

Saugus Board of Selectmen  
November 24, 2020

MEETING MINUTES

AGENDA

Saugus Board of Selectmen  
November 24, 2020 at 7:00 PM

Zoom Video Conference: Meeting ID: 858 6563 1334 Passcode: 037970

Zoom Meeting link:

<https://us02web.zoom.us/j/85865631334?pwd=NVV1UGxpN1dLa0kzQ2RqcGlWZGk5Zz09>

Citizen's Comments

Continued Hearings: National Grid to construct underground electrical conduit on Pranker Road

National Grid to construct underground electrical conduit, on Collins Avenue

Public Hearings:

7:15 PM In accordance with MGL c. 138; MGL c. 40, section 57; the Town of Saugus By-Laws, section 807.00; and the Town of Saugus Liquor Rules and Regulations, the Board of Selectmen will hold a show cause hearing to deny, revoke or suspend all licenses and permits held for failure to pay municipal taxes, fees, and other municipal charges on the following establishments licensed by the Board of Selectmen: Santillan, Inc. d/b/a Casa Vallarta, 114 Broadway; Continental Restaurant of Saugus, Inc., 266 Broadway; Midwest Grill North Inc, 561 Broadway; Prince Italian Foods Saugus, Inc., 517 Broadway; Michael DiPanni d/b/a Colonial Auto Sales, 1753 Broadway; Prime Cars Auto Sales, Inc., 160 Broadway; Saugus Auto Repair, Inc., 74 Hamilton St.; GFV Holdings, LLC d/b/a Five Guys Burgers & Fries, 180 Main Street; Lendy's Inc., 653 Broadway; Boston Bread LLC d/b/a Panera Bread, 647 Broadway; New Ki-Ku-Ya Inc. d/b/a Sake Japanese Restaurant, 670 Broadway; HMLVT Trading LLC d/b/a Saugus Deli & Pizzeria, 508 Lincoln Ave.; Mayflower Square One LLC d/b/a Square One Mall, 1201 Broadway; Sebastiana Brick Oven Pizza, Inc. d/b/a Victor's Italian Cuisine, 1539 Broadway; Savvy Hair, Nails & Spa, 4 Howard Street; and Stop & Shop Supermarket Company LLC, 164 Main St.

7:20 PM Public hearing on amending the Town's Traffic Rules & Regulations Article V, Section 2. Parking Prohibited on Certain Streets: BY designating "No Parking" on Saville Street and Riverbank Road; and on amending the Town's Traffic Rules & Regulations ARTICLE IX, Section 8: "Obedience to Isolated Stop Signs" by posting a "Stop" sign or a "Yield" sign on Riverbank Road at intersection of Saville Street; or any other action the Board may take.

Old Business: 74 Hamilton Street. Saugus Auto Repair update

New Business:

Manager's Report: request for Articles to be inserted in Special Town Meeting Warrant.  
Discussion on 12/14/20 Special Town Meeting date.

Member's Comments:

Citizen's Comments

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The Saugus Board of Selectmen met on November 24, 2020 at 7:00 PM via Zoom video conference. Present: Selectmen Jeffrey Cicolini, Debra Panetta, Corinne Riley, Michael Serino and the Chairman Anthony Cogliano.

Citizen's Comments     None

Continued Hearings:     National Grid to construct underground electrical conduit on Pranker Road

Property owner of #8 Pranker Road was present on video conference and explained he has rebuilt the house and is looking to get underground electrical service. Selectman Panetta said the DPW wanted to meet with National Grid and now feels comfortable with the project.

Any to speak in favor or in opposition?   None.

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

Selectman Panetta moved to vote in favor of National Grid to construct underground electrical conduit, including necessary fixtures under and across the following public way: Pranker Road from approximately 160' south of centerline of intersection of Pillings Road & continuing approximately 10' westerly – installation of one 3" conduit approximately 5' from pole #6 to #8 Pranker Road as shown in plan #29929282 dated 10/13/20. Chair seconds 5-0.

Continued Hearings:     National Grid to construct underground electrical conduit, on Collins Avenue

Mr. Avabata representing National Grid was present on video conference and explained he is not present for this application but will relay any messages they may have. Selectman Serino said at last meeting National Grid was to submit a more detailed plan and have not received it. Selectman Panetta agreed the Board was promised there would be a better plan. The Chair said the Board needs to have the revised plan before we vote on it. Mr. Avabata said the plan was approved by DPW supervisor and will resubmit with a detailed plan.

Any to speak in favor or in opposition?   None.

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

Selectman Cicolini moved to take Old Business out of order. Chair seconds 5-0.

Old Business:             74 Hamilton Street. Saugus Auto Repair update

No one was present.

Selectman Cicolini moved to take the Manager's Report out of order. Chair seconds 5-0.

