

SELECT BOARD

MINUTES

January 10, 2024

Board met in HYBRID session at 7:00 p.m. at Abbot Hall and via ZOOM Conferencing
The following members were present constituting a quorum:

M. C. Moses Grader, Chair Pro-Tem
Bret T. Murray
James E. Nye
Alexa Singer

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting of January 10, 2024 to order. This meeting is being recorded.

TASK FORCE AGAINST DISCRIMINATION. Interview/Appointment. Rebecca Herve-Lorenze appeared before the Board as it relates to serving on the Task Force Against Discrimination, Student Representative. Motion made and seconded to appoint Rebecca Herve -Lorenzo to the Task Force against Discrimination, Student Representative, with a term to expire in June 2024. All in favor.

APPOINTMENT. Human Resources Director. Thomas Howard appeared before the Board as it relates to the position of Human Resources Director. Motion made and seconded to appoint Thomas Howard as Human Resource Director with a term to expire in June 2024. All in favor.

MASSACHUSETTS BAY TRANSPORTATION ASSOCIATION (MBTA). 3A Multi Family Zoning. Rebecca Currant Cutting, Town Planner, appeared before the Board to make a presentation regarding the MBTA 3A Multi Family Zoning Mandate which requires communities to zone for “at least one district of reasonable size in which multi-family housing is permitted as of right”. 177 communities in the Commonwealth are included and Marblehead is classified as an Adjacent Community (adjacent communities are those that are adjacent to municipalities that contact MBTA stations). Ms. Cutting reviewed the State mandate with the Board as well as the current zoning districts in the Town and zoning bylaws. The Town, through its Planning Board, has been diligently working on identifying stakeholders, soliciting community input, looking at model bylaws, meeting with various boards, department heads and business owners, holding public hearings and a virtual week-long open house, to develop a draft plan to present to the community which Town Meeting will ultimately vote on in May.

PERAMBULATION OF PUBLIC WAYS. Town Planner. Rebecca Cutting, Town Planner, appeared before the Board to give a brief overview of the Town's Annual Perambulation of the Public Ways. There are a number of ways dating back to colonial days that exist in Marblehead. Some ways are hundreds of years old and can be traced back to fishing and a way to reach the water. Some offer views of the water, connect one street to another or a little path that may look like a private yard. There are 10 public ways on the Neck and 8 in the Downtown area. The act of walking the ways reasserts the public's rights and prevents claims that the easement has been abandoned. Many communities host annual "perambulation" days on which members of the community walk the public footpaths to reassert public rights. Marblehead has conducted periodic "perambulation" of these ways with the help of the town engineer and staff and publicly notifying interested citizens to come walk the ways. Marblehead Conservancy has taken on this task for several years and has now turned this back over to the Select Board. The Town Planner recommends the Annual Perambulation be held the Saturday after Town Meeting at 10:00 a.m., alternating years to walk the Neck and Downtown areas. The Board thanked Ms. Cutting for the presentation and will move forward with the Annual Perambulation on May 11, 2024.

PUBLIC HEARING. LICENSING. Kitsen Table Inc. Change of Corporate Name/Issuance of Stock. The Chair opened the public hearing on the application from Kitsen Table Inc. to Change the Corporate Name and Issuance of Stock. Hoang Sa This Ngyen appeared before the Board to present the application from Kitsen Table Inc. No one spoke opposed or in favor of the application. The public hearing was closed. Motion made to approve the application, as presented, from Kitsen Table Inc., 10 Bessom Street, d/b/a Soall Bistro, for Change of Stock interest and Change of Corporate Name subject to receipt of the required documents and approval by the Alcoholic Beverage Control Commission. Moved by Mr. Nye, seconded by Mr. Murray. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mr. Nye, in favor; Mr. Murray in favor; Mr. Grader, in favor.

