

Saugus Board of Selectmen  
December 20, 2011

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

AGENDA  
Saugus Board of Selectmen  
December 20, 2011 at 6:00 PM  
Town Hall 1<sup>st</sup> floor conference room  
298 Central Street

1.) Interviews for appointment.

\* Agenda amended 12/16/2011

AGENDA  
Saugus Board of Selectmen  
December 20, 2011 at 7:00 PM  
Town Hall Auditorium  
298 Central Street

7:00 PM      Audit report – exit audit  
7:30 PM      Library issue – executive session

- **“Show Cause” Hearing on:**

Massachusetts CVS Pharmacy, LLC d/b/a CVS Pharmacy #2500, 1075 Broadway;  
Ronnie’s Deli, 1539 B 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; 12/13/11 **TO: 12/20/11.**

- **“Show Cause” Hearing on:** PAM, Inc. d/b/a LAVO Ristorante, 114 Broadway. FROM: 11/29/11;  
12/06/11; 12/13/11 **Held in abeyance / bankruptcy.**

- McKay Construction S-2 from: 10/25/11; 11/15/11; 11/29/11; 12/13/11 **TO: 01/10/12**

Correspondence

- 1.) Atty. Magnan re: 131 Ballard Street negative easement. (FROM: 11/13/11)
- 2.) Superintendent of Schools re: Statement of Interest for SHS science labs.
- 3.) MA Lottery Commission re: *Keno to Go* at Kristos Mini Mart, 465 Essex St.

\* Executive session re: current Town Manager’s employment.

Manager’s Report  
Member’s Motions  
Citizen’s Forum

Saugus Board of Selectmen  
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The Saugus Board of Selectmen met on December 20, 2011 at 6:00 PM in the Town Hall 1<sup>st</sup> floor conference room, 298 Central Street. Present were: Selectmen Stephen Castinetti, Stephen Horlick, Debra Panetta, Michael Serino and the Chairman Scott Crabtree. Mr. Crabtree arrived at 6:10PM.

**Interview schedule**

Affordable Housing Trust Board of Trustees

6:00 PM Joia Cicolini

Ms. Cicolini gave her background and interest. Board Members asked questions.

6:10 PM Matthew Canterbury

Mr. Canterbury gave his background and interest. Board Members asked questions.

Mr. Crabtree arrived at 6:10PM.

6:30 PM Thomas Traverse

Mr. Traverse gave his background and interest. Board Members asked questions.

6:40 PM Christopher Finn

Mr. Finn gave his background and interest. Board Members asked questions.

Mr. Serino moved to adjourn. Chair seconds. Vote: 5-0.  
Meeting adjourned at 6:45PM.

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7:00 PM            Audit report – exit audit

John Sullivan, Melanson & Heath Auditors; Finance Committee Chairman Bob Palleschi, Ken DePatto, Ron Jepson and Carl Mirabello; Collector / Treasurer Wendy Hatch and Town Accountant Joan Regan, were present.

Mr. Sullivan presented FY12 audit and went over financial statements. Finance Committee Members and Board Members. Mr. Palleschi said he had just received the report and would like some time to read and digest it and suggested this be continued to the six month budget review.

Mr. Horlick moved to continue the report to the six month budget review. Chair seconds. Vote: 5-0.

7:30 PM            Library issue – executive session

The Chair said an issue occurred and is under investigation and suggested an executive session to discuss with the auditor, Town Counsel, Town Accountant and Treasurer.

Mr. Horlick moved to go into executive session to discuss the library audit and those to be present: Selectmen Castinetti, Horlick, Panetta, Serino and Crabtree, Town Manager, Town Counsel, Treasurer and Accountant and to return to open session. Chair seconds. Vote: 5-0.

The Board went into executive session at 7:45PM.

The Board reconvened in open session at 9:36PM.

The Chair said based on information in report from the auditor hired by the Town it was found there was inappropriate handling of monies. Mr. Sullivan said there are a few relevant parts; the establishment of a bank account not in the accounting records of the Town; and an employee maintained the account; and the Trustees did not file annual reports and read. The Chair said based on the information received the Board can accept the report as findings.

Mr. Castinetti moved to accept the report as findings. Chair seconds. Vote: 5-0.

