

Saugus Board of Selectmen
November 20, 2019

*****MEETING MINUTES*****

AGENDA

Saugus Board of Selectmen
November 20, 2019 at 7:00 PM
Town Hall Auditorium, 298 Central Street, Saugus, MA

Call to order.

Correspondence:

- 1.) Collector / Treasurer re: request for approval of MWRA Loan.
- 2.) Police Dept. re: request for temporary traffic barriers during holidays
- 3.) Kohl's, 333 Broadway re: request for temp. Extended Hours of Operation Permit for holiday season.
- 4.) Square One Mall, 1201 Broadway for Extended Hours of Operation Permit for Black Friday.
- 5.) SCTV re: request for approval of transfer of funds for remainder of FY 20 budget.

Citizen's Comments

Continued Hearings: 0

Public Hearings:

7:10 PM a public hearing for the purpose of determining the percentage of local tax levy FY 2020 to be borne by each class of taxable property within the Town of Saugus

7:15 PM VDT Salons, LLC for Special Permit (S-2) to allow salon offering nails, facial and waxing services, to be located at 600 Broadway, Assessor's Plan 1048, Lot 15.

7:20 PM FEG Bonkers Saugus, LLC d/b/a Bonkers, for Special Permit (S-2) to allow place of amusement, to be located at 1201 Broadway, Square One Mall, Assessor's Plan 1025, Lot 500.
Application is also made for: Common Victualer's License, Entertainment License & Coin Operated Devices.

7:25 PM AG Foods LLC d/b/a Angela's Coal Fired Pizza, 890 Broadway, for transfer of Beer & Wine Common Victualer's License & Entertainment License FROM: Angela's Coal Fired Pizza, LLC, 890 Broadway; and for change of manager TO: Alfonso Guevara .

7:30 PM public hearing on amending the Town's Traffic Rules & Regulations Article V, Section 2.
Parking Prohibited on Certain Streets:
BY allowing parking on the right side of Wendell Street between Chestnut Street and Stocker Street.

7:35 PM Show Cause Hearing to deny, revoke or suspend the following Licenses for failure to pay municipal taxes, fees, etc. for more than twelve months: Santillan Inc. d/b/a Casa Vallarta, 114 Broadway; MGA Food, Inc. d/b/a La Vita Mia, 36 Hamilton St; Angela's Coal Fired Pizza LLC, 890 Broadway; Fitness International LLC d/b/a LA Fitness, 1450 Broadway; NTW LLC d/b/a NTB Tire Service Center, 564 Broadway; Savvy Hair, Nails & Spa, 4 Howard St; Victoria Wiegman d/b/a Banana Splitz, 526 Lincoln Ave; Bob's Discount Furniture of MA Inc., 263 Broadway; GFV Holdings LLC d/b/a Five Guys Burgers & Fries, 180 Main St; Kelly's Roast Beef of Saugus, Inc., 595 Broadway; Carmelino LLC d/b/a Carmelino's Pushcart Restaurant, 331 Main St; Roller World, Inc., 425 R Broadway; Mayflower Square One LLC d/b/a Square One Mall 1201 Broadway; Charter Foods North LLC d/b/a Taco Bell, 421 Broadway; JJ Luuk Inc. d/b/a Yo Passion, 1201 Broadway; Best Buy Stores, 1201 Broadway; Walgreens, 1228 Broadway; Stop & Shop Co. 164 Main St; CVS Pharmacy Inc., 1075 Broadway; Greerstyl LLC d/b/a Title Boxing Club, 325 Broadway.

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New Business: Selectmen Meeting Schedule

Manager's Report:

Approval of minutes: October 16, 2019 & November 6, 2019

Appointments: Sworn Weigher

Member's Comments: Wheelabrator & post closure

Citizen's Comments

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The Saugus Board of Selectmen met on November 20, 2019 at 7:00 PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Jeffrey Cicolini, Debra Panetta, Corinne Riley, Michael Serino and the Chairman Anthony Cogliano. The Town Manager Scott Crabtree was also present.

Call to order. The Board held a moment of silence for Worchester firefighter & for the victims in the Saugus High California shooting and offered sympathies to the families and communities.

Correspondence:

1.) Collector / Treasurer re: request for approval of MWRA Loan.

