

BOARD OF SELECTMEN

MINUTES

January 23, 2008

Board met in Regular Session at 7:30 p.m. in their Meeting Room at Abbot Hall.

Present (constituting a quorum):

Harry C. Christensen, Jr., Chairman
Jackie Belf-Becker
Judith R. Jacobi
James E. Nye
William. L. Woodfin, II

Anthony M. Sasso, Town Administrator

Motion made and seconded to resume regularly scheduled meeting at 7:30pm. All in favor.

LICENSING. Public Hearing. A hearing to determine if the Rip Tide Lounge ("Licensee") has violated MA General laws, Chapter 138, Section 64 and/or the town's rules and regulations with respect to over-serving of alcoholic beverages to its patrons and to determine if the all alcoholic beverages as a common victualer license issued to Licensee should be suspended or revoked. Assistant Town Counsel Marc Miller presented to the Board the two incidents that occurred on December 7, 2007 and on January 4, 2008. Attorney James Walsh, representing the Rip Tide Lounge, spoke and presented written material to the Selectmen. After review of the material a motion was made and seconded to have Assistant Town Counsel send a letter to the Rip Tide Lounge putting them on notice and to place this letter in their file. On a polled vote the Selectmen voted as follows: Mr. Nye: in favor; Mr. Woodfin: in favor; Mrs. Jacobi: opposed; Mrs. Belf-Becker: in favor; Mr. Christensen: in favor.

CONSERVATION COMMISSION. Interviews. Appointments. The following individuals were independently interviewed by the Selectmen for 3 vacancies on the Conservation Commission: Kenneth Fisher, Deb Payson, Jacqueline Rosenthal and Don Tritschler. Brian LeClair was interviewed by the Selectmen on January 9, 2008. Motion made and seconded to place all five names into nomination and vote one appointment at a time. All in favor.

On a polled vote the Board voted as follows:

Mr. Nye: Kenneth Fisher
Mr. Woodfin: Deb Payson
Mrs. Jacobi: Deb Payson
Mrs. Belf-Becker: Kenneth Fisher

Mr. Christensen: Kenneth Fisher

Kenneth Fisher appointed to the Conservation Commission with a term to expire in 2010.

On a polled vote the Board voted as follows:

Mr. Nye: Deb Payson

Mr. Woodfin: Deb Payson

Mrs. Jacobi: Deb Payson

Mrs. Belf-Becker: Deb Payson

Mr. Christensen: Deb Payson

Deb Payson appointed to the Conservation Commission with a term to expire in 2009.

On a polled vote the Board voted as follows:

Mr. Nye: Brian LeClair

Mr. Woodfin: Brian LeClair

Mrs. Jacobi: Don Tritschler

Mrs. Belf-Becker: Brian LeClair

Mr. Christensen: Brian LeClair

Brian LeClair appointed to the Conservation Commission with a term to expire on 2008.

HISTORICAL COMMISSION. Interview. Appointment. Donald Gardner appeared before the Board seeking a position on the Historical Commission. Motion made and seconded to place Donald Gardner's name for nomination. On a polled vote the Board voted as follows:

Mr. Nye: Donald Gardner

Mr. Woodfin: Donald Gardner

Mrs. Jacobi: Donald Gardner

Mrs. Belf-Becker: Donald Gardner

Mr. Christensen: Donald Gardner

Donald Gardner appointed to the Historical Commission with a term to expire in 2008.

VOTE. Motion made and seconded to award a contract for the upgrade and consolidation of the Town's GIS information system to Microdesk, Inc. of Nashua, NH in the amount of sixteen thousand dollars (\$16,000) and authorize the Chairman to sign the contract on behalf of the Board. All in favor.

VOTE. Motion made and seconded to award a five year lease for a portion of the water tower on tower way to Metro PCS Massachusetts LLC of Chelmsford, MA in the amount of \$24,000 per year with an annual increase of 3% per year. All in favor.

FIRE DEPARTMENT. Transfer of funds. Motion made and seconded to transfer from the Reserve Fund in accordance with Chapter 40, Section 6, of the Massachusetts

General Laws the amount of \$8,410.00 to Fire Expenses to cover the Town's 10% share of the cost for station generators purchased through a FEMA grant and for the costs associated with this project but not covered by the grant. All in favor.

