

# Special Town Meeting Minutes

## July 13, 2020

Town Moderator Steve Doherty, called the Annual Town Meeting to order on July 13, 2020 at 7:30pm VIA ZOOM Meeting ID: 833 0328 8524 Password: 813695 with 45 + moderator is present. A quorum was met.

No Tellers


Attendance Count:

Pledge of Allegiance 7:32pm

Moment of Silence for Steve Horlick at 7:34pm

Ken DePatto at 7:35pm Finance committee met on the 4 finance committee articles as was IP referred back to the maker or the Town Manager. The town should be on a spending caution during this time. Spend on only things necessary or emergency issues.

Town Clerk reads those names that corresponded that they were unable to attend: Susan Dunn and Kevin Currie. Roll Call at 7:38pm



Town Meeting Member name	Pct	Present /Absent	Town Meeting Member name	Pct	Present /Absent	Town Meeting Member name	Pct	Present /Absent
Arone, A.	1	P	Doherty, S.	4	P	Paloma, A.	1	P
Ayube, S.	7	P	Dunn, S.	1	A	Panico, A.	6	P
Bartolo, J.	6	P	Fowler, J.	8	P	Paolini, M.	7	A
Berube, K.	9	P	Goodwin, P.	5	P	Riley, C.	2	P
Brown, W.	6	P	Jones, C.	1	P	Ring, D.	10	P
Camuso Sr, R.	2	P	Kelly, D.	9	P	Rossetti Jr, P.	2	P
Cicolini, J.	8	P	Lavoie, R.	7	P	Scrivano, M.	6	P
Connors Jr, A.	3	P	Leuci, W.	4	P	Smith, R.	3	P
Costello, M.	10	P	Long, R.	9	P	Spencer, B.	5	P
Cottam, J.	9	A	Lopresti, A.	8	P	Stewart, W.	3	P
Cross III, W.	8	P	Manoogian Sr, P.	10	P	Thompson, R.	3	P
Currie, K.	6	A	McCarthy, S.	7	P	Traverse, T.	8	P
Davis, G.	4	P	Migliore, M.	5	P	Vecchione IV, J.	2	P
Delios, P.	10	P	Mitchell, J.	5	P	Wallace, R.	5	P
Devlin, F.	1	P	Moore, W.	2	P	Whitcomb, M.	4	P
DiNardo, A.	4	P	Nickolas, G.	3	P	Worthley, J.	9	P
Divirgilio, S.	10	P	Palleschi, R.	7	P			
						Total Present=	46	
Town Meeting:			2020 Special Town Meeting			Absent count=	4	
		Date: 7/15/2020						

Making the Motion this Evening: Joe Vecchione Precinct 2

Town Moderator requests the acceptance of the Minutes: Unanimous vote yes

Town Moderator informs town meeting that it has been requested to take Article 5 out of order. Voice vote. No objections

As a courtesy, Mr. Manoogian Precinct 10 moves Article 5 to the floor for consideration as recommended:

Seconded at 7:43pm by Martin Costello

Article as written

Article 5: To see if the Town will vote to request that the Governor of Massachusetts restate the Regional Saugus River Floodgate Project.

This project, which was determined to adequately and properly comply with the Massachusetts Environmental Policy Act on February 20, 1990 as Executive Office of Environmental Affairs Project

#6497 will protect 5,000 coastal residential and commercial building in Saugus, Revere, Lynn and Malden and will also restore portions of the East Saugus Marshes.

To communicate this request, the Saugus Town Meeting wishes for the Moderator to work with the Town Clerk to assure that an official copy of this vote is mailed to Senator Markey, Senator Warren, Representative Moulton, Senator Creighton, Representative Wong and Representative Vincent. (Peter Manoogian, Town Meeting Member Precinct 10),

Peter Manoogian speaks at 7:44pm about this project started late 1980s or early 1990s. The flooding affects precincts 1, 3, 4 and 10 and maybe more. The flood maps have changed and the cost for flood insurance is high. Please let Robert Hunt speak.

Vote by Town Meeting for Robert Hunt: No objections at 7:47pm

Robert Hunt, Retired Project Manager Corp Engineers lives in Holden speaks at 7:47pm on the levels of flooding from various storms in various communities. Speaks on the environmental review process in this region for flooding. The Standard Project North Easter could cost \$100 Million dollar flooding in Saugus about 1000 buildings effected. Please help convince the legislature to fund it. Saugusriverfloodgates.com.

Roll call vote

Article 5											
	Pct	Vote		Pct	Vote		Pct	Vote		Pct	Vote
Arone, A.	1	Y	Doherty, S.	4		Paloma, A.	1	Y			
Ayube, S.	7	Y	Dunn, S.	1	A	Panico, A.	6	Y			
Bartolo, J.	6	Y	Fowler, J.	8	Y	Paolini, M.	7	A			
Berube, K.	9	Y	Goodwin, P.	5	Y	Riley, C.	2	Y			
Brown, W.	6	Y	Jones, C.	1	Y	Ring, D.	10	Y			
Camuso Sr, R.	2	Y	Kelly, D.	9	Y	Rossetti Jr, P.	2	Y			
Cicolini, J.	8	Y	Lavoie, R.	7	Y	Scrivano, M.	6	Y			
Connors Jr, A.	3	Y	Leuci, W.	4	Y	Smith, R.	3	Y			
Costello, M.	10	Y	Long, R.	9	Y	Spencer, B.	5	Y			
Cottam, J.	9	A	Lopresti, A.	8	Y	Stewart, W.	3	A			
Cross III, W.	8	Y	Manoogian Sr, P.	10	Y	Thompson, R.	3	Y			
Currie, K.	6	A	McCarthy, S.	7	Y	Traverse, T.	8	Y			
Davis, G.	4	Y	Migliore, M.	5	Y	Vecchione IV, J.	2	Y			
Delios, P.	10	Y	Mitchell, J.	5	Y	Wallace, R.	5	Y			
Devlin, F.	1	N	Moore, W.	2	Y	Whitcomb, M.	4	Y			
DiNardo, A.	4	Y	Nickolas, G.	3	Y	Worthley, J.	9	Y			
Divirgilio, S.	10	Y	Palleschi, R.	7	Y						

