

# BOARD OF SELECTMEN

## MINUTES

December 12, 2007

Board met in Regular Session at 7:30 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 November 28, 2007. All in favor.

**FINANCE COMMITTEE. Interview.** Jon Jennings was interviewed by the Board as it relates to seeking a position on the Finance Committee. Motion made and seconded to appoint Jon Jennings to the Finance Committee with a term to expire in May 2010. All in favor.

**VOTE.** Motion made and seconded to submit to the State Department of Housing and Community Development an application for funding through the Priority Development Fund Planning Assistance program and authorize the Chairman to sign on behalf of the Board. All in favor.

**VOTE.** Motion made and seconded to award a contract to Walpole Woodworkers for the furnishing and installation of a 131' linear feet of post and chain fence and 28' six foot high stockade fence at Fort Sewall and to authorize the Chairman to sign of behalf of the Board. All in favor.

**LICENSING. The New Marblehead Landing.** Motion made and seconded to approve the request of Robert Simonelli for a one day entertainment license on Monday, December 31, 2007 between the hours of 8:00pm and 12:30am, January 1, 2008, subject to no music being heard from the streets. Voted 4-0 in favor. Mr. Christensen voted present.

**APPEALS HEARING. 17 Middle Street.** Robert C. McCann, Esq., attorney for petitioners Mr. and Mrs. Bridges, and Lisa L Meade, Assistant Town Counsel representing the Old and Historic Districts Commission along with Tom Saltsman,

Chairman of the Old and Historic Districts Commission appeared before the Board as it relates to the appeal of the Old and Historic Districts Commission's decision regarding 17 Middle Street. Motion made and seconded to affirm the appeal of the applicant. On a polled vote, the Board voted as follows: Mr. Nye, in favor; Mr. Woodfin, opposed; Mrs. Jacobi, opposed, Mrs. Belf-Becker, opposed; and Mr. Christensen: in favor. Motion failed.

**PERMISSION. Staging.** Motion made and seconded to approve the request from Roger Noysa, Noysa Construction & Remodeling, Inc. for staging to be installed on the sidewalk at 2 Mechanic Street from December 17 – 22, 2007, for the purpose of removing the existing unsafe chimney and rebuilding it, subject to receiving the required Certificate of Insurance and permission from the Historic Commission. All in favor.

**PERMISSION. Road Race.** Motion made and seconded to table the request from the Marblehead/Swampscott YMCA to hold their Annual "Ring Around the Neck" Road Race for further review. All in favor.

**LICENSING. Extended Business Hours.** Motion made and seconded to allow restaurants in the Town of Marblehead to remain open for business on Monday, December 31 until 1:00 a.m., at their discretion. All in favor.

**OVERNIGHT PARKING BAN. Temporary Modified Time.** Motion made and seconded to modify the parking ban on Monday, December 31 from 12:00 midnight to 2:00 a.m. All in favor.

**LICENSES. Class II Auto License.** Motion made and seconded to renew the following license, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Lab Motors Ltd.  
14 Pond Street  
Marblehead, MA 01945  
Manager: Alan Taschner

All in favor.

**LICENSING. Lodging House Licenses.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Harbor Light Inn  
54 Washington Street  
Marblehead, MA 01945  
Manager: Peter Conway

Harbor Light Inn

58 Washington Street  
Marblehead, MA 01945  
Manager: Peter Conway

Marblehead Inn  
264 Pleasant Street  
Marblehead, MA 01945  
Manager: Peter McMahon

All in favor.

**LICENSING. Entertainment Licenses.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Boston Yacht Club  
One Front Street  
Marblehead, MA 01945  
Manager: Mark McMahon

Café Italia  
10 School Street  
Marblehead, MA 01945  
Manager: Donna Oliviero

Corinthian Yacht Club  
One Nahant Street  
Marblehead, MA 01945  
Manager: David H. Titus

Flynnie's on the Avenue  
28 Atlantic Avenue  
Marblehead, MA 01945  
Manager: Jeff Flynn

Gerry No. 5, V. F. A., Inc.  
240 Beacon Street  
Marblehead, MA 01945  
Manager: Joan Champlin

Headers Club  
62 Pleasant Street  
Marblehead, MA 01945  
Manager: Dincer Ulutas