PUBLIC HEARING. LICENSING. Corinthian Yacht Club. Change of Officers and Directors. David Titus appeared before the Board to present the application from the Corinthian Yacht Club. Motion made to approve the application, as presented, from David Titus, Corinthian Yacht Club, 1 Nahant Street, for a Change of Officers and Directors, subject to receipt of the required documents and approval by the Alcoholic Beverage Control Commission. Moved by Mr. Murray seconded by Mrs. Singer. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mr. Nye, present; Mr. Murray in favor; Mr. Grader, in favor.

PUBLIC HEARING. LICENSING. Rip Tide Group, LLC. Pledge of Liquor License. The Chair opened the public hearing on the application from Rip Tide Group LLC to pledge the liquor license. Attorney Paul Lynch appeared before the Board to present the application from the Rip Tide Group LLC. No one spoke opposed or in favor of the application. The public hearing was closed. Motion made to approve the application, as presented, from Rip Tide Group, LLC, 116 Pleasant Street, to Pledge the

All-Alcoholic Beverage License subject to receipt of the required documents and approval by the Alcoholic Beverage Control Commission. Moved by Mr. Nye, seconded by Mr. Murray. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mr. Nye, in favor; Mr. Murray in favor; Mr. Grader, in favor.

PUBLIC HEARING. LICENSING. Transfer of All Alcoholic Beverage License/Common Victualler License. ANH Restaurant & Entertainment Group, LLC, 123 Pleasant Street. The Chair opened the Public Hearing on the transfer of the All-Alcoholic Beverage License at 123 Pleasant Street. John Nicastro appeared before the Board to present the application. No one spoke opposed or in favor of this application. The public hearing was closed. Motion was made to approve the application for a Common Victualler License for ANH Restaurant & Entertainment Group, LLC, 123 Pleasant Street, Manager John Nicastro, hours of operation Monday through Sunday 10:00am – 12:00 midnight, subject to receipt of all applicable inspection sign offs and all fees paid. All in favor. Motion made and seconded to approve the transfer of the All-Alcoholic Beverage License from Warwick Entertainment, 123 Pleasant Street, to ANH Restaurant & Entertainment Group, LLC, 123 Pleasant Street, hours of operation Monday through Sunday 10:00am – 12:00 midnight, subject to approval from the Alcoholic Beverage Control Commission, Cori approval and receipt of all applicable inspection sign offs and fees paid and proof of TIPS or equivalent certification. Moved by Mr. Nye, seconded by Mr. Murray. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mr. Nye, in favor; Mr. Murray in favor; Mr. Grader, in favor.

MINUTES. Motion made and seconded to approve the minutes of November 15, 2023 and December 13, 2023. All in favor.

BELL RINGING. 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, Thursday, February 22, 2024, 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.

GIFT TO TOWN. Surveying Equipment. Motion made and seconded to accept as a give to the Town the following surveying equipment from Hancock Associates and put into the care and custody of the Engineering Department and to send a letter of appreciation:

- (1) Leica model TP S700 total Station
- (2) Tripods
- (1) Surveying rod and peanut prism
- (1) Tricrach prism support with prism

All in favor.

CONTRACT. Kneeland Construction. Amend time. Motion made and seconded to amend the contract for the Grace Olivers Railing Project between the Town and Kneeland Construction of Medford, MA to extend the time for performance until January

31, 2024 and authorize the Chair to sign the amendment of behalf of the Board. All in favor.

LEASE AGREEMENT. Police Vehicle(s). Motion made and seconded to approve the Lease Agreement, as presented, between the Town and Republic First National, for Two (2) New Ford AWD Police Utility Interceptors with Upfitting and authorize the Chair to sign on behalf of the Board. All in favor.

LEASE AGREEMENT. School Bus. Motion made and seconded to approve the Lease Agreement, as presented, between the Town and Huntington Public Capital Corporation for Pupil Transportation Large Bus, One 2023 bluebird bus, VIN:1BAKJCSA7SF807235 and authorize the Chair to sign on behalf of the Board. All in favor.