	
Yea=	43
Nay=	1
Abst=	5

Articles 5 passes by Roll Call majority vote at 8:00pm

As a courtesy, Mr. Manoogian Precinct 10 moves Article 2 to the floor for consideration as recommended:

Seconded at 8:00pm by Pam Goodwin

Article as written:

**Article 2:** To see if the Town will vote, notwithstanding Massachusetts General Law Chapter 39 Section 10 requesting a Special Act of the Massachusetts Legislature that would allow the Saugus Town meeting to adopt a process to introduce non-binding resolutions in accordance with the language and procedural guidelines described below:

To add a new section 214.00 to the Town of Saugus Bylaws in subcategory 200 of “Government of Town Meeting” that will be titles “Resolutions”.

Any Town Meeting Member may propose a non-binding resolution, within 48 hours written or electronic notice to the Saugus Town Clerk not counting weekends and holidays. The Saugus Town Clerk will promptly notify the Moderator upon receipt of said resolution and forward said resolution to Town Meeting Members.

Resolutions may not seek appropriate funds, propose zoning or general bylaw changes or have any binding effect on the operations of town government.

Resolutions will not be considered as actions of the Town Meeting as defined by MGL Ch39 S10 but rather statements of opinion in accordance with past practice. Resolutions will be acted upon during the next Town Meeting or with a Town Meeting that is temporarily adjourned, whichever comes first. A majority vote of the quorum will be required to adopt a resolution. (Peter Manoogian Town meeting Member Precinct 10).

Town Moderator reads Town Counsel’s opinion at 8:02pm on Article 2 that this conflicts with MGL so the bylaw would be in violation. It lines up with the response from the AG.

Town Counsels opinion: The adoption of bylaws in the town is by vote of the town meeting and approval by the Attorney General and is not required to be by an act of the legislature. This article was previously passed by vote of the special town meeting of June 24, 2019 and subsequently disapproved by the Attorney general in its entirety. The basis of the disapproval of the Attorney general was that the bylaw conflicted with G.L. c. 39 section 10 in that no action of a town meeting shall be valid unless the subject matter thereof is contained in the warrant and in my opinion and that of the Attorney General this bylaw would be in violation of G.L. c. 39 section 10.

Peter Manoogian Precinct 10 speaks at 8:03pm regarding the articles is asking for an exception for the Town. The Attorney General doesn’t get involved in but now it needs the legislature. It’s about your voice that matters after a warrant is closed. He is willing to represent this article at the State level.

Town Moderator wants to clarify what he meant by the objections.

Peter Manoogian insists it was.

Martin Costello Precinct 10 asks if they are all non-binding resolutions?

Peter Manoogian states Yes.

Martin Costello asks at 8:09pm this is not unprecedented.

Peter Manoogian states it is not since there are things we do already that other towns do not do.


Martin Costello asks if the resolution was beyond a non-binding resolution would the Town Moderator be able to make a ruling?

Peter Manoogian states Yes.

Robert Long Precinct 9 speaks at 8:11pm that he dealt with this during his tenure as Moderator. Many things that go on at Town Meeting that happens where the public may not be aware of it.

Roll Call vote.

Article 2								
	Pct	Vote		Pct	Vote		Pct	Vote
Arone, A.	1	N	Doherty, S.	4		Paloma, A.	1	Y
Ayube, S.	7	Y	Dunn, S.	1	A	Panico, A.	6	Y
Bartolo, J.	6	Y	Fowler, J.	8	A	Paolini, M.	7	A
Berube, K.	9	Y	Goodwin, P.	5	Y	Riley, C.	2	Y
Brown, W.	6	Y	Jones, C.	1	Y	Ring, D.	10	Y
Camuso Sr, R.	2	Y	Kelly, D.	9	Y	Rossetti Jr, P.	2	N
Cicolini, J.	8	N	Lavoie, R.	7	Y	Scrivano, M.	6	Y
Connors Jr, A.	3	N	Leuci, W.	4	Y	Smith, R.	3	Y
Costello, M.	10	Y	Long, R.	9	Y	Spencer, B.	5	Y
Cottam, J.	9	A	Lopresti, A.	8	N	Stewart, W.	3	A
Cross III, W.	8	N	Manoogian Sr, P.	10	Y	Thompson, R.	3	N
Currie, K.	6	A	McCarthy, S.	7	N	Traverse, T.	8	Y
Davis, G.	4	N	Migliore, M.	5	Y	Vecchione IV, J.	2	Y
Delios, P.	10	Y	Mitchell, J.	5	N	Wallace, R.	5	Y
Devlin, F.	1	Y	Moore, W.	2	Y	Whitcomb, M.	4	Y
DiNardo, A.	4	Y	Nickolas, G.	3	Y	Worthley, J.	9	N
Divirgilio, S.	10	Y	Palleschi, R.	7	Y			



Yea=	32
Nay=	11
Abst=	6

Articles 2 passes by Roll Call majority vote at 8:19pm

As a courtesy, Mr. Manoogian Precinct 10 moves Article 3 to the floor for consideration as recommended:

Seconded at 8:17pm by Jean Bartolo

Article as written:

Article 3: To see if the Town will vote to petition the Massachusetts Legislature to amend the Saugus Town Charter as follow:

Notwithstanding any Massachusetts General Law relative to Special Employee Status or any Massachusetts Ethics Commission Advisory Opinion ARTICLE 2 SECTION 6 “Multiple Officers” of the Charter of the Town of Saugus is hereby amended as follows:

By striking the first sentence that reads “A member of the board of selectmen, or of the school committee, or of the finance committee shall, during the term for which he was elected or appointed, be ineligible either by election or appointment to hold any other town office.”

