

BOARD OF SELECTMEN

MINUTES

April 10, 2013

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
Bret T. Murray
James E. Nye

Jeff Chelgren, Town Administrator

MINUTES. Motion made and seconded to approve the minutes of March 27, 2013. 4 voted in favor, Mr. Nye voted present.

TOWN CLERK. Special State Primary. Notice was received from Robin A. Michaud, Town Clerk, that April 10, 2013 is the last day to register to vote in the Special State Primary. Absentee Ballots are now available and you can apply for an absentee ballot now until Monday, April 29, 2013. Tuesday April 16, 2013 is the last day to register to vote to attend Town Meeting and to vote in the Annual Town Election. The Town Clerk's office will be open until 8:00 p.m. on April 16, 2013 for voter registration. Absentee Ballots are not yet available for the Town Election. Please call the Town Clerk's office for more information at 781-631-0528.

PERMISSION. Kids PMC Ride. Motion made and seconded to approve the request from Tanya Hawley to revise the previously approved date to hold the Kids PMC Ride from May 5, 2013 to June 8, 2013 subject to the usual rules, regulations and receipt of the required Certificate of Insurance. All in favor.

PERMISSION. Rental Fee. Marblehead All Sport. Motion made and seconded to approve the request from Derek Norcross, Marblehead All Sports Foundation, to waive the rental fee for Abbot Hall for the fundraiser on April 27, 2013. All in favor.

Mr. Christensen recused himself from the meeting.

PUBLIC HEARING. Licensing. New All Alcoholic War Veterans License. Chaplain Lyman Rollins Post #2005 Veterans of Foreign War. Attorney Paul Lynch, representing applicant, Phil Burke, President and Walter Fader, Manager/Treasurer appeared before the Board as it relates to an application for a New All Alcoholic War Veterans License for the Chaplain Lyman Rollins Post #2005 Veterans of

Foreign War. No one spoke in favor or against the applicant. Motion made and seconded to approve the application for a New All Alcoholic Beverage License, War Veterans, to the Chaplain Lyman Rollins Post #2005 Veterans of Foreign War, 321 West Shore Drive, hours of operation Monday through Saturday 9:00am – Midnight, Sundays 11:00 a.m. - Midnight subject to approval from the ABCC, receipt of all applicable inspection sign offs and all fees paid and approval from the ABCC for the transfer of their current license, change of license type and change of location to Warwick Entertainment LLC d/b/a Palmers at the Warwick. 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.

LICENSING. Renewal. All Alcoholic Seasonal Beverage Licenses. Motion made and seconded to renew the following All Alcoholic Seasonal Club licenses subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals, CORI approval and compliance with Chapter 304 of the Acts of 2004:

Dolphin Yacht Club
17 Allerton Place
Manager: Lillian Chalifour

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.

Motion made and seconded to renew the following All Alcoholic Seasonal Club licenses subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals, CORI approval and compliance with Chapter 304 of the Acts of 2004:

Eastern Yacht Club – Pool License
42 -44 Foster Street
Manager: Jeffrey Wargo

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.

LICENSING . Local and Sunday Entertainment License. Motion made and seconded to renew the following local entertainment licenses, subject to all taxes and fees to the Town being paid:

Dolphin Yacht Club
17 Allerton Place
Manager: Lillian Chalifour

Eastern Yacht Club
47 Foster Street
Manager: Jeff Wargo

All in favor.

Motion made and seconded to renew the following Sunday Entertainment License subject to all fees to the Town being paid and approval from the Commonwealth's Department of Public Safety for Sunday Entertainment:

Dolphin Yacht Club
17 Allerton Place
Manager: Lillian Chalifour

Eastern Yacht Club
47 Foster Street
Manager: Jeff Wargo

All in favor.

ARBOR DAY. Proclamation. Motion made and seconded to proclaim Saturday, April 27, 2013 as Arbor Day for the Town and sign a proclamation to that effect. All in favor.

LICENSING. One Day Liquor. Friends of Marblehead Public Schools. Motion made and seconded to approve the request from the Friends of the Marblehead Public Schools for a one day liquor license for their annual summer soiree on Saturday, June 15, 2013 at 27 Ballast Lane from 5:30 p.m. – 9:00 p.m. subject to the following conditions:

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 G. L. c. 138.

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.

