

BOARD OF SELECTMEN

MINUTES

June 13, 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
James E. Nye

Jeff Chelgren, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from May 30, 2012. All in favor.

FESTIVAL OF ARTS. Street Festival. Motion made and seconded to approve the request from the Marblehead Festival of Arts to use Washington Street from the Old Town House to Abbot Hall for its annual Street Festival on July 4, 2012 from 11:30 a.m. - 4:30 p.m. All in favor.

PERMISSION. Breast Friends Walk. Motion made and seconded to approve the request from Carol and Adam Smith to hold the 7th annual Breast Friends Walk on Sunday, October, 7, 2012 subject to approval from the Marblehead Police, Recreation and Parks, and receipt of the required Certificate of Insurance. The walk will start at 9:00 a.m. at Devereux Beach; loop the entire neck out to the Lighthouse then back to Devereux Beach. All in favor. Carol and Adam have been invited to be one of "The MGH 100" honorees in Boston and will accept this honor on behalf of Sara Smith for the Breast Friends Walk.

APPOINTMENT. Correction. Motion made and seconded to rescind the appointment of Wayne O. Attridge as Emergency Medical Services Council – Assistant. All in favor. Motion made and seconded to re-appoint Wayne O. Attridge as Emergency Management Coordinator, Assistant, with a term to expire in May 2013. All in favor.

BELLRINGING. Fourth of July. Motion made and seconded to request that church bells throughout the Town be rung on Wednesday, July 4th, 2012 at the usual holiday hours: 7:30 a.m. to 8:00 a.m., 12 noon to 12:30 p.m., and 6:00 p.m. to 6:30 p.m. The public is invited to assist in ringing the bells. All in favor.

ABBOT HALL & MARY A. ALLEY. HOLIDAY HOURS. Motion made and seconded that Abbot Hall and the Mary A. Alley Building will be closed for regular business on Wednesday, July 4, 2012 in observance of the holiday. All in favor.

LICENSING. Public Hearing. Transfer of Wine and Malt Beverage License.

Joseph Costanzo, 115 B Green Street, and Ben Rhodes, 8 Mohawk Road, appeared before the Board seeking to transfer the Wine and Malt Beverage License w/ cordials at 114 Pleasant Street. No one spoke in favor or against the application. The applicant was also seeking to revise the hours on the previously approved Common Victuallers License. Motion made and seconded to approve the revised hours of operation on the Common Victualler License for Joey Dee's Restaurant Group, LLC d/b/a Joey D's Italian Grill, 114 Pleasant Street to read: hours of operation Monday through Sunday, 11:00 a.m. – 12:00 midnight. All in favor. Motion to approve the transfer of the Wine and Malt Beverage License w/Cordials permit from Marblehead Super Foods Enterprises, Inc. to Joey Dee's Restaurant Group, LLC d/b/a Joey D's Italian Grill at 114 Pleasant Street, hours of operation Monday through Sunday 11:00am – 12:00 midnight, subject to approval from the ABCC, receipt of all applicable inspection sign offs and all fees paid. On a polled vote the Board voted as follows: Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

PERMISSION. Overhanging Sign. Motion made and seconded to approve the request from Joseph Costanzo, 155 B Green Street, to place a sign, as presented, overhanging the public way at 144 Pleasant Street, Joey D's Italian Grill, subject to receipt of the required Certificate of Insurance and sign permit. All in favor.

POLICE. Appointments. Chief Robert Picariello appeared before the Board with Nicholas Michaud and Colin Coleman seeking their appointment as permanent full time police officers. Motion made and seconded to appoint Nicholas Michaud and Colin Coleman as permanent full time police officers for the Town of Marblehead subject to the successful completion of both the State Physical Abilities Test and a Psychological Exam determined by the Police Chief. Upon completion of both these tests their effective date of employment will be August 20, 2012. All in favor.

COLUMBIA PICTURES. Roadway and parking restrictions. Mark Fitzgerald, Columbia Pictures, Location Manager, appeared before the Board as it relates to filming Grown Ups 2 in Marblehead. Mr. Fitzgerald presented his request to the Board to use various locations around town for filming. After discussion the following motions were made: Motion made and seconded to approve the following roadway and parking restrictions as is relates to the filming of Grown Ups 2 in Marblehead and to post NO PARKING, TOW ZONE signs as follows:

Gatchell Park Filming. Inter-mitten traffic control will occur from Sun., June 17th at noon through Mon., June 18th at 10 P.M. on Lafayette Street and West Shore Drive, and parking restrictions on Rainbow, Tully and Robert Roads. All in favor.

Ocean Avenue (204) Filming. a) Inter-mitten traffic control will occur from Mon., June 18th at 5 P.M. through Sat., June 23rd at 2 A.M., with detours onto Flint Street as required, and parking restrictions on Ocean Avenue, Flint Street, and Harbor Avenue; b) Partial obstructions will occur along the Ocean Avenue frontage of the property located at 204 Ocean Avenue. All in favor.