And replacing it with: Upon adoption by the Saugus Town Meeting no member of the Board of Selectmen, School Committee, Finance Committee, or Town Meeting shall hold any compensated town office, position or employment for which a salary or emolument is payable from the town treasury nor be eligible to enter into a contractual relationship for goods and services with the Town of Saugus until one year following the date on which such former member’s service on the Board of Selectmen, School Committee, Finance Committee, or Town Meeting has terminated. (Peter Manoogian, Town Meeting Member Precinct 10).

Peter Manoogian Precinct 10 asks to refer this article back to the maker to the next STM at 8:20pm. He was to specify why after the 2021 election. He wants to create an exemption for certain people like poll workers.

Seconded at 8:21pm

Bill Cross Precinct 7 asks a question on the article.


Peter Manoogian clarifies the article at 8:22pm

Ton Traverse asks another question about the article.

Town Moderator stops Mr. Traverse and states that a motion as already been made and seconded to refer back to the maker.

Roll Call vote

Article 3			motion to refer back to the maker					
	Pct	Vote		Pct	Vote		Pct	Vote
Arone, A.	1	Y	Doherty, S.	4		Paloma, A.	1	Y
Ayube, S.	7	Y	Dunn, S.	1	A	Panico, A.	6	Y
Bartolo, J.	6	Y	Fowler, J.	8	A	Paolini, M.	7	A
Berube, K.	9	Y	Goodwin, P.	5	Y	Riley, C.	2	Y
Brown, W.	6	Y	Jones, C.	1	Y	Ring, D.	10	Y
Camuso Sr, R.	2	Y	Kelly, D.	9	N	Rossetti Jr, P.	2	N
Cicolini, J.	8	Y	Lavoie, R.	7	Y	Scrivano, M.	6	Y
Connors Jr, A.	3	N	Leuci, W.	4	Y	Smith, R.	3	Y
Costello, M.	10	Y	Long, R.	9	Y	Spencer, B.	5	Y
Cottam, J.	9	A	Lopresti, A.	8	N	Stewart, W.	3	A
Cross III, W.	8	Y	Manoogian Sr, P.	10	Y	Thompson, R.	3	Y
Currie, K.	6	A	McCarthy, S.	7	N	Traverse, T.	8	N
Davis, G.	4	Y	Migliore, M.	5	Y	Vecchione IV, J.	2	Y
Delios, P.	10	Y	Mitchell, J.	5	Y	Wallace, R.	5	Y
Devlin, F.	1	Y	Moore, W.	2	Y	Whitcomb, M.	4	Y
DiNardo, A.	4	Y	Nickolas, G.	3	Y	Worthley, J.	9	Y
Divrigilio, S.	10	Y	Palleschi, R.	7	Y			



Yea=	37
Nay=	6
Abst=	6

Articles 3 passes by Roll Call majority vote at 8:25pm to refer back to the maker.

As a courtesy, Mr. Vecchione Precinct 2 moves Article 4 to the floor for consideration as recommended:

**Article as written:**

**Article 4:** To see if the Town will vote to name the Department of Public Works building located at 515 Main Street:

JOSEPH ATTUBATO BUILDING  
SAUGUS DEPARTMENT OF PUBLIC WORKS

There will be no cost to the town for a sign and plaque. (Robert Davis).

Mike Serino Board of Selectmen speaks at 8:30pm supporting of this article

Bob Davis 8, Holden Ave, Saugus speaks at 8:31pm that Joe was truly decades to the town. Please support the article.

Bill Brown Precinct 6 speaks at 8:33pm in favor of this article.

Peter Manoogian Precinct 10 speaks at 8:33pm town voted to rename the DPW building but it never took place. How do we know this will be followed through?

Bob Davis responds at 8:34pm stating he has done the fundraising and will be down in a few months. Spoke with the Town Manager and the DPW Director to make it happen.

Bob Palleschi Precinct 7 speaks at 8:35pm he had known Joe almost 40 years and was a person who cared about the town. Speaks in Favor of the article.

Anthony Cogliano Board of Selectmen Chairman speaks in favor of the article at 8:36pm

Chris Jones Precinct 1 speaks in favor of this article at 8:37pm.

**Articles 4 passes by unanimous voice vote Yes at 8:37pm**

Town Moderator explains that no action on zoning articles because they have not gone in front of the Planning Board. We can deal with the non-zoning articles then we end at the call of the moderator but the rest of Town meeting will not go into effect or we can refer these article to the next Town Meeting so the voting tonight will go into effect.

Peter Rossetti Precinct 2 speaks at 8:40pm as a member of the Planning Board spoke on legislation that was voted by regarding delaying Planning Board meetings. Peter reads from the legislation: "It should be noted at the outset that, pursuant to the Legislature's *Act to Address Challenges Faced by Municipalities and State Authorities Resulting from COVID-19*, which was signed into law by Governor Baker on April 3<sup>rd</sup>, the Planning Board can continue to postpone defer most if not all permitting matters that would be coming before you until 45 days after the state of emergency is lifted. More specifically, that Act, among other things, tolls constructive approvals and applications and all requirements to hold public hearing and act on permit applications until 45 days after the state of emergency is lifted. It is broadly worded, and would apply to all permit/approval applications under the Zoning Bylaws, application for site plan review, and subdivision applications." He plans on speaking with the Town Manager on these issues. The earliest meeting for the Planning Board will be in August.

Joe Vecchione Precinct 2 speaks at 8:43pm to refer back to the next Special Town Meeting. With the nature of the zoning bylaw what is really required to be shown, couldn't the matters be discussed via public.

Peter Rossetti speaks at 8:44pm asking about voting without plans.

Joe Vecchione states amending the text and doesn't want to wait until the State of Emergency is over since they don't know when this will be.

Peter Rossetti says he can discuss it with the Town Administration.

Mike Serino Board of Selectmen speaks at 8:46pm on his similar articles into one document for the Planning Board. Should refer to the next Town Meeting.

