

SELECT BOARD

MINUTES

April 24, 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, Chair
M. C. Moses Grader
Bret T. Murray
James E. Nye
Alexa J. Singer

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting of April 24, 2024 to order.

DISABILITIES COMMISSION. Interview/Appointment. Gail Mack appeared before the Board as it relates to serving on the Disabilities Commission. Motion made and seconded to appoint Gail Mack to the Disabilities Commission with a term to expire in June 2026. All in favor.

ABBOT HALL. Permission to Use. Troop 79, BSA. Motion made and seconded to approve the request from Andrew Barnett, Troop 79, BSA, to use Abbot Hall on Tuesday, June 4, 2024 for Eagle Scout Ceremony subject to the usual rules, regulations and fees and to waive the rental fee. All in favor.

REVOLVING FUND. Board of Health. Motion made and seconded to approve the request from Andrew Petty, Director of Public Health, to approve the Board of Health FY25 Revolving Fund Account in the amount of \$1,362,069.00. All in favor.

RESERVE FUND TRANSFER. Assessors. John Kelley, Chair, Board of Assessors, appeared before the Board. Mr. Kelley stated that due to the number of abatements received this year it was not possible for their Board to review all of these under the time deadline. Mr. Kelley spoke to the State of the Town presentation back in January and while the professional Assessor was online for some reason, they did not speak to the questions that were being asked of the Select Board that night. Mr. Kelley apologized for the position the Select Board were put in. Motion made and seconded to authorize the Chair of the Board of Assessors to appear before the Finance Committee to request the transfer of the sum of five thousand and 00/100 dollars (\$5,000.00) from the Reserve Fund in accordance with chapter 40, section 6 of the Massachusetts General Laws. All in favor

RESERVE FUND TRANSFER. Assessors. John Kelley, Chair, Board of Assessors, appeared before the Board seeking a Reserve Fund Transfer. A consultant is being hired to review operations of the assessor's office. Motion made and seconded to authorize Chair of the Board of Assessors to appear before the Finance Committee to request the transfer of the sum of fifteen thousand and 00/100 dollars (\$15,000.00) from the Reserve Fund in accordance with chapter 40, section 6 of the Massachusetts General Laws for abatement requests for FY24. All in favor

AGREEMENT. Private Connection to Town Drainage. 73 E Orchard Street. Motion made and seconded to approve the License Agreement for a Private Connection to Town Drainage System between the Town and Dennis and Maria Thiele, 73 E. Orchard Street, as presented, and authorize the Chair to sign on behalf of the Board. All in favor.

MINUTES. Motion made and seconded to approve the minutes of: March 19, 2024, March 27, 2024, March 29, 2024, April 1, 2024, April 8, 2024 (2pm), April 8, 2024 (7pm). All in favor.

LICENSING. 1 Day Liquor License. Marblehead Museum. Motion made to approve the request from Marblehead Museum for a one-day liquor license for Saturday, June 22, 2024, at 161 Washington Street, 2:00 p.m.- 6:00 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 Kappy's Importing.

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

LICENSING. 1 Day Liquor License. Karen Zieff. Motion made to approve the request from Karen Zieff for a one-day liquor license for Thursday, May 2, 2024 at Marblehead Arts Association, 6:00 p.m.- 9:00 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 Kappy's Importing.

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

CONTRACTS. The Board reviewed contracts and took the following votes:

Mobile Surveillance Camera System. Police Department. Motion made and seconded to approve the contract between the Town and Wireless CCTV for Mobile Surveillance Camera System, in the amount of forty-two thousand eight hundred eighty-seven and 33/100 (\$42,887.33) and authorize the Chair to sign on behalf of the Board. All in favor

Edward J Collins Jr. Center. Town Charter. Motion made and seconded to approve the contract between the Town and the Edward J Collins Jr. Center for Public Management for professional services related to the Town's Charter Committee, in the amount of twenty thousand and 00/100 (\$20,000.00) and to authorize the Chair to sign on behalf of the Board. All in favor.

Revize LLC, Website Design. Motion made and seconded to approve the contract between the Town and Revize LLC aka Revize Software Systems, in the amount of nineteen thousand seven hundred and fifty and 00/100 (\$19,750.00) and authorize the Chair to sign on behalf of the Board. All in favor

Tyler Technologies. Software Subscriptions. Motion made and seconded to amend the contract between the Town and Tyler Technologies for a software subscription reduction in the amount of one hundred ten thousand two hundred dollars (\$110,200.00) and to adjust payments to run on a fiscal year and authorize the Chair to sign on behalf of the Board. All in favor.

