

BOARD OF SELECTMEN

MINUTES

September 8, 2010

Board met in session at 7:30 p.m. in the Selectmen's Meeting Room at Abbot Hall.
Present (constituting a quorum):

James E. Nye, Chairman
Judith R. Jacobi
T. Michael Rockett
William L. Woodfin, II

Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from August 25, 2010.
All in favor.

PARKING REGULATIONS. West Shore Drive. Attorney Paul Lynch, 0 Spring Street, appeared before the Board with his client, Mark O'Connor, Owner/Operator of Marblehead Garden Center, 164 West Shore Drive. Photographs of the property were submitted for the record. Attorney Lynch detailed the improvements his client has made to the property which includes marking off 17 parking spaces and placing signs on his lot and his neighbor's driveways marking valid parking areas. The Board thanked Mr. O'Connor for his efforts. Motion made and seconded to rescind the previous motion set forth on September 5, 1990 which states, "NO PARKING between 7:00 a.m. and 5:00 p.m. on the south side of West Shore Drive between #151 and Village Street." Mr. O'Connor is to maintain the signs on his lot and have 17 parking spaces remain available on his property at all times and the Town will maintain striping the neighbor's driveways. All in favor.

MARBLEHEAD POLICE DEPARTMENT. Appointments. Police Chief Robert Picariello appeared before the Board with Daniel Gagnon, 33 Pinecliff Drive, and Daniel Katz, 3 Sandie Lane for consideration of appointment as full time Marblehead Police Officers. The Board interviewed both candidates. Motion made and seconded to appoint Daniel Gagnon and Daniel Katz as regular full time Police Officers in the Town of Marblehead effective October 18, 2010. All in favor.

Motion made and seconded to recess for 5 minutes at 7:45 p.m. All in favor.

Motion to resume meeting. All in favor.

MARBLEHEAD POLICE DEPARTMENT. Operation Med Sweep. Chief Picariello informed the Board that on Saturday, September 25, 2010 the Police Department will be holding "Operation Med Sweep" from 8:00 a.m. – 12:00 noon at the

Police Station. Residents are encouraged to collect all their expired, unused and unneeded medications and bring them to the station where they will be safely disposed of at no cost to the local community by the DEA. For more information please call 1-781-631-1212.

September 11th Remembrance Ceremony. Chief Picariello announced that the Marblehead Fire and Police Departments will conduct a remembrance ceremony on Saturday, September 11, 2010 at 10:00 a.m. at its new location this year, Memorial Park, commemorating the nine year anniversary of the September 11th terrorist attacks. The community is invited to participate. Motion made and seconded to have the police mark off an area, no parking, on Essex Street to allow entrance to Memorial Park during the Ceremony. All in favor.

PERMISSION. Trailer. Motion made and seconded to approve the request from Kevin and Victoria Duddleston to park a 28 ft. trailer on Washington Street, across from #191, on either October 19th or 20th for one night subject to hiring a police detail, proper illumination and chalking of the trailer and receipt of the required Certificate of Insurance. All in favor.

CONSTABLE. Appointment. Motion made and seconded to appoint Douglas W. Perry as Constable to serve civil process for the Town of Marblehead with a term to expire in May 2011 subject to receipt of the proper bond on file in the Town Clerk's office. All in favor.

CONSTABLE. Appointment. Motion made and seconded to appoint Peter M. Yasi as Constable to serve civil process for the Town of Marblehead with a term to expire in May 2011 subject to receipt of the proper bond on file in the Town Clerk's office. All in favor.

NATIONAL LEAD. Lead Mills Cleanup. Lisa L. Mead, Assistant Town Counsel, appeared before the Board to update them on the status of the Lead Mills cleanup. The settlement, which has been endorsed by the Board of Selectmen and approved by the DEP has now been approved by Salem and their Conservation Committee. A kickoff meeting was held in the Town of Marblehead in August at which time the town requested that National Lead and Woodard & Curran appear before the Board of Selectmen to inform the Board of the process and timeframe to be followed during the cleanup and advise them of what to expect once construction starts and to notify the general public by advertising in the local papers. National Lead has not agreed to this request. The Town recently received a notification from National Lead for distribution which fails to give an actual timeline for the cleanup process. Residents should contact Dan Garson, Senior Vice President, Woodard & Curran, 1-781-251-0200 or Cell 1-781-929-2025 with their questions or concerns. Web site is www.woodardcurran.com.

