 Ballard Street negative easement.

Attorney Richard Magnan was present and explained. The Chair suggested Town Counsel look at it and it may affect the neighborhood.

Peter Manoogian, TMMP10 said he helped draft the negative easement band explained. And said he isn't opposed but all other pieces should stay in there and no permit should be issued until evidence it was recorded.

Mr. Horlick said the public was involved and if there's no public hearing the public wouldn't be notified of the proposed change and would feel better if it was an agenda item. The Chair said they could have Town Counsel review and comment and put on next agenda and have applicant notify the abutters. Mr. Serino said he doesn't have a problem with that and said they did have a public hearing on it. The Chair asked about the sale of the property. Atty. Magnan said they will close late January to early February. Mr. Castinetti said he's not sure what they are trying to accomplish if they already had a public hearing and asked what another public hearing would serve. The Chair said in case there's controversy. Mr. Horlick said someone may want to speak on it. Atty. Magnan said one other individual came to the hearing. Chair said the Board is meeting next week. Mr. Manoogian said the public hearing was noticed and he recalls pointing out sensitivity to the area and 24 conditions were put on the S-2 and perhaps its an oversight.

Mr. Horlick moved to put on next week agenda. Chair seconds. Vote: 5-0.

2.) Eustis St. / Revere Development follow up.

The Chair read Town Counsel's response and asked if the Manager contacted engineer. The Manager said he did and hopefully by the 1<sup>st</sup> of the year will have something put together. Mr. Castinetti asked what alternative route is available. The Chair said Town Counsel would need to look at the issue and answer what constitutes an alternative route and if one exists.

Mr. Castinetti moved to request clarification from Town Counsel. Chair seconds. Vote: 5-0.

3.) Manager re: reappointments to Commission on Disability & Board of Assessors.

Mr. Serino moved to confirm the reappointment of Stephen Rich on the Commission on Disabilities. Chair seconds.

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

Ms. Panetta moved to confirm the reappointment of Michael Murphy to the Board of Assessors. Chair seconds.

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

Mr. Horlick moved to confirm the reappointment of Peter Bogdan, Lawrence Donovan, Elizabeth Kingsley, Carmine Moschella, and Bob Tremblay to the Council on Aging. Chair seconds.

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

4.) Applications for appointment to Affordable Housing Trust Board of Trustees; Cultural Council; Cemetery Commission and Public Access Board of Directors.

Mr. Serino moved to appoint Chris Peatridge to the Saugus Community Television PEG Board of Directors term to expire 12/2014. Chair seconds. Vote: 5-0.

Saugus Board of Selectmen  
December 13, 2011

Mr. Serino moved to reappoint Ruth Molin to the Cemetery Commission. Chair seconds. Vote: 5-0.  
5.) 2012 License Renewals.

Mr. Horlick moved the Board vote to renew the following All Alcoholic Common Victualer's Licenses for 2012 with same conditions / restrictions: 99 Restaurant, 181 Broadway with Entertainment; Border Café, 356 Broadway with Entertainment; Donatello's, 44 Broadway with Entertainment  
Fuddrucker's, 910 Broadway with Entertainment & 12 coin operated devices; Hammersmith Restaurant, 330 Central St. with Extended Hours of Operation Permit; Hilltop, 855 Broadway with Entertainment & 1 coin operated device; Hooters, 1143 Broadway with Entertainment; Kowloon, 948 Broadway with Entertainment; Midwest Grill, 910 Broadway with Entertainment  
Old Saugus Restaurant, 114 Broadway with Entertainment; Polcari's, 92 Broadway with Entertainment & Juke Box; Prince Restaurant, 517 Broadway with Entertainment & 2 coin operated devices; and Spud's, 22 Lincoln Avenue with Entertainment & 2 coin operated devices. Chair seconds. Vote: 5-0.

Ms. Panetta moved the Board vote to renew the following Beer & Wine Common Victualer's Licenses; All Alcoholic Common Victualer's Club Licenses; and All Alcoholic Package Store Licenses for 2012 with same conditions / restrictions: Caffè Di Calabria, 184 Broadway with Permit to serve cordials & liqueurs & Entertainment; Carmaleno's, 331 Main Street with Permit to serve cordials & liqueurs & Entertainment; China Buffet, 180 Main Street; Okasan Sushi, 124 C Broadway with Entertainment; and Personal Chef, 124 Broadway. Elks, 401 Main St. with Entertainment & 1 coin operated device; Fox Hill, 114 Ballard St. with Entertainment & Juke Box; ITAM, 1 Beachview Ave., with Entertainment & 1 coin operated device; Knights of Columbus, 1 K of C Drive with Entertainment & 1 coin operated device; and VFW, 190 C Main Street with Entertainment, Juke Box & 2 coin operated devices. Amato's, 206 Lincoln Avenue; Boscy's, 216 Broadway; Clifftondale Liquors, 7 Essex Street; Guy's, 7 Main Street; L & D Liquors, 124 A Broadway; and Nasty Nonni's, 321 Main Street. Chair seconds. Vote: 5-0.

