

BOARD OF SELECTMEN

MINUTES

May 15, 2013

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

APPOINTMENTS. Robin Michaud, Town Clerk, appeared to swear in the newly elected Selectmen. This is the 364th Board of Selectmen for the Town of Marblehead. All newly elected officials were also sworn in by the Town Clerk.

DISCLOSURE – Chapter 268A. Bret T. Murray, Harry C. Christensen, and Jackie Belf-Becker read their disclosures that are required by Chapter 268A Section 23(B)(3) of the Mass General Laws.

Motion made and seconded to nominate Jackie Belf-Becker as Chair for the coming year. 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.

Jackie Belf-Becker continued the meeting as chair.

MINUTES. Motion made and seconded to approve the minutes from April 24, 2013. All in favor. Motion made and seconded to approve the minutes from May 6, 2013. All in favor. Motion made and seconded to approve the minutes from May 10, 2013. 4 voted in favor. Mr. Murray voted present.

APPOINTMENTS. Motion made and seconded to accept the following appointments except for those names placed on hold:

TOWN ADMINISTRATOR

Jeff A. Chelgren

AMERICAN DISABILITIES ACT COORDINATOR

Kyle A. Wiley

2014

ANIMAL INSPECTOR at \$2,400 per year
Isabel M. Lorencio 2014

BUILDING COMMISSIONER AND INSPECTORS

Commissioner - Robert S. Ives, Jr. 2014
Local Inspector - Chris Butler 2014
Local Inspector – Dan R. Williams 2014
Plumbing Inspector - Domingos Furtado 2014
Assistant Plumbing Inspector – Peter McCarriston 2014
Assistant Plumbing Inspector – Bradford Smith 2014
Wiring Inspector – Ronald J. Marks 2014
Assistant Wiring Inspector – Eric F.S. Chisholm 2014

CANINE CONTROL CLERK

Robin Michaud – Town Clerk 2014

ASSISTANT DOG OFFICERS FOR THE PARKS

Robert Gillis 2014
Peter James 2014
Brad Delisle 2014
Reggie Berry 2014
Mike Attridge 2014
Greg Snow 2014
Pat Sylvester 2014
Jim Sullivan 2014
Brendan Egan 2014

TOWN COUNSEL at \$2,000 per year

Jeffrey N. Shribman 2014
Assistant Town Counsel:
Brody, Hardoon, Perkins & Kesten 2014
Leonard Kesten 2014
Marc J. Miller 2014
Patrick J. Costello 2014
Blatman, Bobrowski & Mead, LLC 2014
Francis Mayo 2014

COUNCIL ON AGING DIRECTOR

Patricia C. Roberts expires on May 31, 2013
Teri Allen McDonough effective May 20, 2013 2014

EMERGENCY MANAGEMENT COORDINATOR

Charles P. Cerrutti 2014
Wayne O. Attridge, Assistant 2014

ENGINEERING AND CONSERVATION ADMINISTRATOR

2014

William C. Lanphear	2014
FLAG OFFICER	
David C. Rodgers	2014
FOREST WARDEN – Term: 1 Year	
Chief Jason R. Gilliland, Fire Department	HOLD
HARBOR MASTER AND ASSISTANTS	
Webb Russell, Harbor Master	2014
Craig Smith, <i>First Assistant Harbormaster</i>	2014
Daniel Roads, Jr., <i>Assistant Harbormaster</i>	2014
<i>Assistant Harbormasters (Seasonal):</i>	
Ray Gauthier	2014
Jeffrey Flynn	2014
Ryan Hoye	2014
John Payne	2014
Charles Cullanie	2014
<i>Alternates:</i>	
Allen Dennis	2014
John Vigneron	2014
KEEPER OF THE LOCK UP	HOLD
Chief Robert O. Picariello	
LICENSING AUTHORITY, DULY DESIGNATED AGENTS	
Police Chief Robert O. Picariello	HOLD
Captain: Matthew Freeman	HOLD
Lieutenants:	
Jonathan Lunt	HOLD
Michael Everett	HOLD
Sergeants:	
Nicholas Economou	HOLD
Sean Brady	HOLD
Sean Sweeney	HOLD
Jason Conrad	HOLD
MEASURER OF LEATHER	
John Smidt	2014
TOWN DESIGNEE MASS. WATER RESOURCE AUTHORITY -	