Corolla Contracting Inc. DPW/Police Station Roofs. Motion made and seconded to amend the contract between Corolla Contracting Inc, and the Town for The DPW and Police Station Roof Replacement and approve Change Order No.1, in the amount not to exceed five thousand four hundred eight dollars and 50/100 (\$5,408.50) and Change Order No. 2 to increase the contract time by 52 Days and to authorize the Chair to sign the change orders on behalf of the Board. All in favor.

ANIMAL INSPECTOR. Appointment. Motion made and seconded to appoint Daniel Proulx Inspector of Animals with a term to expire April 30, 2025. All in favor.

LETTER OF SUPPORT. Motion made and seconded to send a letter of support for the FY25 Congressionally Designated Spending application for the reconstruction of Parker's Boat Yard and authorize the Chair to sign on behalf of the Board. All 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.

Piper Field Gates and Turf Improvements - \$50,000

The ARPA funds requested would be used to enhance the gated entrances of Piper Field and ensure that emergency vehicles can access the field as well as wheelchairs as part of the larger field turf replacement and improvement project. Additionally, the funds would enhance participant safety for padding. In 2013, padding was not installed under the turf, but the project plan is to include padding under the turf to allow for more cushion creating a safer environment for all who use the field for athletics and community events. After discussion motion made and seconded to approve the use of federal ARPA Funds for the following purpose and amount: **Piper Field Gates and Turf Improvements - \$50,000.** 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, \$5,696,889 will have been approved for funding leaving \$447,140 remaining for additional ARPA funded projects.

PARKING REGULATIONS. Amy McHugh, DPW Director, appeared before the Board seeking the following temporary parking restrictions:

Overnight Parking Ban. Annual Street Sweeping. Motion made and seconded to approve the request from Amy McHugh, DPW Director, for a temporary overnight parking ban on the following days to allow the DPW to facilitate the annual street sweeping in the areas of Downtown, Old Town and the Shipyard Districts:

Wednesday, May 15, 2024, Thursday, May 16, 2024, and Friday, May 17, 2024

During the hours of 12:01 am until 7:00 a.m., consistent with the snow emergency ban.

Residents will be notified via temporary signs, targeted flyer, website updates, CodeRed notifications and updates on the Marblehead Police Facebook page. All in favor.

PARKING REGULATIONS. Old Town House, Temporary. Motion made and seconded to approve temporary parking restrictions (5 spaces) around the Old Town House April 29 – May 30, 2024, as needed, to facilitate painting of the Old Town House. No contracting vehicles shall be left on the street for Memorial Day weekend. All in favor.

2024 ANNUAL TOWN MEETING. Select Board Articles. The Board reviewed and discussed articles they have sponsored on the 2024 Warrant. Motion made and seconded to support the following articles on the 2024 Annual Town Warrant:

Article 3(d) Contracts in Excess of Three Years.

Article 4 Unpaid Funds in the amount of \$23,633.49

Article 5 Departmental Revolving Funds in the amount of \$3,983,301.00

Article 6 Purchase of Equipment of Several Departments in the amount of \$176,784.00

Article 7 Lease Purchase in the amount of \$447,354.00

Article 8 Capital Improvements for Public Buildings in the amount of \$401,941.00

Article 9 Walls and Fences in the amount of \$50,000.00

Article 10 Storm Sewer Construction in the amount of **\$400,000.00**
?Article 11 a. Water Department Construction in the amount of **\$2,600,000.00**
Article 11 b. Sewer Department Construction in the amount of **\$2,850,000.00**
Article 12 Proposed Reclassification and Pay Schedule (Administrative) at **2%**.
Article 13 Proposed Reclassification and Pay Schedule (Traffic Supervisors) at **2%**.
Article 14 Proposed Reclassification and Pay Schedule (Seasonal and Temporary) at **2%**.
Article 15 Compensation Town Clerk at **2%**.
Article 17 Essex North Shore Agricultural & Technical in the amount of **\$468,057.00**
Article 20 Collective Bargaining (Police) in the amount of - to be determined. **HOLD**
Article 21 Collective Bargaining (IUE/CWA – Local 1776) in the amount of – to be determined. **HOLD**
Article 34 Community Development and Planning Department
Article 35 Assessing Department Under Chief Financial Officer
Article 38 Approve MGL 41b Change Assessors from Elected to Appointed Positions
Article 39 Amend Bylaw, Capital Planning Committee, Membership
 All in favor.

