

SELECT BOARD

MINUTES

February 28, 2024

Board met in HYBRID session at 7:00 p.m. at Abbot Hall and via ZOOM Conferencing
A roll call was taken as follows, constituting a quorum:

M. C. Moses Grader, Chair
Bret T. Murray
James E. Nye
Alexa J. Singer

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting of February 28, 2024 to order. This meeting is being recorded.

EDWARD J. COLLINS CENTER. Charter Discussion. Michael Ward, Anthony Wilson and Melvin Kleckner from the Collins Center for Public Management, appeared before the Board, via zoom, to make a presentation and answer questions on creating a town charter for Marblehead. The Board reviewed the pros and cons of establishing a charter. The Select Board is currently soliciting letters of interest and resumes from Town residents to volunteer to serve on a committee to create a Town Charter. This Committee will spend about a year studying the Town's existing government structure, conducting analysis, and seeking public input and engagement. Letters of interest and resumes should be sent to the Select Board, Abbot Hall, 188 Washington Street, or by email to wileyk@marblehead.org. Deadline to submit is March 22, 2024.

CULTURAL COUNCIL. Interview/Appointment. Alex MacAaron appeared before the board as it relates to serving on the Cultural Council. Motion made and seconded to appoint Alexandra MacAaron to the Cultural Council with a term to expire in June 2025. All in favor.

MARBLEHEAD 250, REVOLUTIONARY WAR ANNIVERSARY. Establish Committee. Donald Doliber, Town Historian, and Ed Nilsson, Marblehead Historical Commission, appeared before the Board seeking appointment of a committee for the Marblehead 250 anniversary of the American Revolution. The goal of the committee is to share the history of Marblehead's role in the Revolutionary War and provide public programming throughout the anniversary. Motion made and seconded to establish the ad hoc committee, Marblehead 250 Committee, with the following members: Judy Anderson, Jack Attridge, Donald Doliber, Larry Sands, Jim Murphy, Katherine Koch, Pam Peterson, Edward Nilsson, Lauren McCormack, Julia Ferreira, Lanning Levine and Nancy Schultz and authorize the use of the existing Town Celebration Trust Fund for supporters to donate to. All in favor.

SPIRIT OF '76. Motion made and seconded to approve the request from Donald Doliber, Marblehead 25 Committee, to use an image of the Spirit of '76 on a logo design for the Marblehead 250 Committee. All in favor.

ABBOT HALL. Permission to Use. Troop 79, BSA. Motion made and seconded to approve the request from Andrew Barnet, Troop 79, BSA, to use Abbot Hall on Saturday, March 16, 2024 from 2:00 pm – 6:30 pm for an Eagle Scout Court of Honor subject to the usual Rules and Regulations, fees and receipt of the required Certificate of Insurance naming the Town of Marblehead as an additionally insured and to waive the rental fee for this event. All in favor. Motion made and seconded to send a letter of congratulations to the Eagle Scout Candidates. All in favor.

REVOLVING FUND ACCOUNTS. FY2025. Motion made and seconded to reauthorize the following Revolving Fund Accounts for Fiscal Year 2025 in accordance with Mass General Laws Chapter 44, Section 53E ½ in the amounts below:

Animal Control Department	\$ 20,000.00
Council on Aging	\$ 250,000.00
Board of Health, commercial waste disposal	\$1,062,069.00
Board of Health, vaccines	\$ 10,000.00
Highway, street opening fees	\$ 150,000.00
Sump pump improvement	\$ 10,000.00
Conservation Fines	\$ 75,000.00
Historical Commission Gift Shop	\$ 25,000.00
Recreation and Parks	\$1,500,000.00
Marblehead Public Schools, Special Ed	\$ 500,000.00
Marblehead Public Schools Transportation	\$ 25, 000.00
Hobbs Memorial Fund	\$ 11,232.00
All in favor.	

MINUTES. Motion made and seconded to approve the minutes of January 24, 2024. All in favor.

FLAG POLICY. Update. The Town Administrator advised the Board that Town Counsel has provided an updated Flag Policy for the Town which is consistent with a recent court decision involving the City of Boston. The policy identifies flags raised on town property as government speech and it is not a public forum for 3rd parties. Consistent with the previous policy it is the purview of the Select Board or Town Administrator to review and make decisions regarding this. Motion made and seconded, on recommendation from Town Counsel, to add language to update the Town of Marblehead's Flag Policy, as presented, and to designate the Town Administrator as its designee. All in favor.