Peter Manoogian Precinct 10 speaks at 8:47pm agrees with both to refer back. Conservation is meeting on ZOOM he wants more consistency between the boards.

Bob Palleschi Precinct 7 moves to refer these article to the next special or regular meeting.

The article to be referred back are: Article 6, 7, 8, 16, 19, 20, 21, 22, 23 24

Seconded at 8:49pm

**Unanimous voice vote Yes at 8:49pm to refer Article 6,7,8,16,19,20,21,22,23, and 24.**

As a courtesy to the Finance Committee, Mr. Vecchione Precinct 2 moves Article 9 to the floor for consideration as recommended:

Seconded at 8:51pm

**Article as Written:**

**Article 9:** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to raise and appropriate by borrowing or otherwise a sum of money for the purpose of funding the repaving of various roads in Precinct 2 including the portion of roadway between 14-29 Summit Avenue, the portion of roadway between 5-24 Bayview Road, Sapphire Road, Ruby Road, and the portion of roadway between 7-30 Beacham Avenue. (Joe Vecchione, Town Meeting Member Precinct 2).

**Recommendation:** by the Finance Committee was to refer back to the Maker

Joe Vecchione Precinct 2 supports referring back to the maker at 8:52pm

Peter Rossetti Precinct 2 speaks at 8:52pm wants to applaud these articles.

Martin Costello Precinct 10 asks about cost analysis?

Town Moderator says Yes when it comes back.

**Article 9 unanimous voice vote Yes at 8:53pm to refer back to the maker**

As a courtesy, Mr. Cross Precinct 7 moves Article 10 to the floor for consideration as recommended:

Seconded at 8:54pm Maureen Whitcomb

**Article as Written:**

**Article 10:** To see if the Town will vote to form a committee to study the feasibility of location a new Saugus Fire Station on the west side of Route One. The study will review potential sites, determine the necessary personnel and equipment requirements and the estimated costs. The committee will report its findings to each special town meeting with a final report to the May 2021 annual town meeting. The composition of the committee will include the two co-makers of this article, the Town Manager or his designate, the Saugus Fire Chief or his designate, and a Town Meeting Member from Precinct 7. (Robert Long, Town Meeting Member Precinct 9; William Cross, Town Meeting Member Precinct 8)

Bob Long Precinct 9 speaks at 8:55pm hoping for completion of a fire station on this side of Rt 1. There is a need for a fire station west of Rt 1. In 1995, \$500,000 was approved by the voters to build a fire station and in 2003 a new truck was voted in. There is a desire and need to have this station.

Bill Cross Precinct 7 speaks at 9:00pm 26 years on the Fire Department he is a lieutenant and president of his union. He has been talking about this for a very long time. We were close in 2003. Ask Town Counsel about the prior vote.

John Vasapolli Town Counsel speaks at 9:00pm about what the vote was and he would need to do research on this matter.

Bill Cross Precinct 7 states Saugus has out grown the current Fire Department. The fire department is very busy and he credits the Town Manager on getting the man power of where we should be but still need more. Its manpower and getting to calls quickly. Saugus needs the fire station on the other side of town. Please support this article.

Kartina Berube Precinct 9 9 lives in the Golden Hills and it is a safety issue. This is very important to the residents on the west side.

Peter Manoogian Precinct 10 speaks at 9:05pm in favor of the article. What are potential Sites? ISO or Insurances?

Bill Cross answers Yes.

Judy Worthley Precinct 9 speaks at 9:07pm in favor of the article.

Al DiNardo Precinct 4 asks at 9:08pm to move the question

All in favor of moving the questions

Seconded at 9:08pm by Bill Cross.

#### **Majority voice vote yes at 9:09pm to move the question**

**Article as voted:** To see if the Town will vote to form a committee to study the feasibility of location a new Saugus Fire Station on the west side of Route One. The study will review potential sites, determine the necessary personnel and equipment requirements and the estimated costs. The committee will report its findings to each special town meeting with a final report to the May 2021 annual town meeting. The composition of the committee will include the two co-makers of this article, the Town Manager or his designate, the Saugus Fire Chief or his designate, and a Town Meeting Member from Precinct 7.

#### **Article 10 unanimous voice vote Yes at 8:53pm**

As a courtesy, Mr. Riley Precinct 2 moves Article 11, 12, & 13 to the floor for consideration as recommended:

Seconded at 9:11pm

#### **Articles as Written:**

**Article 11.** To see if the Town will vote, pursuant to Massachusetts General Law C.82 to accept Sapphire Road (526.72 linear feet) as shown on a plan of land entitled "Easement for Sapphire Road", prepared by Carter & Towers Eng.Corp. dated April 9, 1980 recorded in Plan Book 162 Plan 2. (Christopher Riley Town Meeting Member Precinct 2).

**Article 12.** To see if the Town will vote, pursuant to Massachusetts General Law C.82 to accept Bay View Road (592.82 linear feet) as shown on a plan of land entitled "Easement for Bay View Road", prepared by Carter & Towers Eng.Corp. dated April 10, 1980 recorded in Plan Book 162 Plan 4. (Christopher Riley Town Meeting Member Precinct 2).

**Article 13.** To see if the Town will vote, pursuant to Massachusetts General Law C.82 to accept ruby Road (380 linear feet) as shown on a plan of land entitled "Easement for Ruby Road", prepared by Carter & Towers Eng.Corp. dated April 9, 1980 recorded in Plan Book 161 Plan 98. (Christopher Riley Town Meeting Member Precinct 2).

Town Moderator reads Town Counsel for Article 11 , 12 and 13.: purport to legally accept Sapphire Road, Bayview Road and Ruby Road under Massachusetts General laws Chapter 82 pursuant to easement plans recorded in the Registry of Deeds. Under the provisions of Massachusetts General Laws Chapter 82 section 23 town ways may only be laid out by the Board of Selectmen with a plan of laying out with the boundaries and measurements of the way filed with the office of the town clerk and subsequently accepted by a vote of the town meeting. The plans referred to in these articles are easement plans and not plans required under the statute more have the Board of Selectmen voted to accept these streets. AS a result an affirmative vote under these articles would not legally have the effect of accepting the named ways.

