BOARD OF SELECTMEN

MINUTES

August 21, 2019

Board met in session at 7:30 p.m. at the Marblehead Community Center, 10 Humphrey Street, Dining Room
Present (constituting a quorum):

Jackie Belf-Becker, Chair
Harry C. Christensen, Jr.
M. C. Moses Grader
Judith R. Jacobi
James E. Nye

Jason Silva, Town Administrator

The Board met in open session. Due to the change in venue for this meeting the Board took a 15 minutes recess to allow people to arrive.

MINUTES. Motion made and seconded to approve the minutes from July 24, 2019. 4 voted in favor. Mr. Christensen voted present.

FAYE CIRCLE. Permission. Asphalt Apron on Public Way. Paul Buckman, 6 Flint Street, appeared before the Board seeking to construct an asphalt apron in order to reduce the gravel from Faye Circle from being carried onto the surface of Flint Street by cars and trucks making U-turns on Flint Street and from cars and trucks leaving Faye Circle. Motion made and seconded to approve the request from Paul Buckman, 6 Flint Street, to construct an asphalt apron on Faye Circle, at no cost to the Town, from the traveled way of Flint Street approximately 10 feet into Faye Circle, subject to approval from the Town Engineer and DPW Director, receipt of the required Certificate of Liability and any required permits. All in favor.

LICENSING. New. Annual All Alcoholic Beverage License. In response to legal notice posted by the Board of Selectmen 2 applicants have applied for an Annual All Alcoholic Beverage License. A public hearing was posted on the application from Peter Conway, d/b/a Harbor Light Inn, and Nine Lives Restaurant Group, LLC.
Harbor Light Inn. Change of Category (Wine/Malt w.cordials to All Alcohol) and Change of Corporate Structure. **58 Washington Street**. Peter Conway, Harbor Light Inn, appeared before the Board. Harbor Light Inn has been in operation for over 34 years and currently has a Wine/Malt Beverage License with Cordials. No one spoke against the applicant, 2 residents spoke in favor.
Nine Lives Restaurant Group, LLC. New All Alcoholic Beverage License as a Common Victualler and a Common Victualler License. 126 Washington Street.

Scott and Emily Brankman, Nine Lives Restaurant Group, LLC and Chad Colarusso, Counsel, appeared before the Board. The Brankmans operated Jack Tar in Marblehead for many years before moving to upstate New York. They are moving back to Marblehead and looking to open a restaurant. No one spoke against the applicant, 1 resident spoke in favor.

The Board noted that if they awarded the All Alcoholic Beverage License to Mr. Conway he would have to surrender his current Wine/Malt Beverage License with Cordials. This is in accordance with Mass General Law. Mr. Conway stated he would do that. The following votes were taken:
Motion made and seconded to approve the application, as presented, from Harbor Light Inn, LLC, 58 Washington Street, for Change of Category (Wine/Malt Beverage License w/Cordials to an All Alcoholic Beverage License, Inn Holder), and to change the Corporate Structure, subject to approval from the ABCC, receipt of all applicable sign offs , all fees paid and CORI approval. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor, Mrs. Belf-Becker, in favor.

Motion made and seconded to approve the application for a Common Vitualler License as presented from Nine Lives Restaurant Group, LLC, d/b/a Sea Salt, 126 Washington Street, with outdoor patio. Scott Brankman, Manager. Approximately 2000 sq. ft. interior, 900 sq. ft. exterior. 1 entrance and 2 exits. Seating capacity = 50 interior / 30 exterior. Interior hours of operation will be Monday - Saturday 4:00 PM – 11:00 PM, Sundays 11:00 AM – 11:00 PM, Exterior Hours 4:00 PM – 10:00 PM. Sundays and Holidays (New Years, Valentines, Memorial Day, 4th of July, Arts Festival Weekend, Thanksgiving and Christmas) Interior Hours 11:00 AM – 11:00 PM, Exterior Hours 11:00 AM - 10:00 PM., all subject to approval from the ABCC, receipt of all applicable inspection sign offs ,all fees paid. All in favor.

