

Saugus Board of Selectmen
September 18, 2019

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

AGENDA
Saugus Board of Selectmen
September 18, 2019 at 7:00 PM
Town Hall Auditorium, 298 Central Street
Saugus, MA

Amended 9/12/19

Call to order.

Invited guests: -Library Homework Helpers

Correspondence:

- 1.) Guy's Liquors, 7 Main St request for change of manager & change of director.
- 2.) Boy Scout Troop 62 re: request for exemption to By-Law 804 for sale of Christmas trees, etc. at 50 Salem Turnpike.
- 3.) Knights of Columbus re: Annual Tootsie Roll Drive October 11th & 12th
- 4.) Treasurer / Collector re: approval of bonds

Citizen's Comments

Continued Hearings:

- 1.) MAHAMI, LLC to be located at 501 A Main Street, Disha Patel, manager, for NEW Beer & Wine Package Store License.
- 2.) National Grid to install one joint owned pole & permission to lay & maintain underground laterals, cables & wires on Collins Avenue approx.. 30" north of centerline of intersection of Collins Ave. and continuing approx. 700' westerly as shown in plan no. 28204250 dated 07/01/19

Public Hearings:

7:15 PM Aggregate Industries, Inc., 1831 Broadway, to extend Special Permit (S-2) to allow the removal of earth and rock and to allow the operation of a quarry at Rear Broadway and Whittier Avenue, Assessor's Plan 2030, Lot A-61 and Assessor's Plan 2031, Lot A-122 for a period of six months.

7:20 PM BW Saugus, LLC d/b/a Buffalo Wild Wings Grill & Bar, 180 Main Street, for change in beneficial Interest / Ownership Interest of the All Alcoholic Beverages Common Victualer's License.

New Business: November local election Warrant for the Board's approval & signatures.

Manager's Report:

Approval of minutes: August 14, 2019 & September 4, 2019

Appointments: Mr. Mongiello re: request to be appointed Constable.

Member's Comments:

- SHS Open House Saturday September 21, 2019 from 9 AM to 4 PM.
- POW/MIA Day September 20
- Rumney Marsh Art Show September 20th & 21st
- Breakheart Fall Festival September 28th 10 AM to 2 PM
- Alliance For Health Forum October 3rd.
- DEP notice of public hearing: Wheelabrator Draft ECP Approval 10/15/19

Citizen's Comments

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The Saugus Board of Selectmen met on September 18, 2019 at 7:00 PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Scott Brazis, Jeffrey Cicolini, Jennifer D'Eon, Mark Mitchell and the Chairman Debra Panetta. The Town Manager Scott Crabtree was also present.

The Chair asked if anyone was present for the continued hearing on MAHAMI, LLC, 501 Main Street and announced the applicant has requested to withdraw their application.

Invited guests: -Library Homework Helpers

The Library Director Alan Thibeault was present and explained the Jr. National Honor Society have participated in this program for a couple of years and said they do a great job. The Chair said she is excited they are here and said it is a great honor to be in the Jr. National Honor Society. Selectman D'Eon thanked the students for giving their time and for helping. Selectman Brazis thanked them for helping out in making a difference with the youth in Town. The Board presented each a citation and congratulated them.

Selectmen D'Eon moved to take correspondence #4 out of order. Chair seconds 5-0.

Correspondence:

4.) Treasurer / Collector re: approval of bonds.

Collector / Treasurer Wendy Hatch was present and said bids were accepted for permanent bonds on the next phase of school projects, and other various projects and said she received 8 competitive bids. The Manager said the bond rating has maintained due to financial policies which translate to savings. Selectman Cicolini said it's a remarkable premium paid with competitive bids and said a few years ago he saw a bigger gap between bids and these are relatively close with a favorable interest rate and said great job to the team. The Manager thanked him. The Chair said it is heartwarming to know what goes into this and it's a far cry from what it used to be and it saves taxpayers money.

Selectman Cicolini moved the Board vote that we hereby determine, in accordance with G.L. c. 70B, that the amount of the cost of the Middle/High School construction project authorized by a vote of the Town passed on May 30, 2017 (Article 2) not being paid by the school facilities grant is \$30,626,303, and we hereby approve of the issuance of notes and bonds in such amounts under said G.L. c. 70B.