Pleasant Street Filming. Parking restrictions will occur along portions of Pleasant Street from Thurs., June 21st at 7 P.M. through Fri., June 22nd at 9 P.M. and inter-mitten traffic control occurring throughout Fri., June 22nd; **Second Unit Filming –Pleasant Street.** Parking restrictions will occur along portions of Pleasant and Watson Streets from Thurs., June 21st at 9 P.M. to Fri., June 22nd at 9 P.M., Sun., June 24th at 4 P.M. to Tues., June 26th at 9:00 P.M., and Thurs., June 28th through June 30th between 7:00 a.m. – 8:00 p.m. Also, inter-mitten traffic control will occur in one of three alternative options: 1) the area of the intersection of Atlantic Avenue and Washington Street (aka, 5 Corners), 2) the general area of Pleasant Street adjacent to Memorial Park, and 3) Pleasant Street near its intersection with Village Street. All in favor.

Washington Square Filming – Lower Green/Training Field. Inter-mitten street closings will occur around the lower half of Washington Square and parking restrictions along portions of Washington Streets from Mon., June 18th to Sunday June 24th from 7:a.m to 7 P.M., for site preparation, Sun., June 24th at 5:00 P.M. through Tues., June 26th at 9 P.M. for filming, and Wed., June 27th through Fri., June 29th at 5:00 P.M. for site restoration. Parking spaces to be determined by the Town Administrator. All in favor.

Phillips & Lee Auto Service Filming – Atlantic Avenue. Inter-mitten street closings will occur along portions of Atlantic Avenue and Hawkes Street and parking restrictions along portions of Atlantic Avenue, Hawkes Street, and Barnard Street from Tues., June 26th at 5 P.M. through Wed., June 27th at 9 P.M.. All in favor. Further, motion made and seconded that all approved actions within the public right-of-way are to occur as identified in submitted plans and in accordance with the agreement prepared by Assistant Town Counsel formalizing these requirements and that the Chair shall be authorized to execute same on behalf of the Board. All in favor.

ABBOT HALL. Permission to Use. One Day Liquor License. Motion made and seconded to approve the request from Marblehead Arts Association to use Abbot Hall on Saturday, September 29, 2012 from 1:00 pm – 11:00 p.m. and serve light appetizers subject to the usual rules, regulations, receipt of the required Certificate of Insurance and custodial fees. All in favor. **ONE DAY LIQUOR LICENSE.** Motion made and seconded to approve the request from the Marblehead Arts Association for a one day liquor license for beer and wine on Saturday, September 29, 2012 from 7:30 pm. – 11:00 p.m.at Abbot Hall, 188 Washington Street 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.
4. Receipt of the proper Liquor Liability
5. No cash bar

Alcohol will be delivered by Kappy's Importing in Everett on Saturday, September 29, 2012 and removed from the premises at the end of the evening by the Arts Association. On a polled vote the Board voted as follows: Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

ABBOT HALL. Permission to Use. Motion made and seconded to approve the request from Chris Johnston, Chairman, Marblehead Historical Commission, to use Abbot Hall, Selectmen's Room, on Monday, September 24, 2012 from 7:00 p.m. – 9:30 p.m. for a free lecture by Judy Anderson entitled "At Home in 1812" subject to the usual rules, regulations and receipt of the required Certificate of Insurance. All in favor.

PERMISSION. Abbot Hall. Motion made and seconded to approve the request from Nina Cullen-Hamzeh, Head of School, Marblehead Community Charter Public School, to serve cake and punch at Abbot Hall Auditorium on the night of their graduation, Friday, June 15, 2012. All in favor.

APPOINTMENT. Alternate Seasonal Assistant Harbormaster. Motion made and seconded to approve the request from F. Webb Russell III, Harbormaster, to appoint Ryan Hoey as alternate seasonal Assistant Harbormaster with a term to expire in May 2013. All in favor.

FESTIVAL OF ARTS. Temporary Street Closures. Motion made and seconded to approve the following request from Chief Picariello for the following temporary street closures and traffic regulations for Fourth of July:

Wednesday July 4, 2012 Horribles Parade (Rain Date Saturday July 7, 2012)

Beginning at 8:00 am School Street is closed between Pleasant Street and Atlantic Avenue for Horribles Parade registration. Beginning at 9:00 am Pleasant Street will be closed between Spring Street and Washington Street (South) and Spring Street will become one way from Pleasant Street to Sewall Street. Essex Street will be closed in its entirety during the staging and movement of the parade.

Fireworks Display Wednesday July 4, 2012 (Rain Date Thursday July 5, 2012)

Beginning at 7:00 p.m.:

Front Street is closed to all traffic and "No Parking" between Franklin Street and Fort Sewall Lane. Franklin Street becomes one way from Front Street to Washington Street. Washington Street becomes one way from Franklin Street to State Street.

After the Fireworks: Traffic leaving the beach parking lots will merge with traffic leaving the neck and be allowed only a right or left hand turn at the intersection of Ocean and Atlantic Avenues. Front Street is closed at State Street to allow for pedestrian traffic along Front Street coming from Fort Sewall. State Street becomes one way from Front Street to Washington Street.

