

**Annual Town Meeting Minutes**  
**May 20, 2019**  
**2<sup>nd</sup> Session**

Town Moderator Steve Doherty, called the Annual Town Meeting 2<sup>nd</sup> Session to order on May 20, 2019 at 7:30 p.m. in the Town Hall Auditorium, 298 Central Street, Saugus, MA with 41 members present. A quorum was met.

Joyce Rodenhiser from precinct 1 and Peter Rossetti from precinct 2 were appointed and sworn in as tellers at 7:30 p.m.

Town Clerk, Ellen Schena, called the roll at 7:34 p.m.

Town Meeting Member name	Present/ Absent	Town Meeting Member name	Present/ Absent	Town Meeting Member name	Present/ Absent
BARTOLO, J.	P	BRAZIS, K	A	BROWN, W.	P
CAMUSO, R	P	CANTERBURY, M	P	CICOLINI, J.	P
COBURN, J.	A	CONNORS, A.	P	COSTELLO, M.	A
COTTAM, J.	P	CURRIE, K.	P	DEVLIN, F.A.	P
DIGIROLAMO	P	DINARDO, A.	P	DIVIRGILIO, S.	P
DOHERTY, S.	P	DUNN, S.	P	FALASCA, T.	P
FISHER, R.	P	FOWLER, J.	P	GOODWIN, P.	P
GROARK, L.	P	HORLICK, S.	P	JONES, C.	A
KELLY, D.	P	LAVOIE, R.	P	LEUCI, W.	A
LOPRESTI, A.	P	MARCHAND, W.	P	MCCABE, K.	P
MCCARTHY, S.	A	MORESCHI, C.	P	NICKOLAS, G.	A
PAOLINI, M.	P	POLITANO, K.	A	PRIZIO, P	A
RANDO, P	P	RODENHISER, J.	P	ROSSETTI, P.	P
SERINO, M.	P	SPENCER, B.	P	STEWART, W.	P
SWEEZEY, S.	P	TRAVERSE, T.	P	THOMPSON, R.	P
WALLACE, R.	P	WHITCOMB, M.	P	WHYTE, C.	P
WITTEN, R.	P	WORTHLEY, J.	P		

40 Members present + Moderator, a quorum is met.

Town Moderator Comments at 7:35pm indicates those Town Meeting Members he heard from that are unable to attend. Next session will be June 3rd since Article 2 which is the Budget is not ready. He informs Town Meeting about policy and the Town Meeting Member that wanted to have a non-binding resolution accepted but it was declined. In the past week he has done some research and references Roberts Rules of Order, MGL and his fellow Town Moderators throughout the state as well as the President of the Town Moderators Association. He spoke with the Finance Committee Chairman and Town Counsel on any action not on the warrant shouldn't be spoken. He states that the Non-bounding resolution in 2017 from what he found out was wrong. Going forward anyone that wants to put a non-bounding resolution must put it on the Warrant.

Ron Wallace Precinct 5 speaks at 7:40pm about his non-binding resolution that he wants to read in support of the school custodians.

Town Moderator states he cannot speak on this topic that is not on the Warrant.

Ron Lavoie Precinct 7 speaks at 7:42pm asking if they can suspend the rules of the body of order? His understanding of Parliamentary procedures depicts you can suspend the rules and governing bodies can issue their opinion to other aspects of government.

Town Moderator states you cannot suspend the rules on Roberts Rules. What governs the fact on what is put on the warrant. He asks for Town Counsel assistance. We can suspend our own Bylaws but cannot override the State rules.

Town Meeting Members ask for Town Counsels opinion.

John Vasapolli, Town Counsel speaks at 7:46pm, on the brief history of Town Meeting and its functions. Town Meeting has 3 functions; appropriate money for the town budget, you adopt/amend town bylaw and accept local option statutes. Town Meeting doesn't spend the money of the Town or hire Officials/Employees or appropriate/negotiate contracts. It's the checks and balances of government. The Town Meeting warrant dictates the time and the place and the subject matter to be acted upon. No action is valid in Town meeting unless it is on the Warrant. This non-binding resolution was not posted, which did not give the public notification on what the non-binging resolution states to address the issues.

