

**BOARD OF SELECTMEN
MINUTES**

JULY 25, 2007

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

Present (constituting a quorum):

Harry C. Christensen, Jr. Chairman
Jackie Belf-Becker
Judith R. Jacobi
William L. Woodfin
Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the Minutes of July 11, 2007. All in favor, with Mrs. Belf-Becker voting present.

APPOINTMENT. Chairman Pro-Tem. Motion made and seconded to appoint Mrs. Jacobi as Chairman of the meeting during the ensuing discussion with the Chief of Police. All in favor. Mr. Christensen, due a potential conflict of interest recused himself from the meeting during the discussion. 7:35 p.m.

POLICE DEPARTMENT. Request. Chief Picariello appeared before the board requesting the Board to appoint Lieutenant Mark Mills as acting Captain. The appointment will be effective on Sunday, July 29, 2007 and remain in effect until such a time as a certified list can be obtained from Human Resources. Motion made and seconded to approve this request. All in favor.

APPOINTMENT. Chairman. Mr. Christensen returned to the meeting at 7:40 p.m. Motion made and seconded that Mrs. Jacobi step down as Chairman Pro-tem and that Mr. Christensen continue the meeting as Chair. All in favor.

PERMISSION. Breast Friends Foundation. Sara Bryant Smith appeared before the Board to request permission to hold the 2nd Annual Breast Friends Walk on October 7, 2007 at 9:00am. The walk will originate at Devereux Beach and proceed around Marblehead Neck and finish at Devereux Beach. Money raised will go to Breast Cancer Research. Motion made and seconded to approve this request noting that no lines will be drawn on the streets and subject to Recreation, Park and Forestry Commission approval for the use of Devereux Beach and receipt of the required insurance. All in favor.

TOWN OF MARBLEHEAD. Dan Sherman of Buck Consultants presented to the Board of Selectmen A Post Retirement Benefits Analysis. Also present at the meeting was John McGinn, Finance Director. Motion made and seconded to have Anthony M. Sasso, Town Administrator and John McGinn, Finance Director prepare an article (Home

Rule Petition) for the annual Town Meeting, to establish a Trust fund for the purposes of funding the Town's other post employment benefits. All in favor.

SHADE TREES. An advertised public hearing was opened at the request of Nadia Liberman regarding the removal of a shade tree at 14 Tedesco Street. Nadia Liberman was not present at the meeting. Motion made and seconded to take no action and close the hearing. All in favor.

PERMISSION. Awning. Aimee Lombardi appeared before the Board seeking permission for an awning at 129 Washington Street for her new business, "French and Italian". Motion made and seconded to approve the request subject to the required certificate of insurance and a signed permit from the Building Inspector. All in favor.

INSURANCE ADVISORY COMMITTEE. Request. A letter was read from William J. McCarthy expressing his interest in representing the retirees on the Insurance Advisory Committee. Motion made and seconded to approve this request. All in favor.

PERMISSION. Moving Van. Motion made and seconded to approve the request of William Kent Ryan to have a moving van at 39 Front Street on Saturday, July 28, 2007 from 8:00am – 3:00pm and on Friday, August 3, 2007 from 7:00am - 4:00pm subject to the approval of the Police Department. All in favor.

PERMISSION. Moving Van. Motion made and seconded to approve the request of Kim Montour to have a moving van at 39 Front Street on a date in August to be determined, subject to the approval of the Police Department. All in favor.

PERMISSION. Block Party. Motion made and seconded to approve the request of Kate Bostley to block Central Street on Friday, August 10, 2007 from 5:00pm – 9:00pm. All in favor.

LICENSE. ALL ALCOHOL BEVERAGE. Maddie's Enterprises, Inc. d/b/a Maddie's Sail Loft. Present at hearing: Assistant Town Counsel Marc Miller, Mr. John S. Tanguosso, owner of Maddie's Sail Loft, Chief Robert Picariello, Lieutenant Lunt and Officer Gallo. Motion made and seconded to suspend liquor license for 5 consecutive days, with the first day to be Thursday, July 26, 2007. Mr. Tanguosso stated that he would appeal the Board's decision. On a polled vote the Board votes as follows: Mr. Woodfin, in favor; Mrs. Jacobi, in favor; Mrs. Belf-Becker, in favor; Mr. Christensen, in favor. Motion passed.

EXECUTIVE SESSION. Motion made and seconded to adjourn into Executive Session to discuss collective bargaining and to access the value of real property, votes may be taken, and if they are, votes will be released at a time deemed appropriate by counsel. The board will reconvene in open session. On a polled vote, the Board voted as follows: Mr. Woodfin, in favor; Mrs. Jacobi, in favor, Mrs. Belf-Becker, in favor; and Mr. Christensen: in favor. Adjourned to Executive Session at 9:47 p.m.

OPEN SESSION. The board reconvened in open session at 10:58pm.

GRANT REQUEST. Marblehead Little Theatre. Motion made and seconded to send a letter of support to the Lynch Foundation requesting a Capital Grant in the amount of \$50,000 for the purpose of renovating the second floor of the Firehouse Theatre building located on School Street, and to have the Chairman sign the letter. All in favor

LICENSING. One Day Liquor License. A request from Donald R. Humphreys was made for a one day beer and wine license for Hammond Park on Saturday, September 22, 2007, with a rain date of September 29, 2007, between the hours of 11:00am – 4:00pm, in connection with a luncheon to be held with the Marine Corps Aviation Association from Quantico, Virginia and the Boston Chapter of this organization. Motion made and seconded to approve the request subject to the receipt of the requisite fee and approval from the Municipal Light Department. All in favor.