Further Voted: that the sale of the \$45,735,000 General Obligation Municipal Purpose Loan of 2019 Bonds of the Town dated September 20, 2019 (the "Bonds") to Bank of America Merrill Lynch at the price of \$49,417,717.61 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on September 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2020	\$620,000	5.00%	2031	\$1,410,000	3.00%
2021	1,295,000	5.00	2032	1,445,000	3.00
2022	1,320,000	5.00	2033	1,485,000	3.00
2023	1,345,000	5.00	2034	1,485,000	3.00
2024	1,185,000	5.00	2035	1,525,000	3.00
2025	1,230,000	5.00	2036	1,570,000	3.00
2026	1,280,000	5.00	2037	1,605,000	3.00
2027	1,330,000	5.00	2038	1,650,000	3.00
2028	1,380,000	5.00	2039	1,695,000	3.00
2029	1,385,000	5.00	2044	8,390,000	3.00
2030	1,370,000	4.00	2049	9,735,000	3.00

Further Voted: that the Bonds maturing on September 15, 2044 and September 15, 2049 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

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Term Bond due September 15, 2044

<u>Year</u>	<u>Amount</u>
2040	\$1,580,000
2041	1,630,000
2042	1,675,000
2043	1,725,000
2044*	1,780,000

*Final Maturity

Term Bond due September 15, 2049

<u>Year</u>	<u>Amount</u>
2045	\$1,830,000
2046	1,885,000
2047	1,950,000
2048	2,005,000
2049*	2,065,000

*Final Maturity

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated September 4, 2019, and a final Official Statement dated September 11, 2019 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

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 votes.

Chair seconds 5-0.

Selectman Cicolini moved for recess. Chair seconds 5-0. Meeting recessed at 7:37 PM.

Selectman Mitchell excused himself from the meeting at 7:37 PM.

The Chair called the meeting back to order at 7:46 PM.

Correspondence, continued

1.) Guy's Liquors, 7 Main St request for change of manager & change of director.

Attorney John Mooradian, 56 Central Ave., Lynn was present with Hardik Patel. 126 Morris St, Revere and explained request. Selectman D'Eon asked who the current manager is. Attorney Mooradian said Sulochanaben Patel. The Chair asked change in directors. Atty. Mooradian said it's the same person in another position.

Selectman D'Eon moved to approve the request of Guy's Liquors, 7 Main St request for change of manager & change of director. Chair seconds 4-0.

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2.) Boy Scout Troop 62 re: request for exemption to By-Law 804 for sale of Christmas trees, etc. at 50 Salem Turnpike.

Scout Master John Kane was present with Troop 62 members and explained the same fundraiser to raise money for a 2022 trip to Alaska. The Chairman asked if they would be selling at the MEG Building also. Mr. Kane said no. Selectman D'Eon said she is fairly familiar with this fundraiser and said they do a great job. The Chair thanked them.

Selectman Cicolini moved to grant the exemption to By-Law 804 for sale of Christmas trees, etc. at 50 Salem Turnpike to Boy Scout Troop 62 and to waive the fee with condition they follow all procedures set in the past between November 25 & December 24, 2019 with hours: Monday through Friday 4 PM to 10 PM and Saturday & Sunday 9 AM to 9 PM. Chair seconds 4-0.

3.) Knights of Columbus re: Annual Tootsie Roll Drive October 11th & 12th

Steve Socci, 16 Bankcroft Ave. Wakefield was present and said they use safety vests & safety cones and cooperate with the police. The Chair said they are looking for hours of 8 AM to 4 PM and said the Knights do a great work for the community. Mr. Socci said the annual Tootsie Roll Drive is a State fundraiser and thanked the Board.

Selectman D'Eon moved to approve the request of Knights of Columbus re: Annual Tootsie Roll Drive on October 11 & 12, 2019 from 8 AM to 4 PM on Hamilton Street next to Town Hall and at the intersection of Main Street and the Lynn Fells Parkway with same conditions. Chair seconds 4-0.

Citizen's Comments None.

Continued Hearings:

1.) MAHAMI, LLC to be located at 501 A Main Street, Disha Patel, manager, for NEW Beer & Wine Package Store License.

The Chair said the applicant is requesting to withdraw and read letter from Attorney Farese.