Hurricane

259 Washington Street  
Marblehead, MA 01945  
Manager: Peter McMahon

Maddie's Sail Loft  
15 State Street  
Marblehead, MA 01945  
Manager: Jayne Tanguosso

Rip Tide Lounge  
116 Pleasant Street  
Marblehead, MA 01945  
Manager: George Ciampa

Jhikka, Inc.  
161 Pleasant Street  
Marblehead, MA 01945  
Manager: Kulwant Jhikka

Sticky Rice  
26-28 Hawkes Street  
Marblehead, MA 01945  
Manager: Julie Hahnke

Sweeney's Retreat  
18 Atlantic Avenue  
Marblehead, MA 01945  
Manager: Philip W. Sweeney

Three Cod Tavern  
141 Pleasant Street  
Marblehead, MA 01945  
Manager: Minot Percy

Tedesco Country Club  
154 Tedesco Street  
Marblehead, MA 01945  
Manager: Gregg Lindsay

All in favor.

**LICENSING. Entertainment Licenses.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Chaplain Lyman Rollins Post 2005, V. F. W.

321 West Shore Drive  
Marblehead, MA 01945  
Manager. John R. Blaney

The Landing  
81 Front Street  
Marblehead, MA 01945  
Manager: Robert Simonelli

Voted 4-0 in favor. Mr. Christensen voted present.

**LICENSING. Second Hand Dealers.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Lee Antiques  
235 Washington Street  
Marblehead, MA 01945  
Manager: Jessica Lee

Sacks Antiques  
38 State Street  
Marblehead, MA 01945  
Manager: Stanley Sacks

All in favor.

**LICENSING. Automatic Amusement Devices.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Gerry No. 5, V. F. A., Inc.  
240 Beacon Street  
Marblehead, MA 01945  
Manager: Joan Champlin

For the following four (4) devices:

- A6 Stacker Super PKR PCB (Serial Number 24625)
- A6 Stacker Super PKR PCB (Serial Number 24627)
- A6 Stacker Super PKR PCB (Serial Number 24616)
- A6 Stacker Super PKR PCB (Serial Number 24615)

Maddie's Sail Loft  
15 State Street  
Marblehead, MA 01945  
Manager: Jayne Tanguosso  
For a C.D. Player

Rip Tide Lounge  
116 Pleasant Street  
Marblehead, MA 01945  
Manager: George Ciampa

For the following four (4) devices:  
Dynamo Pool Table (Serial Number 53678)  
3D Golf Video Game (Serial Number 17216)  
CD Player by ROW AMI (Serial Number 4031277)  
Video Game – Mega Touch by Merit Industries (Serial Number 548142)

Sweeney's Retreat  
18 Atlantic Avenue  
Marblehead, MA 01945  
Manager: Philip W. Sweeney

For a shuffleboard game.

Three Cod Tavern  
141 Pleasant Street  
Marblehead, MA 01945  
Manager: Minot Percy

For a Juke Box – Serial Number M-4167

All in favor.

**LICENSING. AUTOMATIC AMUSEMENT DEVICES.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Chaplain Lyman Rollins Post 2005, V. F. W.  
321 West Shore Drive  
Marblehead, MA 01945  
Manager. John R. Blaney

For the following five (5) video game devices:  
Cherry '96 (Serial Number M2653)  
Cherry '96 (Serial Number 8135)  
Omega (Serial Number 6257)  
Bugs Fever (Serial Number 7947)  
Players Choice (Serial Number 9470)

Voted 4-0 in favor. Mr. Christensen voted present.