Collector / Treasurer Wendy Hatch was present and congratulated Board Members on their election/re-election and explained the loan, as approved by Town Meeting with the authorization of the Board is for several water pipeline projects. Selectman Serino said the projects were started many years ago and wholeheartedly support this.

Selectman Panetta moved it be Voted: that the sale of the \$222,940 Water Bond of the Town dated December 2, 2019, to Massachusetts Water Resources Authority (the "Authority") is hereby approved and the Town Treasurer or other appropriate Town official is authorized to execute on behalf of the Town a Loan Agreement and a Financial Assistance Agreement with the Authority with respect to the bond. The bond shall be payable without interest on November 15 of the years and in the principal amounts as follows:

<u>Year</u>	<u>Installment</u>
2020	\$44,588
2021	44,588
2022	44,588
2023	44,588
2024	44,588

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing vote.

Chair seconds 5-0.

2.) Police Dept. re: request for temporary traffic barriers during holidays

Lt. Art Connors was present and explained the annual request. Selectman Panetta asked when they will be put up and when they will come down. Lt. Connors said the Chief request they be put up the day after Thanksgiving through January 1st.

Selectman Cicolini moved to grant the request. Chair seconds 5-0.

Selectman Riley said she will recuse herself from the next correspondence discussion and vote because she is a shareholder.

3.) Kohl's, 333 Broadway re: request for temp. Extended Hours of Operation Permit for holiday season.

Joseph Bisalti, store manager was present and explained his request. Selectman Panetta asked if same as last year and will work with the police dept. Mr. Bisalti said yes.

Selectman Serino moved to grant the request. Chair seconds vote: 4-0 and 1 abstention by Selectman Riley.

4.) Square One Mall, 1201 Broadway for Extended Hours of Operation Permit for Black Friday.

Mall manager Michael Connell, 1201 Broadway was present and explained request. Selectman Cicolini asked if request is the same. Mr. Connell said yes. Selectman Cicolini asked if there have been

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issues in the past. Lt. Connors said no. Selectman Panetta asked when they will close. Mr. Connell said 10PM. Selectman Serino said they have been doing this for years.

Selectman Serino moved to grant the request. Chair seconds 5-0.

5.) SCTV re: request for approval of transfer of funds for remainder of FY 20 budget.

Al DiNardo, 199 Essex Street & President of SCTV, Inc. was present and congratulated Board Members and gave update on studio relocation and they will be beginning construction soon and requested approval of transfer of funds to cover the remainder of the fiscal year and explained their operating budget was done calendar year and now must go to fiscal year and explained Town Meeting approval and the money in an Enterprise account. Selectman Panetta said this has already been vetted by the prior Board, Finance Committee and Town Meeting.

Selectman Panetta moved to approve the transfer of \$215,088 from the cable enterprise account to the SCTV operating budget account as recommended by the Finance Committee and approved by Town Meeting as Article IV. Chair seconds. Selectman Cicolini speaking on the motion said in the past budget was issued quarterly and may consider that at next budget cycle, but is fine with approving the 6 months. Vote 5-0.

Citizen's Comments None.

Continued Hearings: 0

Public Hearings:

7:10 PM a public hearing for the purpose of determining the percentage of local tax levy FY 2020 to be borne by each class of taxable property within the Town of Saugus

Board of Assessor's Chairman David Ricciardelli was present with Member Dan Kelly and the Deputy Assessor Michelle Branciforte and said packets were submit. Selectman Panetta asked if they are recommending "Option E". Mr. Ricciardelli said yes. Selectman Riley asked the Manager for his recommendation. The Manager said he relies on the Assessors and does concur with their recommendation and explained the Town has shifted the burden 175% on to commercial and if the Board votes to shift it gives relief to the residential taxpayers. Selectman Panetta said the current rate for residential is \$12.18 and will go to \$11.92 and same holds true with commercial is at \$25.75 to \$25.10. The Manager said by statute they may go up by 2 ½% each year. Selectman Serino referenced on page 11 if the Board doesn't shift the tax rate would be \$14.34 and said historically the Board has voted to shift. Selectman Cicolini said if they chose a flat tax rate there would be a \$1,100 difference. The Manager pointed out average tax bills in the area. Selectman Serino said the information packet will be posted on the website so the public can look at it.