Selectman D'Eon moved to allow them to withdraw without prejudice. Chair seconds 4-0.

2.) National Grid to install one joint owned pole & permission to lay & maintain underground laterals, cables & wires on Collins Avenue approx. 30" north of centerline of intersection of Collins Ave. and continuing approx. 700' westerly as shown in plan no. 28204250 dated 07/01/19

Matt Farren, 170 Medford Street was present representing National Grid and explained they need to move the poles because the property has widened the road. Selectman D'Eon thanked him for getting it done. Selectman Brazis also thanked them for their patience and said he appreciates they are now up to date on everything. The Chair said she appreciates they did what they said they would do.

Any to speak in favor or in opposition? None.

Selectman Brazis moved to close the hearing. Chair seconds 4-0.

Selectman Brazis moved to allow National Grid to install one joint owned pole & permission to lay & maintain underground laterals, cables & wires on Collins Avenue approx. 30" north of centerline of intersection of Collins Ave. and continuing approx. 700' westerly as shown in plan no. 28204250 dated 07/01/19. Chair seconds 4-0.

Public Hearings:

7:15 PM Aggregate Industries, Inc., 1831 Broadway, to extend Special Permit (S-2) to allow the removal of earth and rock and to allow the operation of a quarry at Rear Broadway and Whittier Avenue, Assessor's Plan 2030, Lot A-61 and Assessor's Plan 2031, Lot A-122 for a period of six months.

Attorney Richard Magnan, 194 Central Street was present with representatives from Aggregate Industries and explained request noting department comments had no objections and said they submitted updated plan showing no changes. The Chair asked if they were on track with their closure plan. Attorney Magnan said yes. Selectman D'Eon asked if there has been any blasting. Attorney Magnan said no.

Any to speak in favor or opposed. None.

Selectman Cicolini moved to close the hearing. Chair seconds 4-0.

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Selectman Cicolini moved to grant the request of Aggregate Industries, Inc., 1831 Broadway, to extend Special Permit (S-2) to allow the removal of earth and rock and to allow the operation of a quarry at Rear Broadway and Whittier Avenue, Assessor's Plan 2030, Lot A-61 and Assessor's Plan 2031, Lot A-122 for a period of six months with original 30 conditions. Chair seconds

Roll call vote: Selectman Brazis, yes; Selectman Cicolini, yes; Selectman D'Eon, yes; Selectman Panetta, yes.

7:20 PM BW Saugus, LLC d/b/a Buffalo Wild Wings Grill & Bar, 180 Main Street, for change in beneficial Interest / Ownership Interest of the All Alcoholic Beverages Common Victualer's License.

Pat Lennox, 255 East Brown St, Birmingham, MI, one of the owners, said they are only changing the LLC by advice of counsel & accountants, but really no changes in individuals, only the entity itself. The Chair asked if they were changing to a holding company. Mr. Lennox said yes. Selectman D'Eon asked if any changes to business plan or menu. Mr. Lennox said no.

Any to speak in favor or opposed? None.

Selectman D'Eon moved to close the hearing. Chair seconds 4-0.

Selectman D'Eon moved to grant BW Saugus, LLC d/b/a Buffalo Wild Wings Grill & Bar, 180 Main Street, change in beneficial Interest / Ownership Interest of the All Alcoholic Beverages Common Victualer's License. Chair seconds 4-0.

New Business: November local election Warrant for the Board's approval & signatures.

Selectman Brazis moved to approve the November Election Warrant & sign the warrant. Chair seconds 4-0.

Manager's Report:

Selectman Cicolini moved to table Manager's Report. Chair seconds 4-0.

Approval of minutes: August 14, 2019 & September 4, 2019

Selectman Brazis moved to approve the August 14, 2019 minutes. The Chair offered several amendments without objection and Selectman Cicolini offered 1 correction without objection. Chair seconds 4-0.

Selectman Brazis moved to approve the September 4, 2019 minutes. Chair seconds 4-0.

Selectman Cicolini moved to take Manager's Report off the table. Chair seconds 4-0.

