

Saugus Board of Selectmen
September 29, 2020

Meeting Minutes

AGENDA

Saugus Board of Selectmen
September 29, 2020 at 7:00 PM

Zoom Video Conference: Meeting ID: 897 5096 6553 Passcode: 522115

<https://us02web.zoom.us/j/89750966553?pwd=bHA0VXl5bTJpZWZWRqTWFEbVBQTKJvQT09>

Call to order.

Correspondence:

- 1.) Collector / Treasurer re: request to vacate foreclosure decree 4 Biscayne Ave.
- 2.) Ms. Alberelli re: request for Block Party Permit for section of Adams Ave & Crescent Ave.
- 3.) MA Lottery re: application of Guy's Liquors, 7 Main St for Keno License; and any objection and / or claim the Town's right to a public hearing.
- 4.) MA Lottery re: application of Cliftdale Liquors, 7 Essex St. for Keno License; and any objection and / or claim the Town's right to a public hearing.
- 5.) MA Lottery re: application of Sunoco, 700 Broadway for Keno License; and any objection and / or claim the Town's right to a public hearing

Citizen's Comments

Continued Hearings:

National Grid to install one joint owned pole #124-50 in front of #233 Hamilton Street as shown in plan no. WR29673296 dated 07/27/20.

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 Shoyu Group, LLC d/b/a Shoyu Restaurant, 124 Broadway, Unit D, for alteration of licensed premises and change in description of the Beer & Wine Common Victualer's License by adding an additional 1,088 s.f. and adding 49 seats.

Old Business: -Review of temporary outdoor seating & modification to conditions by allowing outdoor heaters under tents

-Update on appointment of Animal Control Officer(s)

Manager's Report:

Approval of minutes: September 15, 2020

Appointments:

Member's Comments:

Citizen's Comments

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The Saugus Board of Selectmen met on September 29, 2020 at 7:00 PM via Zoom video conference. Present: Selectmen Jeffrey Cicolini, Debra Panetta, Corinne Riley, Michael Serino and the Chairman Anthony Cogliano. Selectman Cicolini left the meeting at 8:29 PM.

Correspondence:

1.) Collector / Treasurer re: request to vacate foreclosure decree 4 Biscayne Ave.

The Collector / Treasurer Wendy Hatch was present on video conference and explained request asked the Board vacate foreclosure decree. Selectman Cicolini asked if legal fees were included. The Collector / Treasurer said yes. The Manager Scott Crabtree was present on video conference and asked if DPW did any work there and if the cost was included. The Collector / Treasurer said the Building Maintenance Dept. secured the building and was not included. Selectman Cicolini asked why internal staff's time couldn't be compensated for. The Manager said he will look at it in the future. Selectman Panetta said they have has such requests in the past that but this goes back to 2014 and asked what would happen if they didn't vote. The Collector / Treasurer said the town would own it and need to maintain it and noted the town cannot legally offer property sales, it must be an authorized auction. Selectman Serino asked if it were auctioned, who would keep any profit. The Collector / Treasurer said all proceeds would go into the town treasury. The Chair asked what the Board has done in the past. The Manager said the Board has voted in the past. The Chair asked if a person is buying it and paying back the town. The Manager said yes. The Collector / Treasurer said the property owner has 1 year to reclaim the property. Selectman Cicolini asked if the funds in escrow were not from the property owner. The Collector / Treasurer said no, and said their attorney advised and the buyer made payment in good faith for the sale. Selectman Cicolini said if the owner is just going to flip the house, he thinks the town should get all costs incurred and would like more answers. Selectman Serino said he has the same thoughts and would rather refer to Town Counsel to explain their rights and regarding any profits and noted it has been 7 years. The Chair agreed. Selectman Panetta also concurred and said the Board usually heard requests from people that want to stay in their homes and the Board doesn't want to put anyone out, and noted it's a lovely street and we need to understand our rights are as a town and would also like to see costs recouped. Selectman Cicolini agreed, if they wanted to stay in their home and willing to not sell it he would support it. The Chair asked if we have many properties. The Collector / Treasurer said only 1 building.

Selectman Cicolini moved to refer the request to Town Counsel and the Town Manager and to take this up at next meeting. Chair seconds 5-0.

