

## **BOARD OF SELECTMEN**

### **MINUTES**

**March 26, 2008**

Board met in Session at 7:30 p.m. in their Meeting Room at Abbot Hall.

Present (constituting a quorum):

Harry C. Christensen, Jr., Chairman  
Jackie Belf-Becker  
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 March 12, 2008. All in favor.

**PERMISSION. Use of Abbot Hall.** Motion made and seconded to approve the request from Pam Peterson, Marblehead Museum and Historical Society, to use Abbot Hall Auditorium on Tuesday, April 29, 2008 from 6:30 – 8:30pm subject to the usual rules and regulations, and receipt of the required Certificate of Insurance. All in favor.

**PERMISSION. Use of Abbot Hall.** Motion made and seconded to remove from the table a request from the Marblehead Festival of Arts to use Abbot Hall on Saturday, May 3, 2008 for an Art Auction and Wine Tasting. Motion made and seconded to approve the request from the Marblehead Festival of Arts to use Abbot Hall on Saturday, May 3, 2008 from 9:00am – 11:00pm for an Art Auction and Wine Tasting subject to Fire Chief Barry Dixey conducting an inspection of the auction set up on Friday, May 2, 2008, the usual fees, rules and regulations and a receipt of the required Certificate of Insurance. All in favor.

**APPOINTMENT. Inspector of Animals.** Motion made and seconded to re-appoint Isabel Lorenzo to this position with a term to expire April 30, 2009. All in favor.

**RESERVE FUND TRANSFERS. Veterans' Benefit.** Motion made and seconded to authorize Veterans' Agent David Rodgers to appear before the Finance Committee to request the transfer of the sum of \$2,000 from the Reserve Fund in accordance with Chapter 40, Section 6 of the Massachusetts General Laws for Veterans' funeral and burial. All in favor.

**REVOLVING FUND. Marblehead Water and Sewer Commission.** Motion made and seconded to approve the request from F. Carlton Siegel, Water and Sewer

Commission, to re-authorize the Commission's Revolving Fund in the amount of \$25,000 in accordance with Chapter 44, section 53 ½. All in favor.

**MARBLEHEAD FIREWORKS COMMITTEE. 4<sup>th</sup> of July 2008 Fireworks.** Tim Green, Chairman Marblehead Fireworks Committee, appeared before the Board to update them on fundraising efforts and to request approval to have the town's annual Fourth of July Harbor Illumination and Fireworks Display in the same location on the harbor as last year. The committee is actively seeking donations from all citizens and businesses. Motion made and seconded to authorize the fireworks display to take place in the same location on the harbor as last year on Friday, July 4, 2008 at 9:00pm with a rain date of Saturday, July 5, 2008 at 9:00pm. All in favor.

**LICENSES. Entertainment.** Motion made and seconded to renew the following local entertainment licenses, subject to all taxes and fees to the Town being paid:

Dolphin Yacht Club, 17 Allerton Place Manager: Patricia Johnson

Eastern Yacht Club, 47 Foster Street Manager: Jeffrey Wargo. All in favor.

**LICENSE. All Alcoholic Seasonal Club.** Motion made and seconded to renew the following All Alcoholic Seasonal Club license subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals and compliance with Chapter 304 of the Acts of 2004: Dolphin Yacht Club, 17 Allerton Place Manager: Patricia Johnson. On a polled vote the Selectmen voted as follows: Mr. Nye: in favor; Mr. Woodfin: in favor; Mrs. Jacobi: in favor; Mrs. Belf-Becker: in favor; Mr. Christensen: in favor.

**LICENSE. All Alcoholic Seasonal Club.** Motion made and seconded to renew the following All Alcoholic Seasonal Club license subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals and compliance with Chapter 304 of the Acts of 2004: Eastern Yacht Club, 47 Foster Street Manager: Jeffrey Wargo. On a polled vote the Selectmen voted as follows: Mr. Nye: in favor; Mr. Woodfin: in favor; Mrs. Jacobi: in favor; Mrs. Belf-Becker: in favor; Mr. Christensen: in favor.

**PERMISSION. Triathlon.** Motion made and seconded to table a request from Andrew Dalton, JCC of the North Shore, to run a Triathlon by the Sea on Sunday, May 11, 2008. All in favor.

**PERMISSION. Parade.** Motion made and seconded to approve the request of Fred Forsgard, President Marblehead Youth Baseball to host a parade on April 27, 2008 starting at noon subject to approval from the Marblehead Police and Fire Department and receipt of the required Certificate of Insurance. The parade route will start at Seaside Park on Atlantic Avenue and take a right onto Ocean Street and then a left onto Pleasant Street. The parade will continue on Pleasant and bear right at Tent's Corner onto Lafayette Street and then on to Gatchell's Field. All in favor.