Manager's Report:

The Manager announced the Town was awarded a FEMA grant to hire firefighters and read. The Manager thanked Congressman Moulton and others and thanked the Fire Chief, Deputy Chief & Fire Dept. The Chair thanked them. Selectman Brazis noted the Deputy Chief present and thanked him. Selectman D'Eon thanked the Manager for his support of public safety. The Manager announced the Town was awarded a \$135,000 Green Communities Grant and said it is a competitive grant and this is the 4th time we received assistance and thanked the Selectmen, Finance Committee and Town Meeting for supporting initiatives and listed projects. Selectman D'Eon said receiving grants also involves knowing about them and writing them and asked if the Manager writes the grants. The Manager said it's a team effort, but look to outsource. The Chair said she is happy we are becoming a green community and moving in a positive direction and it saves money.

Appointments: Mr. Mongiello re: request to be appointed Constable.

Gabriele Mongiello, 55 Eastman Ave, Swampscott was present and said he has lived in Swampscott his whole life and has been elected constable there 2 times and he is an appointed constable in Beverly and Marblehead. Selectman Cicolini asked how he would expand his responsibilities to Saugus. Mr. Mongiello said it's an opportunity and is familiar with Saugus. Selectman Cicolini said they try to give preference to those in Town, but it's not a requirement. Selectman D'Eon asked how he would

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be contacted. Mr. Mongiello said an attorney would usually call him. Selectman Cicolini asked if he had any other pending applications in other communities. Mr. Mongiello said no. The Chair asked if he was looking for an open slot. Mr. Mongiello explained he knew a constable in Saugus who he could help and he did look in Peabody but didn't apply. Selectman Cicolini said he's looking for opportunities and said he would rather see it go to a Saugonian. Selectman Brazis said his resume is great and has experience and sure he would do a great job but would like to see if anyone in Town is interested.

Selectman Brazis moved to refer to the file and advertise the opening. Chair seconds 4-0.

Member's Comments: -SHS Open House Saturday September 21, 2019 from 9 AM to 4 PM.
-POW/MIA Day September 20
-Rumney Marsh Art Show September 20th & 21st
- Breakheart Fall Festival September 28th 10 AM to 2 PM
-Alliance For Health Forum October 3rd.
-DEP notice of public hearing: Wheelabrator Draft ECP Approval 10/15/19

Selectman Cicolini thanked organizers of Founders Day; and thanked DPW on a great response on calls.

Selectman Brazis said Founders Day was great; and wished a family friend a happy birthday.

Selectman D'Eon said she had a great time at Founders Day; and gave the plug for the Saugus Cultural Council and announced they are accepting grant applications for cultural events.

The Chair announced open house at the high school; announced POW/MIA ceremony; announced Breakheart Fall Festival; announced Alliance for Health forum on trash incinerators; congratulated Gordon Shephard; commented it was a great Founders Day; said the DEP has a draft approval and a public hearing has been scheduled and said they are currently not meeting emissions standards and asked the information be posted on the website and said she drafted a letter and read. Selectman Cicolini said he has concerns and he does stand by the Board's policy but the report shows a mixed story and want to make sure we're not accusing before we know what it is and would like their attorney to review. The Chair said they don't want to adhere to limits of other incinerators and say they cannot. Selectman Cicolini said he has concern that in the letter it's accusing them of not adhering and think it should be vetted by their attorney. The Chair said they could send it to their attorney. Selectman Brazis said in the draft letter she is stating they are not meeting standards and would like to be sure that is factual and asked if their attorney was sending a letter. The Chair said she didn't know but as leaders of the Town and the policy, she feels they should submit. Selectman Cicolini said he would like the letter vetted by their attorney and then it could be signed and sent before the deadline (for comments).

Selectman Cicolini moved the Board vote to submit letter once vetted by their attorney. Chair seconds.

Selectman D'Eon said she would like the opportunity to talk with them about it. Selectman Cicolini said nobody wants anything bad for the community but it would be nice to negotiate a closure date and plan instead of fighting and loosing. Selectman D'Eon said it was brought up at Student Government Day that students asked why we don't talk to them (Wheelabrator). The Chair said the Board of Health held a meeting and asked that they come back to next meeting and they did not. Vote 4-0.

Selectman D'Eon asked how she would go about setting a meeting. The Chair suggested through the Town Manager.

Citizen's Comments None.

Selectman Brazis moved to adjourn. Chair seconds 4-0. Meeting adjourned at 9:15 PM.
Respectfully submitted,
Wendy Reed, Clerk