

## **BOARD OF SELECTMEN**

### **MINUTES**

**May 15, 2013**

Board met in session at 7:30 p.m. in the Selectmen's Meeting Room at Abbot Hall

Present (constituting a quorum):

Jackie Belf-Becker, Chair  
Harry C. Christensen, Jr.  
Judith R. Jacobi  
Bret T. Murray  
James E. Nye

Jeff Chelgren, Town Administrator

**APPOINTMENTS.** Robin Michaud, Town Clerk, appeared to swear in the newly elected Selectmen. This is the 364<sup>th</sup> Board of Selectmen for the Town of Marblehead. All newly elected officials were also sworn in by the Town Clerk.

**DISCLOSURE – Chapter 268A.** Bret T. Murray, Harry C. Christensen, and Jackie Belf-Becker read their disclosures that are required by Chapter 268A Section 23(B)(3) of the Mass General Laws.

Motion made and seconded to nominate Jackie Belf-Becker as Chair for the coming year. On a polled vote the Board voted as follows: Mr. Murray, in favor; Mr. Christensen, in favor, Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

Jackie Belf-Becker continued the meeting as chair.

**MINUTES.** Motion made and seconded to approve the minutes from April 24, 2013. All in favor. Motion made and seconded to approve the minutes from May 6, 2013. All in favor. Motion made and seconded to approve the minutes from May 10, 2013. 4 voted in favor. Mr. Murray voted present.

**APPOINTMENTS.** Motion made and seconded to accept the following appointments except for those names placed on hold:

#### **TOWN ADMINISTRATOR**

Jeff A. Chelgren

#### **AMERICAN DISABILITIES ACT COORDINATOR**

Kyle A. Wiley

2014

|   |      |
|---|------|
| <b>ANIMAL INSPECTOR</b> at \$2,400 per year |      |
| Isabel M. Lorencio                          | 2014 |

**BUILDING COMMISSIONER AND INSPECTORS**

|  |      |
|--|------|
| Commissioner - Robert S. Ives, Jr.               | 2014 |
| Local Inspector - Chris Butler                   | 2014 |
| Local Inspector – Dan R. Williams                | 2014 |
| Plumbing Inspector - Domingos Furtado            | 2014 |
| Assistant Plumbing Inspector – Peter McCarriston | 2014 |
| Assistant Plumbing Inspector – Bradford Smith    | 2014 |
| Wiring Inspector – Ronald J. Marks               | 2014 |
| Assistant Wiring Inspector – Eric F.S. Chisholm  | 2014 |

**CANINE CONTROL CLERK**

|                            |      |
|----------------------------|------|
| Robin Michaud – Town Clerk | 2014 |
|----------------------------|------|

**ASSISTANT DOG OFFICERS FOR THE PARKS**

|               |      |
|---------------|------|
| Robert Gillis | 2014 |
| Peter James   | 2014 |
| Brad Delisle  | 2014 |
| Reggie Berry  | 2014 |
| Mike Attridge | 2014 |
| Greg Snow     | 2014 |
| Pat Sylvester | 2014 |
| Jim Sullivan  | 2014 |
| Brendan Egan  | 2014 |

**TOWN COUNSEL** at \$2,000 per year

|                                  |      |
|----------------------------------|------|
| Jeffrey N. Shribman              | 2014 |
| Assistant Town Counsel:          |      |
| Brody, Hardoon, Perkins & Kesten | 2014 |
| Leonard Kesten                   | 2014 |
| Marc J. Miller                   | 2014 |
| Patrick J. Costello              | 2014 |
| Blatman, Bobrowski & Mead, LLC   | 2014 |
| Francis Mayo                     | 2014 |

**COUNCIL ON AGING DIRECTOR**

|                      |                         |      |
|----------------------|-------------------------|------|
| Patricia C. Roberts  | expires on May 31, 2013 |      |
| Teri Allen McDonough | effective May 20, 2013  | 2014 |

**EMERGENCY MANAGEMENT COORDINATOR**

|                              |      |
|------------------------------|------|
| Charles P. Cerrutti          | 2014 |
| Wayne O. Attridge, Assistant | 2014 |

