

Saugus Board of Selectmen
May 25, 2016

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

AGENDA
Saugus Board of Selectmen
May 25, 2016 at 7:30 PM
Town Hall Auditorium, 298 Central Street
Saugus, MA

Call to order.

Invited guests: Richard Lavoie & Student Government Day participants

Correspondence:

- 1.) Imperio Mariense of Saugus re: request for 2 day Special Beer & Wine License and religious procession.
- 2.) Hooters, 1143 Broadway re: request for change of manager to Luis Hernandez.
- 3.) VFW re: Buddy Poppy Drive November 19th – November 21st.
- 4.) Saugus Cultural Council re: community meeting June 8th.

Citizen's Comments

Continued Hearings: -Love Joy Nails Corp. for Special Permit (S-2)
-NEW Ki-Ku-Ya, Inc. & DJC Realty Trust, for Special Permit (S-2)

Public Hearings:

7:45 PM Rozze Italian d/b/a Rozze Italian Caterer, for transfer of Common Victualer's License, 240 Lincoln Avenue FROM Brian J. Emmett d/b/a Saugusaurus Pizza & Subs & More, 240 Lincoln Avenue.

Old Business: 1.) Oye's, 44 Broadway update on liquor license.
2.) Sully C's, 168 Broadway update on liquor license
3.) Hilltop update on liquor license
4.) Double Pole report.

New Business:

Manager's Report: 1.) 515 Rear Main Street lease.
2.) appointments to the Council on Aging

Approval of minutes: May 11, 2016

Appointments: 1.) Cable Advisory Board;
2.) Canine Officer / Animal Control.

Member's Comments:

Citizen's Comments

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The Saugus Board of Selectmen met on May 25, 2016 at 7:30 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 arrived at 8:42PM after the Finance Committee meeting.

Invited guests: Richard Lavoie & Student Government Day participants

Mr. Lavoie was present and the Chairman commended him on coordinating a phenomenal Student Government Day. Selectman Brazis said he did a fine job and it was a pleasure to be part of it. Selectman Cicolini said he was impressed by the students and thanked him. Selectman D'Eon said in hind sight she wished they had recorded it. Mr. Lavoie said it would not have worked if they didn't pitch-in and government involvement helps the program grow and succeed and would not have worked without their help. The Chair said we are one Town and we work together with the School Committee and Town Meeting. The Chair read citation and recognized two students present Gianna Cicolini and Julia Azzari and read citations to Student Selectmen, Student School Committee Members, Student Town Meeting Members and Students that participated in Student Government Day. Arthur Grabowski, School Committee was present. The Board Members presented citations and congratulated them.

Correspondence:

1.) Imperio Mariense of Saugus re: request for 2 day Special Beer & Wine License and religious procession.

Joseph Sousa, 28 Stevens Rd, Melrose, and Walter Sousa, 17 Preston St, Somerville and Richard Raposo, 399 Lynn Fells Parkway were present and explained tradition and 90th anniversary in Saugus. The Chair said they have changed hours from last year. Mr. Sousa said there are no problems. The Chair said they will need approval from the state for the procession. Mr. Sousa said they have Permits from DCR. Selectman D'Eon said she attended last year and had a great time.

Selectman D'Eon moved to grant request of Imperio Mariense of Saugus for 2 day Special Beer & Wine License on July 2 from 3PM to 12 AM and on July 3 from 11AM to 9PM with same conditions. The Chair read: *Must comply with 204 CMR 7.00: Special Licenses; must have Saugus and State Police Details; music volume to be turned down at 10pm; temporary no parking signs to be posted on odd side of the following: Donna Rd, Laurine Rd, Mclean Rd, Zito Dr., Milano Dr. and Gilway; and no parking on Randell Road.* Chair seconds 5-0.

2.) Hooters, 1143 Broadway re: request for change of manager to Luis Hernandez.

Luis Hernandez, 330 Washington St, Chelsea was present and said he was promoted to general manager. The Chair noted he has worked there since October 2012 and will be working 60 hours a week and asked if he was TIPS certified and is familiar with the Saugus Liquor Rules & Regulations. Mr. Hernandez said yes.

Selectman Brazis moved to approve the request of Hooters, 1143 Broadway for change of manager to Luis Hernandez. Chair seconds 5-0.