Any to speak in favor or opposed? None.

Selectman Panetta moved to close the hearing. Chair seconds 5-0.

Selectman Serino moved to adopt the residential factor and 175% shift. Chair seconds 5-0.

7:15 PM VDT Salons, LLC for Special Permit (S-2) to allow salon offering nails, facial and waxing services, to be located at 600 Broadway, Assessor's Plan 1048, Lot 15.

Attorney George Nater was present representing the applicant who was not present and described the location. Selectman Panetta said the letter states they will have 15 employees and listed 45 stations on proposed floor plan and said she reached out to Inspectional Services regarding the parking. Attorney Nater said they will never be at full capacity and said his clients are out of State and asked they continue the hearing so they could be here to answer the questions. Selectman Serino said he counted the spots and there are two other businesses there with 49 spaces and also agree there are too many stations. Selectman Panetta said when she asked the building inspector how many spaces were available, she was told around 30. The Chair said if there's concern with the number of spaces they could continue the hearing.

Selectman Panetta moved to continue the hearing. Chair seconds 5-0.

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7:20 PM FEG Bonkers Saugus, LLC d/b/a Bonkers, for Special Permit (S-2) to allow place of amusement, to be located at 1201 Broadway, Square One Mall, Assessor's Plan 1025, Lot 500. Application is also made for: Common Victualer's License, Entertainment License & Coin Operated Devices.

Ray Smith franchise owner was present and described the location and the proposed business and said he is hoping to be open in spring or early summer. Selectman Ciccolini commented that his business overview submitted was excellent and answered questions he had and said they are requesting 7 days a week 10am to 9pm and entertainment and asked about seating. Mr. Smith said there's a restaurant and party rooms. Selectman Ciccolini asked about security. Mr. Smith the staff on hand cover most. Selectman Panetta said there's no entrances from the mall. Mr. Smith said correct. Selectman Panetta asked number of coin ops. Mr. Smith said around 70-80 games. Selectman Panetta asked total number of televisions. Mr. Smith said 10 in the restaurant and some traditional monitors. Selectman Panetta said it took a bit of time before they came to the Board. Mr. Smith said it was slow getting plans done. Selectman Riley asked ages of children. Mr. Smith said usually no older than 10-12 years old. Selectman Riley asked if there are issues with older kids coming in. Mr. Smith said he has a lot of experience in that and explained. Any to speak in favor or opposed? None.

Selectman Ciccolini moved to close the hearing. Chair seconds 5-0.

Selectman Ciccolini moved to grant the request of FEG Bonkers Saugus, LLC d/b/a Bonkers, for Special Permit (S-2) to allow place of amusement, to be located at 1201 Broadway, Square One Mall, Assessor's Plan 1025, Lot 500 with the following conditions: hours of operation 10AM to 9PM 7 days a week; and all fees owed to be paid prior to permits being issued. Chair seconds
Roll call vote: Selectman Ciccolini, yes; Selectman Panetta, yes; Selectman Riley, yes; Selectman Serino, yes; Selectman Cogliano, yes.

Selectman Ciccolini moved to grant request for Common Victualer's License, Entertainment License & Coin Operated Devices with the following conditions: 80 coin operated devices; 10 televisions; 385 seats with a total capacity of 901; and hours of operation 10AM to 9PM 7 days a week. Chair seconds 5-0.

7:25 PM AG Foods LLC d/b/a Angela's Coal Fired Pizza, 890 Broadway, for transfer of Beer & Wine Common Victualer's License & Entertainment License FROM: Angela's Coal Fired Pizza, LLC, 890 Broadway; and for change of manager TO: Alfonso Guevara .

The Chair said he received letter today from the applicant requesting to continue the hearing. Any to speak in favor or opposed? None.

Selectman Serino moved to continue the hearing. Chair seconds 5-0.

7:30 PM public hearing on amending the Town's Traffic Rules & Regulations Article V, Section 2. Parking Prohibited on Certain Streets:

BY allowing parking on the right side of Wendell Street between Chestnut Street and Stocker Street.

