BOARD OF SELECTMEN
MINUTES

April 26, 2006

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

Present (constituting a quorum):

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

MINUTES. Motion made and seconded to approve the minutes of April 5, 2006. All in favor.

INSURANCE. John McGinn, Finance Director and Ken Lombardi of EBS Foran Insurance Advisory Services came before the Board of Selectmen to request approval to offer Blue Cross Blue Shield's HMO Blue New England health insurance plan to all employees and retirees of the Town as a replacement plan for HMO Blue Value on open enrollment in May 2006 and set the monthly health insurance rates, effective July 1, 2006 as follows:

	Total	Town	Employee/Retiree
Blue Care Elect			
Individual Plan	$ 755.14	$ 528.60	$ 226.54
Family Plan	$1510.27	$1057.19	$ 453.08
Blue Choice			
Individual Plan	$ 629.28	$ 487.69	$ 141.59
Family Plan	$1258.56	$ 975.38	$ 283.18
HMO Blue New England			
Individual Plan	$ 570.00	$ 456.00	$ 114.00
Family Plan	$1140.00	$ 912.00	$ 228.00
Medex			
Individual Plan	$ 386.40	$ 289.80	$ 96.60

Motion made and seconded to approve the rates. All in favor.

HARBORS AND WATERS BOARD. Budget Change. Capital Outlay - Stramski's Way. Gary Gregory, Chairman of the Harbors and Waters Board and John Doub, Board Member were present to ask that the Selectmen approve a change in the capital outlays portion of the budget from $45.000 to $15,000 as it relates to the proposed removal of a road out of the Smith's property on Stramski's Way. The appropriation of $15,000 would be for completing the Conservation Commission portion of the project. Further appropriation for the landside work, to be done only after the Conservation Commission

approval is complete, to be appropriated in FY07. Motion made and seconded to accept the budget in the budget amount from $45,000 to $15,000. All in favor.

ANNUAL TOWN MEETING. Warrant Article 37 Land Acquisition. Long View Drive West. (Assessor Map 21 Lot 19)
Larry Alexander, 9 Long View Drive West was present to advise that the current owners of the property Mario and Camille Angenica have offered to sell the property to the Town of Marblehead for the sum of $1,475,000. Mr. Alexander supports the purchase despite the results of an appraisal of the property prepared by Ahern Appraiser's valuing the property at $1,060,000. He asked that Town Counsel be requested to draft purchase documents in the event that the purchase is approved at Annual Town Meeting. Motion made and seconded that the documents be drafted and include a contingency that the signatures of the six owners (who would each need to grant a perpetual easement for the public to have access to this land-locked property) be required before the purchase may be consummated. All in favor.

PUBLIC HEARING. Annual Town Meeting. Warrant Article 35 – Layout and Acceptance of Clipper Way. Michael Rockett (the "Petitioner") was present with his attorney Larry Di Giammarino, Esq. to request that the Selectmen support this article. Douglas Saal, Town Engineer was also present in opposition of such support citing that the road was not yet ready for acceptance by the town. To gain acceptance of the roadway Mr. Rockett offered a $50,000 Letter of Credit to guarantee completion of the needed work Motion made and seconded to approve acceptance of Clipper Way, in the Maple Estates subdivision, as a public roadway contingent on the following:

1) No sidewalks to be added by the town;
2) The Town of Marblehead to be included as an additional insured on a bond in the sum of $20,000 and subject to review and approval by Town Counsel;
3) A passbook account be established at National Grand Bank, in the deposit amount of $50,000 in lieu of a Letter of Credit, with the Town of Marblehead as the sole signatory for access purposes;
4) That access be granted to the Town of Marblehead automatically without the need for intervention by a court or the need for other affirmative action, upon 10 (ten) days notice to the Petitioner, or in the matter of an emergency, upon 48 (forty-eight) hours notice to the Petitioner; and
5) That the Petitioner waive all rights to any appeal.

