

SELECT BOARD

MINUTES

April 23, 2025



Board met in HYBRID session at 7:00 p.m. at Abbot Hall, 188 Washington Street, Select Board Meeting Room

The following Board members were present constituting a quorum:

Erin M. Noonan, Remote
Dan Fox
M. C. Moses Grader
Bret T. Murray

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting of April 9, 2025, to order.

PUBLIC COMMENT.

Terri Tauro, MMEU President, addressed the Board expressing concerns about ongoing contract negotiations and the town's hiring of new positions and raised issues about the town's bargaining team's delay tactics and the need for the town to comply with the law and settle the contracts.

Albert Jordan addressed the Board regarding his dissatisfaction with the MMLD and the new position they created/Compensation Committee and concerns with new positions being added.

TOWN ADMINISTRATOR UPDATE. The Town Administrator updated the Board on the following:

- **Change of Voting Locations, update:** The vendor has confirmed that the necessary parts will not arrive in time to start the elevator repairs in June and due to the June election and Fourth of July activities Abbot Hall will remain a polling location for the June elections. It is recommended to have Precinct 1 and 2 at Abbot Hall and Precinct 4-6 at Marblehead High School Field House. This will also reduce disruptions to the Council on Aging and Recreation and Parks programs at the Jacobi Community Center and allow for more efficient staffing of election volunteers by consolidating locations where practical. The Secretary of the Commonwealth has certified Marblehead High School Field House as ADA-compliant and suitable for polling. The Select Board must vote to approve the change no later than May 21, 2025, at least 20 days before the election. This vote will be scheduled at the Board's next regular meeting.
- **Certification of Free Cash:** The Town continues working toward certification of free cash by the Massachusetts Department of Local Services (DLS). This routine

annual process requires full reconciliation and documentation of all municipal revenues and expenditures. To support this effort, the Town engaged CliftonLarsonAllen (CLA) to complete the final reconciliation and coordinate with DLS. CLA is expected to finish their work by Tuesday. CFO Aleesha Benjamin and Treasurer/Collector Cami Iannarelli have been working through the weekend to finalize adjustments. The Town's external auditors are reviewing the data and expect to submit draft financials to DLS by Friday. Aleesha Benjamin has maintained regular communication with DLS, which has confirmed it is ready to receive the reports and proceed with certification in time for Town Meeting.

POLICE DEPARTMENT. Promotions. Chief King appeared before the Board seeking to promote Eric Osattin and Andrew Dimare. After review by the Board a motion was made and seconded, on recommendation of Chief King, to promote Eric Osattin to the rank of Lieutenant effective May 4, 2025. 3 voted in favor, Mr. Murray recused himself. Motion made and seconded, on recommendation of Chief King, to promote Andrew Dimare to the rank of Sergeant, effective May 4, 2025. 3 voted in favor, Mr. Murray recused himself.

LICENSING. Richdale of Marblehead. Automatic Amusement Device. Chris Patel appeared before the Board, remotely, seeking an Automatic Amusement Device License. After review by the Board, motion made and seconded to approve the request from Richdales of Marblehead, 29 Smith Street, for an automatic amusement device as follows: Key Master, Model Number 3516, Serial # 13040164. All in favor.

BOND ANTICIPATION NOTE (BAN). Camie Iannarelli, Treasurer/Collector of Taxes, and Aleesha Benjamin, Chief Financial Officer, appeared before the Board seeking approval on General Obligation Bond Anticipation Notes. The Town is borrowing funds for various projects such as roadway and sidewalk repair, and the Mary Alley roof replacement. The bond is a short-term solution to finance these projects, with the intention of issuing a long-term bond once the funds are used. After review and discussion the following votes were taken:

Voted: to approve the sale of \$4,922,598 General Obligation Bond Anticipation Notes of the Town dated May 15, 2025 at an interest rate of 4.00% and payable May 15, 2026 (the "Notes") to Fidelity Capital Markets at par and accrued interest, if any, plus a premium of \$25,892.86. All in favor.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 8, 2025, and a final Official Statement dated April 15, 2025, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted. All in favor.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to

the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time. All in favor.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws. All in favor.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes. All in favor.

ARTICLE 33. Mary A. Alley Building, HVAC System. Logan Casey, Sustainability Coordinator and Sean Moriarty, Senior Project Manager and Daniel Wall, Principal, NV5 Andover, appeared before the Board to present a proposed comprehensive plan for upgrades to the Mary A. Alley Building which include installation of an HVAC System, roof replacement, ADA upgrades, sprinkler fire alarm installation, safety upgrades and environmental concerns and updating the elevator system. The Capital Planning Committee is expected to review this project before Town Meeting and make a recommendation.