F. Carlton Siegel	2014
Alternate: Amy McHugh, Water and Sewer Department	2014
PARKING CLERK /HEARING CLERK	
Jeffrey N. Shribman	2014
CHIEF PROCUREMENT OFFICER	
Rebecca L. Curran	2014
PUBLIC WORKS DIRECTOR	
David M. Donahue	2014
RETIREMENT BOARD –	
Charles H. Gessner	2014
“RIGHT TO KNOW” COORDINATOR	
Jason R. Gilliland – Fire Department	2014
SEALER OF WEIGHTS & MEASURES	
David C. Rodgers	2014
SPECIAL AUXILIARY POLICE	
Patrolmen, James Donovan	2014
Betsy Cruger	2014
SUPERINTENDENT OF PUBLIC BUILDINGS	
Robert S. Ives, Jr.	2014
TAX COLLECTOR/TREASURER	
Patricia Kelly Murray	2014
VETERANS’ AGENT & DIRECTOR OF VETERANS’ SERVICES -	
David C. Rodgers	2014
VETERANS’ GRAVES OFFICER	
David C. Rodgers	2014
WORKERS’ COMPENSATION AGENT	
Massachusetts Interlocal Insurance Association	2014
TOWN ACCOUNTANT– Term 3 years	
John J. McGinn	2016
AFFORDABLE HOUSING TRUST FUND	
Board of Selectmen	2014
Kurt James, Fair Housing Committee Representative	2014

ARMED FORCES LIAISON	
John M. McCloskey	2014
BOARD OF ABBOT LIBRARY SECOND CENTURY FUND	
Peter Jalbert	2014
Judith Eissner	2014
CAPITAL PLANNING COMMITTEE – Term: 3 years	
Michael Auerbach	2016
CO-CARETAKER, FORT BEACH –	
Jeffrey P. Flynn	2014
Douglas Percy	2014
CHAPLAIN – MARBLEHEAD POLICE DEPARTMENT	
Rabbi Jonas Goldberg	2014
SURGEON – MARBLEHEAD POLICE DEPARTMENT	
Dr. Jack Richman	2014
CONSERVATION COMMISSION – Term: 3 years	
Frederick Sullivan	2016
Ken Fisher	2016
Don Tritschler	2016
CONSTABLES	
• for the Purpose of Serving Civil Process	
Donald B. Hurwitz	2014
Paul Minsky	2014
Thomas K. Egan	2014
David Andrew Deutsch	2014
CONSTABLES	
• Shellfish	
Wayne O. Attridge – Chief Constable - 3 yr. term	2016
Term: 1 Year	
Raymond H. Bates, Jr.	2014
David Donahue	2014
R. Thomas Hamond	2014
Jeffrey Flynn	2014
Harry C. Christensen, Jr.	HOLD
Jack Attridge	2014
Rick Cuzner	2014
Susan Hogan	2014

Douglas Aikman	2014
Douglas Percy	2014
F. Webb Russell	2014

COUNCIL ON AGING – Term: 3 years

Lisa Hooper	2016
Dana Denault	2016

EMERGENCY MEDICAL SERVICES COUNCIL

Jason R. Gilliland– Marblehead Fire Department	2014
--	------

FAIR HOUSING COMMITTEE –

Paul Crosby, Marblehead Counseling Center	2014
Joan McIntyre	2014
Virginia Healy-Kenney	2014
Ann Cohen	2014
Don Davies	2014
Janet Robinson	2014
Mimi Hollister	2014
Charlene Tyler	2014
Jim Vipperman	2014
Kurt James – Planning Board Representative	

FINANCE COMMITTEE – Term: 3 years

Patricia Moore	2016
Matthew Herring	2016
Robert Ross – Clerk	

FIREWORKS COMMITTEE

Alexander Falk	2014
----------------	------

FORT SEWALL OVERSIGHT COMMITTEE

Joyce Booth, Historical Commission	2014
Brenda Arnold (OMIA Rep.)	2014
Lloyd H. Caswell, Disabilities Commission	2014
Rebecca L. Curran, Town Planner	2014
Larry Sands, Glover’s Regiment	2014