2.) Ms. Alberelli re: request for Block Party Permit for section of Adams Ave & Crescent Ave.

Lisa Alberelli was present on video conference and explained the request for her grandchild's 1st birthday and the need for safety because there are no sidewalks and is only looking for a little section. Selectman Serino asked if only half the street could be blocked and asked if she got the Board of Health comments. The Chair read police recommendation and asked if that would work. Ms. Alberelli said yes. Selectman Riley asked if there will be more than 50 people. Ms. Alberelli said no. Selectman Panetta said she is requesting the hours of 1PM to 5PM. Ms. Alberelli said yes. The Chair asked if she spoke with her neighbors. Ms. Alberelli said yes.

Selectman Cicolini moved to grant the request of Lisa Alberelli for Block Party Permit for section of Adams Ave & Crescent Ave. between the intersection of Crescent Ave & Adams Ave & Crescent Ave at Davis Street, with hours 1PM to 5PM on October 3, 2020 with standard conditions and the conditions of the Health Dept. Chair seconds 5-0.

3.) MA Lottery re: application of Guy's Liquors, 7 Main St for Keno License; and any objection and / or claim the Town's right to a public hearing.

Selectman Serino moved to refer to the file.

Selectman Panetta said all three requests would need a vote of no objection but said she was confused to see it's not Keno-to-Go and that's not typical for a liquor store and did talk with their Clerk and she agreed this is something different noting these stores have small spaces and said the Board has the

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option to hold a hearing so they can understand how this would work. The Chair agreed it is odd and would like to have a public hearing on it. Selectman Riley agreed.

Selectman Panetta moved a substitute motion to notify the MA Lottery Commission and to schedule a public hearing. Chair seconds 5-0.

4.) MA Lottery re: application of Cliftdale Liquors, 7 Essex St. for Keno License; and any objection and / or claim the Town's right to a public hearing.

5.) MA Lottery re: application of Sunoco, 700 Broadway for Keno License; and any objection and / or claim the Town's right to a public hearing

Selectman Panetta moved to notify MA Lottery Commission and schedule a hearing on both Cliftdale Liquors & Sunoco. Chair seconds 5-0.

Citizen's Comments None.

Continued Hearings:

National Grid to install one joint owned pole #124-50 in front of #233 Hamilton Street as shown in plan no. WR29673296 dated 07/27/20.

Moses Okakuro representing National Grid was present and explained request. Selectman Cicolini said at last meeting there were some balances owed the Town and received report that no payments have been received. Mr. Okakuro said it takes 30 days to process and they are working on payment. The Chair said there are invoices from 2019 and is not comfortable moving forward. Selectman Cicolini offered another option to approve conditional on payment so when they notify DPW of work, they can confirm payment. Selectman Riley concurred. Selectman Panetta said the hearing was 2 weeks ago and would have hoped they would have contacted or communicated with the town. Mr. Okakuro said there were 6 invoices and the last 3 are dated August & September and they did talk with police dept. as soon as they were received to get invoices and pay them and said they do communicate. Any in favor or in opposition? None.

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

Selectman Cicolini moved to grant the request of National Grid to install one joint owned pole #124-50 in front of #233 Hamilton Street as shown in plan no. WR29673296 dated 07/27/20 conditional upon satisfactory payment -3 invoices paid in full and notification to DPW when work will commence and DPW to receive confirmation of payment. Chair seconds 5-0.

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 was present on video conference and explained request, noted no objections from departments and the comments from the new Health Inspector would be fine to add to existing conditions, explained blasting and gave update on the Post Closure Committee meeting noting they met last on September 14. Selectman Panetta said there are 30 conditions on their Permit and will be adding a 31st as submitted by the Board of Health and read. Atty. Magnan said yes.

Any to speak in favor or in opposition? None.

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

Selectman Panetta moved to approve 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 standard 30 conditions and add 31st condition from the Board of Health: written mitigation plans for the suppression of dust and pests onsite throughout

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operation; all work to be conducted during normal business hours and not to exceed 7pm, nor start prior to 7am. Chair seconds

Roll call vote: Selectman Cicolini, yes; Selectman Panetta, yes; Selectman Riley, yes; Selectman Serino; Selectman Cogliano, yes.

