

## **BOARD OF SELECTMEN**

### **MINUTES**

**January 28, 2008**

Board met in Special Session at 6:00 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

**MINUTES.** Motion made and seconded to approve the minutes from January 23, 2008. All in favor.

**ANIMAL CONTROL. Public Hearing. Dog Nuisance.** Betsy Tufts, Animal Control Officer and Robin Michaud, Town Clerk appeared before the Board as it relates to incidents involving canine Geeno and its owner, Kenneth Harvey. Attorney David Smith appeared before the Board representing David Smith and Geeno.

**RECESS.** Motion made and seconded to recess for 5 minutes and reconvene in open session at 6:15pm. All in favor.

Board of Selectmen reconvened in open session at 6:15pm.

**LICENSING. One Day Liquor License.** Motion made and seconded to approve the request of Nina Cullen-Hamzeh, Marblehead Community Charter Public School, for a one day liquor license on Friday, February 8, 2008 from 7:00pm–10:00pm for their 3<sup>rd</sup> Annual Wine Tasting and Live Jazz Social subject to the receipt of the requisite fee. On a polled vote the Board voted as follows: Mr. Nye; in favor: Mr Woodfin; in favor: Mrs. Jacoby; in favor: Mrs. Belf-Becker; in favor: Mr. Christensen; in favor.

**LICENSING. One Day Liquor License.** Motion made and seconded to approve the request of Reverend Andrew J. Stoessel, St. Michael's Church, for a one day liquor license on Saturday, February 2, 2008 from 6:00pm–11:55pm for a fundraiser subject to the receipt of the requisite fee. On a polled vote the Board voted as follows: Mr. Nye; in favor: Mr Woodfin; in favor: Mrs. Jacoby; in favor: Mrs. Belf-Becker; in favor: Mr. Christensen; in favor.

**VOTE. Resolution. Mass Paper Recycles!** Motion made and seconded to adopt “A Resolution in Support of the Mass Recycles Paper! Campaign. All in favor.

**LICENSING. One Day Entertainment.** Motion made and seconded to approve the request from Andrew Kramer, Jack Tar American Tavern, for a one day entertainment license on the following days: Tuesday, March 4, 2008 – acoustic guitar (8:00pm–11:00pm); Monday, March 17, 2008 – DJ to celebrate St. Patrick’s Day (6:00pm–9:00pm); Tuesday, April 1, 2008 – acoustic guitar (8:00pm–11:00pm); Tuesday, May 6, 2008 – acoustic guitar (8:00pm–11:00pm) subject to no music to be heard outside. All in favor.

**PUBLIC HEARING.** Resumed at 6:18pm. After discussion motion made and seconded that there is substantial evidence that canine Geeno is a public nuisance. All in favor.

Motion made and seconded that canine Geeno is a vicious serial biter. All in favor.

Motion made and seconded that based on the evidence canine Geeno should be euthanized according to the Massachusetts Laws and subject to a veterinarian’s certification. 1 in favor. 4 opposed. Motion failed.

Motion made and seconded that effective Tuesday, January 29, 2008, canine Geeno must leave Town and be transported to Mike Citro, Baystate Canine Kennels, or an appropriately licensed kennel until Baystate is available, for training, evaluation and boarding. Written notice shall be given to the Board as to where canine Geeno is being boarded. The Public Hearing is continued to Monday, February 11, 2008 at 6:00pm to review the trainers report and make a determination based on these findings. All in favor.

**ANIMAL CONTROL. Public Hearing. Dog Nuisance.** Betsy Tufts, Animal Control Officer and Robin Michaud, Town Clerk, appeared before the Board as it relates to incidents involving canine Preston and its owner Lauren McKenney. Motion made and seconded to not remove Preston from Town. Preston must be leashed at all times in public with his owner or anyone else who is taking care of him. All in favor.

**ANIMAN CONTROL. Public Hearing. Dog Nuisance.** Betsy Tufts, Animal Control Officer and Robin Michaud, Town Clerk, appeared before the Board as it relates to incidents involving canine Jessie and its owner Anthony Schepsis. Attorney Jeremy Cohen appeared on behalf of Anthony Schepsis and Jessie. After discussion motion made and seconded that canine Jessie is a public nuisance. All in favor.

Motion made and seconded that canine Jesse is a serial biter of canines and humans. All in favor.

Motion made and seconded to have canine Jessie euthanized according to Massachusetts Laws and subject to a veterinarians certification. All in favor.

**CHAPTER 91. Waterfront access.** Motion made and seconded to accept a \$1000 check from Jack Tatelman, 3 Anchorage Lane, in accordance with conditions of a Chapter 91 License for the express purpose to enhance waterfront access and to establish a donation fund account for such purposes. All in favor.

**MARBLEHEAD FIRE DEPARTMENT. Retirement. Chief Dixey.** A letter was read from Fire Chief Barry Dixey as it relates to his twelve month notice of intent to retire. Motion made and seconded to accept with regret Chief Dixey's letter. All in favor.

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

Kyle Wiley  
Administrative Aide