

# Special Town Meeting Minutes


## November 28, 2022

Call to Order: November 28, 2022 at 7:30pm in the Town Hall Auditorium, 298 Central Street, Saugus, MA 01906

Pledge of Alliance at 7:30pm

Tellers: Maureen Whitcomb Precinct 4 and Peter Rossetti Precinct 2 sworn in at 7:31pm

Roll Call at 7:34pm



Town Meeting Member name	Pct	Present /Absent	Town Meeting Member name	Pct	Present /Absent	Town Meeting Member name	Pct	Present /Absent
Arone, A.	1	P	Hickman, J.	5	P	Paolini, M.	7	P
Bartolo, J.	6	P	Jones, C.	1	A	Riley, C.	2	P
Bell, M.	1	P	Kahn, J.	8	P	Ring, D.	10	P
Berube, K.	9	P	Kelly, D.	9	P	Rossetti, Jr., P.	2	P
Brown, W.	6	P	Kramich Jr., W.	8	P	Schena, D.	3	P
Camuso Sr., R.	2	P	LeBrasseur, E.	6	P	Scuzzarella, C.	10	P
Chipouras, J.	7	P	Leuci, W.	4	P	Smith, R.	3	P
Connors, Jr., A.	3	P	Long, R.	9	A	Spencer, B.	5	P
Costello, M.	10	P	Lopresti, A.	8	A	Strasnick, R.	9	P
Cross III, W.	8	P	Manoogian Sr, P.	10	P	Tesora, A.	3	A
Currie, K.	6	A	McCarthy, S.	7	P	Thompson, R.	3	P
D'Anna, S.	7	P	Migliore, M.	5	A	Traverse, T.	8	A
Davis, G.	4	P	Moreschi, C.	2	P	Vecchione IV, J.	2	P
Delios, P.	10	A	Northrup, R.	4	P	Wallace, R.	5	P
Doherty, S.	4	P	Palleschi, R.	7	P	Whitcomb, M.	4	P
Dunn, S.	1	P	Palomba, A.	1	P	Worthley, J.	9	P
Goodwin, P.	5	A	Panico, A.	6	P	Total Present=		41
Town Meeting:						Absent count=		9
		Date: 11/28/2022						

Attendance Count: Total: 39 + Moderator = 40 (Joseph Vecchione IV Precinct 2 came in towards the end of Town Meeting making it 41 Town Meeting Members).

Making the Motion this Evening: Dan Kelly Precinct 9

Town Moderator Comments: Instructions on Town Meeting on how meeting will be run. Acceptance of minutes of the last STM of October 24, 2022. Unanimous voice vote of acceptance of minutes at 7:35pm.

Finance Committee Chairman Ken DePatto speaks at 7:35pm on the Finance Committee Report. 4 recommendations from the Finance Committee. Article 2 is asking to Town Meeting to reverse an Annual Town Meeting vote using \$1.5 million from ARPA money putting it back where it belongs and using tax levy because it came in higher then projection. Article 7 is the property at 42 Jackson Street for municipal parking to help accommodate business and help revitalization Cliftondale area. Please support all recommendations.

As a courtesy to the Finance Committee, Dan Kelly Precinct 9 moves Article 2 as recommended:
 

Seconded at 7:39pm

**Article as Written:**  
**Article 2.:** To see if the Town will vote to rescind the vote under Article 2 of the 2022 Annual Town Meeting to appropriate an amount for expenditures not to exceed \$1,500,000.00 from the American Rescue Plan Act (ARPA) as a funding source for Town charges for the ensuing Fiscal Year 2023 and appropriate from the tax levy, local aid, and local receipts an amount not to exceed \$1,500,000.00 as a funding source for Town charges for Fiscal Year 2023. (Town Manager)

Town Manager speaks at 7:39pm to rescind Article 2 of the 2022 Annual Town Meeting, no structural deficits, no staffing cuts and no operational issues. Town Meeting supported using ARPA money as revenue replacements, but it is not needed so we should pull back the vote. This

is a positive thing for the town and being conservative. Please support this article which is a house keeping issue.

No other discussion

**Article as Voted:** Voted to recommend the Town vote to rescind the vote under Article 2 of the 2022 Annual Town Meeting to appropriate an amount for expenditures not to exceed \$1,500,000.00 from the American Rescue Plan Act (ARPA) as a funding source for Town charges for the ensuing Fiscal Year 2023 and appropriate from the tax levy, local aid, and local receipts an amount not to exceed \$1,500,000.00 as a funding source for Town charges for Fiscal Year 2023.

