

SELECT BOARD

MINUTES

March 27, 2024

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

Erin M. Noonan, Chair
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 March 27, 2024 to order. This meeting is being recorded.

PUBLIC HEARING. Licensing. Richdales, 29 Smith Street. Transfer of Wine/Malt Package Store License. The Chair called the public hearing to order. Parth Patel and Attorney John Mooradian appeared before the Board seeking a transfer of the Package Store License at Richdales, 29 Smith Street. No one spoke in opposition or in favor of this application. The public hearing was closed, and the Board reviewed the application and a motion was made to approve the application for the transfer of the Wine and Malt Beverage Package Store License to Nrishay, LLC d/b/a Richdales, 29 Smith Street, Manager: Parth Patel, subject to receipt of all forms, fees, inspection sign offs, ABCC and CORI approvals. Hours of operation are Monday through Saturday 8:00 AM – 11:00 PM and Sundays 10:00 AM – 11:00 PM. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mr. Grader, in favor; Mrs. Singer, in favor; Mr. Murray, in favor. Mrs. Noonan, in favor.

Task Force against Discrimination. Interview / Appointment. Eugenia Guastaferrri appeared before the Board as it relates to serving on the Task Force against Discrimination. Motion made and seconded to appoint Eugenia Guastaferrri to the Task Force against Discrimination with a term to expire in June 2024. All in favor.

LICENSING. Dolphin Yacht Club – Change of Manager. Scott Kelly appeared before the Board as it relates to the application made by the Dolphin Yacht Club for Change of Manager. Motion made to approve the application from the Dolphin Yacht Club, 17 Allerton Place, for a Change of Manager on the All-Alcoholic Beverage Club License subject to receipt of all forms, fees, inspection sign offs, ABCC and CORI approvals. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Murray, in favor; Mrs. Singer, in favor; Mr. Nye, in favor; Mrs. Noonan, in favor.

AMERICAN RESCUE PLAN ACT (ARPA). Funding Request. The Town Administrator provided the Board with a summary of additional services requested to be funded through ARPA.

Town-Wide Pedestrian and Bike Plan - \$79,763

This request will pay for the planning process and plan that identifies and prioritizes bicycle improvements based on the needs of bicyclists. The goal is to improve the circulation environment for its bicyclists. The project will create a lasting bicycle transportation program, guide capital investment, and identify additional local, state, and federal funding options. Additionally, it will identify convenient, attractive, and safe on-street, including vertically separated, as well as off-street routes for bicycling and connections to other modes of transportation. After discussion motion made and seconded to approve the use of federal ARPA Funds for the following purpose and amount: **Town-Wide Pedestrian and Bike Plan - \$79,763.** All in favor.

ARPA Balance. Based on approval of this request, out of the total of \$6,144,030 in ARPA funds available for Marblehead, \$5,646,889 will have been approved for funding leaving \$497,140 remaining for additional ARPA funded projects.

FY23 ANNUAL COMPREHENSIVE FINANCE REPORT (ACFR). Aleesha Benjamin, CFO, appeared before the Board to present the FY23 Annual Comprehensive Financial Report (ACFR) which is done every year and includes the town's financial statements and audit. This report can be found on the towns website at <https://www.marblehead.org/accounting-office/pages/annual-comprehensive-financial-reports-acfr>.

CLIFTONLARSONALLEN REPORT. Update. The Town Administrator provided the Board with an update on the status of the Finance Department's response to the CliftonLarsonAllen, LLP performing a Finance Department Assessment, analyzing the Finance Department organizational structure, policies, and procedures, and interviewing staff, reviewing year-end close processes, examining finance system utilization and capabilities, and evaluating accounting technology and controls. Of the 23 recommendations from the report, there are now 15 items that have been completed. An additional seven are marked as in progress, of which three will be completed with the implementation of the new MUNIS financial software system and two being conducted by the newly appointed Human Resources Director. The remaining item, moving to bi-weekly payroll, is not being implemented at this time. The Town Administrator noted that credit for completing these responses goes to the entire Finance Department team.