Manager's Report:

-said he referred the issue with the "Carla's Building" to the Health Director; and a letter was sent regarding the graffiti issue at Friendly's & at Sake.

-said he spoke with the Health Director about getting statistics up on the website updated weekly.

-announced the mobile free testing site will be closed for next 3 days and reopen on Saturday and return to their regular schedule; and said quite a bit of people are going there and is addressing the traffic there.

-said last meeting it was brought to his attention an abandoned couch and said it has been removed.

-said he saw something from the police regarding Baker St. parking.

-said he has some Articles but some were already inserted and will need to go through them; and said they talked about holding another Special Town Meeting, but due to the holiday there isn't enough time to post it and suggested to hold it in January.

Selectman Riley moved... Chair seconds 5-0.

The Chair informed Board Members the owner of 74 Hamilton St is having technical issues joining the meeting.

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Selectman Riley asked the Manager since the Town Nurse is leaving, if he has someone lined up. The Manager said yes he has brought someone on board working with her.

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Selectman Panetta said the Board received report that some have paid.

Selectman Panetta moved to take no action on the following licenses as they have paid to the satisfaction of the Collector of Taxes: Santillan, Inc. d/b/a Casa Vallarta, 114 Broadway; Continental Restaurant of Saugus, Inc., 266 Broadway; Prince Italian Foods Saugus, Inc., 517 Broadway; Prime Cars Auto Sales, Inc., 160 Broadway; Saugus Auto Repair, Inc., 74 Hamilton St.; Lendy's Inc., 653 Broadway; and HMLVT Trading LLC d/b/a Saugus Deli & Pizzeria, 508 Lincoln Ave. Chair seconds 5-0.

Selectman Panetta moved to continue the hearing on: Midwest Grill North Inc, 561 Broadway; Michael DiPanni d/b/a Colonial Auto Sales, 1753 Broadway; GFV Holdings, LLC d/b/a Five Guys Burgers & Fries, 180 Main Street; Boston Bread LLC d/b/a Panera Bread, 647 Broadway; New Ki-Ku-Ya Inc. d/b/a Sake Japanese Restaurant, 670 Broadway; Mayflower Square One LLC d/b/a Square One Mall, 1201 Broadway; Sebastiana Brick Oven Pizza, Inc. d/b/a Victor's Italian Cuisine, 1539 Broadway; Savvy Hair, Nails & Spa, 4 Howard Street; and Stop & Shop Supermarket Company LLC, 164 Main St. Chair seconds 5-0.

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No one was present. Selectman Cicolini said from what he is seeing, there is no support for this from the police dept. and would rather have police present at next meeting. Selectman Serino agreed. Selectman Panetta said she spoke with the petitioner and she said she was going to come and does understand her concerns.

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

Manager's Report, continued

-gave update on COVID and stressed importance of following guidelines. The Chair said he gets calls constantly from businesses that are not allowed to open yet and feels bad. The Manager said it is challenging and said schools have a controlled group but in Town buildings there's no control in who is coming in.

Old Business: 74 Hamilton Street. Saugus Auto Repair update

Business owner Zalam Daaboul was present on video conference and explained situation with the property and contamination. Selectman Serino said he was given until September 8<sup>th</sup> to transfer the

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property and would like to send a letter informing him that he will need to reapply for the Class II License and said the DEP issues go back to 2017 so the lack of compliance and the fact that it is leaking into the neighborhood it will take years to clean up and still thinks the Board should send a letter that he didn't fulfill his agreement and said this will not affect the auto repair business only the Class II.

Selectman Serino moved the Board send a letter informing him he may not sell vehicles and must reapply for License.