7:20 PM Shoyu Group, LLC d/b/a Shoyu Restaurant, 124 Broadway, Unit D, for alteration of licensed premises and change in description of the Beer & Wine Common Victualer's License by adding an additional 1,088 s.f. and adding 49 seats.

Attorney Richard Magnan was present on video conference with the manager Michael Mei and described restaurant and proposed expansion and said they have seen department comments. Selectman Panetta asked when construction will be finished. Mr. Mei said they already started, so another 3 weeks. Any to speak in favor or in opposition? None.

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

Selectman Cicolini moved to grant the request of Shoyu Group, LLC d/b/a Shoyu Restaurant, 124 Broadway, Unit D, for alteration of licensed premises and change in description of the Beer & Wine Common Victualer's License by adding an additional 1,088 s.f. and adding 49 seats; with all same conditions / restrictions and condition of fire dept. Chair seconds 5-0.

Old Business: -Review of temporary outdoor seating & modification to conditions by allowing outdoor heaters under tents

The Chair said he had discussion with the Fire Chief, Town Counsel & Town Manager regarding requests for heaters in approved tents and did receive the guidelines and Town Counsel opinion and would like the Board to vote to lift the restriction on no heaters in tents and authorize the Fire Dept. to review & approve heaters.

Selectman Cicolini moved based on information provided by Town Counsel & the Fire Chief, to lift the restriction on all temporary outdoor seating permits approved and authorize the Fire Chief to make determination on location and heating within outdoor enclosures. Chair seconds 5-0.

-Update on appointment of Animal Control Officer(s)

The Manager said he asked Town Counsel and said traditionally the Selectmen made appointment of ACO and we will continue to do that.

Manager's Report: The Manager gave update on COVID-19 numbers and asked the Board of Health to put Halloween guidelines on their agenda to explain to the public. Board Members discussed numbers and tracing. The Chair expressed his disappointment schools couldn't open. Selectman Riley said the schools are discussing going from remote to hybrid and asked the Manager's plan on opening Town Buildings. The Manager said he's working on modifications on all buildings and can open when it's safe and complying with the guidelines and said there are 20-25% of employees working remotely and did order air purifiers to put in all rooms at schools, town hall and other town buildings. Selectman Serino said he has received and heard a lot of feedback on the Town Hall not being open and he should focus on getting the important department open first. The Manager said as clarification that Town Hall is not closed and employees are in & working and the public can call or e-mail and make an appointment. The Chair said it would go a long way if our buildings were open noting it's difficult to get some employees back to work.

Selectman Cicolini excused himself from the meeting at 8:29 PM.

The Manager said demolition is in process at the middle school.

The Chair asked for update on the Veterans School. The Manager explained there was some flooding and work is being done and building cleaned.

Approval of minutes: September 15, 2020

Selectman Panetta moved to approve the 9/15/20 minutes. Chair seconds 4-0.

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Appointments: None.

Member's Comments:

Selectman Serino had nothing.

Selectman Panetta said the Town is looking for feedback from Saugus residents on the master plan presentation and said she's not sure it is advertised enough and asked the Manager put on cable and in the newspapers and on the Town website main page; and said the Veterans section in the cemetery is installing new curbing thanks to Gordy Shepard and announced if anyone would like to make a donation.

Selectman Riley asked the Chair to set a goals & objectives meeting sooner rather than later. Board Members discussed dates and tentatively set it for October 6th at 6PM. Selectman Riley requested an update from cable on the project and what resignations or vacancies there are and put on next agenda. The Chair said he did do a walk through and was presently surprised and they are close to opening. Selectman Panetta said she has been talking with Donna Sordello from the Board of Directors and they wanted to have a meeting to get Selectmen input, but suggested they contact an attorney. Selectman Serino said he has been through the building and it's beautiful and they had their ups & downs but hope it will work out in the end. Selectman Riley acknowledged Bob Davis who did an outstanding job getting the DPW building dedicated to Joe Attubato; and said the POW/MIA ceremony went well; and thanked the Manager for the walk through of the new middle / high school and said it's impressive.

The Chair had nothing.

Citizen's Comments None.

Selectman Serino moved to adjourn. Chair seconds 4-0.

Meeting adjourned at 8:43 PM

Respectfully submitted,
Wendy Reed, Clerk