FY25 BUDGET PLANNING. Update. The Chair stated that she wanted to have a discussion on FY25 budget planning and thanked the CFO and the Schools Finance Director for the recent public forum they held. The Chair asked the Town Administrator and CFO to update and summarize where we are at and what next steps may be. Discussion was held around Information Systems Management, generating revenues, and new growth. The Board discussed putting together a 2-to-3-year outlook.

MINUTES. Motion made and seconded to approve the minutes of February 7, 2024 and February 28, 2024. All in favor.

PARADE. Marblehead Youth Baseball. Revise start time. Motion made and seconded to approve the request from Kimberly Leventhal, Marblehead Youth Baseball, to revise the previously start time for the annual opening day parade from 9:00 a.m. to 9:30 a.m. subject to approve from Police, Fire and Schools. All in favor.

LICENSING. 1 Day Liquor License. Coastline Marine. Motion made to approve the request from Coastline Marine for a one-day liquor license for Saturday, April 27, 2024 at 8 Sewall Street, 12:00 noon - 4:00 pm subject to the following conditions:

- Delivery of and receipt by the Licensing Authority of the required fee (\$50)
- 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 Harpoon Brewery

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

ABBOT HALL. Permission to Use. Marblehead Pride Committee. Motion made and seconded to approve the request from Reece Dahlberg, Marblehead Pride Committee, to use Abbot Hall on Saturday, June 1, 2024, at 3:00 p.m. for a Pride event (rain date Sunday, June 2, 2024) subject to the usual rules, regulations, and fees. All in favor.

PERMISSION. 5K. Marblehead National Green Schools Society. Motion made and seconded to approve the request from Kate Twomey, Marblehead High School's chapter of the National Green Schools Society, to hold a 5K race on Saturday, April 20, 2024, at 10:00 a.m. subject to approval of the Marblehead Police, Recreation and Parks, receipt of the required Certificate of Insurance naming the Town of Marblehead as additionally insured and police details. The event will start and end at Devereux Beach. No permanent markings shall be made on the streets and any temporary markings shall be removed at the conclusion of the event. All in favor.

CONTRACT. Atlas PyroVision Entertainment. July 4th Fireworks. Motion made and seconded to approve the contract between the Town and Atlas Pyrotecnico Fireworks, Inc., in the amount of fifty thousand dollars (\$50,000.00) and authorize the Chair to sign on behalf of the Board. All in favor.

CONTRACT. General Code Recodification. Motion made and seconded to approve the contract between the Town and General Code LLC., Rochester, New York, for General Code Recodification, in the amount of fifteen thousand one hundred forty-five dollars (\$15,145.00) and authorize the Chair to sign on behalf of the Board. All in favor.

HAZARD MITIGATION PLAN. Adopt. The Town received notification that FEMA has approved the Town's draft Hazard Mitigation Plan as submitted. The plan now requires adoption by the Select Board. The Hazard Mitigation Plan, prepared in conjunction with Rebecca Cutting, former Town Planner and Jamie Caplan Consulting LLC, is a plan that looks at all protentional threats and identifies and assesses what the environmental impact could be and how the Town can prepare for these potential threats. Motion made, in accordance with M.G.L. c. 40, the Town of Marblehead Select Board adopts the TOWN OF MARBLEHEAD, MA HAZARD MITIGATION PLAN UPDATE 2023 and authorizes the Chair to sign on behalf of the Board. While content related to the Town of Marblehead may require revisions to meet the plan approval requirements, changes occurring after adoption will not require Town of Marblehead to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions. Moved by Mr. Nye, seconded by Mr. Grader. All in favor.

SURPLUS EQUIPMENT. Motion made and seconded to approve the request from Lisa Hooper, Executive Director, Council on Aging, to declare the following items as surplus and no longer needed for Municipal purpose so that it may be disposed of in accordance with the Town's policy on surplus equipment: 2009 Ford Cutvan VIN: 1FDEE35L29DA83234. All in favor.

