

Saugus Board of Selectmen
June 22, 2010

AGENDA
Saugus Board of Selectmen
June 22, 2010, 7:30 PM
Town Hall Auditorium, 298 Central Street

- 1.) Call to order.
- 2.) Invited guests: Deputy Assessor Ron Keohan & Meredith Stone
- 3.) Approval of minutes: June 8, 2010
- 4.) Continued hearings:
 - Hot Topic for Entertainment License from 1/26 & 3/16
 - Crystal Kimball S-2 from 5/4/10 & 6/ 8.
- 5.) Public Hearings:

7:45 To amend the Town's Traffic Rules & Regulations ARTICLE IV, Section 8: "Obedience to Isolated Stop Signs" by designating two "Stop" signs on either side of Williams Avenue at the intersection of Hurd Avenue.

7:55 De La Mora, Inc. d/b/a Jalapenos Saugus, 168 Broadway, Alejandro Pardo, Manager for transfer of All Alcoholic Common Victualer's License FROM: JLMT Enterprises, Inc. d/b/a Tabu Ultra Lounge and Nightclub, 168 Broadway. Application is also made for Entertainment License.

Correspondence

1. Review schedule of fees.
2. Request for appointment of Poll Workers.
3. Mr. McCarthy re: request for Block Party Permit on Susan Drive.
4. Mr. Gallagher re: request for Block Party Permit on Randall Rd. & Parkway Dr.

Manager's Report
Member's Motions
Citizen's Forum
(Posted on 6/01/10)

Saugus Board of Selectmen

June 22, 2010

The Saugus Board of Selectmen met on June 22, 2010 at 7:30 PM in the Town Hall Auditorium, 298 Central Street. Present were: Selectmen Scott Crabtree, Michael Kelleher, Michael Serino and the Chairman Donald Wong. The Town Manager Andrew Bisignani was also present. Mr. Horlick was not present.

Invited guests: Deputy Assessor Ron Keohan & Meredith Stone

The invited guests were unable to attend and will reschedule to a future meeting.

3.) Approval of minutes: June 8, 2010

Mr. Serino moved to approve 6/8/10 minutes. Chair seconds. Vote: 4-0.

4.) Continued hearings:

- Hot Topic for Entertainment License from 1/26 & 3/16

- Crystal Kimball S-2 from 5/4/10 & 6/ 8.

Crystal Kimball Lane Real Estate Trust, owner, for Special Permit (S-2) to allow a the use of a contractor's yard for the storage of vehicles, equipment, & inventory related to the contractor's business, located at Pennsylvania Avenue.

Attorney Jay Kimball was present with Matt Kimball, Wes Reed of Reed Corp. and property owner Charlie Masiello and explained the hearing was continued to hold a site visit which was cancelled by the Board. Mr. Kelleher asked he explain access to property. Atty. Kimball showed on plan. Mr. Kelleher asked how far away the closest residential property. Atty. Kimball showed on plan estimating 1,200 feet. Mr. Kelleher asked of future plans for access through Saugus. Atty. Kimball said it would be economically unfeasible due to grades around the property. Mr. Kelleher asked if they received approvals from Lynnfield. Atty. Kimball said yes for the trucking terminal. Mr. Kelleher asked if they are permitted. Atty. said yes for past 3 years. Mr. Serino asked hours of operation 7am to 8pm Monday through Saturday and vehicles stored on site will be registered in Saugus and will have to abide by Inspectional Services requirements. Atty. said they have submitted updated plans and have to receive site plan approval from Planning Board.

Any in opposition or in favor? None.

Mr. Serino moved to close the hearing. Chair seconds. Vote: 4-0.

Mr. Serino moved the Board vote to grant the request for Special Permit (S-2) to allow a the use of a contractor's yard for the storage of vehicles, equipment, & inventory related to the contractor's business, located at Pennsylvania Avenue with the following conditions: (1) 36' storage trailer, (1) lift truck, (3) CAT excavators, (1) bobcat, (1) backhoe, (1) CAT loader, (1) 10 ton trailer, (1) 20 ton trailer, (2) dump trucks, (1) jeep, (3) pickup trucks, and any and all vehicles stored for the business to be registered in Saugus by January 1, 2011; hours of operation to be Monday through Saturday 7:00 am to 8:00 PM; must meet all Inspectional Services requirements; and must receive Conservation Commission approval. Chair seconds.

Roll call vote: Mr. Crabtree, yes; Mr. Kelleher, yes; Mr. Serino, yes; Mr. Wong, yes. Vote: 4-0.