Motion made and seconded to **amend** and approve the application from Nine Lives Restaurant Group, LLC, d/b/a Sea Salt, for a Wine/Malt Beverage License w. Cordials as a Common Victualler License, and to Pledge the License, at 126 Washington Street, with outdoor patio. Scott Brankman, Manager. Approximately 2000 sq. ft. interior, 900 sq. ft. exterior. 1 entrance and 2 exits. Seating capacity = 50 interior / 30 exterior. Interior hours of operation will be Monday - Saturday 4:00 PM – 11:00 PM, Sundays 11:00 AM – 11:00 PM, Exterior Hours 4:00 PM – 10:00 PM. Sundays and Holidays (New Years, Valentines, Memorial Day, 4th of July, Arts Festival Weekend, Thanksgiving and Christmas) Interior Hours 11:00 AM – 11:00 PM, Exterior Hours 11:00 AM - 10:00 PM., all subject to approval from the ABCC, receipt of all applicable inspection sign offs ,all fees paid and CORI approval. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor, Mrs. Belf-Becker, in favor.

PAVEMENT MANAGEMENT. Chip Sealing. The Chair opened up a discussion on the recent chip sealing project in Town off of West Shore Drive. The Town Administrator reviewed the process the Town went through before approving the chip

sealing project. The Town Administrator apologized that residents felt they had no notice of this. While the Town sent out mailings and flyers, posted on the website and the local papers, he should have done more to make sure the affected neighborhoods were all properly notified. Charles Quigley, Town Engineer, spoke regarding his experience with chip seal the Town's pavement management program. Patrick Noonan appeared before the Board. He expressed his concerns with the project and the negative impact it is having on the surrounding neighborhood in regards to sound, texture, loose stones, health and safety concerns. Several residents addressed the Board reiterating these concerns as well and seeking a way to rectify the situation. The Board addressed those in attendance and apologized for the impact it has had on the residents and their desire to remediate the situation. Motion made and seconded to order the Town Administrator to develop an alternative roadway improvement strategy, specifically the use of a cape seal application, or comparable, to all streets treated with chip seal. This should be implemented as soon as possible and should be properly communicated with the neighborhood in advance of microsurfacing the roads. All in favor.

The Board took a 5 minute recess.

LICENSING. One Day Liquor License. Marblehead Museum. Motion made and seconded to approve the request from Lauren McCormack, Executive Director, Marblehead Museum, for a 1 Day Liquor License on Saturday, September 21, 2019 from 5:00 p.m. – 9:00 p.m. at the Lee Mansion, 161 Washington Street, subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee ($50.)
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. Grader, in favor; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, 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 6th annual Back the Track 5K and walk on Saturday, November 30, 2019 from 9:00 a.m. – 11:00 a.m. subject to approval from Chief Picariello, receipt of the required Certificate of Insurance and police details. The event will start on Smith Street in front of the U.S. Post Office and end in the Community Center parking lot. No permanent markings are to be made on the street. All temporary markings must be removed at the conclusion of the event. All in favor.

Half Marathon. September 8, 2019. Deferred. The Back the Track Association has deferred the recently approved half marathon to 2020 to allow for better planning and execution of such a race.

PERMISSION. Community Bike Ride. Motion made and seconded to approve the request from Thomas Regan, 11 Cloutmans Lane, to host four (4) Community Bike Rides on the following days and times subject to approval from the Police Chief, Water and Sewer Department and receipt of the required Certificate of Insurance. No permanent markings are allowed on the streets and any temporary markings must be removed at the end of the event. Riders will be in groups of 8 or less, departing several minutes apart. Each group will be led by experienced riders at both the front and rear of the line. All cyclists will be expected to follow traffic laws and use safe riding techniques.
Monday, August 26, 2019 (rain date August 29, 2019). Start time is 5:30 p.m. at Tower School, travel thru Clifton, Neck loop, return to Tower. Approximate ride time is 39 minutes.
Saturday, September 21, 2019 (rain date Sunday, September 22, 2019). Start time is 2:00 p.m. at Tower School travel to Salem Willows, return on Canal Street bike path to Tower. Approximate ride time is 40 minutes.
Saturday, September 28, 2019 (rain date Sunday, September 29, 2019). Start time 2:00 p.m. Several rides of different lengths along the trail. Approximate ride time is 58 minutes.
Saturday, October 12, 2019 (rain date Sunday, October 13, 2019). Start time is 2:00 p.m. at Tower School, travel partial Neck loop, downtown, return to Tower School.
All in favor.

PERMISSION. Breast Friends Cancer Walk. Motion made and seconded to approve the request from Grace Elmer to hold the annual Breast Friends Cancer Walk on Sunday, October 20, 2019 starting at 9:00 a.m. subject to approval from Chief Picariello, Recreation and Parks Department, Police Details, receipt of the required Certificate of Insurance and an approved time for the event. No permanent markings are allowed on the streets and all temporary markings shall be removed at the conclusion of the event. The event will start and finish at Devereux Beach. All in favor.