PUBLIC HEARING. Licensing. Transfer, Change of Location, Change of License Type. Warwick Entertainment LLC d/b/a Palmers at the Warwick. Common Victualler. Attorney Paul Lynch, Zero Spring Street, representative for the applicant, Walter Fader, treasure/manager, David Zion, principal, John Ingalls, principal/manager appeared before the Board seeking the Transfer, Change the License Type (from Club License to Section 12) and Change of Location of the All Alcoholic Beverage License currently held by Chaplain Lyman Rollins Post #2005 Veterans of Foreign War, 321 West Shore Drive and a new Common Victualler License for Warwick Entertainment LLC d/b/a Palmers at the Warwick, 123 Pleasant Street. No one spoke in favor or against. Motion made and seconded to approve the application for a Common Victualler License for Warwick Entertainment, d/b/a Palmers at the Warwick, 123, Pleasant Street, to include outdoor seating for 32. Hours of operation Monday through Sunday 11:00am – midnight. Approval is subject to receipt of all applicable inspection sign offs and all

fees paid. All in favor. Motion made and seconded to approve the Transfer, Change of License Type, (Club License to All Alcohol Beverage License) and Change of Location, from Chaplain Lyman Rollins Post #2005 Veterans of Foreign War, 321 West Shore Drive to Warwick Entertainment, d/b/a Palmers at the Warwick, 123, Pleasant Street with outdoor seating for 32. Hours of operation Monday through Sunday 11:00am – midnight Approval is subject to receipt of all applicable inspection sign offs and all fees paid and approval from the ABCC of the application for a New License, War Veterans, by the Chaplain Lyman Rollins Post #2005 Veterans of Foreign War, 321 West Shore Drive. 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.

Mr. Christensen returned to the meeting.

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY. Liaison update.

John Heffernan, MBTA Liaison, appeared before the Board to apprise them of the possible service reductions and fare increases to the Town. Mr. Heffernan urged the Board to send letters to the Legislature expressing the Town's grave concern regarding any reduction in services or fare hikes and the negative impact this would have on our Town. Motion made and seconded to send a letter to Senator McGee and Representative Ehrlich. All in favor.

LEASE. Lime Rickey's. Devereux Beach. Paul Petersiel, 11 Humphrey Terrace, Swampscott, appeared before the Board seeking permission to sub-lease the beach concession stand at Devereux Beach for the remainder of his lease. The Board noted that any applicant would need to provide a plan that meets the existing terms of the lease. The Board advised Mr. Petersiel to attend the next Selectmen's meeting on April 24, 2013, with the interested candidate, and at which time they would review the candidates plan.

ABBOT HALL. Permission to Ring Bells. National Prayer Day. Motion made and seconded to approve the request from Donald Orne, Chairman-Marblehead Peace Committee, to ring Abbot Hall's bell at noon on May 2, 2013 for five minutes directly following the regular noon ringing in honor of National Prayer Day and to meet in the Selectmen's Meeting room for 10 minutes to pray and meditate as one unified group for all of our son's and daughter's return from all areas of danger. The public is invited to attend. All in favor.

ARTICLE 17. Annual Town Meeting. ADMINISTRATORS. Motion made and seconded to reconsider the previous vote taken on April 8, 2013. All in favor. Motion made and seconded to approve a 2% increase for Administrators effective July 1, 2013 subject to Town Meeting approval. 4 voted in favor. Mr. Murray voted present.

ARTICLE 18. Annual Town Meeting. TRAFFIC SUPERVISORS. Motion made and seconded to reconsider the previous vote taken on April 8, 2013. All in favor. Motion made and seconded to approve a 2% increase for Crossing Guards effective July 1, 2013 subject to Town Meeting approval. 4 voted in favor. Mr. Murray voted present.

ARTICLE 19. Annual Town Meeting. TEMPORARY/SEASONAL EMPLOYEES.

Motion made and seconded to reconsider the previous vote taken on April 8, 2013. All in favor. Motion made and seconded to approve a 2% increase for all Temporary/Seasonal Employees effective July 1, 2013 subject to Town Meeting approval. 4 voted in favor. Mr. Murray voted present.

PERMISSION. Moving Van. Franklin Street. Motion made and seconded to approve the request from Lisa Ball to have a moving truck at 19 Franklin Street from April 24, 2013 – April 25, 2013. All in favor.

PERMISSION. Blocking Public Way. Washington Street. Motion made and seconded to approve the request from Ted Baldwin to block the sidewalk at 234 Washington Street on Friday, April 12, 2013 subject to a Police Detail and receipt of the required Certificate of Insurance. All in favor.

OVERNIGHT PARKING BAN ends on April 15, 2013. Residents CAN park on the street Sunday, April, 14, 2013.

PLANNING BOARD. ZONING BOARD OF APPEALS. Letter of Interest. A letter of interest was received from Philip Mann as it relates to serving on the Planning Board, alternate position or the Zoning Board of Appeals. The Board will keep this letter on file.

Motion made and seconded to adjourn at 8:15 p.m. All in favor.

Kyle A. Wiley
Administrative Aide