**ENGINEERING AND CONSERVATION ADMINISTRATOR**

|  |      |
|--|------|
|  | 2014 |
|--|------|

|   |      |
|---|------|
| William C. Lanphear                                   | 2014 |
| <b>FLAG OFFICER</b>                                   |      |
| David C. Rodgers                                      | 2014 |
| <b>FOREST WARDEN</b> – Term: 1 Year                   |      |
| Chief Jason R. Gilliland, Fire Department             | HOLD |
| <b>HARBOR MASTER AND ASSISTANTS</b>                   |      |
| Webb Russell, Harbor Master                           | 2014 |
| Craig Smith, <i>First Assistant Harbormaster</i>      | 2014 |
| Daniel Roads, Jr., <i>Assistant Harbormaster</i>      | 2014 |
| <i>Assistant Harbormasters (Seasonal):</i>            |      |
| Ray Gauthier  | 2014 |
| Jeffrey Flynn   | 2014 |
| Ryan Hoye   | 2014 |
| John Payne  | 2014 |
| Charles Cullanie                                      | 2014 |
| <i>Alternates:</i>                                    |      |
| Allen Dennis  | 2014 |
| John Vigneron   | 2014 |
| <b>KEEPER OF THE LOCK UP</b>                          | HOLD |
| Chief Robert O. Picariello                            |      |
| <b>LICENSING AUTHORITY, DULY DESIGNATED AGENTS</b>    |      |
| Police Chief Robert O. Picariello                     | HOLD |
| Captain: Matthew Freeman                              | HOLD |
| Lieutenants:  |      |
| Jonathan Lunt   | HOLD |
| Michael Everett                                       | HOLD |
| Sergeants:  |      |
| Nicholas Economou                                     | HOLD |
| Sean Brady  | HOLD |
| Sean Sweeney  | HOLD |
| Jason Conrad  | HOLD |
| <b>MEASURER OF LEATHER</b>                            |      |
| John Smidt  | 2014 |
| <b>TOWN DESIGNEE MASS. WATER RESOURCE AUTHORITY -</b> |      |

|   |      |
|---|------|
| F. Carlton Siegel   | 2014 |
| Alternate: Amy McHugh, Water and Sewer Department             | 2014 |
| <b>PARKING CLERK /HEARING CLERK</b>                           |      |
| Jeffrey N. Shribman   | 2014 |
| <b>CHIEF PROCUREMENT OFFICER</b>                              |      |
| Rebecca L. Curran   | 2014 |
| <b>PUBLIC WORKS DIRECTOR</b>                                  |      |
| David M. Donahue  | 2014 |
| <b>RETIREMENT BOARD –</b>                                     |      |
| Charles H. Gessner  | 2014 |
| <b>“RIGHT TO KNOW” COORDINATOR</b>                            |      |
| Jason R. Gilliland – Fire Department                          | 2014 |
| <b>SEALER OF WEIGHTS &amp; MEASURES</b>                       |      |
| David C. Rodgers  | 2014 |
| <b>SPECIAL AUXILIARY POLICE</b>                               |      |
| Patrolmen, James Donovan                                      | 2014 |
| Betsy Cruger  | 2014 |
| <b>SUPERINTENDENT OF PUBLIC BUILDINGS</b>                     |      |
| Robert S. Ives, Jr.   | 2014 |
| <b>TAX COLLECTOR/TREASURER</b>                                |      |
| Patricia Kelly Murray   | 2014 |
| <b>VETERANS’ AGENT &amp; DIRECTOR OF VETERANS’ SERVICES -</b> |      |
| David C. Rodgers  | 2014 |
| <b>VETERANS’ GRAVES OFFICER</b>                               |      |
| David C. Rodgers  | 2014 |
| <b>WORKERS’ COMPENSATION AGENT</b>                            |      |
| Massachusetts Interlocal Insurance Association                | 2014 |
| <b>TOWN ACCOUNTANT– Term 3 years</b>                          |      |
| John J. McGinn  | 2016 |
| <b>AFFORDABLE HOUSING TRUST FUND</b>                          |      |
| Board of Selectmen  | 2014 |
| Kurt James, Fair Housing Committee Representative             | 2014 |

**ARMED FORCES LIAISON**

|                   |      |
|-------------------|------|
| John M. McCloskey | 2014 |
|-------------------|------|

**BOARD OF ABBOT LIBRARY SECOND CENTURY FUND**

|               |      |
|---------------|------|
| Peter Jalbert | 2014 |
|---------------|------|

|                |      |
|----------------|------|
| Judith Eissner | 2014 |
|----------------|------|

**CAPITAL PLANNING COMMITTEE – Term: 3 years**

|                  |      |
|------------------|------|
| Michael Auerbach | 2016 |
|------------------|------|

**CO-CARETAKER, FORT BEACH –**

|                  |      |
|------------------|------|
| Jeffrey P. Flynn | 2014 |
|------------------|------|

|               |      |
|---------------|------|
| Douglas Percy | 2014 |
|---------------|------|

**CHAPLAIN – MARBLEHEAD POLICE DEPARTMENT**

|                      |      |
|----------------------|------|
| Rabbi Jonas Goldberg | 2014 |
|----------------------|------|