Selectman Panetta said there are a couple of conditions including the dumpster being closed and no debris and it has been open and there has been debris around it and there's a condition of no more than 10 cars on the property and there's always more than 10 cars and said she goes by there every day. Selectman Riley asked if he has bought it or not. The Chair said the sale has not gone through yet. Selectman Riley asked if he still wants to pursue. The Chair said yes, but he would be responsible for the cleanup. Mr. Daaboul said it has to be cleaned up. The Chair said the paperwork was done on the property and understand the motion, but think looking back at what was there and issues at the property, he thinks this is better for the neighborhood. Selectman Riley said her concern is not having teeth to enforce. The Chair said if he backs out, it will revert back to what it was. Selectman Cicolini said he spent a lot of time on this issue and thought we found common ground and understands Selectman Serino's concerns, but we didn't see COVID coming and courts are slow and attorneys are slow and now a new issue has come up and said he is not selling cars on the sight so it is worth extending the time. The Chair agreed and suggested February 1<sup>st</sup> to come into compliance and at that time, if he can't, then he is willing to support the motion. Selectman Cicolini said it gives time to rectify, close on the property and own it. The Chair said Mr. Daaboul's accountant said he needed a couple of weeks. Selectman Cicolini reminded all of what they were dealing with before and fear he will walk and we will be stuck with the current owner and supports the Chair's suggestion. Selectman Panetta said the report sounds like it would be expensive to clean up and asked if anyone was aware how bad this was. The Chair said we would need to see the full report first. Selectman Riley said her concern is if the original owner holds onto the property or he may abandon it. The Chair said with his past history he doesn't see him doing any clean up. Selectman Cicolini said he could rent it as it was. Selectman Serino said back in June the Board voted 2 issues, the S-2 Permit required for auto repair and storage of vehicles for Class II License and S-2 Permit for repair business noting the Building Inspector required an S-2 for auto repair. The Chair said it was all lumped together, so if he doesn't purchase the property, the owner can continue as it was. Selectman Cicolini said it was one application, not separate hearings noting the location is grandfathered as far as storing vehicles and auto repair and the S-2 brings everything current. Selectman Riley said the S-2 was given for him being owner of the property and he didn't fulfill the obligation. Selectman Cicolini added, until February and if not, everything's off the table. Selectman Riley asked Selectman Serino if he's ok with that. Selectman Serino said the S-2 was recorded and as far as a cleanup and February, it hasn't been resolved since 2017 and noted the environmental impact on the neighborhood and said it's not going to be done by next year or the year after. The Chair said he will request Town Counsel's opinion. Selectman Serino agreed. Selectman Cicolini asked if they revoke it, what would be the grounds. Selectman Serino said not revoke it because he doesn't have a license. Selectman Serino said he doesn't have a dealer's license but he's operating as auto repair which is grandfathered and requested S-2 for dealer's license and is only talking about extending window and should put this on next agenda to get Town Counsel's opinion. Selectman Serino requested it be in writing and said the gas tanks were taken out years ago and the auto repair became primary business. Selectman Panetta asked about adhering to restrictions. The Chair said he asked him to adhere to conditions and he agreed. Selectman Riley asked if anyone is out testing or cleaning it up. Mr. Daaboul said the report was not given to him because the property owner didn't pay them.

Selectman Cicolini moved a substitute motion, because of the environmental issues raised and delays, the Board vote to give in good faith up to February 1<sup>st</sup> for compliance. Chair seconds. Selectman Serino said they shouldn't be extending deadlines until they hear from Town Counsel and said the S-2 is already recorded. The Chair said it is, but its not effective. Selectman Serino said he'd rather play it safe and not do anything until they hear from Town Counsel. Selectman Cicolini said he would

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withdraw his motion and continue to next meeting to get opinion from Town Counsel. Selectman Panetta & Selectman Riley agreed.

Selectman Serino moved to continue to next meeting. Chair seconds 5-0.

Manager's Report: The Manager requested they meet on December 2<sup>nd</sup> at 6PM with Finance Committee on sewer rates.

Member's Comments:

Selectman Riley reminded all of the Lions Club toy drive; and thanked their Clerk and all the volunteers at the food pantry for organizing the Thanksgiving meals and thanked everyone that donated and said Medi Mirnasiri donated 100 turkeys and pies and Selectman Cogliano & Selectman Serino helped deliver and said the community stepped up and is proud to live here; and wished all a happy Thanksgiving.

Selectman Panetta wished everyone a happy Thanksgiving and said it has been a tough year, but there's still a lot to give thanks for; reminded everyone of Boy Scout Troop 62's Christmas Tree fundraiser; thanked DPW & the Manager on addressing issues; and thanked the volunteers at the food pantry helping people in need.

Selectman Serino thanked Wendy Reed and said they delivered over 100 meals Saturday and thanked everyone that helped deliver; announced Capt. O'Malley's toy drive; and wished everyone a happy, healthy and safe holiday.

Selectman Cicolini thanked for the efforts put in and commented how remarkable when all come together; and thanked the Manager & DPW; and said with the holidays, it's time to step back and reflect and realize how serious the situation is and encouraged all to be cautious; and wished all a wonderful & safe holiday season.

The Chair commended Wendy on the work she does and to see the expression on the faces of people he delivered to was amazing and thanked Medi and Donald Wong; and said he would like to recognize Devin Long for his community service this year and delivered 30 meals to families for Thanksgiving and he's only 10 years old and said he would like to get him a citation. Board Members agreed. The Chair wished all a happy, healthy Thanksgiving; and commented that this is a great Board to work with.

Citizen's Comments None.

Selectman Cicolini moved to adjourn. Chair seconds 5-0.

Meeting adjourned at 8:32 PM.

Respectfully submitted,  
Wendy Reed, Clerk