All traffic from the area between State Street and Franklin Street as well as Pond Street will be directed along Mugford Street and Green Street to West Shore Drive. Note that the MBTA route between the hours of 6:00 p.m. and 11:00 p.m. will follow the pre-designated snow route.

Festival of Arts Street Festival, Wednesday July 4, 2012, 11:00 a.m. to 5:00 p.m.:

Washington Street is closed between Rockaway Street and State Street. "No Parking" allowed along Washington Street between Rockaway Street and State Street. Pleasant Street is closed between Rockaway Street and Washington Street.

Note: It is strongly recommended that anyone residing or conducting business in that area relocate their vehicles prior to 11:00 a.m. so as to not get blocked in.
All in favor.

LICENSING. One Day Liquor License. Festival of Arts. Motion made and seconded to approve the request from the Festival of Arts for a one day liquor license on Sunday, June 24, 2012 from 4:30 p.m. – 7:00 p.m. for their annual Champagne and Culinary Arts Reception at Fort Sewall:

- 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 provided by Kappy's Importing in Everett, delivered on Sunday June 24, 2012 around noon and removed from the premises at the end of event.

On a polled vote the Board voted as follows: Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

MARBLEHEAD PUBLIC SCHOOLS. School Tuition Revolving Fund. Motion made and seconded to authorize the increase of the School Tuition Revolving Fund in FY2012 from \$40,000.00 to \$46,500.00. All in favor.

PERMISSION. Bike Race. Tour de Shuls. Motion made and seconded to approve the request from Benjamin Yellin, Co-Chair Tour de Shuls, to travel through the streets of Marblehead on Saturday, June 24, 2012 during the 5th annual Tour de Shuls bicycling event subject to receipt of the required Certificate of Insurance. The event is sponsored by the Federation of Jewish Men's Clubs to raise awareness and money for charitable causes. This years' event will benefit the Tikvah Program at Camp Ramah in Palmer, MA; an overnight camp for adolescents, teens and young adults with developmental disabilities. All in favor. The event starts in Swampscott at 7:15 a.m. with staggered starts up till 11:00 a.m. Riders will enter Marblehead at Tedesco and Salem Streets; travel down Leggs Hill Road and back through Salem to Swampscott. A small group of riders will continue through Marblehead and loop around the neck.

RECREATION AND PARKS DEPARTMENT. Request for Funds. Motion made and seconded to approve the request from Brendan M. Egan, Superintendent, Recreation and Parks, to use funds from the Grandstand Donation account to buy paint materials for the re-painting of the Seaside Park Grandstand, not to exceed \$1,200.00. All in favor.

FIREWORKS COMMITTEE. 4th of July. The Annual Fireworks and Harbor Illumination will take place on Wednesday, July 4, 2012 starting at 8:45 p.m. when the flairs are lit. High tide on July 4th is at 12:20 p.m. and low tide is at 6:13 p.m. Rain date for Fireworks is Thursday, July 5, 2012 at 8:45 p.m. The Marblehead Fireworks Committee is an all volunteer organization and the fireworks display is 100% privately

funded. Donations may be sent to the Abbot Hall, Selectmen's Office, 188 Washington Street. Please put "Fireworks" in the memo section. Donations are tax deductible.

OLD AND HISTORIC DISTRICTS COMMISSION. Resignation. A letter of resignation was received from F. Reed Cutting, Jr. Motion made and seconded to accept his letter with regret and to send a letter of appreciation for his years of service on the Commission. All in favor.

BOOK. A letter and book, "The 18th Century Wallpapers in the Jeremiah Lee Mansion", was received from Judy Anderson. Motion made and seconded to donate the book to the Marblehead Room at the Abbot Public Library and to send a letter of appreciation. All in favor.

SPECIAL ELECTION. The Special Election will be held on June 21, 2012. Polling places are: Precinct 1, 2 & 3, Masonic Temple, 62 Pleasant Street. Precinct 4, 5 and 6, Marblehead Community Center, 10 Humphrey Street.

CULTURAL COUNCIL. Applicants. Letters of interest were received from the following individuals as it relates to serving on the Cultural Council; Linda Hall, Doug Hill and Rick Ashley. All applicants will be interviewed on June 27, 2012.

PLANNING BOARD. Deadline to submit letters of interest to fill the vacancy on the Planning Board has been extended until Friday, June 29, 2012 at 12:00 noon. Interviews will be conducted on July 11, 2012.

OLD AND HISTORICS DISTRICTS COMMISSION. Vacancy. Letters of interest to serve on the Old and Historic Districts Commission should be submitted to the Selectmen's office, deadline June 29, 2012. All applicants will be interviewed on July 11, 2012.

COUNCIL ON AGING. Vacancy. Letters of interest to serve on the Council on Aging should be submitted to the Selectmen's office, deadline June 29, 2012. All applicants will be interviewed on July 11, 2012.

EXECUTIVE SESSION. Motion made and seconded to adjourn to Executive Session under M.G.L. c. 30A, Sec. 21 for the purpose of discussing pending litigation 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. 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