**LICENSING. Common Victualler.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Atomic Café, 14 School Street – Manger: Andrew Mahoney  
 Barnacle, 141 Front Street -- Manager: Jay L. Sahagian  
 Café Italia, 10 School Street -- Manager: Donna Oliviero  
 Café Vesuvius, 18 Bessom Street -- Manager: Bart Freddo  
 Coffey Ice Cream, 118 Washington Street -- Manager: Sheila Coffey  
 Driftwood Restaurant, 63 Front Street -- Manager: Rocco J. Losano  
 Dunkin' Donuts, 161 Pleasant Street -- Manager: Claudio Santos  
 Evan's New York Style Deli - Manager: Evan Madoff  
 Fen Yang House II, 40A Atlantic Avenue -- Manager: Zhi Chen  
 Flynnie's on the Avenue, 28 Atlantic Avenue -- Manager: Jeffrey P. Flynn  
 Foodie's Feast, 114 Washington Street -- Manager: Paul Baker  
 Grossman's Deli, 252 Humphrey Street -- Manager: Barry Grossman  
 Hurricane, 259 Washington Street –Manager: Peter McMahon  
 Imperial Mandarin, 165 Pleasant Street --. Manager: Tak L. Chow  
 Jack Tar American Tavern, 126 Washington Street – Manager: Andrew Kramer  
 Java Sun, 35 Atlantic Avenue – Manager: Cheryl A. Burke  
 Ladycakes, 2 School Street – Manager: Blair Porter  
 Le Bistro, One Atlantic Avenue -- Manager: Cynthia Camillo  
 Lime Rickey's, Devereux Beach -- Manager: Paul Petersiel  
 Maddie's Sail Loft, 15 State Street -- Manager: Jayne Tanguoso  
 Manhattan Sandwich Company – Manager: Michael Goodman  
 Marblehead Chowder Company – Manager: Mitch Wondolowski  
 Marblehead House of Pizza, 7 Atlantic Avenue – Manager: Dimitri Zachariadis  
 Mino's Roast Beef, 27 Atlantic Avenue -- Manager: C. Travayiakis  
 Muffin Shop, 126 Washington Street -- Manager: Celeste Capasso  
 Pellino Inc. 261 Washington Street -- Manager: Frank Pellino  
 Rip-Tide Lounge, Inc., 116 Pleasant Street -- Manager: George A. Ciampa  
 Romano's Pizzeria, 8 Bessom Street -- Manager: Anthony Paone  
 Shube's Liquors, 16 Atlantic Avenue – Manager: George Shube  
 Starbucks, 89 Pleasant Street -- Manager: Miki Schach  
 Sticky Rice, 26 – 28 Hawkes Street -- Manager: Julie Hahnke  
 Super Sub, 114 Pleasant Street – Manager: H.G.B. Rhodes  
 Sweeney's Retreat, 18 Atlantic Avenue -- Manager: Philip W. Sweeney  
 Three Cod Tavern, 141 Pleasant Street, Manager: Minot Percy  
 TCBY, 27 Atlantic Avenue –Manager: Mike Grubor  
 Terry's Olde Fashion Ice Cream, 6 School Street – Manager: Carlos Rocha  
 Tony's Pizza, 1 School Street – Manager: Antonio Brogna  
 Trattoria Sablone - Manager: Jessica Sablone Maffeo  
 Village Roast Beef & Seafood, 6 Bessom Street. Manager: Enkelejda Gjorga  
 Zaika, 161 Pleasant Street -- Manager: Kulwant Jhikka

All in favor.

**LICENSING. Common Victualler.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

The Landing  
81 Front Street  
Manager: Robert Simonelli

Voted 4-0 in favor. Mr. Christensen voted present.

**LICENSING. All-Alcoholic Package Stores.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Beach Bluff Liquors  
260 Humphrey Street  
Marblehead, MA 01945  
Manager: Pamela Demoulas

Beacon Hill Imports  
Woodfin Terrace  
Marblehead, MA 01945  
Manager: Peter C. Brown

Haley's Public Market.  
116 Washington Street  
Marblehead, MA 01945  
Manager: John P. Kelley

Shubie's Liquor Store  
16 Atlantic Avenue  
Marblehead, MA 01945  
Manager: George H. Shube

Village Liquors  
22 Bessom Street  
Marblehead, MA 01945  
Manager: Thanhtam T. Nyugen

All in favor.

**LICENSING. Wine and Malt-Package Store.** Motion made and seconded to renew the following license, subject to all taxes and fees to the Town being paid and receipt of all applicable departmental approvals:

Crosby's Market  
118 Washington Street  
Marblehead, MA 01945  
Manager: James G. Crosby

All in favor.

