

SELECT BOARD

MINUTES

May 15, 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:

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 May 15, 2024 to order.

VETERANS AGENT. Memorial Day. David Rodgers, Veterans' Agent, appeared before the Board to announce the following Memorial Day events:

Thursday, May 23, 2024. 9:00 a.m. Veterans Breakfast at the Council on Aging sponsored by the Masons.

Saturday, May 25, 2024. 9:00 a.m. from the Bell Tower at Waterside Cemetery. Veteran's Grave Flagging. All are welcome to participate in honoring Marblehead's Veterans. Anyone needing a flag for a Veteran's Grave may call the Veterans Office at 781-631-0990.

Sunday, May 26, 2024. 1:00 p.m. Veterans Service at Star of the Sea Cemetery. The public is welcome.

Monday, May 27, 2024. Memorial Day Parade. 8:00 a.m. Muster at Old Town House. 9:00 a.m. main parade begins; march to Memorial Park and then proceed to Waterside. Trolley service will be available from the VFW at 7:30 a.m. for all Veterans who may need assistance to participate in the activities. Breakfast will be served at the VFW after the ceremonies. The public is invited and encouraged to attend all ceremonies.

PROCLAMATION. Motion made and seconded to prepare a proclamation in honor of David Rodgers pending Retirement. All in favor.

PUBLIC HEARING. All Alcoholic Beverage License. 165 Pleasant Street. Alter Premises. Amanda Breen appeared before the Board seeking permission to alter the premises on the All-Alcoholic Beverage License at Mai Tai Lounge LLC, 165 Pleasant Street to include outdoor seating. No one spoke opposed or in favor of the application. After review, motion made to approve the request from Mai Tai Lounge LLC, 165 Pleasant Street, to extend the premises of the All-Alcoholic Beverage License as a Common Victualler by adding seating outside the premise with maximum of (18) seats, subject to approval from the Landlord, and receipt of Department Sign off. The hours of

operation on the license is 9:00 a.m. – 12:00 midnight Monday through Saturday, Sunday 11:00 am – 12 Midnight. 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.

MOTION to approve the Minutes of April 24, 2024, May 6, 2024 and May 7, 2024. All in favor.

PERMISSION. Breast Friends Walk. Motion made and seconded to the request from Rocco Scenna to hold the annual Breast Friends Walk on Sunday, October 13, 2024, at 9:30 a.m. subject to approval from the Marblehead Police, Recreation and Parks, receipt of the required Certificate of Insurance in the amount of \$1million/\$2million (occurrence/aggregate) naming the Town as additionally insured and Police Details. The walk will start and finish at Devereux Beach. No permanent markings are allowed on the streets and all temporary markings shall be removed at the conclusion of the event. All in favor.

ABBOT HALL. Prayer Day. Motion made and seconded to approve the request, nunc pro tunc, from Don Orne and Rabbi Meyer to hold the annual National Prayer Day at Abbot Hall on May 2, 2024. All in favor.

RESERVE FUND TRANSFER. Fire Department. Motion made and seconded to authorize the Fire Chief to appear before the Finance Committee to request the transfer of the sum of sixteen thousand and 00/100 dollars (\$16,000.00) from the Reserve Fund in accordance with chapter 40, section 6 of the Massachusetts General Laws. All in favor.

GIFT TO THE TOWN. Sole Stationary Bike. Motion made and seconded to accept as a gift to the Town a Sole Stationary Bike and put in the care and custody of the Police Department and to send a letter of thanks to the donor. All in favor.

PERMISSION. 5K. Company to Heros. Motion made and seconded to approve the request from Claudette Mason, Company 2 Heros, to hold a 5k family run/walk on Saturday, September 14, 2024, at 11:00 a.m. subject to approval from the Marblehead Police, receipt of the required Certificate of Insurance in the amount of \$1million/\$2million (occurrence/aggregate) naming the Town as additionally insured and Police Details. The walk will start and finish at the VFW on West Shore Drive. No permanent markings are allowed on the streets and all temporary markings shall be removed at the conclusion of the event. All in favor.