ARBOR DAY PROCLAMATION. Motion made and seconded to approve the request from Jonathan Fobert, Tree Warden, to proclaim Friday, April 26, 2024 as Arbor Day for the Town of Marblehead. DPW and the Tree Department will work with Sustainable Marblehead and the MHS Green Honor Society to plant 22 trees on Brookhouse Drive on April 27, 2024. Mayer Tree is donating a day of labor providing pruning and other tree services at Fort Sewall. Seedlings have been purchased to be planted in conservation areas as part of the Arbor Day celebration on Saturday, April 20, 2024. All in favor.

FORT SEWALL. Permission to Use. Glover's Marblehead Regiment. Motion made and seconded to approve the request from Seamus Daly, Captain, Glover's Marblehead Regiment, to use Fort Sewall July 12, 2024 – July 14, 2024, for the Regiment's 2024 annual summer encampment subject to the usual rules and regulations. The Fort is to remain open to the public at all times. All in favor.

ABBOT HALL. Permission to Use. Juneteenth Flag Raising Ceremony. Motion made and seconded to approve the request from Helaine Hazlett, Task Force against Discrimination, to use Abbot Hall on Wednesday, June 12, 2024 from 4:30 – 6:00 p.m. for the annual Juneteenth Flag Raising Ceremony. All in favor.

MARBLEHEAD FESTIVAL OF ARTS. Fourth of July requests.

The Board reviewed the requests from the Marblehead Festival of Arts for the annual July 4th celebration and event and took the following votes:

Whale Exhibit/Auction. Motion made and seconded to approve the request from Ashley Hannaway, Secretary, Marblehead Festival of Arts, to use Abbot Hall on Friday,

May 31, 2024 from 5:00 p.m.- 8:00 p.m. for the annual Whale and Cod event with set up starting at 12:00 noon subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance naming the Town as additionally insured. Times for pick up of the whales shall be coordinated with the Select Board office. All in favor.

5K. Marblehead Festival of Arts. Motion made and seconded to approve the request from Ashley Hannaway, Secretary, Marblehead Festival of Arts, to hold a 5K and 10K race/walk on Saturday, July 6, 2024, subject to approval of the Marblehead Police, Recreation and Parks and School, receipt of the required Certificate of Insurance naming the Town of Marblehead as additionally insured and police details. The event will start on Smith Street, in front of the Post Office, and finish at the Community Center. Start time is 10:30 a.m. for 5K and 11:00 a.m. for 10K. No permanent markings shall be made on the streets and any temporary markings shall be removed at the conclusion of the event. All in favor.

Venues for July 4th. Motion made and seconded to approve the request from the Marblehead Festival of Arts to use the following venues for the Marblehead Festival of Arts July 4th events in June and July subject to approval from Police, Fire, Recreation and Parks, fees, and receipt of the required Certificate of Insurance and required Tent Permit. Fort Sewall is to remain open to the public at all times.

Abbot Hall and the Old Town House – Artisans Marketplace and Exhibits:

July 3 – 7, 2024 and various “drop off/pick up” dates for exhibits leading up to and following the events to be determined and approved by the Select Board office.

Street Festival - Washington Street. Thursday, July 4th. 11:30 am – 3:30 pm

Closure of Washington Street from Rockaway Street to Darling Street, allowing foot traffic only, for a family street party with performing arts and children's activities.

Champagne Reception - Fort Sewall

Saturday, June 29, 2024 (Tent/Stage Setup): 9:00 am to 5:00 pm

Sunday, June 30, 2024 (Setup and Reception): 9:00 am to 9:00 pm

Monday, July 1, 2024 (Breakdown): 8:00 am until finished

All in favor.

LICENSING. 1 Day Liquor License. Festival of Arts. Champagne Festival.