ARPA. American Rescue Plan Act. Projects. The Town Administrator presented an update on the Town's ARPA funds and proposed three requests for approval.

Gerry School Playground/Park Improvements \$100,000 The Town sold the old former Gerry School and the areas behind it and retained the playground area. The

playground served the now closed school and was designed as such. The current structures there are past their lifetime. The purpose of this project is to upgrade the playground with a design to best meet the needs of the neighborhood and the Town, adding features and updating equipment. The Town envisions this area as a neighborhood park that can be frequented by families and residents and offers park amenities for a variety of users. In addition, we expect to improve accessibility and inclusive features and provide an area for families and residents to gather. The ARPA funds are supplementing a \$10,000 donation by the former Gerry School developers and neighborhood fundraising. An allocation of \$200,000 has been prioritized on the ARPA list, these funds would be a draw against that request leaving another \$100,000 for other park or playground projects on the ARPA list. After discussion by the Board a motion was made and seconded to approve the use of federal ARPA Funds for the following purpose and amount: **Gerry School Playground/Park Improvements \$100,000** All in favor.

School Professional Development \$63,100. These funds are to support the Marblehead Public School's new Literacy Program, Wit & Wisdom, in all classrooms in grades K - the 6 in MPS. This professional development program further supports the Town's initial significant investment in the program adoption, which is presently in Year 1 of implementation. These funds will support Literacy Program Wit & Wisdom, for year II. This will allow teachers, instructional coaches, and administrators to continue to improve delivery of literacy instruction to students, target student needs, and enhance instructional observation tools. After discussion by the Board a motion was made and seconded to approve the use of federal ARPA Funds for the following purpose and amount: **School Professional Development \$63,100.** All in favor.

Hobbs House Window Replacement \$45,000 This funding will continue the efforts to make necessary improvements to the condition of the Hobbs Building, currently being utilized by the Marblehead Counseling Center. The Marblehead After discussion by the Board a motion was made and seconded to approve the use of federal ARPA Funds for the following purpose and amount: **Hobbs House Window Replacement \$45,000** All in favor.

The total request is \$208,100. Out of the total of \$6,144,030 in ARPA funds available for Marblehead, \$5,359,026 has been previously approved for funding leaving \$785,003 remaining for additional APR funded projects. With these projects approved, the remaining balance will be \$576,903.

CONTRACTS. Rebecca Currant Cutting joined the meeting remotely to review the following contracts and ask the Board to vote:

CONTRACT. Woods Hole Group. Coastal Resilience Project. Motion made and seconded to amend the contract between Woods Hole Group for Coastal Resilience Project by decreasing the contract by eleven thousand four hundred dollars (\$11,400.00) and authorize the Chair to sign the amendment on behalf of the Board. All in favor.

CONTRACT. Ivan Myer. Old Burial Hill. Motion made and seconded to award a contract to Ivan Myer, d.b.a. Building and Monument Conservation of Arlington, MA for

the restoration of the Lost at Sea monument in Old Burial Hill in the amount of ten thousand five hundred dollars and authorize the chair or Chair to sign on behalf of the Board. All in favor.

CONTRACT. EBI Consulting, Capital Needs Assessment. Motion made and seconded to award a contract for a Capital Needs Assessment for municipal buildings to EBI Consulting of Burlington, MA in the amount of twenty thousand six hundred dollars (\$20,600.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

CONTRACT. Toole Design, Bike Path. Motion made and seconded to award a contract for the development of a bike plan to Toole Design of Boston, MA in the amount of seventy-nine thousand seven hundred and sixty-three (\$79,763.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

CONTRACT. Raffaele Constructions Corporation. Abbot Hall Brick Runnels. Motion made and seconded to award the contract for the Abbot Hall Brick Runnels project to Raffaele Construction Corporation of Swampscott, MA for the base bid and add alternate one for a total of seventy-nine thousand three hundred and eighty-two Dollars (\$79,382.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

CONTRACT. Harpers Payroll Services. Motion made and seconded to award a three-year contract for payroll services to Harpers Payroll Services of Worcester, MA in the amount of eighty-one thousand six hundred thirty-two and 64/100 for FY25 and authorize the Chair to sign the contract on behalf of the Board. All in favor.

CONTRACT. Crowley Cotrell. Gerry School Park. Motion made and seconded to award Design Development Contract for Gerry School Park to Crowley Cotrell of Boston, MA in the amount of sixteen thousand eight hundred and eighty and 00/100 dollars (\$16,880.00) and authorize the chair to sign on behalf of the Board. All in favor.

