

BOARD OF SELECTMEN

MINUTES

April 11, 2012

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

Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from March 28, 2012.
All in favor.

PUBLIC HEARING. Layout. Barnegat Lane. Lisa L. Mead, Assistant Town Counsel, appeared before the Board as it relates to the layout of Barnegat Lane. Paul Mazonson, 7 Barnegat Lane, spoke in favor of the layout and thanked the Town for their support. No one spoke against it. Motion made and seconded to accept the layout of Barnegat Lane as shown on a plan entitled "Town of Marblehead Street Layout Plan, Barnegat Lane, Marblehead, Mass. 01945" prepared by Otte & Dwyer, Inc., Land Surveyors, dated February 27, 2012, signed and stamped on March 20, 2012 subject to the removal of any encroachments. And that further it be recommended to Town Meeting to accept Barnegat Lane as a Public Way. Moved by Mrs. Jacobi, seconded by Mr. Nye. 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.

COLUMBIA PICTURES. Movie Request. Charles Harrington, Mark Fitzgerald and Greg Chiodo appeared before the Selectmen as is relates to a request to film a large portion of Grown Ups 2 in Marblehead during the months of May and June. Motion made and seconded to approve the request from Columbia Pictures to film in Marblehead subject to receipt of the required Certificate of Insurance, approval from appropriate Departments and at no cost to the Town. All in favor.

CHAMBER OF COMMERCE. Requests. Ann Marie Casey, Chamber of Commerce, Jack Attridge, 64 Beach Street, Wayne George, 10 Norman Street and Don Peacock, Maple Street, Newmarket New Hampshire appeared before the Board seeking permission to hold Marblehead Maritime Week, August 3 – 12, 2012. Some of the events planned are walking tours, harbor tours, live entertainment, family activities, maritime and art

exhibits and a return of the Tall Ship, America's Privateer Lynx. The Chamber requests were approved as follows:

ABBOT HALL. Motion made and seconded to approve the request to use Abbot Hall on Friday, August 10, 2012 for a talk on W. Starling Burgess subject to the usual rules, regulations, required Certificate of Insurance and custodial fees. All in favor. **STATE STREET LANDING AND TUCKER'S WHARF.** Motion made and seconded to approve the request to use State Street Landing and Tucker's Wharf (platform and parking lots) on Saturday, August 11, 2012 to host maritime exhibits, eliminating parking at State Street Landing subject to receipt of the required Certificate of Insurance and approval from the Harbormaster. All in favor. **FORT SEWALL.** Motion made and seconded to approve the request to use Fort Sewall on Sunday, August 12, 2012 from noon – 4:00 p.m. for a picnic to watch the race finish, hosting food vendors, family activities and entertainment subject to the required Certificate of Insurance and approval from the Board of Health. All in favor. **TOWN WIDE SIDE WALK SALES.** Motion made and seconded to approve the request to conduct Town wide sidewalk sales on August 4 - 5, 2012 and August 11 – 12, 2012 subject to receipt of the required Certificate of Insurance. All in favor.

MARBLEHEAD MARITIME WEEK. Declaration. Motion made and seconded to declare August 3 – 12, 2012 "Marblehead Maritime Week". All in favor.

CHAMBER OF COMMERCE. Healing Tents. Motion made and seconded to approve the request from Ann Marie Casey to use State Street Landing on Saturday, May 5, 2012 for "Healing Arts" Tents in conjunction with the 2012 Marblehead Art Walk with a rain date of Sunday, May 6, 2012 subject to receipt of the required Certificate of Insurance. All in favor.

TASK FORCE AGAINST DISCRIMINATION. Michael Katzen, 29 Thompson Road, appeared before the Board. Michael was appointed to the Task Force in February. Michael is a sophomore at MHS and a member of Team Harmony and wishes to promote equality and peace throughout the community.

WINE AND MALT BEVERAGE LICENSE. Marblehead Super Foods Enterprises. Ben Rhodes, 8 Mohawk Road, appeared before the Board as it relates to the Wine and Malt Beverage License at Hooked Seafood and Grill, Pleasant Street. Mr. Rhodes stated he has two potential buyers and would appreciate time to pursue this. The Board asked Mr. Rhodes to report back to them at their April 25, 2012 meeting with a status update.

FAIR HOUSING COMMITTEE. Applicant. Appointment. Jim Vipperman, 149 Village Street, appeared before the Board as it relates to serving on the Fair Housing Committee. Motion made and seconded to appoint Jim Vipperman to the Fair Housing Committee with a term to expire in May 2012. All in favor.

MARBLEHEAD FOREVER COMMITTEE. Request. Kyle Wiley, 32 Maple Street, Chair, Marblehead Forever Committee, appeared before the Board seeking approval to donate \$10,000.00 from the Town Celebration Trust Fund to the Marine Corp Aviation

100th Anniversary Celebration. Motion made and seconded to approve this request. 4 voted in favor, Mr. Nye voted present. A donation account has been set up at the National Grand Bank for anyone interested in contributing to this event.

