

Saugus Board of Selectmen  
September 13, 2017

\*\*\*\*\*MEETING MINUTES\*\*\*\*\*

AGENDA

Saugus Board of Selectmen  
September 13, 2017 at 7:30 PM  
Town Hall Auditorium, 298 Central Street, Saugus, MA

Call to order.

Correspondence:

- 1.) 99 Restaurant, 181 Broadway re: request for approval of new officers / directors.
- 2.) Target, 400 Lynn Fells Parkway re: request to amend hours of Common Victualer's License.
- 3.) Lion's Club re: request for canning on public ways.
- 4.) Boy Scout Troop 62 re: request for exemption to By-Law 804.00.
- 5.) Victor's Italian Cuisine, 1639 Broadway re: request to amend hours of Entertainment.
- 6.) MA Lottery re: if any objection to issuance of a Keno License to J. Flo, LLC, 187 Broadway.

Citizen's Comments

Public Hearings:

7:45 PM JJ Luuk Inc. d/b/a YoPassion, 1201 Broadway, Square One Mall #S111, for transfer of Common Victualer's License, from Yogurt 101, Inc. d/b/a YoPassion, 1201 Broadway.

7:50 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.

8:00 PM Antonio Marchetti, Jr. d/b/a Angelo's Auto, for Special Permit (S-2) to allow storage of vehicles for sale, to be located at 367 Lincoln Avenue, Assessor's Plan 2017, Lot 48,49.  
Application is also made for Class II Auto Dealer's License at 367 Lincoln Avenue.

8:10 PM William Brenner for Special Permit (S-2) to allow personal fitness establishment, to be located on portion of second floor at 31 Osprey Road a/k/a 27 Osprey Road, Assessor's Plan 2029, Lot 63-64.

8:20 PM Victor's Italian Cuisine, LLC d/b/a Victor's Italian Cuisine, 1639 Broadway, for modification of existing Entertainment License by allowing karaoke on Monday through Saturday.

Manager's Report:

Approval of minutes: August 16, 2017 & September 6, 2017  
2/10/14; 2/18/14; 2/28/14; 3/13/14; 6/23/14; 9/18/14; 12/16/14; 2/7/15; and  
2 joint meeting with FinCom 5/18/16 & 6/3/15

Appointments:

Ms. Herman re: request for reappointment to the Affordable Housing Trust Board of Trustees.

Member's Comments:

1. Round Hill ceremony on September 16<sup>th</sup> and September 19<sup>th</sup>
2. Breakheart's Fall Festival Saturday, Sept.30 from 10am-2pm.
3. Interpretive Signage dedication at Vinegar Hill Oct. 7<sup>th</sup> at 10am.

Citizen's Comments

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The Saugus Board of Selectmen met on September 13, 2017 at 7:30 PM in the Town Hall Auditorium, 298 Central Street. Present: Selectmen Scott Brazis, Jeffrey Cicolini, Jennifer D'Eon and the Chairman Debra Panetta. Absent: Selectman Mark Mitchell. The Town Manager Scott Crabtree was also present.

Correspondence:

1.) 99 Restaurant, 181 Broadway re: request for approval of new officers / directors.

No one was present. The Chair read request.

Selectman D'Eon moved to approve the request for new officers / directors and send to the ABCC. Chair seconds 4-0.

2.) Target, 400 Lynn Fells Parkway re: request to amend hours of Common Victualer's License.

Sylvia Sarnacchiaro, 7Columbus Ave. representing Target, was present and explained request.

Selectman D'Eon moved to approve the request to amend hours of Common Victualer's License as follows: Monday through Saturday 8am to 9pm and Sunday 8am to 9pm. Chair seconds 4-0.

3.) Lion's Club re: request for canning on public ways.

No one was present. The Chair read request.

Selectman Cicolini moved to approve the request for canning on public ways at both locations Hamilton St at Saugus Center and Lynn Fells Parkway at Village Park on September 16, 2017 from 8am to 3pm with rain date of September 17, 2017; and with condition they use cones, wear safety vests and use signage and use precaution as they have in the past. Chair seconds 4-0.

4.) Boy Scout Troop 62 re: request for exemption to By-Law 804.00.