**Article 2 passes by Unanimous voice vote at Yes at 7:44pm**

As a courtesy to the Finance Committee, Dan Kelly Precinct 9 moves Article 3 as recommended:  
Seconded at 7:45pm

**Article as Written**

**Article 3.:** To see if the Town will vote to make supplementary appropriations to be used in conjunction with funds appropriated under Article 2 of the 2022 Annual Town Meeting during the current fiscal year, and determine whether the funds shall be provided by transfer from available funds; or to see what other action the Town wants to take in the matter. (Town Manager)

Town Manager speaks at 7:45pm vacancy in the Engineering Department in the process of trying to fill the vacancy but in the in turn using an outside engineer firm to assist with Planning board and DPW tasks. Asking to have \$75,000 transferred from a salary line item to an expense line.

Chris Riley Precinct 2 speaks at 7:46pm on the recommendation to transfer \$75,000 he watched the meeting 3 times and did not see if it was voted on? Please clarify. If there is a vacancy, did they leave this fiscal year and is that \$75,000 eat into some other salary line item?

Ken DePatto Chairman at 7:47 it was voted 5 to 0 and I record every vote. The motion was made at \$75,000 and voted 5 to 0 switching salary to expenses.

Town Manager stated the employee vacated this fiscal year and he working 4 or 5 or 6 hour each week to help out for the transition. Hopefully to get someone in there as soon as possible.

**Article as Voted:** Voted to recommend the Town make supplementary appropriations in the amount of \$75,000.00 to be used in conjunction with the money appropriated under Article 2 of the 2022 Annual Town Meeting during the current fiscal year. The source of funding is \$75,000.00 from interdepartmental transfers.

**Article 3 passes by Unanimous voice vote at Yes at 7:49pm**

As a courtesy to the Finance Committee, Dan Kelly Precinct 9 moves Article 4 as recommended:  
Seconded at 7:50pm

**Article as Written**

**Article 4.:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding unpaid bills of a prior fiscal year. (Town Manager)

Town Manager speaks at 7:50pm this is a housekeeping item that we generally do at the end of the year to pay bills.

**Article as Voted:** Voted to recommend the Town appropriate the sum of \$30,867.10 for the payment of unpaid bills of the prior fiscal year. The source of funding is \$30,867.10 from Fiscal Year 2022 Carryover in the General Fund.

**Article 4 passes by Unanimous voice vote Yes at 7:51pm.**

As a courtesy to the Town Manager, Dan Kelly Precinct 9 moves Article 5 as recommended:

Seconded at 7:52pm

**Article as Written**

**Article 5.:** To see if the Town Meeting will vote to grant the Town Manager authority to research, develop, and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation, and take any other action relative thereto. (Town Manager)

Town Manager speaks at 7:52pm required to authorize him to engage and negotiate aggregation of electricity companies to get lower rates, state oversight. Many other communities are doing this all over the state. The town is putting together information that town citizens or business can opt out of it. Please support this article.

Bill Brown Precinct 6 speaks at 7:56pm ask the Town Manager is this not an established community owner electricity? More of a group of Communities coming together to purchase electricity at a cheaper price.

Town Manager answers at 7:57pm that this not having the town have its own electricity or light Company. This is having a company through the State's legislation act, it's a company that has oversight and purchases electricity lower than National Grid. There is not variable rates, transfer fees or termination fees.

Jean Bartolo Precinct 6 speaks at 7:59pm that National Grid will still own the wiring.

Robert Strasnick Precinct 9 speaks at 8:00pm will this vote be final and approved later? Will the people opt out ahead of time?

Town Manager answers that it will allow him to get the information out to the public and he has to opt out of it instead of opting into it. The company he is speaking with has 150 communities and needs State approval.

Jean Bartolo Precinct 6 speaks at 8:02pm who is the company and if this gets passed will you come back to town meeting for a final vote?

John Vasapolli, Town Counsel speaks at 8:03 pm, MGL Chapter 161 s134 allows the Town Manager to work with these other communities in negotiations.

Jean Bartolo Precinct 6 however are we coming back to Town Meeting for a final vote after we okay tonight?

Town Manager states there is no company.

John Vasapolli, Town Counsel answers this is only authorization. The legal authority is the Town Manager. This is not the end of hearing from him on issue and will keep Town Meeting informed.

