

**BOARD OF SELECTMEN
MINUTES**

AUGUST 8, 2007

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

Present (constituting a quorum):

Harry C. Christensen, Jr. Chairman
Jackie Belf-Becker
Judith R. Jacobi
James E. Nye
William L. Woodfin

Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the Minutes of July 25, 2007. All in favor, with Mr. Nye voting present.

FINANCE DEPARTMENT. Bond Anticipation Note. John J. McGinn, Finance Director and Patricia Murray, Tax Collector, appeared before the board seeking a vote to approve the sale of a Bond Appreciation Note. Motion made and seconded to approve the sale of a \$10,576.500 -4.00 percent Bond Anticipation Note of the Town dated August 17, 2007 and payable August 14, 2008 to Banc of America, Securities at par and accrued interest plus a premium of \$33,326.00. All in favor.

Further motion made and seconded that the consent to the financial advisor bidding for the note, as executed prior to the bidding for the note, is hereby confirmed. All in favor.

PERMISSION. Block Party. Motion made and seconded to approve the request of Betsy Gay to block the end of Mystic Road on Friday, August 10, 2007 from 6:30–9:30pm subject to the approval of the Police and Fire Department. All in favor.

POLICE DEPARTMENT. Indemnification. Motion made and seconded to indemnify Office Christopher Adkerson for injuries sustained while on duty September 23, 2006. All in favor.

FIREMAN’S MUSTER. Motion made and seconded to approve a parade to commence the Fireman’s Muster on September 1, 2007 on the condition that the parade route will not require any road closures but rather temporary detours as the parade passes through intersections and that a police detail be hired. All in favor.

POLICE DEPARTMENT. Issuance of Firearms Licenses. Motion made and seconded to authorize Chief Picariello to review and issue requests for all firearms

licenses, even if there is a conflict of interest, and to have the Chairman send a letter on behalf of the Board to Chief Picariello. All in favor.

POLICE DEPARTMENT. Sergeant Promotion. A request was made from Chief Picariello to schedule interviews at the August 22, 2007 Board of Selectmen meeting as it relates to promoting an officer to Sergeant. Officers to be interviewed: Jason Conrad, Nicholas Economou and David Ostrovitz.

PERMISSION. POD placement. A request was made by Kathleen Jasaitis to place a POD storage container in front of 223 Washington Street on August 20th to August 22nd and September 11th to September 13th. Motion made and seconded to approve the request to place a POD storage container in front of 223 Washington Street on August 20th to August 22nd subject to approval of the Marblehead Police Department and the usual insurance requirements. If there are no issues or concerns related to the August 20th to August 22nd dates the Board authorizes the Town Administrator to approve the POD storage container for September 11th to September 13th. All in favor.

OLD AND HISTORIC DISTRICT COMMISSION. Appointment. Motion made and seconded to appoint James Patrick to the Old and Historic Districts Commission subject to the commencement date to be determined. All in favor.

PERMISSION. Crane. Motion made and seconded to approve the request of Joseph J. Kray to block Tucker Street with a small crane operated by Deathwish Piano Movers on August 15, 2007 between the hours of 9:30am – 11:30am, with a rain date of August 22, 2007, subject to the usual insurance requirements and hiring a police detail. All in favor.

PERMISSION. Fort Sewall. Motion made and seconded to approve the request of Marianne Baker, Small Fry Camp Director, Marblehead/Swampscott YMCA to use Fort Sewall on Tuesday, August 28, 2007 from 8:00am to 1:00pm for Pirate Day subject to the usual insurance requirements and approval of the Park and Recreation Department. The Board waived the standard fee for Fort Sewall and noted that use of Fort Sewall is not exclusive and the public must be able to enter the park freely at all times. All in favor.

PERMISSION. Block Party. Motion made and seconded to approve the request of Amy N. Danforth to close Mansion Road on Saturday, September 1, 2007 from 5:00pm to 10:00pm subject to approval of the Police and Fire Department. All in favor.

FAIR HOUSING COMMITTEE. Appointment. Motion made and seconded to appointed Gordon King to the Fair Housing Committee with a term to expire in May 2008. All in favor.

LICENSE. ALL ALCOHOL BEVERAGE. The Chairman read a letter from Assistant Town Counsel, Marc Miller, regarding Maddie's Enterprises, Inc. d/b/a Maddie's Sail Loft as it relates to the agreement of the suspension of the alcoholic beverage license. Motion made and seconded to rescind the original five day suspension the Board voted

on July 25, 2007. On a polled vote the Board voted as follows: Mr. Nye, present; Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor, Mr. Christensen, in favor. On a second vote, motion made and seconded to approve the August 8, 2007 agreement, as put forth by Attorney Marc Miller, as it relates to Maddie's completing the remainder of their suspension all day September 21st, 22nd and 23rd and until 5:00pm on September 24, 2007. On a polled vote the board voted as follows: Mr. Nye, present; Mr. Woodfin, in favor, Mrs. Jacobi, in favor, Mrs. Belf-Becker, in favor, Mr. Christensen, in favor.

OLD AND HISTORIC DISTRICT COMMISSIONS. Appointment. A letter was read from Missey R. Donohoe rescinding her request to serve on the Old and Historic District Commissions due to recently expanded job commitments.

COMMON VICTUALLER LICENSE. Devecca Inc., d/b/a as Marblehead Munchies. Michael Goodman appeared before the Board seeking a Common Victualler License for Manhattan Sandwich Company at 1 Bessom Street. Motion made and seconded to approve this request subject to all the necessary papers being filed. All in favor.

PERMISSIONS. Chamber of Commerce. Ann Marie Casey, Executive Director of the Chamber of Commerce appeared before the Board seeking permission for the following events:

3rd Annual Town-wide Sidewalk Sale. Motion made and seconded to approve the request for the 3rd Annual Fall Festival Town-wide Sidewalk sale on Saturday, September 29 and Sunday, September 30, 2007 subject to the usual insurance requirements. All in favor.

Abbot Hall. Motion made and seconded to approve the request to use Abbot Hall Upper Grounds for a craft fair to be held on Saturday, September 29, 2007 subject to the usual fees and insurance requirements. All in favor.

Devereux Beach Carnival. Motion made and seconded to use Devereux Beach for a carnival Friday, August 24 through Sunday, August 26, 2007 subject to the usual insurance requirements and approval from the Recreation and Parks Department. All in favor.

License Cushing Amusements. Motion made and seconded to approve a license for Cushing Amusements to be at Devereux Beach from Friday, August 24 through Sunday, August 26, 2007 for the purpose of a carnival subject to the usual fees and insurance requirements. All in favor.

USS CONSTITUTION. Plaque dedication. Dave Cashman, Fred Goddard and Tom McNulty appeared before the Board seeking support to design a plaque memorializing visits by the USS Constitution. Motion made and seconded to have them present their plans to the Fort Sewall Committee and then return before the Board for final approval on the wording of the plaque. All in favor.

EXECUTIVE SESSION. Motion made and seconded to adjourn into Executive Session to discuss collective bargaining and to access the value of real property, votes may be taken, and if they are, votes will be released at a time deemed appropriate by counsel. The board will not reconvene in open session. 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. Adjourned to Executive Session at 8:24pm

Kyle Wiley
Administrative Aide