

**BOARD OF SELECTMEN**

**MINUTES**

**October 10, 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

Jeff Chelgren, Town Administrator

**MINUTES.** Motion made and seconded to approve the minutes of September 18, 2012. 4 in favor, Mr. Murray voted present.

**PERMISSION. Walk/Run. Junior Aid Society.** Motion made and second to approve the request from Audrey deRosa, Junior Aid Society, to hold a run/walk on Saturday, May 11, 2013 subject to receipt of the required Certificate of Insurance and approval from Recreation and Parks and Police. The run/walk will start at 10:00 a.m. at Devereux Beach, proceed down Beach Street to Locust Street, then take a left down Phillips Street to Orchard Street, back to Locust and Beach Street, proceed across causeway, around Flint Street and back to Devereux Beach. All in favor.

**ABBOT HALL. Revised Request.** Motion made and seconded to approve the request from Stephen Blumberg, President Sharon Bands, to: revise the hours previously approved to use Abbot Hall on Saturday, November 10, 2012 to 5:30 p.m. – 9:30 p.m.; block one parking space, closest to the handicap ramp, from 5:15 p.m. – 9:45 p.m. for unloading and loading equipment; have the Selectmen’s Room open for viewing of the Spirit of ‘76. All in favor.

**ABBOT HALL. Permission. Holiday Pops.** Motion made and seconded to approve the request from Jodi Vigneron, Holiday Pops, to use Abbot Hall on the following dates and times, for their 15<sup>th</sup> annual Holiday Pops Concert subject to the usual rules, regulations and receipt of the required Certificate of Insurance:

Thursday, December 6, 2012	1:00 p.m. – 5:00 p.m., set up
Friday, December 7, 2012	7:30 a.m. – 12:30 p.m., set up
Saturday, December 8, 2012	1:30 p.m. - 11:00 p.m., set up, rehearsal, concert, clean up
Monday, December 10, 2012	8:00 a.m. for breakdown

All in favor.

**PUBLIC HEARING. ALL ALCOHOLIC BEVERAGE LICENSE. Convert Seasonal to Annual. Eastern Yacht Club.** Jeff Wargo, Manager, and Robert McCann, representative for Eastern Yacht Club, appeared before the Board seeking to convert their Seasonal All Alcohol Club License to an Annual All Alcohol Club License. No one spoke in favor or against the applicant. Motion made and seconded to approve the request from the Eastern Yacht Club, 47 Foster Street, to convert the current Seasonal All Alcohol Club License to an annual All Alcohol Club License as allowed under G.L. c. 138 § 17A, the provisions of which were accepted by the Town at Annual Town Meeting 2012, subject to receipt of the required application, fees and approval by the ABCC. 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 made and seconded to approve the request from the Eastern Yacht Club, 47 Foster Street, to surrender their current Seasonal All Alcohol Club License subject to the approval from the ABCC and successful completion of converting their current Seasonal All Alcohol Club License to an Annual All Alcohol Club License. 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.

**COUNCIL ON AGING. Strategic Plan.** Patricia C. Roberts, Executive Director, and Board members Dana Denault, 37 Green Street, Frieda McGuire, 9 Ballast Lane and Lisa Hooper, 9 Saturn Road, appeared before the Board to present the Council on Aging's Strategic Plan. The plan was developed to address the Council on Aging's response to change by identifying its vision and goals and developing strategies and resources to meet them. The Strategic Plan is a living document that will serve as a guide for daily decision making and will be reviewed annually, with new goals formulated as needed. Mrs. Roberts encouraged residents to call the Council on Aging at 781-631-6737 with any questions they may have.

**COUNCIL ON AGING. Red Shirt Day.** John Crowley, 37 Chestnut Street, appeared before the Board to tell them about "Red Shirt" day. People are encouraged to wear "red shirts" on Fridays in support of all our women and men in the service. Red shirts, with the Spirit of '76 logo, are available at the Council on Aging for \$8.

**CULTURAL COUNCIL. Interview. Appointment.** Jonathan Green, 27 Kenneth Road, appeared before the Board as it relates to serving on the Cultural Council. Motion made and seconded to appoint Jonathan Green to the Marblehead Cultural Council with a term to expire in May 2015. All in favor.