**SURGEON – MARBLEHEAD POLICE DEPARTMENT**

|                  |      |
|------------------|------|
| Dr. Jack Richman | 2014 |
|------------------|------|

**CONSERVATION COMMISSION – Term: 3 years**

|                    |      |
|--------------------|------|
| Frederick Sullivan | 2016 |
|--------------------|------|

|            |      |
|------------|------|
| Ken Fisher | 2016 |
|------------|------|

|                |      |
|----------------|------|
| Don Tritschler | 2016 |
|----------------|------|

**CONSTABLES**

- **for the Purpose of Serving Civil Process**

|                   |      |
|-------------------|------|
| Donald B. Hurwitz | 2014 |
|-------------------|------|

|             |      |
|-------------|------|
| Paul Minsky | 2014 |
|-------------|------|

|                |      |
|----------------|------|
| Thomas K. Egan | 2014 |
|----------------|------|

|                      |      |
|----------------------|------|
| David Andrew Deutsch | 2014 |
|----------------------|------|

**CONSTABLES**

- **Shellfish**

|  |      |
|--|------|
| Wayne O. Attridge – Chief Constable - 3 yr. term | 2016 |
|--|------|

**Term: 1 Year**

|                       |      |
|-----------------------|------|
| Raymond H. Bates, Jr. | 2014 |
|-----------------------|------|

|               |      |
|---------------|------|
| David Donahue | 2014 |
|---------------|------|

|                  |      |
|------------------|------|
| R. Thomas Hamond | 2014 |
|------------------|------|

|               |      |
|---------------|------|
| Jeffrey Flynn | 2014 |
|---------------|------|

|                           |      |
|---------------------------|------|
| Harry C. Christensen, Jr. | HOLD |
|---------------------------|------|

|               |      |
|---------------|------|
| Jack Attridge | 2014 |
|---------------|------|

|             |      |
|-------------|------|
| Rick Cuzner | 2014 |
|-------------|------|

|             |      |
|-------------|------|
| Susan Hogan | 2014 |
|-------------|------|

|                 |      |
|-----------------|------|
| Douglas Aikman  | 2014 |
| Douglas Percy   | 2014 |
| F. Webb Russell | 2014 |

**COUNCIL ON AGING – Term: 3 years**

|              |      |
|--------------|------|
| Lisa Hooper  | 2016 |
| Dana Denault | 2016 |

**EMERGENCY MEDICAL SERVICES COUNCIL**

|  |      |
|--|------|
| Jason R. Gilliland– Marblehead Fire Department | 2014 |
|--|------|

**FAIR HOUSING COMMITTEE –**

|  |      |
|--|------|
| Paul Crosby, Marblehead Counseling Center  | 2014 |
| Joan McIntyre                              | 2014 |
| Virginia Healy-Kenney                      | 2014 |
| Ann Cohen                                  | 2014 |
| Don Davies                                 | 2014 |
| Janet Robinson                             | 2014 |
| Mimi Hollister                             | 2014 |
| Charlene Tyler                             | 2014 |
| Jim Vipperman                              | 2014 |
| Kurt James – Planning Board Representative |      |

**FINANCE COMMITTEE – Term: 3 years**

|                     |      |
|---------------------|------|
| Patricia Moore      | 2016 |
| Matthew Herring     | 2016 |
| Robert Ross – Clerk |      |

**FIREWORKS COMMITTEE**

|                |      |
|----------------|------|
| Alexander Falk | 2014 |
|----------------|------|

**FORT SEWALL OVERSIGHT COMMITTEE**

|   |      |
|---|------|
| Joyce Booth, Historical Commission        | 2014 |
| Brenda Arnold (OMIA Rep.)                 | 2014 |
| Lloyd H. Caswell, Disabilities Commission | 2014 |
| Rebecca L. Curran, Town Planner           | 2014 |
| Larry Sands, Glover’s Regiment            | 2014 |

**HARBORS & WATERS BOARD**

|                 |      |
|-----------------|------|
| John Doub       | 2014 |
| Gary P. Gregory | 2014 |
| Jay Michaud     | 2014 |
| Kenneth Breen   | 2014 |
| Alternates:     |      |
| Rick Williams   | 2014 |
| Douglas O’Leary | 2014 |

T. Clark Smith 2014

**HAZARD MITIGATION PLAN IMPLEMENTATION AND MONITORING TEAM**

Charles P. Cerrutti, Emergency Management Director 2014  
William Lanphear, Engineering and Conservation Administrator 2014  
Amy McHugh, Superintendent, Water and Sewer Dept. 2014  
Rebecca L. Curran, Town Planner 2014  
William E. Conly, Historical Commission 2014

