

BOARD OF SELECTMEN

MINUTES

January 20, 2016

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

POLICE DEPARTMENT. Appointments. Chief Picariello appeared before the Board seeking appointments of three full time permanent police officers. Motion made and seconded to appoint, on recommendation from Chief Picariello, Timothy Tufts, Theresa Gay and Andrew DiMare as full time permanent police officers with an effective date of March 14, 2016 subject to the successful completion of the Commonwealth of Massachusetts Physical Abilities Test. All in favor.

ABBOT HALL. Permission to Use. Marblehead School of Music. Motion made and seconded to approve the request from Jennifer Spungin, Marblehead/Salem School of Music, to use Abbot Hall on Saturday, May 21, 2016 from 11:00 a.m. – 5:00 p.m. for their annual Spring Music Showcase and to serve light refreshments, 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.

PERMISSION. Black Cat 10/20 Miler. B&S Fitness. Motion made and seconded to approve the request from Brandi Dion, B&S Fitness, to hold the 6th annual Black Cat 10/20 Miler on Saturday, March 12, 2016 subject to approval from Chief Picariello, Recreation and Parks, receipt of the required Certificate of Insurance and police details. Approval is also subject to weather/road conditions. The event will start and finish at the Hawthorne Hotel at 8:00 a.m. with the last runners out of Marblehead by 12:00 noon at the latest. All in favor.

PERMISSION. Multiple Sclerosis Walk. Motion made and seconded to approve the request from Drew Davis, National Multiple Sclerosis Society, to hold the annual Multiple Sclerosis Walk on Saturday, April 9, 2016 starting at 9:00 a.m., registration at 8:00 a.m., subject to approval from the Chief Picariello, School Department, Recreation and Parks, receipt of the required Certificate of Insurance and police details. All in favor.

PERMISSION. Miles for Mary 5K run/walk. Motion made and seconded to approve the request from William H. Park to hold the annual Miles for Mary Memorial 5K run/walk to support Brain Cancer research on Saturday, October 22, 2016 from 8:30 a.m. – 12:00 noon subject to approval from Chief Picariello, Recreation and Parks Department, receipt of the required Certificate of Insurance and police details. The event will start and finish at Devereux Beach. All in favor.

BELLS. Washington's Birthday. Motion made and seconded that the bells of Abbot Hall and all the churches in Marblehead be rung on Washington's Birthday, Monday, February 22, 2016 at the usual holiday hours from 7:30 a.m. to 8:00 a.m.; 12 noon to 12:30 p.m.; 6:00 p.m. to 6:30 p.m. as has been the custom in the past. All in favor.

WATER AND SEWER. COMMISSION. Revolving Funds. Motion made and seconded to approve request from F. Carlton Siegel, Chairman, to reauthorize the Sump Pump Improvement Revolving Fund in the amount of \$25,000 for Fiscal Year 2017 in accordance with Mass General Laws Chapter 44, Section 53E ½ for use by the Water and Sewer Commission; to be taken from revenues in connection with receipts collected from money received as a result of permitting fees; said fund to be expended for the aid in removal of sump pumps currently tied into the sewer system. All in favor.

POLICE. Revolving Funds. Motion made and seconded to approve the request from Chief Robert Picariello to continue the revolving fund for Fiscal Year 2017 for the Animal Control department in the amount of \$20,000.00 in accordance with Mass General Laws Chapter 44, Section 53E ½. All in favor.

COUNCIL ON AGING. Revolving Funds. Motion made and seconded to approve the request from Lisa Hooper, Director, to reauthorize the Council on Aging Revolving Fund for fiscal year 2017 at the current amount of \$250,000 in accordance with Mass General Laws Chapter 44, Section 53E ½. All in favor.

MARBLEHEAD PUBLIC SCHOOLS. Revolving Funds. Motion made and seconded to approve the request from Maryann Perry, Superintendent of Schools, to reauthorize the Special Education Revolving Fund in the amount of \$610,000 for fiscal 2017 in accordance with Mass General Laws Chapter 44, Section 53E ½. All in favor.

LICENSING. 1 Day Liquor. Marblehead Little Theatre. Motion made and seconded to approve the request from Gretchen Fisher, MLT Board Member, for a One Day Liquor License on Saturday, February 13, 2016 from 1:30 p.m. – 10:00 p.m. at MLT, 12 School Street, for a special Valentine's event 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; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

2016 ANNUAL TOWN MEETING. Warrants Articles. Motion made and seconded that the Board of Selectmen will sponsor the following articles on the warrant for the 2016 Annual Town Meeting:

Article: Amend General Bylaws to Reduce Quorum at Town Meeting. To see if the Town will vote to amend Chapter 174 of the General Bylaws of the Town of Marblehead by reducing the quorum requirements set forth in section 174-5, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article: Amend Historic Districts Commission Special Act. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth, pursuant to the Provisions of Section 8 of Article LXXXIX of the Amendments to the State Constitution and all other applicable laws to amend Chapter 101 of the Acts of 1965, An Act Establishing the Old and Historic District Commission of the Town of Marblehead, Section 4, by omitting the requirement that all of the membership of the commission reside in an historic district, as follows:

AN ACT AMENDING CHAPTER 101 OF THE ACTS OF 1965, AN ACT ESTABLISHING THE OLD AND HISTORIC DISTRICT COMMISSION OF THE TOWN OF MARBLEHEAD.

