

## BOARD OF SELECTMEN

### MINUTES

May 6, 2011

Board met in session at 8:45 a.m. in the Selectmen's Meeting Room at Abbot Hall.

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

Anthony M. Sasso, Town Administrator

**MINUTES.** Motion made and seconded to approve the minutes from April 22, 2011. All in favor.

**VOTE. Feasibility Study. Regional Communication Center.** Motion made and seconded to participate with the Town of Danvers and City of Salem as a partner in studying the feasibility of a regional communication center as set forth in the application for State 911 Department Development Grant funding submitted by the Town of Marblehead and Danvers and the City of Salem at no cost and no obligation to the Town of Marblehead and to authorize the Chairman to sign a letter on behalf of the Board. All in favor.

**RE-DISTRICTING.** Robin Michaud, Town Clerk, and Rebecca L. Curran, Town Planner, appeared before the Board to advise them on the proposed changes to the Town's precincts. The Town is required to submit a re-precincting plan based on 201 Federal Census Data. All precincts are required to have less than 4000 people and each precinct must be within 5% of the average. Under these guidelines the Town will go from 7 precincts to 6. Ms. Michaud and Ms. Curran presented a layout of these changes, to take effect in 2012. All registered voters affected by this change will be notified by mail. Motion made and seconded to accept the new redistricting as presented. All in favor.

**VOTE.** Motion made and seconded to award the contract for a 27' powerboat to Metal Shark Aluminum Boats in the amount of one hundred forty six thousand five hundred and fifty five dollars and 73/100 (\$146,555.73) and to authorize the Chairman to sign the contract on behalf of the Board. All in favor.

**PERMISSION. Use of Abbot Hall.** Motion made and seconded to approve the request from Andy Barnett, Troop 79, to reschedule their Eagle Scout Court of Honor from May 7, 2011 to Sunday, June 12, 2011 from 3:00 – 7:00 p.m. subject to the usual rules, regulations and receipt of the required Certificate of Insurance. All in favor.

**PERMISSION. Use of Abbot Hall.** Motion made and seconded to approve the request from the Marblehead Cultural Council to set up a table in, or around, Abbot Hall on Sunday, July 3<sup>rd</sup> and Monday July 4<sup>th</sup>, 2011 from 10:00 a.m. – 4:00 p.m. to answer questions regarding grant opportunities and provide information regarding activities and opportunities available through the council. All in favor.

**DONATION.** Motion made and seconded to accept as a donation to the Town, from Jackie Pels, copies of the book MCML/Mary Cole Mason Lord, 1887-1988 / A Sample of Stories from a Turn-of-the-Century Girlhood in Marblehead, Massachusetts and to put these books in the care and custody of the Historical Commission with a copy of the book placed in the Abbot Public Library. All in favor.

**ELECTION.**

Moved and seconded: that prior public notice of the Board of Selectmen's intention to call a Special Town Meeting for the purpose of a Special Election for approval of debt exclusions and capital exclusions under Proposition 2 ½ be waived because in the opinion of the Board of Selectmen the public interest would suffer from such delay. All in favor.

Moved and seconded: that a Special Town Meeting be called for June 14, 2011, for the purpose of a Special Election to vote on questions relative to debt exclusions and capital exclusions under Proposition 2 ½. All in favor.

Moved and seconded: that the Warrant be opened for insertion of questions. All in favor.

**MOTION OF THE BOARD OF SELECTMEN BY TWO-THIRDS VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.**

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 14, 2011, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 1:

Question 1:

Shall the Town of Marblehead be allowed to assess an additional \$ 667,793.00 in real estate and personal property taxes for the fiscal year beginning July first, 2011, to fund Article 28 of the 2011 Annual Town Meeting for the purpose of funding the final design, public bidding and construction for the improvements to the Old Town House, including but not limited to making the building universally accessible?

YES\_\_\_\_\_ NO\_\_\_\_\_

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **TWO-THIRDS** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 14, 2011, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 2:

Question 2:                      Shall the Town of Marblehead be allowed to assess an additional \$656,000.00 in real estate and personal property taxes for the fiscal year beginning July first, 2011, to fund Article 33 of the 2011 Annual Town Meeting for the purpose of continued water quality monitoring, soil gas monitoring, risk assessment, engineering and any other services related to determining the extent of clean up or remediation necessary in connection with the old landfill?