Ron Wallace Precinct 5 speaks at 7:49pm that this has been in the Newspaper for over 2 weeks. He asks to read one thing on the paper. Mr. Wallace was declined.

Reports from Committees; Finance Committee Report at 7:40p.m

Ken DePatto speaks for the Finance Committee at 7:50pm about the 6 Articles for their recommendation tonight. There was a

typo on the Articles and the moderator will make a recommendation to correct the typo.

Any other committees NONE

Town Moderator states that Article 9 since is about the water rates and Article 6 needs the passage of Article 9 increasing the water rates for funding.

Motion to take Article 9 out of order since Article 2 the budget is not ready at 7:53pm

Seconded at 7:53pm

Unanimous Voice Vote Yes at 7:53pm

As a courtesy to the Finance Committee, Thomas Traverse moves Article 9 to the floor for consideration as recommended.

Seconded at 7:54pm

**Article as written:**

**Article 9.** To see if the Town will vote to increase water rates with all receipts to be held within the Water Enterprise Fund to be used exclusively for water expenses, water maintenance, water debt and interest and water improvement programs, or take any other action relating thereto. (Town Manager)

Discussion: None

**Article as voted:** Voted to recommend the Town vote a 1.5% increase in the water rates for Fiscal Year 2020 with all receipts to be held in the Water Enterprise Fund to be used exclusively for water expenses, water maintenance, water debt and interest and water improvement programs.

Call for the vote at 7:55pm

All in favor – 1 Nay the rest Yea at 7:55pm. Majority voice vote Yea on article passes

**Article 9 passed as recommended, by majority Voice Vote with 1 Nay Vote.**

As a courtesy to the Finance Committee, Thomas Traverse moves Article 6 to the floor for consideration as recommended.

Seconded at 7:54pm

**Article as written:**

**Article 6.** To see what sums of money the Town will vote to raise and appropriate for the Water Enterprise Fund for the ensuing Fiscal Year 2020. (Town Manager)

Discussion: None

Seconded at 7:56pm

**Article as voted:** Voted to recommend that the following sums be appropriated to operate the Water Enterprise Fund.

\$ 338,518.00	Salaries
\$5,672,800.00	Expenses
\$ 90,000.00	Capital Outlay
\$ 580,799.00	Indirect Cost
\$ 43,112.00	Transfer Out to OPEB

\$6,725,229.00 Total FY20 Water Enterprise Fund Appropriation.

\$6,725,229.00 funded from Water Enterprise Fund Revenue, \$0.00 to come from Retained Earnings. \$580,799.00 is to be appropriated in the General Fund funded by Water Enterprise Fund Revenue for Indirect Costs.

Call for the vote at 7:56pm

**Article 6 passed as written, by Unanimous Voice Vote Yea at 7:56pm**

As a courtesy to the Finance Committee, Thomas Traverse moves Article 7 to the floor for consideration as recommended.

Seconded at 7:57pm

**Article as written:**

**Article 7.** To see what sums of money the Town will vote to raise and appropriate for the Sewer Enterprise Fund for the ensuing Fiscal Year 2020. (Town Manager)

Discussion: None

**Article as voted:** Voted to recommend that the following sums be appropriated to operate the Sewer Enterprise Fund.

\$ 328,028.00	Salaries
\$4,482,857.00	Expenses
\$ 62,000.00	Capital Outlay
\$ 592,671.00	Indirect Cost / Transfer Out

\$ 9,176.00 Transfer Out to OPEB

\$5,474,732.00 Total FY20 Sewer Enterprise Fund Appropriation

\$ 4,588,200.00 funded from Sewer Enterprise Fund Revenue and \$886,532.00 to come from Retained Earnings. \$592,671.00 is to be appropriated in the General Fund funded by Sewer Enterprise Fund Revenue for Indirect Costs.

