

BOARD OF SELECTMEN

MINUTES

September 26, 2018

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, Chair
Harry C. Christensen, Jr.
Judith R. Jacobi
James E. Nye

Jason Silva, Town Administrator

MINUTES. Motion made and seconded to approve the minutes of September 12, 2018.
All in favor.

POLICE DEPARTMENT. Promotion. Chief Picariello appeared before the Board with a recommendation to promote Officer Brendan Finnegan. Officer Finnegan has been a member of the Marblehead Police Department for over 11 years. Motion made and seconded, on the recommendation from Chief Picariello, to appoint Brendan Finnegan to the rank of Sergeant, effective November 1, 2018. All in favor.

Licensing. Common Victualler. 50 Atlantic Avenue. Marcos and Queila Santana, 25 Trask Court, Beverly, appeared before the Board seeking a Common Victualler License at 50 Atlantic Avenue. A motion was made and seconded to approve the application for a Common Victualler License from Fresca Pizza and Pasta LLC, d/b/a Fresca Pizza and Pasta, 50 Atlantic Avenue, Manager, Marcos Santana, subject to receipt of the required forms, fees and inspection approvals. Seating capacity is 16. Hours of operation are Tuesday through Sunday 11:00 a.m. – 9:00 p.m. All in favor.

LICENSING. One Day Liquor License. Fresca Pizza and Pasta. Motion made and seconded to approve the request from Marcos Santana, Fresca Pizza & Pasta, 50 Atlantic Avenue, for a 1 Day Liquor License on Saturday, September 29, 2018 from 3:00 p.m. – 9:00 p.m. at 50 Atlantic Avenue, subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
2. Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
3. Proof that the applicant can receive proper delivery; provide proper storage and disposal of all alcoholic beverages purchased all in accordance with the requirements of M. G. L. c. 138.

Alcohol will be purchased from Kappy's in Everett. On a polled vote the Board voted as follows: Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

PUBLIC HEARING. Verizon New England Inc. Request. E. Everette Bryan, Rights of Way Engineer, Verizon New England Inc., Boston, MA, appeared before the Board seeking permission to locate poles, wires, cables and fixtures, including anchors, guys and other such necessary sustaining and protecting fixtures, along and across the following public way or ways: **BROOK ROAD:** Place one (1) jointly owned pole no. 194C/11S on southerly side approximately 88 feet in a westerly direction from center line of Leicester Road. Said poles to be erected substantially in accordance with the plan filed in the Selectmen's Office marked – Verizon N.E. Inc., No. P2018-1A2N8EP – Dated February 14, 2018. No one spoke in favor or against the petition. Motion made and seconded to approve petition No. P2018-1A2N8EP – Dated February 14, 2018, from Verizon New England Inc., as presented, subject to Verizon hiring Police details as required by the Chief. All in favor. The Board requested the Town Administrator contact Stan Usovicz, Verizon New England Inc., seeking an update on the amount of existing double poles in town and the plan for their removal.

HARBORS AND WATERS. Interviews. Appointment. The following applicants appeared before the Board as it relates to serving on the Harbors & Waters Board: Rick Cuzner, 9 Wheeler Place, Peter Dragonas, 11 Kenneth Road, Rob Gorman, Indianhead Circle, Chris Hood, 74 Rockaway Avenue, Matthew Plauche, 2 Clark Lane, Clark Smith, 5 Rose Avenue and William James Watt, 12 Lee Street. Motion made and seconded to place all names into nomination. All in favor. The Board voted as follows: Mr. Nye, Clark Smith; Mrs. Jacobi, Clark Smith; Mr. Christensen, Mr. Gorman, Mrs. Belf-Becker, Clark Smith. Clark Smith is appointed to the Harbors & Waters Board with a term to expire in May 2019.

HARBORS AND WATERS. Alternate Member. Motion made and seconded to place the remaining 5 names into nomination to fill the vacancy for an alternate member created with Clark Smith appointed full member. Rick Cuzner is currently an alternate member. All in favor. The Board voted as follows: Mr. Nye, Rob Gorman; Mrs. Jacobi, Peter Dragonas; Mr. Christensen, Mr. Plauche; Mrs. Belf-Becker, Peter Dragonas. On the 2nd round the Board voted as follows: Mr. Nye, Peter Dragonas; Mrs. Jacobi, Peter Dragonas; Mr. Christensen, Mr. Gorman; Mrs. Belf-Becker, Peter Dragonas. Peter Dragonas is appointed to the Harbors & Waters Board, Alternate Member, with a term to expire in May 2019.

ABBOT HALL. Permission to Use. Veterans Town Hall. Motion made and seconded to approve the request from Congressman Seth Moulton to use Abbot Hall Auditorium on Sunday, November 11, 2018 from 1:00 p.m. – 3:00 p.m. for a Veterans Town Hall subject to the usual rules, regulations and custodial fees. All in favor.

OLD TOWN HOUSE. Permission to Use. Old Marblehead Improvement Association. Motion made and seconded to approve the request from Maryann Criswell, Secretary, Old Marblehead Improvement Association, to use the Old Town House on Sunday, November 18, 2018 from 1:00 p.m. - 5:00 p.m. subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance and to waive the rental fee for this event. All in favor.