Motion made and seconded to support the following articles on the 2024 Annual Town Warrant:

Article 20 Collective Bargaining (Police) in the amount of - to be determined. **HOLD**
Article 21 Collective Bargaining (IUE/CWA – Local 1776) in the amount of – to be determined.

4 voted in favor, Mr. Murray recused himself.

TOWN CHARTER COMMITTEE. Appointments. The Select Board reviewed the results of the ranking of Town Charter Committee Applicants. The Board initially discussed appointing a committee of nine members but after review of the rankings and discussion the Board agreed to appoint eleven members to the Committee. Motion made and seconded to appoint the following residents to the Town Charter Committee: Amy Drinker, Rosanna Ferrante, Jim Zisson, Ron Grenier, Bill Conly, Thomas Massaro, Seamus Hourihan, Sean Casey, Amy Danforth, Caleb Miller, Victor Wild. All in favor. The Board thanked everyone who submitted a letter of interest stating it was an impressive group of applicants.

RESIGNATION. The Board received notice from Ed Bell, Marblehead Community Access and Media Board, of his intent to resign after years of service. Motion made and seconded to accept Ed Bell's letter with regret and to send a letter of appreciation for his many years of service. All in favor.

ARTICLE 36. Zoning Bylaw. The Chair inquired if the Board would like to weigh in on Article 36, MBTA Zoning Amendment. The Finance Committee is recommending passage of Article 36 due to the negative financial impact on the town. A lengthy discussion followed with Board members expressing their appreciation to the Planning Board for the great job they did this past year working to bring a plan forward to town meeting that meets the State mandate. Members acknowledged the difficult position the State has put cities and towns in and encouraged all residents to get the information and

facts and to attend Town Meeting to debate this. The Board reiterated that if passed this does not change the Zoning Regulations or Bylaws currently in place

PUBLIC COMMENT. The following public comment was taken:

Claudette Mason – commented on Article 36, suggest Town do municipal bonds and look at other ways to get money to replace grants lost if Article 36 should not pass.

Albert Jordan – commented on Article 36 and that the Town should pass this and go after all funding available to the town.

Jack Attridge – acknowledged that Jim Nye will not be seeking reelection this year and thanked him for his service.

Aleesha Benjamin, CFO, stated she is working on collecting all the data that residents are asking for related to funding the town receives and could be in jeopardy in Article 36 does not pass and stated that the State can take away any discretionary funds they want.

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

- Thanked Department Heads for all their hard work on the budget - a balanced budget was brought forward this year.
- On April 17th the Town responded to a chemical spill. Within 20 minutes the source of the spill was located, the chemical was identified and release was stopped and contained. Fire, Harbor Master, Board of Health and Water and Sewer were commended for their quick response.
- Clickers for Town Meeting have arrived and the Vendor will be on site for Town Meeting.

SELECT BOARD ANNOUNCEMENTS.

Cable Television Advisory Committee. The Chair announced the Board is receiving letters of interest to serve on the Cable Television Advisory Committee. Letters of interest should be sent to Select Board, Abbot Hall, 188 Washington Street or email wileyk@marblehead.org. Deadline to submit is May 10, 2024. All applicants will be interviewed by the Board on May 15, 2024, at 7:00 p.m. at Abbot Hall.

The Board reviewed possible meeting dates for May and June.

CONDOLENCE. Motion made and seconded to send a letter of sympathy to the wife of Todd Norman. All in favor.

Motion made and seconded to adjourn at 9:07 p.m. All in favor.

Kyle A. Wiley
Administrative Aide

List of documents used:

Gail Mack resume; Troop 79 request for Abbot Hall; Board of Health Revolving Fund request; Reserve Fund Transfer request, Assessors (2); Private Drain agreement, 73 E. Orchard Street; Minutes: March 19th, 27th, 29th, April 1st, 8th; Marblehead Museum, 1 day liquor; Karen Zieff, 1 day liquor; Contracts: Mobile Surveillance Camera, Collins Center, Revize LLC, Corollow Contracting, Tyler Technologies; Inspector of Animals appointment; ARPA funding request; DPW request for temporary parking ban; Fire Chief request for parking restrictions, Old Town House; Select Board sponsored articles; Town Charter Committee ranking; Resignation, Ed Bell, Marblehead Community Access and Media Board.