Christopher Riley Precinct 2 speaks at 9:11pm on Town Counsel's opinion he would like to refer the article back to himself and save time Articles 12 and 13 which is similar roads

Motion by Chris RILEY TO REFERE the Articles 11, 12 and 13 to back to the maker.

Seconded at 9:11pm

**Articles 11, 12 and 13 unanimous Voice vote Yes at 9:12pm to refer back to the maker**

As a courtesy, Mr. Riley Precinct 2 moves Article 14 to the floor for consideration as recommended:

Seconded at 9:13pm

**Articles as Written:**

**Article 14:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$4500.00 to be used for the repair of the front entrance steps at the American Legion Building at 44 Taylor Street. (Christopher Riley Town Meeting Member Precinct 2).

**Recommendation** by the Finance committee to be Indefinitely Postponed.

Chris Riley speaks at 9:13pm to refer back to the Town Manager.

Seconded at 9:13pm

**Articles 14 unanimous Voice vote Yes at 9:14pm to refer back to the Town Manager.**

As a courtesy, Mr. Riley Precinct 2 moves Article 15 to the floor for consideration as recommended:

Seconded at 9:15pm

**Articles as Written:**

**Article 15:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum not to exceed \$40,000.00 for the purpose of hiring a consultant to provide a classification and compensation study for all (union and non-union) town employees, or take any other action relative thereto. The purpose of the study shall be to determine the fair and equitable total compensation for all town employees based on market conditions. As such, the study shall include, minimally, analysis and recommendations for salaries and employee benefits. (Christopher Riley Town Meeting Member Precinct 2).

The makers of Article 15 and Article 17 are similar.

Town Moderator states Article 15 will be Indefinitely Postponed and Article 17 will be amended.

Article 15 is seconded at 9:15pm

**Articles 15 unanimous voice vote Yes at 9:16pm to be Indefinitely Postponed.**



As a courtesy to Finance Committee, Mr. Cross Precinct 7 moves Article 17 to the floor for consideration as recommended:

Seconded at 9:17pm

**Articles as Written:**

**Article 17:** To see if the Town will vote to raise and appropriate or transfer from available funds in the sum of \$10,000 for a wage study to be conducted on all full time employees of the Town of Saugus. The results of this study will be reported to Town Meeting by a newly formed committee. This committee will consist of one (1) member appointed by the Town Manager, Board of Selectmen, Town Meeting, the Public Employee's committee on Health insurance and the make of this Article. (William E. Cross, Town Meeting Member, Precinct 8)

**Recommendation** by the Finance committee to be Indefinitely Postponed.

Chris Riley Precinct 2 makes an amendment on the amendment.

Town Moderator reads the amended Article 17 to Town meeting at 9:16pm.

**Amendment to Article 17:** To see if the Town will vote to raise and appropriate or transfer from available funds a sum not to exceed \$40,000.00 for a compensation study for all full-time employees of the Town of Saugus or take any other action relative thereto. The purpose of the study shall be to determine the fair and equitable total compensation for town employees based on market conditions. The study shall include, minimally, compensation analysis of similar towns and recommendations for adjusting compensation in Saugus, as needed. The results of this study shall be reported to Town Meeting by a newly formed committee. This committee shall consist of one (1) member appointed by the Town Manager, Board of Selectmen, Town Meeting, the Public Employees committee on Health Insurance and the maker of this Article. (William E. Cross, Town Meeting Member, Precinct 8)

Chris Riley speaks at 9:19pm on the Benefits for the Town. It makes an appropriation. It doesn't take away insurance. How can we ask Town Meeting to commit to something without a target. No timetable and it will be under desecration of the Town Manager. This is an issue that gest more difficult each year. Please support the article.

Bill Cross Precinct 7 speaks at 9:22pm makes a motion to move this article to the next Special Meeting.

Seconded at 9:23pm by Chris Riley

Bill Cross explains that every year the town employees is like a piñata. The town is way behind everyone else. Some facts: Wakefield 75% 25% split making more a money each week; Lynn 82% 18% split but making more a money each week. Hingham pays 50% 50% split but is making much much more money each week. The Town Manager knows where we all set.

Steve Divirglio Precinct 10 speaks at 9:27pm thinks Mr. Cross brings up a lot of good points. However, the tax bases won't pay for this, must find the way to work for everyone.

Vote on the Amendment to the Substitute motion.

**Unanimous voice vote Yes at 9:28pm on the Amendment.**

**Article 17 unanimous vote Yes at 9:29pm to refer back.**

As a courtesy to the Board of Selectmen, Mr. Vecchione Precinct 2 moves Article 18 to the floor for consideration as recommended:

Seconded at 9:32pm

**Articles as Written:**

**Article 18:** To see if Town Meeting will vote to authorize the Board of Selectmen to petition the Legislature to enact legislation in the following form:

The Town of Saugus may, subject to approval of the Commissioner of Revenue designate a place on its municipal tax bills, or the motor vehicle excise tax bills, or mail with such tax bills a separate form whereby taxpayers of the town can voluntarily check off, donate, and pledge an amount of money which shall increase the amount already due and which shall be paid over to the Saugus Emergency Relief Fund, as well as additional donations by businesses or organizations that would like to contribute to this fund. The purpose of this Emergency Relief Fund is for the support of Saugus residents in need of immediate assistance during a state of emergency, as declared by the Commonwealth of Massachusetts, to include, rent, food, prescriptions, utilities, transportation, heating and oil assistance; such recipient's status as residents of Saugus and their need will be determined by the Board of Public Welfare. Such legislation to be effective immediately; provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition; or take any other action that is required in the matter. (Board of Selectmen)

Corinne Riley Board of Selectmen speaks at 9:32pm in support of this article.

