

BOARD OF SELECTMEN

MINUTES

January 26, 2011

Board met in session at 7:30 p.m. in the Selectmen's Meeting Room at Abbot Hall.

Present (constituting a quorum):

James E. Nye, Chairman
Jackie Belf-Becker
Judith R. Jacobi
T. Michael Rockett
William L. Woodfin, II

Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from January 18, 2011. All in favor.

EMERGENCY DECLARATION. Snow Removal/Parking Regulations. Motion made and seconded to approve a declaration of emergency for purposes of snow removal and parking regulations from January 26, 2011 through February 2, 2011. All in favor.

SNOW REMOVAL DEFICIT. Motion made and seconded that the Board of Selectmen consistent with Chapter 44, Section 31D approve expenditures for snow and ice removal in excess of the available appropriation from Town Meeting for snow and ice in the amount of \$200,000. This amount includes \$150,000 previously voted at the January 18, 2011 meeting. All in favor.

ZONING ARTICLES. Motion made and seconded to submit to the planning board for review as required by Mass General Laws Chapter 40A Section 5, the two citizen zoning articles submitted by Andrew Colby; Zoning Bylaw article - Lot Width Requirement and Zoning Bylaw Article – Lot Frontage Requirement. All in favor.

PERMISSION. U.S. Coast Guard Auxiliary. Motion made and seconded to approve the request from Arthur Capstaff, FSO-VE 43 INR, to use float space at select town piers to conduct Vessel Safety Checks (VSCs) on Saturday, June 4th, 11th and 25th from 8:00 a.m. to 12:00 noon and to also use the float at Tuckers Wharf on June 11th and a float at Village Street Landing subject to approval from the Harbormaster. The Vessel Safety Check is an annual onboard evaluation, conducted dockside, of a vessel's Federal and State required safety equipment to insure compliance, currency and proper functioning of those safety items and is performed free of charge by qualified Auxiliary Vessel Examiners. All in favor.

PERMISSION. Use of Abbot Hall. Marblehead Family Fund/Symphony by The Sea. Motion made and seconded to approve the request from Robert Poss, Symphony by The Sea, and Kristin Goedkoop, Marblehead Family Fund, to use Abbot Hall on Sunday, May 1, 2011 from 2:00 p.m. to 4:30 p.m. for a children's performance of Peter and the Wolf subject to the usual rules, regulations, receipt of the required Certificate of Insurance and all custodial fees due according to review by the Town Administrator. All in favor.

PUBLIC HEARING. Wine and Malt Beverage Package Store License. James G. Crosby, 6 Bruce Road, Danvers, and David A. Crosby, 2 Puritan Road, Danvers, appeared before the Board seeking to change the Manager's name on the Wine and Malt Beverage Package Store License and to Transfer/Issue Stock and name New Stockholders at Crosby's Markets, Inc. d/b/d Crosby's Marketplace, 118 Washington Street. Motion made and seconded to approve the request to change the manager on the Wine and Malt Beverage Package Store License at Crosby's Markets Inc., d/b/a Crosby's Marketplace, 118 Washington Street, to David A. Crosby subject to approval from the ABCC and receipt of all required forms and CORI approval. On a polled vote the Board voted as follows: Mr. Rocket, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor; Mr. Nye, in favor. Motion made and seconded to approve the request to name new Officers and Directors, Transfer Stock and Issue Stock, as presented in the ABCC Application, on the Wine and Malt Beverage Package Store License at Crosby's Markets Inc., d/b/a Crosby's Marketplace, 118 Washington Street, subject to approval from the ABCC, receipt of all required forms and CORI approval. On a polled vote the Board voted as follows: Mr. Rocket, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor; Mr. Nye, in favor.

ALL ALCOHOLIC BEVERAGE LICENSE. Ataraxis Tavern. Dean Santamaria-Capetanelis, 3 Nicole Avenue, Beverly, appeared before the Board to advise them of the status on the All Alcoholic Beverage License at 28 Atlantic Avenue. Mr. Santamaria-Capetanelis informed the Board that he does not anticipate reopening the restaurant under current ownership or management. Motion made and seconded to refer to Town Counsel to advise the Board on the appropriate action to take. All in favor.

MARBLEHEAD POLICE DEPARTMENT. Presentation. Strategic Plan. Chief Robert O. Picariello appeared before the Board to present his Strategic Plan for the Marblehead Police Department. Prior to his presentation the Board addressed the Chief as it relates to his contract. Motion made and seconded that the Board of Selectmen not renew or extend the Police Chief, Robert O. Picariello's, employment contract with the Town of Marblehead, and effective July 1, 2011, reduce Chief Picariello's salary by placing him in Group 57, Step 5 of the Administrative Salary Schedule. All in favor. The Chief continued with his presentation to the Board. The Board encouraged the Chief to start the application process to attend the National Training Program at Quantico. The following revisions were made to the Strategic Plan as presented:

Community Outreach - Motion made and seconded to revise Page 7, #2 – Police spend little time in the schools - as follows: add - Strategic Actions, 2. - Police Presence at

Elementary Schools, Responsibility, Police Chief; Timeline, Immediate to 3 months. All in favor.