FORT SEWALL. Permission to Use. Motion made and seconded to approve the request from Charles Leveroni, Cub Master, Pack 11 MHD BSA, to use Fort Sewall on Tuesday, October 23, 2018, 5:30 p.m. – 7:30 p.m. (rain date Wednesday, October 24th) for Cub Scout Pack 11 annual Pumpkin Illumination Pack Meeting subject to approval from Recreation and Parks, receipt of the required Certificate of Insurance and to waive the rental fee for this event. The Fort must remain open to the public at all times. All in favor.

LICENSING. One Day Liquor License. Marblehead Arts Association. Motion made and seconded to approve the request from Patty Baker, Marblehead Arts Association, for a 1 Day Liquor License on Thursday, November 15, 2018 from 6:00 p.m. – 10:00 p.m. at 8 Hooper Street, subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
2. Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
3. Proof that the applicant can receive proper delivery; provide proper storage and disposal of all alcoholic beverages purchased all in accordance with the requirements of M. G. L. c. 138.

Alcohol will be purchased from MS Walker of Somerville. On a polled vote the Board voted as follows: Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

MEMORANDUM OF AGREEMENT. Lead Mills Embankment. Motion made and seconded to approve the Memorandum of Agreement, as prepared by Counsel, between the Town and the Marblehead Municipal Light Department, as it relates to the Lead Mills Embankment area. All in favor.

CONTRACT. Fort Sewall. Engineering Services. Motion made and seconded to award the contract for Engineering Services for the Fort Sewall Revetment Toe Repair in the amount of ten thousand seven hundred dollars (\$10,700) To Collins Engineering of Portsmouth, NH and authorize the Chair to sign on behalf of the Board. All in favor.

RIGHT OF ENTRY. Nahant Street. Seawall. Motion made and seconded to authorize a temporary Right of Entry at the seaward end of Nahant Street to allow for improvements to the Town seawall contingent upon review and final approval from legal counsel and authorize the Chair to sign on behalf of the Board. All if favor.

GERRY SCHOOL RE-USE COMMITTEE. The Chair advised the Board that the School Committee voted 2 weeks ago to support the transfer of the care and custody of the former Gerry School building to the Town. An Article to accept the property will be placed on the 2019 Warrant for consideration at Annual Town Meeting. Due to this, the Board considered the establishment of a committee to review options for the use of the Gerry School in anticipation and preparation of Annual Town Meeting. Motion made and seconded to establish an ad hoc committee to review possible re-use options of the Gerry School building to include the following members: Town Planner, 2 members of

the Board of Selectmen, Historical Commission representative, Planning Board representative, Finance Committee representative, 2 neighborhood representatives and the Town Administrator, who shall serve as Chair of the Committee. All in favor.

PARKING RESTRICTIONS. Round House Road. Annual Clean up. Motion made and seconded to approve the request from Arthur Graves, Public Works Director, to temporarily make the entirety of the Railroad Right of Way known as Roundhouse Road, from School Street through to Bessom Street, as well as upper Anderson Street from #10 Anderson through to Bessom Street a **NO PARKING/TOW ZONE** area for the following dates:

October 22, 2018 from the hours of 7:00 a.m. – 3:00 p.m.

Rain Date: October 23, 2018 from the hours of 7:00 a.m. - 3:00 p.m.

This is to facilitate the annual clean-up and repair of town property in this area. All in favor.

CONTRACT. Reed's Hill Neighborhood Historic Properties Survey. Motion made and seconded to award the contract for the Reed's Hill Neighborhood Historic Properties Survey to Larson Fisher Associates of Woodstock, NY in the amount of thirty thousand dollars (\$30,000.00) and authorize the chair to sign the contract on behalf of the Board. All in favor.

ABBOT HALL. Permission to Use. Marblehead Festival of Arts. Motion made and seconded to approve the request from Katherine Barker, Marblehead Festival of Arts, to use Abbot Hall during the 2018 Christmas Walk for the Winter Artisan's Marketplace subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance as follows:

Friday, November 30, 2018 6:00 p.m. – 9:00 p.m.

Saturday, December 1, 2018 7:00 a.m. – 6:00 p.m.

Sunday, December 2, 2018 8:30 a.m. – 7:00 p.m.

All in favor.

PERMISSION. Filming on the Public Way. Keds/Grasshoppers. Motion made and seconded to approve the request from Eliza Tavares, Creative Services Manager, Keds/Grasshoppers, to use locations in the Historic District on Monday, October 1, 2018 for their upcoming Grasshoppers Shoes, Spring/Summer 2019 Lifestyle Photo Shoot subject to receipt of the required Certificate of Insurance. No streets or public ways shall be obstructed from normal flow. All in favor.

LICENSING. Wine Charity License. Anchor to Winward. Motion made and seconded to approve the request from Pam Foy, Anchor To Winward, Inc., for a 1 Day Wine Charity License on Thursday, November 29, 2018 at 74 Atlantic Avenue subject to the following:

- Receipt of the required documents
- Approval from the Alcoholic Beverages Control Commission

FAIR HOUSING COMMITTEE. Letter. A letter was received from Mimi Hollister as it relates to serving on the Fair Housing Committee.

RESIGNATION. Old and Historic Districts Commission. A letter was received from Samantha Nelson notifying the Board of her resignation from the Old and Historic Districts Commission, Alternate Member. Motion made and seconded to send a letter of appreciation. All in favor.

RESIGNATION. Task Force against Discrimination. The following letters of resignation were received from the Task Force against Discrimination: Diane Levin, Judith Wayne and Linda Margolis. Motion made and seconded to send letters of appreciation to all. All in favor.

Motion made and seconded to adjourn at 8:45 p.m. All in favor.

Kyle A. Wiley
Administrative Aide