

## BOARD OF SELECTMEN

### MINUTES

**August 24, 2016**

Board met in session at 7:30 p.m. in the Selectmen's Meeting Room at Abbot Hall  
Present (constituting a quorum):

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

John J. McGinn, Town Administrator

**TASK FORCE AGAINST DISCRIMINATION. Interview. Appointment.** Sophia Smith, 25 Pickwick Road, appeared before the Board as it relates to serving on the Task Force against Discrimination, Student Representative. Motion made and seconded to appoint Sophia Smith to the Task Force against Discrimination, Student Representative, with a term to expire in May 2017. All in favor.

Police Chief Robert Picariello, Maryann Perry, School Superintendent and Helaine Hazlett, Chair Task Force against Discrimination, appeared before the Board to discuss a recent act of anti-Semitism in the Town. Members from the School Committee, School Administration and Task Force against Discrimination were present. The purpose of this appearance was to brief the Board of Selectmen and fully make the public aware of this despicable occurrence in our community. Melissa Kaplowitch, 10 Camille Terrace, addressed the Board and thanked the Police Chief and School Superintendent for working so diligently together to address this incident and to continue to work towards educating the Town.

**SPIRIT OF '76.** Wayne Butler, Mugford Street, appeared before the Board to give the Board an overview of the presentation that he gives to tourists, regarding the Spirit of '76, when visiting Abbot Hall. The Board thanked Wayne for his dedication and service to the Town.

**LICENSING. Automatic Amusement Devices. Crazy Candy Lady. 123 Pleasant Street.** Craig A. Barker, 5 Longfellow Road, appeared before the Board seeking (8) Automatic Amusement Device Licenses. The Board asked questions relative to the size and placement of devices in the business. Mr. Barker submitted pictures on the devices as well as a floor plan. Motion made and seconded to approve the application from Craig A. Barker, Crazy Candy Lady, 123 Pleasant Street, for the following Automatic Amusement Device Licenses, subject to all taxes and fees to the Town being paid and

receipt of all applicable departmental approvals. Hours of operation for the Automatic Amusement Devices shall be Sunday – Saturday 10:00 a.m. – 7:00 p.m.

Simpsons        Serial # 1575  
Mini Hoops     Serial # 1440  
Air Hockey     Serial # 1298  
MS Pac Man    Serial # 1796  
Kiddie Ride    Serial # 1550  
Super Bikes    Serial # 1665  
Chicken Dance   Serial # 1254  
Plucky Ducky   Serial # 1857  
All in favor.

**OLD TOWN HOUSE. Permission to Use.** Motion made and seconded to approve the request from Vicki Staveacre to revise the previously approved request to use Abbot Hall, to use the Old Town House on Friday, September 16, 2016 from 5:30 p.m. – 7:00 p.m. subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance and to waive the rental fee for this event. All in favor. Motion made and seconded to send a letter of support and good luck to Rich Wilson on the Vendee Globe, round the world yacht race. All in favor.

**MINUTES.** Motion made and seconded to approve the minutes from August 10, 2016. All in favor.

**USE OF PUBLIC WAYS. Ladders/Staging/Scaffolding.** Motion made and seconded to authorize the Town Administrator, in consultation with the Police and Fire Chiefs, to authorize requests to place ladders and/or erect staging/scaffolding on the public ways in the Town subject to the Town's usual rules and regulations to use the public way as follows:

1. A full safety net on the staging to include end rails and if they use a work bench staging plank it should have some added protection to eliminate the possibility of debris accidentally falling into the street.
2. The staging should have lighting on the underside to illuminate the sidewalk during afterhours.
3. Ladders must be removed from the public way at the end of business each day
4. A safe passage way is to be maintained at all times
5. Receipt of the Required Certificate of Appropriateness/Building Permit
6. Receipt of the required Certificate of Insurance naming the Town as additionally insured
7. Police Details if required by Police Chief

All in favor.

**LICENSING. One Day Liquor License. Marblehead Community Charter School.** Motion made and seconded to approve the request from Jan Steven Brodie, Director of Development, Marblehead Community Charter School, for a 1 Day Liquor License on

Saturday, November 19, 2016 from 7:00 p.m. – 11:00 p.m. at 17 Lime Street for a fundraiser subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
2. Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
3. Proof that the applicant can receive proper delivery; provide proper storage and disposal of all alcoholic beverages purchased all in accordance with the requirements of G. L. c. 138.

Alcohol will be purchased from Kappy's Importing, Everett, MA. 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.

**MARBHEAD ALL SPORTS BOOSTERS. Door to Door Canvas.** Motion made and seconded to approve the request from Muffy Paquette, President, Marblehead All Sports Boosters, to conduct their annual door to door canvas on Sunday, October 16, 2016 from 10:00 a.m. – 2:00 p.m. All in favor.

