

## **SELECT BOARD**

### **MINUTES**

**November 13, 2024**

Board met in HYBRID session at 7:00 p.m. at Abbot Hall, 188 Washington Street  
The following Board members were present constituting a quorum:

Erin M. Noonan  
Dan Fox  
M. C. Moses Grader  
Alexa J. Singer

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting of November 13, 2024, to order. This meeting is being recorded.

**PUBLIC COMMENT.** Several residents, teachers and parents, addressed the Board regarding the ongoing teacher strike and contract negotiations seeking the Board's support in resolving these issues and to get the schools reopened.

A resident addressed the Board regarding the MBTA Community Act stating people are wondering what will happen when the Town falls out of compliance on January 1st and how the Select Board intends to address the possible penalties for not complying.

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

Contract negotiations –Schools. The Town Administrator reviewed the school contract negotiating process with the Board. Under Chapter 150 E, the Town Administrator is a voting member for purposes of collective bargaining. The School Committee Chair assigned the Town Administrator as a member of the negotiating team midstream. When the vote was taken to go on strike the Town Administrator was out of Town. The Department of Labor Relations is called in immediately and initiates mandatory mediation. That is the stage that the schools are in now and this is mandatory mediation dictated by the State where both parties do not meet face to face. The first session was held on Saturday. During mediation the two parties are in separate rooms, separate locations and it is the mediator that does the shuttle diplomacy back and forth. That first day was fact finding and the Town Administrator participated through zoom, returning to town for all sessions after that. The schools are making every effort to pursue an agreement as quickly as possible.

Collective Bargaining updates:

Marblehead Municipal Employees Union (MMEU). This Union represents most of the Town Hall employees and departments. Negotiations were taking place and have now gone into mediation.

Mass Coalition of Police, Local 437. This contract expired June 30, 2024. The Town is currently in ongoing negotiations.

International Association of Firefighters, AFL-CIO, CLC, Local NO. 2043. This contract expires June 30, 2025. Typically, the Town will receive notice from the Union requesting to engage in negotiations in early January.

Director, Planning and Community Development. Interview process has begun for the Director of Planning and Community Development. This department will focus on community development issues which will aid in developing and growing our new growth revenues.

**PUBLIC HEARING. Licensing. Revocation Hearing. Shin Dynasty, 1 Atlantic Avenue.** Attorney Michael Vigorito and Alexandre Lewis, Shin Dynasty, appeared before the Board for a revocation hearing on the Wine Malt Beverage License at 1 Atlantic Avenue. Shin Dynasty applied for, and was approved, for a Wine Malt Beverage License in March of 2020 and has yet to commence business. The Chair requested a status update on the License. Attorney Vigorito and Mr. Lewis stated that when their license was approved in March 2020 it was also the start of Covid. They lost their contractor and then had flooding in the basement and the electrical system needed to be replaced as well as some personal setbacks during this period of time. Currently they are working on accessibility items and replacing a firewall, which the landlord recently has notified them he is taking care of. Mr. Lewis feels he can be open within 3-4 months and respectfully asked the Board not to revoke the License and offered to appear before the Board for regular updates moving forward. The Board discussed continuing the revocation hearing for 6 months and proposed that Mr. Lewis provide monthly updates to the Board either in person or in writing.

Motion made and seconded to continue the revocation hearing of November 13, 2024, on the Wine/Malt Beverage License #00042-RS-06560 at 1 Atlantic Avenue, Shin Dynasty LLC, for 6 months, to May 2025, at which time if the licensee has not commenced operations or submitted an application to transfer the license the Board will take action to revoke the license. The Licensee is required to report to the Board monthly, either in person or through written correspondence, and provide a status update of the License. All in favor.