7:45 To amend the Town's Traffic Rules & Regulations ARTICLE IV, Section 8: "Obedience to Isolated Stop Signs" by designating two "Stop" signs on either side of Williams Avenue at the intersection of Hurd Avenue.

Mr. Kelleher said he spoke to some neighbors and the police are recommending it. Mr. Serino said he visited the area and talked with some people and it is a bad intersection and will support.

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Any in favor or in opposition? Elaine Manzi, 70 Hurd Avenue, described the intersection and noted the school and little league field and would like 4 Stop signs to slow traffic down. Mr. Kelleher said the hearing is for 2 signs and can look at 4 signs. The Chair said the police are recommending 2 signs and that's how it was advertised and would support the police recommendation and ask for enforcement and if still needs 4 signs the Board can look at it again.

Mr. Kelleher moved to close the hearing. Chair seconds. Vote: 4-0.

Mr. Kelleher moved the Board vote to amend the Traffic Rules & Regulations ARTICLE IV, Section 8: "Obedience to Isolated Stop Signs" by designating two "Stop" signs on either side of Williams Avenue at the intersection of Hurd Avenue. Chair seconds. Vote: 4-0.

Mr. Kelleher moved the Board vote to ask the Police Dept. if they recommend 2 more signs. The Chair said the Board ask the Police Dept. to enforce the new signs and see where we go from there. Chair seconds. Vote: 4-0.

Continued hearing: Hot Topic for Entertainment License from 1/26 & 3/16
Hot Topic, Inc., for Entertainment License located at 1277 Broadway, Unit #E-215 Square One Mall.

Aimee Safrine, District Manager, was present and said the hearing was continued so she could contact Fire Dept, Police Dept. and Building Inspector and was not successful in reaching police or fire, but did speak with the Building Inspector and he said he would help her make contact and said the Board did ask for pictures and passed out pictures of other like events. The Chair said she did not make contact with police and fire and the Board needs their approvals. Ms. Safrine said she was not able to make contact before tonight. Mr. Crabtree explained concern that police and fire are not recommending it and the Board relies on department recommendations to help make a decision and said this hearing has been continued since January and it has been 5 months. Mr. Serino said the Board received recommendations against the proposal from police and fire and need to resolve those issues. Mr. Kelleher said they can continue the hearing until next meeting. Mr. Crabtree said he is concerned this has not been done and it has been 5 months and said at some point they should withdraw application and come back when issues are resolved.

Mr. Kelleher moved to continue the hearing. Chair seconds. Vote: 4-0.

Mr. Wong excused himself from the table and Vice Chair Crabtree took the Chair.
7:55 De La Mora, Inc. d/b/a Jalapenos Saugus, 168 Broadway, Alejandro Pardo, Manager for transfer of All Alcoholic Common Victualer's License FROM: JLMT Enterprises, Inc. d/b/a Tabu Ultra Lounge and Nightclub, 168 Broadway. Application is also made for Entertainment License.

Vice Chair explained the background of the license and that the Board did vote to revoke the license but under the General Law there's an automatic stay while under appeal to the ABCC and an application was submitted for transfer and the Board has to schedule hearing as ordinary form of business but that doesn't limit the Board and the Board can consider the revocation proceedings.

Alejandro Pardo, 8 Trel Cove Rd., Gloucester, was present and said he has been in the restaurant business and would love to be part of the community. Vice Chair asked how long he has been in Gloucester. Mr. Pardo said 18 years. Vice Chair asked he describe type restaurant. Mr. Pardo said family style dedicated to serving the community.

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Vice Chair asked of business plan would be same model as Gloucester. Mr. Pardo said exactly the same and they open at 4:00pm and if after 9:30pm no one is coming in, they close 20 minutes after and said he serves authentic Mexican and is not a bar. Vice Chair asked hours. Mr. Pardo said 4pm to close. Vice Chair asked hours on license. Mr. Pardo said 12:30 and everyone off premises by 1:00am. Mr. Serino asked capacity. Mr. Pardo said 228-258. Mr. Serino asked about entertainment. Mr. Pardo said one night a week would like mariachi players and background music. Mr. Serino asked if band or DJ or dancing. Mr. Pardo said no. Vice Chair asked if he has a 12:30 license now. Mr. Pardo said yes. Vice Chair asked if he had any partners or anyone else with interest in the license. Mr. Pardo said no and explained he wants this for himself. Mr. Kelleher asked if menu would be the same. Mr. Pardo said yes. Mr. Kelleher asked number of seats. Mr. Pardo said 228. Mr. Kelleher asked what time they open. Mr. Pardo said 4:00pm. Vice Chair asked if he was aware of police recommendation and read. Mr. Pardo said yes. Mr. Serino asked 5 year lease. Mr. Pardo said yes. Mr. Serino said there is a discrepancy on financial papers that needs to be corrected. Vice Chair said there are issues for the landlord regarding fire radio box and taxes due.