**Article as Voted:** To see if the Town Meeting will vote to grant the Town Manager authority to research, develop, and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation, and take any other action relative thereto. (Town Manager)

**Article 5 passes by Unanimous voice vote Yes at 8:07pm.**

As a courtesy to the Finance Committee, Dan Kelly Precinct 9 moves Article 6 as recommended:  
Seconded at 8:07pm

**Article as Written**

**Article 6.:** To see if the Town will vote to authorize the Board of Selectmen to acquire title to the land and buildings located at 42 Jackson Street, Saugus, MA (Parcel ID 005.E-0017-0006.0) for public parking and other municipal purposes under the provisions of M.G.L. Chapter 40 section 14. (Town Manager)

Amendment submitted at 8:08pm by Peter Manoogian. Tellers assist in passing out copy of the amendment to Town Meeting Members.

Amendment reads: To add two new sentences at the end that will read as follows:

“Consistent with Ch 40 S14 said property acquisition, exclusive of acquisition costs incidental or related thereto, shall not exceed 24% in excess of the average assessed value during the previous three years which are FY22, FY21 and FY20.

Furthermore, no demolition of any real property on the site shall occur until such time as a plan for Cliftondale Square that includes zoning changes is developed by the Planning Department and subsequently presented to and adopted by the Saugus Town Meeting and that parking rules and regulations for said parking lot are adopted after a public hearing by the Board of Selectmen.”

Town Moderator speaks with Town Counsel on Amendment.

Town Moderator speaks at 8:18pm on the Amendment that the first paragraph should be for Article 7, not Article 6. The second paragraph not to be decided tonight and changes the texture of Article 6. He is rejecting the Amendment.

Peter Manoogian Precinct 10 speaks at 8:20pm it is within our right under Roberts Rules to question the ruling of the Town Moderator. It takes a majority vote to overrule the ruling. It takes 2/3 of Town Meeting to authorize Board of Selectmen to do this. Discussion of the Article should take place on the Amendment. He is not against the article with the safe guards that are here. Asking for a vote take place that this is outside the Moderator.

Town Moderator explains Town Counsel’s legal opinion, that the Article 6 is only allowing the Board of Selectmen to vote in purchasing the property.

Hand count vote for the Town Moderator to overrule the Amendment. A Yes vote is to over-rule Amendment and a No vote to continue on to the Amendment.

Hand Count vote:

Left: 13 Yes 6 No

Right: 17 Yes 2 No

**Majority hand vote 30 Yes to 7 No for the Town Moderator to overrule the Amendment at 8:25pm.**

Continue discussion on Article 6 as written.

Peter Manoogian Precinct 10 speaks at 8:25pm that the Article specifically references MGL Chapter 40A s14 and reads it to Town Meeting. He starts to explain costs of the property but was interrupted by the Town Moderator. Town Moderator over rules Town Meeting Member about costs of the property because that is in Article 7. At this time this discussion will be inappropriate.

Peter Manoogian makes a motion to table Article 6 at 8:27pm and move on to Article 7.

Seconded at 8:28pm

Robert Stransick Precinct 9 states this make no sense to speak on property price without authorization of the purchase of the property.

Question to table Article 6.

**Motion to Table Article 6 Fails. Majority voice vote NAY to table Article 6 at 8:29pm**

Chris Riley Precinct 2 he is in support of this article and Cliftondale is in decay and needs the revitalization. Is it a 2/3 or majority vote to pass this?

John Vasapolli, Town Counsel speaks at 8:30pm authorized by town meeting is majority vote to allows the BOS for Article 6 and 2/3 for the money for Article 7.

Peter Rossetti Precinct 2 he concerned about the article for public parking, today you can wait 5 minutes be able too. Parking is not a problem anymore. If consideration using the structure for Town Office (Planning Department) or auxiliary police, use for extra space for town hall offices and could help Cliftdale area. This will be used for parking for commuters. Not in favor of this article.

Bob Palleschi Precinct 7 speaks at 8:34pm he is concerned the town is getting into the real estate business. He has not heard an argument on either side making Cliftdale any better. He is voting no.

Jason Kahn Precinct 8 speaks at 8:36pm half the parking is available because half of Cliftdale businesses are closed. He goes to Melrose to restaurants because of the municipal parking.

