

## BOARD OF SELECTMEN

### MINUTES

October 29, 2014

Board met in session at 7:00 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

**EXECUTIVE SESSION.** Motion made and seconded to go into Executive Session under M.G.L. c. 30A, Sec. 21(a) for the purpose of conducting a strategy session in preparation for contract negotiations with nonunion personnel, namely the Town Administrator, where the public discussion of 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 reconvene in open session. On a polled vote the Board voted as follows: Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

The Board reconvened in open session at 7:30 p.m. Mr. Murray and Mr. Christensen joined the meeting.

**MINUTES.** Motion made and seconded to approve the minutes from October 1, 2014. All in favor. Motion made and seconded to approve the minutes from October 9, 2014. 3 voted in favor. Mrs. Belf-Becker and Mr. Murray voted present.

**LICENSING. Change of Hours. Beacon Hill Imports.** Motion made and seconded to approve the request from Peter Brown, Beacon Hill Imports, Woodfin Terrace, to change the hours of operation on their All Alcoholic Package Store License on Sundays, as allowed under M.G.L. Chapter 138, §15 Off Premise Retail Licensee Sunday Opening Time, to 10:00 a.m. effective October 23, 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. **D.J. Colbert Inc., d/b/a Shube's Liquor Store.** Motion made and seconded to approve the request from George Shube, Shube's Liquor Store, 16 Atlantic Avenue, to change the hours of operation on their All Alcoholic Package Store License on Sundays, as allowed under M.G.L. Chapter 138, §15 Off Premise Retail Licensee Sunday Opening Time, to 10:00 a.m. effective October 23, 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.

**GIFT TO TOWN. Fire Department.** Chief Gilliland appeared before the Board to advise the Board of a gift the Department has received. Motion made and seconded to approve the request from Chief Jason R. Gilliland to accept as a gift to the Town two (2) eBikes from Polaris® eBikes, 27 Congress Street, Salem, MA. All in favor. Motion made and seconded to send a thank you letter. All in favor.

**CONGRATULATIONS. Marblehead Youth Hockey Association.** Motion made and seconded to send a letter of congratulations to Marblehead Youth Hockey Association on their 50<sup>th</sup> Anniversary Celebration of Youth Hockey Exchange in North America. All in favor.

**PUBLIC HEARING. Teleport Communications America, LLC. Conduit Placement.** David Edgar, Sr. Project Engineer, Siena Engineering Group, Inc. appeared before the Board seeking approval to place conduit and fiber optic cable within the public right of ways. No one spoke in favor or against the petition. Motion made and seconded to approve the petition for grant of location, submitted by Teleport Communications America, LLC, as presented and on file in the Selectmen's office, to place conduit and fiber optic cable within the right of ways of Tedesco Street, Humphrey and Pleasant Streets subject to the hiring of police details as required by Chief Picariello. All in favor.

**WATER AND SEWER COMMISSION. Drain Project Update. SESD.** Amy McHugh, Superintendent, Water and Sewer Commission, appeared before the Board to update them on the status of the paving project. Notice was sent out to local businesses 2 weeks ago giving at least a 7 day notice for the paving start date. Paving will commence on Friday, October 31, 2014 at 5:30 a.m. and continue next week. Work will commence at 7:00 a.m. next week unless it is deemed necessary to start earlier. No Parking will be allowed on Atlantic Avenue from Hawkes Street to 5 Corners. **SESD.** Ms. McHugh also reported that the SESD Pipeline project has received all the necessary permits and has gone out to bid. They expect to award the project in mid November.

**VETERANS' AGENT. Veterans' Day Celebration.** Dave Rodgers, Veterans' Agent, appeared before the Board to announce that the Town will hold its traditional Veterans' Day service on Tuesday, November 11, 2014 in Abbot Hall Auditorium at 10:00 a.m. Doors to Abbot Hall will open at 9:00 a.m. Shuttle service will be provided from the original National Grand Bank parking lot starting at 9:00 a.m. The Marblehead High School Choral Group will perform. A special commemorative award will be presented to all Cold War Veterans or their families during the Veterans' Day Service. Please contact Dave Rodgers regarding this, 781-631-0990. Breakfast will be served immediately following the ceremony at the VFW, 321 West Shore Drive. All are welcome.

**POLICE DEPARTMENT. Promotion. Sergeant.** Chief Picariello appeared before the Board seeking to promote an officer. Motion made and seconded to appoint, on

recommendation of Chief Picariello, Eric Osattin to the rank of Sergeant, effective November 2, 2014. 4 voted in favor. Mr. Murray voted present.

**POLICE DEPARTMENT. Muscular Dystrophy Halloween Motorcycle.** A letter was received by a resident about the recent MDA Motorcycle Ride. Chief Picariello addressed the Board stating he had a few concerns with the event and he will be meeting with the event coordinator in an effort to ensure that this continues to be a safe and enjoyable event for the community.