MARBLEHEAD COMMUNITY ACCESS AND MEDIA. Disbursement of Capital Funds. Motion made and seconded that the Board of Selectmen in their capacity as cable television licensing authority hereby authorize the disbursement of capital funds, which are paid to the Town as a condition of the Verizon license, to the Marblehead Community Access and Media, Inc. for cable-related purposes. All in favor.

CABLE OVERSIGHT TRUST FUND. Grant Funds. Motion made and seconded that the Board of Selectmen grant \$50,000 from the Cable Oversight Trust Fund for improvements to the High School Studio with an additional \$4,000 annually for nine years to continue to upgrade the High School Studio. All in favor.

PARKING REGULATIONS. Humphrey Street. Motion made and seconded to approve the request from Chief Robert Picariello to restrict parking on Humphrey Street between the High School driveway and Broughton Road on both sides of Humphrey Street on Tuesday, April 24, 2012 between the hours of 6: 30 a.m. and 4:00 p.m. to allow for parking in the area for attendees of the health fair only. Temporary signs will be placed in the area. All in favor.

MARINE AVIATION CENTENNIAL. Request. Motion made and seconded to allow the Chair to sign on behalf of the Board the Request for Military Aerial Support. All in favor.

POLICE DEPARTMENT. Motion made and seconded to approve the request from Chief Robert Picariello to return Temporary Lieutenant Sean Sweeney to his permanent rank of Sergeant effective April 15, 2012. This change is due to a new certification list for the rank of Lieutenant which was just recently certified. 4 voted in favor, 1 voted present.

SPIRIT OF '76. TOWN SEAL. Permission to Use. Motion made and seconded to approve the request from Richard Schmidt, Unit Commissioner for the Boy Scouts of America to use an image of the Town Seal and the Spirit of '76 on the cover of a brief review of scouting history in Marblehead. The document has no commercial value and will not be published. All in favor.

ONE DAY LIQUOR LICENSE. Jewish Community Center. Motion made and seconded to approve the request from the Jewish Community Center of the North Shore for a one day liquor license on Saturday, April 28, 2012 from 7:00 p.m. – 11:00 p.m. for a fundraiser at 4 Community Road subject to the following conditions:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
2. Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.

3. Proof that the applicant can receive proper delivery; provide proper storage and disposal of all alcoholic beverages purchased all in accordance with the requirements of G. L. c. 138.

Alcohol will be delivered to the JCC on Friday, April 27, 2012. 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.

FORT SEWALL. Permission to Use. Glover's Marblehead Regiment. Motion made and seconded to approve the request from Seamus Daly, Glover's Marblehead Regiment, to use Fort Sewall from Friday, July 6 to Sunday, July 8, 2012 for their annual encampment and May 19 – 20, 2012 for a preparatory drill and encampment with the HMS Somerset, a unit of the British Brigade and Boston Garrison, and to allow the HMS Somerset fire their cannon (directed by a Mass License gun captain) from Fort Sewall over the water on May 19, 2012 subject to receipt of the required Certificate of Insurance. All in favor.

COMMON VICTUALLER. PJ Foods, LLC. Amendment. Motion made and seconded to amend the Common Victualler License for PJ Foods, LLC, d/b/a/ Hungry Betty's Bar and Grill, 165 Pleasant Street, to include outdoor seating, not to exceed 20 seats. All in favor.

PERMISSION. Floating Hospital for Children. Annual Cycle for Life. Motion made and seconded to approve the request from Melanie Haezel, Floating Hospital for Children, to hold the 16th Annual Cycle for Life event on Saturday, September 8, 2012 from 9:00 a.m. – 1:30 p.m. subject to approval from the Marblehead Police, Fire and Recreation and Parks Departments and receipt of the required Certificate of Insurance. The race begins and ends at Devereux Beach, travels through Salem, Beverly and Manchester by the Sea, continuing on to Ipswich and return to Marblehead. All in favor.

INSPECTOR OF ANIMALS. Appointment. Motion made and seconded to re-appoint Isabel Lorencio Inspector of Animals with a term to expire April 30, 2013. All in favor.

LICENSING. Automatic Amusement Devices. Motion made and seconded to approve the request from Arthur Dodge, Gerry Five V.F.A, for the following Automatic Amusement Device licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals: A6 Stacker PCB – Serial No. 26703 and A6 Stacker Super PKR PCB – Serial No. 26702. All in favor.

GRASSE Lafayette Celebrations. A letter was received from Myriam Zuber, Sister City Liaison, inviting the Board to the following Lafayette festivities: May 17, 2012, Marblehead High School, 1:30 p.m., Interpretation of the Marquis de Lafayette. May 18, 2012 at the State House, 10:00 a.m., program honoring Veterans who served in Normandy in WWII by the French Government with Legion of Honor Medal and a Lafayette Reenactment.

PROCLAMATION. Harbormaster. Motion made and seconded to give a proclamation to Charles J. Dalferro in honor of his retirement, April 17, 2012, as Harbormaster. All in favor.

EXECUTIVE SESSION. Motion made and seconded to go into Executive Session under G.L. c. 30A, Sec. 21 for the purpose of discussing the value of real property and settlement negotiations and collective bargaining where the public discussion of 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.

Adjourned to Executive Session at 8:30 p.m.

Kyle A. Wiley
Administrative Aide