Motion made to approve the request from Marblehead Festival of Arts for a one-day liquor license for Sunday, June 30, 2024 at Fort Sewall, 4:30 pm – 7:30 pm subject to the following conditions:

- Delivery of and receipt by the Licensing Authority of the required fee (\$50).
- 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.
- Alcohol is not allowed to be left unattended or stored on the premises overnight.

- Alcohol distributor to be determined and Select Board office notified.

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

LICENSING. 1 Day Liquor License. Festival of Arts. Whale Cod Event. Motion made to approve the request from Marblehead Festival of Arts for a one-day liquor license for Friday, May 31, 2024, at Abbot Hall, 4:30 pm – 8:30 pm subject to the following conditions:

- Delivery of and receipt by the Licensing Authority of the required fee (\$50).
- 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.
- Alcohol is not allowed to be left unattended or stored on the premises overnight.
- Alcohol will be purchased from Carolina Distributors/Martignetti's.

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

LICENSING. 2024-2025. All Alcoholic Beverage License Seasonal Renewals.

Motion to renew the following All Alcoholic Seasonal Club License(s) subject to all taxes and fees to the Town being paid, receipt of all applicable departmental approvals, CORI approval and compliance with Chapter 304 of the Acts of 2004:

- Eastern Yacht Club – Pool License, 42 -44 Foster Street, Manager: Jarod Chorney
- Dolphin Yacht Club, 17 Allerton Place, Manager: Ken Martin.

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

LICENSING. Local/Sunday Entertainment License. Dolphin Yacht Club. Motion made and seconded to renew the following Local/Sunday Entertainment license, subject to all taxes and fees to the Town being paid and approval from the Commonwealth's Department of Public Safety for Sunday Entertainment:

- Dolphin Yacht Club, 17 Allerton Place

All in favor.

ABBOT HALL. Permission to Use. Marblehead Community Charter School.

Motion made and seconded to approve the request from Meg Upton, Marblehead Community Charter Public School to use Abbot Hall on Monday, June 17, 2024 for the Charter School's annual graduation ceremony and rehearsal subject to the usual rules, regulations and fees. All in favor.

DISABILITIES COMMISSION. Letters of Interest. Deadline to Submit. The Select Board set a deadline of April 19, 2204 to submit letters of interest to serve on the Disabilities Commission. Submit letters of interest to Select Board, Abbot Hall, 188 Washington Street or email wileyk@marblehead.org.

PUBLIC COMMENT. The following public comment was taken:
Albert Jordon made comments regarding the Select Board meeting schedule, Tedesco Country Club tax status, behavior at the Board of Health and School Committee meetings, Traffic Safety Committee meetings being too short, what is going on with Assessors and the Coffin School.

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

- Hiring of the ARPA Coordinator. This is a contract position with the person managing the projects funded by ARPA.
- New Vendor coming on board for Town's Website
- Public WIFI has been installed at Abbot Hall

SELECT BOARD ANNOUNCEMENTS. Mr. Nye thanked the Town Administrator and the Chief Financial Officer for holding the discussion on the proposed Meals/Rooms tax with local business owners. Chair noted that the Project Manager for the Salem Wind Project will be coordinating outreach to all residents via public forums in the near future. Fire Department was thanked for response to recent fire.

Motion made and seconded to adjourn at 8:32 p.m. All in favor.

Kyle A. Wiley
Administrative Aide

List of documents used:

Richdales Liquor License application; Eugenia Guastaferrri, resume, letter of interest; DYC, change of Manager application; APRA funding request; ACFR updated memo; Youth Baseball letter revising parade time; Coastline Marine, 1 day liquor request; Abbot Hall, Pride day event; MHS Green Schools Society 5k; Contract, Atlas Pyrovision; Contract, General Code Recodification; COA surplus request; Arbor Day Proclamation request; Abbot Hall, Juneteenth event; Festival of Arts, July 4th events, venues, 1 day liquor licenses (2); Abbot Hall, Charter School request;