Mr. Castinetti moved the Board vote to renew the following Licenses for 2012 with same conditions / restrictions: La Vita Mia, 38 Hamilton Street All Alcoholic Common Victualer's with Entertainment; Out of Asia, 1268 Broadway All Alcoholic Common Victualer's; Sake, 670 Broadway All Alcoholic Common Victualer's with Entertainment; American Legion, 44 Taylor St. All Alcoholic Club Common Victualer's; Final Finish, 24 Rear Frank Bennett Highway Class II Auto Dealer; Superior Amusements 2 coin operated devices at Square One Mall; Hess Express, 240 Broadway Common Victualer's with Extended Hours of Operation Permit; IHOP, 114 Broadway Common Victualer's with Extended Hours of Operation Permit; Kentucky Fried Chicken, 421 Broadway Common Victualer's; Lena's, 496 Broadway Common Victualer's; Hess Corp., 1252 Broadway Extended Hours of Operation Permit; Mobil, 1123 Broadway Extended Hours of Operation Permit; Maddy's, 1639 Broadway All Alcoholic Common Victualer's with Entertainment; Angela's, 890 Broadway Beer & Wine Common Victualer's with Entertainment; and LA Fitness, 1450 Broadway with Entertainment & Extended Hours of Operation Permit. Chair seconds. Vote: 5-0.

Mr. Horlick moved the Board vote to renew the following Licenses for 2012 with the same conditions / restrictions with condition applications are complete by December 31<sup>st</sup>: Continental, 266 Broadway, All Alcoholic Common Victualer's with Entertainment; Buffalo Wild Wings, 180 Main St., All Alcoholic Common Victualer's with Entertainment, Juke box & 4 coin operated devices; Square One Mall, 1277 Broadway, Common Victualer's with

Saugus Board of Selectmen  
December 13, 2011

Entertainment License; Applebee's, 214 Broadway, All Alcoholic Common Victualer's with Entertainment; Tokyo Steak House, 1201 Broadway, All Alcoholic Common Victualer's with Entertainment; Chipotle, 444 Broadway, Common Victualer's License; Jalapeno's, 168 Broadway All Alcoholic Common Victualer's with Entertainment; PAM, Inc., 114 Broadway All Alcoholic Common Victualer's; Saugus Center Convenience, 307 Central Street Extended Hours of Operation Permit; Melrose Fish & Game, Rear Cheever Avenue All Alcoholic Club Common Victualer's, Entertainment & 1 coin operated device.; Five Guys Burgers, 180 Main St., Common Victualer's; Starbucks, 723 Broadway, Common Victualer's & Extended Hours of Operation Permit; and Starbucks, 366 B Broadway, Common Victualer's. Chair seconds. Vote: 5-0.

Mr. Horlick read a prepared motion: *"Pursuant to the Authority granted to the BOS in the Charter for the best interest and protection of the Town of Saugus in light of the Town Managers employment situation with the Town, the Town Manager and the Town of Saugus shall not appoint, hire, terminate any individuals, employees, contractors, and / or entities, engage in any agreements, contracts and / or arrangements with any individuals, employees, contractors, and / or entities without first receiving approval from the BOS. Any such appointments, hires, termination, contracts, agreements, and / or arrangements shall require a dated notary after Board approval. In addition, no spending of monies greater than \$5,000.00 without same as mentioned. Furthermore, any emergency contractor work shall be subject to same. All contracts still require Town Counsels approval of form regarding contracts."*

Chair seconds. Mr. Castinetti asked what he was trying to accomplish. Mr. Horlick said any last minute decisions. Mr. Castinetti said he would like to see this held off until after they meet with the Manager. Vote: 4-1 with Mr. Castinetti voting in opposition.

Enhanced Citizen's Forum

Terri Lehane, Burrill St. passed out list of questions and thanked the Board and Manager for the press release explaining the ballot question and asked if it would be going out this week. The Manager said yes. Ms. Lehane asked if the space in front of the handicapped ramp in front of Town Hall be marked. The clerk explained it is not a handicapped spot. Ms. Lehane asked if free can could be used for new floors and lockers at Belmonte. The Chair said they may be included in the project and need to wait for the bids to come in to see if the alternates will be included. Mr. Horlick said free cash is needed for shortfalls in the budget. Ms. Panetta said the free cash was appropriated under special articles. The Chair suggested she meet with the Manager. Mr. Serino suggested she contact her Town Meeting Members that could help explain. Ms. Lehane said she would like portable classrooms so all the kids could be out during the Belmonte project. The Chair said the best place for information is at the Building Committee meetings.

Bill Kramich, 12 Emory Street said a previous Board voted to have berms installed in front of 43 Jackson Street and it should be done. The Manager said the Building Inspector submitted response.

Al DiNardo, TMMP4, said some handicapped ramps and sidewalks on Essex Street are being patched and asked if a letter can be sent to address the brush and trash around Rte. 1 ramp. The Chair said maybe Rep. Wong can look into it.

Ms. Panetta moved to send a letter to Rep. Wong to look into brush being cut back and trash. Chair seconds. Vote: 5-0.

6.) Town Manager's request for executive session re: employment.



Saugus Board of Selectmen  
December 13, 2011

Mr. Horlick moved the Board vote to go into executive session to discuss the Town Manager's employment. Those to be present: Selectmen Castinetti, Horlick, Panetta, Serino and Crabtree, Town Manager Andrew Bisignani and to return to open session. Chair seconds.

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

The Board entered into executive session at 11:26pm.

The Board reconvened in open session at 12:22AM.

The Chair said in light of the late hour he would like to postpone the rest of agenda.

Mr. Castinetti moved to postpone Member's Motions and Manager's Report until next meeting.

Chair seconds. Vote: 5-0.

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

Meeting adjourned at 12:24AM.

Respectfully submitted,

Wendy Reed, Clerk