**LICENSING. All-Alcoholic Common Victualler.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals and compliance with Chapter 304 of the Acts of 2004:

Barnacle  
141 Front Street  
Marblehead, MA 01945  
Manager: Jay H. Sahagian

Café Italia  
10 School Street  
Marblehead, MA 01945  
Manager: Donna Oliviero

Fen Yang House II  
40A Atlantic Avenue  
Marblehead, MA 01945  
Manager: Zhi Chen

Flynnie's on the Avenue  
28 Atlantic Avenue  
Marblehead, MA 01945  
Manager: Jeffrey P. Flynn

Hurricane  
259 Washington St.  
Marblehead, MA 01945  
Manager: Peter McMahon

Imperial Mandarin Restaurant  
Village Plaza I  
Marblehead, MA 01945  
Manager: Tak L. Chow

Jack Tar American Tavern  
126 Washington Street  
Marblehead, MA 01945  
Manager: Andrew Kramer

Maddie's Sail Loft LLC  
15 State Street  
Marblehead, MA 01945

Manager: Jayne Tanguosso

Pellino's  
261 Washington Street  
Marblehead, MA 01945  
Manager: Frank Pellino

Rip Tide Lounge  
116 Pleasant Street  
Marblehead, MA 01945  
Manager: George A. Ciampa

Three Cod Tavern  
141 Pleasant Street  
Marblehead, MA 01945  
Manager: Minot Percy

Jhikka Inc.  
d/b/a Zaika  
161 Pleasant Street  
Marblehead, MA 01945  
Manager: Kulwant Jhikka

Sticky Rice  
26-28 Hawkes Street  
Marblehead, MA 01945  
Manager: Julie Hahnke

Sweeney's Retreat  
18 Atlantic Avenue  
Marblehead, MA 01945  
Manager: Philip W. Sweeney

All in favor.

**LICENSING. All-Alcoholic Common Victualler.** Motion made and seconded to renew the following license, subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals and compliance with Chapter 304 of the Acts of 2004:

The Landing  
81 Front Street  
Marblehead, MA 01945  
Manager: Robert Simonelli

Voted 4-0 in favor. Mr. Christensen voted present.

**LICENSING. Wine and Malt-Common Victualler.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals and compliance with Chapter 304 of the Acts of 2004:

Le Bistro  
One Atlantic Avenue  
Marblehead, MA 01945  
Manager: Cynthia Camillo

Trattoria Sablone  
33 Smith Street  
Marblehead, MA 01945  
Manager: Jessica Sablone Maffeo

All in favor.

**LICENSING. All-Alcoholic Club Licenses.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals and compliance with Chapter 304 of the Acts of 2004:

Boston Yacht Club  
One Front Street  
Marblehead, MA 01945  
Manager: Mark McMahon

Corinthian Yacht Club  
Corinthian Lane  
Marblehead, MA 01945  
Manager: David H. Titus

Tedesco Country Club  
154 Tedesco Street  
Marblehead, MA 01945  
Manager: Gregg Lindsay

All in favor.

**LICENSING. All-Alcoholic- Fraternal Club Licenses.** Motion made and seconded to renew the following licenses, subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals and compliance with Chapter 304 of the Acts of 2004:

Gerry #5 Veteran Fireman Association, Inc.  
240 Beacon Street

Marblehead, MA 01945  
Manager: Joan Champlin

Header's Club, Inc.  
62 Pleasant Street  
Marblehead, MA 01945  
Manager: Dincer Ulutas

All in favor.

**LICENSING. All-Alcoholic-Fraternal Club License.** Motion made and seconded to renew the following license, subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals and compliance with Chapter 304 of the Acts of 2004:

Chaplain Lyman Rollins Post #2005 VFW  
321 West Shore Drive  
Marblehead, MA 01945  
Manager: John R. Blaney

Voted 4-0 in favor. Mr. Christensen voted present.

**CONDOLENCES.** Motion made and seconded to send a letter of condolence to the family of Elizabeth McKinnon, former administrative aide, who recently passed away. All in favor.

**CONDOLENCES.** Motion made and seconded to send a letter of condolence to the family of Phillip Rotman who recently passed away. All on favor.

**STATE OF THE TOWN.** Anthony M. Sasso, Town Administrator, reminded the town that the "State of the Town" Meeting will be held on Tuesday, December 18, 2007 at 6:30pm in the Selectmen's Meeting Room at Abbot Hall. The public is invited to attend.

**EXECUTIVE SESSION.** Motion made and seconded to adjourn 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. The board will not reconvene in open session. On a polled vote, the Board voted as follows: Mr. Nye, in favor; Mr. Woodfin, in favor; Mrs. Jacobi, in favor, Mrs. Belf-Becker, in favor; and Mr. Christensen: in favor. Adjourned to Executive Session at 9:35 p.m.

Kyle Wiley  
Administrative Aide