

BOARD OF SELECTMEN

MINUTES

August 24, 2011

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

Jackie Belf-Becker, Chair
Harry C. Christensen, Jr.
Judith R. Jacobi
Bret T. Murray
James E. Nye

Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from August 3, 2011. All in favor.

PUBLIC HEARING. ORDER OF TAKING. 52 Stony Brook Road. Lisa L. Mead, Assistant Town Counsel, and Wayne O. Attridge, Public Health Director, appeared before the Board as it relates to the Order of Taking for a Temporary Construction Easement at 52 Stony Brook Road. Ms. Mead and Mr. Attridge reviewed the plans (on file at Clerk's office) and the process for the Order of Taking. Terence Reilly, 42 Maple Street, spoke against the Order. Barbara Sullivan, 52 Stony Brook Road, and Nancy Ryan, 52 Stony Brook Road noted the impact the process has had on them. The Board expressed their understanding of the situation and stated they do not take this lightly and that the Town has a responsibility to clean up the property. Motion made and seconded pursuant to the authority granted by G.L. c. 82, § 7, the Board of Selectmen has voted to: Adopt the Order of Taking for a Temporary Construction Easement as approved by Article 34 at the 2011 Town Meeting, for a period of eight (8) months for a property located at 52 Stony Brook Road, Marblehead. The Temporary Construction Easement is shown as "Proposed Temporary Taking & Construction Easement" on a plan entitled "Proposed Temporary Taking and Construction Easement Area, 52 Stony Brook Road, Marblehead, Massachusetts," prepared by WSP Sells, 155 Main Dunstable Road, Suites 120&125, Nashua, NH, dated July 13, 2011. The purpose of the Order of Taking will be to remediate the property located within the Temporary Construction Easement for any contamination caused by the former Marblehead Landfill. The Board of Selectmen has moved to award damages in the amount of ten thousand six hundred sixty six dollars and 67/100's (\$10,666.67) in accordance with the appraisal report dated July 18, 2011, prepared by A.M. Appraisal Associates, Inc., 131 Main Street, Malden, MA 02148. Moved by Mrs. Jacobi and seconded by Mr. Nye. 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.

PERMISSION. Blocking Street. Pleasant Street. Motion made and seconded to approve the request from Emily Edelman, 50 Pleasant Street, to block the street at 50 Pleasant Street to allow

for the removal of 2 trees on Friday, August 26, 2011 from 9:00 a.m. – 3:00 p.m. subject to receipt of the required Certificate of Insurance and a police detail. All in favor.

PERMISSION. Blocking Street. Pleasant Street. Motion made and seconded to approve the request from Scott A. Thibodeau, Glover Management Properties, to periodically close Pleasant Street at the junction of Watson and Pleasant Street at the Gut’N Feathers Club, to re-roof 29 Pleasant Street, subject to approval from Marblehead Police, receipt of the required Certificate of Insurance, a schedule worked out with the MBTA and a police detail. The project will start after Labor Day and take 2 -3 days to complete with scheduled periodic closures. All in favor.

PERMISSION. Blocking Street. Motion made and seconded to approve the request from Owen Tinti-Kane, 26 Sevinor Road, to block Sevinor Road, between Saturn Avenue and Elizabeth Road, on Saturday, September 17, 2011 from 4:00 p.m. – 7:00 p.m. for a block party with a rain date of Sunday, September 18, 2011. All in favor.

PROCLAMATION. United Nations Day. Motion made and seconded to issue a proclamation marking the 66th anniversary of the United Nations. All in favor.

PERMISSION. Block Party. Motion made and seconded to approve the request from Andrew Tripoli, 25 Glendale Road, to block Glendale Road from Humphrey Street to Brook Road on Saturday, September 3, 2011 from 1:00 p.m. – 7:00 p.m. for a block party. Rain date is Sunday, September 4, 2011. All in favor.

PERMISSION. Staging, 31 Orne Street. Motion made and seconded to approve the request from Judy Anderson Allen and Tom Allen for staging at 31 Orne Street for one month to repair the chimney and roof replacement subject to proper illumination at night time and receipt of the required Certificate of Insurance. All in favor.

ABBOT HALL. Permission to Use. Motion made and seconded to approve the request from Jean Titus, 26 Pond Street, to revise the previously approved time to use Abbot Hall on Sunday, October 9, 2011 to 2:00 p.m. – 5:00 p.m. for a Wedding Ceremony and to use Abbot Hall on Saturday, October 8, 2011 from 5:00 p.m. – 6:00 p.m. for a rehearsal subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance. All in favor.

PERMISSION. Marblehead Little Theatre. Parking. Motion made and seconded to approve the request from Charles H. Gessner, Chairman, Board of Trustees, to block one parking space directly behind the theatre from noon on Friday, September 30, 2011 to 6:00 p.m. on Sunday, October 2, 2011 to allow access to unload and load sets, props and materials for a performance. All in favor.

