

BOARD OF SELECTMEN

MINUTES

January 21, 2015

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
Judith R. Jacobi
Bret T. Murray
James E. Nye

John J. McGinn, Town Administrator

EXECUTIVE SESSION. Motion made and seconded to go into Executive Session to discuss strategy with respect to litigation, namely Green Street Realty Trust v. Town of Marblehead, Essex Superior Court Docket Nos. ESCV2013-02029 and ESCV2013-02030, where an open meeting may have a detrimental effect on the litigating position of the Town. The Board will reconvene in open session. On a polled vote the Board voted as follows: Mr. Murray, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

The Board convened in Open Session.

MINUTES. Motion made and seconded to approve the minutes from January 7, 2015. All in favor. Motion made and seconded to approve the minutes from January 15, 2015. All in favor.

GIFT TO TOWN. Corinthian Yacht Club. Ken Adam, Past Commodore, 7 Buena Vista Road, and Bill Conly, Past Commodore, 19 Hewitt Street, appeared before the Board on behalf of the Corinthian Yacht Club to donate a painting of Pedrick's Wharf in Marblehead, a/k/a Tucker's Wharf, where the Marblehead Harbormaster's Office is today. In 2003 the National Parks Service disassembled the 1770 building and relocated it to Derby Wharf in the Salem Maritime National Historical site. Motion made and seconded to accept the painting as a gift to the Town and to send a letter of thanks to the Corinthian Yacht Club. All in favor.

LICENSING. All Alcoholic Beverage. Yannalfo's. 261 Washington Street. Brett Yannalfo, 523 Lowell Street, Andover, and Frank Pellino, Mustang Circle, Danvers, appeared before the Board as it relates to the All Alcoholic Beverage License at 261 Washington Street. Mr. Yannalfo told the Board that the restaurant is currently closed and he is actively seeking a buyer to transfer the license to and requested time to pursue this. Mr. Pellino, property owner, expressed his commitment to working with Mr. Yannalfo to find a buyer. Motion made and seconded that Mr. Yannalfo report back to

the Board in 90 days and to follow up with the Town Administrator in 45 days with a status update. All in favor.

TOWER SCHOOL. Colgate Road. Robert McCann, Counsel, and Dean Sidell, Tower School Business Manager, appeared before the Board to present a design to address improving circulation at the school and seeking direction from the Town as they proceed. The Chair advised Attorney McCann and Mr. Sidell to continue meeting with the Town Administrator, Town Planner and appropriate Boards and to come back to them at a future date.

HISTORICAL COMMISSION. Grant Application. Chris Johnston, 5 Crestwood Road, Chairman Marblehead Historical Commission and Pat Franklin, 6 Merrill Road, appeared before the Board as it relates to seeking a grant to conduct a Marblehead Coastal Zone Historic Properties Inventory. The grant is a 50% matching grant, with the Massachusetts Historical Commission reimbursing 50% of the project using funds from the National Park Service. The Town of Marblehead Historical Commission will fund its share of the grant using income from the "Reynolds Funds". There will be no cost to the taxpayers of Marblehead. Motion made and seconded to approve the request, as presented, from the Marblehead Historical Commission to submit a FY 2015 Survey and Planning Grant application to the Massachusetts Historical Commission and to authorize the Chair to sign on behalf of the Board. All in favor.

BELLS. Washington's Birthday. Motion made and seconded that the bells of Abbot Hall and all the churches in Marblehead be rung on Washington's Birthday, Sunday, February 22, 2015 at the usual holiday hours from 7:30 a.m. to 8:00 a.m.; 12 noon to 12:30 p.m.; 6:00 p.m. to 6:30 p.m. as has been the custom in the past. All in favor.

PERMISSION. Miles for Mary Walk/Run. Motion made and seconded to approve the request from William H. Park to hold the annual Miles for Mary Memorial 5K run/walk to support Brain Cancer research on Saturday, October 24, 2015 from 8:30 a.m. – 12:00 noon subject to approval from Chief Picariello, Recreation and Parks Department and receipt of the required Certificate of Insurance. The event will start and finish at Devereux Beach. All in favor.