**ZONING BOARD OF APPEALS. Interviews. Appointments.** The following residents appeared before the Board as it relates to serving on the Zoning Board of Appeals; Bill Barlow, 41 Hawkes Street; Kristin Carlson, 3 Pilgrim Road; Donald Rousseau, 31 Atlantic Avenue; Jim Rudolph, 354 Atlantic Avenue and Tracey Stockton, 22 Endicott Avenue. Motion made and seconded to place all names into consideration for the full time position. All in favor. On a polled vote the Board voted as follows: Mr. Murray, Bill Barlow; Mr. Christensen, Donald Rousseau; Mrs. Jacobi, Ms. Carlson; Mr.

Nye, Ms. Carlson; Mrs. Belf-Becker, Bill Barlow. On a second polled vote the Board voted as follows: Mr. Murray, Bill Barlow; Mr. Christensen, Bill Barlow; Mrs. Jacobi, Ms. Carlson; Mr. Nye, Ms. Carlson; Mrs. Belf-Becker, Bill Barlow. Bill Barlow is appointed to the Zoning Board of Appeals with a term to expire in May 2015. Motion made and seconded to place the 4 remaining names into consideration for the alternate position. All in favor. On a polled vote the Board voted as follows: Mr. Murray, Jim Rudolph; Mr. Christensen, Jim Rudolph; Mrs. Jacobi, Ms. Carlson; Mr. Nye, Ms. Carlson; Mrs. Belf-Becker, Jim Rudolph. Jim Rudolph is appointed to the Zoning Board of Appeals, alternate position, with a term to expire in May 2013.

**PERMISSION. Blocking Public Way.** Motion made and seconded to approve the request from D.G. Mace Construction to block the sidewalk at 10 Hooper Street for a half day to make repairs subject to Police approval and receipt of the required Certificate of Insurance. All in favor.

**SPIRIT OF '76. Permission to Use.** Motion made and seconded to approve the request from Chief Jason R. Gilliland to reproduce the "Spirit of 76" on the new ladder truck. All in favor.

**GLOVER ESTATES LLC. Discharge of Mortgage.** Motion made and seconded that the Board of Selectmen execute the discharge of mortgage for the mortgage which is recorded with: Essex South Registry of Deeds as Document 501983 on Certificate 70967 Book 365 on August 18, 2009, and hereby acknowledge full satisfaction of the same. All in favor.

**ONE DAY LIQUOR LICENSE. Church of St. Andrew.** Motion made and seconded to approve the request from the Church of St. Andrew, 135 Lafayette Street, for a one day liquor license on Saturday, November 10, 2012, 6:00 p.m. – 10:00 p.m. for a fundraising auction subject to the following conditions:

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 and delivered by Kappy's Liquor in 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.

**WINTER PARKING BAN.** Motion made and seconded to have the winter parking ban commence at 12:01 a.m. on Monday, November 26, 2012 and continue until April 15, 2013. No parking is allowed on any street for a period of time longer than one (1) hour between the hours of midnight and 7:00 a.m. In the case of a snow emergency prior to November 26, 2012 all cars will be required to be off the public way and the winter parking ban would be in effect immediately. All in favor.

**PARKING REGULATIONS. Election Day. Pleasant Street and Humphrey Street.**

Motion made and seconded to designate the south east side of Humphrey Street between Lafayette Street and Countryside Lane and on the north west side of Humphrey Street between Lafayette Street and Doane Street, "VOTER PARKING ONLY" 6:00 a. m. – 9:00 p.m., on November 6, 2012. All in favor. Motion made and seconded to designate both sides of Pleasant Street between Watson Street and Pleasant Court, "VOTER PARKING ONLY" 6:00 a.m. – 9:00 p.m. on November 6, 2012. All in favor.

**PERMISSION. Blocking Public Way.** Washington Street. Motion made and seconded to approve the request from Michael Ross, Ross Homerepair Incorporated, to set up pump jack staging at 118 Washington Street for 3 days subject to approval from the Police and receipt of the required Certificate of Insurance. All in favor.

**ONE DAY LIQUOR LICENSE. Phoenix School.** Motion made and seconded to approve the request from the Phoenix School, 89 Margin Street, Salem, for a one day liquor license on Saturday, November 3, 2012, 6:03 p.m. – 10:30 p.m. at the Church of St. Andrew, 135 Lafayette Street, for their annual fundraising auction subject to the following conditions:

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 provided by Kappy's Liquor in Everett. MA and delivered to the premises just before the event and taken away at the end of the event. 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.

**PARKING REGULATIONS. Temporary. Bubier Road.** Motion made and seconded to approve the request from Richard J. Arnone, Sterling Construction & Property Preservation, to designate "NO PARKING EITHER SIDE" on Bubier Road from #43 Bubier to the water end for one day, November 26 – 30, 2012, exact date to be determined, to allow for delivery of module home components to # 77 Bubier Road. Neighbors should all be notified in advance when this will take place. All in favor.