FIRE DEPARTMENT. Transfer of funds. Motion made and seconded to transfer from the Reserve Fund in accordance with Chapter 40, Section 6, of the Massachusetts General Laws the amount of \$5,543.00 to Fire Expenses to cover the Town's 10% share of the cost for portable radios to be purchased through a FEMA grant. All in favor.

PERMISSION. Bike Race. Motion made and seconded to remove from the table the request of Geoff Hamilton, CCB Cycling Club, which was moved and seconded to table on January 9, 2008. 4 voted in favor, 1 voted present. Motion made and seconded to approve the request from Geoff Hamilton, CCB Cycling Club, to host its annual bike race on Sunday, March 30, 2008 from 8:00am – 1:00pm subject to approval from the Recreation and Parks Department and the Marblehead Police Department. Approval is also subject to receipt of a Certificate of Insurance and no permanent markings to be made on the streets of our Town. All in favor.

PERMISSION. Abbot Hall. Motion made and seconded to approve the request from Nina Cullen-Hamzeh, Marblehead Community Charter Public School, to use Abbot Hall for their eighth grade graduation ceremony on June 20, 2008 from 6:00 – 9:30pm subject to the usual fees and receipt of a Certificate of Insurance. All in favor.

TRAFFIC AND SAFETY. Motion made and seconded to forward a letter from Lynn Mizner to the Traffic and Safety Committee for further review. All in favor.

PERMISSION. Walk/Run. Motion made and seconded to table the request from Amanda Velluto, Junior Aid Society, to hold a run/walk on May 18, 2008 at 10:00am for further review by the Marblehead Police. All in favor.

LICENSING. One Day Liquor License. Motion made and seconded to approve the request from Donald Grant, North Shore Shrine Club, for a one day liquor license to hold their annual Ladies Night and Installation of Officers at the Philanthropic Lodge on Sunday, February 24, 2008 between the hours of 4:30pm – 9:30pm subject to approval from the ABCC and receipt of the requisite fee. All in favor.

PERMISSION. One Day Entertainment License. Motion made and seconded to table the request from Andrew Kramer, Jack-Tar American Tavern, for a one day entertainment license on Monday, March 17, 2008 for verification of the hours requested. All in favor.

COUNCIL ON AGING. Revolving Fund. Motion made and seconded to approve the request from Patricia Roberts, Council on Aging, to reauthorize its Revolving Fund for fiscal year 2009 and that the amount be raised to \$250,000. All in favor.

CONSERVATION COMMISSION. Resignation. Motion made and seconded to accept Mark Klopfer's letter of resignation and to send a letter of thanks to him. All in favor.

TAXES. A letter was read from Town Treasurer Patricia Kelly Murray as it relates to Third Quarter Real Estate Taxes being due on Friday, February 1, 2008. These bills may be paid on line through the Town's web site www.marblehead.org and clicking on On-Line Payments of Property Taxes.

LICENSING. All Alcoholic Beverages. A letter was read from John Tanguosso, owner Maddie's Enterprises, Inc. d/b/a Maddie's Sail Loft asking to appear before the Board on February 13, 2008 to update the Board on matters relating to Maddies'. Motion made and seconded to set a time for Mr. Tanguosso to appear on February 13, 2008 and to send a letter of confirmation to him. All in favor.

CONSERVATION COMMISSION. Withdrawal. Motion made and seconded to accept James Wagner's letter withdrawing his name for consideration. All in favor.

ANCHOR TO WINWARD. Fundraiser. A "Night at the Movies" in support of Anchor to Winward, Inc., featuring "The Other Sister", will be held on Thursday, February 7, 2008 at the Marblehead Little Theatre. Call 1-978-740-0013 for more information.

CONDOLENCE. Motion made and seconded to send a letter of condolence to the family of Edward Thomas who recently passed away. All in favor.

RETIREMENT. Motion made and seconded to send a letter of thanks to John Belanger, Water and Sewer Department and Jean MacAskill, Water and Sewer Department, who both recently retired after many years of service to the Town. All in favor.

Motion made and seconded to adjourn at 9:22pm. All in favor.

Kyle Wiley
Administrative Aide