**BOARD OF SELECTMEN**

**MINUTES**

**July 22, 2015**

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

John J. McGinn, Town Administrator

**MINUTES.** Motion made and seconded to approve the minutes from July 10, 2015. 4 voted in favor. Mr. Murray voted present.

**TOWN CLERK. Election Poll Workers. Stipend increase.** Robin A. Michaud, Town Clerk, appeared before the Board requesting an increase in the stipend paid to Election Poll Workers. There has not been an increase in the stipend for over 13 years. After discussion motion made and seconded to approve the request from Robin A Michaud, Town Clerk, to increase the stipend Election Poll Workers are paid per election to the following: Stipend for the Warden, $150.00 per day and Inspectors $110.00 per day. All in favor.

**AFFORDABLE HOUSING TRUST FUND. Interviews. Appointment**. Megan DeGrass, 2 Jackson Road, appeared before the Board seeking a position on the Affordable Housing Trust Fund. Motion made and seconded to appoint Megan DeGrass to the Affordable Housing Trust Fund with a term to expire in May 2016. All in favor.

**LICENSING. Wine & Malt Beverage with Cordials. T&A Food Establishment**. **Change of Manager. Common Victualler.** Salim Elouche, 20 Francis Road, Salem, appeared before the Board seeking a Common Victualler License and to change the Manager on the Wine and Malt Beverage License w/ Cordials for T&A Food Establishment, d/b/a Le Bistro Café and Grille. Motion made and seconded to approve the request for a Common Victualler License at T & A Food Establishment, d/b/a Le Bistro Café and Grille, 1 Atlantic Avenue: Manager, Salim Elouche, 20 Francis Road Salem, MA, subject to receipt of the required forms and fees. All in favor. Motion made and seconded to approve the request to change the manager on the Wine and Malt Beverage License with Cordials at T & A Food Establishment, d/b/a Le Bistro Café and Grille, 1 Atlantic Avenue, to Salim Elouche, 20 Francis Road Salem, MA, subject to receipt of the required forms, fees, approval from ABCC and CORI approval. 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.

**ABBOT HALL. Permission to Use. Marblehead Museum.** Motion made and seconded to approve the request from Pam Peterson, Marblehead Museum, to use Abbot Hall auditorium on Friday, September 11, 2015 from 5:00 p.m. – 9:00 p.m. for a public lecture subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance and to waive the rental fee for this event. All in favor.

**APPOINTMENT. Constable. Civil Service.** Motion made and seconded to appoint Darryl Hines, 1 Naples Road, Salem, Constable to serve Civil Process subject to the required Bond on file with the Town Clerk and a term to expire in May 2016. All in favor.

**CONTRACT. Design Services**. Motion made and seconded to amend the contract between McMahon Associates and the Town for the Legg's Hill Road/ Tedesco Street traffic project to increase the contract amount by eleven thousand one hundred dollars ($11,100.00) and a not to exceed amount of five hundred dollars for reimbursables and to extend the time for performance until August 28, 2015 and authorize the Chair to sign the amendment on behalf of the Board. All in favor.

**APPRECIATION**. A letter was read from Dara VanRemoortel thanking the Board and the Town for voting to install the crosswalk at Tedesco and Leggs Hill Road.

**PROCURMENT. Reject Bid**. Motion made and seconded to reject all bids received in response to the town's invitation to bid for Mary Alley Window project. All in favor.

**PERMISSION. Rain Date. Walk with Gene's Friends.** Motion made and seconded to approve the request from Patricia Charbonnier, Chairperson, Friends of the Marblehead Council on Aging, to add a rain date of Sunday, September 27, 2015 for the Walk with Gene's Friends event previously approved. All in favor.

**HOLD HARMLESS AGREEMENT. Clifton Lutheran Church.** Motion made and seconded to approve the Hold Harmless Agreement, as prepared by Town Counsel, between the Town of Marblehead and Clifton Lutheran Church, 150 Humphrey Street, to allow the Town to conduct training activities as part of firefighting training, and to authorize the Chair to sign on behalf of the Board. 4 voted in favor. Mr. Nye voted present.

**PERMISSION. Pump Jack Staging. School Street.** Motion made and seconded to approve the request from Steve Spillane, Village Construction, 190 Pleasant Street, to erect pump jack staging on the sidewalk at 35-37 School Street July 23, 2015 – July 30, 2015 subject to the following:

1. A full safety net on the staging to include end rails and if they use a work bench staging plank it should have some added protection to eliminate the possibility of debris accidentally falling into the street.

