

BOARD OF SELECTMEN
MINUTES

April 25, 2007

The Board met in Regular Session at 6:00 p.m. in its meeting room at Abbot Hall.

Present (constituting a quorum):

Harry C. Christensen, Jr., Chairman
Jackie Belf-Becker
Judith R. Jacobi
James E. Nye
Jeffrey N. Shribman
Anthony M. Sasso, Town Administrator

The meeting commenced without Mr. Shribman's presence.

MINUTES. Motion made and seconded to approve the minutes of April 18, 2007. All in favor. Mr. Nye voted present.

ANNUAL TOWN MEETING. Article 23. Public Shade Tree By-Law. Assistant Town Counsel Lisa Mead was present to request that the Selectmen accept a draft of a by-law in preparation for town meeting. Motion made and seconded to approve the draft. All in favor.

EXECUTION SESSION. Motion made and seconded to go into Executive Session to determine value of real property, votes may be taken, and if they are, votes will be released at a time deemed appropriate by Counsel, to resume in open session. On a polled vote, the Board voted as follows: Mr. Nye, in favor; Mrs. Belf-Becker, in favor; Mrs. Jacobi, in favor and Mr. Christensen, in favor. 6:09 p.m.

RECONVENE INTO OPEN SESSION. 6:40 p.m.

Mr. Shribman joined the meeting.

MARBLEHEAD CONSERVANCY. Annual Perambulation. Notice from Richard C. Harrison, Marblehead Conservancy member that this year's perambulation is scheduled for Saturday, May 19 from 10 a.m. to noon. Meet at Abbot Hall to arrange for either the downtown walk or the Marblehead Neck walk.

POLICE DEPARTMENT. Permanent Intermittent Police Officer. Termination. Motion made and seconded to adopt the Findings of Fact and Recommendation of Hearing Officer, Anthony M. Sasso, dated April 23, 2007, and terminate Brian Palmer as

a Permanent Intermittent Police Officer with the Town of Marblehead effective April 25, 2007. All in favor.

PERMISSION. Use of Abbot Hall. Request from Judith Burke, Assistant to the Head of School, Marblehead Community Charter Public School, to use the auditorium from the school's eighth grade graduation ceremony on June 22 from 6 to 9:30 p.m. Motion made and seconded to approve subject to payment of custodial fees. All in favor.

PERMISSION. Sandwich Boards. Motion made and seconded to approve the following sandwich board request(s) subject to the rules and regulations:

Don Morgan, Farmers' Market at the following locations:

Lafayette and Maple; Lafayette and Humphrey; Tedesco and Humphrey and Atlantic at Seaview during the weeks of June 11 to 18 and July 9 to 16 to advertise this year's market to be held Saturdays during the months of June 16 to October 22 behind the Veterans Middle School during the hours of 9 am to 12 pm.

Angela Masciale on behalf of Marblehead Conservancy and Marblehead Arts Association at the following locations: Beach and Ocean and Atlantic at Seaview during the following week April 30 –May 7 and at Tedesco and Humphrey from May 1 to 7 to advertise a Love the Earth Festival scheduled for May 6 at Hooper Mansion noon to 10 pm.

All in favor.

LICENSING. One Day Liquor License. Request from Pamela Alman, Temple Emanu-El for a license to serve wine at a wine tasting event on Thursday, June 14 during the hours of 6:00 p.m. and 9:30 p.m. Motion made and seconded to approve the request subject to the receipt of the requisite fee. On a polled vote the board voted as follows: Mr. Nye: in favor; Mrs. Belf-Becker: in favor; Mrs. Jacobi: in favor; Mr. Shribman: in favor and Mr. Christensen: in favor.

PERMISSION. Sidewalk Sale. Request from Denise Regan, Executive Director – Chamber of Commerce on behalf of the Marblehead Chamber of Commerce Retail Committee for permission for businesses to host sidewalk sales the weekend of June 9 and 10. Motion made and seconded to approve. All in favor.

LICENSING. One Day Liquor License. Request from Ira Dinkes, Temple Sinai for a license to serve alcohol at the Temple's Spring Fling Celebration on Saturday, May 19 during the hours of 7:30 p.m. and 12:30 p.m. Motion made and seconded to approve the request subject to the receipt of the requisite fee. On a polled vote the board voted as follows: Mr. Nye: in favor; Mrs. Belf-Becker: in favor; Mrs. Jacobi: in favor; Mr. Shribman: in favor and Mr. Christensen: in favor.

PERMISSION. Use of Abbot Hall and Old Town House. Request from Carol McLaughlin, Marblehead Festival of Arts, to reschedule dates previously approved, as follows: Cancel Saturday, June 9 and Wednesday, June 13. Request use on Saturday,

June 16 from 9 am to 12 noon. Motion made and seconded to approve subject to the usual rules and regulations. All in favor.

HEALTH INSURANCE RATES. Finance Director John McGinn was present to request approval of a fifteen (15%) percent increase in health insurance rates effective July 1, 2007 for existing plans.

