BOARD OF SELECTMEN

MINUTES

August 27, 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 August 13, 2014. All in favor.

MARBLEHEAD COUNSELING CENTER. Director. Paul Crosby, outgoing Director, appeared, before the Board to introduce the new Counseling Director, Benjamin Day. The Board welcomed him and wished him well.

PERMISSION. 5K Road Race. Fit Girls Run Club. Motion made and seconded to approve the request from Seaside Run Club to hold a 5K road race for Fit Girls Run Club on Sunday, November 16, 2014 at 9:00 a.m. subject to approval from Chief Picariello, School Department and receipt of the required Certificate of Insurance. The race will start and end at the Village School. All in favor.

LICENSING. Public Hearing. Transfer/Pledge of All Alcoholic Beverage License. Common Victualler License. Annual/Sunday Entertainment License. Tevoc Inc., 165 Pleasant Street. Gayle Colinet, 21 Tedesco Street, appeared before the Board seeking a common victtualler license, transfer and pledge the All Alcoholic Beverage License and an Annual and Sunday Entertainment License at 165 Pleasant Street. Motion made and seconded to approve the application for a Common Victualler License for Tevoc, Inc. d/b/a Turtle Cove Bar and Grille at 165 Pleasant Street, Manager, Gayle Colinet. Hours of operation Sunday through Saturday 11:30am – 12:00 midnight, seating capacity 162, and outdoor seating, not to exceed twenty (20) seats subject to receipt of all applicable inspection sign offs and all fees paid. All in favor. Motion made and seconded to approve the transfer and pledge of the All Alcoholic Beverage License from M/R Rockett Management Co. Inc., to Tevoc Inc., d/b/a Turtle Cove Bar and Grille, 165 Pleasant Street, Manager, Gayle Colinet, seating capacity = 162 and outdoor seating, not to exceed twenty (20) seats. Hours of operation Sunday through Saturday 11:30 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, opposed; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor. Motion made and seconded to approve the request from Tevoc, Inc. d/b/a Turtle Cove Bar and Grille, 165 Pleasant Street, for an Annual Entertainment License, Monday through Saturday 11:30 a.m. – 12:00 midnight and Sundays 1:00 p.m. – 12:00 midnight subject to approval from the Commonwealth's Department of Public Safety, receipt of the required fees and that no music will be heard from the street. All in favor.

BOARD OF HEALTH. Plastic Bag Reduction Bylaw. Todd Belfbecker, Board of Health, and Andrew Petty, Public Health Director, appeared before the Board to update them on the new general bylaw "Plastic Bag Reduction". Businesses have until May 2015 to make the transition as laid out in the bylaw. The Board of Health will hold multiple information sessions for local businesses and residents in the fall to inform and educate all. The Board of Health is now selling reusable bags, with a logo of Abbot Hall on them, for $2.50 (cost) at the Board of Health and Transfer Station during regular business hours and the Farmers Market on the weekends. For more information contact the Board of Health at 781-631-0212. **Transfer Station**. Construction will commence at the Transfer Station within the next two weeks. All services, except the Swap Shed, will remain available to residents. Every effort will be made to get the Swap Shed up and running as soon as possible.

PERMISSION. Muscular Dystrophy Association. Annual Halloween Witch Ride. Vanessa Malfitano, Executive Director MDA Boston North Chapter, and Doug Knowles, President Firefighters Union, Pitman Road, appeared before the Board seeking permission for the annual MDA ride to come through Marblehead. After discussion motion made and seconded to approve the request from Vanessa Malfitano, Muscular Dystrophy Association, to hold the 26th annual Halloween Witch Ride on Sunday, October 19, 2014, rain date Sunday, October 26, 2014 subject to approval of the route by Chief Picariello and receipt of the required Certificate of Insurance. The ride will depart from Everett at 1:00 p.m., travel a coastal route through Revere, Lynn, Swampscott, into Marblehead and finish at Shetland Park in Salem. Riders should enter Marblehead at approximately 1:30 – 1:45 p.m. All in favor.

TEDESCO STREET. Crosswalk Discussion. The following people spoke in favor of a crosswalk on Tedesco Street: David Ross, 29 Brookhouse Drive, Dara VanRemoortel, 135 Tedesco Street and Betsy Gay, 14 Mystic Road. Letters in support were received from Lyn Holian, 14 Mystic Avenue, Melinda and Tom Huff, 5 Florence Road. Chief Picariello appeared before the Board and recommended that a Traffic Study be conducted by an independent party taking into account the neighborhoods input. Motion made and seconded to move forward with the Chief's recommendation and to explore the costs to have a Traffic Study completed that includes the neighborhoods input/concerns. The Chief shall report back to the Board on September 10, 2014. All in favor.

MASSACHUSETTS INTER AGENCY MUTUAL AID AGREEMENT. Chief Picariello appeared before the Board as it relates to entering into an Inter Agency Mutual

Aid Agreement. The Chief advised the Board that many surrounding communities are already on board with the agreement. It is a standard document and has been reviewed by Town Counsel. Motion made and seconded to execute the Massachusetts Inter Agency Mutual Aid Agreement, as presented, and authorize the Chair to sign on behalf of the Board. All in favor.

