

BOARD OF SELECTMEN

MINUTES

April 13, 2016

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

John J. McGinn, Town Administrator

CHAMBER OF COMMERCE. Celebrate Marblehead. Beth Ferris, Executive Director, and Candy Bishop, 135 Village Street, appeared before the Selectmen seeking permission for "Celebrate Marblehead". After discussion the following motion was made: Motion made and seconded to approve the request from Beth Ferris, Chamber of Commerce, to hold "Celebrate Marblehead" April 15, 2016 through October 10, 2016 and to allow the businesses in Town the following considerations subject to receipt of the required Certificate of Insurance:

- **Allow tables and/or displays outside of stores**
 - Business will remain compliant with all ADA, fire, building and zoning codes.
 - Tables and/or displays will allow for the required 36 inches of sidewalk space for handicapped accessibility requirements.
- **Permit outdoor entertainment from Thursday–Sunday from 10 AM–8 PM**
 - Business will remain compliant with all ADA, fire, building and zoning codes.
 - Entertainment will only include small or solo performances without amplification.
- **Permit restaurant outdoor seating from the hours of 7 AM–10 PM**
 - Business will remain compliant with all fire, building and zoning codes.
 - Tables will be small, with a maximum of eight (8) seats per establishment.
 - Tables, chairs and benches must allow for 40 inches of sidewalk space to comply with handicapped accessibility requirements.
 - Vendors and restaurants will receive required Board of Health approvals.
 - No alcohol is permitted to be served outside of any establishment in compliance with liquor license regulations.
- **Allow small beautification projects:** i.e. flower pots along sidewalks.

- Business will remain compliant with all ADA, fire, building and zoning codes.
- Placement will allow for the required 36 inches of sidewalk space for handicapped accessibility requirements.
- **Permit evening entertainment at the State Street Landing – Sundays from 4-8 PM**
 - Businesses will remain compliant with all ADA, fire and Harbormaster requirements.
 - Entertainment will be pre-approved by the Town Administrator and Harbormaster.

All in favor.

LICENSING. Seasonal All Alcoholic Beverage Club License. Change of Manager. Entertainment License. Dolphin Yacht Club. Attorney Paul Lynch, Zero Spring Street, and Darryl A. Knight, 5 Emerald Avenue, appeared before the Board as it relates to the application submitted by the Dolphin Yacht Club to Change the Manager on the Seasonal All Alcoholic Beverage Club License. Motion made and seconded to approve the application to Change the Manager on the Seasonal All Alcoholic Beverage Club License at the Dolphin Yacht Club, 17 Allerton Place, to Darryl Knight, 5 Emerald Avenue, subject to receipt of the required forms, fees, CORI and ABCC approval. On a polled vote the Board voted as follows: Mr. Murray, in favor; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

Annual and Sunday Entertainment License. Change of Name. Motion made and seconded to change the name on the Annual and Sunday Entertainment License at the Dolphin Yacht Club, 17 Allerton Place, to Darryl Knight, 5 Emerald Avenue. All 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: Darryl Knight (Pending ABCC approval). On a polled vote the Board voted as follows: Mr. Murray, in favor; Mr. Christensen, 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. 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. All in favor.

MARBLEHEAD VILLAGE SCHOOL. Robinson Farm. Mary LeBlanc, Annie Pugh and Allison Soghomonian, Village School Teachers, appeared before the Board with students from the Village School with a presentation on their studies of Robinson Farm.

Motion made and seconded to send a letter of thanks to the Teachers and Students for the presentation. All in favor. The students will be conducting tours of Robinson Farm for the public on Wednesday, May 25, 2016 from 9:00 am – 12: noon.

MINUTES. Motion made and seconded to approve the minutes from March 30, 2016. All in favor.

MOVING CONTAINER. Pilgrim Road. Motion made and seconded to approve the request from Alan Carter to place a container at 17 Pilgrim Road for one week, April 19 – 26, 2016, subject to the following conditions:

1. The container is placed as tight to the sidewalk (gravel berm) as possible
2. The container does not pass the existing tree. It should be in between the tree and the driveway at #17
3. Proper signage and cones are placed to make it safe for pedestrians and vehicles at night
4. Approval is for 7 days maximum. If it can be removed earlier it should be
5. Residents of #17 are notified and approve of the location of the container
6. Receipt of the required Certificate of Insurance

All in favor.

PERMISSION. National Prayer Day. Abbot Hall Bell Ringing. Motion made and seconded to approve the request from Donald Orne to ring Abbot Hall's bell at noon on Thursday, May 5, 2016 for five minutes directly following the noon regular ringing, for National Prayer Day, and to meet for 10 minutes in the Selectmen's Meeting Room to pray and meditate as one unified group. This event is open to the public. All in favor.

PERMISSION. Parade. Marblehead Youth Baseball. Motion made and seconded to approve the request from Jac Bentley, Marblehead Youth Baseball, to hold the annual opening day parade in conjunction with Marblehead Girls Softball on Saturday, April 30, 2016 beginning at 9:00 AM at the Veterans Middle School and traveling to Gatchells Park subject to approval from Chief Picariello, School Department and receipt of the required Certificate of Insurance. All in favor.

CONTRACT. Actuarial Services. Motion made and seconded to award a contract for GASB 45 Actuarial Services for the Town to Danziger & Markhoff, LLP of White Plains, New York in the amount of ten thousand four hundred dollars (\$10,400) and to authorize the Chair to sign the contract on behalf of the Board. All in favor.

GERRY SCHOOL BUILDING COMMITTEE. CEO Designation. Motion made and seconded to designate the Chair of the Board of Selectmen as the Local Chief Executive Officer and authorize the Chair to sign various Massachusetts School Building Authority documents on behalf of the Board in accordance with 963 CMR 2.00 as it relates to the Gerry School Building Committee. All in favor.

FORT SEWALL. Permission to Use. Glover's Regiment. Motion made and seconded to approve the request from Seamus Daly, Captain, to use Fort Sewall Friday,

July 8 through Sunday, July 10, 2016 for the Regiment's annual summer encampment subject to receipt of the required Certificate of Insurance. All in favor.

PERMISSION. Ladders on the Pubic Way. Washington Street. Motion made and seconded to approve the request from Michael Williams, MLW Construction, to place ladders on the public way at 65 Washington Street on Thursday, April 14, 2016 subject to approval from Chief Picariello, receipt of the required Certificate of Insurance and a Police Detail. All in favor.

PRESERVATION RESTRICTION. Abbot Hall. Motion made and seconded to confirm the town's intention to record a preservation restriction agreement on Abbot Hall in Marblehead, should the town be awarded a grant from the Massachusetts Preservation Project Fund which shall be recorded under the provisions of M.G.L Chapter 184 sections 31-33 and to authorize the chairman to sign a letter acknowledging this to the Massachusetts Historical Commission. All in favor.

PERMISSION. Staging. Washington Street. Motion made and seconded to approve the request from Chad McDougall, First Choice Construction LLC, to extend permission to have staging at 284 Washington Street for 1 week, April 13 – 20, 2016, subject to the previously approved conditions on March 16, 2016. All in favor.

TASK FORCE AGAINST DISCRIMINATION. Letter of Interest. A letter of interest was received from Sophia Smith as it relates to serving on the Task Force against Discrimination.

CONDOLENCE. Motion made and seconded to send a letter of condolence to the family of Barbara Anderson. All in favor.

Motion made and seconded to adjourn at 8:00 p.m. All in favor.

Kyle A. Wiley
Administrative Aide