TOWN CHARTER COMMITTEE. Appointments. The Board discussed the appointment of Chair and Co-Chair for the Town Charter Committee and a motion was made and seconded to appoint Amy Drinker, Chair and Rosanna Ferrante, Vice Chair. All in favor.

PARKING REGULATIONS. Chief King appeared before the Board as it relates to the MADOT Safe Routes to School Signs and Lines Grant. Funding from this grant

specifically identified the Village School to receive improvements. On recommendation from MADOT and the Police Chief the following Parking Regulations were voted: Motion made and seconded to approve the following Parking Regulations:

Village School Signage:

1. Make the entire area on Village Street in front of the school a “NO PARKING” area. Install “NO PARKING” (R8-3a) signs on Village Street in front of the school.

Pavement Markings:

2. Paint the word “SCHOOL” markings on the pavement on Village Street on both approaches within the school zone.
3. Stripe the entire area on Village Street in front of the school with white hatching paint to indicate no parking area.
4. Install yield lines (shark’s teeth pavement markings) in both directions of Village Street at least 20 to 50 feet in advance of the crosswalk marking on Village Street in front of the school.

The exact location will be determined with the assistance of the Town Engineer. All in favor.

CONTRACTS. The Select Board reviewed contracts and the following votes were taken:

Harbor Plan Project. Innes Associates. Amend. Motion made and seconded to amend the contract for the Harbor Plan Project between the Town and Innes Associates to extend the time for performance to June 30, 2023, and authorize the Chair to sign the amendment on behalf of the Board. All in favor.

Public Employee Committee Agreement. Motion made and seconded to approve the Public Employee Committee Agreement, as presented and reviewed by Counsel. Four voted in favor, Mr. Murray recused himself.

Environmental Partners. Pavement Management Project. Amend. Motion made and seconded to approve Change Order No. 001 to amend the contract between the Town and Environmental Partners of Quincy, MA for Pavement Management Project to extend the contract date to March 31, 2025 and additional work scope to include intersection and corridor design per scope to be completed additional 5 tasks in 3 months letter dated April 19, 2024 and to also *increase* the contract amount by Seventy-Nine Thousand Five Hundred Dollars and 00/100 (\$79,500.00) and authorize the Chair to sign on behalf of the Board. All in favor.

Seal Coating Inc., d/b/a Indus. Pavement Maintenance (Crack Sealing). Motion made and seconded to award the contract for 2024-028 Pavement Maintenance (Crack Sealing) Project, to Seal Coating Inc., d/b/a Indus of 825 Granit Street, Braintree MA, 02184 in the amount of Seventy-Three Thousand One Hundred Eighty-Eight Dollars and 00 /100 (\$73,188.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

Woodard & Curran. MSP Permit Support. Amend. Motion made and seconded 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 extending the Contract to 12/31/24 with no increase in cost, and to authorize the Chair to sign on behalf of the Board. All in favor.

K5. Town Wide Pavement Markings. Amend. Motion made and seconded to amend the contract for Town Wide Pavement Markings between the Town and K5 of Rockland, 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 Forty-Eight Thousand Six Hundred Twenty Five and 00/100 (\$48,625.00) and authorize the Chair to sign on behalf of the Board. All in favor.

R. Federico. Front Street Sidewalk Repair. Change Order No. 1. Motion made and seconded to approve Change Order No.001 to amend the contract between the Town and R. Federico Inc of Weston, MA for 2024-010 Front Street Sidewalk and Railing Repair project by *increasing* the contract amount not to exceed by thirty-two thousand and 00/100 (\$32,000.00) and authorize the Chair to sign on behalf of the Board. All in favor.

First American. Lease (2) Fort Trucks. Motion made and seconded to award the contract for lease agreement of one Ford F550 Stake Body Truck with plow and lift gate and one Ford F550 Ariel Bucket Truck to First American of Victor NY for a 60-month lease term in the amount of Sixty-Two Thousand Dollars and 00/100 (\$62,000.00) annually and authorize the Chair to sign the contract on behalf of the Board. All in favor.