**FINANCIAL PLANNING UPDATE.** Aleesha Benjamin, CFO, Alec Goolsby, Chair, Finance Committee, and Molly Teets (remote), Finance Committee, appeared before the Board. Alec Goolsby reviewed key dates for the upcoming budget season. The Finance Committee has been holding forecast liaison meetings with departments throughout the fall. The CFO and Town Administrator will present a preliminary revenue and expense forecast at the Select Board meeting on December 11, 2024. State of the Town will be delivered in late January with Finance Committee conducting detailed budget liaison meetings in February and March with Finance Committee voting on the budget at the end of March. Alec presented a preliminary financial forecast to the Board stating that they will have better numbers in January and stressed the need to have a detailed budget and a

3-year projection, both town and school side, to present to taxpayers. The Board made extensive comments and thanked the Finance Committee and the CFO for their continued diligent and consistent efforts working on the budget and presenting this to the Town in detail.

**SELECT BOARD STATEMENT.** Teacher Strike/Contract Negotiations. The Chair presented a draft Statement of the Board, attached, regarding the teacher strike and contract negotiations and asked if the Board had any comments or any changes. The Board did not. The Chair read the statement. Motion made and seconded to approve the Select Board Statement as presented. All in favor.

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

**MINUTES** of October 9, 2024, October 23, 2024, and November 4, 2024.

**DONATION of Owl technology equipment** and to send a letter of appreciation on the Board's behalf.

**CHAMBER OF COMMERCE. 53<sup>rd</sup> Annual Christmas Walk. Tree Lighting. Parade December 6-7, 2024,** for the following events and venues subject to approval from Police and Fire, and the usual rules, regulations, fees and receipt of the required Certificate of Insurance:

- Annual Tree Lighting: Friday, December 6, 2024 at the National Grand Bank parking lot. Events starts at 5:30 pm, tree lighting at 7:00 pm.
- Holiday Wreaths/Garland swaps and bows: Hang approximately 150 holidays wreaths and garland wraps throughout the business districts, starting the week of November 25, 2024, subject to approval from the Marblehead Municipal Light Department and receipt of the required Certificate of Insurance. All decorations shall be removed by January 6, 2025.
- Holiday Lighting: Turn on the holiday lights at the Old Town House and State Street Landing by Friday, November 22, 2024.
- 53<sup>rd</sup> Annual Marblehead Christmas Walk Parade: Saturday, December 7, 2024. The parade begins at 12:00 noon at the State Street Landing and continues onto Washington Street and then onto Atlantic Avenue. The parade route continues from the Police Station, taking a right onto Gerry Street and then a right onto Pleasant Street, continues down Pleasant Street, past Village Plaza and ending at the National Grand Bank parking lot.

**TEMPORARY PARKING RESTRICTIONS for annual Tree Lighting/Christmas Walk/Parade December 6-7, 2024,** as recommended by Police Chief as follows:

Tree Lighting, December 6, 2024 - 7:00 p.m.

In the event of an overflow crowd that creates a public safety concern, the Board authorizes the Chief of Police to close either Pleasant Street between School Street and

Spring Street or Essex Street between Atlantic Avenue and Pleasant Street. In either case, traffic will be interrupted only if necessary.

Santa's Arrival at Clark Landing, December 7, 2024 - at about 9:30 a.m.

The parking lot at Clark Landing to be closed in its entirety at 8:30 a.m. until such time as it is safe to reopen.

Christmas Walk Parade December 7, 2024

Staging for the parade will be on Front Street between the Boston Yacht Club and State Street (including Darling Street,) at about 10:30 a.m., then stepping off from Clark Landing on a route including State Street, Washington Street, Atlantic Avenue, Gerry Street and Pleasant Street. The closure of Front Street between Water Street and State Street and Darling Street in its entirety from 10:00 a.m. until 12:30 p.m. All streets along the parade route will be controlled by police officers as needed to facilitate the safe passage of the parade. All in favor.

**ABBOT HALL, January 4, 2025, 9:30 a.m. – 2:30 p.m. for an Eagle Scout Court of Honor** requested by Tyler Earp, and to serve light refreshments, subject to the usual rules, regulations, fees, receipt of the required Certificate of Insurance and to waive the rental fee for this event.

All in favor.