HARBORS & WATERS BOARD

John Doub	2014
Gary P. Gregory	2014
Jay Michaud	2014
Kenneth Breen	2014
Alternates:	
Rick Williams	2014
Douglas O’Leary	2014

T. Clark Smith 2014

HAZARD MITIGATION PLAN IMPLEMENTATION AND MONITORING TEAM

Charles P. Cerrutti, Emergency Management Director 2014
William Lanphear, Engineering and Conservation Administrator 2014
Amy McHugh, Superintendent, Water and Sewer Dept. 2014
Rebecca L. Curran, Town Planner 2014
William E. Conly, Historical Commission 2014

HISTORIAN

Elizabeth Hunt 2014

HISTORICAL COMMISSION – Term: 3 years

William E. Conly 2016
Douglas O’Leary 2016

HOBBS MEMORIAL, SELECTMEN’S AGENT

Paul Crosby 2014

LOGAN AIRPORT, PREFERENTIAL RUNWAY COMMITTEE

Charles H. Gessner 2014

MARBLEHEAD CULTURAL COUNCIL – Term: 3 years

Doug Hill 2016
Louise Weber 2016

MARBLEHEAD DISABILITIES COMMISSION – Term: 3 years

Mark Horrigan 2016
Andrea Mountain 2016
(*Elected Official rotating*) 2016

MARBLEHEAD FOREVER COMMITTEE

Fraffie Welch 2014
Andrew G. Christensen HOLD
Linda W. Doliber 2014
Kerry O’Shaughnessy 2014
Kyle A. Wiley 2014

MASSACHUSETTS ETHICS COMMISSION

MUNICIPAL LIAISON

Jeffrey N. Shribman 2014

MBTA ADVISORY BOARD

John Heffernan 2014

OLD AND HISTORIC DISTRICTS COMMISSION

Liz Mitchell
Thomas Saltsman 2014
Charles Hibbard 2014
Sally Sands 2014
Anthony M. Sasso 2014

Alternates:

Julia Glass 2014
Gary Amberik 2014

OLD BURIAL HILL OVERSIGHT COMMITTEE

Bette Hunt 2014
Susan Hogan 2014
Chris Butler 2014
Pam Peterson 2014
Richard Coletti, Cemetery Representative 2014
Rebecca L. Curran, Town Planner 2014

REGISTRARS OF VOTERS– Term: 3 years

Robin Michaud (Town Clerk) 2016

SCHOLARSHIP COMMITTEE

Helaine Hazlett 2014
Nancy Marrs 2014
Tom Despres 2014
Deborah Green 2014
Geroge Gearhart 2014
Mary Ellen Hart 2014
Doug Newburg 2014

SISTER CITY LIAISON – Grasse, France

Myriam Zuber 2014

SMART GROWTH COMMITTEE

Kurt James 2014
Michael McCloskey 2014
Don Morgan 2014
Judith R. Jacobi HOLD
Rebecca L. Curran, Town Planner 2014

TASK FORCE AGAINST DISCRIMINATION

Helaine Hazlett 2014
Ann Marie Hunter 2014
Harvey Michaels 2014
Deacon John E. Whipple 2014

Monica Tecca	2014
Melissa Volk Aizanman	2014
Judy Luise	2014
Loren Weston	2014
Michael Katzen	2014
Chief Robert Picariello, Ex-officio	2014

TAXATION AID COMMITTEE

Pamela Foye
 Patricia Kelly Murray, Treasurer
 John Kelley, Chairman Board of Assessors

TOWN PHYSICIAN –

Quadrant Health Strategies 2014

TRAFFIC & SAFETY ADVISORY COMMITTEE

John P. Doane	2014
Brian Hitchcock	2014
F. Carlton Siegel	2014
Chief Jason R. Gilliland – Fire Department – Ex Officio	2014
Chief Robert O. Picariello – Police Department – Ex Officio	2014

ZONING BOARD OF APPEALS – Term: 5 years

Alan Lipkind	2018
Alternates – Term: 1 year	
Paige Hintlian	2014
Christopher T. Casey	2014
Bruce Krasker	2014
Jim Rudolph	2014

All favor.