**PARKING REGULATIONS. Election Day.** Motion made and seconded to approve the request from Robin Michaud, Town Clerk, and on recommendation from Chief Picariello, to designate “VOTER PARKING ONLY” on Humphrey Street between the High School driveway and Broughton Road on both sides of Humphrey Street between the hours of 6:00 a. m. – 8:30 p.m., on November 4, 2014. All in favor. Motion made and seconded to approve the request from Robin Michaud, Town Clerk, and on recommendation from Chief Picariello to designate both sides of Pleasant Street between Watson Street and Pleasant Court, “VOTER PARKING ONLY” 6:00 a.m. – 8:30 p.m. on November 4, 2014. All in favor.

**TOWN CLERK. State Election.** Notice was received from Robin Michaud, Town Clerk, reminding the residents that the State Election is Tuesday, November 4, 2014. The poles will be open from 7:00 a.m. – 8:00 p.m. The polling locations are as follows:

Precint 1	Masonic Temple	62 Pleasant Street
Precint 2	Masonic Temple	62 Pleasant Street
Precint 3	Masonic Temple	62 Pleasant Street
Precint 4	Marblehead Community Center	10 Humphrey Street
Precint 5	Marblehead Community Center	10 Humphrey Street
Precint 6	Marblehead Community Center	10 Humphrey Street

**POLICE DEPARTMENT. Warning Signs. Ramsay Road.** Motion made and seconded to approve the recommendation of Chief Picariello to install warning signs at both ends of Ramsay Road indicating “Caution-Children Playing”. All in favor.

**TRAFFIC STUDY. Tedesco/Leggs Hills.** Rebecca Cutting, Chief Procurement Officer, reviewed the proposal received for the traffic study at Tedesco Street. Motion made and seconded to award a contract for traffic engineering services at Tedesco Street to McMahon Associates of Boston, MA in the amount of six thousand four hundred dollars (\$6,400.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**OLD BURIAL HILL.** Project Update. Rebecca Cutting, Town Planner, appeared before the Board to give an update on the completion of phase two and future plans at Old Burial Hill. Members of the Old Burial Hill Committee are: Chris Butler, Richard Coletti, Susan Hogan, Bette Hunt and Pam Peterson. Motion made and seconded to send a letter of appreciation to Rebecca Cutting and the Old Burial Hill Committee. All in favor.

**FORT SEWALL OVERSIGHT COMMITTEE.** Rebecca Cutting, Town Planner, appeared before the Board on behalf of the Fort Sewall Oversight Committee to present a conditions assessment and treatment report which was recently completed with grant funds from the Massachusetts Historic Commission and the Curtis Coffin Fund. The Fort Sewall Oversight Committee is working on funding sources for the project and will continue to report progress to the Board of Selectmen.

**APPRECIATION. Volunteer.** Motion made and seconded to approve the request from a local organization to prepare a “surprise” recognition letter in honor of a long term volunteer for the Town. All in favor.

**ABBOT HALL. Permission to Use. Eagle Scout Court of Honor.** Motion made and seconded to approve the request from Laura and Charles Dignam, 38 Commercial Street, to use Abbot Hall on Saturday, November 22, 2014 subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance. The rental fee for this event is waived. All in favor. Motion made and seconded to send a letter on congratulations and to invite the candidates to a future Selectmen’s Meeting to present their Eagle Scout Project. All in favor.

**LICENSING. One Day Liquor License. The Church of St. Andrew.** Motion made and seconded to approve the request from Stephen Harrington, The Church of St. Andrew, for a One Day Liquor License on Saturday, November 15, 2014 from 6:00 p.m. – 10:00 p.m. at 135 Lafayette Street for a Fundraising auction subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50. each)
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 from Kappy’s Importing. On a polled vote the Board voted as follows: Mr. Murray, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

**POD REQUEST. Pond Street.** Motion made and seconded to approve the request from Ben Annino, 27 Pond Street, to place one (1) POD Container at 27 Pond Street November 8 – 9, 2014 subject to receipt of the required Certificate of Insurance. All in favor.

**PERMISSION. Ladders on Public Way. 80 – 82 Washington Street.** Motion made and seconded to approve the request from William Quigley, 82 Washington Street, to place ladders on the public way at 80 – 82 Washington Street to paint the house subject to receipt of the required Certificate of Insurance. All in favor. The work commenced on Monday due to a scheduling deadline with the contractor.

**COUNCIL ON AGING. Search Committee Update.** Motion made and seconded, on recommendation from the Council on Aging Search Committee, to repost and advertise the position for Director, Council on Aging. All in favor. Deadline to submit letters of interest is Friday November 7, 2014 at 12:00 noon. Please submit to Jeff Chelgren, Town Administrator, Abbot Hall, 188 Washington Street, Marblehead, MA 01945. Applications that have already been received will move forward in the process.

**CONTRACT. Right of Entry. 16 Jefferson Street.** Motion made and seconded to approve the Right of Entry document between Patrick J. Gilligan and Amy Gilligan, 16 Jefferson Street, and the Town of Marblehead for access to private property, as prepared by Town Counsel and to authorize the Chair to sign on behalf of the Board. All in favor.