PARKING REGULATIONS. Baldwin Road. Remove One Way Restriction. Motion made and seconded, on recommendation of the Police Chief, to suspend the "One-Way – Schools Days" restriction on Baldwin Road while the Bell School is closed. All in favor.

LICENSING. 1 Day Liquor. The First Church. Motion made and seconded to approve the request from the Rev. Dr. Dennis B. Calhoun, The First Church of Christ "Old North" for a 1 Day Liquor License on Friday, October 4, 2019 from 6:00 p.m. – 11:00 p.m. for a church fundraiser at the Parish Hall subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee ($50.)
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.

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Alcohol will be purchased from Kappy's Importing. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor, Mrs. Belf-Becker, in favor.

LICENSING. 1 Day Liquor. JCCNS. Motion made and seconded to approve the request from the Stephanie Greenfield, JCCNS Director of Development for a 1 Day Liquor License on Sunday, September 15, 2019 from 10:00 a.m. – 4:00 p.m. for a 5K Race and Fitness Festival and a Concert on the Hill subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee ($50.)
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 Bent Water Brewing Co. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor, Mrs. Belf-Becker, in favor.

LICENSING. One Day Liquor License. Marblehead Arts Association. Motion made and seconded to approve the request from Patricia Baker, Executive Director, Marblehead Arts Association, for (2) 1 Day Liquor Licenses on Thursday, September 12, 2019 and Thursday November 7, 2019 from 7:30 p.m. – 10:00 p.m. at 8 Hooper Street for a jazz concert fundraiser subject to the following:

1. Delivery of and receipt by the Licensing Authority of the required fee ($100.)
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 MS Walker, Somerville. On a polled vote the Board voted as follows: Mr. Christensen, in favor; Mr. Grader, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

PERMISSION. 5K Walk/Run. Drug Awareness. Motion made and seconded to approve the request from Holly and Mark Fader to hold the 3rd annual 5K Ryan Run / Walter Walk to raise funds for Drug Awareness on Saturday, November 30, 2019 subject to approval from Chief Picariello, Recreation and Parks Department, Police Details and receipt of the required Certificate of Insurance. No permanent markings are allowed on the streets and all temporary markings shall be removed at the conclusion of the event. The event, starting at 1:00 p.m., will start and finish at Devereux Beach. The funds raised from the event will be deposited to the donation account established by the Selectmen to continue programs to help the young people in and around Marblehead. All in favor.

PERMISSION. Run for Rescue 5K run/walk. Motion made and seconded to approve the request to hold a 5K charity run/walk, Run for Rescue, on Saturday, November 2,

2019 to benefit non-profit local animal welfare groups including the Friends of Marblehead's Abandoned Animals (FOMAA) subject to approve from Chief Picariello, Recreation and Parks and receipt of the required Certificate of Insurance. The race will start at Chandler Hovey Park at 12:00 noon. All in favor.

RESIGNATION. Fair Housing Committee. A letter was received relating to the resignation of Ann Cohen from the Fair Housing Committee. Motion made and seconded to accept and to send a letter of appreciation. All in favor.

FAIR HOUSING COMMITTEE. **Letter of Interest**. A letter of interest to serve on the Fair Housing Committee was received from Teri McDonough.

DISABILITIES COMMISSION. **Letter of Interest**. A letter of interest to serve on the Disabilities Commission from Sam Marino.

SEPTEMBER 11th. Remembrance Ceremony. Notification was received from Chief Jason Gilliland that the Marblehead Fire and Police Department will join departments and community members across the country with a remembrance ceremony on Wednesday, September 11, 2019 at 10:00 a.m. sharp at Memorial Park to commemorate the 18th anniversary of the September 11th terrorist attacks and the subsequent loss of life suffered at the World Trade Center, the Pentagon and Shanksville, Pennsylvania. The community is invited to this ceremony.

CONGRATULATIONS. 100th Birthday. Motion made and seconded to send a letter of congratulations to Tom Callahan on his 100th Birthday. Tom worked on the Finance Committee for over 35 years. All in favor.

Motion made and seconded to adjourn at 10:10 p.m. All in favor.

Kyle A. Wiley
Administrative Aide

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