PROCLAMATION. St. Michael's Episcopal Church. Motion made and seconded to prepare a proclamation in honor of the 300th anniversary of St. Michael's Episcopal Church. All in favor.

PERMISSION. Block Party. Glendale Road. Motion made and seconded to approve the request from Owen Tinti-Kane, Sevinor Road, to block Sevinor Road, between Saturn and Elizabeth Road, on Sunday, September 6, 2014, 4:00 – 7:00 p.m., for their annual block party. Rain date is Sunday, September 7, 2014. All in favor.

PERMISSION. 5K walk/run. Run for Rescue. Motion made and seconded to approve the request from Amy Renz-Havens, Walnut Street, to hold a 5K charity run/walk, Run for Rescue, on Saturday, October 18, 2014 at 12:00 noon to benefit New England non-profit animal charities including the Friends of Marblehead's Abandoned Animals (FOMAA) subject to approval from Chief Picariello, Recreation and Parks and receipt of the required Certificate of Insurance. The race will start and end at Chandler Hovey Park. All in favor.

ABBOT HALL. Permission to Use. Marblehead School of Music. Motion made and seconded to approve the request from Jennifer Spungin, Marblehead School of Music, to use Abbot Hall on Sunday, November 23, 2014 for their annual Winter Music Showcase subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance. All in favor.

PERMISSION. Marblehead High School All Sports Boosters. Annual Canvas. Motion made and seconded to approve the request from Marblehead High School All Sports Boosters to conduct their annual door to door canvas on Sunday, October 5, 2014 from 12:00 noon to 4:00 p.m. All in favor.

PARKING RESTRICTIONS. 123 Pleasant Street. Reconsider/Vote. Motion made and seconded to reconsider the vote taken on August 13, 2014. All in favor. Motion made and seconded to approve the request from David Groom, Groom Construction, to temporarily block 4 parking spaces in front of 123 Pleasant Street on Tuesday, September 2, 2014 from 8:30 a.m. – 12:00 noon to allow for a professional photography session for marketing purposes. All in favor.

RIGHT OF ENTRY AGREEMENT. 232 Ocean Avenue. Adam Costa, Assistant Town Counsel, appeared before the Board to advise the Board on a Right of Entry Agreement for 232 Ocean Avenue. It is a standard agreement and all parties involved have signed off on it. Motion made and seconded to accept, on advice from Town

Counsel, the "Right of Entry Agreement" for 232 Ocean Avenue as presented and to authorize the Chair to sign on behalf of the Board. All in favor.

PLANNING BOARD. Vacancy. Associate Member. A letter was received from Philip Helmes, Chairman, advising the Board of a vacancy. Motion made and seconded to accept letters of interest to serve on the Planning Board, Associate Member. Deadline to submit letters is Friday, September 26, 2014 at 12:00 noon. Applicants will be interviewed in joint session with the Planning Board on Wednesday, October 1, 2014 at 7:30 p.m. at Abbot Hall. All in favor. Submit letters of interest to the Board of Selectmen, Abbot Hall, 188 Washington Street.

TENT'S CORNER. A letter was received from Frederick H. Goddard as it relates to Tent's Corner.

HOBBS HOUSE GARAGE. Update. The Town Administrator updated the Board on the request to demolish the Hobbs House Garage. At their meeting on August 13, 2014 the Board requested an estimate to repair the garage. The Town Administrator reported the estimate to repair the Hobbs House Garage is $25,850. Motion made and seconded to take no action on the request to demolish the Hobbs House Garage. All in favor.

SELECTMEN MEETINGS. Motion made and seconded that the Board of Selectmen will not meet on Wednesday, September 24, 2014 and will meet on October 1, 8, 22, 2014. All in favor.

MARBLEHEAD FOREVER COMMITTEE. Celebration. **Abbot Hall Tower Restoration Project.** Motion made and seconded to request the Marblehead Forever Committee to prepare a celebration in honor of the Abbot Hall Tower Restoration Project. All in favor.

VACANCIES. Marblehead Municipal Light Commission. Recreation and Parks Commission. Letters of interest to serve on either the Marblehead Municipal Light Commission or the Recreation and Parks Commission will be received until Wednesday, September 3, 2014 at 5:00 p.m. Applicants will be interviewed in joint sessions on Wednesday, September 10, 2014 at 7:30 p.m. at Abbot Hall. Submit letters of interest to the Board of Selectmen, Abbot Hall, 188 Washington Street as well as the respective Board.

PLEASANT STREET DRAINAGE PROJECT. Paving. The Chair advised the Board that the Town has not received the 7 day notice regarding the paving project because the sidewalk work is not yet completed. Amy McHugh will notify the Board of Selectmen when this information becomes available. It was noted that considering this is August 27, 2014, paving will not occur until September.

EXECUTIVE SESSION. Motion made and seconded to adjourn to Executive Session under M.G.L. c. 30A, Sec. 21 for the purpose of discussing pending litigation including NICHOLS v. SHRIBMAN, et als., 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 to Executive Session under M.G.L. c. 30A, Sec. 21 for the purpose of discussing pending litigation, Town of Marblehead v. Joanne Healey, 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 8:25 p.m.

Kyle A. Wiley
Administrative Aide