

BOARD OF SELECTMEN

MINUTES

November 18, 2009

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, Chairman
Harry C. Christensen, Jr.
Judith R. Jacobi

Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from October 28, 2009. All in favor.

BOARD OF ASSESSORS. Public Hearing. Classification Tax Allocation Fiscal Year 2010

John P. Kelley, Chairman of the Board of Assessors, Nancy McCarthy and Douglas Percy, Board members and Michael Tumulty, Assessor, appeared before the Board to provide a report on information necessary for votes to be taken on the three available exemptions. Additionally and most importantly is the fourth vote to determine that tax factor which would shift local taxes from the residential class to the commercial, industrial and personal property classes. The Assessors presented the 2010 total valuation of the community which has received final certification from the Department of Revenue after meeting all DOR criteria and guidelines for development of fair and equitable assessments throughout the Town of Marblehead. The Board voted as follows:

Residential Exemption:

Classification also allows the Board of Selectmen to grant an exemption of up to 20% of the average assessed value of all Class One residential parcels, which are the principal residences of the taxpayer. This particular exemption typically provides tax relief for full time residents in vacation communities such as Nantucket or communities with a large number of non-owner occupied properties. Motion made and seconded not to accept the residential exemption. All in favor.

Small Commercial Exemption:

Chapter 220, SS.112 and 187 of the Acts of 1993 provide for an exemption of up to 10% of the assessed value for Commercial properties with an assessment of less than \$1,000,000 dollars and employing not more than ten people in the preceding calendar year. This particular exemption benefits only the property owner, as the law does not require the tax relief be passed through to the business owner. If adopted, this exemption shifts the tax burden onto other Commercial and Industrial properties. Motion made and seconded not to accept the small commercial exemption. All in favor.

Open Space Discount :

Chapter 59 Section 2A allows for a maximum of 25% exemption for property classified as Open Space. "Class Two, open space" is land which is not otherwise classified and which is not

taxable under the provisions of chapters 61, 61A, or 61B, or taxable under a permanent conservation restriction, and which land is not held for the production of income but is maintained in an open or natural condition, and which contributes significantly to the benefit and enjoyment of the general public. The Board of Assessors has determined that no property in Town meets the strict definition of open space. Motion made and seconded not to accept the open space discount. All in favor.

Rate Factor: Chapter 369 of the Acts of 1982 requires the decision to shift the property tax burden from one property class to another to be made by the Board of Selectmen, after a public hearing. The statute provides a maximum allowable portion of the Tax Levy up to 150% to be borne by Commercial, Industrial and Personal Property (CIP Class) and a minimum allowable portion to be borne by the Residential Class. Motion made and seconded to vote a rate factor of 1 which will result in a single tax rate to be determined. All in favor.

The Board of Assessors will submit the vote by the Board and all supporting financial documentation to the Department of Revenue for certification of the 2010 Tax Rate. The process of certifying the Tax Rate generally takes one week.

MARBLEHEAD FIRE DEPARTMENT. Re-inspections fees. Chief Jason Gilliland and Captain Michael Porter appeared before the Selectmen seeking permission to charge a fee for all Fire Department re-inspections. Motion made and seconded to authorize a \$50 fee for each re-inspection done by the Fire Department. All in favor.

CEMETERY COMMISSION JOINT MEETING. Interview. Rose McCarthy and Richard Coletti were present. David M. Cashman was interviewed by the Cemetery Commission and the Board of Selectmen to fill a vacant seat on the Commission. On a polled vote the Board voted as follows:

Mrs. McCarthy, David Cashman
Mr. Coletti, Mr. Cashman
Mrs. Jacobi, David Cashman
Mr. Christensen, David Cashman
Mrs. Belf-Becker, David Cashman

The Board of Selectmen and the Cemetery Commission appoint David M. Cashman to the Cemetery Commission with a term to expire in May 2010. This position will appear on the ballot in May 2010 with a term to expire in 2012.