3.) VFW re: Buddy Poppy Drive November 19th – November 21st.

The Chair read and said they will be soliciting on private property so they don't need approval and wished them well on their Buddy Poppy Drive.

Selectman Cicolini moved to refer the correspondence to the file and send copy to police dept. Chair seconds 5-0.

4.) Saugus Cultural Council re: community meeting June 8th.

Selectman D'Eon read announcement and encouraged the public to attend.

Citizen's Comments

Tom Traverse, Economic Development Committee announcing housing forum on May 31st.

Lynnette Alameddine, 7 Meadowbrook Road requested the Board proclaim June 2nd as Gun Violence Awareness Day. The Chair said the Board may not act because it is not on the agenda and requested it be placed on next agenda for Board action.

Continued Hearing: -Love Joy Nails Corp. for Special Permit (S-2)

Love Joy Nails Corp. for Special Permit (S-2) to allow salon offering manicures, pedicures, waxing and facials to be located at 410 Lincoln Avenue, Assessor's Plan 2012, Lot A-123.

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Attorney Richard Magnan, 194 Central Street was present and explained a site visit was held and floor plan put together and will have parking plan soon and requested to continue the hearing to next meeting.

Selectman Cicolini moved to continue the hearing to June 1st. Chair seconds 5-0.

Continued Hearing: -NEW Ki-Ku-Ya, Inc. & DJC Realty Trust, for Special Permit (S-2)
NEW Ki-Ku-Ya, Inc. & DJC Realty Trust, for Special Permit (S-2) to allow a drive through window for proposed Dunkin Donuts, to be located at, 670 Broadway, Assessor's Plan 1028, Lot 27.

Attorney Richard Magnan, 194 Central Street was present and explained he had been notified by an abutter of concern with easements that overlaps another easement and feels it would be most appropriate to withdraw the application at this time.

Selectman Cicolini moved to accept the request to withdraw without prejudice. Chair seconds 5-0.

Public Hearings:

7:45 PM Rozze Italian d/b/a Rozze Italian Caterer, for transfer of Common Victualer's License, 240 Lincoln Avenue FROM Brian J. Emmett d/b/a Saugusaurus Pizza & Subs & More, 240 Lincoln Ave.

Steven LaRosa, Venice Ave, was present. Selectman Cicolini asked if he is leasing the property. Mr. LaRosa said yes. Selectman Cicolini asked if he would be doing any renovations. Mr. LaRosa said it has been a restaurant for 60 years and he will be changing the sign. Selectman Cicolini asked about restrooms. Mr. LaRosa said he has mostly a catering business and will offer good food to the area. The Chair asked hours and seating and noted there's an outstanding personal property tax bill. Mr. LaRosa said the same hours for now and 28 seats and will give copy of bill to the landlord. Selectman Brazis asked if he will be open 5 or 7 days a week. Mr. LaRosa said 7.

Any to speak in favor or opposed: None.

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

Selectman Cicolini moved to grant the request of Rozze Italian d/b/a Rozze Italian Caterer, for transfer of Common Victualer's License, 240 Lincoln Avenue FROM Brian J. Emmett d/b/a Saugusaurus Pizza & Subs & More, 240 Lincoln Ave. with the following conditions: hours of operation Sunday through Wednesday 10AM to 9PM and Thursday through Saturday 10AM to 10PM; limit of 28 seats; all fees owed to be paid; and subject to fire dept inspection. Chair seconds 5-0.

Old Business: 1.) Oye's, 44 Broadway update on liquor license.

