

BOARD OF SELECTMEN

MINUTES

November 12, 2008

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
James E. Nye
William L. Woodfin, II

Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from October 22, 2008. All in favor.

MARBLEHEAD HISTORICAL COMMISSION. Dedication. Wayne Butler appeared before the Board to unveil the platform that now displays the two U.S.S. Marblehead Bells. Special thanks were given to The Tower School and Blue Anchor Woodworkers for donating the materials, William Kuker for building the platform and John W. Campbell and Son for the finish work. Motion made and seconded to send a letter of appreciation to the above named individuals. All in favor.

PERMISSION. Jewish Community Center. Triathlon by the Sea. Motion made and seconded to approve the request from Andrew Dalton, JCC, to run the 9th annual Triathlon by the Sea on Sunday, May 17, 2009 from 8:00 – 11:00am and to have parking at the intersection of Atlantic and Community Road restricted during this time subject to approval from the Marblehead Police Department, receipt of the required Certificate of Insurance and no permanent markings to be made on the streets of our Town. The runner's course is as follows: Leave Community Road take right onto Atlantic Avenue and follow into Swampscott for 1/5 miles, take right onto Humphrey Street, right onto Seaview Avenue, left onto Atlantic and left onto Community Road to the finish line. Bike Course: Leave from Community Road and take left onto Atlantic Avenue, right onto Beach Street, continue across the Causeway, follow Ocean Avenue around Marblehead Neck back to Causeway, make 3 loops of this part of the course, after 3rd loop proceed back over Causeway, take left onto Atlantic Avenue, right onto Community Road to the finish line. All in favor.

MARBLEHEAD POLICE DEPARTMENT. Indemnification. Motion made and seconded to approve a request from Chief Picariello to indemnify Sergeant Marion Keating for injuries sustained while on duty September 17, 2008. All in favor.

FORT SEWALL OVERSIGHT COMMITTEE. Appointment. Motion made and seconded to appoint Julia Bantly, 2 High Street, to the Fort Sewall Oversight Committee as the Old Marblehead Improvement Association (OMIA) representative at the request of OMIA with a term to expire in May 2009. 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 December 1, 2008 and to remove all wreaths and garland wrap the week of January 5, 2009 subject to approval from the Marblehead Municipal Light Department and receipt of the required Certificate of Insurance. All in favor.

PERMISSION. One Day Liquor License. Motion made and seconded to approve the request from Betsy Sargent of the Phoenix School for a One Day Liquor License on Saturday, December 6, 2008 from 6:30 – 10:30pm at St. Andrews Church in Marblehead subject to the receipt of the required fee. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

CHANGE OF MANAGER. Gerry #5 VFA, Inc. Paul Jalbert, Joan Champlain and Dirk Martin appeared before the Board requesting a change of manager on the liquor license for the Gerry #5. Motion made and seconded to approve the request to change the name of the manager on the All Alcoholic Beverage License for the Gerry #5, VFA Inc., to Dirk Douglas Martin subject to a CORI check and approval from the ABCC. All in favor.

OLD AND HISTORIC DISTRICTS COMMISSION. Preservation Restriction Agreement. The commission has reported that the property located at 26 Washington Square is in compliance with their by-laws. Motion made and seconded to approve the application from Mory Bahar, Trust for Architectural Easements, as it relates to a Preservation Restriction Agreement at 26 Washington Square and to have the Chairman sign on behalf of the Board. All in favor.

LICENSING. Second Hand Dealers. Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Carmen's Jewelry
164 Pleasant Street
Marblehead, MA 01945
Manager: Carmen Pugliese

Fred Finkel, Goldsmith

2 Darling Street
Marblehead, MA 01945
Manager: Fred Finkel

Nuggets, Inc.
22 Atlantic Avenue
Marblehead, MA 01945
Manager: Sandra Burke

The Paris Galerie
132 Washington Street
Marblehead, MA 01945
Manager: Carrie Kanosky

All in favor.

The Landing Restaurant. A letter was read from Daniel A. DeVan as it relates to music from the Landing Restaurant being heard from the streets. Motion made and seconded to ask Police Chief Picariello if there are other complaints registered against the Landing and if so the Board will then invite the Manager of the Landing to their next meeting, if no complaints are on file then the Board will send a letter to the Landing reiterating the conditions stated on their entertainment license. All in favor. Mr. Christensen voting present.

