

BOARD OF SELECTMEN

MINUTES

October 12, 2011

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 September 28, 2011. 4 voted in favor, Mr. Murray voted present.

ELBRIDGE GERRY. Commemorative Stamp. Donald A. Doliber, 7 Westminster Road, appeared before the board seeking support to petition the United States Post Office to issue an Elbridge Gerry Commemorative Stamp in 2014, the 200th anniversary of his death. Motion made and seconded to send a letter of support. All in favor.

PUBLIC HEARING. Alcoholic Beverage License. Thai Market Inc. Tom Kanchananaga, 26 Hawkes Street, appeared before the Board seeking a Wine and Malt Beverage License with Cordial Permits at Thai Market Inc., 26 Hawkes Street and to revise the previously approved hours of operation on the Common Victualler License at 26 Hawkes Street. No one spoke in opposition or in favor of the applicant. Motion made and seconded to approve the application from Thai Market Inc., 26 Hawkes Street, manager Tom Kanchananaga, for a Wine and Malt Beverage License w/ Cordials Permit subject to approval from the ABCC, receipt of all applicable inspection sign offs, all fees paid and the staff obtaining TIPS or comparable certification. Seating capacity is 66. Hours of operation are Monday – Sunday 11:00am – 11:00pm. 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 revise the previously approved hours for a Common Victualler license for Thai Market Inc., 26 Hawkes Street, to be consistent with the hours on the Alcoholic Beverage License, Monday through Sunday 11:00 a.m. – 11:00 p.m. All in favor.

Mr. Christensen recused himself from the meeting.

LICENSING. Kitsen Table. Mia Lunt, 55 Hillside Road, Tewksbury, and Lawrence Markell, counsel for Ms. Lunt, appeared before the Board to advise them on the status of the Wine and Malt Beverage License with Cordials at Kitsen Table, 19 Bessom Street.

The Corporation is currently being restructured. The Licensee plans to have the proper papers signed and submitted to the Board for consideration in the next week and the restaurant should be reopening shortly pending all inspection sign offs.

Mr. Christensen returned to the meeting.

POLICE DEPARTMENT. Assessment. Chief Robert Picariello and Dr. Philip Devaux appeared before the Board to present an update and overview of the Marblehead Police Department Action Plan. The original Action Plan presented in January 2011 has been expanded and revised as a result of review by the Advisory Committee; Jeff Shribman, Town Counsel; Chief Jason Gilliland; Patricia Roberts, Council on Aging; Ken Weinstein, High School Principal; F. Marshall Bauer, Community; Patricia Moore, Vice Chair, Finance Committee; Paul Crosby, Marblehead Counseling Center; Chief Robert Picariello, Lt. Matthew Freeman, Sgt. Sean Brady, Marblehead Police Department; Dr. Philip Devaux, Consultant/Facilitator. Chief Picariello and Dr. Devaux reviewed the plan and answered questions from the Board. After presenting the Action Plan motion made and seconded to accept the report "Looking Forward, an Action Plan for the Future of the Marblehead Police Department" as presented. All in favor.

SISTER CITY LIAISON. Grasse, France. Myriam Zuber, Sister City Liaison, 10 Village Street and Monica Tecca, 10 Village Street, appeared before the Board to report on Marblehead/Grasse activities. Ms. Zuber and Ms. Tecca recently attended the Jasmine de Fete, the annual celebration of the Jasmine flower, in Grasse. Sister City representatives from 8 other countries were in attendance. Upcoming events include an artistic exchange in June 2012 in Grasse.

LICENSING. All Alcoholic Beverage License. Jeff Flynn, 5 Haley Road, appeared before the Board as it relates to an All Alcoholic Beverage License. In March 2011 the Board gave Mr. Flynn 6 months, until September 23, 2011, to submit proper application for an All Alcoholic Beverage License. Mr. Flynn stated he was having discussions with two parties and asked the Board for an extension. The Board noted that whereas Mr. Flynn does not have a current business or location and the six month extension has passed they would move forward and seek other applicants for the License. Motion made and seconded to advertise and solicit, as consistent with Town Policy, individuals interested in obtaining an All Alcoholic Beverage License. All in favor.