CONTRACT. Collins Engineering. Amend Contract Amount. Motion made and seconded to amend the contract between the Town and Collins Engineering for the town's Coastal Resilience Municipal Land Project by increasing the contract amount by thirty-eight thousand and sixty dollars (\$38,060.00) and authorize the Chair to sign amendment on behalf of the Board. All in favor.

DONATION ACCOUNT. Council on Aging. Motion made and seconded to approve the request from Lisa Hooper, Council on Aging, to establish a donation account for receipts received from Dennis Curtain's book, Marblehead Vignettes to be used by the Council on Aging. All in favor.

LICENSING. Automatic Amusement Device. VFW. Motion made and seconded to approve the request from Edward Preble, VFW, for an Automatic Amusement Device License for the following:
Trivia Game Serial # U5-0408-143041 subject to receipt of the required fees. All in favor.

PARKING REGULATIONS. No Parking/TOW ZONE. Pump Stations. Amy McHugh, DPW Director, appeared before the Board. On December 13, 2023, the Board reviewed a request from Amy McHugh to establish No Parking /Tow Zone areas at all the Pump Stations in Town. Following up on that request, the Board reviewed the proposed parking regulations and a motion was made and seconded to approve following Parking Regulations:

***NO PARKING / TOW ZONE** at Sewer Pump Station Access areas as presented, and submitted by the Town Engineer titled, "December 8, 2023, Proposed No Parking zone descriptions" and to post signs designating such areas as **NO Parking - Tow Zone** with a year-round restriction of 20 feet in length and Seasonal (December 15 to April 15) restriction of 40 feet in length. All in favor.*

CULTURAL COUNCIL Letter of Interest. The Board received a letter of interest from Alexandra MacAaron as it relates to serving on the Cultural Council. The Board will invite Ms. MacAaron in to a future Board meeting.

PERMISSION. Black Cat 10/20 Miler. B&S Fitness. Motion made and seconded to approve the request from Ashley Steeves, B&S Fitness Companies, to hold the Wicked 10, 20 miler on Sunday, March 24, 2024 subject to approval of the Marblehead Police and Recreation and Parks, receipt of the required Certificate of Insurance naming the Town of Marblehead as additionally insured and police details. All distances will start and finish at B&S Fitness, Salem. Start times begin at 8:00 am with the last runners exiting Marblehead by 11:30 am. No permanent markings shall be made on the streets and any temporary markings shall be removed at the conclusion of the event. The VFW Post in Marblehead and the Allie Castner Scholarship Foundation shall be two (2) of the charities to benefit from the event. All in favor.

POLICE DEPARTMENT. Indemnification. Motion made and seconded to indemnify Officer Luke Peters for injuries sustained while on duty on December 23, 2023. All in favor.

PUBLIC COMMENT. The following public comment was taken:

Albert Jordon: feels the new police vehicles lack visibility/questioned how many cars were towed during previous storm/concerned with trailers, cars and equipment that are on the roads during storms.

TOWN ADMINISTRATOR UPDATE. The Town Administrator updated the Board as follows:

- Warrant deadline for filing citizen petitions.
- State of the Town, January 24, 2024.
- Warrant deadline for Town departments, brief preview of articles that may be placed on the warrant.

SELECT BOARD ANNOUNCEMENTS. The Chair Pro Tem announced the annual Holocaust Remembrance Day will be held on Friday, January 26, 2024 at 12:00 noon at Abbot Hall.

Motion made and seconded to adjourn at 8:25 p.m. All in favor.

Kyle A. Wiley
Administrative Aide

List of documents used: Ltr of interest, Rebecca Herve-Lorenzo / Thomas Howard resume/ Liquor Licensing applications: Kitsen Table/ CYC/Rip Tide / ANH Restaurant Group / Ltr to Board re gift to Town; Lease Agreements: Police vehicles, School Bus; request for Donation Account, COA / Request for AAU Device, VFW / Parking Regulations, Pump Stations / Letter of interest, Alexandra MacAron /B&S Fitness 10/20 Miler / Police Dept, request for Indemnification.: