

BOARD OF SELECTMEN

MINUTES

January 28, 2009

Board met in session at 7:30 p.m. in the Selectmen's Meeting Room at Abbot Hall.

Present (constituting a quorum):

Judith R. Jacobi
James E. Nye
William L. Woodfin, II

Anthony M. Sasso, Town Administrator

APPOINTMENT. Chairman Pro-Tem. Motion made and seconded to appoint Mr. Nye as Chairman for this meeting. All in favor.

ALL ALCOHOLIC BEVERAGE LICENSE. Change of Manager. Boston Yacht Club. Suzanne F. Travers and Philip DiCarlo appeared before the Board. Motion made and seconded to approve the request to change the name of the Manager on the All Alcoholic Beverage License at the Boston Yacht Club to Suzanne F. Travers subject to receipt of the required forms and CORI approval. On a polled vote the Board voted as follows: Mrs. Jacobi, in favor; Mr. Woodfin, in favor; Mr. Nye, in favor.

PUBLIC HEARING. Smart Growth Overlay District Proposal. Gordon King, Chairman, Smart Growth Committee and the Town's hired consultant, Angus Jennings, Principal Planner, Concord Square Planning & Development Inc., appeared before the Board to present and discuss the proposed Smart Growth Overlay District Bylaw. The focus of the Bylaw has been narrowed to two sites: the former YMCA parcel and adjacent Veterans' Park and Vinnin Square. The other Sub-Districts that had previously been considered have been removed from the proposal. The following residents spoke at the hearing: Kurt James, 56 Norman Street, Ruth Deignam, 77B Pleasant Street, Chet Strout, 1 Essex Street, Steve Spungin, 13 Essex Street and Jane Mace, 88 Pleasant Street. Motion made and seconded to submit the proposal to the state for approval and then present it to Annual Town Meeting 2009. All in favor. Residents are encouraged to attend the Design Workshop meeting to be held on February 26, 2009 at the Community Center at 7:00pm.

HARBORS AND WATERS. 6B Cliff Street. Gary Gregory, Chairman, Harbors and Waters Board and John Doub, Committee Member, appeared before the Board to discuss the proposed plan for leasing office space at 6B Cliff Street (formally the Harbormaster's office). After discussion motion made and seconded to have Town Council review the proposal and report back to the Board with recommendations. All in favor.

PERMISSION. Fort Sewall. Nicholas Smith, Director of Operations, Crypto Paranormal Investigations appeared before the Board seeking permission to access the sealed rooms at Fort Sewall for an overnight period for the purpose of investigating possible paranormal activity at the Fort. After discussion motion made and seconded to allow the use of Fort Sewall with a date and time to be arranged with the Town Administrator. 1 voted in favor, 2 against. Motion failed.

RECREATION AND PARKS DEPARTMENT. Revolving Funds. Motion made and seconded to approve the request from R. Thomas Hamond, Superintendent Recreation and Parks Department, to reauthorize its Revolving Fund for \$300,000 for fiscal year 2010. All in favor.

MARBLEHEAD POLICE DEPARTMENT. Revolving Funds. Motion made and seconded to approve the request from Chief Robert O. Picariello to reauthorize the following funds: The RAD revolving fund for \$7,500.00; the revolving fund for the Animal Control/Police Department Fund at \$20,000; and the Animal Control Office Donation Fund as necessary and to reserve space and include articles as necessary in the Annual Town Meeting to continue these programs. All in favor.

CONSERVATION COMMISSION. Revolving Funds. Motion made and seconded to approve the request from Douglas W. Saal, Conservation Administrator, to reauthorize the Conservation Fines Revolving Fund in the amount of \$10,000 for fiscal year 2010. All in favor.

BOARD OF HEALTH. Revolving Fund. Motion made and seconded to approve the request from Wayne O. Attridge, Director of Public Health, for a revolving fund dedicated to commercial waste disposal for FY2010. The cap of said revolving fund is not to exceed \$450,000. All in favor.

MAIL. COMCAST. Pursuant to G.L. Ch. 166A, Section 10, Comcast provided the Town a copy of its Form 500 for 2008. The Form 500 contains information on customer issues in the Town and how Comcast has responded, including the time taken to resolve these complaints.

HISTORICAL COMMISSION. Proposed Name Change. A letter was read from Wayne Butler, Chairman Marblehead Historical Commission, as it relates to the request for proposed name change to Bown's Island. A letter was read from Betty Hunt, Town Historian, relating to the name change. Motion made and seconded to table the discussion until a full Board is present. All in favor.

RETIREMENT. Fire Department. Motion made and seconded to send a letter of congratulations to Captain Richard Bartlett on his recent retirement from the Marblehead Fire Department. All in favor.

APPRECIATION. Fire Department. Motion made and seconded to send a letter of appreciation to Lieutenant Joseph Jurasek for his many years of service to the Town of Marblehead. All in favor.

PROCLAMATION. Fire Department. Barry Dixey Day. Motion made and seconded to proclaim Friday, January 30, 2009 “Barry Dixey Day” and to prepare a proclamation on behalf of the Board. All in favor.

TAXES. A letter was read from Town Treasurer Patricia Kelly Murray as it relates to Third Quarter Real Estate Taxes being due on Monday, February 2, 2009. These bills may be paid on line through the Town’s web site www.marblehead.org and clicking on On-Line Payments of Property Taxes.

SHELLFISH HARVESTING. Devereux and Goldthwait Beaches. A letter was read from Wayne O. Attridge, Shellfish Constable stating that due to a low grade bacteria problem and budget cuts at the Mass Division of Marine Fisheries relating to lab availability, Devereux and Goldthwait Beaches will remain closed for the remainder of the winter season for recreational shellfish harvesting.

MARBLEHEAD SCHOOL DEPARTMENT. A letter was read from Richard Matthews, Facility Director, Marblehead Public Schools expressing his great appreciation to Dana Snow and Dave Donahue for the tremendous job the Highway Department has done this winter with the snow and making the schools ready and safe for the students and faculty. He also thanked the Recreation and Park Department, Tree Department and Cemetery Department for all their help.

ANNUAL MARBLESHRED EVENT. April 18, 2009 from 9:00am – 12:00noon, rain or shine, Marblehead Bank will be hosting the 2nd Annual MarbleShred Event. The community is invited to bring up to 2 boxes of documents to shred. In addition the Bank continues to collect used eye glasses for the Lyons Club, used cell phones for Soldiers and donations for the Marblehead Food Pantry.

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ALL ALCOHOLIC BEVERAGE LICENSE. Zaika Restaurant. A letter was read from Kulwant Jhikka, Zaika Restaurant as it relates to his restaurant. Motion made and seconded to invite Mr. Jhikka to the Board’s meeting on March 11, 2009 to discuss the status of his All Alcoholic Beverage License. All in favor.

MBTA. Service Plan. Motion made and seconded to invite Representative Lori Ehrlich, at her earliest convenience, to a Selectmen’s Meeting to discuss the changes in the MBTA Service Plan. All in favor.

MASS MUNICIPAL ASSOCIATION. Home Energy Savings for Retirees. Motion made and seconded to have Mrs. Jacobi coordinate with Patricia Roberts, Council on Aging, a date and location to hold a Home Energy Savings Seminar for Retirees provided by a grant through the Mass Municipal Association. All in favor.

CONDOLENCES. Motion made and seconded to send a letter of condolence to the family of John Updike. The film adaptation of Mr. Updike's novel, "The Witches of Eastwick" contains scenes filmed in the Auditorium at Abbot Hall. All in favor.

MINUTES. Motion made and seconded to approve the minutes from January 14, 2009. All in favor. Motion made and seconded to approve the minutes from January 22, 2009. All in favor.

MARBLEHEAD FIREWORKS COMMITTEE. The Marblehead Fireworks Committee is accepting donations for the 2009 Fireworks Display at the Selectmen's Office in Abbot Hall, 188 Washington Street, Marblehead, MA.

Motion made and seconded to adjourn at 9:40pm. All in favor.

Kyle A. Wiley
Administrative Aide