**PERMISSION. Blocking Street.** Motion made and seconded to approve the request from Erin O'Sullivan Maloney, 41 Colgate Road, to block Colgate Road, at the cul-de-sac, on Saturday, October 27, 2012 from 3:00 p.m. – 8:00 p.m., for a block party. Rain date is Sunday, October 28, 2012. All in favor.

**VOTE. Contract. Hobbs Building.** Motion made and seconded to award a lease of the Samuel Hobbs Memorial Building (66 Clifton Ave) to the Marblehead Counseling Center, a not for profit organization, for the public purpose of providing mental health and outreach services and related services for a period of five years. All in favor.

**LICENSING. Carry In Alcoholic Beverage Policy.** The Board reviewed/discussed and revised proposed guidelines for a Carry- In Alcoholic Beverage Policy. The revised guidelines, available for review in the Selectmen's Office, will be forwarded to Town Counsel for review. The Board will consider adoption of the proposed guidelines at their next meeting on Wednesday, October 24, 2012.

**CONSERVATION COMMISSION. Letter of Interest.** A letter of interest was received from Dave Kinney, 14 Willard Lane, as it relates to serving on the Conservation Commission. The Board will now receive letters of interest from anyone interested in serving on the Commission. Deadline to submit letters is Friday, November 9, 2012 at 12:00 noon. All interested candidates will be interviewed on Wednesday, November 14, 2012.

**HARBORMASTER.** A letter was received from F. Webb Russell.

**DIVISION OF MARINE FISHERIES.** A letter was received from Wayne O. Attridge, Chief Shellfish Constable informing the Board that pursuant to notification by the MA Division of Marine Fisheries the area designated as Area N21.2 or commonly known as Devereux, Tuckers, and Goldthwait Beach are conditionally approved for the recreational harvesting of surf clams. The period of this approval is from October 1, 2012 to May 1, 2013 when the area will close for the season.

**BOARD OF HEALTH. Curbside Leaf Collection.** The curbside collection on leaves will take place on your regular scheduled trash and recycling days on the following weeks:

- Week of October 15, 2012
- Week of October 29, 2012
- Week of November 5, 2012
- Week of December 3, 2012
- Week of December 10, 2012 (Last Week)

No plastic bags will be collected or emptied. The limit per household is ten (10) paper bags or barrels. This is a leaves-only collection. This type of material affects the quality of the compost generated from leaves.

**RETIREMENT BOARD.** The Board received a copy of the annual 2013 operating budget as required by M.G.L. Chapter 32, Section 22. Chapter 306 of the Acts of 1996 required the Retirement Board to submit a copy of their annual budget at least 30 days prior to the adoption of said budget to the appropriate legislative body of the government units of the employees they serve.

**TRAFFIC AND SAFETY.** Motion made and seconded to forward a letter to Traffic and Safety from Dara VanRemoortel, 135 Tedesco Street, as it relates to installing a crosswalk on Tedesco Street in the Leggs Hill area. All in favor.

**GENERAL ELECTION.** Notification was received from Robin Michaud, Town Clerk, regarding the November 6, 2012 General Election. The last day to register to vote is

Wednesday, October 17, 2012. The Town Clerk's office will be open until 8:00 p.m. on October 17, 2012. Absentee ballots are available at this time. Massachusetts allows voters to vote by absentee ballot for the following reasons: 1. Absence from your city or town during polling hours. 2. Physical disability that prevents you from voting at the polling place. 3. Religious beliefs that prevent you from voting at the polling place. You may apply for an absentee ballot until noon (12:00) Monday, November 5, 2012. Absentee ballots must be returned to the Town Clerk's office no later than the close of polls on Election Day. Call the Town Clerk's office at 781-631-0528 with any questions regarding voter status or to find out where you vote.

**OLD AND HISTORIC DISTRICTS COMMISSION. Applicants.** The Board will receive letters of interest from anyone interested in serving on the Old and Historic Districts Commission. There is currently one full time position and one alternate position available. Deadline to submit letters is Friday, November 9, 2012 at 12:00 noon. All interested candidates will be interviewed on Wednesday, November 14, 2012.

**CONDOLENCE.** Motion made and seconded to send a letter of condolence to the family of Marijane McCloskey. All in favor.

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

Kyle A. Wiley  
Administrative Aide