Leadership/Governance – Page 6, #11 - Reaction to police car tinted windows. Motion made and seconded to remove the tinted windows from all patrol cars, except for one car at the Chief's discretion, by March 1, 2011 and that no vehicles purchased in the future will have tinted windows. All in favor. Motion made and seconded that any new vehicles acquired are a more traditional design i.e. multiple colors, stripes and that they be approved the Board of Selectmen. Mr. Woodfin voted in favor, 4 voted opposed. Page 6, #9 – Formal Interaction of Chief and Individual Officers. Motion made and seconded to revise the timeline to Immediate to 1 year. All in favor.

Advisory Committee. Motion made and seconded to revise Council on Aging (1) to read Council on Aging – Patricia Roberts, Director. All in favor. Motion made and seconded to appoint Jeffrey Shribman the Board of Selectmen's designee on the Advisory Committee. 4 voted in favor, Mr. Woodfin voted opposed.

Leadership/Governance. Page 5, #1 – Evaluation of Police Chief. Motion made to add, 1A – Evaluation of Police Chief; Strategic Actions, Public Session; Responsibility, Board of Selectmen; Timeline, 6 months and then annually. Motion was not seconded. Page 5, #1, Evaluation of Police Chief. Motion made and seconded to ask the Town Administrator to determine if there is a commonly accepted review process for Police Chief's and to report back to the Board. All in favor.

Page 5, #4 – Community option to file complaints regarding the Police Department. Motion made and seconded to revise the timeline to read 6 months to one year from the date of the first meeting of the advisory committee. All in favor. Page 5, #5 – Consistent application of the law. Motion made and seconded to revise the timeline to ongoing. All in favor.

Training. Page 8, #3 – Knowledge of youth intervention tactics by all officers. Motion made and seconded to revise the timeline to ongoing. All in favor.

Advisory Committee. Motion made to revise Community (2) to read Community (4). Motion was not seconded. Motion made and seconded to revise the School Department (1) to read School Department – (1) School Administrator. All in favor. Motion made and seconded to accept the Strategic Plan as amended. All in favor.

PERMISSION. One Day Liquor License. Festival of Arts. Motion made and seconded to approve the request from Lisa Hooper for a one day liquor license for the Festival of Arts Auction and Wine Tasting on Saturday, April 2, 2011 from 4:00 p.m.-10:00 p.m at Abbot Hall subject to the usual rules, regulations, receipt of the required Certificate of Insurance, custodial fees and fee for one day liquor license (\$50). On a polled vote the Board voted as follows: Mr. Rocket, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor, Mrs. Belf-Becker, in favor; Mr. Nye, in favor.

PERMISSION. Marblehead Chamber of Commerce. Annual Events. Motion made and seconded to approve the request from Ann Marie Casey, Marblehead Chamber of Commerce for the following events:

May 13 - 14, 2011	4 th Annual Marblehead Art Walk
June 11 - 12, 2011	Town Wide Sidewalk sale

September 24 - 25, 2011	7 th Annual Fall Festival - Town Wide Sidewalk sale
September 24, 2011	Abbot Hall Grounds, Craft Fair 7:00am – 6:00pm
September 25, 2011	Abbot Hall Grounds (Rain Date)
December 1 - 4, 2011	41 st Annual Christmas Walk
December 2, 2011	Abbot Hall – Annual Tree Lighting
December 3, 2011	Christmas Walk Parade, street closings
	Parade starts at 11:45 a.m. at the State Street Landing

Approval is subject to the usual rules, regulations and receipt of the required Certificate of Insurance. All in favor.

PERMISSION. Change of Date. YMCA Road Race. Motion made and seconded to approve the request from Jaime Block, Health and Wellness Director, Lynch/van Otterloo YMCA, to change the previously approved date for the 32nd Annual 5 mile Certified Road Race to Sunday, April 10, 2011 subject approval from Marblehead Police and Recreation and Parks Department and receipt of the required Certificate of Insurance. All in favor.

MARBLEHEAD POLICE. Chris Castner, 9 Risely Road, appeared before the Board to respond to Chief Picariello’s Strategic Plan.

MEETING. The Board of Selectmen will meet on February 9, 2011 and will not meet on February 23, 2011.

EXECUTIVE SESSION. Motion made and seconded to go into Executive Session under G.L. c. 21(a)(6) for the purpose of discussing the value of real property where the public discussion of same may have a detrimental effect on the negotiating position of the public body. 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. Rockett, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor; Mr. Nye, in favor.

Adjourned to Executive Session at 9:10 p.m.

Kyle A. Wiley
Administrative Aid