Attorney Chung Lee was present with all owners and said the design has been finalized for interior and for parking and have demolition permit and work is in process and passed out revised floor plan and noted 2 minor changes to original design, they are adding a sushi bar and moving the main bar over and putting a service bar upstairs and have been working with the Building Commissioner but he will not issue building permit until the Board approves the plan and will be filing application for changes. The Chair asked when they decided to change the plan. Atty. Lee said there was some difference in opinion on the design and said the contractor is present. Selectman Cicolini said the expectation is to be open in early fall. The general contractor, Steve To, 225 North Ave, Weston was present and said if they receive approval for changes and have building permit issued. The Chair said the earliest to be heard would be June 22nd. Mr. To said if there's a delay on getting the permit then there's a delay on job also. Selectman Brazis said last year the Board was told you would be doing some work downstairs and it would be operational and it seems that until the Board called you in it was not moving at all and is concerned with the liquor license not being used. Atty. Lee said after he was retained he had a meeting with the stockholders and demo is ongoing and with no delays they will be open early fall. Selectman Cicolini said there are two requests and asked construction time. Kevin Ye, owner was present and said he didn't know they needed approval to move the bar over until they went to get the building permit. Selectman Cicolini asked estimated time to completion. Mr. Ye said 4 months. Selectman Cicolini said he was hoping the license would be in use in September but now he is being told it will be late October and asked they focus on the original agreement and start with a September date and work backwards to get it done. Mr. Ye said he understands and said if they weren't changing the bar they could open in 1 month but wants to do things right. Selectman Cicolini said he wished they were told that at the beginning. Mr.

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Ye said they cannot do anything right now except demo. The Chair said the Board asked them to come with update because they anticipated it would be open and now there are delays and afraid it will be delayed again. Atty. Lee said the application will be in within a few days and apologized. Selectman Cicolini said he appreciates that but for 8 months nothing was moving.

Old Business: 2.) Sully C's, 168 Broadway update on liquor license

Attorney Michael Utke representing EKB Corp was present and said the property owner's attorney sent letter outlining work. The Chair asked if he felt it was moving in a positive way. Atty. Utke said there are some things he has concern with but work is being done. Selectman Cicolini said there are 2 Board meeting scheduled before June 30th and the plan was to be open by June 30th and is concerned because if needed he will act on the license. Atty. Utke said he did try to contact Atty. McBride. The Chair asked if they should have them back in next week. Selectman Cicolini said he would like update and they could just send correspondence. The Chair said the Board will include update on the agenda and they could send a letter update but still have it on June 22nd meeting. Board Members agreed.

Selectman Brazis moved for recess. Chair seconds 5-0. Meeting recessed at 8:47PM.

The Chair called the meeting back to order at 8:52PM.

Old Business: 3.) Hilltop update on liquor license

Attorney Peter Rossetti Jr was present with Dennis January, Hilltop and explained they still have confidentiality agreement but did ask the buyer to introduce themselves to the Board and believe the Board did receive the letter. Selectman Cicolini thanked them and said it is frustrating when getting calls to comment on information they don't have and said the newspaper knew and it was embarrassing the Board did not have any information. Mr. January said he was concerned also and said it didn't come from anyone affiliated with High Country Investor and was embarrassed as well and disappointing and doesn't know where the news got the information. The Chair said it wasn't just newspapers but television stations also were calling. Selectman Mitchell said it was embarrassing and said they just talked with them and it couldn't be disclosed. Mr. January said it wasn't from High Country Investors. Selectman Mitchell suggested their attorney. Attorney Rossetti said he didn't have the information. Selectman Brazis said it was embarrassing and the Board deserves an apology. Mr. January said the Board shouldn't be embarrassed and said he can't speak to the motivation of the press. Selectman Brazis said it's not the best way to start off. Mr. January said there were some discussions with Avalon Bay and town departments. The Chair said she wants to be excited about development and when last here the Board asked if the information could be relayed ahead of time and then the news has it and the Board doesn't. Selectman D'Eon thanked both Atty. Rossetti and Mr. January for working on the economic development plan for the Town. The Chair asked they keep the Board updated. Mr. January said they will be going through the zoning process.

Old Business: 4.) Double Pole report.

The Chair said Mr. Surabian did come before the Board requesting double poles be addressed and the Board requested a report. Their clerk explained report submitted shows 486 utility projects scheduled through 217 and 163 are unrelated to the electric upgrade project and each project is tracked and said she spoke with Mr. Surabian and he is looking to have utilities put underground and there is a provision for this with new development. The Chair asked she send copy of report to Mr. Surabian.

Manager's Report: 1.) 515 Rear Main Street lease.

2.) appointments to the Council on Aging

The Manager recommended the appointment of Loretta Nicolo, Mary Dunlop and Phyllis O'Hearn to the Council on Aging to expire 12/31/18.