Lt. Art Connors was present and explained the police dept. received request and did look at the parking restrictions and the parking in the area and did submit pictures and do recommend the Board allow parking on one side of the street, on the north side, and believes it will balance parking needs and said obviously there is no parking 20' from the intersection and can't block driveways and said he knows the fire dept. had objection so he would like to request the Board continue the hearing to allow the Police Chief to confer with the Fire Chief.

Any to speak in favor or opposed? None.

Selectman Ciccolini moved to continue the hearing. Chair seconds 5-0.

7:35 PM Show Cause Hearing to deny, revoke or suspend the following Licenses for failure to pay municipal taxes, fees, etc. for more than twelve months: Santillan Inc. d/b/a Casa Vallarta, 114 Broadway; MGA Food, Inc. d/b/a La Vita Mia, 36 Hamilton St; Angela's Coal Fired Pizza LLC, 890 Broadway;

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Fitness International LLC d/b/a LA Fitness, 1450 Broadway; NTW LLC d/b/a NTB Tire Service Center, 564 Broadway; Savvy Hair, Nails & Spa, 4 Howard St; Victoria Wiegman d/b/a Banana Splitz, 526 Lincoln Ave; Bob's Discount Furniture of MA Inc., 263 Broadway; GFV Holdings LLC d/b/a Five Guys Burgers & Fries, 180 Main St; Kelly's Roast Beef of Saugus, Inc., 595 Broadway; Carmelino LLC d/b/a Carmelino's Pushcart Restaurant, 331 Main St; Roller World, Inc., 425 R Broadway; Mayflower Square One LLC d/b/a Square One Mall 1201 Broadway; Charter Foods North LLC d/b/a Taco Bell, 421 Broadway; JJ Luuk Inc. d/b/a Yo Passion, 1201 Broadway; Best Buy Stores, 1201 Broadway; Walgreens, 1228 Broadway; Stop & Shop Co. 164 Main St; CVS Pharmacy Inc., 1075 Broadway; Greerstyl LLC d/b/a Title Boxing Club, 325 Broadway.

The Chair said the Board received report that some have paid.

Selectman Panetta moved the Board vote to take no action on MGA Food, Inc. d/b/a La Vita Mia, 36 Hamilton St; Angela's Coal Fired Pizza LLC, 890 Broadway; Victoria Wiegman d/b/a Banana Splitz, 526 Lincoln Ave; Bob's Discount Furniture of MA Inc., 263 Broadway; Carmelino LLC d/b/a Carmelino's Pushcart Restaurant, 331 Main St; and Charter Foods North LLC d/b/a Taco Bell, 421 Broadway; they have paid to the satisfaction of the collector of taxes. Chair seconds 5-0.

Selectman Serino moved to continue the hearing on: Santillan Inc. d/b/a Casa Vallarta, 114 Broadway; Fitness International LLC d/b/a LA Fitness, 1450 Broadway; NTW LLC d/b/a NTB Tire Service Center, 564 Broadway; Savvy Hair, Nails & Spa, 4 Howard St; GFV Holdings LLC d/b/a Five Guys Burgers & Fries, 180 Main St; Kelly's Roast Beef of Saugus, Inc., 595 Broadway; Roller World, Inc., 425 R Broadway; Mayflower Square One LLC d/b/a Square One Mall 1201 Broadway; JJ Luuk Inc. d/b/a Yo Passion, 1201 Broadway; Best Buy Stores, 1201 Broadway; Walgreens, 1228 Broadway; Stop & Shop Co. 164 Main St; CVS Pharmacy Inc., 1075 Broadway; Greerstyl LLC d/b/a Title Boxing Club, 325 Broadway. Chair seconds 5-0.

New Business: Selectmen Meeting Schedule

The Board discussed meeting schedule and chose to move the meetings back to Tuesdays and set the following meeting schedule: December 3rd & December 10th, January 7th & January 21st.

Manager's Report: The Manager gave update on Evans Park; Bly Bridge work; gas main replacement and the Town will replace water mains in the area in the spring and repave in 2021; sand barrels are going out; solar speed signs and said the manufacturer had to replace some batteries; annual tree lighting Friday December 6th. The Chair asked when the tree will arrive. The Manager said Friday. The Manager said they continue work on the ACO with DEP and are required to send compliance letters out; the By-Law on plastic bag & take out containers goes into effect upon approval of the AG and letters will be going out. Selectman Cicolini asked if robo-call will go out. The Manager said they want to educate businesses on the change. Selectman Panetta said there was some confusion with the March 12th date. The Manager said the Board of Health has been working with the temporary Health Director. Selectman Panetta said it affects retail stores and should see what other communities have done. The Manager said he did receive complaint about 370 Central Street crosswalk and did notify police.