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

**Professional Service Supplement #1, Foster Architecture** for design services for the Franklin Street Fire House Windows by increasing the amount of the contract by one thousand seven hundred fifty and 00/100 (\$1750) and authorize the Chair to sign on behalf of the Board.

**Change Order No.001, to amend the contract for MDPW-23-06 Stormwater Management Consulting Services MS4 General Permit Support** between the Town and Woodard & Curran of Andover, MA by adding training module for an additional cost of Nine Thousand Dollars and No cents (\$9,000.00) and to authorize the Chair to sign on behalf of the Board.

**Change Order No.002 to amend the contract between the Town and Environmental Partners** of Quincy, MA by awarding the first option year for the period of June 1, 2024, to May 31, 2025, for the not to exceed price of One Hundred Thousand and 00/100 (\$100,000.00) and authorize the Chair to sign on behalf of the Board.

**Change Order No.001 to amend the contract between the Town and Greenman-Pedersen, Inc. (GPI),** a New York corporation licensed to perform engineering in the Commonwealth of Massachusetts, with an office at 181 Ballardvale Street, Suite 202, Wilmington, MA 01887, hereinafter designated as the "Consultant" to include in the scope of work to accommodate survey and design services for an ADA accessible access path from Village Street to the Marblehead Rail trail, and increase the contract by Fifty

Seven Thousand and Six Hundred Eight Dollars and forty six cents (\$57,608.46) and to extend the contract completion date to August 31, 2025 and authorize the Chair to sign on behalf of the Board.

All in favor.

**CONTRACT. Raymond Design Associates. Design Services, School Roof.** Michael Pfifferling, Assistant Superintendent of Finance & Operations, Marblehead Public Schools, appeared before the Board to review the contract for design services for school roofs. After reviewing the following vote was taken: Motion made and seconded to approve the contract between Raymond Design Associates Inc., and the Town, for Designer Services for MHS Roof, as reviewed by Counsel, not to exceed four hundred and twenty-five thousand dollars and 00/100 (\$425,000) and authorize the Chair to sign on behalf of the Board. All in favor.

**CONTRACTS. State Street Landing and Harbormasters (Tucker's Wharf Resilience Project).** Alex Eitler, Town Planner, appeared before the Board to review three contracts related to the Tucker's Wharf Resilience Project. After discussion, motion made and seconded to approve the following contracts with the Town as follows:

**Salem Sound Coastwatch, project management and stakeholder engagement support** - award contract between the Town and Salem Sound Coastwatch to support the Town in project management and stakeholder engagement for the State Street Landing and Harbormaster's - Tucker's Wharf Resilience Project in the amount of Thirty-three thousand dollars (\$33,000) and to authorize the Chair to sign on behalf of the Board.

**Collins Engineers, Inc.** - award contract between the Town and Collins Engineers, Inc. to conduct site surveys, model flood risk, estimate costs, and develop design drawings for the State Street Landing and Harbormaster's - Tucker's Wharf Resilience Project in the amount of one hundred three thousand seven hundred twenty-eight dollars and forty cents (\$103,728.40) and to authorize the Chair to sign on behalf of the Board.

**Woods Hole Group** - award a contract between the Town and Woods Hole Group to assist with project engineering and develop resilient design alternatives for the State Street Landing and Harbormaster's - Tucker's Wharf Resilience Project in the amount of eighty-six thousand one hundred fifty-seven dollars (\$86,157.00) and to authorize the Chair to sign on behalf of the Board.

All in favor.

**COUNCIL ON AGING. Senior Tax Write-Off Program.** The Board received a request from Lisa Hooper, Council on Aging Director to raise the income eligibility for the Senior Tax Write-Off Program for 2025. Aleesha Benjamin, CFO, appeared before the Board to review the guidelines for the Senior Tax Write-Off Program. After review and discussion motion made and seconded to approve the request from Lisa Hooper, Council on Aging, to increase the income eligibility guidelines for the Senior Tax Write-

off program at 500% above the 2024 poverty guidelines as presented and reviewed by the Finance Director. All in favor.