CONTRACT. Village Green Restoration Inc. Old Buril Hill. Motion made and seconded to award a contract to Village Green Restoration Inc of East Falmouth, MA for the Restoration of Gravestones in Old Burial Hill in the amount of nine thousand nine hundred and 00/100 (\$9,900.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

APPRECIATION. Town Planner, Chief Procurement Officer. The Chair thanked Becky for her 36 years of service to the Town and congratulated her on her pending retirement on February 29, 2024. The Board and all attendees at Abbot Hall gave Becky a standing ovation.

AGREEMENT. Private Connection to Town Drainage. Motion made and seconded to approve the License Agreement for a Private Connection to Town Drainage System

between the Town and David Assa, 51 Ocean Avenue, as presented, and authorize the Chair to sign on behalf of the Board. All in favor.

LICENSING. (9) 1 Day Liquor Licenses. Marblehead Arts Association. Motion made to approve the request from Xhazzie Kindle, Marblehead Arts Association, for (9) one-day liquor licenses for the following dates, from 6:30 p.m. – 9:00 p.m., March 14, 2024, April 18, 2024, May 16, 2024, June 20, 2024, July 18, 2024, August 15, 2024, September 19, 2024, October 17, 2024, and November 14, 2024 at the King Hooper Mansion, 8 Hooper Street 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.
- Alcohol will be purchased from Kappy's Importing and Distributing.

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

APPOINTMENT. Chief Procurement Officer. Motion made and seconded to appoint the Town Administrator as Chief Procurement Officer for the Town. All in favor.

GIFT TO TOWN. Motion made and seconded to accept, as a gift to the Town, a donation in the amount of \$15,321.00 for the purchase of a public safety drone, training and licensing for the Police Department and Harbormaster. All in favor. Motion made and seconded to send a letter of appreciation to the donor. All in favor.

ABBOT HALL. Permission to Use. Marblehead School of Music. Motion made and seconded to approve the request from Jennifer Spungin, Marblehead School of Music, to use Abbot Hall on Saturday, June 8, 2024, from 9:00 am – 8:00 pm for a student recital subject to the usual Rules and Regulations, fees and receipt of the required Certificate of Insurance naming the Town of Marblehead as an additionally insured. All in favor.

HARBOR PLAN IMPLEMENTATION COMMITTEE. Letter of Interest. The Board received a letter of interest from Steven Wolf to serve on the Harbor Plan Implementation Committee.

PROCLAMATION. Acorn Gallery School of Art Day. The Board received a letter from Norm Brzcki regarding Acorn Gallery. Motion made and seconded to proclaim June, 2, 2024 Acorn Gallery School of Art Day in Marblehead to honor and celebrate Acorn Gallery's nearly 30 years in business servicing thousands of students. All in favor.

PUBLIC COMMENT. The following public comment was taken:

Albert Jordon; Town should wait to call a snow day until the day and not the night before. Select Board may want to invite the Eagle Scout candidates into a meeting.

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

- Submitted to Board the first Traffic Safety Advisory Committee quarterly report.
- Termination notice was delivered to Christopher Gallo on February 23, 2024. The Police Department has two vacancies on their roster to fill.
- The one day closing of Mary Alley was delayed due to vendor availability. Town Administrator will keep the Board updated.
- On February 23, 2024 Melissa Hoffer, 1st Mass Climate Chief, came to Marblehead to meet with various departments and representatives to tour the town. Special thanks to Representative Jenny Armini, Rebecca Cutting, Joe Kowalik, Mark Souza and others who made presentations.

SELECT BOARD ANNOUNCEMENTS. None.

Motion made and seconded to adjourn at 8:50 p.m. All in favor.

Kyle A. Wiley
Administrative Aide

List of documents used: Resume; Alexandra MacAaron; Marblehead Museum request for Marblehead 250; Troop 79 request to use Abbot Hall; Revolving Fund requests FY25; draft minutes January 24, 2024; draft Flag Policy; ARPA memo and updated spreadsheet;(8) votes for contracts; private drain agreement, 51 Ocean Avenue; MAA request for (9) 1 day liquor licenses; MPD letter regarding gift for drone equipment; Marblehead School of Music request for Abbot Hall; letter of interest, Steven Wolf; proclamation request, Acorn Gallery, TSAC annual report.