Call for the vote at 7:58pm

All in favor – 1 Nay the rest Yea at 7:58pm. Majority voice vote Yea...article passes

**Article 7 passed as recommended, by Majority Voice Vote with 1 Nay Vote.**

As a courtesy to the Finance Committee, Thomas Traverse moves Article 8 to the floor for consideration as recommended.  
Seconded at 7:59pm

**Article as written:**

**Article 8.** To see if the Town will vote to authorize an amount to be expended from each of the revolving funds listed below and authorized under the Town of Saugus Bylaws as amended as Section 405.00 Departmental Revolving Funds for the ensuing Fiscal Year 2020 (Town Manager):

- Saugus Senior Center Programs and Activities
- Saugus Senior Center Lunch Program
- Water System Cross-Connection Program
- Town of Saugus Compost Program
- Youth & Recreation Programs and Activities

Discussion: None

**Article as voted:** Voted to recommend the Town authorize the following spending limits for each of the following revolving funds authorized under the Town of Saugus Bylaws Section 405.00 Departmental Revolving Funds for the ensuing Fiscal Year 2020:

Youth and Recreation Programs & Activities (3700)	\$165,000.00
Town of Saugus Compost Program (3702)	\$40,000.00
Water System Cross-Connection Program (3703)	\$25,000.00
Saugus Senior Center Lunch Program (3704)	\$10,000.00
Saugus Senior Center Programs & Activities (3705)	\$35,000.00

Call for the vote at 7:59pm

**Article 8 passed as written, by Unanimous Voice Vote Yea at 8:00pm**

As a courtesy to the Finance Committee, Thomas Traverse moves Article 12 to the floor for consideration as recommended.  
Seconded at 8:00pm

**Article as written:**

**Article 12.** To see if the Town will vote to accept the provisions of Chapter 44, section 53F ½ of the Massachusetts General Laws establishing the Saugus PEG Access Channel, Saugus Community Television, Inc. (SCTV) as an enterprise fund commencing July 1, 2019 for the ensuing Fiscal Year 2020. (Town Manager)

In order to comply with the Department of Revenue need to amend the “July 1, 2019” to “immediately”.

Motion to amend at 8:01pm

Seconded at 8:01pm

Discussion: None

All in favor to amending the article

Hand vote in favor to amend:  
Left: 20  
Right: 18  
Total:38

Hand vote oppose to amend:  
Left: 1  
Right: 1  
Total: 2

The amendment has passed to change “July1, 2019” to “immediately” at 8:03pm

Al DiNardo Precinct 4 speaks at 8:03pm informing them he is the President of Saugus Cable Access TV, this really is an accounting move required by the DOR. Will continue to be separate from the town on the day to day operations. What happens

the budget will be approved by the BOS, that will continue and instead of a calendar year will move to a fiscal year come July 1st.

Matthew Canterbury Precinct 6 speaks at 8:05pm asking is this a common practice with PEG, is this a nonprofit? Answered by previous speaker.

**Article as voted:** Voted to recommend the Town vote to accept the provisions of Chapter 44, section 53F ½ of the Massachusetts General Laws establishing the Saugus PEG Access Channel, Saugus Community Television, Inc. (SCTV) as an enterprise fund commencing immediately for the ensuing Fiscal Year 2020.

Call for the question at: 8:06pm

**Article 12 passed with amendment, by Unanimous Voice Vote Yea at 8:06pm**

As a courtesy to the Finance Committee, Thomas Traverse moves Article 16 to the floor for consideration as recommended. Seconded at 8:12pm

**Article as written:**

**Article 16.** To see if the Town of Saugus will vote to approve a new by-law by adopting a General Bylaw entitled “Polystyrene Food Container Reduction Bylaw”. The general purpose and intent of this bylaw is as follows: Polystyrene contains dangerous substances which when heated release toxic chemicals that be carcinogenic. Elimination polystyrene food and beverage containers is in the best interest of the health and welfare if the inhabitants of the Town of Saugus. Foam polystyrene food and beverage containers form a significant portion of the solid waste that adds to the tonnage being incinerated. Polystyrene is not a biodegradable or compostable, and is generally not recyclable. (Ann Devlin, President, Saugus Action Volunteers for the Environment).

**Proposed Bylaw:**

**Section 1. Purpose and Intent**

Polystyrene contains dangerous substances which when heated release toxic chemicals that be carcinogenic. Eliminating polystyrene food and beverage containers is in the best interest of the health and welfare of the inhabitants of the Town of Saugus. Foam polystyrene food containers form a significant portion of the solid waste that adds to the tonnage being incinerated. Polystyrene is not biodegradable or compostable, and is generally not recyclable.

