

## BOARD OF SELECTMEN

### MINUTES

March 28, 2012

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

Anthony M. Sasso, Town Administrator

**MINUTES.** Motion made and seconded to approve the minutes from March 19, 2012. All in favor.

**FIREWORKS COMMITTEE. Annual 4<sup>th</sup> of July Fireworks Display.** Alexander Falk, 452 Atlantic Avenue, appeared before the Selectmen to update them on the annual Fireworks Display. Mr. Falk reported that there has been a very good response this year from the community and he is confident that they will raise the necessary funds. The Annual 4<sup>th</sup> of July Fireworks Display will be held at the mouth of the Harbor on Wednesday, July 4, 2012, rain date Thursday, July 5, 2012. Harbor Illumination starts at 8:45 p.m., Fireworks display at 9:00 p.m. Residents and business owners are encouraged to keep sending their tax deductible donations to the Selectmen's office and put "Fireworks" on the memo line. Mr. Falk thanked all those who have made donations.

**FIRE DEPARTMENT. Recognition.** Chief Jason Gilliland appeared before the Selectmen with Gary Orellana of Lynn, to present Orellana with a award from the State recognizing his quick response to a fire that was set outside the Eastern Bank in January. Orellana, employed at Crosby's Marketplace, quickly got a fire extinguisher and put out the flames, preventing the fire from spreading to the rest of the building. Chief Gilliland thanked Mr. Orellana for his efforts.

**ANNUAL FIREFIGHTERS COOKOFF.** Chief Gilliland announced the Annual Firefighters Cook Off will take place Saturday, March 31, 2012, 6:00 p.m. at the Danversport Yacht Club. This is a fundraiser for the Muscular Dystrophy Association.

**ALL ALCOHOLIC BEVERAGE LICENSE. Pellino's Restaurant.** Frank Pellino, 4 Mustang Circle, Danvers, appeared before the Board to discuss the recent closing of his restaurant on Washington Street. He has opened a second restaurant in the North End and lost some of his employees in Marblehead. Mr. Pellino stated he has received an offer on the restaurant and if that did not go through he plans to reopen Pellino's sometime in May. Mr.

Pellino asked the Board for some time to pursue his options. Motion made and seconded to have Mr. Pellino come before the Board in 30 days with an update on the restaurant. All in favor.

**FAIR HOUSING COMMITTEE. Interview. Appointment.** Charlene Tyler, 47 Bubier Road, appeared before the Board seeking a position to the Fair Housing Committee. Motion made and seconded to appoint Charlene Tyler to the Fair Housing Committee with a term to expire in May 2012. All in favor.

**PERMISSION. Marblehead High School. Carnival.** Paige Kelloway, 25 Brown Street, Chairperson Senior Class Carnival, appeared before the Board seeking permission for Marblehead High School to hold their annual Carnival on May 3 - 6, 2012 at Devereux Beach. Motion made and seconded to approve the request to hold the Senior Class Carnival May 3 – 6, 2012 at Devereux Beach subject to the usual rules, regulations, receipt of the required Certificate of Insurance and approval from the Marblehead Police and Recreation and Parks Department. All in favor.

**LICENSING. Renewal. All Alcoholic Seasonal Beverage License.** Motion to renew the following All Alcoholic Seasonal Club license subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals, CORI approval and compliance with Chapter 304 of the Acts of 2004:

Dolphin Yacht Club

17 Allerton Place

Manager: Patricia Johnson

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.

Motion to renew the following All Alcoholic Seasonal Club licenses subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals, CORI approval and compliance with Chapter 304 of the Acts of 2004:

Eastern Yacht Club – Club House License

47 Foster Street

Manager: Jeffrey Wargo

Eastern Yacht Club – Pool License

42 -44 Foster Street

Manager: Jeffrey Wargo

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.

**Annual Entertainment License.**

Motion to renew the following local entertainment licenses, subject to all taxes and fees to the Town being paid:

Eastern Yacht Club

47 Foster Street

Manager: Jeffrey Wargo All in favor.

Motion to renew the following local entertainment license, subject to all taxes and fees to the Town being paid:

Dolphin Yacht Club  
17 Allerton Place

Manager: Patricia Johnson All in favor.

**EMERGENCY MANAGEMENT. Appointment.** Motion made and seconded to appoint Wayne O. Attridge Assistant Emergency Management Director with a term to expire in May 2012. All in favor.

**PERMISSION. Groom Construction. Temporary use of Sidewalk.** Motion made and seconded to approve the request from Timothy P. Costin, Project Manager, Groom Construction, to erect a covered walkway with metal staging along the sidewalk on 125 Pleasant Street adjacent to the new three story building in order to allow pedestrian use of the sidewalk for 90 days subject to receipt of the required Certificate of Insurance and proper lighting. All in favor.

**ASSISTANT HARBORMASTER. Appointment.** Motion made and seconded to appoint Craig Smith Assistant Harbormaster with a start date of April 23, 2012 and to recommend to the Compensation Committee he be placed at Group 52, Step 3. 4 voted in favor, Mr. Murray present.