USE OF TOWN PROPERTY. Marblehead Festival of Arts. Motion made and seconded to approve the request from the Marblehead Festival of Arts for the following events and venues from March 2015 through July 2015 subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance and all required Department approvals and that Fort Sewall shall remain open to the public at all times:

Abbot Hall for the ArtsFusion:

Drop-Off

Thursday, April 16 5:30 PM to 8:30 PM

Art Auction Setup

Friday, May 1 9:00 AM to 5:00 PM

Art Auction & Wine Tasting - Final Setup & Event
Saturday, May 2 9:00 AM to 11:00 PM

Art Auction Breakdown & Clean-Up
Sunday, May 3 9:00 AM to 12 Noon
Monday, May 4 Vendor pick up tables

Abbot Hall for Festival Art Exhibits and related events:

Art Exhibits Drop-Off
Saturday, May 16 8:30 AM to 12:30 PM
Thursday, May 21 5:30 PM to 8:30 PM

Art Exhibits Judging
Saturday, May 30 8:30 AM to 1:30 PM

Art Exhibits Non-Accepted Work Pickup
Saturday, June 13 8:30 AM to 12:30 PM

Art Exhibits Setup
Saturday, June 27 8:30 AM to 3:30 PM

Art Exhibit's Awards Reception
Wednesday, July 1 5:30 PM to 8:30 PM

Festival: Art Exhibits, Artisans' Marketplace, Model Boat Building
Thursday, July 2 1:30 AM to 7:30 PM
Friday, July 3 9:30 AM to 5:30 PM
Saturday, July 4 9:30 AM to 5:30 PM
Sunday, July 5 9:30 AM to 6:30 PM

Art Exhibits Breakdown & Clean-Up
Monday, July 6 9:00 AM to 2:00 PM

Art Exhibits Pick-Up
Tuesday, July 7 5:30 PM to 8:30 PM

Old Town House – Festival of Arts Exhibits -for Photography Art Exhibit.

Friday, June 26 through Tuesday, July 7

Fort Sewall for the Champagne Reception & Culinary Arts Tasting

Sunday, June 28 9:00 AM to 9:00 PM
Monday, June 29 (Clean up) 8:00 AM to Finish

All in favor.

The Festival will also seek requests from the Recreation and Parks Department for the following:

Crocker Park for Performing Arts and Film Festival, including setup and breakdown:

Monday, June 29 through Monday, July 6

Devereux Beach for Sand Sculpture Competition and Kite Festival

Friday, July 3 9:00 AM – 5:00 PM

OR

Saturday, July 4 9:00 AM to 5:00 PM

LICENSING. One Day Liquor. Revise Date. St. Andrews. Motion made and seconded to approve the request from Stephen Harrington, The Church of St. Andrew, to revise the previously approved date for a One Day Liquor License to Friday, February 6, 2015 from 6:00 p.m. – 10:00 p.m. at 135 Lafayette Street for a Fundraising auction subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50. each)
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 G. L. c. 138.

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

ABBOT HALL. Permission to Use. Rotary Club of Marblehead Harbor. Holiday Pops. Motion made and seconded to approve the request from Margo Steiner, President, Rotary Club of Marblehead Harbor, to use Abbot Hall for their 18th Annual Holiday Pops Concert on Saturday, December 12, 2015 subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance on the following dates and to waive the rental fee for this event:

Friday, December 11, 2015 8:00 a.m. – 12:00 noon

Saturday, December 12, 2015 4:00 p.m. – 11:00 p.m.

Monday, December 14, 2015 8:00 a.m. – 12:00 noon

All in favor.

ABBOT HALL. Permission to Use. Marblehead School of Music. Motion made and seconded to approve the request from Jennifer Spungin, Marblehead School of Music, to use Abbot Hall on Sunday, May 17, 2015 from 11:00 a.m. – 5:00 p.m. for their annual Spring Music Showcase subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance. All in favor.

FORT SEWALL. Permission to Use. Motion made and seconded to approve the request from Cassandra Giuffrida and Garret Whitney to use Fort Sewall for a Wedding Ceremony on Saturday, October 10, 2015, from 3:00 p.m. – 5:00 p.m., subject to the

usual rules, regulations, fees, receipt of the required Certificate of Insurance. The Fort shall remain open to the public at all times. All in favor.