Be it enacted by the Senate and House of Representatives in the General Court assembled and by authority of the same as follows

SECTION 1. Amend Chapter 101 of the Acts of 1965, An Act Establishing the Old and Historic Districts Commission of the Town of Marblehead by omitting the second part of the second sentence in Section 4. Which now reads; **“Each member shall be a resident of the town of Marblehead and shall reside in an historic district established under this act.”**

To read instead; **“Each member shall be a resident of the town of Marblehead and shall reside in the historic district established under this act except the Board of Selectmen may appoint no more than one member from outside of an historic district.”**

SECTION 2. This Act shall take effect upon its passage.

SECTION 3. The General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

Or take any action relative thereto.

All I favor.

LICENSING. One Day Liquor License. Marblehead Counseling Center. Motion made and seconded to approve the request from Lisa Smith, Marblehead Counseling Center, for a One Day Liquor License on Saturday, April 2, 2016 from 6:00 p.m. – 10:00 p.m. at St. Andrews Parish Hall, 135 Lafayette Street, for a dinner dance, 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 of Everett. 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.

USE OF TOWN PROPERTY. Marblehead Festival of Arts. Motion made and seconded to approve the request from the Marblehead Festival of Arts for the following events and venues from May 2016 through July 2016 subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance and all required Department approvals and that Fort Sewall shall remain open to the public at all times:

Abbot Hall for Festival Art Exhibits and related events:

Art Exhibits Drop-Off

Saturday, May 21	8:30 AM to 12:30 PM
Thursday, May 26	5:30 PM to 8:30 PM

Art Exhibits Judging

Saturday, June 4	8:30 AM to 1:30 PM
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Art Exhibits Non-Accepted Work Pickup

Saturday, June 18	8:30 AM to 12:30 PM
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Art Exhibits Setup

Saturday, June 25	8:30 AM to 3:30 PM
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Art Exhibit's Awards Reception and Exhibit Viewing

Thursday, June 30	5:30 PM to 8:00 PM
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Festival: Art Exhibits, Artisans' Marketplace, Model Boat Building

Friday, July 1	1:30 PM to 7:30 PM
Saturday, July 2	9:30 AM to 5:30 PM
Sunday, July 3	9:30 AM to 5:30 PM
Monday, July 4	9:30 AM to 6:30 PM

Art Exhibits Breakdown & Clean-Up

Tuesday, July 5	9:00 AM to 2:00 PM
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Art Exhibits Pick-Up

Tuesday, July 5	5:30 PM to 8:30 PM
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Old Town House – Festival of Arts Exhibits -for Photography Art Exhibit.

Thursday, June 23 through Tuesday, July 6

Fort Sewall for the Champagne Reception & Culinary Arts Tasting

Sunday, June 26 9:00 AM to 9:00 PM
Monday, June 27 (Clean up) 8:00 AM to Finish

All in favor.

The Festival will also seek requests from the Recreation and Parks Department for the following:

Crocker Park for Performing Arts and Film Festival, including setup and breakdown:

Wednesday, June 29 through Tuesday, July 5

Devereux Beach for Sand Sculpture Competition and Kite Festival

Saturday, July 2 11:00 AM to 5:00 PM

EXECUTIVE SESSION MINUTES. Release. Motion made and seconded, on advice from Assistant Town Council Marc J. Miller, after his review of our executive session minutes, the Board shall make public the following Board of Selectmen Executive Session minutes: January 27, 2014, November 12, 2014, March 25, 2015, April 22, 2015. All in favor. May 5, 2014. 4 voted in favor. Mr. Christensen voted present. September 15, 2014, April 28, 2015, June 24, 2015. 4 voted in favor. Mr. Murray voted present. December 10, 2014, March 19, 2015, May 4, 2015. 3 voted in favor. Mr. Christensen and Mr. Murray voted present.

RESIGNATIONS. Marblehead Disabilities Commission. Motion made and seconded to accept a letter of resignation from Ron Grenier, Marblehead Disabilities Commission, and to send a letter of appreciation for his service. All in favor.

RESIGNATIONS. Fair Housing Committee. Motion made and seconded to accept the resignations of Charlene Tyler, Wendy Webber and Joan McIntyre from the Fair Housing Committee and to send letters of appreciation to all for their service. All in favor.

RESTROOMS. State Street Landing. Kenneth Desimone, 12 Jersey Street, appeared before the Board asking consideration for the restrooms to be open at State Street Landing year round.

Motion made and seconded to adjourn at 8:00 p.m. All in favor.

Kyle A. Wiley
Administrative Aide