LICENSING. Public Hearing. All Alcoholic Beverage License. Tulamex Inc. d/b/a Casa Corona, 33 Smith Street. Attorney Diane Modica and Ferdy Argueta, Manager, appeared before the Board seeking to Transfer, Change Location and Pledge the All Alcoholic Beverage License currently held by Harold B. Murphy, Chapter 7 Trustee for ZYX LLC, d/b/a Sweeney’s Retreat. No one spoke in favor or against the applicant. Motion made and seconded to approve the application for a Common Victualler License for Tulamex Inc. d/b/a Casa Corona, 33 Smith Street, Manager, Ferdy Argueta, hours of operation Monday through Sunday 11:00am – 12:00 midnight subject to receipt of all applicable inspection sign offs and all fees paid. All in favor. Motion made and seconded to approve the Transfer, Change of Location and Pledge of the All Alcoholic Beverage License from Harold B. Murphy, Chapter 7 Trustee for ZYX LLC d/b/a Sweeney’s Retreat, 18 Atlantic Avenue to Tulamex Inc. d/b/a Casa Corona, 33 Smith Street, Manager: Ferdy Argueta, seating capacity = 85, hours of operation Monday through Sunday 11:00am – 12:00 midnight subject to approval from the ABCC and

receipt of all applicable inspection sign offs, all fees paid and proof of TIPS or equivalent training. 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.

APPOINTMENTS. Continued.

VOTES ON HOLD.

FOREST WARDEN. Motion made and seconded to approve the following appointment:

Chief Jason R. Gilliland, Fire Department 2014
4 voted in favor. Mr. Murray voted present.

KEEPER OF THE LOCK UP. Motion made and seconded to approve the following appointment:

Chief Robert O. Picariello 2014
4 voted in favor. Mr. Murray voted present.

LICENSING AUTHORITY, DULY DESIGNATED AGENTS. Motion made and seconded to approve the following appointments:

Police Chief Robert O. Picariello 2014
Captain: Matthew Freeman 2014
Lieutenants:
 Jonathan Lunt 2014
 Michael J. Everett 2014
Sergeants:
 Nicholas Economou 2014
 Sean Brady 2014
 Sean Sweeney 2014
 Jason Conrad 2014

4 voted in favor. Mr. Murray voted present.

CONSTABLES

• **Shellfish**

Motion made and seconded to approve the following appointment:

Harry C. Christensen, Jr. 2014
4 voted in favor, Mr. Christensen voted present.

MARBLEHEAD FOREVER COMMITTEE. Motion made and seconded to approve the following appointment:

Andrew G. Christensen 2014

4 voted in favor. Mr. Christensen voted present.

SMART GROWTH COMMITTEE. Motion made and seconded to approve the following appointment:

Judith R. Jacobi

2014

4 voted in favor. Mrs. Jacobi voted present.

CLASSIFICATIONS.

Motion made and seconded to approve the following classifications except those placed on hold:

Classification of employees' positions, committees, boards, and commissions under the provisions of MGL Chapter 268A:

All temporary, seasonal, part-time who work less than six months	Special
Agents of the Licensing Authority	Special
Armed Forces Liaison	Special
Assessors	Special
Board of Health	Special
Cable TV Oversight Committee	Special
Capital Planning Committee	Special
Caretaker, Fort Beach	Special
Assistant Caretaker	Special
Cemetery Commissioners	Special
Chaplain – Police Department	Special
Conservation Commission	Special
Constables	HOLD
Constables for the Purpose of Serving Civil Process	Special
Council on Aging	Special
Marblehead Disabilities Commission	Special
Election Officers, Officials, Employees	Special
Emergency Medical Services Committee	Special
Fair Housing Committee	Special
Fence Viewers	Special
Finance Committee	Special
Clerk, Finance Committee	Special
Fireworks Committee	Special
Forest Warden	Special
Ft. Sewall Oversight Committee	Special
Harbors & Waters Board	Special
Hazard Mitigation Plan Implementation and Monitoring Team	Special
Investment Advisory Committee	Special
Marblehead Council on Arts	Special
Marblehead Cultural Council	Special
Marblehead Forever Committee	HOLD
Marblehead Historical Commission	HOLD