CONTACT. Pier at Gerry Playground. Motion made and seconded to award the contract for the construction of a Pier at Gerry playground to North Shore Marine of Salem, MA in the amount of One hundred and eight six thousand six hundred and ninety four dollars (\$186,694.00) and authorize the chair to sign on behalf of the Board. All in favor.

CONTRACT. Abbot Hall Clock Tower. Motion made and seconded to award a contract to conduct a survey of the Abbot Hall clock tower to Boston Chimney and Tower Co. LLC of Peabody, MA in the amount of fourteen thousand six hundred and

forty one dollars (\$14,641.00) and authorize the chair to sign the contract on behalf of the Board. All in favor.

CONTRACT. Towing and Vehicle Storage. Motion made and seconded to award the contract for towing and vehicle storage services to the lowest responsive and responsible bidder Bill's Auto Clinic of Salem, MA and authorize the chair to sign on behalf of the Board. All in favor.

MARBLEHEAD DISABILITIES COMMISSION. Appointment. Motion made and seconded to appoint Laurie Blaisdell to the Marblehead Disabilities Commission with a term to expire in 2014. All in favor.

HEARING OFFICER. Designation. Motion made and seconded in accordance with Massachusetts General Laws, Chapter 31, Section 41, the Marblehead Board of Selectmen, the Appointing Authority, hereby appoints Anthony M. Sasso as the Designated Hearing Officer, to conduct a hearing regarding discipline imposed on or about September 28, 2011, upon a Town employee. All in favor.

ABBOT HALL. Permission to Use. Holiday Pops. Motion made and seconded to approve the request from Jessica Barnett and Jodi Vigneron to use Abbot Hall on the following dates and times as it relates to the Holiday Pops Concert, previously approved by the Board;

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| Thursday, December 8, 2011 | 1:00 p.m. – 5:00 p.m. |
| Friday, December 9, 2011 | 8:00 a.m. – 12:30 p.m. |
| Saturday, December 10, 2011 | 1:30 p.m. – 11:00 p.m. |
| Monday, December 12, 2011 | 8:00 a.m. – 12:00 noon |

All in favor.

WINTER PARKING BAN. Motion made and seconded to have the winter parking ban commence at 12:01 a.m. on Monday, November 28, 2011 and continue until April 15, 2012. No parking is allowed on any street for a period of time longer than one (1) hour between the hours of midnight and 7:00 a.m. In the case of a snow emergency prior to November 28, 2011 all cars will be required to be off the public way and the winter parking ban would be in effect immediately. All in favor.

ABBOT HALL. Revised Hours. Festival of Arts. Motion made and seconded to revise the previously approved hours for the Festival of Arts to use Abbot Hall on Sunday, December 4, 2011 to 8:30 a.m. – 7:30 p.m. All in favor.

SPIRIT OF '76. Permission to Use. Motion made and seconded to approve the request from A Beka Book, Inc. to use an image of the Spirit of '76 in "American Literature", fourth edition subject to the Town receiving a copy of the book for placement in Abbot Public Library. All in favor.

ONE DAY LIQUOR LICENSE. Phoenix School. Motion made and seconded to approve the request from The Phoenix School, 89 Margin Street, Salem, for a one day

liquor license on Saturday, November 12, 2011 from 6:30 p.m. – 10:30 p.m. for their annual Fundraising Gala in the Parish Hall at the Church of St. Andrew, 135 Lafayette 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.

Alcohol will be delivered at the beginning of the event and removed at the conclusion of event by North Shore Bartending Service, 11D Russell Drive, Salem, MA. 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.

ZONING BOARD OF APPEALS. Resignation. A letter was received from Barbara Shefftz, 13 Central Street, notifying the Board of her resignation. Motion made and seconded to accept her resignation with regret and to send a letter of appreciation. 4 voted in favor. Mr. Christensen voted present.

CONSERVATION COMMISSION. Resignation. A letter was received from Craig Smith, 27 Vine Street, notifying the Board of his resignation. Motion made and seconded to accept his resignation with regret and to send a letter of appreciation. All in favor.

Motion made and seconded to adjourn at 8:45 p.m. All in favor.

Kyle A. Wiley
Administrative Aide