Approval of minutes: October 16, 2019 & November 6, 2019

Selectman Panetta moved to accept the minutes of October 16, 2019. Chair seconds. Selectman Panetta offered a few corrections with no objection. Vote 5-0.

Selectman Panetta moved to approve the minutes of November 6, 2019. Chair seconds. Selectman Riley offered a correction without objection. Vote 5-0.

Appointments: Sworn Weigher

Selectman Panetta moved to appoint Luis Perez as Sworn Weigher at Wheelabrator to expire November 30, 2020. Chair seconds 5-0.

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Member's Comments: Wheelabrator & post closure

Selectman Serino wished all a happy Thanksgiving.

Selectman Riley said she was wondering if she could have an e-mail address through the Town and said she feels it would be safer. The Manager said she should e-mail him and he will have it set up. Selectman Riley asked if when they get packets if they could get a written Manager's Report and bullet items on the agenda and asked if she could get list of outstanding contracts. The Manager said there are 6 unions and all expired June 2019 and is currently in negotiations.

Selectman Panetta reminded the public the Boy Scouts will be selling trees on Rte. 107 location; announced tomorrow the Alliance for Health will be at the ITAM to talk about concerns re: Wheelabrator and said the DEP has issued a letter and summarized what it said; wished Board Members and the people of Saugus a happy and safe Thanksgiving.

Selectman Cicolini said Saugus Pop Warner Cheerleaders are representing Saugus at Disney competition and wished them luck; thanked the entire DPW and specifically DPW employee Derek Donache said he appreciates his work and wished all a happy and safe Thanksgiving.

The Chair said he received a call about a sidewalk at 26 Graystone Rd that is up about 5"; asked about the crosswalks through inclement weather. The Manager explained one was redone as a pilot. The Chair asked about lease at American Legion. The Manager said Town Counsel has it for review.

The Chair said he would like to put a committee together with 2 Selectmen, 2 Town Meeting Members from Precinct 10, the Chairman of the Board of Health and the manager or his designee to start discussion on a host community agreement, giving up nothing on our end. Selectman Panetta said communication is important and requested that we ask our attorney how best to move forward putting together a committee since this is not under the purview of the Board of Selectmen. It's under the purview of the Board of Health per the Charter. She requested to be involved in all discussions. Selectman Serino said if the town can get some closure to issues at Wheelabrator, he thinks a committee is a great idea. He agreed that an attorney could lend guidance and suggested adding more Board of Health members to the committee. He also would like to sit on this committee. The Chair asked which attorney he should speak to. The Manager suggested Attorney George Hailer that represents the Town on Wheelabrator & environmental issues and the Manager said he will facilitate through Town Counsel & Special Counsel. Selectman Cicolini asked if any other attorney to utilize. The Manager said Atty. Hailer would need to be involved. Selectman Serino suggested Kristie Pecci from the Conservation Law Foundation be on the committee. Selectman Panetta stated that she would also like to tap into their expertise. The Town Manager said they need to develop a scope, and defined purpose.

Citizen's Comments

Ann Devlin, 36 Pleasant St president of S.A.V.E. said she has no objection with communication with Wheelabrator and said she served on the Aggregate Post-Closure Committee and have made progress because it was mutually beneficial and asked what would be mutually beneficial to Wheelabrator. Ms. Devlin cautioned the Board that corporations don't give up anything without a cost, based on her experience working on the Aggregate Post-Closure Committee and her experience working with incineration. The Chair said he was on the Board when it was time to close, but it was extended and feels it's time to sit down and talk. Ms. Devlin stated that the Chair made a point of saying we won't give anything up. I hope you hold to that.

Selectman Serino moved to adjourn. Chair seconds 5-0.
Meeting adjourned at 8:55 PM

Respectfully submitted,
Wendy Reed, Clerk