

SELECT BOARD

MINUTES

December 4, 2024

Board met in HYBRID session at 6:00 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
Bret T. Murray

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting of December 4, 2024, to order. This meeting is being recorded.

PUBLIC COMMENT. Albert Jordan addressed the Board regarding his concerns with the lights at Abbot Library on all the time and thanked the Town for resolving the issue/ appalled by the teachers strike and those supporting the teachers and feels there should be a clause in all contracts that staff would lose their pay if they don't work.

CLASSIFICATION HEARING. BOARD OF ASSESSORS. Public Hearing.
Classification Tax Allocation Fiscal Year 2025. John Kelley, Chair Board of Assessors, and Todd Laramie, Town Assessor, appeared before the Board and presented a power point presentation to provide information necessary for votes to be taken on the three available exemptions and a vote to determine the FY2025 tax factor which determines how taxes are allocated between property classes. After review and discussion the Board voted on each of the exemptions as follows:

Residential Exemption:

Classification allows the Select Board to grant an exemption of up to 20% of the average assessed value of all Class One residential parcels, which are the principal residences of the taxpayer. The residential exemption reduces the taxable valuation of each residential parcel that is a taxpayer's principal residence. Granting the exemption raises the residential tax rate for all classes and shifts the residential tax burden from low valued homes to higher valued homes. Adoption of a residential exemption is of benefit only in those communities that have a substantial number of nonprimary residences. As almost all the improved residential parcels are the principal residences of the taxpayer, there is little or no benefit in adopting a residential exemption in Marblehead. Motion made and seconded not to adopt the residential exemption. All in favor.

Chapter 369 of the Acts of 1982 requires the decision to shift the property tax burden from one property class to another to be made by the Board of Selectmen, after a public

hearing. The statute provides a maximum allowable portion of the Tax Levy up to 150% to be borne by Commercial, Industrial and Personal Property (CIP Class) and a minimum allowable portion to be borne by the Residential Class. Motion made and seconded to adopt a single rate factor of 1, all parcels to be levied at 100%. All in favor.

Small Commercial Exemption:

Chapter 220, §§ 112 and 187 of the Acts of 1993 provide for an exemption of up to 10% of the assessed value for Commercial properties with an assessment of less than \$1,000,000 dollars and employing not more than ten people in the preceding calendar year. This particular exemption benefits only the property owner, as the law does not require the tax relief be passed through to the business owner. If adopted, this exemption shifts the tax burden onto other Commercial and Industrial properties. This exemption is applicable in those communities that have a substantial commercial/industrial base, with a sufficient number of large employers. Motion made and seconded not to adopt the small commercial exemption. All in favor.

Open Space Discount:

Chapter 59 § 2A allows for a maximum of 25% exemption for property classified as Open Space. "Class Two, open space" is land which is not otherwise classified and which is not taxable under the provisions of chapters 61, 61A, or 61B, or taxable under a permanent conservation restriction, and which land is not held for the production of income but is maintained in an open or natural condition, and which contributes significantly to the benefit and enjoyment of the general public. The Board of Assessors has determined that no property in Town meets the strict definition of open space. Motion made and seconded not to adopt the open space discount. All in favor.

DEPARTMENT OF PUBLIC WORKS. Annual Update. Amy McHugh, Director, Department of Public Works, and Frank Marinaccio, PE, Environmental Partners/Apex Companies (remote), appeared before the Board to provide an annual update of the following projects:

Pavement Management Plan

Sidewalk Master Plan

Bicycle Master Plan

Redd's Pond Plan

Rail Trail Plan

DPW Facility Upgrades

Salt Shed Project

The Board thanked Amy for the very informative and thorough presentation.