Marblehead Housing Authority	Special
Measurer of Leather	Special
Moderator	Special
Municipal Light Commissioners	Special
Old & Historic Marblehead Districts Commission	Special
Open Space Committee	Special
Parking Clerk	Special
Planning Board	Special
Police:	
Keeper of the Lock Up	HOLD
A. One-half time or less	
Permanent Intermittent Patrolmen	Special
A. One-half time or less	
School Traffic Supervisors	Special
Special Auxiliary Police	Special
Temporary Intermittent Patrolmen	Special
A. One-half time or less	
Truant Officer	Special
Warrant officer and Bailiff	Special
Recreation and Park Commission	Special
Playground Coordinator	Special
Playground Instructors	Special
Recycling Committee	Special
Registrars of Voters	Special
Selectmen's Agent – Hobbs Memorial	Special
Selectmen's Appointee to Preferential Runway Committee at Logan Airport	Special
Shellfish Constables	Special
South Essex Sewerage District Citizens Advisory Council	Special
Special Assistant Town Counsel	Special
Task Force against Discrimination	Special
Taxation Aid Committee	Special
Town Historian	Special
Town Physician	Special
Town Representative to MBTA Advisory Board	Special
Town Representative to Metropolitan Area Planning Council	Special
Town's Designee to Massachusetts Water Resources Authority	Special
Town's Right to Know Coordinator	Special
Town's Scholarship Committee	Special
Traffic & Safety Advisory Committee	Special
Trustees of Abbot Public Library	Special
Worker's Compensation Agent	Special
Zoning Board of Appeals	Special
All other non-designated regular municipal employees	Special

All in favor.

VOTES ON HOLD. Motion made and seconded to approve the following classifications:

Marblehead Forever Committee Special
 4 voted in favor. Mr. Christensen voted present.

Marblehead Historical Commission Special
 4 voted in favor. Mr. Christensen voted present.

Police:
 Keeper of the Lock Up Special
 4 voted in favor. Mr. Murray voted present.

Constables Special
 4 voted in favor. Mr. Christensen voted present.

Motion made and seconded to approve the following classifications except those placed on hold:

Classification of employees' position, committees, boards, and commissions under the provisions of MGL chapter 268A:

All full-time paid employees	Regular
Permanent Intermittent Patrolmen	
B. Others	Regular
Temporary Intermittent Patrolmen	
B. Others	Regular
Building Oversight Committee	Regular
Retirement Board	Regular
School Committee	Regular
Scholarship Committee	Regular
Selectmen, Board of	Regular
Town Clerk	Regular
Town Counsel	Regular
Assistant Town Counsel	Regular
Special Town Counsel	Regular
Water and Sewer Commission	Regular
All in favor.	

FISHING SHANTIES.

Motion made and seconded to renew the following requests to use premises owned by the Town of Marblehead on Front Street at Little Harbor, commonly known as Turner Land:

- Frederic Lausier, Shanty No. 1
- Steven Bird, Shanty No. 2
- Jeffrey Flynn, Shanty No. 3

John W. Burns, Shanty No. 4
William Powers, Shanty No. 5
Douglas Percy, Shanty No. 6
Daniel Roads, Shanty No. 7
William Brown, II, Shanty No. 8
John Hayes, Shanty No. 9

All in favor.

FOUNTAIN PARK SHED. LEASE. Motion made and seconded to approve the Lease for the Shed at Fountain Park to Samuel L. Davis with a term to expire in May 2014. All in favor.

VACANCIES. The following is a list of vacancies on Town Boards, Commissions and Committees. Interested parties should submit a letter of interest to the Board of Selectmen, Abbot Hall, 188 Washington Street.

