

BOARD OF SELECTMEN
MINUTES

April 11, 2007

The Board met in Regular Session at 7:30 p.m. in its meeting room at Abbot Hall.

Present (constituting a quorum):

Harry C. Christensen, Jr., Chairman
Jackie Belf-Becker
Judith R. Jacobi
James E. Nye
Jeffrey N. Shribman
Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the minutes of March 28, 2007. All in favor.

PERMISSION. WALK. Kurt A. James, 56 Norman Street was present to ask permission to have the first annual Marblehead Interfaith Youth 5K/10K Hunger Walk on Sunday, May 6 starting at 2 p.m. (Registration to start at 1:30 p.m. at National Grand Bank) Proceeds to benefit the Marblehead Food Pantry. Motion made and seconded to approve subject to no permanent markings being made on the streets of our Town. All in favor.

LICENSING. One Day Liquor License. Amendment. Motion made and seconded to amend the previously approved license issued to Michael and Laura Tyrrell, Ballast Lane. Permission is changed from wine and beer to all alcohol. All in favor.

LICENSING. One Day Liquor License. Request from Doug Hill, Vice President, Marblehead Little Theatre for a liquor license to serve alcohol at the Theatre on Friday, April 13, 2007 between the hours of 8:00 p.m. and 11:00 p.m. Motion made and seconded to approve the request subject to the receipt of the requisite fee and insurance. All in favor.

PERMISSION. Blocking Street. Red Frank Lane. Request from Douglas O'Leary, 48 Commercial Street to block Red Frank Lane on Saturday, May 19 from 8:00 a.m. to 12 noon. for a yard sale. Motion made and seconded to approve. All in favor.

LICENSING. Entertainment. Atlantic Avenue. Jeff Flynn, Flynnies on the Avenue, 28 Atlantic Avenue was present to request a license for the following entertainment: All kinds of music. Guitar with amplifier – two people maximum.

Mondays through Saturdays (no Sundays) with expectation that entertainment will occur only one to two nights a week – once or twice a month. Hours: 8:00 p.m. until 11:45 p.m. Motion made and seconded to approve the request subject to entertainment not being heard from the street. All in favor.

PERMISSION. Filming. Parking Restrictions. Washington Street. Amendment.

Motion made and seconded to amend the previously approved parking restriction requested by Anna Saraceno, Nancy Porter Productions Inc., Lexington, MA. Permission is changed from May 18 to May 25 for parking to be restricted on Washington Street, in front of Lee Mansion, from the driveway of Litchman's Printing to the corner of Rockaway Street during the hours of 6 am to 8 pm. All in favor.

PERMISSION. Bell-Ringing. Letter from Don Orne, Jr. requesting to ring the bell at Abbot Hall for five minutes on National Prayer Day (Thursday, May 3) directly after the noon-time toll. Motion made and seconded to approve the request. All in favor.

LICENSING. Cat Island. Fish Trap. Application from Douglas Heath, 2 Millets Lane, Manchester, MA for authorization to place a floating fish trap off the tidal waters of Cat Island. (Mr. Heath's current authorization, for a term of three years, expires on June 27, 2007.) Motion made and seconded to approve the application. All in favor.

TEAM UP. Presentation. Susan Hauck, Dehlia Barrett and Police Sgt. Marion Keating were present in connection with a presentation featuring Chris and Toren Volkmann co-authors of "From Binge to Blackout". The presentation relates to underage drinking and will be held on Tuesday, May 1 from 7 to 9 pm at the Marblehead Veterans Middle School, 217 Pleasant St. Registration required. Se www.TeamUpMarblehead.com

LICENSING. Public Hearing. Maddie's Sail Loft. A hearing to determine if Maddie's Enterprises, Inc. d/b/a Maddie's Sail Loft ("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. Town Counsel Marc Miller opened the hearing and summarized incidents prior to this date that warranted the calling of a public hearing specifically one that occurred on March 25 at 19:36. John Tanguosso, President of Licensee was present with Jayne Tanguosso, the manager of Maddie's Sail Loft. Mr. Tanguosso spoke and presented written material to the Selectmen to support why the incident of March 25 did not relate to Licensee and what he has done to date and plans to do to educate his wait staff on the serving of alcoholic beverages. After review of the material and discussion a motion was made and seconded to take no action. On a polled vote the Selectmen voted as follows: Mr. Nye: in favor; Mrs. Belf-Becker: in favor; Mrs. Jacobi: in favor; Mr. Shribman: in favor and Mr. Christensen: in favor.