**Section 2. Definitions**

2.1 “Disposable Food Service Container” means single-use disposable products for serving or transporting prepared, ready-to-consume food or beverages. This includes but is not limited to plates, cups, bowls, trays and hinged or lidded containers.

2.2 “Food Establishment” means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption. Food Establishment shall include any fixed or mobile place, structure or vehicle whether permanent, transient, or temporary, private, public or non-profit, routinely serving the public; or any other eating and drinking establishment or place in which food or drink is prepared for sale or for service to the public on the premises or elsewhere. School cafeterias are included in this ordinance.

2.3 “Polystyrene” means and includes blown polystyrene and expanded and extruded foams (sometimes called “Styrofoam”, a Dow Chemical Do. Trademarked form of EPS insulation) also referred to as expanded polystyrene (EPS), which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene); and in this bylaw is referenced as “Foam Polystyrene is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons and is identified by recycling code #6.

2.4 “Prepared Food” means any food or beverage prepared on the Food Establishment’s premises for consumption on the premises or elsewhere, using any cooking or food preparation technique. This does not include any raw uncooked meat, fish or eggs unless provided for consumption without further preparation.

2.5 BOH means the Board of Health or Board of Health’s Agent.

2.6 This bylaw shall be known as the Polystyrene Food Container Reduction Bylaw.

**Section 3. Use Regulations**

Except as provided herein, Food Establishments are prohibited from dispensing Prepared Food to customers in Disposable Food Service Containers made from Foam Polystyrene.

**Section 4. Effective Date**

This bylaw shall take effect six (6) months following approval of the bylaw by the Attorney general or January 1, 2020, whichever is later. Upon application of the owner or the owner’s representative, the Board of Health may exempt a food establishment from the requirements of this section for a period of up to six (6) months upon a finding by the Board of Health that (1) the requirements of this section would cause undue hardship; or (2) a food establishment requires additional time in order to draw down an existing inventory of foam polystyrene disposable food service containers.

**Section 5. Enforcement**

5.1 Enforcement of this bylaw shall be the responsibility of the Board of Health. The Board of health shall determine the monitoring process to be followed, which may be limited to responding to citizen reports and/or incorporating inspections into existing food establishment inspections.

5.2 Any food establishment in violation of this bylaw shall be subject to a non-criminal disposition fine as specified below. Any such fines shall be paid to the Town of Saugus.

Violation of the Polystyrene Food Container Reduction Bylaw

- (1) Penalty: First Offense – Warning; Second Offense - \$50 per day; Third and each subsequent offense - \$100 per day.
- (2) Enforcing persons: Board of Health or its Agent.

Section 6. Severability

If any provision of this bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby. Non-substantive changes to the numbering of this bylaw may be permitted in order that it be in compliance with the numbering format of the Town of Saugus Bylaws, or take any other action related thereto

Recommendation: Voted to recommend Indefinite Postponement.

Ann Devlin Precinct 1 speaks at 8:13pm she is the President of SAVE. She has a power point presentation for Town Meeting regarding Styrofoam plates and cups. There is no place to recycle. There are some facilities out of State but it is very costly, so it goes to the incinerator or in the waterways. There are 35 cities and towns in Mass that has done this ban. Maine already has done the ban. Please support the article and asks for a roll call vote.

Ryan Fisher Precinct 9 speaks at 8:22pm concern about the bag ban is that should be a public vote on this. Doesn’t need to have town vote on this it is not mandated. Other arguments that we need to back off on these bans. Seeing a lot of this in other towns. He is in support of this article.

Steve Diviriglio Precinct 10 speaks at 8:25pm thanks Ms. Devlin for the presentation. He is a big coffee drinker but not out of Styrofoam. It breaks off. He thinks we should be careful in telling business what they can or cannot use. He doesn’t need a town bylaw for common sense things.

Rick Lavoie Precinct 7 speaks at 8:27pm lot of restaurants and business on Route 1. He is in favor of the article.

Tim Hawkes 225 Walnut Street speaks at 8:28pm he is in favor of this article.