Any in favor or in opposition? Bill Kramich, 12 Emory Street, is against it and doesn't believe the license exists and taxes should be paid. Vice Chair explained that is part of the legal issue within this that there is an automatic stay so it has not been revoked until its through the appeal process and the stay means they have a license and the Board can't say they don't accept the application, they must accept and hear it. Mr. Kramich asked what if the ABCC revokes it. Vice Chair said it reverts back to the Town, but he's sure if the ABCC uphold the decision the license holder will appeal to Superior Court and the Board has to consider all possibilities.

Suleyman Celimli, property owner, 17 Wildwood Dr., Lynnfield, said there has been a license there for 40 years and he ran Godfried's at the location and if the Board transfers the license this will be a good family restaurant and would appreciate their vote. Vice Chair said there are some outstanding issues at the location. Mr. Celimli said they are in process of being taken care of.

Robert Cox, 5 Bayfield Rd., TMMP4, endorsed application and said it appears its going from an entertainment venue to something family oriented with a reasonable closing time and would like to encourage a positive vote as long as the mariachi band is not outside and taxes are collected and said if the appeal is granted it would create circumstances that would allow them to sell the license and if upheld it would be a lengthy process. Vice Chair agreed there are a lot of things to consider.

Mr. Pardo thanked the Board. The Vice Chair said there are a lot of things for the Board to consider and balancing an establishment with positive reputation and possibly save on legal fees he would like to continue the hearing to conduct a site visit and would like applicant to consider reimbursement of legal fees and to end legal proceedings. Mr. Serino said he does like the proposal and thinks it would be good for the Town and agree it should be continued to settle outstanding issues before such as the fire box and taxes. Vice Chair said he would like previous tenant to attend. Mr. Serino said they should also straighten out the \$30,000 discrepancy on application. Mr. Kelleher said there are some issues to resolve.

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Mr. Kelleher moved to continue the hearing to July 20. Vice Chair seconds. Vice Chair said to send a letter to request both entities to request they appear on the outstanding issues and to set a time for site visit. Vote: 3-0.

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

Correspondence

1. Review schedule of fees.

Mr. Kelleher moved the Board take no action at this time. Chair seconds.
Vote: 4-0.

2. Request for appointment of Poll Workers.

Mr. Kelleher moved to appoint the attached list of Poll Workers. Chair seconds.
Chair said he appreciates them volunteering. Vote: 4-0. (See attached list)

3. Mr. McCarthy re: request for Block Party Permit on Susan Drive.

Mr. Kelleher moved to approve request. Chair seconds. Vote: 4-0.

4. Mr. Gallagher re: request for Block Party Permit on Randall Rd. & Parkway Dr.

Mr. Kelleher moved to approve the request. Chair seconds. Vote: 4-0.

Manager's Report

- recommended the appointment of Jean Swanson to the Historical Commission.

Mr. Serino moved to confirm the appointment. Chair seconds.

Roll call vote: Mr. Crabtree, yes; Mr. Kelleher, yes; Mr. Serino, yes; Mr. Wong, yes.
Vote: 4-0.

- said the final boundary validation has been completed and the DPW Director reports all boundary markers are in place and that the Chairman needs to sign.

Member's motions

Mr. Crabtree: Thanked the Manager for addressing Clifton Avenue traffic.

- Said the Police Chief sent notice regarding issues at Zaza and read.

Mr. Serino moved the Board schedule a show cause hearing for closing without notifying the Board and for making renovations without Board approval and said he would like a site visit and see what is going on there. Vice Chair said as indicated by the Police Chief and to schedule the hearing on July 20. Vice Chair seconds. Vote: 3-0 with 1 abstention by Mr. Wong.

- Said he has talked about issues regarding playgrounds in Saugus and is looking for ways to improve them and feels it would improve the reputation of Saugus and benefit residents and families.

- Said the Board has talked to the Manager and is looking to try to have a community day over the summer and bring the community back together.

Mr. Serino: Said the Board recently had an application before them regarding an Extended Hours of Operation Permit and the Board felt they needed neighbor input.

Mr. Serino moved the Board adopt as policy the requirement for applicant for Extended Hours of Operation Permit to notify abutters within 100 feet of the property. Chair seconds. Vote: 4-0.