Scoutmaster John Kane, Troop 62 was present with Asst. Scoutmaster Chris Finnie and some boy scouts and explained request. The Chair said they do not need a permit and they do fit the exemption.

Selectman Cicolini moved to grant exemption to By-Law 804 for Troop 62 to operate a fundraiser selling trees and wreaths and accessories at 50 Salem Turnpike from November 20<sup>th</sup> through December 25, 2017 with hours Monday through Friday 4pm to 10pm and Saturday & Sunday 9am to 10pm and to waive the fee. Chair seconds 4-0.

5.) Victor's Italian Cuisine, 1639 Broadway re: request to amend hours of Entertainment.

No one was present.

Selectman Cicolini moved to table. Chair seconds 4-0.

6.) MA Lottery re: if any objection to issuance of a Keno License to J. Flo, LLC, 817 Broadway.

No one was present. The Chair read request.

Selectman D'Eon moved the Board vote no objection. Chair seconds 4-0.

Citizen's Comments

Joseph Roberto, 1 Great Woods Road, was present and described issue he has been trying to resolve for the past 3 years regarding the noise from trucks passing over a section of Walnut Street and invited Board Members to come out to see. The Chair said there is nothing the Board can do to rectify the situation and it's her understanding DPW tried to rectify it and asked he leave his phone number with their clerk.

Joan Corey, Business Agent Teamsters Local 25, Boston was present on behalf of the Saugus Public Safety Dispatchers said she wanted the Board to be aware the dispatchers are without contract since June 2016 and have pending arbitration, mediation and a labor charge and feels all matters can be resolved quickly and at the local level and hopes the Board looks into the matter.

William Cash, Saugus Police Patrolman Union was present and said they too are without contract and said they are looking to be treated fairly.

Chris Finnie, Asst Scoutmaster Troop 62 was present and announced annual recruitment day Saturday.

Public Hearings:

7:45 PM JJ Luuk Inc. d/b/a YoPassion, 1201 Broadway, Square One Mall #S111, for transfer of Common Victualer's License, from Yogurt 101, Inc. d/b/a YoPassion, 1201 Broadway.

Jun Zhao, 13 Dexter St, North Attleboro was present. The Chair asked if he has worked there before. Mr. Zhao said yes. The Chair asked for how long. Mr. Zhao said a couple of months and said he

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has another shop in North Attleboro. Selectman Brazis asked if it's a franchise. Mr. Zhao said no. The Chair asked hours. Mr. Zhao said everything will be the same.

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 approve the request of JJ Luuk Inc. d/b/a YoPassion, 1201 Broadway, Square One Mall #S111, for transfer of Common Victualer's License, from Yogurt 101, Inc. d/b/a YoPassion, 1201 Broadway with same conditions: Hours Monday through Saturday 10am to 9pm, Sunday 11am to 6pm and limit of 19 seats. Chair seconds 4-0.

7:50 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.

The Manager reminded them S-2 requires 4 votes and with a missing Member to give option to continue. Lisa Young, Environmental Management Aggregate Industries, 1750 Broadway said she is comfortable going forward and noted there has been no blasts and no changes since March. The Chair asked about the fence. Ms. Young said there are no problems and it is inspected regularly.

Any to speak in favor or opposed?       None

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

Selectman Brazis moved to extend Aggregate Industries, Inc., 1831 Broadway 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 same conditions / restrictions. Chair seconds

Roll call vote:

Selectman Brazis, yes; Selectman Cicolini, yes; Selectman D'Eon, yes; Selectman Panetta, yes.

8:00 PM       Antonio Marchetti, Jr. d/b/a Angelo's Auto, for Special Permit (S-2) to allow storage of vehicles for sale, to be located at 367 Lincoln Avenue, Assessor's Plan 2017, Lot 48,49.

Application is also made for Class II Auto Dealer's License at 367 Lincoln Avenue.

The Chair said the Board received letter requested to continue the hearing and read.

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

8:10 PM       William Brenner for Special Permit (S-2) to allow personal fitness establishment, to be located on portion of second floor at 31 Osprey Road a/k/a 27 Osprey Road, Assessor's Plan 2029, Lot 63-64.