AFFORDABLE HOUSING TRUST FUND. Applicants requested. The Board of Selectmen is now seeking applicants to fill two at large seats on the Board of Trustees for the Affordable Housing Trust Fund. Approved at the 2008 annual Town Meeting and the Attorney General's Office, the board of nine trustees includes all five Selectmen and four additional members; one member of the Finance Committee, one member of the Fair Housing Department, and two at large seats, to be appointed by the Board of Selectmen for a term not to exceed two years. The purpose of the Affordable Housing Trust Fund is to provide for the creation and preservation of affordable housing in the town for the benefit of low and moderate income households. Letters of interest should be sent to the Board of Selectmen, Abbot Hall, 188 Washington Street by Friday, December 5, 2008 at 12:00 noon.

DEPARTMENT OF TELECOMMUNICATIONS AND CABLE. Digital Television Transition. Federal law requires that television broadcast stations switch from analog to digital broadcasting on February 17, 2009. If you use "rabbit ears" or a rooftop antenna with an analog television you must take action by this date in order to continue receiving television transition. Contact Catrice Williams at 617-368-1120 or email Catrice.Williams@MassMail.State.MA.US for more information.

MARBLEHEAD DISABILITIES COMMISSION. Appointment. Motion made and seconded to appoint Carol Arnould to the Marblehead Disabilities Commission with a

term to expire in May 2009. The Board further invited Carol Arnould, at her convenience, to come to a future meeting of the Selectmen to introduce her to the Town.

RETIREMENT BOARD. Annual 2009 Budget. As required by M.G.L. Chapter 32, Section 22; Chapter 306 of the Acts of 1996 require the Retirement Board to submit a copy of the annual budget at least 30 days prior to adoption of said budget to the appropriate legislative body of the governmental units of the employees they serve. Motion made and seconded to acknowledge receipt of the annual 2009 budget from the Retirement Board. All in favor.

RETIREMENT. Motion made and seconded to send Joan Champlain a letter of congratulations and appreciation on her retirement from the Gerry #5 VFA, Inc. All in favor.

CONDOLENCE. Motion made and seconded to send a letter of condolence to the family of Robert P. Martin. All in favor.

VETERANS' DAY CEREMONY. Appreciation. Motion made and seconded to send a letter of appreciation to the following individuals for their participation in the Town's Veterans' Day Ceremony: Phil Burke, town native, veteran and current principal of the Carlton School in Salem, the Marblehead High School Choral Group and Director Amanda Roeder, David Rodgers, Veterans' Agent and emcee and the VFW Post for providing the breakfast after the ceremony. All in favor.

APPRECIATION. Marblehead Veteran's Middle School. Motion made and seconded to send a letter of thanks to Libby Moore and the student body congratulating them on their recent talent show at which they raised \$3,000 and donated it the Council on Aging. All in favor.

RETIREMENT. Assistant Harbor Masters. Motion made and seconded to send a letter of congratulations to Frank McIver and Joe Homan on their recent retirements. All in favor.

PLANNING BOARD. Applicants requested. The Board of Selectmen is seeking letters of intent for all interested parties who would like to serve on the Planning Board as an alternate member. Letters of intent should be submitted to the Board of Selectmen, Abbot Hall, 188 Washington Street, Marblehead, MA 01945 by Wednesday, November 19th at 5:00pm.

NOTICE OF MEETING. The Board of Selectmen will meet on November 19, 2008. There will be no Selectmen's meeting on Wednesday, November 26, 2008.

NOTICE OF MEETING. State of the Town. Meeting to be held on Thursday, December 18, 2008 at 6:00 p.m. in the Selectmen's Meeting room regarding the State of the Town. The public is invited.

NOTICE OF CANCELTION OF MEETING. There will no Selectmen's meeting on December 24, 2008.

TRAFFIC AND SAFETY. Walter Fader, Waterside Road, appeared before the Board asking that the "Heavy Vehicles Excluded" sign that was previously up at the corner of West Shore Drive and Waterside Road be replaced. Motion made and seconded to replace the sign if a regulation exists or refer the matter to Traffic and Safety if no regulation exists. All in favor.

EXECUTIVE SESSION. Motion made and seconded to go into Executive Session for the purposes of collective bargaining, votes may be taken, and if they are, votes will be released at a time deemed appropriate by Counsel, not to resume in open session. On a polled vote, the Board voted as follows: Mr. Nye, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

Motion made and seconded to adjourn at 8:10 p.m. All in favor.

Kyle A. Wiley
Administrative Aide