2025 ANNUAL TOWN MEETING. Select Board Articles. The Board reviewed and discussed articles they have sponsored on the 2025 Warrant. Motion made and seconded to support the following articles on the 2025 Annual Town Warrant except those placed on Hold:

Article 3 – Consent Articles

- (a) Assume Liability
- (b) Accept Trust property - None
- (c) Lease Town Property – None
- (d) Contracts in Excess of Three Years
- (e) Financial Assistance for Conservation

Article 4 Unpaid Funds in the amount of **\$26,688.72**

Article 5 Departmental Revolving Funds in the amount of **\$5,199,535.00**

Article 6 Purchase of Equipment of Several Departments in the amount of **\$301,741.00**

Article 7 Lease Purchase in the amount of **\$491,218.00**

Article 8 Capital Improvements for Public Buildings in the amount of **\$1,236,958.00**

Article 9 Walls and Fences in the amount of **\$50,000.00**

Article 10 Stormwater Construction in the amount of **\$400,000.00**

Article 11 Consent Articles, Water and Sewer

(a) Water Department Construction in the amount of **\$1,236,000.00**

(b) Sewer Department Construction in the amount of **\$1,599,000.00**

Article 12 Proposed Reclassification and Pay Schedule (Administrative) at **2%**.

Article 13 Proposed Reclassification and Pay Schedule (Traffic Supervisors) at **2%**.

Article 14 Proposed Reclassification and Pay Schedule (Seasonal and Temporary) at **2%**.

Article 15 Compensation Town Clerk at **2%**.

Article 17 Essex North Shore Agricultural & Technical in the amount of **\$627,323.00**

Article 19 Collective Bargaining (Police) in the amount of - to be determined. **HOLD**

Article 20 Collective Bargaining (IUE/CWA – Local 1776) in the amount of – to be determined -

Article 21 Collective Bargaining (Fire) in the amount of - to be determined - **HOLD**

Article 23 Amend Zoning Bylaw – 3A Multi Family Overlay District

Article 28 Home Rule Petition: Establish Means Tested Senior Citizen Property Tax Exemption

Article 31 Coffin School Reuse

Article 32 Gerry School Playground

Article 33 Mary A. Alley Building, HVAC System in the amount of **\$5,750,000**

Article 36 Stormwater Enterprise Fund

Article 44 Parking Tickets – Increased Fee for Snow Emergency (no more than \$100 if not paid within 21 days \$105)

All in favor.

Motion made and seconded to support the following articles on the 2025 Annual Town Warrant:

Article 19 Collective Bargaining (Police) in the amount of – to be determined

Article 21 Collective Bargaining (Fire) in the amount of - to be determined

3 voted in favor, Mr. Murray recused himself.

ARTICLE 47. Sustainability Coordinator. The Board reviewed the Citizen Petition Article 47, Sustainability Coordinator. The Board fully supports this position and the value of this position. After discussion, motion made and seconded to support the ongoing efforts of the Sustainability Coordinator as well as the line item in the budget. All in favor.

CONSENT AGENDA ITEMS, GENERAL Motion made and seconded to approve the following Consent Agenda Items except those put on hold:

Minutes of March 12, 2025/ March 25, 2025 / March 26, 2025 / March 31, 2025 / April 7, 2025 / April 9, 2025.

Old Town House, Sustainable New England, September 18, 2025, subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance.

Old Town House, Sustainable Marblehead, June 6, 2025, subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance.

All in favor.

CONSENT AGENDA ITEMS, CONTRACTS. Motion made and seconded to approve the following Consent Agenda Items, contracts with the Town, except those put on hold and authorize the Chair to sign on behalf of the Board:

AWARD contract **2025-005 Cleaning of Stormwater Catch Basins, to BMC Corporation of Pinehurst MA. 01866. The first year of the Contract will run from May 1, 2025, to June 30, 2026, a total of 14 month with an initial town-wide cleaning to be completed prior to June 2025.)** for One Hundred Seventeen Thousand Four Hundred and Seventy-nine Dollars and zero cents (\$117,479.00).

AMEND contract for **2024-030 Roadway and Sidewalk Improvements, to D&R Contracting** of Melrose MA. 02176, by awarding the first-year option for the period of July 1, 2025, to June 30, 2026. in the amount of one million, one hundred eighty-two thousand, two hundred ninety-three dollars and zero cents (\$1,182,293.00).

AMEND contract for **2024-028 Pavement Maintenance (Crack Sealing) Project, to Seal Coating Inc., d/b/a Indus** of 825 Granit Street, Braintree MA, 02184, by awarding the first-year option for the period of July 1, 2025, to June 30, 2026. in the amount of Seventy-Three Thousand One Hundred Eighty-Eight Dollars and 00 /100 (\$73,188.00).

AMEND the contract for **Town Wide Pavement Markings between the Town and K5,** Rockland, MA by awarding the second option year for the period of June 1, 2025, to May 31, 2026, for the not to exceed price of Forty-Eight Thousand Six Hundred Twenty-Five and 00/100 (\$48,625.00) and authorize the Chair to sign on behalf of the Board.