Bill Brenner, Court St. Haverhill and property owner was present with Phil Russo, partner and tenants Cristiane Pamplona, Windsor St. Cambridge. & Krisler Souza, Proctor Ave Revere. The Chair noted only four Members present and S-2 requires 4/5 vote and gave option for them to go forward with the hearing or continue. Mr. Brenner said he would like to proceed. Mr. Brenner explained and described location and said DEP has released so they are free to lease spaces while they finish remediation and said this use will be by appointment only and will be on the 2<sup>nd</sup> floor. Mr. Russo said he submitted new plan numbering all spaces in the building. The Chair asked what makes them different from other facilities. Mr. Souza described personal trainer. Selectman Cicolini asked if appointments are for individual clients. Ms. Pamplona said 3 or 4 at a time. The Chair asked her experience. Ms. Pamplona said 10 years. Selectman Brazis asked how long each class is. Ms. Pamplona said between 45-50 minutes.

Any to speak in favor or opposed:

Chris Richardson, 5 Osprey Rd, was present and asked hours of operation. The Chair said they are requesting 6am to 11am and then 3pm to 9pm and Saturday 7am to 3pm with no Sunday hours. Mr. Richardson said that's fine.

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

Selectman Cicolini moved to grant the request of William Brenner for Special Permit (S-2) to allow personal fitness establishment, to be located on portion of second floor "Room 205" at 31 Osprey

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Road a/k/a 27 Osprey Road, Assessor's Plan 2029, Lot 63-64, with hours of operation Monday through Friday 6am to 11am and then 3pm to 9pm and Saturday 7am to 3pm with no Sunday hours. Chair seconds  
Roll call vote:

Selectman Brazis, yes; Selectman Cicolini, yes; Selectman D'Eon, yes; Selectman Panetta, yes.

8:20 PM Victor's Italian Cuisine, LLC d/b/a Victor's Italian Cuisine, 1639 Broadway, for modification of existing Entertainment License by allowing karaoke on Monday through Saturday.

Selectman Cicolini moved to take Correspondence #5 off the table. Chair seconds 4-0.

5.) Victor's Italian Cuisine, 1639 Broadway re: request to amend hours of Entertainment.

Vincent Valente was present and said he would like to offer karaoke on other nights and explained losing customers because the hours. The Chair asked about his response to question 6 on application. Mr. Valente said it's over 21. Selectmen Cicolini said he has televisions until 1:30am and asked he clarify what he is requesting it be modified to. Mr. Valente said everything the same except karaoke Monday through Saturday to 1:30 am. Selectman Cicolini said he understands concerns and feels 1:00am would be a reasonable request. Mr. Valente agreed. Selectman Cicolini said he spoke with police and there are no issues there. Selectman Brazis asked what time the kitchen closes. Mr. Valente said Monday, Tuesday & Wednesday at 10PM and then a limited menu is offered and 11pm on Thursday, Friday & Saturday with limited menu. Selectman Brazis asked if the entertainment is in a separate area. Mr. Valente said its one big room/ an open floor plan. The Chair said she will suggest a compromise of: Monday, Tuesday & Wednesday 12:00 midnight, Thursday 12:30am and Friday & Saturday 1:00am. Mr. Valente said he knows there were issues prior to him and he is not trying to make a nightclub and asked they give him a chance. The Town Manager said the Board has concerns with struggling establishments that rely on liquor sales to make up for restaurant loses and may allow a third party to run entertainment. Mr. Valente said Victor's has been around for 5 years and he and his wife own it and the old location had no problems. Selectman Cicolini said what's being requested is not a nightclub and is no different than other restaurants. The Chair suggested a compromise for now, Monday, Tuesday, Wednesday 12:00 midnight, Thursday 12:30 and Friday & Saturday 1:00 am. Selectman Brazis said 7 months ago this Board voted another establishment no later than midnight. Selectman Cicolini said you can't compare because that was in a neighborhood.