Steve Horlick Precinct 8 speaks at 8:30pm, what about retail stores like Best Buy and Home Depot that has Styrofoam in it. If this was the food industry only this would be great but this bylaw doesn’t state just the food industry.

Ann Devlin Precinct 1 speaks at 8:32pm in answer to the previous speaker that it is strictly for the food /drink containers industry.

Steve Diviriglio Precinct 10 speaks at 8:33pm as far as only food container and plastic bags is fine, he doesn’t think this is only one thing. If you don’t like the product in your environment then don’t use it. You are trying to change behavior with the law. It doesn’t work.

Tony Cannistraci 98 Lynn Fells Parkway speaks at 8:34pm. He is in favor of this article. There is a huge litter problem on the parkway and a lot of it is Styrofoam. Big problem in society today.

Pam Goodwin Precinct 5 speaks at 8:35pm in favor of this article. Ask fellow town meeting to vote no on the IP recommendation but yes on the article as a whole. When you have a choice is one thing but when you don’t is another thing.

Kelly Slater 74 Hurd Ave speaks at 8:36pm she has been increasing aware of the plastics that do not incinerate. She is in favor of this article.

Georgina Tocco 7 Harrison Ave speaks at 8:39pm a lot of misleading information on the recycling symbols. Speaks in favor of this article.

Bill Brown Precinct 6 speak as at 8:40pm what was the motivation for the Finance committee to IP the article.

Ken DePatto, Chairman Finance Committee speaks at 8:40pm that the State has been working on a Comprehension State wide ban and that was their motivation.

Ryan Dunkin lives in Precinct 9 speaks at 8:41pm is favor of the article.

Brendan Spencer Precinct 5 speaks at 8:45pm stating there is nothing before the state in banning Styrofoam.

Motion to move the question.  
Unanimous vote yea to move the question.

Roll Call vote at 8:45pm

Town Meeting Member name	YEA/ NAY	Town Meeting Member name	YEA/ NAY	Town Meeting Member name	YEA/ NAY
BARTOLO, J.	N	BRAZIS, K	A	BROWN, W.	N
CAMUSO, R	N	CANTERBURY, M	N	CICOLINI, J.	N
COBURN, J.	A	CONNORS, A.	N	COSTELLO, M.	A
COTTAM, J.	Y	CURRIE, K.	N	DEVLIN, F.A.	N
DIGIROLAMO	N	DINARDO, A.	N	DIVIRGILIO, S.	Y
DOHERTY, S.		DUNN, S.	N	FALASCA, T.	Y
FISHER, R.	N	FOWLER, J.	N	GOODWIN, P.	N
GROARK, L.	N	HORLICK, S.	N	JONES, C.	A
KELLY, D.	N	LAVOIE, R.	N	LEUCI, W.	A

LOPRESTI, A.	N	MARCHAND, W.	Y	MCCABE, K.	N
MCCARTHY, S.	A	MORESCHI, C.	N	NICKOLAS, G.	A
PAOLINI, M.	Y	POLITANO, K.	A	PRIZIO, P	A
RANDO, P	N	RODENHISER, J.	N	ROSSETTI, P.	N
SERINO, M.	N	SPENCER, B.	N	STEWART, W.	N
SWEEZEY, S.	N	TRAVERSE, T.	N	THOMPSON, R.	Y
WALLACE, R.	N	WHITCOMB, M.	N	WHYTE, C.	N
WITTEN, R.	N	WORTHLEY, J.	N		

Majority vote 34 nays and 6 yeas with 9 absent.  
The recommendation by the finance committee has failed at 8:47pm by roll call vote at 8:48pm.

**Motion on the original article as written at 8:48pm**

**Article as voted:** To see if the Town of Saugus will vote to approve a new by-law by adopting a General Bylaw entitled “Polystyrene Food Container Reduction Bylaw”. The general purpose and intent of this bylaw is as follows: Polystyrene contains dangerous substances which when heated release toxic chemicals that be carcinogenic. Elimination polystyrene food and beverage containers is in the best interest of the health and welfare if the inhabitants of the Town of Saugus. Foam polystyrene food and beverage containers form a significant portion of the solid waste that adds to the tonnage being incinerated. Polystyrene is not a biodegradable or compostable, and is generally not recyclable.