AFFORDABLE HOUSING TRUST FUND

(2) At Large positions – 1 year terms

CABLE TELEVISION OVERSIGHT COMMITTEE

(2) Vacancies to expire in 2014

(1) Vacancy to expire in 2015

(2) Vacancies to expire in 2016

CAPITAL PLANNING COMMITTEE

(1) Vacancy – 3 year term

COUNCIL ON AGING

(1) Vacancy to expire in 2016

FAIR HOUSING COMMITTEE

(2) Vacancies – 1 year terms

FENCE VIEWER

(1) Vacancy – 1 year term

FINANCE COMMITTEE

(1) Vacancy to expire in 2015

(1) Vacancy to expire in 2016

FORT SEWALL OVERSIGHT COMMITTEE –

Vacant, Marblehead Museum and Historical Society - 1 year term

Vacant (Old and Historic Districts Commission Rep.) - 1 year term

Vacant, Recreation and Parks Department Rep – 1 year term

HARBORS AND WATERS BOARD

(1) Vacancy – 1 year term

MARBLEHEAD CULTURAL COUNCIL

(2) Vacancies to expire in 2016

MARBLEHEAD DISABILITIES COMMISSION

(1) Vacancy – 3 year term

PLANNING BOARD

(1) Vacancy – 3 year term, ALTERNATE POSITION (appointed by BOS)

SMART GROWTH COMMITTEE –

(1) Vacancy – 1 year term

TAXATION AID COMMITTEE –

(1) Vacancy (COA Rep) 1 Year Term

(1) Vacancy 1 Year Term

VETERANS AGENT. Memorial Day. David Rodger, Veterans’ Agent, appeared before the Board to announce the following Memorial Day events:

Saturday, May 25, 2013. 9:00 a.m. from the Bell Tower at Waterside Cemetery.

Veteran’s Grave Flagging. All are welcome to join members of the VFW, American Legion, and Submarine Veterans in honoring Marblehead’s Veterans. Anyone needing a flag for a Veterans Grave, which was overlooked, may call the Veterans Office at 781-631-0990.

Sunday, May 26, 2013. 1:00 p.m. Veterans Service at Star of Sea Cemetery. Public is welcome.

Monday, May 27, 2013. Memorial Day Parade. 8:00 a.m. Muster at Old Town House. 9:00 a.m. main parade begins; march to Memorial Park then to Waterside Cemetery. Honorary Grand Marshall: John Ciccone, US Navy, World War II, Korea, Vietnam. Principle Speakers: Memorial Park, Reverend David Franks, USAF Retired, Lutheran Church. Waterside Cemetery: Reverend Dennis Calhoon, Old North Church. Trolley service will be available from the VFW at 7:30 a.m. for all Veterans who may need assistance to participate in the activities. The VFW will be providing lunch after the ceremony. The public is invited and encouraged to attend all ceremonies.

LIME RICKEY’S. Assignment of Lease. Common Victualler Application. Andrew Epstein, 10 Winthrop Square, Boston, attorney for Devereux Beach Corporation, Erica Petersiel, 172 Washington Street, Anthony Marino and Victoria Farnsworth appeared before the Board seeking approval to assign the lease currently held by Devereux Beach Corporation to Lime Rickey’s LLC. Discussion followed with the Board stating that the current lease expires on November 30, 2016 at which time the Town would put the lease back out to bid. The Board asked if any other documents have been signed between the applicant and current lease owner that the Board has not seen. Attorney Marino

responded that an agreement will be signed at closing with regards to adjustments made to rent that has been paid in advance by Devereux Beach Corporation. The Board asked if any added considerations would be received by Devereux Beach Corporation.

Attorney Epstein replied there was none. The Board stated that all legal costs incurred by the Town to review this request shall be reimbursed to the Town by June 30, 2013.

Attorney Epstein advised the Board that proceeds received at the closing will be held in escrow to pay all outstanding bills. Motion made and seconded that the Board of Selectmen approve the assignment of a certain Lease for a Concession Stand and Portion of Land located at Devereux Beach between the Town of Marblehead and Devereux Beach Corporation, dated December 1, 2006, as amended by a certain First Amendment to the Lease for a Concession Stand and Portion of Land located at Devereux Beach, dated September 28, 2011, with respect to the real property owned by the Town of Marblehead located at and commonly known as 105 Ocean Avenue, on or near Devereux Beach in Marblehead, Massachusetts, by Devereux Beach Corporation to Lime Rickey's, LLC, a Massachusetts limited liability company with a principal address at 200 Rantoul Street, Beverly, Essex County, Massachusetts, and furthermore, to authorize the Members of the Board of Selectmen to sign the Assignment of Lease Agreement dated May 14, 2013, by and among Devereux Beach Corporation, Lime Rickey's LLC, and the Town of Marblehead, which Assignment of Lease Agreement is attached hereto. All in favor. Motion made and seconded to approve the application for a Common Victualler License for Lime Rickey's LLC, 105 Ocean Avenue, Manager, Anthony Marino, hours of operation Monday through Sunday 10:30am – 11:00 p.m. subject to receipt of all applicable inspection sign offs and all fees paid. All in favor