POLICE DEPARTMENT. Conditional Offer of Employment. Chief King appeared before the Board with Brandon Boutillier seeking the Board's approval for a conditional offer of employment. Motion made and seconded to make a conditional offer of employment to Brandon Boutillier as a permanent full time police officer for the Town of Marblehead conditioned upon his successful completion of the Commonwealth of Massachusetts Physical Abilities Test; a completed physical examination, and psychological examination, to be conducted by the Town's physician and a

psychiatrist/psychologist of the Town's choosing, with an effective date of January 6, 2025, or the first available date of an eligible police academy. All in favor.

OVERNIGHT PARKING BAN. Winter Snow Emergencies. Motion made and seconded to suspend Town of Marblehead Article 5 section 8 known as the current "All Night Parking Ban" and to implement in its place a snow emergency response to snow events on an 'as needed' basis. Declared snow emergencies will prohibit on-street parking starting at midnight the day of the anticipated snowstorm. On-street parking will be allowed the following morning starting at 7:00 a.m. during a declared snow emergency. If the duration of any snow emergency is more than a day, on-street parking will be prohibited on each day of the snow emergency from midnight to 7:00 a.m. Any vehicles that violate the provisions of this motion are subject to the issuance of parking tickets and towing. Notification of a declared snow emergency shall be done through the Town website, CodeRED automated call system, Town-managed social media accounts, MHTV, and any other outlets the Town has available. This vote is revocable upon the determination of the Police Chief, Fire Chief, Town Administrator, Department of Public Works, or their designees, that it is negatively impacting public health and safety. All in favor.

CHRISTMAS TREE BURNING / REMOVAL. Notification was received from the Fire Chief and Public Works Director regarding tree pick up and the annual tree burning. Christmas Trees will be picked up at the curbside from Thursday, December 26, 2024, through Friday, January 3, 2025 and will be placed at Riverhead Beach for the community bonfire on Monday, January 6, 2025. The Christmas Tree pile will be set alight at 6:00 p.m. Residents are invited to attend this community event on January 6, 2025. Christmas Trees will continue to be picked up curbside from January 3, 2025, to January 10, 2025. After January 10, 2025, residents should bring trees to the town's transfer station for proper disposal. All trees left curbside for pick up from December 26th until January 10th must have all lights, ornaments, and stands removed and not be in plastic bags. Any tree not meeting these requirements will not be picked up. In addition, holiday wreaths, roping and garland will not be picked up.

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

Chamber of Commerce use of the Old Town House on Saturday, December 7, 2024, from 12:00 noon to 5:00 p.m. for various dance and music performances during the Christmas Walk subject to the usual rules, regulations, fees, receipt of the required Certificate of Insurance and to waive the rental fee for this event.

Marblehead Historical Commission use of the Old Town House on Thursday, December 12, 2024, from 4:00 p.m. - to 8:00 p.m. for the Commission's annual Holiday Party subject to the usual rules, regulations, fees, receipt of the required Certificate of Insurance and to waive the rental fee for this event.

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

Hansen Marine Engineering Inc. -contract for Kohler 50kw 3 Phase Generator in the amount of Thirty-five Thousand Nine Hundred Thirty-seven dollars and 50/100 (\$35,937.50) and authorize the Chair to sign the contract on behalf of the Board.

Carlton Electrical Construction Corporation, Marblehead, MA - contract for Electrical Work for installation of two backup generators (COA and MPD) in the amount of Sixty-Seven Thousand Seven Hundred and Fifty and 00 /100 (\$67,750.00) and authorize the Chair to sign the contract on behalf of the Board.

Brighter Horizons Environmental Corporation, Ayer, MA – contract for Removal of Underground Fuel Tanks in the amount of Twenty-Six Thousand and 00 /100 (\$26,000) and authorize the Chair to sign the contract on behalf of the Board.

Raffaele Constructions Inc, Swampscott MA – contract for Ocean Avenue Outfall Repairs in the amount of Seventy-six thousand three hundred and 00/100 (\$76,300.00) and authorize the Chair to sign on behalf of the Board.