Voted four to zero. Mr. Nye recused based on his employment with National Grand Bank.

POLICE DEPARTMENT. Hiring Process Options. Town Counsel Marc Miller, Esq. was present to explain the assessment center process available in seeking a replacement for retiring Police Chief James Carney. No decision was made by the Selectmen concerning the process.

LICENSING. One Day Liquor License. Request from Rima Burroughs, Cityfarm Foods, Brookline, MA for a one-day liquor license for a private party at Lee Mansion on Sunday, August 6 from 11:00 a.m. to 6:00 p.m. Motion made and seconded to approve the request, subject to payment of the requisite fee. All in favor.

PERMISSION. Triathlon. Letter for Andrew Dalton,, Aquatic/Event Director of the Jewish Community Center of the North Shore requesting to change the bike course and

close a road during the triathlon scheduled for May 7. (This event was previously approved by the Selectmen on March 8.) Motion made and seconded to table a decision until May 1. All in favor.

RESERVE FUND TRANSFER. Zoning Board Legal Fees. Motion made and seconded to authorize Town Administrator Anthony M. Sasso to appear before the Finance Committee to request the transfer of the sum of $8,492.65. from the Reserve Fund in accordance with Chapter 40, Section 6 of the Massachusetts General Laws for Zoning Board legal fees.. All in favor.

LICENSING. One Day Liquor License. Request from Beezee Honan, Event Co-Chair for Friends of the Marblehead Public Schools, Inc. for a one day liquor license for the group's annual Summer Soiree to be held at the home of Suzanne and Paul Mitchell, 11 Bartlett Street on June 10 from 6:00 p.m. to 9:00 p.m. Motion made and seconded to approve the request, subject to payment of the requisite fee. All in favor

PROCLAMATION. Arbor Day. Request from R. Thomas Hamond, Recreation, Parks and Forestry Superintendent to proclaim Saturday, April 29, 2006 "Arbor Day". Motion made and seconded to make such proclamation. All in favor.

PERMISSION. Restricting Parking. Gregory Street. Letter from Elizabeth H. Schnabel requesting permission to block a portion of Gregory Street to accommodate a 26 foot moving truck on May 9 from 9:00 a.m. to approximately noon. Motion made and seconded to approve subject to Ms. Schnabel's coordination with the Marblehead Police Department. All in favor.

PERMISSION. Use of Abbot Hall. Request from Dr. Jim Rice and Jodi Vigneron, Holiday Pops Co-Chairs to use Abbot Hall on Saturday, December 9 for the 9th Annual Holiday Pops Concert to benefit the Rotary Club of Marblehead Harbor and the Marblehead/Swampscott VNA. Motion made and seconded to approve subject to the requisite rules, regulations and payment of fees. All in favor.

PERMISSION. Bell-Ringing. Letter from Don Orne requesting to ring the bells for five minutes on National Prayer Day (Thursday, May 4) directly after the noon-time toll. Motion made and seconded to approve the request. All in favor.

COHEN HILLEL ACADEMY. Anniversary. Request from Norman Birnbach, Birnbach Communications, Inc. on behalf of the Academy announcing that the school will be celebrating the 50th Anniversary of its founding. Since 1955, Cohen Hillel Academy, located at Six Community Road has been serving students on Boston's North Shore, and is one of the oldest community Jewish day schools in the U.S. Motion made and seconded to send a letter of congratulations. All in favor.

PERMISSION. Use of Abbot Hall.
Request from Andrew Barnett Boy Scouts of America Troop 79 to use the Abbot Hall auditorium on June 3 from 6:30 p.m. to 9:30 p.m. for Torrey Utne's Eagle Scout ceremony. Motion made and seconded to approve subject to waiving of the usage fee. All in favor.

BOY SCOUTS OF AMERICA TROOP 11. Eagle Scouts. Notification from Marianne Baker, Scoutmaster, Troop 11 that Christopher Burd and James Baker have

achieved the rank of Eagle Scout. Motion made and seconded to send a letter of congratulations to Christopher Burd, James Baker and Torrey Utne and invite them to a future Selectmen's meeting in order that each may present the project he completed to achieve the rank of Eagle Scout. All in favor. .

