

## **.Saugus Board of Selectmen**

**Meeting February 21, 2023**

**7:00 PM**

Meeting called to order at 7:00 PM. Present: Chairman Anthony Cogliano, Vice Chair Debra Panetta, Selectmen Jeff Cicolini, and Jeffrey Cicolini. Absent Selectman Michael Serino.

All stood for the Pledge of Allegiance.

Announced by Chairman Cogliano: "We have a 9:00 PM hearing tonight and read legal notice. The hearing will be continued until March 14, 2023.

Tabled hearing from Win Waste Host Agreement: As there are no representatives present, we will be tabled as we are not prepared to proceed.

Notice: The Warrant for the upcoming Annual Town Meeting on May 1, 2023, will close on April 4, 2023.

CORRESPONDENCE: Mr. Peter Manoogian, Town Meeting Member from Pct. 10, 50 Ballard Street 10, submitted an Article to be submitted into the next Annual Town Meeting Warrant.

Letter from Jake D'Eon, Troop 672, Eagle Scout Project. Selectman Cicolini: "Jake is a 16 year old quite impressive young man, who I have known for approximately 10 years and is working on earning an Eagle Scout designation. In order to reach that goal, he is required to take on an approved community service project then fundraise for the project. All proceeds will go towards building handicap assessable park benches.

A letter was read from Jake outlining his plan. A Comedy Night on March 9, 2023, at Prince Pizza. Tickets \$35.00. add email. For further information, contact me at 781-233-1978. We are all very proud of you.

Vice Chair Panetta concurred with Selectman Cicolini and looks forward to his event.

Selectman Riley echoed the same supportive comments and wished him luck.

Chairman Cogliano offered his support to Jake and looks forward to the March 9th fundraiser.

Selectman Cicolini: "The 10 signatures submitted by Mr. Manoogian have been certified by the town clerk and offered a Motion to open the Warrant for the Annual Town Meeting on May 1, 2023. Chair seconds, all in favor, Motion passes 4-0 and made the Motion to insert the Article from Mr. Manoogian into the Annual Town Meeting Warrant for the May 1, 2023, meeting. Chair seconds. All in favor; Motion passes 4-0. (See attached Article.).

Ms. Nancy Prag, Saugus Tree Committee member, requested that the Selectmen declare April 23, 2023, as Arbor Day, in Saugus, Massachusetts. Vice Chair read the Proclamation into the record. (See attachment).

Vice Chair Panetta offered the Motion to accept April 23, 2023, as Arbor Day in Saugus. Chair seconds, all in favor, Motion passes 4-0.

Citizen Comments: None

Member Comments: Selectman Cicolini commended the Saugus Fire Department for the two fires and assuring everyone was safe. Amazing how everything was managed professionally. Also, the DPW addressing the pot holes in town. Weather has been a problem and filling pot holes has been challenging.

Kudos to the men and women basketball games –proud Schemes.

Selectman Riley: Sending condolences to the Gieskie family. "She was one of my favorite teachers." Also echoed Selectman Ciccolini's comments thanking first responders in the surrounding communities. An excellent job by everyone. The next Saugus Over Coffee is scheduled for Monday, March 13, 2023, at 6 :30 PM at the Saugus Public Library and hosted by Alan Thibault and Mark Vogler for Precinct 3.

Selectman Riley wished everyone a great school vacation and congratulated Chairman Cogliano and Cross families on their new arrival and citizen of Saugus. Welcome Laila Campano Cross.

Vice Chair Panetta also thanked the first responders in battling the fires on Lincoln Avenue and Denver Street. "The Saugus Firefighters did an awesome job and no one was injured. I also want to thank those in attendance at the Saugus River Watershed Coastal Vulnerability Assessment and Regional Adaptation Plan. There was discussion about flooding, not just in Saugus, but also in neighboring communities. There is a Survey still open, and I would like to ask the town manager to put it online for residents to take it. If you have any questions, Mr. Chris Riley is a member of the committee and there will be more information on the Saugus River Watershed Council website.

The Saugus Little League is in the process of registering children. If interested, for children from 4 to 12, are eligible. To register, go to the website at [Sauguslittlebaseball.com](http://Sauguslittlebaseball.com). For more information go to [Saugus.A.league@gmail.com](mailto:Saugus.A.league@gmail.com).

I also want to congratulate Chairman Cogliano and his family of the birth of your new granddaughter.

Chairman Cogliano: "Laila was born today at 11 36 AM, 8 lbs., 4 ounces. Another beautiful and healthy daughter for Gabriela and Michael Cross. Nothing I like better than being a grandfather and now I have another one."