REQUEST. Special Town Meeting. Assistant Town Counsel, Lisa L. Mead, appeared before the Board to advise them on the petition received from Wayne Johnson, 74 Bubier Road, to change the zoning bylaw regarding the minimum lot frontage of a single

residence from 100 feet to 75 feet and to address the procedures and timelines that the Board of Selectmen and the Planning Board must follow when reviewing the proposed zoning change and putting it before the voters at a Special Town Meeting. Ms. Mead advised the Board that this request must be reviewed under 2 statutes, M.G.L. Chapter 39, §10, receipt of a petition for Special Town Meeting, and M.G. L. Chapter 40A, §5, dealing with the adoption or change to zoning bylaws. Regardless of the Board's decision whether or not to call a Special Town Meeting the petition must be referred to the Planning Board for a public hearing. Motion made and seconded to refer the petition to the Planning Board. All in favor. The Board discussed their concerns about the far reaching impact the proposed zoning change would have on the Town and that there is not enough time to study the implications, impact or long term effect on the Town. Motion made and seconded to deny the request for a Special Town Meeting. All in favor.

LICENSING. One Day Liquor License. MHTV. Motion made and seconded to approve the request from Ed Bell, Executive Producer, MHTV, for a one day liquor license for the premier of "20th Century Marbleheaders; Their Memories, Wisdom and Wit" to be screened at the Marblehead Little Theater, 12 School Street on Saturday, October 2, 2010 from 6:30 PM – 9:00 PM subject to receipt of the required fee (\$50). On a polled vote the Board voted as follows: Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mr. Rockett, in favor; Mr. Nye, in favor.

ENTERTAINMENT LICENSE. Maddie's Sail Loft. Amendment. Motion made and seconded to approve the request from Loretta Lang, Maddie's Sail Loft, 15 State Street, to amend the current entertainment license for live entertainment on Wednesday evenings to end at 11:30 PM instead of 11:00 PM subject to no music to be heard from the street. All in favor.

PERMISSION. Use of Abbot Hall. Festival of Arts. Artisans' Holiday Marketplace. Motion made and seconded to approve the request from Jeff Kane, President, to use Abbot Hall for the annual Artisans' Holiday Marketplace in conjunction with the Marblehead Christmas Walk subject to the usual rules, regulations, fees, and required Certificate of Insurance. The approved dates and times are as follows:
Friday, December 3, 2010 5:30 p.m. – 9:30 p.m. Set up
Saturday, December 4, 2010 6:30 a.m. – 7:00 p.m. Set up and Fair
Sunday, December 5, 2010 8:30 a.m. – 7:00 p.m. Fair and breakdown
All in favor.

PERMISSION. Block Party. Sevinor Road. Motion made and seconded to approve a request from Sue Masters to block Sevinor Road, between Saturn Road and Elizabeth Road, on Saturday, September 11, 2010 from 4:00 p.m. – 7:00 p.m. for a block party. All in favor.

COUNCIL ON AGING. Letter of Interest. A letter of interest was received from Lisa J. Hooper as it relates to serving on the Council on Aging.

TOWN CLERK. Office Hours. Due to the election on Tuesday, September 14, 2010 the Town Clerk's office will be as follows for the week of September 13 – 17, 2010:

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|-------------------------------------|-------------------|
| Monday, September 13 th | 8:00 AM – 4:00 PM |
| Tuesday, September 14 th | 7:00 AM – 8:00 PM |
| Wednesday, September 15, 2010 | 8:00 AM – 4:00 PM |
| Thursday, September 16, 2010 | 8:00 AM – 4:00 PM |
| Friday, September 17, 2010 | 8:00 AM- 12:30 PM |

OPEN SPACE. Bradford Freeman, 34 Willow Road, addressed the Board asking if they may be interested in the sale of the Killiam property. No vote was taken.

BUBIER ROAD. Allison Ford, 95 Green Street, spoke on behalf of Mr. Wayne Johnson, 74 Bubier Road.

CONGRATULATIONS. Motion made and seconded to a send a letter to the the Gerry No. 5 and its fellow Marblehead engine, the Okommakamesit No. 2, congratulating them on a successful muster held in Town on August 28, 2010.

APPRECIATION. Gerry 5. Motion made and seconded to send a letter of appreciation to the Gerry 5 for their generous donation of supplies, food and space for the recent Council on Aging picnic. All in favor.

SELECTMENS MEETING ROOM. Renovations/Repairs. The Town Administrator apprised the Board that the Historic Commission would like to commence the previously approved work to be done in the Selectmen's Meeting Room after the Selectmen's October 28, 2010 meeting. Motion made and seconded to move the Selectmen's meeting of November 10, 2010 up to the Auditorium. All in favor. The Selectmen will not meet on November 24, 2010. If needed the Board will call for a special meeting.

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

Kyle A. Wiley
Administrative Aide