PERMISSION. Sign. Bobbles and Lace. Valerie White appeared before the Board seeking permission to hang a sign for her business at 92 Washington Street. Motion made and seconded to approve the request to hang a sign at 92 Washington Street subject to permission from the Old and Historic Districts Commission, receipt of the required Certificate of Liability and a signed permit from the Building Inspector. 2 voted in favor, 1 voted present.

FINANCE COMMITTEE. Interviews. Matthew Herring, 83 Naugus Avenue and Robert Lieberman, 25 Sevinor Road appeared before the Board as it relates to serving on the Finance Committee. Motion made and seconded to place both candidates names in for consideration. All in favor. On a polled vote the Board voted as follows: Mrs. Jacobi, Matthew Herring; Mr.

Christensen, Matthew Herring; Mrs. Belf-Becker, Matthew Herring. Matthew Herring appointed to the Finance Committee with a term to expire in May 2010. Motion made and seconded to take the hold placed on William Corbett (May 2009) off. All in favor. Motion made and seconded not to reappoint William Corbett to the Finance Committee. All in favor. The Board of Selectmen will be accepting letters of intent from all interested parties to serve on the Finance Committee. Submit letters of intent to the Board of Selectmen, Abbot Hall, 188 Washington Street. Deadline for submitting letters is Wednesday, December 2, 2009 at 4:00pm. All applicants will be interviewed on Wednesday, December 9, 2009.

PERMISSION. Sign. Tallow. Katharine MacIntyre Navins, 34 Front Street, appeared before the Board seeking permission to hang a sign for her business at 70 Washington Street. Motion made and seconded to approve the request to hang a sign at 70 Washington Street subject to approval from the Old and Historic Districts Commission, receipt of the required Certificate of Insurance and a signed permit from the Building Inspector. All in favor.

PERMISSION. Sign. Aster. Rich Cooper, 89 Green Street, appeared before the Board seeking permission to hang a sign for his business at 70 Washington Street. Motion made and seconded to approve the request to hang a sign at 70 Washington Street subject to approval from the Old and Historic Districts Commission, receipt of the required Certificate of Insurance and a signed permit from the Building Inspector. All in favor.

2010 ANNUAL TOWN MEETING. Motion made and seconded that the Annual Town meeting be held on Monday, May 3, 2010 at 7:45 p.m. at Marblehead Veterans Middle School Auditorium, at Duncan Sleigh Square, 217 Pleasant Street. All in favor. Motion made and seconded to open the Warrant for the May 3, 2010 annual Town Meeting. All in favor. Motion made and seconded to close the Warrant for Town Government Boards and Commissions on Thursday, January 28, 2010 at 4:00 p.m. All in favor. Motion made and seconded to close the Warrant for the General Public on Thursday, February 4, 2010 at 4:00 p.m. All in favor.

PERMISSION. Chamber of Commerce. Holiday Wreaths. Motion made and seconded to approve the request for Ann Marie Casey from the Marblehead Chamber of Commerce to hang approximately 120 holiday wreaths and garland pole wraps throughout the central business district beginning November 30, 2009 and to remove all wreaths and garland wrap the 1st week of January 2010 subject to approval from the Marblehead Municipal Light Department and receipt of the required Certificate of Insurance. All in favor.

PERMISSION. Chamber of Commerce. 39th Annual Marblehead Christmas Walk Parade. Tree Lighting. Street Closings. Motion made and seconded to approve the request from Ann Marie Casey, Chamber of Commerce, for street closings for the 39th Annual Marblehead Christmas Walk Parade subject to approval from the Marblehead Police Department. All in favor. The following street closings will be in effect: Friday, December 4, 2009, Tree Lighting at Abbot Hall 7:00pm. Close Washington Street between Bassett Street and Rockaway Street. Close Washington Square, in its entirety, at Lee Street from 6:00 – 8:00pm. Saturday, December 5, 2009, Santa arrival and Parade. Close Clark Landing from 8:00am until noon. Close Front Street between Water Street and State Street and all of Darling Street from 9:30am to noon to facilitate the staging and departure of the Parade. Eliminate parking directly in front