Steve Diviriglio Precinct 10 asks the Board of Selectmen at 9:33pm who will be approving the funds dispersed. Is this through a Town Bank Account? Why does the Town need to collect the money? Who would be responsible? Why not through a 595 foundation?

Corinne Riley explains at 9:36pm that we have this in our bylaws. The Town is giving back to its people instead of a 501C3. It will follow who is donating and where the money is going to. Wakefield has something similar. We do have Food Banks but wanted to do more.

Steve asks again if this is a Town Account? I would like to hear from the Treasury or the Town Manager.

Corinne Riley states this is not a personal thing, but other municipalities have in place. It will go through Treasury office. Was the Treasury in support of this? Corinne Riley states she did speak with the Treasury on this matter.

Peter Manoogian Precinct 10 speaks at 9:39pm new members of the Board of Selectmen and Town Meeting are coming up with the new ideas. This will need to be approved by the Legislature. Clearly the attempt is to help the people.

Joia Cicolini Precinct 8 speaks at 9:41pm asks if it is tax deductible?

Corinne Riley states she is unsure.

Mike Serino Board of Selectmen speaks at 9:42pm stating to petition the State Legislature.

Chris Riley Precinct 2 speaks at 9:43pm in favor of the article.

Rick Smith Precinct 3 speaks in support of the article since we are already doing it on the education level.

Debra Panetta Board of Selectmen at 9:45pm informs Town Meeting why the Board of Selectmen put this article on the warrant. Supports the article.

Al DiNardo Precinct 4 at 9:46pm makes a motion to move the question.

Seconded at 9:46

**Unanimous voice vote Yes at 9:46pm to move the question.**

**Article 18 passes with majority voice vote Yes at 9:47pm with one abstain from Steve Diviriglio Precinct 10.**

As a courtesy, Mr. Rossetti, Precinct 2 moves Article 25 to the floor for consideration as recommended:

Seconded at 9:49pm Joe Vecchione.

### **Articles as Written**

**Article 25:** To have Town Meeting review the town owned property at the old water tower site on Summit Ave as a possible recreational area for the neighborhood as a “tot Lot” or just benches with what ever other facilities can be placed there. It is a vacant area. There are no other areas without crossing a major road within a reasonable distance. (Peter Rossetti, Town Meeting Member Precinct 2)

Peter Rossetti Precinct 2 speaks at 9:49pm about an old water tower on Baker Hill. The water tower as been removed. In Precinct 2 there us not a lot of public amenities. Using the site for a recreation area for the residents in the area. Asked for donations.

Town Moderator asks if a Yes vote what is next? Who will the town go to for action?

Peter Rossetti states the DPW Department and make their recommendations.

Joe Vecchione Precinct 2 speaks at 9:52pm who is a resident of the area, is in support of the article with DPW recommendations.

Chris Riley Precinct 2 speaks at 9:52pm speaks in support of the article.

Bob Palleschi Precinct 7 asks if the Town Manager is involved in this article.

Town Manager answers at 9:53pm that he is happy to look at this but has not any specific conversations with Mr. Rossetti.

Al Dinardo Precinct 4 asks to move the questions

Seconded at 9:54pm.

**Majority Vote yes to move the question: 1 no by Martin Costello. Passes at 9:54**

**Article 25 passes by unanimous voice vote at 9:55pm.**

As a courtesy, Mr. Rossetti, Precinct 2 moves Article 26 to the floor for consideration as recommended:

Seconded at 9:55pm by Pam Goodwin

### **Article as Written**

**Article 26:** To have Town Meeting direct Town Counsel to investigate the creation of a fund that would allow developers to voluntarily contribute towards town projects. This would be like “linkage” in Boston. This is a off shoot of the YMCA project from a few years ago. It was suggested that the Y extend the sidewalk in front of their property to the Lynnfells Parkway along the south side if Main St. There was a tremendous amount of ledge that would have to be removed to complete the project. It was not realistic to think the Y could afford to do the project; however, they could contribute to the project. Other projects in the area could also make voluntary donations, until an amount was accumulated to complete this or other projects in the town. I believe this will require Town Meeting Action and possibly State legislation action. (Peter Rossetti, Town Meeting Member Precinct 2)

Peter Rossetti Precinct 2 speaks at 9:56pm about how Planning Board runs into this from developers wanting to do a donation. He has spoken to the Town Planner on such matters and this would go back to the DPW. But Town Counsel needs to look into and have legislature approval.

Peter Manoogian Precinct 10 has concerns with this article. Would like to hear from Town Counsel.

John Vasapolli Town Counsel speaks at 10:00pm stating Town Meeting doesn’t have the authority to direct town employees. But there is a lot of case law involved on this article issues.

Peter Manoogian Precinct 10 makes a motion to amend the article to request the Town Manager to ask Town Counsel to investigate.

Amendment to add the working “request the Town Manager”

**Voice vote on the amendment Yes at 10:02pm: unanimous**

**Article as Voted:** To have Town Meeting request the Town Manager to direct Town Counsel to investigate the creation of a fund that would allow developers to voluntarily contribute towards town projects. This would be like “linkage” in Boston. This is a off shoot of the YMCA project from a few years ago. It was suggested that the Y extend the sidewalk in front of their property to the Lynnfells Parkway along the south side if Main St. There was a tremendous amount of ledge that would have to be removed to complete the project. It was not realistic to think the Y could afford to do the project; however, they could contribute to the project. Other projects in the area could also make voluntary donations, until an amount was accumulated to complete this or other projects in the town. I believe this will require Town Meeting Action and possibly State legislation action. (Peter Rossetti, Town Meeting Member Precinct 2)

Steve Diviriglio Precinct 10 asks about a particular area.

Peter Rossetti states no,

**Article 26 passes by unanimous voice vote at 10:04pm.**

As a courtesy, Mr. Manoogian, Precinct 10 moves Article 27 to the floor for consideration as recommended:

Seconded at 10:05pm Martin Costello

**Article as written:**

**Article 27:** To see if the Saugus town Meeting will vote to create a five-person study committee that will investigate the potential use for the Ballard School including, but not limited to, the use for Veterans Housing under the VASH Program or other programs that offer state or federal subsidies.

