

MEETING NOTICE
TOWN OF LYNNFIELD
(As required by MGL Chapter 30A, sections 18-25)

*Please email all meeting notices to lemerson@town.lynnfield.ma.us AND
dhammerbeck@town.lynnfield.ma.us*

Town Clerk Date Stamp

Board/Committee Name: Board of Selectmen
Day/Date: Monday, February 24, 2020
Time of Meeting: 7:00 p.m.
Location: Merritt Center, 600 Market Street

AGENDA

1. Annual joint meeting with Lynnfield Center Water District to set the compensation for the Board of Assessors and Tax Collector
2. Joint meeting with Lynnfield Housing Authority to interview and appoint candidate(s) for Housing Authority vacancy
3. 7:15 p.m. public hearing – application for all-alcohol restaurant license, Burton’s Grill of Lynnfield, 1355 Market Street
4. Change of manager petition, California Pizza Kitchen
5. Appointment to Lynnfield Historical Commission regular and associate membership position
6. Appointment of Town Clerk Linda Emerson as Chief Records Officer
7. Purchase and Sale Agreement, Quitclaim Deed, Settlement Statement and Pro Forma Tax Bill in connection with the sale of land off Witham Street.
8. Request to purchase Town-owned land on Broadway
9. Opening of annual town meeting warrant for acceptance of articles
10. Setting of closing date for annual town meeting warrant
11. Town Administrator’s update on ongoing projects

***Annual Joint Meeting of the
Selectmen of the Town of Lynnfield
and the
Commissioners of the Lynnfield Center Water District***

***Monday, February 24, 2020 7:00 PM
Al Merritt Center, 600 Market Street, Lynnfield MA***

Pursuant to Section 108B, Chapter 41, of the General Laws of The Commonwealth of Massachusetts, this Annual joint meeting between the Selectmen and the Water Commissioners is called to set the salary to be paid to the Tax Collector and the Board of Assessors for work performed for the District.

Motions

- 1** I move that Richard Dalton be nominated as Chairperson of this Annual Joint Meeting.
Moved: Commissioner #1 Seconded: Commissioner #2

Approved Yes No
- 2** I move that the reading of the Minutes of the 2019 Annual Joint meeting be waived.
Moved: Commissioner #2 Seconded: Commissioner #3

Approved Yes No
- 3** I move that the fiscal year 2020 annual compensation for services rendered to the Lynnfield Center Water District be set as follows, Tax Collector \$550.00 and Assessors \$300.00 each.

Moved: Commissioner #3 Seconded: Commissioner #1

Approved Yes No
- 4** I move that this meeting be adjourned Sine Die.

Moved: Commissioner #1 Seconded: Commissioner #2

Approved Yes No

S. DAVID WHITE, P.C.

ATTORNEYS AT LAW

BOSTON • HINGHAM • MANSFIELD • WAKEFIELD

Attorneys

*S. David White
Stephanie Petty
Norbert Styblo
Nicholas J. Riccio
-Of Counsel
-Also Admitted in FL*

Paralegals

*Debbie Ennis
Christine Glover
Katie Stephenson*

February 6, 2020

VIA ELECTRONIC MAIL

Mr. James Wilkie, Chair
Lynnfield Housing Authority
600 Ross Drive
Lynnfield, MA 01940

RE: Housing Authority Board of Commissioners

Dear Mr. Wilkie,

I am interested in filling the vacant seat on the Lynnfield Housing Authority's Board of Commissioners. I have been a resident of Lynnfield (1 Melch Road) since July of 2015. I have been an attorney in Massachusetts since 2003 and I have extensive experience and expertise in many areas of the law. If you have any questions, please do not hesitate to reach out.

Very Truly Yours,

Stephanie Petty

TOWN of LYNNFIELD PUBLIC HEARING NOTICE

APPLICATION FOR AN ON-PREMISES ALL-ALCOHOL RESTAURANT LICENSE

The Lynnfield Board of Selectmen will hold a Public Hearing on Monday, February 24, 2020, at 7:15 p.m. in the Al Merritt Media and Cultural Center, 600 Market Street, Lynnfield MA.