**CONTRACT. Stone Wall Repair.** Motion made and seconded to award the contract to repair the stone wall at 16 Jefferson Street to Calvin Titus in the amount of Eight thousand three hundred and 00/100 dollars (\$8,310.00) and authorize the Chair to sign on behalf of the Board. All in favor.

**CONTRACT. Right of Entry. Green Street.** Motion made and seconded to approve the Right of Entry document between William Temme, 189 Green Street, and the Town of Marblehead, for access to private property, as prepared by Town Counsel and to authorize the Chair to sign on behalf of the Board. All in favor.

**CONTRACT. Abbot Hall. Chapman Waterproofing. Amend.** Motion made and seconded to amend the contract between the town and Chapman Waterproofing for the Abbot Hall Masonry project in the amount of nine thousand three hundred and sixty seven and 80/100 (\$9,367.80 ) and authorize the Chair to sign the change order on behalf of the Board. All in favor.

**WINTER PARKING BAN.** The winter parking ban will commence at 12:01 a.m. on Monday, December 8, 2014 and continue until April 15, 2015. 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 December 8, 2014 all cars will be required to be off the public way and the winter parking ban would be in effect immediately. This information is posted on the Town's website, [www.marblehead.org](http://www.marblehead.org), at the entrances to Town, on MHTV and in all local newspapers. No Warning Tickets will be given.

**BOARD OF HEALTH. Curbside Leaf Collection. Hazardous Waste Collection Day.** The follow notice was received from Andrew Petty, Public Health Director:  
The curbside collection of leaves will take place on your regular scheduled trash and recycling days on the following weeks:  
The week of October 20<sup>th</sup>  
The week of October 27<sup>th</sup>  
The week of November 10<sup>th</sup>  
The week of November 24<sup>th</sup> (Tues-Sat)  
The week of December 8<sup>th</sup>

- No plastic bags will be collected or emptied.
- Paper bags or Barrels only
- This is a leaves-only collection. Bags or barrels containing brush or other material will not be collected.
- No limit on number of bags or barrels
- No collection will occur on a Legal Holiday

**HAZARDOUS WASTE DAY** – Saturday, November 1, 2014 9:00am – 12:00 noon at the DPW, Tower Way. Contact the Board of Health with any questions. 781-631-0212

**FINANCE COMMITTEE. Letter of Interest.** A letter of interest was received as it relates to serving on the Finance Committee. Motion made and seconded to accept letters of interest to serve on the Finance Committee. Deadline to submit is Friday, December 5, 2014 at 12:00 noon. Interviews will be conducted on Wednesday, December 10, 2014. All in favor. There are currently 2 vacancies.

**MARBLEHEAD MUNICIPAL LIGHT COMMISSION. Resignation.** A letter of resignation was received from Andrew Hadden, Marblehead Municipal Light Commission effective October 8, 2014. The Chair will contact Mike Hull, Chairman, Marblehead Municipal Light Commission, to discuss dates to receive letters of interest and to hold a joint session with the Marblehead Municipal Light Commission.

**RETIREMENT BOARD.** The Board received a copy of the annual 2015 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.

**HOLIDAY HOURS. Abbot Hall and Mary A. Alley Building. Veterans' Day.** Abbot Hall and Mary Alley will be closed on Tuesday, November 11, 2014 in observance of Veterans' Day. **Thanksgiving.** The following hours of operation will be observed at Abbot Hall and the Mary A. Alley Building: Week of November 24 – 28, 2014

Monday, November 24, 2104	8:00 am – 5:00 p.m.
Tuesday, November 25, 2014	8:00 am – 5:00 p.m.
Wednesday, November 26, 2014	8:00 am – 2:30 p.m.
Thursday, November 27, 2014	CLOSED ALL DAY
Friday, November 28, 2014	CLOSED ALL DAY

**TAXES.** A letter was read from Town Treasurer Patricia Kelly Murray as it relates to 2<sup>nd</sup> Quarter Real Estate Taxes being due on Monday, November 3, 2014. These bills may be paid on line through the Town's web site [www.marblehead.org](http://www.marblehead.org) and clicking on On-Line Payments of Property Taxes.

**SHELLFISH BEDS. Temporary Closure.** Notice was received from Wayne Attridge, Chief Shellfish Constable, that effective immediately the shellfish beds at Devereux Beach, Tuckers and Goldthwait are closed until at least November 14, 2014 due to storm water runoff.

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

**CONDOLENCE.** Motion made and seconded to send a letter of condolence to the family of Naomi MacIver, former Town Treasurer. All in favor.

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

**TOWN ADMINISTRATOR. Resignation.** Jeff Chelgren, Town Administrator, tendered his resignation to the Board effective December 31, 2014. The Board wished him well in his future plans.

**EXECUTIVE SESSION.** Motion made and seconded to go into Executive Session under G.L. c. 30A, Sec. 21 for the purpose of discussing strategies as it relates to collective bargaining 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 8:45 p.m. All in favor.

Kyle A. Wiley  
Administrative Aide