**PERMISSION. YMCA. Witch City Triathlon.** Motion made and seconded to approve the request from Elizabeth Schultz, Health & Wellness Director, to hold the Witch City Triathlon with bike and run routes through Marblehead on Sunday, July 29, 2012 subject to receipt of the required Certificate of Insurance and approval from Marblehead Police and Fire Department. The event will start at 7:00 a.m. in Salem. The order of events is swim, bike, run. All participants should be done in 3 hours. All in favor.

**ABBOT HALL. Permission. Star Spangled Pops.** Motion made and seconded to approve the request from the Rotary Club of Marblehead Harbor and the Marblehead Museum/Historical Society, to hold an opening reception and give away cookies and a small glass of wine at no charge subject to receipt of the required Liquor Liability Insurance. All in favor.

**EXECUTIVE SESSION. Minutes.** Motion made and seconded on advice from Assistant Town Council, after review of our executive session minutes, the Board shall make public the following Board of Selectmen Executive Session minutes:

Calendar Year 2010: September 22

Calendar Year 2011: June 8,

October 26, December 15

Calendar Year 2012: January 10, January 17, January 24, January 31, February 8

All in favor.

**POLICE DEPARTMENT. Indemnification.** Motion made and seconded to approve the request from Chief Picariello to indemnify Sergeant Sean Sweeney for injuries sustained while on duty March 9, 2012. 4 voted in favor, Mr. Murray present.

**VETERANS AGENT. Re-appointment.** Motion made and seconded to re-appoint David C. Rodgers Veteran's Agent for the Town with a term to expire in May 2013. All in favor.

**ARBOR DAY. Proclamation.** Motion made and seconded to approve the request from Douglas Gordon, Tree Warden, to proclaim Saturday, April 28, 2012 as Arbor Day for the Town of Marblehead. The Chair read the proclamation into the minutes. All in favor.

**PERMISSION. National Prayer Day.** Motion made and seconded to approve the request from Donald Orne, Chairman, Marblehead Peace Committee, to ring Abbot Hall's bell at noon on May 3, 2012 for five minutes immediately following the noon ringing in honor of the sixteenth National Prayer Day and to meet in the Selectmen's Meeting room for 10 minutes to pray and meditate as one unified group for all of our son's and daughter's return from all areas of danger. The public is invited to attend. All in favor.

**CONTRACT. Stramski Fence.** Motion made and seconded to award a contract for the Stramski fence project to Budget Fence Co. Inc. of Revere, MA in the amount of twelve thousand nine hundred and forty and 00/100 (\$12,940.00) and authorize the chair to sign the contract on behalf of the Board. All in favor.

**CONTRACT. Pickett House Painting.** Motion made and seconded to award a contract for the exterior painting of the town owned Pickett House to Tom's Painting Contracting Co. of Marblehead, MA in the amount of eight thousand five hundred and 00/100 (\$8,500.00) and authorize the chair to sign the contract on behalf of the Board. All in favor.

**MARBLEHEAD COMMUNITY ACCESS AND MEDIA. Proposed Legislation.** Motion made and seconded to send a letter to Senator McGee and Representative Ehrlich stating the Boards opposition to proposed legislation, House Bill HB3558 or 2011-2012 *An Act Promoting Consumer Choice and Competition for Cable Service* and to authorize the Chair to sign on behalf of the Board. The bill would substantially reduce the cable licensing timetable for municipal licensing authorities in addition to proposing considerable cuts to Verizon's commitment to support public, educational, and governmental access in Marblehead. All in favor.

**FAIR HOUSING COMMITTEE. Applicant.** A letter of interest was received from Jim Vipperman, 149 Village Street, as it relates to serving on the Fair Housing Committee. The Board will interview Mr. Vipperman at their April 11, 2012 meeting.

**MBTA Advisory Board. Meeting.** The MBTA Advisory Board Meeting of Thursday, March 29, 2012 has been rescheduled to May 1, 2012, 9:30 a.m. at the State Transportation Building, 10 Park Plaza, Conference Room #1, 2<sup>nd</sup> Floor.

**ARTICLE 35. Old Town House.** The Board was notified that the Old Marblehead Improvement Association (OMIA) has hired the consultant to make a power point presentation at

the Marblehead Museum's Annual Meeting regarding the Old Town House at Abbot Hall on Thursday, April 5, 2012. The Annual Meeting starts at 6:30 p.m. with the presentation at 7:00 p.m. This event is free and open to the public. The Marblehead Museum and Historical Society voted unanimously to support Article 35, Old Town House, at 2012 Annual Town Meeting.

**WATER AND SEWER COMMISSION. Article 14, Surface Drainage Construction.**

Wilbur Bassett, Water & Sewer Commissioner, appeared before the Board to express his concerns with the recent Finance Committee meeting as it relates to Article 14, Surface Drainage Construction. Pam Evans, 30 Evans Road, Steven Pike, 36 Evans Road and Marguerita Reczycki, 31 Evans Road, addressed the Board with their concerns and seeking the Town's support for Article 14, Surface Drainage Construction. The Board stated they are co-sponsors of Article 14 and support it 100%.

Motion made and seconded to adjourn at 8:30 p.m. All in favor.

Kyle A. Wiley  
Administrative Aid