PERMISSION. Boom Truck access. Motion made and seconded to allow a boom truck on the street and sidewalk in front of the Grace Community Church, 17 Pleasant Street on Friday, August 3, 2007 subject to the review and approval from Police Department and the required insurance certificate. All in Favor.

AMENDMENT TO MINUTES. Motion made and seconded to amend the minutes from March 28, 2007. All in favor, with Mr. Woodfin voting present.

AMENDMENT TO MINUTES. Motion made and seconded to amend the minutes of March 28, 2007 as read by the Chairman:

*“Motion made and seconded having convened in an open meeting on **March 28, 2007**, the Marblehead Board of Selectmen, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated March 3, 2007 for the L.H. Coffin School located at 1 Turner Road, Marblehead, Massachusetts which describes and explains the following deficiencies and the priority categories for which an application may be submitted to the Massachusetts School Building Authority in the future: Priority 1 addresses health and safety, including limitations inherent in a 58-year-old building; Priority 2 addresses existing severe overcrowding due to undersized supplemental educational spaces, and the potential overcrowding due to the need to use space at the Coffin School to mitigate major life/safety issues at the Gerry School; Priority 3 addresses potential loss of accreditation primarily due to lack of handicap accessibility; Priority 5 addresses the need for a new heating system to increase energy conservation and decrease energy related costs; and Priority 7 addresses building obsolescence and the need for larger supplemental educational spaces; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Marblehead Public Schools District to filing an application for funding with the Massachusetts School Building Authority.”*

All in Favor.

PERMISSION. Landscaping Truck. Motion made and seconded to approve the request of Elisabeth Winer to have a landscaper truck, belonging to Matt Carpenter, parked on Pleasant Street near 119 Washington Street on Friday, July 27, 2007 from 8:00am to 1:00pm subject to the approval of the Police Department. All in favor.

PERMISSION. Block Party. Motion made and seconded to approve the request of Daniel Shea to block Devereux Street, between Pierce and Phillips Street, on Saturday, August 18, 2007 from 3:00pm – 6:00pm, with a rain date of August 25, 2007. Original request approved by the Board of Selectmen on May 16, 2007 was postponed due to resurfacing project. All in favor.

PERMISSION. Wine and Malt License with Cordials Permit, Trattoria Sablone, Inc.. Motion made and seconded to grant Trattoria Sablone, Inc. a Cordials Permit in addition to the Wine and Malt License that was granted by the Board of Selectmen on June 13, 2007. On a polled vote the Board voted as follows: Mr. Woodfin, in favor; Mrs. Jacobi, in favor, Mrs. Belf-Becker, in favor, Mr. Christensen, in favor. Motion passed.

ADA PROCLAMATION. Motion made and seconded to proclaim Thursday, July 26, 2007 as “ADA Day” marking the seventeenth anniversary of the signing of the Americans with Disabilities Act (ADA). All in favor.

PERMISSION. MHS All Sports Boosters Scholarship Drive. Motion made and seconded for the MHS All sports Boosters to conduct their annual door- to door canvas on Sunday, October 14, 2007. The drive will originate from the high school field house beginning at 12:00 noon and will finish at approximately 4:00pm. All in favor.

REAL ESTATE TAX BILL. A letter was read from Patricia Kelly Murray, Treasurer/Collector, reminding taxpayers that their 1st quarter Real Estate Tax Bill is due Wednesday, August 1, 2007.

POLICE DEPARTMENT. A letter was read from Chief Picariello commending the dedication and efforts of Officer Sinclair who apprehended an individual, while off duty, who Officer Sinclair recognized as someone who had warrants out for their arrest. Motion made and seconded to send a letter of appreciation to Officer Sinclair for his exemplary skills and observations in apprehending this individual. All in favor.

BOARD OF HEALTH. A letter was read from Wayne O. Attridge, Director, Board of Health, as it related to the significant fire that took place at the Transfer Station on Tuesday, July 17, 2007. The quick thinking and rapid response of employees Peter Haskell, Joe Fegundes, Mike Louizos, and Kay Monahan, as well as the Fire Department, under the command of Captain Richard Bartlett, saved the Town tens of thousands of dollars in equipment and downtime. Motion made and seconded to send letters of appreciation to these individuals. All in favor.

CONDOLENCE. Motion made and seconded to send a letter to Charles Dalferro and family, whose mother, D. Lucy (Johnson) Dalferro, recently passed away. All in favor.

CONGRATULATIONS. The Board congratulated Chairman of the Board Harry Christensen and his wife Marsha on the recent marriages of their sons.

APPOINTMENTS. Motion made and seconded to have James Patrick and Missey Donohoe, applicants for the Old and Historic District Committee, and Gordon King and Mimi Hollister, applicants for the Fair Housing Committee, appear before the Board on Wednesday, August 8, 2007. All in favor.

Motion made and seconded to adjourn at 11:10pm

Kyle Wiley
Administrative Aide