

BOARD OF SELECTMEN

MINUTES

May 7, 2010

Board met in session at 8:15 a.m. in the Selectmen's Meeting Room at Abbot Hall.
Present (constituting a quorum):

Jackie Belf-Becker, Chairman
Harry C. Christensen, Jr.
Judith R. Jacobi
James E. Nye
William L. Woodfin, II

Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from April 28, 2010. All in favor.

ELECTION

Moved and seconded: that prior public notice of the Board of Selectmen's intention to call a Special Town Meeting for the purpose of a Special Election for approval of a debt exclusion under Proposition 2 ½ be waived because in the opinion of the Board of Selectmen the public interest would suffer from such delay. All in favor.

Moved and seconded: that a Special Town Meeting be called for June 15, 2010, for the purpose of Special Election to vote on questions relative to debt exclusions and capital exclusions under Proposition 2 ½. All in favor.

Moved and seconded: that the Warrant be opened for insertion of questions. All in favor.

MOTION OF THE BOARD OF SELECTMEN BY TWO-THIRDS VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 1:

Question 1:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called,

the amounts required to pay for the bond issued for the purpose of funding the permitting, public bidding and construction for the landfill closure and new transfer station, including design services, construction of a cap for the areas of the old landfill, deconstruction of the old transfer station, constructing storm water controls, and constructing a new transfer station, new Recycling Drop-Off area, new Swap Shed, and new Yard Waste Processing Area, acquisition of interests in real property, and including engineering, testing, legal and related costs and fees?

YES_____ NO_____

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **SIMPLE MAJORITY** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO ASSESS TAXES IN EXCESS OF THE AMOUNT ALLOWED PURSUANT TO GENERAL LAWS CHAPTER 59, SECTION 21C, FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to assess taxes in excess of the amount allowed pursuant to General Laws Chapter 59, Section 21C for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 2:

Question 2:

Shall the Town of Marblehead be allowed to assess an additional \$706,961.00 in real estate and personal property taxes for the fiscal year beginning July first, 2010, to fund Article 21 of the 2010 Annual Town Meeting for the purpose of continued water quality monitoring, soil gas monitoring, risk assessment, engineering and any other services related to the old landfill?

YES_____ NO_____

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **TWO-THIRDS** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 3:

Question 3:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the purchase, acquisition or taking by eminent domain the property and building(s) located at 57 Stony Brook Road, and more particularly described in a deed found at Book 22473 Page 485 recorded at the Essex South Registry of Deeds containing 18,430 square feet +/- for the purpose of clean up related to the historic operations of the former landfill and for settlement of all claims, if any, as against the Town by the owners thereof?

YES_____ NO_____

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY SIMPLE MAJORITY VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 4:

Question 4:

Shall the Town of Marblehead be allowed to assess an additional \$100,000.00 in real estate and personal property taxes for the fiscal year beginning July first, 2010, to fund Article 29 of the 2010 Annual Town Meeting for the purpose of the design, engineering, repair and reconstruction of sidewalks throughout the town?

YES_____ NO_____

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **TWO-THIRDS** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 5:

Question 5:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the purchase, acquisition or taking by eminent domain of the parcel of land located at 195 Pleasant Street, Assessor Map 109 Lots 8 and 9 owned by Cyr Oil Corporation/Greg J. Bruett Trustee and which includes approximately 3738 sq ft +/-, said land having been determined to be necessary for the health and welfare of the inhabitants of Marblehead, to be used for municipal purposes?

YES_____ NO_____

All in favor.

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Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 6:

Question 6:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the design, including professional services and construction of improvements to the Pleasant Street corridor from the intersection of Village, Vine and

Pleasant Streets to Smith Street, including but not limited to traffic light upgrades, roadway reconfigurations and sidewalk improvements?

YES_____ NO_____

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **TWO-THIRDS** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 7:

Question 7:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the renovations and extraordinary repairs to the Abbot Public Library?

YES_____ NO_____

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **TWO-THIRDS** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 8:

Question 8:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the design, engineering, permitting, site

preparation, removal of existing surface, and installation of an artificial turf field with associated equipment necessary for field maintenance at Piper Field located at Marblehead High School 2 Humphrey Street?

YES_____ NO_____

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **TWO-THIRDS** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 9:

Question 9:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the design, project management and construction of a new elementary school for 425 students at the Glover School site, located at 7-9 Maple Street, parcel number 40 4 0, including the associated costs of relocating students during construction; which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years?

YES_____ NO_____

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **TWO-THIRDS** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 15, 2010, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 10:

Question 10:

Shall the Town of Marblehead be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding technology upgrades and classroom furniture at the Village School?

YES_____ NO_____

All in favor.

Moved and seconded: that the Warrant be closed. All in favor.

PERMISSION. Barka Foundation Walk. Revised Start Time. Motion made and seconded to approve the request from Eileen Perry, 17 Central Street, to revise the previously approved start time for the 6 km Barka Foundation Walk on Sunday, May 23, 2010 from 12:00 noon to 9:00 a.m. All in favor.

DEPARTMENT OF PUBLIC WORKS. Contract. Motion made and seconded to award a contract for the Department of Public Works HVAC Installation Project to Swampscott Refrigeration of Lynn, MA in the amount of eleven thousand eight hundred dollars (\$11,800.00) and authorize the chairman to sign on behalf of the Board. All in favor.

WIND TURBINE. A letter was read from Maxwell Celantano applauding the Town on the recent installation of a wind turbine in the Marblehead High School parking lot.

Motion made and seconded to adjourn at 8:35 a.m.

Kyle A. Wiley
Administrative Aide