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 approve Victor's Italian Cuisine, 1639 Broadway request to amend hours of Entertainment and allow karaoke as follows: Sundays: sports / sports trivia 1 PM to 10 PM; Mondays: sports / sports trivia & Karaoke 11 AM to 12:00 midnight; Tuesdays: singer with 1 instrument / sounds of jazz & karaoke 7:00 PM to 12:00 midnight; Wednesdays: remembering the 50's, 60's & 70's with / without a DJ & karaoke 7:00 PM to 12:00 midnight; Thursdays: live music and dancing and karaoke 7:00 PM to 12:30 am; Friday & Saturday: live music and dancing & karaoke 7:00 PM to 1:00 AM.; and with same restrictions. Chair seconds 4-0.

Selectman Brazis moved for recess. Chair seconds 4-0.

Meeting recessed at 9:11 pm.

The Chair called the meeting back to order at 9:18pm.

Manager's Report:

The Manager reported they are moving forward with the MS/HS project and an RFP was put out for Construction Manager at Risk and received applications, evaluated and interviewed and will be making a decision shortly and it looks like they may have shovels in the ground late summer 2018.

Selectman Brazis said he received call about heavy trucking on Fairmount and speeding. The Manager said he will look into it.

The Manager said a couple of Board Members reached out to him about lights at Angelo's and they are being adjusted so they will not affect the neighbors. The Chair said she received calls and about barking dogs.

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Approval of minutes: August 16, 2017 & September 6, 2017

2/10/14; 2/18/14; 2/28/14; 3/13/14; 6/23/14; 9/18/14; 12/16/14; 2/7/15; and

2 joint meeting with FinCom 5/18/16 & 6/3/15

Selectman Brazis moved to approve the August 16, 2017 minutes. Chair seconds 4-0.

Selectman Brazis moved to approve the September 6, 2017 minutes. Chair seconds 4-0.

Selectman Brazis moved to approve the two joint meetings with the Finance Committee minutes of May 18, 2016 and June 3, 2015. Chair seconds 4-0.

Their clerk explained she is presenting several sets of minutes that were missing and needed to create by watching past recordings and researching through our records.

Selectman Brazis said he is uncomfortable accepting or approving minutes he was not part of and will abstain. Selectman Cicolini agreed. Their clerk said minutes need to be filed to reflect actions the Board took. Selectman Brazis said he would prefer to refer to Town Counsel to approve. The Chair said she will talk with Town Counsel.

Selectman Brazis moved to refer the minutes to Town Counsel. Chair seconds 4-0.

Appointments:

Ms. Herman re: request for reappointment to the Affordable Housing Trust Board of Trustees.

Selectman D'Eon moved to appoint Stacey Herman to the Affordable Housing Trust Board of Trustees to expire December 31, 2017. Chair seconds 4-0.

Member's Comments:

1. Round Hill ceremony on September 16<sup>th</sup> and September 19<sup>th</sup>

2. Breakheart's Fall Festival Saturday, Sept.30 from 10am-2pm.

3. Interpretive Signage dedication at Vinegar Hill Oct. 7<sup>th</sup> at 10am.

Selectman Cicolini commented on the fantastic Founder's Day.

Selectman Cicolini thanked the Manager for following up on citizen issues.

Selectman Brazis said he had a good time at Founder's Day and congratulated Ruth Berg & Bob Long on receiving Persons of the Year.

Selectman Brazis congratulated Art Connors on his promotion.

Selectman Brazis wish good luck to fall sports teams.

Selectman Brazis announced a scam alert.

Selectman D'Eon said Founder's Day was awesome.

Selectman D'Eon announced Round Hill Park is complete and dedication will be on Saturday.

Selectman D'Eon said prayers are with Tiffany & Family in hopes she gets well soon.

The Chair announced on Tuesday 9/19 dedication ceremony at Round Hill and asked the Manager if the street could be blocked off for the event.

The Chair announced Breakheart Fall Festival September 30<sup>th</sup>.

The Chair announced on 10/7 Interpretive Signage dedication at Vinegar Hill.

The Chair announced on Thursday, 9/14 Vigil in memory of Su Taraaskiewicz.

The Chair announced Veterans appreciation day on Saturday.

Citizen's Comments

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

Meeting adjourned at 9:45 PM

Respectfully submitted,  
Wendy Reed, clerk