WATER AND SEWER. COMMISSION. Revolving Funds. Motion made and seconded to approve request from F. Carlton Siegel, Chairman, to reauthorize the Sump Pump Improvement Revolving Fund in the amount of \$25,000 for Fiscal Year 2016 for use by the Water and Sewer Commission; to be taken from revenues in connection with receipts collected from money received as a result of permitting fees; said fund to be expended for the aid in removal of sump pumps currently tied into the sewer system. All in favor.

ABBOT HALL. Permission to Use. Marblehead All Sports. Motion made and seconded to approve the request from the Marblehead All Sport Foundation to use Abbot Hall on Saturday, April 11, 2015 from 7:00 p.m. – 11:00 p.m. for a fundraising event subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance and that the maximum capacity for this event should not exceed 400. The rental fee for this event is waived. All in favor.

PERMISSION. 5K Road Race. YMCA. Motion made and seconded to approve the request from Jamie Block, Lynch/van Otterloo YMCA to run the Annual Marblehead/Swampscott YMCA 5 Mile Certified Road Race on Sunday, April 26, 2015. The race will start at 12:30 p.m. at Seaside Park, Wyman Road Extension and continue across Causeway and go around the neck and back to Seaside Park. Approval is subject to approval from the Marblehead Police, Fire, Recreation and Parks Department and receipt of the required Certificate of Insurance. The Children's Fun Run Race will begin at 1:15 p.m. at Seaside Park. All in favor.

LICENSING. One Day Liquor. Friends of Marblehead Public Schools. Motion made and seconded to approve the request from Tish Burke, Friends of Marblehead Public Schools, for a One Day Liquor License on Saturday, June 20, 2015 from 5:30 p.m. – 9:00 p.m. at the home of Alexander and Nora Falk, 452 Atlantic Avenue for its annual Summer Soiree subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50. each)
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 G. L. c. 138.

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

PERMISSION. Road Race. Black Cat 10/20 Miler. Motion made and seconded to approve the request from B&S Fitness to hold their 5th Annual Black Cat 10/20 Miler on Saturday, March 7, 2015 subject to approval from Chief Picariello and receipt of the required Certificate of Insurance. The event will start and finish at the Salem Waterfront

Hotel, starting at 8:00 a.m. with the last runners out of Marblehead by 11:30 a.m. All in favor.

ANNUAL TOWN MEETING. Warrant Article. Fort Sewall. Motion made and seconded to place the following article on the Warrant for 2015 Annual Town Meeting; Fort Sewall Improvements. All in favor.

COMMUNITY GOLF DAY. Tedesco Country Club. A letter was received from John Kinner, Tedesco Country Club, confirming that Monday, May 18, 2015 is to be designated as “Marblehead Day”. Motion made and seconded to accept letters of interest from any non-profit interested in using the Tedesco Country Club on May 18, 2015 for Community Golf Day. Deadline to submit letters is February 20, 2015 at 12:00 noon. Submit letters to Board of Selectmen, Abbot Hall, 188 Washington Street. All in favor.

COUNCIL ON AGING. Letter of Interest. A letter of interest was received from Pam Foye as it relates to serving on the Council on Aging.

TAXES. A letter was read from Town Treasurer Patricia Kelly Murray as it relates to 3rd Quarter Real Estate Taxes being due on Monday, February 2, 2015. These bills may be paid on line through the Town’s web site www.marblehead.org and clicking on On-Line Payments of Property Taxes.

MARBLEHEAD FOREVER COMMITTEE. Abbot Hall Commemorative Book. Sponsorships. A letter was received from the Marblehead Forever Committee regarding publishing the Abbot Hall Commemorative Book celebrating the completion of the Abbot Hall Tower Restoration Project. The Book will include history, restoration information and “pages and pages” of pictures and stories about Abbot Hall. To become a sponsor of the Abbot Hall book, and have your name listed in the book, please send a check, or cash, for \$25 or more, to the Selectmen’s Office, Abbot Hall, 188 Washington Street and make note in the Memo line to Marblehead Forever Committee. The Abbot Hall book will be distributed for free during a celebration to be held in late spring or summer.

MEETING. Budget Hearings. The Board of Selectmen will meet Tuesday, March 3, 2015 at 8:30 a.m. for review of Department budgets.

Motion made and seconded to adjourn at 9:20 p.m. All in favor.

Kyle A. Wiley
Administrative Aide