**Proposed Bylaw:**

**Section 1. Purpose and Intent**

Polystyrene contains dangerous substances which when heated release toxic chemicals that be carcinogenic. Eliminating polystyrene food and beverage containers is in the best interest of the health and welfare of the inhabitants of the Town of Saugus. Foam polystyrene food containers form a significant portion of the solid waste that adds to the tonnage being incinerated. Polystyrene is not biodegradable or compostable, and is generally not recyclable.

**Section 2. Definitions**

2.1 “Disposable Food Service Container” means single-use disposable products for serving or transporting prepared, ready-to-consume food or beverages. This includes but is not limited to plates, cups, bowls, trays and hinged or lidded containers.

2.2 “Food Establishment” means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption. Food Establishment shall include any fixed or mobile place, structure or vehicle whether permanent, transient, or temporary, private, public or non-profit, routinely serving the public; or any other eating and drinking establishment or place in which food or drink is prepared for sale or for service to the public on the premises or elsewhere. School cafeterias are included in this ordinance.

2.3 “Polystyrene” means and includes blown polystyrene and expanded and extruded foams (sometimes called “Styrofoam”, a Dow Chemical Do. Trademarked form of EPS insulation) also referred to as expanded polystyrene (EPS), which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene); and in this bylaw is referenced as “Foam Polystyrene is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons and is identified by recycling code #6.

2.4 “Prepared Food” means any food or beverage prepared on the Food Establishment’s premises for consumption on the premises or elsewhere, using any cooking or food preparation technique. This does not include any raw uncooked meat, fish or eggs unless provided for consumption without further preparation.

2.5 BOH means the Board of Health or Board of Health’s Agent.

2.6 This bylaw shall be known as the Polystyrene Food Container Reduction Bylaw.

**Section 3. Use Regulations**

Except as provided herein, Food Establishments are prohibited from dispensing Prepared Food to customers in Disposable Food Service Containers made from Foam Polystyrene.

**Section 4. Effective Date**

This bylaw shall take effect six (6) months following approval of the bylaw by the Attorney general or January 1, 2020, whichever is later. Upon application of the owner or the owner’s representative, the Board of Health may exempt a food establishment from the requirements of this section for a period of up to six (6) months upon a finding by the Board of Health that (1) the requirements of this section would cause undue hardship; or (2) a food establishment requires additional time in order to draw down an existing inventory of foam polystyrene disposable food service containers.

**Section 5. Enforcement**

5.1 Enforcement of this bylaw shall be the responsibility of the Board of Health. The Board of health shall determine the monitoring process to be followed, which may be limited to responding to citizen reports and/or incorporating inspections into existing food establishment inspections.

5.2 Any food establishment in violation of this bylaw shall be subject to a non-criminal disposition fine as specified below. Any such fines shall be paid to the Town of Saugus.

Violation of the Polystyrene Food Container Reduction Bylaw

(1) Penalty: First Offense – Warning; Second Offense - \$50 per day; Third and each subsequent offense - \$100 per day.

(2) Enforcing persons: Board of Health or its Agent.

**Section 6. Severability**

If any provision of this bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby.

Non-substantive changes to the numbering of this bylaw may be permitted in order that it be in compliance with the numbering format of the Town of Saugus Bylaws, or take any other action related thereto

