

**Saugus Board of Selectmen
Meeting October 10, 2023**

7:00 PM

This meeting is being recorded.

Chairman Anthony called the meeting to order: Also present Vice Chair Debra Panetta, Selectmen Corinne Riley, and Michael Serino. Absent: Town Manager Scott Crabtree and Selectman Jeffrey Cicolini.

All rose for the Pledge of Allegiance and a moment of silence was offered to friends and allies of Israel.

On Friday of last week, the chair was notified by the town manager that he would not be in attendance this evening. Selectman Cicolini was absent because of a conflict of issue.

First order of business: A Block Party request from Mr. Charles Graffeo, 7 Warren Road. This is an ongoing event. Officer Athur Connors reviewed the request, had no objections, and provided the list of restrictions. Vice Chair asked about blockage and was told tape, sawhorses, things that are temporary and can be moved if necessary. The date if October 14, 2023, rain date October 21, 2023.

Vice Chair Panetta offered the motion to approve the request for the Block Party on 7 Warren Road, October 14, 2023, from 2 PM to 10 PM, rain date October 21, 2023, with all restrictions noted. Chair seconds, all in favor, motion passes 4-0.

Chairman Cogliano asked Mr. Nick Graffeo to come to the podium. "Nick, as a volunteer, announces all the sports programs for Saugus and does a fantastic job." Applause.

Chairman Cogliano: "We have our continued hearings tonight regarding the cannabis establishments. I would like to each candidate 10 minutes to each to speak on any questions and keep it open until all candidates have spoken and at that point and members can make motions to either approve or deny any applicant at that time."

Selectman Serino: "Mr. Chaiman, before we begin, we did have a scheduled hearing October 4, and then you could not make that hearing and texted us to move it to tonight. When asked the clerk if abutters were notified of the change of date, and learned they were not as the abutters should have been notified again. If we appeared on the 10th and announced the change of date, that would have been fine, but now we cannot go forward with this hearing tonight. We should continue this meeting to a future date."

Chairman Cogliano stated that per the Town Charter, the town manager is required to attend all meetings of the Board of Selectmen, if we are to continue it would be beneficial to have the manager present, because, as the board knows, I do not accept the findings of the Merch Report and he further stated that he viewed every establishment sit or dispensary.

Selectman Serino: "Uma Flowers, via their attorney, responded in the press, and we are going to end up in a court battle. With reference to the manager, we have separate rules; town counsel

sent an opinion that the selectmen are exclusively a special permitting granting authority for the marijuana establishments at a particular location under the Zoning Bylaws of the Town of Saugus. This role does not include discussion or negotiations of benefits to the town.

Pursuant to a Host Community Agreement, as a negotiation of a host, a community agrees, is conducted by the town manager: Article two, Section 13, of the Town Charter, the town manager awards all contracts for all departments. As a result, the town manager, and not the selectmen, negotiate and execute a Community Host Agreement with potential marijuana establishments. Under the above statute, the town manager may establish the processing criteria for selecting the marijuana establishments which he did, and the commission advised him.

The town manager may establish the processing criteria for selecting the marijuana establishments, which he did, and the subcommittee did advise him, and that is also under the Mass Cannabis Regulations, they recommend that. So, in conclusion, the role of the selectmen and the town manager are separate and distinct in the regulation of operations of marijuana establishments within the town. The selectmen sit as a special permit granting authority under the Zoning By-laws, and the town manager negotiates and executes a Host Community Agreement with marijuana establishments that meet the criteria he established. We are here for a location, not a discussion on the qualifications of the establishments.

Those things are two separate agreements. Here we are looking at locations, granting special permits, not discussing host community agreements. Our job is just to grant Special Permits.”

Chairman Cogliano: “We are not discussing a host community agreement. That is the role of the town manager, I understand that it is our job to grant two special permits. I have questions as to why the committee recommended certain locations based upon the locations we will be voting on.

I know that no one else took the time to view all the establishments and the qualifications of the applicants, and I did because that is how I do business. If it were not for me, there would be no one here tonight; I brought marijuana business to Saugus to generate revenue. We can have up to three, but the committee recommended only two and I do not have an answer as to why only two licenses were recommended.

I would like an answer to that question, and also, why certain locations have better scores than others, when, in my opinion, they make absolutely no sense. I wholeheartedly respect the opinions of the police chief in police matters and the fire chief in fire matters, and the building department on certain matters. Everyone has a certain role, but when it comes to business and understanding how businesses operate and what I would like to see in our town and who I think can make it here, and those who is not going to make it here.

I wanted to have this discussion and I have been asking for this for months and all I get is lip service or an opinion from town counsel that we are not conducting the Host Community

Agreement, and I am not; that is up to the manager as it is not our role. If the town manager would like to sit here and explain his report, I have no problem with it. We can file an amendment period and have everyone start the process over because that report is inconclusive. It makes no sense to me.

I would like to see the Board go out and take a look at the sites. We heard from one applicant that he recommended. They talked about vertical integration. Certain places have it, certain ones do not. His report makes no sense. I filed a disclosure for the three places that I had a connection with the applicants. If you want to make a motion to continue, that is fine. I know people flew here from Florida for this. Do you want to make a motion to continue it after the election?"

Selectman Serino: "Just for the record, I have had no personal conversations with any of the applicants. I know we did receive an email from Broadway Cannabis, but I do not even know who they are. You asked me to meet with you for 15 minutes and I certainly did not meet with you or any of the applicants. So, I had no contacts with any of the applicants. But I know you have. "

Vice Chair Panetta: "I also received an email from Broadway Cannabis. I reached out to them today and I spoke to Town Counsel and he advised me that I should not be meeting one-on-one with any applicants because it would be an Open Meeting Violation, and I sent an email stating that if he had anything he wanted to share to bring it to the meeting. The applicant did not even know of the meeting this evening, and that was very concerning."

Discussion followed with board members for several minutes.

The selectmen thanked the applicants for attending this meeting tonight; they have invested a lot of time, money, and resources to set up a spot here in Saugus and it is sincerely appreciated.

Selectman Riley offered the motion to hold the continued public hearing on November 14, 2023, at 7:00 PM; and everyone will be allowed 10 minutes to make their presentation. Chair seconds, all in favor, Motion passes 4-0.

Meeting adjourned at 7:24.

Respectfully submitted,

Janice K. Jarosz, Temp Clerk