PERMISSION. Sandwich Boards. Motion made and seconded to approve the following requests subject to the rules and regulations:

April 9 to 16- Doug Hill – Marblehead Little Theatre – Lafayette and Maple; Lafayette and Humphrey; Pleasant and Essex; Tedesco and Humphrey; Beach and Ocean and Atlantic @ Seaview, and

April 16 to 23 (unless another organization requests the locations) at Lafayette and Maple; Beach and Ocean and Atlantic at Seaview to advertise the production of “On Golden Pond”;

April 30 to May 7 – Paul Crosby, Executive Director, Marblehead Counseling Center, 66 Clifton Avenue at Lafayette & Humphrey; Tedesco and Humphrey, Beach and Ocean and Atlantic at Seaview to advertise community golf day at Tedesco Country Club scheduled for May 14;

The golf event is a fundraiser utilizing the donation of the course by the Tedesco Country Club. All proceeds go directly to provide services to helping Marblehead residents with their counseling and social service needs.

July 2 to 9 and July 16 to 23 – Gene Arnould – Marblehead Summer Jazz '07 – at Maple and Lafayette; Lafayette & Humphrey; Pleasant and Essex, Tedesco and Humphrey and Atlantic at Seaview to advertise upcoming concerts.

All in favor.

PERMISSION. Banner. Motion made and seconded to grant the following request to hang a banner across Pleasant Street subject to the rules and regulations and receipt of the required insurance:

April 9 to 16 – Doug Hill – Marblehead Little Theatre to advertise the upcoming production of “On Golden Pond”. All in favor.

PROCLAMATION. Arbor Day. Request from R. Thomas Hamond, Recreation, Parks and Forestry Superintendent to proclaim Saturday, April 28, 2007 “Arbor Day”. All in favor.

TREE CITY USA. Award. Notice from The National Arbor Day Foundation that Marblehead has been named as a 2006 Tree City USA.

PERMISSION. Triathlon. Request from Andrew Dalton, Aquatic Director for the Jewish Community Center of the North Shore to conduct the JCCNS’s 7th Annual Triathlon by the Sea on Sunday, May 13 from 8:00 a.m. to 11:00 a.m. Motion made and seconded to approve subject to no permanent markings being made on the streets of our Town and to the receipt of the requisite insurance. All in favor.

STATEMENT OF SUPPORT. National Guard and Reserve. Request from Kenneth Forchielli, State Chair, Massachusetts Committee for Employer Support of the Guard and Reserve that the Selectmen show their support of employees in the military service.

Motion made and seconded to approve the request and authorize the Chairman to sign on behalf of the Board. All in favor.

POLICE DEPARTMENT. Police Chief Search. Town Administrator Anthony M. Sasso reported that the Sole Assessment process will commence tomorrow and end Friday. Test results are expected by April 24 and the Selectmen's vote, to appoint a new Police Chief, is tentatively planned for April 25.

Mr. Christensen recused himself from the meeting at 8:38 pm due to a potential conflict of interest regarding the ensuing conversation.

CHAIRMAN. Pro-Tem. Motion made and seconded to appoint Jeffrey Shribman as Chairman during the discussion relative to the Police Chief search process.

POLICE DEPARTMENT. Police Chief Interview Process. Marc Miller, Esq. was present to give the Selectmen guidance on establishing a fair, open, effective and appropriate interview process to be utilized to select a new Police Chief.

Mr. Christensen returned to the meeting at 9:18 p.m.

EXECUTIVE SESSION. Motion made and seconded to go into Executive Session for the purposes of considering the purchase and/or value of real property, votes may be taken, and if they are, votes will be released at a time deemed appropriate by Counsel, not to resume in open session. On a polled vote, the Board voted as follows: Mr. Nye: in favor; Mrs. Belf-Becker: in favor; Mrs. Jacobi, in favor; Mr. Shribman: in favor and Mr. Christensen: in favor.

Motion made and seconded to adjourn at 9:25 p.m. All in favor.

Ursula M. Kretschman
Administrative Aide