Roll Call Vote at 8:48pm

Town Meeting Member name	YEA/ NAY	Town Meeting Member name	YEA/ NAY	Town Meeting Member name	YEA/ NAY
BARTOLO, J.	Y	BRAZIS, K	A	BROWN, W.	N
CAMUSO, R	Y	CANTERBURY, M	Y	CICOLINI, J.	Y
COBURN, J.	A	CONNORS, A.	Y	COSTELLO, M.	A
COTTAM, J.	Y	CURRIE, K.	Y	DEVLIN, F.A.	Y
DIGIROLAMO	Y	DINARDO, A.	Y	DIVIRGILIO, S.	N
DOHERTY, S.		DUNN, S.	Y	FALASCA, T.	N
FISHER, R.	Y	FOWLER, J.	Y	GOODWIN, P.	Y
GROARK, L.	Y	HORLICK, S.	Y	JONES, C.	A
KELLY, D.	Y	LAVOIE, R.	Y	LEUCI, W.	A
LOPRESTI, A.	N	MARCHAND, W.	N	MCCABE, K.	Y
MCCARTHY, S.	A	MORESCHI, C.	N	NICKOLAS, G.	A
PAOLINI, M.	Y	POLITANO, K.	A	PRIZIO, P	A
RANDO, P	N	RODENHISER, J.	Y	ROSSETTI, P.	Y
SERINO, M.	Y	SPENCER, B.	Y	STEWART, W.	Y
SWEEZEY, S.	Y	TRAVERSE, T.	Y	THOMPSON, R.	N
WALLACE, R.	Y	WHITCOMB, M.	Y	WHYTE, C.	Y
WITTEN, R.	Y	WORTHLEY, J.	N		

31 Yeas and 9 Nays 9 absent

Article 16 has passed, by Majority Vote at 8:50pm.

As a courtesy to the Finance Committee, Thomas Traverse moves Article 17 to the floor for consideration as recommended.  
Seconded at 8:51pm

Article as written:

Article 17: To see if the Town will vote to authorize the Town Treasurer, with the approval of the Saugus Board of Selectmen to raise and appropriate by borrowing or otherwise, a sum of money for the purpose of funding for the paving of, Cliff Road and Anderson Way. (Ruth Babcock)

Discussion: None

Article as voted: Voted to recommend Indefinite Postponement.

Call for the vote at 8:53pm

Article 17 passed as recommended to Indefinite Postponement., by Unanimous Voice Vote Yea at 8:51pm

As a courtesy to the Finance Committee, Thomas Traverse moves Article 18 to the floor for consideration as recommended.  
Seconded at 8:54pm

Article as written:

Article 18: To see if the Town will vote to amend the Town of Saugus Bylaw 602.13.  
(Ronald Witten, Town Meeting Member Precinct 1)

Current By-Law

603.13 No person shall drink any alcoholic beverage as defined in G.L. c. 138, s.1, or possess an opened container full or partially full of any alcoholic beverages, while on, in or upon any public way, upon any way in which the public has a right of access, in any place to which members of the public have access as invitees or licensees, in any park or playground, conservation area or recreation area or on private land or place without consent of the owner or person in control thereof. Violators may be arrested without a warrant, so long as probable cause of a drinking violation exists. Any vehicle used, or found in violation of this section may be towed at the expense of the owner and under the direction of the Police Department. Those persons found in violation of this By-law shall forfeit and pay for each offense a fine of Two Hundred (\$200.00) dollars. (Article 28 of the 2003 Annual Town Meeting held on May 13, 2003).

Proposed Amended By-law.

603.13 No person shall drink any alcoholic beverage as defined in G.L. c. 138, s.1, or possess an opened container full or partially full of any alcoholic beverages, nor shall they smoke or consume marijuana as defined in G.L. c94c s.1, while on, in or upon any public way, upon any way in which the public has a right of access, in any place to which members of the public have access as invitees or licensees, any sidewalk, in any park or playground, conservation area or recreation area, school yard, beach or bike/walking path or on any town owed property or on private land or place without consent of the owner or person in control thereof. Violators may be arrested without a warrant, so long as probable cause of a drinking violation or



a marijuana smoking or consumption violation exists. Any vehicle used, or found in violation of this section may be towed at the expense of the owner and under the direction of the Police Department. Those persons found in violation of this By-law shall forfeit and pay for each offense a fine of Two Hundred (\$200.00) dollars.

Steve Horlick Precinct 8 speaks at 8:54pm he is concerned about those people that have legal prescriptions for marijuana and you are on the rail trail and need to take it out in public?

Ron Witten Precinct 1 speaks at 8:55pm and he is the author of the article. In 2008, it was a civil fine but didn't have to give their name. If they didn't pay it there was no violation for not paying the fine. In 2012, not allowed to smoke in public. In 2016 Mass voters made recreation marijuana legal in the State for home use and cultivation. The 2016 law doesn't prohibit cities or towns from enacting bylaw banning marijuana in public places. This is for quality of life. The town is fighting about the recreation shop trying to open up at O'Briens. Kids smoking and there was nothing the police could do about it. Please vote in favor of this article.