The purpose of the hearing is to consider an application for an annual on-premises all-alcohol restaurant license by Burtons Grill of Lynnfield, dba Burtons Grill & Bar, Denise Herrera, Manager, Market Street, Approximately 5400 square foot restaurant on one floor with one entrance and four exits.

All interested Town citizens are invited to provide comments.

Robert J. Dolan
Town Administrator



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

LICENSING AUTHORITY CERTIFICATION

LYNNFIELD

City /Town

64-00039

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- Checkboxes for various transaction types: New License, Change of Location, Change of Class, Change of License Type, Change of Manager, Change of Corporate Name, Change of Category, Issuance/Transfer of Stock, Change of Hours, Change of DBA, etc.

APPLICANT INFORMATION

Form fields for Applicant Information: Name of Licensee (California Pizza Kitchen, Inc.), DBA (California Pizza Kitchen), Street Address (1150 Market Street, Lynnfield MA), Zip Code (01940), Manager (Andraya O'Keefe), License Type (\$12 Restaurant), Class (Annual), Category (All Alcoholic Beverages), and Special Legislation options.

DESCRIPTION OF PREMISES

Complete description of the licensed premises

Large dining room with bar, with outside patio seating area for seasonal dining.

LOCAL LICENSING AUTHORITY INFORMATION

Form fields for Local Licensing Authority Information: Application filed with the LLA (Date: 12/01/2019, Time: 3:13 p.m.), Advertised (Yes/No), Date Published, Publication, Abutters Notified (Yes/No), Date of Notice, Date APPROVED by LLA (February 24, 2020), Decision of the LLA (Approves this Application), and Seller License Number/Name fields.

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Blank lines for signature of Local Licensing Authorities.

QUITCLAIM DEED

THE TOWN OF LYNNFIELD, a Massachusetts municipal corporation having a usual place of business at 55 Summer Street, Lynnfield, Massachusetts 01940, acting by and through its Board of Selectmen (the “Grantor”),

and in full consideration of **TEN THOUSAND, SEVEN HUNDRED AND TWO DOLLARS (\$10,702.00)** paid to it,

grants to **PAUL J. SCOTT** and **LAUREN ELIZABETH SCOTT**, as husband and wife, tenants by the entirety, of 9 Witham Street, Lynnfield, Massachusetts 01940 (the “Grantees”),

WITH QUITCLAIM COVENANTS,

the land situated in Lynnfield, Massachusetts off Witham Street containing 8,258 square feet of land, more or less (the “Property”)

being the same property shown on the Assessors’ Maps of the Town of Lynnfield as Map 52, Parcel 725.

FOR THE GRANTOR’S TITLE see Treasurer’s Deed to Municipality recorded with the Essex South District Registry of Deeds at Book _____, Page ____.

THE GRANTOR HEREBY CERTIFIES COMPLIANCE with the provisions of all applicable laws including, without limitation, G.L. c. 7, § 40J and G.L. c. 44, § 63A. For the authorization of the execution and delivery hereof, see the vote under Article 11 of the warrant for the Town Meeting of the Town of Lynnfield, Massachusetts held on October 16, 2017.

The Property is sold by the Grantor and purchased by the Grantees on an **“AS IS, WHERE IS”** basis, without warranties or representations of any kind. Without limiting the generality of the foregoing, and notwithstanding any other provision hereof or in any other instrument to the contrary, the Grantor does not represent or warrant that it has good, clear or marketable title to the Property; or that the Property may be used for any particular purpose; or that the Property complies with any applicable laws, statutes, codes, regulations or other legal requirements; or that the Property will be assessed for purposes of real estate taxes on the basis of the price at which it is sold. No representation or warranty is made with respect to the environmental condition of the Property. By their acceptance and recording of this Quitclaim Deed, the Grantees acknowledges that they have not relied upon any warranties or representations of the Grantor or of any person acting on behalf of the Grantor, and that the Grantor shall not be liable for any condition or defect of the Property whatsoever, whether or not known to exist by the Grantor or any representative of the Grantor.