PARKING RESTRICTIONS. Marblehead Municipal Light Department. Joseph Kowalik, General Manager, Marblehead Municipal Light Department, appeared before the Board to review the three Capital Improvement project taking place and seeking temporary parking restrictions to facilitate these projects; 1. Commercial Street - Construction of a new asphalt sidewalk, install concrete footings and chain link fence, removal of ledge and storage of construction equipment and supplies; 2. Village 13 substation on Right of Way, near Village Street for electrical transformers to be delivered; 3. School Street parking lot work on lines. After presentation and discussion, a motion was made and seconded to approve the request from Joseph Kowalik, Marblehead Municipal Light, for parking restrictions on Commercial Street, Bessom Street, Heritage Way, Roundhouse Road and School Street parking lot, as presented, and to coordinate with the Police Chief and DPW Director to facilitate these restrictions. All in favor.

LETTER OF INTEREST. Harbors and Waters Board. The Board received a letter of interest from Karen Finocchio as it relates to serving on the Harbors and Waters Board.

ABBOT HALL. Permission to Use. Rotary Club of Marblehead Harbor. Motion made and seconded to approve the request from the Rotary Club of Marblehead Harbor to hold the Annual Holiday Pops Concert and pre-concert reception at Abbot Hall on Saturday, December 14, 2024, subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance, naming the Town of Marblehead as additionally insured, as follows and to waive the rental fee for this event:

- Friday, December 13, 2024 8:00 a.m. – Noon
- Saturday, December 14, 2024 4:00 p.m. - 11:00 p.m.
- Monday, December 16, 2024 8:00 a.m. - Noon

All in favor.

LICENSING. 1 Day Liquor License. Rotary Club of Marblehead Harbor. Motion made to approve the request from Rotary Club of Marblehead Harbor for a one-day liquor license for Saturday, December 14, 2024, at Abbot Hall, 188 Washington Street, 5:00 p.m.- 11:00 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 North Shore Bartenders.
- Liquor Liability Insurance.
- No alcohol is to be stored on premises overnight.

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

PUBLIC COMMENT. The following public comment was taken:
Albert Jordan questioned when the Veterans Agent position will be posted.

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

- MBTA Zoning Amendment. While Town Meeting defeated the MBTA Zoning Amendment, the Town will remain in compliance until December 30, 2024.
- JCC awarded Marblehead Police Department the Stahl Community Service Award and Epstein Hillel honored the Police Department, both for making their community feel safe in Marblehead.
- The Police Chief has reported that he has gotten his new officer enrolled in the Police Academy.

SELECT BOARD ANNOUNCEMENTS. None.

EXECUTIVE SESSION. Motion to go into Executive Session under M.G.L. c. 30A, Sec.21(a)(6) for the purpose of discussing the value of real property and settlement negotiations, 297 Ocean Avenue, where the public discussion of same may have a detrimental effect on the negotiating position of the public body. Votes may be taken, and if they are, votes will be released at a time deemed appropriate by counsel. The Board will not reconvene in open session. Moved by Nye, seconded by Mr. Murray. On a polled vote the Board voted as follows; Mr. Nye, in favor, Mrs. Singer, in favor.

The Board adjourned to Executive Session at 8:21 p.m.

Kyle A. Wiley
Administrative Aide

List of documents used: Memorial Day schedule/Mai Tai application/draft minutes April 24th/May 6th/ May 7th/ Breast Friends request/Prayer Day request/Reserve Fund Transfer request/Gift to Town, request from Police Chief/Company to Heros, 5k/Parking Regulations request from Police Chief/Contract info: Harbor Plan, PEC Agreement, Environmental Partners, Seal Coating, MSP Permit, K5 Pavement Markings, R. Federico, Front Street Sidewalk, Lease for 2 Trucks/Rotary request for Abbot Hall/Letter of interest Karen Finocchio, Harbors and Waters/Rotary Club, 1 day liquor license.