Chairman Cogliano: Letter from Michelle Sullivan. Is there anything the town can do on the speeding on side streets. I live at Springdale Avenue, two houses down from where the recent roll over occurred. I have lived here for five years in an amazing neighborhood where people are out and about, walking their dogs, children playing. There are no sidewalks and people are constantly flying down the street. My neighbors and I would appreciate any help you can provide. Please send to police department."

Chairman Cogliano: "I would like to make a statement referencing was appeared recently in the Boston Globe regarding the Wheelabrator situation. As many of you know, I solicited names and addresses from people on behalf of Wheelabrator involved with their Class Action suit



against the company. I solicited names and addresses from close friends, family members and a few neighbors. I got their permission to sign affidavits on their behalf and, later, had affidavits signed by them and they were submitted to the Plaintiff's attorneys Colona and Doyle.

When I went into my deposition with Colona and Doyle, I assured them that I did sign every one of those; they were my handwriting and that I had permission from the people that I had signed. They only submitted the ones that were signed by the actual people. They did not submit the ones that I signed. The signatures that I put on the papers were not part of any federal court case and will not appear anywhere and that, subsequently to that, I was contacted by the State Ethics Commission last Friday where I was asked two questions: Number one; Are you employed by or do you get compensation from Wheelabrator? The answer is no. Number two: Is the town of Saugus party to that Class Action law suit? The answer is no.

The gentleman from the State Ethics Commission thanked me and told me to have a nice weekend and for those who want to make a big issue out of this, the best of luck to you and I guarantee you that nothing will come out of it."

Chairman Cogliano asked for a 10-minute recess. Selectman Cicolini, so moved Mr. Chairman. Recess for 10 minutes.

Selectman Cicolini made a Motion to go back to in session. Chair seconds all in favor, Motion carries 4-0.

7:45 PM ATACK Fitness, 880 Broadway requesting extended hours – opening at 5:00 AM. Selectman Cicolini stated that the clerk was informed that they were unable to attend this meeting. He also stated that, although we like the applicants to come before us, the letter they sent should be sufficient to conduct this hearing. There are no changes in the operation or personnel.

Selectman Riley asked about time and days, and Selectman Cicolini stated Monday through Friday.

Vice Chair Panetta stated she had no issues with the extended hours. Chairman Cogliano stated that he, also, had no problems with the extended hours request.

Chairman Cogliano: "Anyone here to speak or to be recorded in favor? Any in opposition? Seeing none, Selectman Cicolini offered the Motion to close the hearing. Chair seconds, all in favor – Motion passes 4-0.

Selectman Cicolini offered the Motion to grant the request from ATCK, 880 Broadway, for extended hours opening at 5:00 AM, Monday through Friday. Saturday 10 AM to 9 PM. Sunday 12 PM to 6PM. No changes in the operation and how they do business and same programs offered. Chairman Cogliano seconds the Motion. Any discussion? Seeing none – all in favor, Motion passes 4-0.

Any comments from anyone as there is a 30-minute delay.

Selectman Riley: Chairman Cogliano, when you made your comments, I wanted to follow up and in public: "The only matter involving Win that is coming before the Board is the Win Host Agreement. First, the Board of Selectmen is not involved in any Class Action lawsuit with Win nor does that lawsuit have any bearing on a potential Host Community Agreement so there is no reason for me to comment in it.

Second: With regard to the signatures, the only time the Board of Selectmen has any authority is when they are in session. The signatures were gathered outside of session, so, again, it is not a Board of Selectmen issue. Further, Mr. Cogliano is not only a selectman, like each of us, he is a private citizen as well. Elected officials do not lose their rights to have an opinion on an issue, so if he chose to work with Win, that is his decision as does any private citizen gets to make their decisions.

Mr. Cogliano stated that he should have handled this better and has publicly apologized to all involved and I accept that. The Board of Selectmen should move on and go about the business of the town." Chairman Cogliano thanked Selectman Riley.

Chairman Cogliano: "I would like to add, in addition to the attorneys not using the documents that I signed, I demanded that they eliminate all the signatures that I solicited, so, all my friends and families' members that signed those declarations are eliminated from the court proceedings as well.

Selectman Cicolini moved to take a 25-minute recess, chair seconds, Motion passes 4-0.

Chairman Cogliano stated that there no longer be times listed on all public hearings.

Recess: 25 minutes.

Chairman Cogliano called the meeting back to order.