2. The staging should have lighting on the underside to illuminate the sidewalk during afterhours.
3. Safety cones should be used at the corner of School and Sewall Street during working hours to alert drivers, and pedestrians.
4. Receipt of the required Certificate of Insurance.

All in favor.

**GIFT TO TOWN. Boat and Motor.** Motion made and seconded to approve the request from Recreation and Parks to accept as a gift to the Town, a 2001 14 ft. Novurania Boat and a Yamaha motor from Louise Kiefer, and put in the care and custody of the Recreation and Parks Department. All in favor.

**REVOLVING FUND ACCOUNT. Recreation and Parks. Increase for FY2015.** Motion made and seconded to approve the request from Travis Farley, Assistant Superintendent, Recreation and Parks Department, to increase the Recreation and Parks Revolving Fund Spending threshold from $300,000 to $325, 000 for fiscal year 2015 due to unexpected expenses. All in favor.

**PERMISSION. Block Parking. Front Street.** Motion made and seconded to approve the request from Karen Reback and Scott Howard, 150 Front Street, the right to block 3 spaces, starting beyond Franklin Street towards Fort Sewall, on Wednesday, September 2, 2015 from approximately 8:00 a.m. – 2:00 p.m. for a moving van subject to approval from Chief Picariello and a police detail being hired. All in favor.

**DONATION ACCOUNT. Establish.** Motion made and seconded to establish a donation account to be used for pavement of private ways. All in favor.

**PERMISSION. 5K Road Race. Back the Track.** Motion made and seconded to approve the request from Andrew Ernst, Track Committee, to hold the 2nd annual Back the Track 5K and walk on Saturday, November 28, 2015 from 9:00 a.m. – 11:00 a.m. subject to approval from Chief Picariello and receipt of the required Certificate of Insurance. The event will start on Smith Street in front of the U.S. Post Office and end in the Community Center parking lot. Funds raised will be used to pay off the loan secured to complete the construction of the new track and field facilities at Village School. All in favor.

**PERMISSION. POD. Glendale Road.** Motion made and seconded to approve the request from Ben Wright to place a POD container at 53 Glendale Road Friday, July 24, 2015 to Tuesday, July 28, 2015 subject to approval from Chief Picariello and receipt of the required Certificate of Insurance. All in favor.

**AGREEMENT. Workforce Innovation and Opportunity Act (WIOA).** Motion made and seconded to enter into an agreement, as presented, and under the Mayor of Salem as lead elected official, to form a partnership that will support workforce development efforts under the Workforce Innovation and Opportunity Act (WIOA), and to authorize the Chair to sign on behalf of the Board. All in favor.

**APPRECIATION. Community Golf Day**. A letter was received from Lisa Smith, Business Manager, Marblehead Counseling Center, thanking the Board for allowing the Counseling Center to host the "Community Golf Day" at the Tedesco Country Club.

**CONGRATULATIONS. Festival of Arts**. **50th Anniversary**. Motion made and seconded to send a letter to the Marblehead Festival of Arts congratulating them on their 50th anniversary and thanking them for a wonderful Festival of Arts 2015. All in favor.

**APPRECIATION. Fireworks Committee**. Motion made and seconded to send a letter of thanks to Alexander Falk for the annual 4th of July Fireworks celebration. All in favor.

**APPRECIATION. Marblehead Forever Committee**. Motion made and seconded to send a letter of thanks to the Marblehead Forever Committee for the sponsoring the re-dedication event at Abbot Hall on July 4th. All in favor.

**APPRECIATION. Amy Drinker**. **Abbot Hall Commemorative Booklet**. Motion made and seconded to send a letter of thanks to Amy Drinker for the design and production of the Abbot Hall Commemorative Booklet. All in favor.

**TOWN HISTORIAN. Emeritus**. Motion made and seconded to bestow upon Bette Hunt, former Town Historian, the title of "Town Historian, Emeritus". All in favor.

**EXECUTIVE SESSION**. Motion made and seconded to adjourn to executive session under G.L. c. 30A, § 21, for the purpose of discussing pending litigation, namely Liebman v. Moriarty, et als. and 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 follow: 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 7:58 p.m.

Kyle A. Wiley
Administrative Aide