**HISTORIAN**

Elizabeth Hunt 2014

**HISTORICAL COMMISSION – Term: 3 years**

William E. Conly 2016  
Douglas O’Leary 2016

**HOBBS MEMORIAL, SELECTMEN’S AGENT**

Paul Crosby 2014

**LOGAN AIRPORT, PREFERENTIAL RUNWAY COMMITTEE**

Charles H. Gessner 2014

**MARBLEHEAD CULTURAL COUNCIL – Term: 3 years**

Doug Hill 2016  
Louise Weber 2016

**MARBLEHEAD DISABILITIES COMMISSION – Term: 3 years**

Mark Horrigan 2016  
Andrea Mountain 2016  
(*Elected Official rotating*) 2016

**MARBLEHEAD FOREVER COMMITTEE**

Frannie Welch 2014  
Andrew G. Christensen HOLD  
Linda W. Doliber 2014  
Kerry O’Shaughnessy 2014  
Kyle A. Wiley 2014

**MASSACHUSETTS ETHICS COMMISSION**

**MUNICIPAL LIAISON**

Jeffrey N. Shribman 2014

**MBTA ADVISORY BOARD**

John Heffernan 2014

**OLD AND HISTORIC DISTRICTS COMMISSION**

|                  |      |
|------------------|------|
| Liz Mitchell     |      |
| Thomas Saltsman  | 2014 |
| Charles Hibbard  | 2014 |
| Sally Sands      | 2014 |
| Anthony M. Sasso | 2014 |

**Alternates:**

|              |      |
|--------------|------|
| Julia Glass  | 2014 |
| Gary Amberik | 2014 |

**OLD BURIAL HILL OVERSIGHT COMMITTEE**

|  |      |
|--|------|
| Bette Hunt                               | 2014 |
| Susan Hogan                              | 2014 |
| Chris Butler                             | 2014 |
| Pam Peterson                             | 2014 |
| Richard Coletti, Cemetery Representative | 2014 |
| Rebecca L. Curran, Town Planner          | 2014 |

**REGISTRARS OF VOTERS– Term: 3 years**

|                            |      |
|----------------------------|------|
| Robin Michaud (Town Clerk) | 2016 |
|----------------------------|------|

**SCHOLARSHIP COMMITTEE**

|                 |      |
|-----------------|------|
| Helaine Hazlett | 2014 |
| Nancy Marrs     | 2014 |
| Tom Despres     | 2014 |
| Deborah Green   | 2014 |
| Geroge Gearhart | 2014 |
| Mary Ellen Hart | 2014 |
| Doug Newburg    | 2014 |

**SISTER CITY LIAISON – Grasse, France**

|              |      |
|--------------|------|
| Myriam Zuber | 2014 |
|--------------|------|

**SMART GROWTH COMMITTEE**

|                                 |      |
|---------------------------------|------|
| Kurt James                      | 2014 |
| Michael McCloskey               | 2014 |
| Don Morgan                      | 2014 |
| Judith R. Jacobi                | HOLD |
| Rebecca L. Curran, Town Planner | 2014 |

**TASK FORCE AGAINST DISCRIMINATION**

|                        |      |
|------------------------|------|
| Helaine Hazlett        | 2014 |
| Ann Marie Hunter       | 2014 |
| Harvey Michaels        | 2014 |
| Deacon John E. Whipple | 2014 |



|                                     |      |
|-------------------------------------|------|
| Monica Tecca                        | 2014 |
| Melissa Volk Aizanman               | 2014 |
| Judy Luise                          | 2014 |
| Loren Weston                        | 2014 |
| Michael Katzen                      | 2014 |
| Chief Robert Picariello, Ex-officio | 2014 |

#### **TAXATION AID COMMITTEE**

Pamela Foye  
Patricia Kelly Murray, Treasurer  
John Kelley, Chairman Board of Assessors

#### **TOWN PHYSICIAN –**

Quadrant Health Strategies 2014

#### **TRAFFIC & SAFETY ADVISORY COMMITTEE**

|   |      |
|---|------|
| John P. Doane   | 2014 |
| Brian Hitchcock   | 2014 |
| F. Carlton Siegel   | 2014 |
| Chief Jason R. Gilliland – Fire Department – Ex Officio     | 2014 |
| Chief Robert O. Picariello – Police Department – Ex Officio | 2014 |

#### **ZONING BOARD OF APPEALS – Term: 5 years**

|                           |      |
|---------------------------|------|
| Alan Lipkind              | 2018 |
| Alternates – Term: 1 year |      |
| Paige Hintlian            | 2014 |
| Christopher T. Casey      | 2014 |
| Bruce Krasker             | 2014 |
| Jim Rudolph               | 2014 |

All favor.