Change Order No. 4 Change Order to the contract 2024-077, Elm Street Park Project to allow for exploratory investigation work to address safety concerns due to the unanticipated exposure of the unknown well during the construction phase activities and determine the next steps to permanently decommission the pre-existing well in a timely manner and mitigate future safety concerns in the amount of five thousand six hundred seventy five (\$5,675) p/day and not to exceed fifteen thousand nine hundred seventy five (\$15,975) maximum 3 days' work, if necessary.

All in favor.

PROCLAMATIONS.

Worlds Oceans Day. Motion made and seconded to approve the request from Robert Howie, Sustainable Marblehead to proclaim June 8, 2025 World Oceans Day. All in favor.

Make a Wish Day. Motion made and seconded to approve the request from Caroline Criag to proclaim May 3, 2025 Make-a Wish Day in Marblehead in honor and support of Sophia and her family. All in favor.

Community Counseling Center, 55 years of service. Motion made and seconded to send a proclamation to the Marblehead Counseling Center in honor of their 55 Years of

Service to the Town and the Amy Salz Community Champions Award and Community Service Scholarship Program event on May 1, 2025. All in favor.

2025 TEMPORARY OUTDOOR DINING. Applications. The Board reviewed applications for temporary outdoor dining and took the following vote:

Motion made and seconded to approve the following applications for 2025 Temporary Outdoor Dining in accordance with the Town's policy on Temporary Outdoor Dining:

Elia Taverna. 261 Washington Street, subject to receipt of the required forms, fees, Insurance and approval from Police, Fire, Building Commissioner and Town Administrator.

The Landing. 81 Front Street, subject to receipt of the required forms, fees, Insurance and approval from Police, Fire, and coordination of days/hours of operation on the public way with the Town Administrator.

Moved by Mr. Fox, seconded by Mr. Murray. On a polled vote the Board voted as follow: Mr. Murray, in favor; Mr. Grader, recused himself, Mrs. Noonon, in favor.

CONGRESSIONAL DIRECTED SPENDING. Sewer Lining Project. Letters of Support. Motion made and seconded to send a letter of support to Congressman Seth Moulton and Senators Elizabeth Warran and Ed Markey for Congressional Directed Spending for the Sewer Lining Project and authorize the Chair to sign on the Boards' behalf.

DANGEROUS DOG HEARING. Determination. The Board reviewed the summary and determination from the Dangerous Dog Hearing held on April 17, 2025, as prepared by the Town Administrator, appointed by the Board as the Hearing Officer. After review the Board voted as follows:

Motion made and seconded to approve declaring the dog known as Wiatt, residing part-time at 24 May Street in Marblehead, as a dangerous dog, and to require the owner to comply with the provisions of MGL Chapter 140, Section 157(c)(i)-(v), as outlined above, and to notify the owner of such determination in writing. All in favor.

ANNUAL PERAMBULATION. Donna Cotterall, Grant Coordinator, appeared before the Board to announce the annual Perambulation on Saturday, May 10, 2025, at 10:00 a.m. This event goes back hundreds of years and requires the Select Board to walk the boundaries to define where the boundaries between the communities lie and ensure the perpetuity of the public ways. The Town will perambulate the public ways on the Neck this year and next year the public ways downtown. Don Doliber, Town Historian, will give a brief presentation at the start. The event will commence at Chandler Hovey Park at 10:00 a.m. sharp and is open to the public.

MASS HISTORICAL COMMISSION. Preservation Restriction. Franklin Street Fire House. Donna Cotterall, Grant Coordinator, appeared before as it relates to a Preservation Restriction for the Franklin Street Fire House. The Town currently has a

10-year agreement that was signed by the Select Board in August of 2022. For this grant to go forward, the Town will be required to have the preservation restriction voted in perpetuity, so that any renovations and repairs that are done will be protected in perpetuity versus having to come back and revote in 2032.

Motion made and seconded to confirm the Town's intention to record a Preservation Restriction Agreement on Franklin Street Fire House in Marblehead, should the town be awarded a grant from the Massachusetts Preservation Project Fund which shall be recorded under the provisions of M.G.L Chapter 184 sections 31-33 and to authorize the Chair to sign a letter, on behalf of the Board, acknowledging this to the Massachusetts Historical Commission. All in favor.

SELECT BOARD ANNOUNCEMENTS. The Board acknowledged with heavy hearts the passing of former Selectmen Harry Christensen. A pillar of the community, serving his country and his town. Motion made and seconded to send a letter of condolence to Harry's family. All in favor.

Motion made and seconded to adjourn at 9:00 p.m. All in favor.



Kyle A. Wiley,
Administrative Aide

List of documents used: promotions request, Chief King / Richdales request for entertainment license / BAN documents / motions for town meeting articles / proclamation requests: Make a wish, Oceans Day, Counseling Center / outdoor dining applications: 5CK/Barrelman / request for letter of support Direct Spending on Sewer Lining Project / Dog Hearing Determination / request for grant for preservation restriction Franklin St Fire House.