**LICENSING. One Day Liquor License. Marblehead Arts Association.** Motion made and seconded to approve the request from Kristine Fisher, Executive Director, Marblehead Arts Association, for a 1 Day Liquor License on Saturday, October 15, 2016 from 6:30 p.m. – 10:30 p.m. at 8 Hooper Street for a fundraiser subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
2. Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
3. Proof that the applicant can receive proper delivery; provide proper storage and disposal of all alcoholic beverages purchased all in accordance with the requirements of G. L. c. 138.

Alcohol will be purchased from MS Walker of Somerville, MA. 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. Full Hearts 5K.** Motion made and seconded to approve the request from Jennie Sheridan, Seaside Run Club, to hold the 3<sup>rd</sup> annual Full Hearts 5K, to raise funds for the Fit Girls program, on Sunday, November 13, 2016 from 8:00 a.m. – 11:00 a.m. subject to approval from Chief Picariello, School Department and receipt of the required Certificate of Insurance. The route will be the same as last year, beginning and ending at the Village School. All in favor.

**CONTRACT. Website Redesign.** Motion made and seconded to award a contract to Virtual Towns and Schools of Boxborough, MA for the Town website redesign project in the amount of twelve thousand one hundred and fifty dollars (\$12,150.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**PARKING REGULATIONS. Orne Street.** Motion made and seconded to approve the following no parking restriction on Orne Street as recommended by Chief Picariello: **NO**

**PARKING** on the westerly side of Orne Street from a point 16 feet southerly of Little Harbor Way to Fountain Inn. All in favor.

**MEMORANDUM OF UNDERSTANDING. Massachusetts Coalition of Police, Local 437.** Motion made and seconded to approve the Memorandum of Understanding between the Town and the Massachusetts Coalition of Police, Local 437 as prepared by Town Counsel and authorize the Chair and Town Administrator to sign on behalf of the Board. All in favor.

**ABBOT HALL. Permission to Use. Marblehead School of Music.** Motion made and seconded to approve the request from Jennifer Spungin, Marblehead/Salem School of Music, to use Abbot Hall on Sunday, November 20, 2016 from 11:00 a.m. – 5:00 p.m. for their annual Winter Music Showcase and to serve light refreshments, subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance. All in favor.

**CONTRACT. Shipyard District Historic Properties Survey.** Motion made and seconded to award a contract for the Shipyard District Historic Properties Survey project to Larson Fisher Associates Inc. of Woodstock, NY in the amount of Thirty Thousand Dollars (\$30,000.00) and authorize the Chair to sign the contract on behalf of the Board, contingent upon the approval of the Massachusetts Historical Commission. This contract is paid for through a Massachusetts Historical Community Grant and the Marblehead Historical Commission. All in favor.

**SURPLUS PROPERTY. Vote.** Motion made and seconded to declare approximately 42 bicycles that have been in the custody of the Marblehead police department for more than a year, and office furniture (desk), as surplus and available for disposition. All in favor.

**HARBORS AND WATERS. Resignation.** A letter was received from Fred Webb Russell III, Harbormaster, notifying the Board of his intent to resign as Harbormaster effective March 15, 2017.

**SEPTEMBER 11<sup>th</sup>. Remembrance Ceremony.** Notification was received from Chief Jason Gilliland that the Marblehead Fire and Police Department will join departments and community members across the country with a remembrance ceremony on September 11, 2016 at 10:00 a.m. sharp at Memorial Park to commemorate the 15<sup>th</sup> anniversary of the September 11<sup>th</sup> terrorist attacks and the subsequent loss of life suffered at the World Trade Center, the Pentagon and Shanksville, Pennsylvania. The community is invited to this ceremony.

**TRAFFIC AND SAFETY ADVISORY COMMITTEE. Resignation.** Motion made and seconded to accept, with regret, the resignation of Brian Hitchcock from the Traffic and Safety Advisory Committee and to send a letter of appreciation. All in favor.

**PROCLAMATION. Female Humane Society.** Motion made and seconded to prepare a proclamation in honor of the 200<sup>th</sup> anniversary of the Marblehead Female Humane Society. All in favor.

**EXECUTIVE SESSION.** Motion made and seconded to adjourn to Executive Session under G.L. c. 30A, § 21, for the purpose of discussing pending litigation, namely Nichols v. Shribman, et al., Ivers v. Moriarty, et al. and 263-269 Pleasant Street, LLC v. Barlow, et al., where a public discussion of the same may have a detrimental effect on the litigating positions of the Town. Votes may be taken and, if they are, they will be released at a time deemed appropriate by Counsel. The Board will not reconvene in open session. 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.

The Board adjourned to Executive Session at 8:20 p.m. All in favor.

Kyle A. Wiley  
Administrative Aide