**LICENSING. Public Hearing. All Alcoholic Beverage License. Tulamex Inc. d/b/a Casa Corona, 33 Smith Street.** Attorney Diane Modica and Ferdy Argueta, Manager, appeared before the Board seeking to Transfer, Change Location and Pledge the All Alcoholic Beverage License currently held by Harold B. Murphy, Chapter 7 Trustee for ZYX LLC, d/b/a Sweeney's Retreat. No one spoke in favor or against the applicant. Motion made and seconded to approve the application for a Common Victualler License for Tulamex Inc. d/b/a Casa Corona, 33 Smith Street, Manager, Ferdy Argueta, hours of operation Monday through Sunday 11:00am – 12:00 midnight subject to receipt of all applicable inspection sign offs and all fees paid. All in favor. Motion made and seconded to approve the Transfer, Change of Location and Pledge of the All Alcoholic Beverage License from Harold B. Murphy, Chapter 7 Trustee for ZYX LLC d/b/a Sweeney's Retreat, 18 Atlantic Avenue to Tulamex Inc. d/b/a Casa Corona, 33 Smith Street, Manager: Ferdy Argueta, seating capacity = 85, hours of operation Monday through Sunday 11:00am – 12:00 midnight subject to approval from the ABCC and

receipt of all applicable inspection sign offs, all fees paid and proof of TIPS or equivalent training. On a polled vote the Board voted as follows: Mr. Murray, in favor; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

**APPOINTMENTS. Continued.**

**VOTES ON HOLD.**

**FOREST WARDEN.** Motion made and seconded to approve the following appointment:

Chief Jason R. Gilliland, Fire Department 2014  
4 voted in favor. Mr. Murray voted present.

**KEEPER OF THE LOCK UP.** Motion made and seconded to approve the following appointment:

Chief Robert O. Picariello 2014  
4 voted in favor. Mr. Murray voted present.

**LICENSING AUTHORITY, DULY DESIGNATED AGENTS.** Motion made and seconded to approve the following appointments:

Police Chief Robert O. Picariello 2014  
Captain: Matthew Freeman 2014  
Lieutenants:  
    Jonathan Lunt 2014  
    Michael J. Everett 2014  
Sergeants:  
    Nicholas Economou 2014  
    Sean Brady 2014  
    Sean Sweeney 2014  
    Jason Conrad 2014

4 voted in favor. Mr. Murray voted present.

**CONSTABLES**

• **Shellfish**

Motion made and seconded to approve the following appointment:

Harry C. Christensen, Jr. 2014  
4 voted in favor, Mr. Christensen voted present.

**MARBLEHEAD FOREVER COMMITTEE.** Motion made and seconded to approve the following appointment:

Andrew G. Christensen 2014

4 voted in favor. Mr. Christensen voted present.

**SMART GROWTH COMMITTEE.** Motion made and seconded to approve the following appointment:

Judith R. Jacobi

2014

4 voted in favor. Mrs. Jacobi voted present.

**CLASSIFICATIONS.**

Motion made and seconded to approve the following classifications except those placed on hold:

Classification of employees' positions, committees, boards, and commissions under the provisions of MGL Chapter 268A:

|  |         |
|--|---------|
| All temporary, seasonal, part-time who work less than six months | Special |
| Agents of the Licensing Authority                                | Special |
| Armed Forces Liaison   | Special |
| Assessors  | Special |
| Board of Health  | Special |
| Cable TV Oversight Committee                                     | Special |
| Capital Planning Committee                                       | Special |
| Caretaker, Fort Beach  | Special |
| Assistant Caretaker  | Special |
| Cemetery Commissioners   | Special |
| Chaplain – Police Department                                     | Special |
| Conservation Commission  | Special |
| Constables   | HOLD    |
| Constables for the Purpose of Serving Civil Process              | Special |
| Council on Aging   | Special |
| Marblehead Disabilities Commission                               | Special |
| Election Officers, Officials, Employees                          | Special |
| Emergency Medical Services Committee                             | Special |
| Fair Housing Committee   | Special |
| Fence Viewers  | Special |
| Finance Committee  | Special |
| Clerk, Finance Committee   | Special |
| Fireworks Committee  | Special |
| Forest Warden  | Special |
| Ft. Sewall Oversight Committee                                   | Special |
| Harbors & Waters Board   | Special |
| Hazard Mitigation Plan Implementation and Monitoring Team        | Special |
| Investment Advisory Committee                                    | Special |
| Marblehead Council on Arts                                       | Special |
| Marblehead Cultural Council                                      | Special |
| Marblehead Forever Committee                                     | HOLD    |
| Marblehead Historical Commission                                 | HOLD    |