- Said there is a Special Town Meeting on July 19 and asked the Manager if he had any business. The Manager said no.

Mr. Serino moved the Board cancel the July 19 Special Town Meeting. Chair seconds. Vote: 4-0.

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- Said the Police Dept. sent a proposed door to door solicitation By-Law and asked for comments and said his only comment is the penalty states \$5 is too low and suggest \$25.

- Said Saugus National Little League won the State Championship.

Mr. Serino moved to invite the Saugus National Little League AAA Team to next meeting. Chair seconds. Vote: 4-0.

- Asked for update regarding Elm Street Bridge. The Manager said it has been inspected and CDM will be submitting proposals and have engaged the grant consultant to try to get funding and is working on it and is also looking at temporary measures. Mr. Serino asked if he will submit one option to the Board or several and if the option of closing the bridge will be included. The Manager said he will submit all options.

Mr. Kelleher: Asked Manager for update on request regarding middle school equipment and asked status of that equipment. The Manager said he did respond and explained the conversion burners were purchased in 2001 and now new boilers were installed and the engineer is looking at the useful value to trade or to sell and will have to comply with the law but nothing has been done yet.

- Said regarding parks and playgrounds, thanked the Manager for attention given last summer to Bristow Park and asked he do what he cans to keep the parks user friendly.

- Said he has talked about crosswalks and having green crosswalks in Cliftdale and Saugus Center. The Manager said he will look into it after July 1.

- Congratulated SHS Class of 2010 and wished them the best.

Mr. Crabtree said the Board has a meeting with Youth & Recreation and they can discuss playgrounds with them and work with them. The Chairman asked the public to take notice of the playgrounds and watch and report to police and hopefully those will take pride in Saugus and our playgrounds.

Mr. Crabtree asked the Manager look into graffiti on electrical boxes on Walnut St. at Central St. The Manager said he will take care of it and said he tries to address graffiti as it's reported. Mr. Kelleher said it takes a whole community and police do a good job but community needs to let them know if there are issues at our parks.

Citizen's Forum

Bill Kramich, 12 Emory Street, said he wants to know about univents for Belmonte Middle School not boilers at the high school. The Manager said the request was about boilers purchased in 2001 for the middle school. Mr. Kramich said he did a good job with the sidewalks but a front end loader went over one and cracked it already.

Brian Costin, 30 Susan Drive, said he read the article on red light cameras and when it was passed he raised the issue of needed a green arrow and would like that taken care of. Mr. Kelleher said he does recall that and asked the Manager follow up on the request. Mr. Serino said he made the motion to request green arrow at Walnut & Central and asked Manager for update. The Manager said he agrees and will look into green arrow and explained this has been held up in legislature. Mr. Serino said there was a question on surcharge. The Manager said that was part of it but nothing has been done. Mr. Serino said the contract will expire. The Manager said it was a 3 year contract and will have Board look at possibly renewing it.

Mr. Kelleher moved to adjourn. Chair seconds. Vote: 4-0.
Meeting adjourned at 9:07PM.

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Respectfully submitted,
Wendy Reed, Clerk