Selectman D'Eon moved to confirm the appointments of Loretta Nicolo, Mary Dunlop and Phyllis O'Hearn to the Council on Aging to expire 12/31/18. Chair seconds

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

The Manager recommended the appointment of Cathy Strum to the Council on Aging to expire 12/31/17.

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Selectman D'Eon moved to confirm the appointments of Cathy Strum to the Council on Aging to expire 12/31/17. Chair seconds

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

The Manager announced the solar project moving forward and submitted a ground lease for Board approval and gave background and said it will be another step toward becoming a "green community" and read some provisions in the 20 year lease. Selectman D'Eon asked what it will power. The Manager said the electricity generated will be sold to the grid and the Town will buy it back at reduced rate and said we had a landfill that can't be used and now can lease for solar and the second phase will be looking at schools & public safety building and possibly a canopy. Selectman Cicolini asked about security mentioned. Mr. From: said bond will be posted.

Selectman D'Eon moved to approve the lease. Chair seconds 5-0.

The Manager gave update on the Denver St. building and it has been secured and demolition should begin next week.

The Manager requested the Board call a Special Town Meeting on June 13th and explained this will be to address and set up a plan for retirement benefits.

Selectman Cicolini moved the Board vote to call a Special Town Meeting on June 13, 2016 at 7:30PM. Chair seconds 5-0.

Selectman D'Eon moved to insert two Articles submitted by the Manager in memo dated May 24, 2016. Chair seconds 5-0.

Selectman Cicolini moved to close the Special Town Meeting Warrant. Chair seconds 5-0.

Selectman Cicolini moved the Board sign the Special Town Meeting Warrant. Chair seconds 5-0.

The Manager announced the Town came in 1st place in a Fit-Bit challenge with other communities and won \$10,000 grant to be used for health & wellness purposes.

The Manager said the Town is ready for Memorial Day and have installed hangers for flowers. Selectman D'Eon asked if we had a water truck. The Manager said yes.

The Manager said the annual street sweeping is still ongoing. The Chair said a gentleman reached out regarding cars parked in the way of sweepers and suggested a posting like other communities do. The Manager said that is usually in bigger cities.

The Chair congratulated the Manager on receiving his 2nd Masters Degree.

Approval of minutes: May 11, 2016

Selectman Brazis moved to approve the minutes. Chair seconds. Selectman Cicolini and the Chair offered corrections. Vote 5-0.

Appointments: 1.) Cable Advisory Board;
2.) Canine Officer / Animal Control.

Selectman Cicolini moved to reappoint Brian Hartigan, William Ferringo and Stephen Rappa Jr to the Cable Television Advisory Board to expire May 31, 2017. Chair seconds 5-0.

The Chair asked the Manager about assigning counsel to assist them with the contract. The Manager said he has reached out to a couple and will coordinate what needs to get done.

Selectman D'Eon moved to reappoint Harry Young as Canine Officer / Animal Control to expire May 31, 2017. Chair seconds 5-0.

Member's Comments:

Selectman Brazis thanked Canine Officer Young for his assistance and advice to a resident that found ducklings. Wished Ron Wallace a happy birthday; asked the Manager look into safety concern with deliveries on Dudley St side of Kane's; and said he looks forward to the parade and wished all a happy Memorial Day.

Selectman D'Eon thanked the Manager for all he does; reported the Round Hill Project is moving along; and wished all a happy and safe Memorial Day weekend.

Selectman Cicolini said it is noticeable how the Town is being spruced up; said he won't be here for Memorial Day because he will be at a baseball tournament and wished all a happy and safe Memorial Day weekend.

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Selectman Mitchell said he won't be here for Memorial Day and will be coaching at the tournament; and wished all teams well.

The Chair wished their teams good luck.

Selectman Cicolini announced fundraiser at Papagayo.

The Chair thanked DPW for work on softball field at Waybright, fixing pot holes, addressing Clark Street issue, and said Wal-Mart carriages issue seemed to resolve itself; and announced environmental forum June 21st, Parade on May 28th; and congratulated Brian Nadeau on his baby boy and thanked him and his staff for all they do.

Selectman Cicolini announced Friday at 3:00pm they will be flagging veteran graves and anyone can help; and wished his son a happy birthday.

Citizen's Comments None

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

Meeting adjourned at 10:06PM

Respectfully submitted

Wendy Reed, Clerk