**LICENSING. Public Hearing. Transfer of All Alcoholic Beverage License as a Common Victualler.** Andrea Kor appeared before the Board on behalf of her client Zhu

& Chan Inc. as it relates to the transfer of an All Alcoholic Beverage License as a Common Victualler at 8 Bessom Street. Dining Room, seating 49, Kitchen, lounge, seating 45 with 8 bar stools, three restrooms, utility room. The current owner of this license is Chan's Inc., d/b/a Imperial Mandarin. This same applicant has applied for a Common Victualler License. The hours of operation will be Monday through Saturday 9:00am – 12:00 midnight, Sunday 11:00am – 12:00 midnight. Motion made and seconded to approve the application for the Common Victualler License for the advertised hours. All in favor. Motion made and seconded to approve the request for a Local Entertainment License Monday through Saturday 9:00am – Midnight for a CD Player and Cassette Player and a Sunday Entertainment License during the hours 11:00am – midnight for a CD Player and Cassette Player subject to receipt of the required fees. All in favor. Motion made and seconded to approve the transfer of the All Alcoholic Beverage License as a Common Victualler from Chan's Inc., d/b/a Imperial Mandarin to Zhu & Chen Inc., d/b/a Imperial Mandarin. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor; Mr. Christensen, in favor.

**PERMISSION. Bell-Ringing.** A letter from Donald Orne was read requesting to ring the bell at Abbot Hall for five minutes on National Prayer Day, Thursday, May 1, 2008, directly following the noon regular ringing and to meet for 10 minutes in the Selectmen's meeting room to pray and meditate as one unified group. All are welcome. Motion made and seconded to approve the request. All in favor.

**PERMISSION. Use of Abbot Hall/Old Town House.** Motion made and seconded to approve the request from the Marblehead Festival of Arts for the following new and revised dates for Art-Exhibit drop off:

Saturday, May 24, 2008, 8:30am to 12:30pm: Abbot Hall and Old Town House

Wednesday, May 28, 2008, 5:30pm – 8:30pm: Abbot Hall and Old Town House

Saturday, May 31, 2008, 9:00am – Noon, Old Town House

Sunday, June 1, 2008, 10:30am – 2:30pm: Abbot Hall

Wednesday, June 4, 2008, 5:30 – 8:30pm: Abbot Hall and Old Town House

**PERMISSION. Walk/Run.** Motion made and seconded to approve the request of Kurt James to hold the Second Annual Marblehead Interfaith Youth Hunger Walk/Run on Sunday, May 4, 2008 starting at 2:00pm at the National Grand Bank. Proceeds from the Walk/Run to benefit the Marblehead Food Pantry. All in favor.

**CLASSIFICATIONS. Pay Schedule.** Motion made and seconded to approve the following changes to the Administrative, Seasonal, Temporary and Traffic Supervisor pay scales: a two (2%) percent increase effective July 1, 2008 and a one (1%) percent increase effective June 30, 2009 (no cost impact). All in favor.

**MARBLEHEAD HISTORICAL COMMISSION. Bell.** Wayne Butler, Marblehead Historical Commission, appeared before the Board. Due to the sanding and refinishing of the floors in Abbot Hall the 1924 USS Marblehead Bell has been temporarily put in

storage. A new stand is being built to display the 1924 Bell and the recently acquired 1893 USS Marblehead Bell.

**LICENSING. Public Hearing. Transfer of All Alcoholic Package Store License.**

Attorney Robert McCann and Julie Vinette appeared before the Board as it relates to the transfer of an All Alcoholic Package Store License at 112 Washington Street. The current owner of this license is Haley's Public Market, d/b/a as Haley's Package Store. The hours of operation will be Monday through Saturday 8:00am – 10:00pm, Sundays 12:00 noon to 6:00pm. Wayne Butler, 14 Mugford Street and John Kelley, 22 Merritt Street spoke in favor of the applicant, no one spoke in opposition. Motion made and seconded to approve the transfer of the All Alcoholic Package Store License from Haley's Public Market, d/b/a/ Haley's Package Store to Cheerful Package Store Inc., d/b/a Haley's Package Store. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor; Mr. Christensen, in favor.

**EXECUTIVE SESSION.** Motion made and seconded to go into Executive Session for the purposes of contract negotiations, votes may be taken, and if they are, votes will be released at a time deemed appropriate by Counsel, to resume in open session at 8:30pm. On a polled vote, the Board voted as follows: Mr. Nye, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor and Mr. Christensen, in favor.

Adjourn to Executive Session at 8:10pm.

Reconvened in open session at 8:30pm.

**VERIZON. Public Hearing. Ocean Avenue.** E. Everette Bryan, Right-of-Way Agent for Verizon appeared in connection with Verizon's petition number P2008-005 for an underground conduit location within the public way on Ocean Avenue. Motion made and seconded to approve this petition. All in favor.

**RETIREMENT.** Motion made and seconded to send a letter of congratulations to Rabbi Jonas Goldberg, Temple Sinai, on his pending retirement. All in favor.

Motion made seconded to adjourn at 8:40pm. All in favor.

Kyle Wiley  
Administrative Aide