The Monthly Health Insurance Rates, effective July 1, 2007 will be as follows:

	<u>Total Cost</u>	<u>Town Share</u>	<u>Employee/ Retiree Share</u>
<u>Blue Care Elect</u>			
Individual Plan	\$ 868.41	\$ 564.47	\$ 303.94
Family Plan	\$ 1736.81	\$ 1128.93	\$ 607.88
<u>Blue Choice</u>			
Individual Plan	\$ 723.67	\$ 542.75	\$ 180.92
Family Plan	\$ 1447.34	\$ 1085.51	\$ 361.84
<u>HMO Blue New England</u>			
Individual Plan	\$ 655.50	\$ 524.40	\$ 131.10
Family Plan	\$ 1311.00	\$ 1048.80	\$ 262.20
<u>Medex</u>			
Individual Plan	\$ 425.04	\$ 318.78	\$ 106.26

TRIBUTE. 100th Birthday. Dave Rodgers was present to advise that Dr. William Dretler celebrated his 100th Birthday on the 24th of April. Among many things, Dr. Dretler served our country for eleven years in the U.S. Naval Reserve and practiced as a family physician in Marblehead for sixty years.

Motion made and seconded to send a letter to Dr. Dretler to congratulate him on his 100th birthday. All in favor.

MEMORIAL FUND. Police Officer. Rose McCarthy, 23 Robert Road was present to advise that after years of planning an account has been established at the National Grand Bank. The account entitled the "Marblehead Police Officers Memorial" is for purpose of collecting donations to establish a memorial in honor of police officers that have served the Town of Marblehead.

RECESS. 7:30 p.m. Motion made and seconded to go into recess. All in favor.

RECONVENE. 7:50 p.m. The meeting resumed.

PUBLIC HEARING. Annual Town Meeting. Warrant Article 48 – Layout and Acceptance of Tioga Way. Continuation of February 28 hearing.

At the request of Robert E. Hansen, 32 Tioga Way and others, the “Petitioner” the Board voted to take no action.

PUBLIC HEARING. Licensing. Alteration. Hurricane. 259 Washington Street.

Peter McMahon, manager of The Hurricane Restaurant Inc., (the “Licensee”), doing business as the Hurricane at 259 Washington Street, Marblehead, MA (the “Premises”), was present in connection with his application to alter the Premises, as currently described in the All Alcoholic Beverages as a Common Victualer License. The Licensee wishes to extend seating to the outdoors by adding fifteen (15) seats, in the area immediately abutting and running parallel with the Premises. Hours of operation will be from 11:00 a.m. to midnight Mondays through Fridays and 8:00 a.m. to midnight on Saturdays and Sundays.

Town Administrator Anthony M. Sasso advised that the Licensee, as a matter of right, may add eight seats to the Premises but that any additional seating would require the approval by the Zoning Board of Appeals.

Attorney Chris Drucas, 319 Derby Street, Salem, MA was present to advise that he represents Stephen Lockwood, an abutter to the Premises. Mr. Drucas expressed that his client has a concern about the hours requested by the Licensee and would like to see a limitation placed on the hours of operation and the months of use (i.e. summertime only).

On a polled vote the Selectmen voted as follows to approve the Licensee’s request subject to final approval by the Zoning Board of Appeals:

Mr. Nye: in favor; Mrs. Belf-Becker: in favor; Mrs. Jacobi: in favor; Mr. Shribman: in favor and Mr. Christensen: in favor.

COMPENSATION COMMITTEE. Step Change. In recognition of Acting Police Chief Robert Coyne’s performance as chief pending the appointment of a new Police Chief, a motion was made and seconded to recommend to the Compensation Committee to increase the Chief’s Coyne’s current step level to level five retroactive to his day of appointment. All in favor.

RECUSAL. Mr. Christensen excused himself from the Police Chief interview portion of this meeting but was present in the room.

CHAIRMAN PRO-TEM. Motion made and seconded to appoint Mr. Shribman as Chairman for the Police Chief interview portion of the meeting. All in favor.

POLICE CHIEF. Interviews. Appointment. The following three individuals, all currently serving as lieutenants on the Marblehead Police Force were independently interviewed by the Selectmen: David Millett, Robert Picariello Matthew Freeman.

Motion made and seconded to place all names into nomination. All in favor.

On a polled vote the Selectmen voted as follows:

Mr. Nye: Picariello

Mrs. Belf-Becker: Picariello

Mrs. Jacobi: Picariello

Mr. Shribman: Picariello

Motion made and seconded that the Marblehead Board of Selectmen, in accordance with Massachusetts General Laws, Chapter 31, appoint Robert Picariello as the Marblehead Chief of Police effective May 20, 2007.
All in favor.

POLICE CHIEF. Salary. Motion made and seconded that Town Administrator Anthony M. Sasso meet with Chief Picariello to determine an appropriate salary level and report to the Selectmen no later than May 20.

Motion made and seconded to adjourn at 9:33 p.m. All in favor.

Ursula M. Kretschman
Administrative Aide