PROCLAMATION. Motion made and seconded to proclaim July 26, 2013 as “ADA Day”, marking the 23rd anniversary of the signing of the Americans with Disabilities Act (ADA). All in favor.

PERMISSION. 5K Road Race. Amy Renz-Havens, 6 Walnut Street, appeared before the Board seeking permission to hold a 5K charity road race to support various New England non-profit animal charities, including the Friends of Marblehead's Abandoned Animals (FOMAA). Motion made and seconded to approve the request from Amy Renz-Havens, Goodness Gracious, to hold a charity 5K road race on Saturday, November 2, 2013, subject to approval from Chief Picariello and receipt of the required Certificate of Insurance. All in favor.

TRAFFIC AND PARKING RESTRICTIONS. Atlantic Avenue Drainage Project. Motion made and seconded to authorize the following traffic and parking restrictions between May 16, 2013 and December 31, 2013, for the following locations:

- Atlantic Avenue between Barnard Street and Washington Street
- Hawkes Street in its entirety
- Washington Street between Pleasant Street (nearest to Prospect Street) and Rockaway Street
- School Street in its entirety
- Essex Street in its entirety
- Spring Street in its entirety

- Evans Road between Elm Street and Guernsey Street and to authorize Chief Picariello to modify these restrictions as needed to accommodate necessary changes and /or better insure public safety. All in favor.

OLD TOWN HOUSE. Amend Contract. Motion made and seconded to amend the contract between the Town of Marblehead and T. Cooney and Co. of South Boston, MA for the Old Town House Accessibility Project by increasing the contract amount by an amount not to exceed four hundred and forty dollars (\$440.00) and no increase in time and authorize the chairman to sign the change order on behalf of the board subject to the approval of the project architect. All in favor.

PLEASANT STREET DRAINAGE PROJECT. Preconstruction Meeting. The Marblehead Drain Department has announced that construction is commencing on Phase One of the Pleasant Street-Area Drain Project. Parking restrictions and changes in traffic patterns will be put into effect as required as the work progresses. The areas affected would include Atlantic Avenue from Barnard Street to Washington Street, Spring Street, Essex Street, and Pleasant Street as well as some adjoining streets. All area businesses will remain open during construction and every attempt will be made to make sure that businesses are fully accessible. There will be a public pre-construction meeting at 5:30 p.m. on Monday, May 20, 2013, at the Water and Sewer Commission office located at 100 Tower Way, Building #11. All interested parties are invited to attend to get the latest updates on the project. Representatives of the drain department, fire department, police department and the contractor will be present to answer your questions. Please call the Marblehead Water and Sewer Commission at 781 631-0102 for more information on the meeting.

CODE RED. REVERSE 911 CALLS. Residents are reminded to sign up for Code Red Notifications by going to www.marblehead.org and clicking on the Code Red symbol on the lower left corner of the page. You can choose to receive Emergency Notifications and / or General Notifications.

MARBLEHEAD FIRE DEPARTMENT. Retirement. Motion made and seconded to send a letter of congratulations to Mark F. Fader on his retirement from the Marblehead Fire Department on April 27, 2013 after 24 years of dedicated service. All in favor.

SPECIAL ELECTION. The Town's Special Election will be held on June 25, 2013. Voters will have the opportunity to vote on the 2 warrant articles that passed the 2013 Annual Town Meeting; 1) Abbot Hall tower Repairs and 2) Purchase and /or taking of 151 Green Street. This is the same date as the State Special Election.

EXECUTIVE SESSION. Motion made and seconded to go into Executive Session for the purposes of contract negotiations where the public discussion on the same may have a detrimental effect on the negotiating position of the public body, 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.

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 adjourn at 8:50 p.m. All in favor.

Kyle A. Wiley
Administrative Aide