CONTRACT. Brush Chipper. Motion made and seconded to award the contract for the furnishing and delivering of one new 2012 brush chipper to Cleaves Company Inc of Needham MA in the amount of thirty nine thousand two hundred and nineteen (\$39,219.00) and authorized the chair to sign on behalf of the Board. All in favor.

CONTRACT. Gun House. Motion made and seconded to award a contract for the Gun House Exterior Restoration Project to Historic Restoration/Douglas Ford of Marblehead, MA in the amount of twenty four thousand four hundred and fifty dollars (\$24,450.00) and authorize the chair to sign on behalf of the Board. All in favor.

CONTRACT. Cliff Street. Motion made and seconded to award the contractor for the siding and window work at 4 Cliff Street to Precision Remodeling of Marblehead in the amount of seventeen thousand seven hundred and thirty six and 18/100 dollars (\$17,736.18) and the chair to sign on behalf of the Board. All in favor.

APPOINTMENT. Constable. Motion made and seconded to appoint Douglas W. Perry as Constable to serve civil process for the Town of Marblehead with a term to expire in May 2011 subject to receipt of the proper bond on file in the Town Clerk's office. All in favor.

ABBOT HALL. Rules and Regulations. Motion made and seconded to update the previously adopted rules and regulations for Abbot Hall to include a required security deposit in the amount of \$250.00 and to add approval from the Fire Chief for all theatrical performances. All in favor.

LICENSING. Common Victualler. Beach Bluff Market. Dildar Hussain, 26 Forest Avenue, Salem, appeared before the Board seeking a Common Victualler License. Motion made and seconded to approve the request from Dildar Hussain for a Common Victualler License for Beach Bluff Market, 250 Humphrey Street, hours of operation Sunday through Saturday 7:00 am – 9:00 pm, 18 seat capacity, subject to all fees paid and receipt of all required department sign offs. All in favor.

CITATION. Eagle Scout. Motion made and seconded to send a letter of congratulations to Tyson W. Miller on achieving the rank of Eagle Scout and to invite him to a future Selectmen's meeting to present his Eagle Scout project. All in favor.

METROPOLITAN AREA PLANNING COUNCIL. Municipal Elections. Correspondence was received from Paul Regan, Executive Director, Metropolitan Area Planning Council, as it relates to Municipal Elections to the Boston Regional Metropolitan Planning Organization.

WINE AND MALT BEVERAGE LICENSE. Advertise. A letter of interest was received from Tom Kanchananaga, Thai Market Inc., 26 Hawkes Street, seeking a Wine and Malt Beverage License. Motion made and seconded to advertise and solicit, as consistent with Town Policy, individuals interested in obtaining a Wine and Malt Beverage License. All in favor.

OLD BURIAL HILL OVERSIGHT COMMITTEE. Resignation. Motion made and seconded to accept with deep regret the letter of resignation from Zeke Peach and to send a letter of appreciation. All in favor.

JEWISH COMMUNITY CENTER. 100th Anniversary. A letter was received from Lisa Nagel, President, inviting the Board to the Jewish Community Center of the North Shore's 100th Anniversary on October 16, 2011 at 11:30 a.m. Motion made and seconded to send a letter of congratulations to the Jewish Community Center. All in favor.

PROPOSED WIND TURBINE. Winter Island. Letters were received from Gayle Fraser, 79 Naugus Avenue, Sandy Williamson, 31 Sparhawk Terrace, Gregg Riskin, 3 Johns Road and Aileen Day, 7 Johns Road, regarding the proposed wind turbine in Salem. Motion made and seconded to send a letter to Mayor Kimberley Driscoll thanking her for taking into consideration the concerns the effects the proposed wind turbine on Winter Island may have on the residents of Marblehead and to please keep the Board and residents informed of all future meetings relating to the proposed wind turbine. All in favor.

TRAFFIC/SAFETY. A letter from Julie Hahnke, 60 Commercial Street, was referred to Chief Picariello. All in favor.

CONGRESSMAN TIERNEY. Aide. DJ Napolitano from Congressman John Tierney's office introduced himself to the Board and asked them to contact him with any future needs they may have.

MHS HALL OF FAME. John Newhall, 129 Village Street, informed the Board that he was recently notified that he will be inducted into the Marblehead High School Hockey Hall of Fame.

CONGRATULATIONS. Motion made and seconded to send a letter of congratulations to Marti Shea on winning The Mount Washington Auto Road Cycling Hill-Climb Race. All in favor.

MARBLEHEAD FIRE DEPARTMENT. The Board congratulated the following new firefighters sworn in before the Selectmen's meeting: Todd Burt, Matthew Christensen, Arron Handy, Matthew Lunt, Jeffery Martin and Jacquelyn Popeo.

Motion made and seconded to adjourn at 8:20 p.m. All in favor.

Kyle A. Wiley
Administrative Aide