Said Committee will research and report on opportunities for public/private or public/non-profit to partner with the Town and/or the Saugus Housing Authority. Said committee shall engage the Saugus Housing Authority and/or its Executive Director as part of its research as well as the Saugus Veterans agent.

Said committee shall consist of two Precinct 10 Town Meeting Members to be appointed by the Moderator within 14 days of adoption of this article, one resident neighbor who resides on Richard, Greenwood or Dudley Street to be selected by the tow appointed Town Meeting Members, one Selectmen to be appointed by the Chairman of the Board of Selectmen and the Town manager or his designee.

In the event the Moderator fails to make appointments as herein described, the five Precinct 10 town meeting members shall appoint two from said delegation.

All meetings will be public and abutters of the Ballard School shall receive written notice of meetings. There shall be no less than one public hearing to receive input.

This committee will report to the next annual or special town meeting, whichever comes first. A final report, with recommendations, will be issued no later than October 15th, 2020.

(Peter Manoogian, Town Meeting Member Precinct 10)

Peter Manoogian Precinct 10 speaks at 10:06pm about the Ballard School being turned back to the Town by the School Committee. He recognizes that Town Meeting has no authority on this use. The Ballard has that abandon look. He speaks about how useful Laura Glynn in Housing Authority is to assist. Listen to the neighbors and this is a research project.

Joia Cicolini Precinct 10 speaks at 10:10pm she thought the town’s bigger plan was to look at all decommissioned schools as time goes forward.

Peter Delios Precinct 10 is in favor of this article at 10:10pm.

Peter Manoogian replies that the Ballard School has been giving back to the School Department.


Steve DiViriglio Precinct 10 asks his opinion on veterans housing.

Peter Manoogian replies on the people we should be speaking with and their opinions.

Chris Riley Precinct 2 speaks at 10:14pm in favor of the article.

Roll call at 10:14pm

Article 27								
	Pct	Vote		Pct	Vote		Pct	Vote
Arone, A.	1	A	Doherty, S.	4		Paloma, A.	1	Y
Ayube, S.	7	Y	Dunn, S.	1	A	Panico, A.	6	Y
Bartolo, J.	6	Y	Fowler, J.	8	A	Paolini, M.	7	A
Berube, K.	9	Y	Goodwin, P.	5	Y	Riley, C.	2	Y
Brown, W.	6	Y	Jones, C.	1	Y	Ring, D.	10	Y
Camuso Sr, R.	2	Y	Kelly, D.	9	Y	Rossetti Jr, P.	2	Y
Cicolini, J.	8	N	Lavoie, R.	7	Y	Scrivano, M.	6	Y
Connors Jr, A.	3	Y	Leuci, W.	4	Y	Smith, R.	3	Y
Costello, M.	10	Y	Long, R.	9	Y	Spencer, B.	5	Y
Cottam, J.	9	A	Lopresti, A.	8	Y	Stewart, W.	3	A
Cross III, W.	8	Y	Manoogian Sr, P.	10	Y	Thompson, R.	3	Y
Currie, K.	6	A	McCarthy, S.	7	Y	Traverse, T.	8	Y
Davis, G.	4	Y	Migliore, M.	5	Y	Vecchione IV, J.	2	Y
Delios, P.	10	Y	Mitchell, J.	5	Y	Wallace, R.	5	Y
Devlin, F.	1	N	Moore, W.	2	Y	Whitcomb, M.	4	Y
DiNardo, A.	4	Y	Nickolas, G.	3	A	Worthley, J.	9	Y
Divirgilio, S.	10	Y	Palleschi, R.	7	Y			



Yea=	39
Nay=	2
Abst=	8

Article 27 passes by majority Roll Call vote at 10:15pm

As a courtesy to Anthony Cogliano, Mr. Vecchione Precinct 2 moves Article 28 to the floor for consideration as recommended:

Seconded at 10:22pm by Ann Devlin

Article as written:

**Article 28:** To see if the Saugus Town Meeting will vote to revise its affirmative vote of Article 2 which was voted on March 9, 2020 to include language requested by the Massachusetts General Court so that the vote would read as follows:

Notwithstanding any general or special law to the contrary, Kevin Nichols may continue to serve in the position of Saugus Police Department patrolman until the age of 70, or until the date of his retirement or non-reappointment whichever occurs first. No further deductions shall be made from the regular compensation of Kevin Nichols under chapter 32 of the General Laws for any service subsequent to his reaching the age of 65 in connection with his service to the Town for retirement or pension purposes, and upon retirement, he shall receive a retirement allowance equal to that which he was entitled upon reaching age 65.

SECTION 2. This act shall take effect upon its passage. (Anthony Cogliano)

Town Moderator reads Town Counsels opinion at 10:19pm.

Town Counsels Opinion: Seeks to have the town meeting vote to revise its affirmative vote of Article 2 of the March 9, 2020 Special Town Meeting to petition the state legislature to adopt a special act to allow Kevin Nichols, to be employed as a Saugus Police officer as the maintenance mechanic until the age of 70 or until the date of his retirement or non-reappointment whichever comes first. This prosed

legislature would exempt Mr. Nichols from the mandatory retirement provision of the general laws which required police officers to retire at age 65 and will allow him to work in the police department as a mechanic until the age of 70. Kevin Nichols is no longer an employee of the Town of Saugus having reached the mandatory retirement age of 65.

Under the provisions of Article 2 Section 13 (c) of the Town Charter the Town Manager appoints and may remove all officers and employees of the town except employee of the school department. This proposed legislation runs contrary to this provision of the Town Charter as it would mandate that Mr. Nichols to be rehired as an employee in the role of maintenance mechanic in the police department until he reaches the age of 70. As a result this would prevent the Town Manager from taking any action to remove or transfer him as a town employee under the authority given to the Town Manager in the Town Charter, and would require the Town Manager to rehire an individual who has attained the mandatory retirement age and is no longer employed by the town to a position of mechanic for which there is no vacancy, said position have been previously filled.