Raffaele Constructions Inc, Swampscott MA – contract for Rail Trail Proto-Type Construction in the amount of One hundred forty-three thousand three hundred ninety-five and 00/100 (\$143,395.00) and authorize the Chair to sign on behalf of the Board.

Collins Engineers, Inc. - contract for Regulatory Permit Coordination & Closeout Support for the Marblehead Shipyards Resilience Project in the additional amount of Nine thousand nine hundred dollars (\$9,900), for a total amount of nineteen thousand five hundred dollars (\$19,500) and to authorize the Chair to sign on behalf of the Board.

Municipal Local Cybersecurity Grant Program – grant for migration from .org to .gov.

All in favor.

RAIL TRAIL IMPROVEMENT PROJECT. Public Engagement. Sign Request. Logan Casey, Sustainability Coordinator, appeared before the Board seeking to place lawn signs at various location throughout town, on town property. The lawn signs would be put up as part of the engagement process for the Rail Trail Improvements Project that encompasses sections of the Salem and Swampscott branch. There are two main goals for the project's public engagement process, to make sure the public is involved in the project, and to fulfill what MEPA requirements regarding engaging environmental justice communities. The lawn signs are part of a larger engagement strategy for this project, which includes a webpage, public engagement meetings, as well as stakeholder listening sessions. After review and discussion, a motion was made and seconded to approve the request from Logan Casey, Sustainability Coordinator, to place signs regarding the Rail Trail Improvement Project on Town property, as presented, and to coordinate with Department Heads on properties that fall under their jurisdiction. All in favor.

Public Properties within EJ Communities

1. Police Station
2. Seaside Park
3. Intersection of Pleasant, Village, Vine, and Cross St
4. Rail Trail @ Bessom St Crossing/Roundhouse Road
5. Rail Trail @ Pleasant Street
6. Marblehead Housing Authority, 26 Rowland St
7. Memorial Park
8. Ocean Ave Fire House

Public Properties outside EJ Communities

9. Getchell's Green (Lafayette at Maple)
10. Atlantic at Seaview
11. Tents Corner
12. Bailey Square
13. Information booth
14. Abbot Hall (Town Hall)
15. Mary Alley Building
16. Public Library
17. Community Center (Rec & Park/Council on Aging)
18. Tower Way (Water & Sewer/DPW)
19. Light Department
20. Entrance to Rail Trail @ Westshore Drive

WATER & SEWER COMMISSION. Notice of Vacancy. The Board received a letter from the Water & Sewer Commission regarding a vacancy on the Commission. In accordance with Mass General Law a motion was made and seconded to accept letters of interest to fill the vacancy on the Water & Sewer Commission. Letters of interest should be sent to both the Select Board and Water & Sewer Commission at:

Select Board

Abbot Hall

188 Washington Street

wileyk@marblehead.org

Water & Sewer Commission

Tower Way Office Building

Water@marblehead.org

Deadline to submit letters of interest is Tuesday, December 10th at 4:00 p.m.

All applicants will be interviewed in joint session with the Select Board and Water & Sewer Commission on December 11, 2024, at 7:00 p.m. at Abbot Hall. All in favor.

CONDOLENCE. Motion made and seconded to send a letter of condolence to the family of Tom Carroll. All in favor.

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

- Congratulated the MHS Football Team for an outstanding game.
- Ms. Noonan, Mr. Murray and Mr. Kezer attended the retirement party for Ed Bell at MHTV.
- Board acknowledged the time and effort the Town Administrator has devoted to collective bargaining with the schools.

Motion made and seconded to adjourn at 7:52 p.m. All in favor.



Kyle A. Wiley
Administrative Aide

List of documents used: Police Chief letter for conditional employment / FY2025 Tax Classification presentation/ Snow emergency vote / Historical Commission request to use OTH / Chamber of Commerce request to use OTH / Holiday Hours / Sustainability Coordinator request for lawn signs/ W&S notice of vacancy.