YES\_\_\_\_\_ NO\_\_\_\_\_

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **TWO-THIRDS** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO EXCLUDE FROM THE PROVISIONS OF GENERAL LAWS CHAPTER 59, SECTION 21C, THE FUNDS REQUIRED FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 14, 2011, to exempt from the provisions of General Laws Chapter 59, Section 21C, the funds required for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 3:

Question 3:                      Shall the Town of Marblehead be allowed exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purposes of funding the permitting, public bidding and construction of a cap for the area(s) encompassing the old landfill in accordance with and as required by applicable statutes and regulations, deconstructing the old

Transfer Station, constructing stormwater controls, constructing and/or moving water and sewer mains, and constructing a new Transfer Station, new Recycling Drop-Off Area, new Swap Shed, and new Yard Waste Processing Area, and funding the acquisition of all related real property easements or other interests in real property and including engineering, testing, legal and related costs and fees and for funding the purchase or taking of 56 and 57 Stony Brook Road, the purchase or taking of a portion of 55 Stony Brook Road and the purchase or taking of a temporary construction easement on a portion of 52 Stony Brook Road, including all legal costs, costs of remediation and costs of settlement of claims or potential claims, in connection with those properties all in connection with the clean-up related to the historic operations of the former landfill?

YES\_\_\_\_\_ NO\_\_\_\_\_

All in favor.

MOTION OF THE BOARD OF SELECTMEN BY **TWO-THIRDS** VOTE TO SEEK VOTER APPROVAL AT A SPECIAL ELECTION TO ASSESS TAXES IN EXCESS OF THE AMOUNT ALLOWED PURSUANT TO GENERAL LAWS CHAPTER 59, SECTION 21C, FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS, NOTE OR CERTIFICATIONS OF INDEBTEDNESS.

Moved and seconded: that the Board of Selectmen seek voter approval at a Special Election to be held on June 14, 2011, to assess taxes in excess of the amount allowed pursuant to General Laws Chapter 59, Section 21C for the payment of principal and interest on bonds, notes, or certificates of indebtedness, all as set forth in the following Question 4:

Question 4: Shall the Town of Marblehead be allowed exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued for the purpose of funding the design, project management and construction of a new elementary school for 425 students at the Glover School site, located at 7-9 Maple Street, which shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years?

YES\_\_\_\_\_ NO\_\_\_\_\_

All in favor.

Moved and seconded: that the Warrant be closed. All in favor.

**ONLINE BRIDGE DESIGN COMPETITION.** A letter was received recognizing the following students for their outstanding efforts in the BSCES 2011 Ralph Salvucci Online Bridge Design Competition: Aaron Brockman, Hale Davies and Sam W. Hanscom. Motion made and seconded to invite the students to a future Selectmen's meeting. All in favor.

**TOWN REPORT. 2010 Shellfish Constables.** The following was read into the record: 2010 SHELLFISH CONSTABLES. Devereux, Tucker's, and Goldthwait beaches were opened for the harvesting of surf clams on October 1st. The Board of Health supplied the MA Division of Marine Fisheries with historical water quality reports. As of the writing of this report there were 58 licenses issued to date for the 2010/2011 season. The clamming season in Marblehead is historically during the months of September through April. The areas may open later and close temporarily during the season when environmental issues may change. Monitoring diggers, checking water quality and testing of the clams is performed constantly by the Board of Health, MA Division of Marine Fisheries and local residents that have volunteered to serve as Shellfish Constables. The Town Clerk and her staff have been very diligent in processing the paperwork for the State and issuing licenses. Respectfully submitted, Wayne O. Attridge, Chief Shellfish Constable. Constables: Douglas Aikman, John Gregory Attridge, Raymond Bates Jr., Harry Christensen, Esq., David Donahue, Deborah Fadden, Jeffrey Flynn, R. Thomas Hamond, Susan Hogan, Douglas Percy.

**ABBOT LIBRARY SECOND CENTURY FUND. Appointment.** Motion made and seconded to appoint Peter Jalbert to the Abbot Library Second Century Fund effective May 11, 2011 with a term to expire in May 2012. All in favor.

**ABBOT LIBRARY SECOND CENTURY FUND. Appreciation.** A letter was received notifying the Board that Tom McNulty will not seek re-appointment as Trustee of the Abbot Library Second Century Fund. Motion made and seconded to send a letter of appreciation to Tom McNulty for his many years of service on this board. All in favor.

**REQUEST. Rotary Great Race. Rain Date.** Motion made and seconded to remove from the table the request from Marsha Christensen. All in favor. Motion made and seconded to approve the request from Marsha Christensen, Rotary Club, permission for a rain date of Sunday, September 11, 2011 for the Rotary Great Race September 10, 2011. All in favor.

Motion made and seconded to adjourn at 9:12 a.m. All in favor.

Kyle A. Wiley  
Administrative Aide