Additionally, The Chief of Police who by law has the sole authority to transfer and reassign the duties of police officers, would be prevented from assigning Mr. Nichols to any other police duties and the town would be obligated to pay all employee benefits including injuries in the line of duty.

The position of police mechanic was eliminated from the collective bargaining agreement between the Town and the police patrol union in 2013. The intent of this was to put another police officer on the street and have the car maintenance performed by a mechanic. At the time, rather than the town immediately eliminating the police mechanic position and ordering Mr. Nichols into uniform and regular police duties, the town agreed to allow Mr. Nichols to finish his career in that position noting that he had held the mechanic position for many years and was close to the mandatory police retirement age of 65. This special legislation would deprive the town of the ability of placing another patrol officer to regular police duties that the town had bargained for in the labor contract.

Additionally passage of this legislation would not override civil service hiring protocols and the discretion of the Town Manager and Police Chief.

Anthony Cogliano Chairman Board of Selectmen speaks at 10:22pm stating this is a house keeping issue correcting the language.

Chief Ricciardelli speaks at 10:23pm has worked with Mr. Nicholas for 25 years but there is a reason for the retirement in the State of Massachusetts. This is a tough job and the legislature got this right in 1987 to work to the age of 65. The town will have to pay all the medical expenses for on the job injuries. The mechanic position has been hired by a civilian and he is doing an excellent job. He is also a resident of Saugus. Kevin doesn't work for Saugus anymore and the Police will have to layoff someone to pay for him. He will not be a mechanic but a patrol officer.

Pamela Goodwin Precinct 5 speaks at 10:27pm she doesn't know Mr. Nichols personally and concurs what the Police Chief said and Town Meeting should not be legislating someone's future.

Steve Diviriglio Precinct 10 speaks at 10:28pm believes the Town Manager and the Chief of Police hire who they want.

Joia Cicolini Precinct 2 speaks at 10:28pm agrees with her former colleagues.

Bill Brown Precinct 6 speaks at 10:29pm in support of the article.

Dan Kelly Precinct 9 asks Patrolman or a Mechanic.

Chief Ricciardelli asks the same question.

Anthony Cogliano states it's a Patrolman position.

John Vasapolli Town Counsel states he is past 65 years old and it didn't get through the Legislature but now he is not an employee. Now you are mandating the Town Manager to hire an employee.

Jean Bartolo Precinct 6 speaks at 10:32pm that we voted on this already.

Peter Manoogian Precinct 10 states the language is clear that this is a patrolman. Consistent with what he voted on.

Anthony Lopresti Precinct 8 speaks at 10:36pm to clarify what this means.

Anthony Cogliano speaks this article would be referred back to the Legislature.

Pam Goodwin asks that this will be setting a precedent which is not good.

Bill Cross Precinct 7 voted in favor to extend and he is not because he is now retired. Getting calls from other people asking how to un-retire.

Chief Ricciardelli states the article reads to be hired back as a Mechanic.

Peter Manoogian asks to clarify the article.

Town Moderator re-reads the article.


**Article as voted:** To see if the Saugus Town Meeting will vote to revise its affirmative vote of Article 2 which was voted on March 9, 2020 to include language requested by the Massachusetts General Court so that the vote would read as follows:

Notwithstanding any general or special law to the contrary, Kevin Nichols may continue to serve in the position of Saugus Police Department patrolman until the age of 70, or until the date of his retirement or non-reappointment whichever occurs first. No further deductions shall be made from the regular compensation of Kevin Nichols under chapter 32 of the General Laws for any service subsequent to his reaching the age of 65 in connection with his service to the Town for retirement or pension purposes, and upon retirement, he shall receive a retirement allowance equal to that which he was entitled upon reaching age 65.

SECTION 2. This act shall take effect upon its passage.

Roll Call vote

Article 28								
	Pct	Vote		Pct	Vote		Pct	Vote
Arone, A.	1	A	Doherty, S.	4		Paloma, A.	1	Y
Ayube, S.	7	N	Dunn, S.	1	A	Panico, A.	6	Y
Bartolo, J.	6	Y	Fowler, J.	8	A	Paolini, M.	7	A
Berube, K.	9	Y	Goodwin, P.	5	N	Riley, C.	2	Y
Brown, W.	6	Y	Jones, C.	1	N	Ring, D.	10	Y
Camuso Sr, R.	2	Y	Kelly, D.	9	N	Rossetti Jr, P.	2	Y
Cicolini, J.	8	N	Lavoie, R.	7	N	Scrivano, M.	6	N
Connors Jr, A.	3	N	Leuci, W.	4	N	Smith, R.	3	Y
Costello, M.	10	N	Long, R.	9	Y	Spencer, B.	5	N
Cottam, J.	9	A	Lopresti, A.	8	N	Stewart, W.	3	A
Cross III, W.	8	Y	Manoogian Sr, P.	10	Y	Thompson, R.	3	N
Currie, K.	6	A	McCarthy, S.	7	N	Traverse, T.	8	Y
Davis, G.	4	Y	Migliore, M.	5	Y	Vecchione IV, J.	2	Y
Delios, P.	10	Y	Mitchell, J.	5	N	Wallace, R.	5	Y
Devlin, F.	1	N	Moore, W.	2	Y	Whitcomb, M.	4	N
DiNardo, A.	4	N	Nickolas, G.	3	A	Worthley, J.	9	N
Divirgilio, S.	10	N	Palleschi, R.	7	Y			



Yea=	21
Nay=	20
Abst=	8

Article 28 passes by majority Roll Call vote at 10:39pm

Motion to adjournment the July 13, 2020 Special Town Meeting at 10:45pm by Peter Manoogian.

Seconded at 10:45pm

Unanimous motion at 10:45pm sine die.

Respectfully submitted

Ellen Joyce Schena  
Saugus Town Clerk