of the Old Town House between 8:00am – 1:00pm to facilitate the passing of the parade. This involves three parking spaces to become available immediately after the performance. The parade route is the same as previous years. The parade will start at 11:45am at the State Street Landing, continue onto Washington Street (approximate time 12:00 – 12:30pm) and then onto Atlantic Avenue (approximately 12:30pm – 1:00pm).

HOLIDAY HOURS. Abbot Hall and Mary A. Alley. Motion made and seconded to approve the following holiday hours for Abbot Hall and Mary A. Alley:

Monday, Tuesday and Wednesday, December 21 – 23, 2009 * 8:00am – 5:00pm

Closed December 24-25, 2009

Monday, Tuesday and Wednesday, December 28 – 30, 2009 * 8:00am – 5:00pm

Closed December 31st and January 1st.

All in favor.

PERMISSION. Jingle Bell Dash. Making Ends Meet. Motion made and seconded to table the request from Paul Dobrow, Making Ends Meet, to hold the Jingle Bell Dash, Dance or Prance, on Sunday, December 13, 2009 and to have the Town Administrator further review the request. All in favor.

THE LANDING RESTAURANT. A letter was read from Chief Robert Picariello requesting that a hearing be held with the Landing Restaurant to determine if there was a violation as it relates to over serving and or serving an intoxicated person. Mr. Christensen recused himself from the discussion. Motion made and seconded to refer the request from Chief Picariello to Town Counsel for further review. All in favor.

FIRE DEPARTMENT. A letter was read from Chief Jason Gilliland inviting the Board to the 20th Annual “Firefighter of the Year” Award Ceremony to be held in Worcester, MA at the Hanover Theatre for the Performing Arts, 2 Southbridge Street at 2:00pm. Firefighters from the Marblehead Fire Department will be recognized and honored.

SHELLFISH CONSTABLE. A letter was read from Wayne O. Attridge, Chief Shellfish Constable, advising residents that the areas encompassing Devereux, Tuckers and Goldthwaite Beaches are open for the season on November 14, 2009 for the purpose of recreational harvesting of surf clams. Licenses may be obtained at the Town Clerks Office.

MARBLEHEAD PUBLIC SCHOOLS. Glover/Eveleth Feasibility Study. A letter was read from Patricia Blackmere, Chair of the Glover School Building Committee and a member of the School Committee, as it relates to the Glover/Eveleth Feasibility Study. The public is invited to attend two informational forums to be held on Wednesday, December 9th, 8:15am at the Eveleth School and 7:00pm at the Glover School. There will be an introductory presentation explaining the process and the work to date and time will be provided for residents to ask questions, share ideas and voice concerns.

MHTV. A letter was read from Jon Caswell, Executive Director of MHTV, notifying the Selectmen that MHTV programming is now available both on Verizon channel 28 and, as always, on Comcast channels 10. After the first of the year MHTV will be offering

programming on three channels: Public Access, Education Access and Government Access on each system.

MARBLEHEAD CULTURAL COUNCIL. Applicant. A letter was read from Ginny von Rueden as it relates to serving on the Marblehead Cultural Council. The Board invited Ginny von Rueden to a future Selectmen's meeting for the purpose of being appointed to the Council.

TRAFFIC AND SAFETY ADVISORY COMMITTEE. Hillside Avenue. A letter was read from Jahna Gregory, 7 Hillside Avenue, as it relates to safety concerns on Hillside Avenue. Motion made and seconded to refer this matter to the Traffic and Safety Advisory Committee for further review. All in favor.

Motion made and seconded to adjourn at 8:35pm. All in favor.

Kyle A. Wiley
Administrative Aide