|  |         |
|--|---------|
| Marblehead Housing Authority   | Special |
| Measurer of Leather  | Special |
| Moderator  | Special |
| Municipal Light Commissioners  | Special |
| Old & Historic Marblehead Districts Commission                             | Special |
| Open Space Committee   | Special |
| Parking Clerk  | Special |
| Planning Board   | Special |
| Police:  |         |
| Keeper of the Lock Up  | HOLD    |
| A. One-half time or less   |         |
| Permanent Intermittent Patrolmen   | Special |
| A. One-half time or less   |         |
| School Traffic Supervisors   | Special |
| Special Auxiliary Police   | Special |
| Temporary Intermittent Patrolmen   | Special |
| A. One-half time or less   |         |
| Truant Officer   | Special |
| Warrant officer and Bailiff  | Special |
| Recreation and Park Commission   | Special |
| Playground Coordinator   | Special |
| Playground Instructors   | Special |
| Recycling Committee  | Special |
| Registrars of Voters   | Special |
| Selectmen's Agent – Hobbs Memorial   | Special |
| Selectmen's Appointee to Preferential Runway Committee<br>at Logan Airport | Special |
| Shellfish Constables   | Special |
| South Essex Sewerage District Citizens Advisory Council                    | Special |
| Special Assistant Town Counsel   | Special |
| Task Force against Discrimination  | Special |
| Taxation Aid Committee   | Special |
| Town Historian   | Special |
| Town Physician   | Special |
| Town Representative to MBTA Advisory Board                                 | Special |
| Town Representative to Metropolitan Area Planning Council                  | Special |
| Town's Designee to Massachusetts Water Resources Authority                 | Special |
| Town's Right to Know Coordinator   | Special |
| Town's Scholarship Committee   | Special |
| Traffic & Safety Advisory Committee  | Special |
| Trustees of Abbot Public Library   | Special |
| Worker's Compensation Agent  | Special |
| Zoning Board of Appeals  | Special |
| All other non-designated regular municipal employees                       | Special |

All in favor.

**VOTES ON HOLD.** Motion made and seconded to approve the following classifications:

|  |         |
|--|---------|
| Marblehead Forever Committee                     | Special |
| 4 voted in favor. Mr. Christensen voted present. |         |

|  |         |
|--|---------|
| Marblehead Historical Commission                 | Special |
| 4 voted in favor. Mr. Christensen voted present. |         |

|   |         |
|---|---------|
| Police:                                     |         |
| Keeper of the Lock Up                       | Special |
| 4 voted in favor. Mr. Murray voted present. |         |

|  |         |
|--|---------|
| Constables                                       | Special |
| 4 voted in favor. Mr. Christensen voted present. |         |

Motion made and seconded to approve the following classifications except those placed on hold:  
Classification of employees' position, committees, boards, and commissions under the provisions of MGL chapter 268A:

|                                  |         |
|----------------------------------|---------|
| All full-time paid employees     | Regular |
| Permanent Intermittent Patrolmen |         |
| B. Others                        | Regular |
| Temporary Intermittent Patrolmen |         |
| B. Others                        | Regular |
| Building Oversight Committee     | Regular |
| Retirement Board                 | Regular |
| School Committee                 | Regular |
| Scholarship Committee            | Regular |
| Selectmen, Board of              | Regular |
| Town Clerk                       | Regular |
| Town Counsel                     | Regular |
| Assistant Town Counsel           | Regular |
| Special Town Counsel             | Regular |
| Water and Sewer Commission       | Regular |
| All in favor.                    |         |

**FISHING SHANTIES.**

Motion made and seconded to renew the following requests to use premises owned by the Town of Marblehead on Front Street at Little Harbor, commonly known as Turner Land:

Frederic Lausier, Shanty No. 1  
Steven Bird, Shanty No. 2  
Jeffrey Flynn, Shanty No. 3

John W. Burns, Shanty No. 4  
William Powers, Shanty No. 5  
Douglas Percy, Shanty No. 6  
Daniel Roads, Shanty No. 7  
William Brown, II, Shanty No. 8  
John Hayes, Shanty No. 9

All in favor.

**FOUNTAIN PARK SHED. LEASE.** Motion made and seconded to approve the Lease for the Shed at Fountain Park to Samuel L. Davis with a term to expire in May 2014. All in favor.

**VACANCIES.** The following is a list of vacancies on Town Boards, Commissions and Committees. Interested parties should submit a letter of interest to the Board of Selectmen, Abbot Hall, 188 Washington Street.