No structure shall be built on the Property; no combination of the Property, nor any part or parts of the Property, with any adjoining lot shall render buildable any lot that is not independently buildable under the applicable Zoning Bylaws; and the Property shall not be made the subject of an application for a variance under G.L. c. 40A or a comprehensive permit under G.L. c. 40B. This restriction shall be enforceable by the Grantor as a covenant made by the Grantees and binding on the Grantees and all of the Grantees’ successors and assigns.

IN WITNESS WHEREOF we have hereunto set our hands and seals on behalf of the Town of Lynnfield, Massachusetts as of the 24th day of February, 2020.

**TOWN OF LYNNFIELD,
MASSACHUSETTS
BY AND THROUGH ITS BOARD OF
SELECTMEN**

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

FEBRUARY 24, 2020

On this 24th day of February, 2020, before me, the undersigned notary public, personally appeared _____ and proved to me through satisfactory evidence of identification, which was _____, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily as their free act and deed for its stated purpose as the Board of Selectmen of the Town of Lynnfield, or a majority thereof

Notary Public
My commission expires:

c:\Lynnfield\Deed-Witham Street Land



Robert Curtin <rcurtin@town.lynnfield.ma.us>

Lynnfield Historical Commission

Kirk P. Mansfield <rescueguy14@gmail.com>
To: Robert Curtin <RCurtin@town.lynnfield.ma.us>

Tue, Feb 4, 2020 at 3:54 PM

Hi Bob,

As you know, Steve Todisco will be re-joining the commission, and we are excited to have him back! While I have enjoyed being the chairman of the committee, I truly believe that Steve's professional background is what the committee needs, so I told him that I will relinquish the position back to him and I will stay on as the alternate member.

Please let me know if this works for you.

Best,
Kirk P. Mansfield
1-603-257-0124



Kimball

KIMBALL & KIMBALL

Counsellors at Law

Trustees

A Professional Association

618 Main Street

Lynnfield, Massachusetts 01940

HENRY H. KIMBALL (1878 – 1948)

JOHN H. KIMBALL (1914 - 2002)

JOHN H. KIMBALL, JR.

IN A PROFESSIONAL ASSOCIATION WITH;

MARILYN KIMBALL (Retired)

MATTHEW J. KIMBALL, PC

Area Code (781)

334-3200

334-6200

245-1012

Fax (781) 334-2852

kimballjay2468@aol.com

January 17, 2020

Selectmen's Office

55 Summer Street

Lynnfield, MA 01940

Attention: Robert Curtin, Assistant Town Administrator

***RE: Request to purchase real estate owned by the Town of Lynnfield
Parcel ID No. 0052 0000 1243***

Dear Bob:

As previously discussed, my son Matthew J. Kimball and I represent Ilias & Leonora Kotsaninis, who own, as Trustees of the "470 Broadway Realty Trust" the parcel known as 470 Broad Way, Lynnfield, Massachusetts. In addition, Ilias & Leonora Kotsaninis have owned and operated Loui's Pizza and Roast Beef at this location since 2011.

As you are aware, Ilias & Leonora Kotsaninis are parties to a license agreement between themselves and the Town of Lynnfield, in which they pay \$500.00 per month in consideration of having the exclusive use of parking spaces located on the above entitled parcel. At this time, Ilias & Leonora Kotsaninis would like the opportunity to purchase this parcel from the Town of Lynnfield. To that end, please let this letter serve as our client's request to purchase this parcel from the Town of Lynnfield. Please let us know what, if anything, you need in order to begin this process and the anticipated steps moving forward.

Very truly yours,


John H. Kimball, Jr.