BOARD OF SELECTMEN

MINUTES

February 26, 2014

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 from February 20, 2014. 3 voted in favor. Mr. Nye and Mr. Murray voted present. Motion made and seconded to approve the minutes from February 25, 2014. All in favor.

VOTE. Snow/Ice Removal. Motion made and seconded that the Board of Selectmen, consistent with Chapter 44, Section 31D, approve expenditures for snow and ice removal in excess of the available appropriation from Town Meeting for snow and ice in the amount of $100,000. All in favor.

PERMISSION TO USE. Old Town House. Marblehead Museum. Motion made and seconded to approve the request from Pam Peterson, Director, Marblehead Museum, to use the Old Town House on the following dates subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance:

Thursday, March 20, 2014	6:00 p.m. – 10:00 p.m.
Thursday, April 3, 2014	6:00 p.m. – 10:00 p.m.
Thursday, April 10, 2014	6:00 p.m. - 10:00 p.m.
Thursday, May 8, 2014	6:00 p.m. – 10:00 p.m.

All in favor. The request to waive the rental fee will be discussed at the next Selectmen's meeting.

PUBLIC HEARING. All Alcoholic Beverage License. Fen Yang House II. Show Cause. Lisa L. Mead, Assistant Town Counsel, appeared before the Board. Notice of the Hearing was read into the records and the hearing was opened. The purpose of the hearing is to show cause why the All Alcoholic Beverage on Premise License should not be modified, suspended or revoked for violation of Massachusetts General Laws chapter 138 §34, sale, delivery or furnishing alcoholic beverages to persons under 21 years of age, and 204 CMR 2.05(2), permitting an illegality on the licensed premises, to wit: sale or delivery to persons less than 21 years of age. Ms. Mead reviewed with the Board the

events of January 24, 2014 and read into the record the Stipulation signed by the owner of Fen Yang House II, Zhi Chen. Lyn Chen, Furnace Brook Parkway, Quincy, appeared before the Board on behalf of her father. Ms. Chen stated the restaurant has been in business close to 10 years and has never had a violation and they intend to be more careful in the future to not allow these events to happen again. Motion made and seconded to accept the Stipulation as presented. All in favor. The Board considered penalties for the Licensee. Motion made and seconded to suspend the All Alcoholic Beverage License for a total of three (3) days to be served Monday, March 10, 2014 through close of business on Wednesday, March 12, 2014. 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. The hearing was closed.

CONTRACT. GIS Services. Motion made and seconded to award a five year contract to CAI Technologies of Littleton, NH for GIS services including annual parcel update and GIS support web hosting service in the amount of twenty three thousand and fifty dollars ($23,050.00) and authorize the chair to sign the contract on behalf of the Board. All in favor.

PERMISSION. Dumpster. Washington Street. Motion made and seconded to approve the request from Khouri Flooring to place a dumpster on Washington Street next to the Old Town House for one day subject to receipt of the required Certificate of Insurance and permit from Marblehead Fire Department. The dumpster is to be removed by the end of the day. All in favor.

PUBLIC HEARING. All Alcoholic Beverage License. Transfer. Common Victualler License. M/R Rockett Management Co., Inc. Richard Rockett, 15 Coolidge Road, Tom Egan, 196B Pleasant Street, counsel for applicant, and William Carol, Salem, MA, appeared before the Board seeking a Common Victualler License and transfer on an All Alcoholic Beverage License. No one spoke in favor or opposed to applicant. **Common Victualler License.** Motion made and seconded to approve the application for a Common Victualler License for M/R Rockett Management Co., Inc. at 165 Pleasant Street, Manager, Richard Rockett, seating capacity = 170. Hours of operation will be Sunday through Saturday 11:00am – 12:00 midnight, subject to receipt of all applicable inspection sign offs and all fees paid. All in favor. **All Alcoholic Beverage License. Transfer.** Motion made and seconded to approve the transfer of the All Alcoholic Beverage License from Harold B. Murphy, Chapter 7 Trustee for Louie-Jaxon LLC, d/b/a Hungry Betty's Bar and Grill at 165 Pleasant Street to M/R Rockett Management Co. Inc., 165 Pleasant Street, Manager, Richard Rockett, seating capacity = 170. Hours of operation Sunday through Saturday 11:00 a.m. – 12:00 midnight subject to approval from the ABCC, receipt of all applicable inspection sign offs and all fees paid. 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.

TASK FORCE AGAINST DISCRIMINATION. 25th Anniversary. Helaine Hazlett, 12 Clifton Avenue, Co-Chair, Loren Weston, 52 Waterside Road, Ed Grogan, 3 Wadden Court and Rebecca Neuman-Hammond, 31 Ticehurst Lane, appeared before the Board.

The Task Force is currently planning events to celebrate their 25th Anniversary and bring awareness to the community. They will come before the Board again when they have firmed up their plans. Rebecca Neuman-Hammond and Ed Grogan are seeking appointment to the Task Force. The Selectmen will now receive letters of interest from anyone wishing to serve on the Task Force. Deadline to submit letters of interest is Friday, March 21, 2014 at 12:00 noon. Interviews will be conducted on Wednesday, March 26, 2014.

POLICE. Indemnification. Motion made and seconded to approve the request from Chief Robert O. Picariello to indemnify Captain Matthew Freeman for injuries sustained while on duty February 14, 2014. 4 voted in favor. Mr. Murray voted present.

POLICE. Indemnification. Motion made and seconded to approve the request from Chief Robert O. Picariello to indemnify Officer Adam Mastrangelo for injuries sustained while on duty February 19, 2014. All in favor.

ABBOT HALL. Permission to Use. Festival of Arts. Motion made and seconded to approve the request from Lynne DeVoe, President, to revise the previously approved dates to use Abbot Hall to the following dates subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance:
New Dates Requested:

Saturday, March 29, 2014	8:30 a.m. – 12:30 p.m.
Thursday, April 3, 2104	5:30 p.m. – 8:30 p.m.
Friday, May 2, 2014	9:00 a.m. – 5:00 p.m.
Saturday, May 3, 2014	9:00 a.m. – 11:00 p.m.
Sunday, May 4, 2014	12:00 noon – 4:00 p.m.

All in favor

RESERVE FUND TRANSFER. Council on Aging. Motion made and seconded to authorize Teri McDonough, COA Director, to appear before the Finance Committee to request the transfer of the sum of $8,500.00 from the Reserve Fund in accordance with Chapter 40, Section 6 of the Massachusetts General Laws for repairs to the COA van. All in favor.

PHOTOGRAPHIC EXHIBIT. **Marblehead Forever Committee**. Motion made and seconded to approve the request from the Marblehead Forever Committee to hang the Old Town House Photographic Exhibit in the rotunda of Abbot Hall for a period of time. All in favor.

OLD TOWN HOUSE. Donation Account. Motion made and seconded to establish an Old Town House Donation Account for the purpose of raising money to purchase chairs for the Old Town House with any excess used for Old Town House purchases. All in favor.

RESIGNATION. **Recreation and Parks Department**. Motion made and seconded to send a letter of appreciation to Brendan Egan. All in favor.

EXECUTIVE SESSION. Motion made and seconded to go into Executive Session for the purposes of discussing contract negotiations and pending litigation 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.

The Board adjourned to Executive Session at 8:20 p.m.

Kyle A. Wiley
Administrative Aide