**AFFORDABLE HOUSING TRUST FUND**

(2) At Large positions – 1 year terms

**CABLE TELEVISION OVERSIGHT COMMITTEE**

(2) Vacancies to expire in 2014

(1) Vacancy to expire in 2015

(2) Vacancies to expire in 2016

**CAPITAL PLANNING COMMITTEE**

(1) Vacancy – 3 year term

**COUNCIL ON AGING**

(1) Vacancy to expire in 2016

**FAIR HOUSING COMMITTEE**

(2) Vacancies – 1 year terms

**FENCE VIEWER**

(1) Vacancy – 1 year term

**FINANCE COMMITTEE**

(1) Vacancy to expire in 2015

(1) Vacancy to expire in 2016

**FORT SEWALL OVERSIGHT COMMITTEE –**

Vacant, Marblehead Museum and Historical Society - 1 year term

Vacant (Old and Historic Districts Commission Rep.) - 1 year term

Vacant, Recreation and Parks Department Rep – 1 year term

## **HARBORS AND WATERS BOARD**

(1) Vacancy – 1 year term

## **MARBLEHEAD CULTURAL COUNCIL**

(2) Vacancies to expire in 2016

## **MARBLEHEAD DISABILITIES COMMISSION**

(1) Vacancy – 3 year term

## **PLANNING BOARD**

(1) Vacancy – 3 year term, ALTERNATE POSITION (appointed by BOS)

## **SMART GROWTH COMMITTEE –**

(1) Vacancy – 1 year term

## **TAXATION AID COMMITTEE –**

(1) Vacancy (COA Rep)

1 Year Term

(1) Vacancy

1 Year Term

**VETERANS AGENT. Memorial Day.** David Rodger, Veterans' Agent, appeared before the Board to announce the following Memorial Day events:

**Saturday, May 25, 2013. 9:00 a.m. from the Bell Tower at Waterside Cemetery.**

Veteran's Grave Flagging. All are welcome to join members of the VFW, American Legion, and Submarine Veterans in honoring Marblehead's Veterans. Anyone needing a flag for a Veterans Grave, which was overlooked, may call the Veterans Office at 781-631-0990.

**Sunday, May 26, 2013. 1:00 p.m. Veterans Service at Star of Sea Cemetery.** Public is welcome.

**Monday, May 27, 2013. Memorial Day Parade.** 8:00 a.m. Muster at Old Town House. 9:00 a.m. main parade begins; march to Memorial Park then to Waterside Cemetery. Honorary Grand Marshall: John Ciccone, US Navy, World War II, Korea, Vietnam. Principle Speakers: Memorial Park, Reverend David Franks, USAF Retired, Lutheran Church. Waterside Cemetery: Reverend Dennis Calhoon, Old North Church. Trolley service will be available from the VFW at 7:30 a.m. for all Veterans who may need assistance to participate in the activities. The VFW will be providing lunch after the ceremony. The public is invited and encouraged to attend all ceremonies.

**LIME RICKEY'S. Assignment of Lease. Common Victualler Application.** Andrew Epstein, 10 Winthrop Square, Boston, attorney for Devereux Beach Corporation, Erica Petersiel, 172 Washington Street, Anthony Marino and Victoria Farnsworth appeared before the Board seeking approval to assign the lease currently held by Devereux Beach Corporation to Lime Rickey's LLC. Discussion followed with the Board stating that the current lease expires on November 30, 2016 at which time the Town would put the lease back out to bid. The Board asked if any other documents have been signed between the applicant and current lease owner that the Board has not seen. Attorney Marino

responded that an agreement will be signed at closing with regards to adjustments made to rent that has been paid in advance by Devereux Beach Corporation. The Board asked if any added considerations would be received by Devereux Beach Corporation. Attorney Epstein replied there was none. The Board stated that all legal costs incurred by the Town to review this request shall be reimbursed to the Town by June 30, 2013. Attorney Epstein advised the Board that proceeds received at the closing will be held in escrow to pay all outstanding bills. Motion made and seconded that the Board of Selectmen approve the assignment of a certain Lease for a Concession Stand and Portion of Land located at Devereux Beach between the Town of Marblehead and Devereux Beach Corporation, dated December 1, 2006, as amended by a certain First Amendment to the Lease for a Concession Stand and Portion of Land located at Devereux Beach, dated September 28, 2011, with respect to the real property owned by the Town of Marblehead located at and commonly known as 105 Ocean Avenue, on or near Devereux Beach in Marblehead, Massachusetts, by Devereux Beach Corporation to Lime Rickey's, LLC, a Massachusetts limited liability company with a principal address at 200 Rantoul Street, Beverly, Essex County, Massachusetts, and furthermore, to authorize the Members of the Board of Selectmen to sign the Assignment of Lease Agreement dated May 14, 2013, by and among Devereux Beach Corporation, Lime Rickey's LLC, and the Town of Marblehead, which Assignment of Lease Agreement is attached hereto. All in favor. Motion made and seconded to approve the application for a Common Victualler License for Lime Rickey's LLC, 105 Ocean Avenue, Manager, Anthony Marino, hours of operation Monday through Sunday 10:30am – 11:00 p.m. subject to receipt of all applicable inspection sign offs and all fees paid. All in favor