Ron Wallace Precinct 5 speaks at 9:04pm and isn't the rail trail by the MBTA and doesn't it effect this?

Rick Lavoie Precinct 7 speaks at 9:04pm about the discrepancy in the numbers of the Bylaws?

Ron Witten Precinct 1 speaks at 9:05pm that it is in the website he was looking under the wrong one (Saugus.net).

Ronald Giorgetti Interm Police Chief Saugus speaks at 9:05pm cannot support detaining them.

Town Moderator confirms the Bylaw is 602.13. There was a typo in the middle of the article but the original has the 602.13. It is the correct bylaw.

Ron Witten Precinct 1 speaks at 9:07pm in response to the Chief of Police. He has great admiration for the chief of police. If you look under when the laws he believes they are legal to enhance the law.

**Article as voted:** Voted to recommend to amend the Town of Saugus Bylaw 602.13 to the following:

602.13 No person shall drink any alcoholic beverage as defined in G.L. c. 138, s.1, or possess an opened container full or partially full of any alcoholic beverages, nor shall they smoke or consume marijuana as defined in G.L. c94c s.1, while on, in or upon any public way, upon any way in which the public has a right of access, in any place to which members of the public have access as invitees or licensees, any sidewalk, in any park or playground, conservation area or recreation area, school yard, beach or bike/walking path or on any town owed property or on private land or place without consent of the owner or person in control thereof. Violators may be arrested without a warrant, so long as probable cause of a drinking violation or a marijuana smoking or consumption violation exists. Any vehicle used, or found in violation of this section may be towed at the expense of the owner and under the direction of the Police Department. Those persons found in violation of this By-law shall forfeit and pay for each offense a fine of Two Hundred (\$200.00) dollars.

Call for the question at 9:09pm.

Hand vote in favor to make the change to the bylaw at 9:13pm:

Left: 18

Right: 16

Total: 34

Hand Vote opposed to make the change to the Bylaw at 9:13pm:

Left: 3

Right: 3

Total: 6

**Article 18 passes by majority by Hand Vote Yea at 9:13pm.**

As a courtesy to the Finance Committee, Thomas Traverse moves Article 19 to the floor for consideration as recommended. Seconded at 9:13pm

**Article as written:**

**Article 19:** To see if the Town will vote to appropriate a sum of money to reimburse the Saugus Housing Authority \$14,409.28, an expense that the Authority paid due to a water break February 2, 2017. The Town routinely absorbs the cost of water main breaks even in unapproved roads wherever they may occur. The Town decided at the time to not pay this charge and the Authority paid the bill expecting to be reimbursed by the Town. (Will Stewart, SHA Commissioner and Town Meeting Member Precinct 3)

Bill Stewart Precinct 3 speaks at 9:14pm had the tellers hand out papers for review for this article. The Town doesn't own this land. A lot of streets have changed over time but the town still services them. Town services unapproved roads. He is the vice chairman of Housing Authority. Please vote in favor of reimbursing Saugus Housing Authority.

Pam Goodwin Precinct 5 speaks at 9:21pm ask Chairman of Finance Committee on why it was postponed.

Ken DePatto speaks at 9:23pm that finance committee asked Town Manager to get them some information. This area in which the break was on private property not town property.

**Article as voted:** Voted to recommend Indefinite Postponement.



Call for the question on the Finance Committees recommendation at 9:34pm

Hand Count Vote in favor of the finance committee recommendation to Indefinite Postponement at 9:34pm  
Left: 15  
Right: 5  
Total: 20

Hand Count Vote in Opposed of the finance committee recommendation to Indefinite Postponement  
Left: 14  
Right: 5  
Total: 19

Article 19 Majority vote the Article has been IP.

**Article 19 passed as recommended to Indefinite Postponement, by majority Hand Vote Yea at 9:35p.m.**

**Next meeting is June 3, 2019.**

Motion to adjourn until June 3, 2019

Seconded at 9:35pm

Motion to adjourn moved at 9:35pm.

Respectfully submitted

Ellen Joyce Schena  
Town Clerk