PERMISSION. Use of Abbot Hall Grounds.
Request from Leslie Gould, Executive Director, Marblehead Chamber of Commerce to host a craft fair on the upper lawn of Abbot Hall rain or shine on Saturday, October 14 from 9:30 a.m. to 5:00 p.m. Motion made and seconded to approve. All in favor.

TRAFFIC AND SAFETY. Elizabeth Road and Countryside Lane. Letter from Shelley Kamin and Christopher Raimo, 26 Countryside Lane requesting the installation of a stop sign at corner of Elizabeth Road and Countryside Lane. Motion made and seconded to refer the request to the Traffic and Safety Committee members for consideration. All in favor.

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

Colleen V. Collins, President Junior Aid Society to place boards at Lafayette and Maple; Lafayette and Humphrey; Pleasant and Essex and Tedesco and Humphrey during the week of June 12 to 19 and Beach and Ocean and Atlantic at Seaview during the week of June 19 to 26 to advertise a charity house tour in Marblehead scheduled for Saturday, June 24 from 10:00 a.m. to 4:00 p.m.

William D. Coolidge, Rotary Club of Marblehead, to place boards at Lafayette and Maple; Beach and Ocean and Atlantic at Seaview during the week of June 26 to July 3 to advertise the Rotary's Lobster Raffle scheduled for Thursday, July 20.

Starr Campbell, Cottage Gardeners, to place a board at Beach and Ocean during the week of May 15 to 22 to advertise a plant sale at St. Stephen's scheduled for Saturday, May 20.

All in favor.

PERMISSION. Parking. Clifton Avenue. Letter from Jill and Brad York, 118 Clifton Avenue requesting permission to park approximately 10-15 cars on Clifton Avenue on Sunday, May 7 from 11:00 a.m. to 3:00 p.m. in connection with a family gathering. Motion made and seconded to take no action. All in favor.

PUBLIC SAFETY DAY. Seaside Park. Invitation to the general public from Police Chief Carney to attend Public Safety Day on June 3 from 9:00 a.m. to 2:00 p.m.

Additionally, Chief Carney asked for permission to hang a donated banner across Pleasant Street during the week of May 29 to promote the event. All in favor.

RESERVE FUND TRANSFER. Veterans Benefits. Motion made and seconded to authorize David C. Rodgers, Veterans' Agent to appear before the Finance Committee to request the transfer of the sum of $1,404. from the Reserve Fund in accordance with Chapter 40, Section 6 of the Massachusetts General Laws for Veterans' Benefits. All in favor.

LICENSING. Cat Island. Fish Trap. Notification from Douglas Heath, 2 Millets Lane, Manchester, MA that he intends to continue to maintain the fish trap off the tidal waters of Cat Island. (Mr. Heath was previously approved by the Selectmen and the Commonwealth's Division of Marine Fisheries to construct and maintain the trap pursuant to a three year permit.

ANNUAL TOWN MEETING. Article 42. Town Administrator Anthony M. Sasso advised that the Seawall Committee recently met regarding Article 42 – Walls and Fences. The recommendation is to indefinitely postpone the article since pertinent information regarding funding to be received from the Commonwealth of MA will not be available in time for Annual Town Meeting on May 1. *The Committee recommends that the matter be postponed to a special town meeting or annual town meeting 2007.*

EXECUTIVE SESSION. Motion made and seconded to go into executive session to discuss collective bargaining, 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 as follows: Mr. Nye: in favor; Mrs. Belf-Becker: in favor; Mr. Christensen: in favor; Mr. Shribman: in favor; and Mrs. Jacobi: in favor.

Motion made and seconded to adjourn at 9:35 p.m. All in favor.

Ursula M. Kretschman
Administrative Aide