**PROCLAMATION.** Motion made and seconded to proclaim July 26, 2013 as “ADA Day”, marking the 23<sup>rd</sup> anniversary of the signing of the Americans with Disabilities Act (ADA). All in favor.

**PERMISSION. 5K Road Race.** Amy Renz-Havens, 6 Walnut Street, appeared before the Board seeking permission to hold a 5K charity road race to support various New England non-profit animal charities, including the Friends of Marblehead's Abandoned Animals (FOMAA). Motion made and seconded to approve the request from Amy Renz-Havens, Goodness Gracious, to hold a charity 5K road race on Saturday, November 2, 2013, subject to approval from Chief Picariello and receipt of the required Certificate of Insurance. All in favor.

**TRAFFIC AND PARKING RESTRICTIONS. Atlantic Avenue Drainage Project.** Motion made and seconded to authorize the following traffic and parking restrictions between May 16, 2013 and December 31, 2013, for the following locations:

- Atlantic Avenue between Barnard Street and Washington Street
- Hawkes Street in its entirety
- Washington Street between Pleasant Street (nearest to Prospect Street) and Rockaway Street
- School Street in its entirety
- Essex Street in its entirety
- Spring Street in its entirety



- Evans Road between Elm Street and Guernsey Street

and to authorize Chief Picariello to modify these restrictions as needed to accommodate necessary changes and /or better insure public safety. All in favor.

**OLD TOWN HOUSE. Amend Contract.** Motion made and seconded to amend the contract between the Town of Marblehead and T. Cooney and Co. of South Boston, MA for the Old Town House Accessibility Project by increasing the contract amount by an amount not to exceed four hundred and forty dollars (\$440.00) and no increase in time and authorize the chairman to sign the change order on behalf of the board subject to the approval of the project architect. All in favor.

**PLEASANT STREET DRAINAGE PROJECT. Preconstruction Meeting.** The Marblehead Drain Department has announced that construction is commencing on Phase One of the Pleasant Street-Area Drain Project. Parking restrictions and changes in traffic patterns will be put into effect as required as the work progresses. The areas affected would include Atlantic Avenue from Barnard Street to Washington Street, Spring Street, Essex Street, and Pleasant Street as well as some adjoining streets. All area businesses will remain open during construction and every attempt will be made to make sure that businesses are fully accessible. There will be a public pre-construction meeting at 5:30 p.m. on Monday, May 20, 2013, at the Water and Sewer Commission office located at 100 Tower Way, Building #11. All interested parties are invited to attend to get the latest updates on the project. Representatives of the drain department, fire department, police department and the contractor will be present to answer your questions. Please call the Marblehead Water and Sewer Commission at 781 631-0102 for more information on the meeting.

**CODE RED. REVERSE 911 CALLS.** Residents are reminded to sign up for Code Red Notifications by going to [www.marblehead.org](http://www.marblehead.org) and clicking on the Code Red symbol on the lower left corner of the page. You can choose to receive Emergency Notifications and / or General Notifications.

**MARBLEHEAD FIRE DEPARTMENT. Retirement.** Motion made and seconded to send a letter of congratulations to Mark F. Fader on his retirement from the Marblehead Fire Department on April 27, 2013 after 24 years of dedicated service. All in favor.

**SPECIAL ELECTION.** The Town's Special Election will be held on June 25, 2013. Voters will have the opportunity to vote on the 2 warrant articles that passed the 2013 Annual Town Meeting; 1) Abbot Hall tower Repairs and 2) Purchase and /or taking of 151 Green Street. This is the same date as the State Special Election.

**EXECUTIVE SESSION.** Motion made and seconded to go into Executive Session for the purposes of contract negotiations where the public discussion on the same may have a detrimental effect on the negotiating position of the public body, votes may be taken, and if they are votes will be released at a time deemed appropriate by Counsel. The Board will not reconvene in open session. On a polled vote the Board voted as follows: Mr.

Murray, in favor; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

Motion made and seconded to adjourn at 8:50 p.m. All in favor.

Kyle A. Wiley  
Administrative Aide