Town Manager speaks at 8:37pm gives some background on the article. With all the studies of Cliftdale Square states parking is needed. This is an opportunity that arose and now directed it Town Manager. Parking will attract businesses and a lot of potential here.

Bill Brown Precinct 6 speaks at 8:41pm many years ago 70s and 80s the complaint among everyone that the parking was not there. This has been going on for years and any discussion on commuters using the parking is putting the cart in-front of the horse. This is an opportunity to attract business and maybe a restaurant. He is in favor of this article.

Anthony Cogliano Chairman Board of Selectmen speaks at 8:44pm in favor of the article.

Michael Serino Board of Selectmen speaks at 8:45pm in favor of the article.

Debra Panetta Board of Selectmen speaks at 8:46pm in favor of the article.

**Article as Voted:** To see if the Town will vote to authorize the Board of Selectmen to acquire title to the land and buildings located at 42 Jackson Street, Saugus, MA (Parcel ID 005.E-0017-0006.0) for public parking and other municipal purposes under the provisions of M.G.L. Chapter 40 section 14. (Town Manager)

**Hand Count Vote:**

Left: 18 Yes, No 2

Right: 16 Yes, No 3

**Article 6 passes by Hand Count: 34 YES to 5 NAY at 8:49pm.**

As a courtesy to the Finance Committee, Dan Kelly Precinct 9 moves Article 7 as recommended:  
Seconded at 8:50pm

**Article as Written**

**Article 7.:** To see if the Town will vote to appropriate a sum of money for the purpose of acquiring a parcel of land and buildings thereon located at 42 Jackson Street, Saugus, MA (Parcel ID 005.E-0017-0006.0) including the payment of costs incidental or related thereto; to determine whether this appropriation shall be raised by taxation, transfer from available funds, borrowing or otherwise; or to take any other action relative thereto. (Town Manager)

Town Manager speaks at 8:50pm regarding both this article and the last article combined.

Peter Manoogian Precinct 10 speaks at 8:50pm asking for an Amendment on Article 7.

Amendment: Said purchase price not to exceed \$723,000.

Seconded at 8:51pm.

Clear that the law states the purchase price cannot exceed 25% of \$598,533 = \$723,000. This doesn't include title insurance and closing costs but not 15%. The zoning needs to be changed for this. Town Meeting is going into this blind. Please support the amendment.

(Joseph Vecchione IV Precinct 2 comes in at 8:55pm to make it 41 Town Meeting Members.)

Chris Riley Precinct 6 speaks at 8:55pm thinks this price is very reasonable with this market. Things go for over market value. Please support the article.

Robert Strasnick Precinct 9 speaks about differences in market value. He pulled up the statue and it specifically cities not 'towns'. He does not support the amendment but is in support of the article.

Town Manager states the town will follow the statue and the law.

Martin Costello Precinct 10 speaks at 8:58pm asks the Town Manager if to go by the law will it have problems in final negotiations

Town Manager with Town Counsel will follow what the law requires with the best intentions.

Jean Bartolo Precinct 6 what are we voting on \$723,000 or the \$835,000?

Town Moderator says first the amendment.

Peter Manoogian Precinct 10 states the law is very clear, why would it be just specific to cities and not towns.

Darren Ring Precinct 10 speaks at 9:02pm what is the legal opinion? Is it just cities or with towns?

John Vasapolli, Town Counsel speaks at 9:03pm clearly states cities and we will look more into the statue and the Town Manager will follow the law.

Mike Serino Board of Selectmen speaks at 9:04pm on the assessed value of the house and housing market.

Call on the Amendment:

**Amendment has failed on majority vote voice NAY at 9:05pm**

**Article as Voted:** Voted to recommend the Town vote to appropriate the sum of \$835,000.00 for the purpose of acquiring a parcel of land and buildings thereon located at 42 Jackson Street, Saugus, MA (Parcel ID 005.E-0017-0006.0) including the payment of costs incidental or related thereto. The source of funding is a borrowing authorization

**Hand Count Vote:**

Left: 17 Yes; 3 No

Right: 17 Yes; 3 No

**Article 7 passes by Hand Count: 34 YES to 6 NAY at 9:07pm.**

Motion to adjourn the November 28, 2022 Special Town Meeting at 9:07pm

Seconded at 9:07pm

Unanimous voice vote Yes to adjourn at 9:07pm

Adjourned sine die at 9:07pm.

Sincerely,

Ellen Joyce Schena, CMMC  
Saugus Town Clerk