The Chair said based on the findings he recommends the Board try to restore public trust and confidence and said the Library Board of Directors had duties and responsibilities and asked for a letter be sent asking for their resignations and if they don't, the Board may vote to remove them for cause and said one members was appointed recently and should be free to reapply. Mr. Horlick agreed with the findings. Mr. Serino agreed the trustees should have an idea something was going on and this is more about building confidence and trying to restore the public trust and it's appropriate to remove them. Mr. Castinetti said when there's a perception of wrong doing and it becomes a reality it's a problem even if there was no intention of wrong doing but the Board has no alternative but to make changes. Ms. Panetta said being a volunteer is a big responsibility and should take it seriously and is saddened that this vote needs to be taken but agree the action needs to be taken. The Chair said people made donations that allegedly weren't used to help the library.

Mr. Horlick moved to have Town Counsel draft a letter to the trustees requesting their resignations. Chair seconds. Vote: 5-0.

The Chair said he hoped to get the resignations and put, on a temporary basis, town employees to oversee until such time the Board fills the positions and said the auditor will finish the investigation of the interim director and report back to the Board next week.

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Mr. Horlick moved to have the auditor continue the investigation and report back to the Board on January 3<sup>rd</sup>. Chair seconds. Vote: 5-0.

The Chair said they discussed moving forward based on some draft reports and will be looking for a Town wide policy for procedures and that all gifts received will require to be reported to the Town and approved by the Board. Mr. Horlick said when the library was decertified he went to Boston to support it and is concerned they almost had a trash fee to keep the library open. The Chair said the Manager is looking into every avenue to recover all the funds.

Late 2012 License renewals

Mr. Serino moved to renew 2012 Extended Hours of Operation Permit for CVS; Extended Hours of Operation Permit of 7-Eleven, 304 Lincoln Ave; and Valuable / Used Goods License of Newbury Comics, 1201 Broadway. Chair seconds. Vote: 5-0.

Continued Hearings:

- **“Show Cause” Hearing on:**

Massachusetts CVS Pharmacy, LLC d/b/a CVS Pharmacy #2500, 1075 Broadway; Ronnie’s Deli, 1539 B 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; 12/13/11 **TO: 12/20/11.**

Mr. Horlick moved to take no action regarding CVS. Chair seconds. Vote: 5-0.

Mr. Horlick moved the Board vote not to renew Ronnie’s Deli, 1539 B Broadway; Mangia Fresco, LLC d/b/a Subway, 124 K Broadway; and DePaolis Group, Inc. d/b/a Urban Crust, 43 Jackson Street. Chair seconds. Vote: 5-0.

Correspondence

1.) Atty. Magnan re: 131 Ballard Street negative easement. (FROM: 11/13/11)

Attorney Richard Magnan, 194 Central Street was present and said he notified abutters as requested. Mr. Serino asked if purchase has taken place yet and what happens if it falls through. Atty. Magnan said they are on the verge of closing and if it does not go through, part of condition of modification was revocation and would revert to contractor’s yard.

Any in favor or in opposition? None.

Ms. Panetta moved the Board accept the negative easement 131 Ballard Street. Chair seconds. Vote: 5-0.

2.) Superintendent of Schools re: Statement of Interest for SHS science labs.

Superintendent of Schools Richard Langlois was present and said he seeks authorization to submit a statement of interest to MSBA for SHS science lab project and said based on the NEASC report citing the science labs need to be addressed and based on Tappe’ 2001 report and estimated the project around \$1million and its his understanding the Town would receive not less than for BMS project but could be higher. The Chair asked if he had any suggestions for raising the Town’s share of the project. The Superintendent depending on the figure, probably bonding. The Chair asked percentage and what maximum reimbursement would be. The Superintendent said the minimum would be 53%. The Chair asked if there’s any plans to look at rebuilding or renovating the high school. The Superintendent said not at this time and is looking to address a need. The Chair thanked him. Ms. Panetta asked why not look into a HS project. The Superintendent said it would be difficult to get through the pipeline and noted discussion go to elementary due to crowding now. Arthur Grabowski, Saugus School Committee was present and explained it make take 2-3 years before project approval and things might change and said this application has to be in and would like to show an interest in the program to address science labs.