**LICENSING. One Day Liquor License. Bubble Bar Boston. Abbot Hall, December 7, 2024, and December 8, 2024.** Motion to approve the request from Bubble Bar Boston for (2) One Day Liquor License(s), beer and wine only, for December 7, 2024, and December 8, 2024 at Abbot Hall from 12:00 noon – 6:00 p.m. subject to the following conditions:

- Delivery of and receipt by the Licensing Authority of the required fee (\$50 each).
- Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
- 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.
- Liquor Liability Insurance
- No alcohol is allowed to be stored on premise overnight.
- Alcohol will be purchased from Horizon Liquors.

Moved by Mr. Grader, seconded by Mr. Fox. On a polled vote the Board voted as follows: Mr. Fox, in favor; Mrs. Singer, in favor; Mr. Grader, in favor; Mrs. Noonan, in favor.

**2025 ANNUAL TOWN MEETING. Open Warrant.** The Board took the following votes relating to the 2025 Annual Town Meeting:

Motion made and seconded that the Annual Town meeting be held on Monday, May 5, 2025, at 7:00 p.m. at Marblehead Veterans Middle School Auditorium, at Duncan Sleigh Square, 217 Pleasant Street. All in favor.

Motion made and seconded to open the Warrant for the May 5, 2025, Annual Town Meeting. All in favor.

Motion made and seconded to close the Warrant for the General Public on Friday, January 24, 2 at 12:00 noon. All in favor.

Motion to close the Warrant for Town Government, Boards and Commissions on Friday, January 31, 2025, at 12:00 noon. All in favor.

**HOLIDAY HOURS – Abbot Hall and Mary Alley.** The following holiday hours will be observed at Abbot Hall and the Mary A. Alley Building:

Monday, November 25, 2024	8:00 a.m. – 5:00 p.m.
Tuesday, November 26, 2024	8:00 a.m.- 5:00 p.m.
Wednesday, November 27, 2024	8:00 am. – 2:30 p.m.
Thursday, November 28, 2024	CLOSED ALL DAY
Friday, November 29, 2024	CLOSED ALL DAY

**MAIL.** The Board received the following mail items:

**Letters of Interest:**

- Fair Housing Committee, alternate member – Nisha Austin

- Harris Street Cemeteries Oversight Committee, Peter Kent
- MBTA Advisory Board, Judith Black

The Board set a deadline of December 6, 2024, to apply for vacancies on the above Committees and will interview all interested applicants at their meeting on December 11, 2024, at 7:00 p.m. at Abbot Hall.

**National Multiple Sclerosis Society.** The Board received a letter of thanks from the National Multiple Sclerosis Society for allowing the annual MS Walk annually over several years. The MS Society will be merging with the City of Boston for future walks.

**Retirement Board. Notice of annual 2025 budget** - as required by M.G.L. Chapter 32, Section 22 and Chapter 306 of the Acts of 1996.

**SELECT BOARD ANNOUNCEMENTS.** The Select Board made the following announcements:

- Congratulations to Veterans' Agent, Roseann Trionfi-Mazzuchelli for a great Veterans Day Ceremony.
- Dan Fox, Alexa Singer and Moses Grader made statements regarding the negotiations and the current Teacher strike.
- The Chair expressed her appreciation to the Finance Director and Town Administrator for all their work on the budget and negotiations and acknowledged the teachers stating that the Board hears, sees and appreciates them and asked the community to keep the discourse and rhetoric to civil and productive, constructive discussion.

Motion made and seconded to adjourn at 8:52 p.m. All in favor.



Kyle A. Wiley  
Administrative Aide

*List of documents used: Le Petit Comptoir License documents/Chamber of Commerce request for annual Christmas Walk/Tree Lighting; Temporary Parking Restriction for Annual Christmas Walk; request to use Abbot Hall, Tyler Earp; Raymond Design draft contract; 1 Day Liquor request Bubble Bar Boston; draft motions to open Annual Town Meeting; Holiday Hours; letters of interest: Nisha Austin, Peter Kent, Judith Black; MS Society letter of thanks; Retirement Board, 2025 annual budget notice.*