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Poll Workers
Name Address

Almquist, Elizabeth	122 Winter Street	Drake, Carole	35 Elmwood Ave.
Anthony, Phyllis	45 Birch St.	Duffy, Linda	280 Central Street
Arinello, Marie	16 Vermont Avenue	Faragi, Lorraine	99 Howard Street
Arinello, Paul	16 Vermont Avenue	Fish, Linda	1 Pelham St.
Attubato, Marion	76 School Street	Ford, Ina	37 Bridge St.
Atwood, Virginia	12 Vermont Ave.	Fowler, Joan	91 Denver St., #202
		Furey, Ann	43 Holland Street
		Garten, Carmella P.	51 Jasper St.
Baptista, Barbara	11 Laurine Road	Genovese, Sharon	23 Lily Pond Ave.
Berg, Ruth	58 Winter St.	Gilgulin, Alan	5 Thomas St., P1
Berkowitch, Margaret	2 Wolcott Rd	Gilgulin, Shirley	5 Thomas St, P1
Blandini, Teresa	70 Lincoln Ave.	Gosselin, Jane	14 Sterling Avenue
Blasingame, Kathy E.	40 Walden Ave.	Gosselin, Jane	14 Sterling Avenue
Bocchino, Charles	41 Great Woods Rd.	Griffin, Judy	48 Denver St., Unit 108
Bockus, Dorothy A.	19 Talbot St., #313		
Bogdan, Peter	23 Whitney St.	Hansen, Catherine	376 Lincoln Ave.
Bogdan, Shirley	23 Whitney St.	Hart, David	30 Henry St.
Butt, Victoria	10 Knowles Ave	Harriman, Pauline	9 Puritan Rd.
		Hartigan, Leanne	3 Foliage Dr
Campo, Jean	82 Newhall Ave., #106	Heise, Corinne	48 Denver st, Unit 409
Celata, Barbara	48 DENVER ST, UNIT 401	Hunt, Barbara	12 Marden St.
Cianci, Eileen	1607 Lewis O Gray Dr	Hunter, Thelma	26 Makepeace Street
Cioffi, Patricia	36 Newall Ave, Apt 308		
Coco, Theresa	71 Appleton Street	Jordan, Anna	19 Talbot St., #611
Connors, Arthur	11 Maple St.		
Copeland, Patricia	20 Denver St.	Kelloway, George R.	131 Forest St. #E10
Cox, Erin	5 Bayfield Road	Kibbey, Ettarina	31 Forest Street
Crotty, Claire	36 Newhall Ave, Apt #303	Kimball, Pauline	48 DENVER ST, UNIT #407
Cuddemi, Patricia	128 Laurel Gardens		
		LaChesky, Kathleen	4 Juniper Drive
Davis, Thelma	145 Walnut Street	Laskey, Marion	11 Wilbur Ct.
DiMilla, Lorraine	8 High Street	Leahy, Mary	152 Essex St.
D'Eon, Louise M.	19 TALBOT ST, #307	Levasseur, Jeanne M.	5 Sunnyside Park
D'Eon, Viva	64 Jasper Street		
DiGianvittorio, Jannine A.	31 Forest Street	Macaskill, Marilyn	7 Walnut Street
DiTullio, Fausto	26 DeSota Street	MacDougall, Jean	19 Talbot St, #204
Doherty, Danielle	49 Perley Avenue, Peabody	Maggiore, Donna	21 Birch Brook Ave.
Donovan, Patricia	10 Kenwood Ave	McGrane, Carol A.	5 Zito Drive
Doucette, Fortuna	7 Clinton Ave.	McLaughlin, Carol	85 Holland Street
		McMorrow, Patrick	36 Staaf Road

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Mahoney, Mary	38 Walden Avenue	Teal, Robert L.	11 Harrison Avenue
Manning, Mary Louise	16 Breakheart Rd.	Therrien, Jeanette	21 Harwich St.
Martel, Jeanne	19 Talbot St., #409	Tremblay, Robert E.	2335 Founders Way
Massucco, Marie	2 Howard Farms Lane	Turco, Cynthia	39 Ballard Street
Moore, Ellen	141 Essex St., A8	Ventura, Marie	141 Essex St C-1
Mooskian, Loreen	4 Griswold Road	Verrengia, Leona	35 Newhall Ave #307
Naples, Anthony	8 Pillings Road	Whittier, Marina	103 Saville Street
Naples, Paolina	8 Pillings Rd.	Williams, Ruth	34 Johnson Rd
Newman, Mary (Bonnie)	18 Hull Dr.		
Nichols, Janet	8 Hurd Ave		
Nicolo, Loretta	19 Talbot St, #402		
Nigro, Sheila	14 Seminole Street		
Olivero, Virginia	65 Dudley Street		
Palleschi, Ellen	37 David Dr.		
Parker, Rose M.	41 Chestnut Street, #1		
Parrottino, Carmela	111 Main St.		
Penachio, Kris	17 Palmer Ave.		
Piwowarski, Doris	14 Avon Street		
Piwowarski, Frank	14 Avon Street		
Pollack, Marcia	507 Central St.		
Pozark, Barbara	44 Lawndale Avenue		
Riggillo, Josephine	8 Knowles Ave.		
Rodenhiser, Joyce	3 Cronin Road		
Ronan, Marie	47 Pleasant St.		
Rusconi, Robert	4 Stonehill Dr., #5, Stoneham, ma 02180		
Russo, Gerald J.	23 Milano Dr.		
Russo, Marie S.	23 Milano Dr.		
Sanborn, Janet	27 Whitney St.		
Sarno, Gail	27 Granite Rd		
Snowdon, Beverly	9 Knowles Ave.		
Stewart, William	12 Grandview Ave.		
Surette, Roberta	10 Wilbur Ave		
Swanson, Ruth	7 Thomas St. J10		
Taatjes, Jjane	5 Parker Street		
Taylor, Donna	15 Kirkland Street		
Taylor, Stephen, Sr.	15 Kirkland Street		