Public Hearing:

8:00 PM: Request of Mr. Antonio Moura DeJesus, requesting a Special Permit to operate Moura Tattoo Studio with proposed site at 28 Hamilton Street, Saugus, MA 01906.

Mr. \_\_\_\_\_ Hours of operation Monday through Saturday 9:00 AM to 8:00 PM – closed Sunday. Selectman Cicolini "The location is being leased. Seven stations with waiting area and one private room with six employees and more parking would be needed and was told there is additional parking in the back.

Selectman Cicolini stated he supports business plan but concerned about parking. Vice Chair Panetta requested a continuance and being a special permit, you would need 5 votes. Selectman Cicolini agreed and would like to look at the parking as 6 or 7 stations may not be able to support the parking requirements.

Chairman Cogliano agreed to continue the hearing until March 14, 2023, and to have the petitioner meet with Dan Kelly. Selectman Cicolini made the Motion to continue the hearing until March 14, 2023 with a detailed report from the building inspector. Chair stations, any discussion, none; Motion passes 4-0.



8:15: Original Giovanni's of New England, 194 Broadway, Saugus, MA for a change in ownership .Mr. Edison Peabody, MA. Everything will remain the same, hours, business and purchasing the LLC.

Vice Chair Panetta asked the petitioner for background information. Mr. Edison stated that he owned a pizza restaurant in 2004, sold it in 2005, went to college, graduated with a degree in criminal psychology and onto a Masters Degree in business and worked as a business officer for Chase Bank and manage 16 businesses for Chase.

Selectman Cicolini asked if here will be no changes in the present business and was told there will be no changes.

Vice Chair Panetta moved to close the hearing. Chair seconds, any discussion, seeing none all in favor, Motion passes 4-0. Vice Chair Panetta moved to approve the request for a transfer of a common victualers license and entertainment license to new owner of Giovanni's of New England, Edison Sheane, located at 194 Broadway, Saugus, MA. Chair seconds the Motion, any discussion, seeing none, all in favor – Motion passes 4-0.

Any comments from Board Members? Selectman Cicolini moved to take a 12-minute recess until 8:30. Chair seconds, all in favor, Motion passes 4-0.

8:30 PM Selectman Cicolini moved to reopen the meeting, chair seconds, all in favor, Motion passes 4-0.

Rare Hospitality International, Inc, and GMI, d/b/a Long Horn Steakhouse, 1325 Broadway, Saugus, MA 01906 for the appointment of Lindsey Koren, replacing Joseph Kern as Vice President/Secretary, and the appointment of Angela Simmons, replacing William White as Director /President of Rare Hospitality International Inc, and GMRI Inc.

Chairman Cogliano stated that he contacted the ABCC regarding this petition as we are attempting to vote on a business that does not exist. I was told by the ABCC that this petition is just a formality that the business needs to do this and was advised to grant the request.

Attorney Tyler Hensley, of Upton, Connell, and Devlin 112 Water Street, Boston, MA. "We represent the above-mentioned business also known as the Longhorn Restaurant. This is an application for an officer change. We are aware this license is not being used in Saugus and we are going through the process of reclaiming the liquor license, from the letter of October 17, 2022. We are speaking to a broker. We request a vote to bring this license up to date in compliance with the laws of the Commonwealth of Massachusetts.

Vice Chair Panetta: "We have vacancies along Route One and are you looking at any other locations there? Attorney Hensley stated that his law firm only deals with liquor licenses but was sure they considered all possible locations.

Chairman Cogliano stated that he gave the law firm a list of all the pocket licenses presently held by closed businesses hoping to see businesses opening up again. We need to get those pocket licenses back to the town. The letters were sent out in October as the attorney just referenced that, and the clock is ticking. At the end of the six months, we can take them back.

Any in favor, seeing none, Selectman Cicolini moved to close the hearing, all in favor, Motion passes 4-0. Selectman Cicolini moved to grant the request of Hospitality International, d/b/a Longhorn Restaurant 1325 for the appointment of Lindsey Koren, replacing Joseph Kern as Vice President/Secretary, and the appointment of Angela Simmons, replacing William White as Director /President of Rare Hospitality International Inc, and GMRI Inc.

Chair seconds, all in favor, Motion passes 4-0.

Chairman Cogliano announced that this meeting was being recorded.

Vice Chair Panetta moved to adjourn, Chair seconds, all in favor, Motion to adjourn passes 4-0. at 8:12. PM.

Respectfully submitted.

Janice K. Jarosz, Temp Clerk