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The Chair said he understands and agrees they should take advantage of the opportunity. Mr. Serino said it sounds like a good project and will support it. Ms. Panetta asked class size in elementary. The Superintendent said 20-1 but upper grades 4-5<sup>th</sup> some are 26-1.

Mr. Castinetti moved it be Resolved: *Having convened in an open meeting on December 20, 2011, the Board of Selectmen of Saugus, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated December 8, 2011 for the Saugus High School located at Pearce Memorial Drive which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future*

**Priority 7**

**Replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and approved local requirements.** *Because of the age of the high school, it has been extremely difficult to upgrade the high school science labs to meet current curriculum needs. To reiterate the citation from the 2011 NEASC Accreditation report; "the science labs are outdated, unsafe, and unable to meet the needs of the 21<sup>st</sup> century learner. The science labs are not fully or properly equipped for biology, chemistry, and physics." Teachers are unable to meet curriculum requirements in the lab sciences as evidenced by the following: (1) lack of working gas in all labs and/or exposed pipes to Bunsen Burners, (2) insufficient sinks and tables for instruction, (3) limited storage for equipment and chemicals, (4) insufficient technologies, lighting, and electricity, and (5) inadequate safety/chemical wash. More importantly, the classroom structure is not conducive to effective learning in the science lab arena. The MA DESE endorses MassCore as the high school program of studies. This includes three years of lab science for all students to graduate. Although Saugus High School meets this requirement for all students, it is without fidelity;*

*and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Saugus to filing an application for funding with the Massachusetts School Building Authority.*

Chair seconds. Vote: 5-0.

3.) MA Lottery Commission re: *Keno to Go* at Kristos Mini Mart, 465 Essex St.

Mr. Horlick moved to notify the lottery of no objection. Chair seconds. Vote: 5-0.

Manager's Report

- announced compost site is closed for the season.

Citizen's Forum:

Bob Camuso, 27 Eustis Street, asked to get signs on Eustis Street for speed limit and caution children signs. The Chair asked the Manager for update. The Manager said the engineer should be done with the study this week.

Executive session re: current Town Manager's employment.

Mr. Horlick moved the Board vote to go into executive session to discuss the Town Manager's employment and those to be present are Selectmen Castinetti, Horlick, Panetta, Serino and Crabtree, the 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. Vote: 5-0.

The Board entered into executive session at 10:45PM.

The Board reconvened in open session at 11:23PM.

Member's Motions

Mr. Serino: None this evening.

Mr. Castinetti: said he would like to investigate the possibility of using electronic devices rather than the amount of paper the office uses. The Board discussed options of devices.

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Mr. Castinetti moved the Board look into the possibility of electronic devises. Chair seconds. Vote: 5-0.

- said last Monday he and Ms. Panetta attended the Town Hall Christmas party and thanked the employees.

- said today he had the opportunity to go to the VFW that hosted the residents of Chelsea Soldiers Home and it was a great time. The Chair said if Board Members know of events they should send an invitation to all Board Members.

- said they received letter of resignation from Ray Lawrence from the Historical Commission and wished him well.

- said the Board received a letter from Verizon in response to the Board's request for them to offer services in Saugus and unfortunately they are not expanding service at this time.

- said the Board received notification from the Board of Health regarding a recall of ground beef at Hannifords.

- wished everyone a merry Christmas and happy holidays.

Ms. Panetta: wished everyone a merry Christmas and happy holidays and happy New Year.

Mr. Horlick: said he spoke with Mr. Castinetti regarding the lack of funding for Veteran Memorials and would like to send a letter to our State Delegation and Congress to request they find funding.

Mr. Horlick moved to send a letter to our State Delegation and Congress to request they find funding for Veterans Memorials. Chair seconds. Vote: 5-0.

- wished everyone a merry Christmas and happy holidays.

Mr. Serino would like to invite the Pop Warner "C" Team in and said they won a gold medal at the National competition.

Mr. Serino moved to invite the Pop Warner "C" Team Cheerleaders in for citation in recognition of winning a gold medal at the national competition. Chair seconds. Vote: 5-0.

Mr. Serino wished everyone happy holidays and merry Christmas.

The Chair wished everyone a merry Christmas and happy holidays.

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

Meeting adjourned at 11:39PM.

Respectfully submitted,

Wendy Reed, Clerk