

SELECT BOARD

MINUTES

June 5, 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 June 5, 2024 to order. This meeting is being recorded.

CABLE TELEVISION ADVISORY COMMITTEE. Committee update.

Interview/Appointment. Robert Peck, Cable Television Advisory Liaison, appeared before the Board to give an update on the Town's two cable contracts. The Town is currently midway through a 10-year contract with Comcast and is 4 years through a 5-year contract with Verizon. The committee has been dormant the past 4 years but should be reconstituted now. The committee's main responsibility is to oversee the renewal of the town's cable TV licenses with providers like Comcast and Verizon. Mr. Peck highlighted the success of the previous Verizon contract negotiations, which led to better revenue contributions and high-definition services from both providers. He also informed the Board that the current Comcast contract is due for renewal in January 2025, and they anticipate similar terms and conditions.

Interview/Appointment. Ruth Ferguson appeared before the Board seeking appointment to the Committee. Ruth was an active member on the committee for the last contract negotiations. Motion made and seconded to appoint Ruth Ferguson to the Cable Television Advisory Committee with a term to expire in June 2025. All in favor.

MARBLEHEAD FIREWORKS COMMITTEE. July 4th Fireworks and Harbor Illumination. Alexander Falk appeared before the Board to update them on the annual July 4th fireworks. There is a new state of the art Fireworks website featuring new options for residents to donate as well as Drone guidance. Motion made and seconded to hold the annual Marblehead Fireworks and Harbor Illumination on July 4th, with Harbor illumination starting at 9:00 p.m. and the Fireworks at 9:15 p.m. All in favor.

LICENSING. (8) One Day Liquor Licenses. Marblehead Little Theatre. Motion to approve the request from Andrew Barnett, Marblehead Little Theatre, for (8) One Day

Liquor Licenses at 12 School Street on the following dates and times and subject to the following:

June 21, 2024, 6:30 – 11:00 pm

June 22, 2024, 1:30 – 11:00 pm

June 23, 2024, 1:30 – 6:00 pm

June 26, 2024, 6:30 – 11:00 pm

June 27, 2024, 6:30 – 11:00 pm

June 28, 2024, 6:30 – 11:00 pm

June 29, 2024, 1:30 – 11:00 pm

June 30, 2024, 1:30 – 6:00 pm

- 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.

Moved by Mr. Nye, seconded by Mr. Grader. 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; Mrs. Noonan, in favor.

TEMPORARY OUTDOOR DINING POLICIES. Review/Adoption. The Board reviewed the draft temporary outdoor dining policies which they received at their meeting of May 22, 2024. Post-Covid, cities and towns are adopting outdoor dining policies. The Alcohol Beverage Control Commission has revised their guidelines as well on outdoor dining to require approval from the Local Licensing Authority (Select Board) only for any currently licensed establishment. The Town Administrator reviewed the parameters for dining establishments to operate outdoor dining, including capacity limitations, requirements for liquor licenses, and fee structures for using public spaces and barriers. He also addressed the need for a balance between business expansion and equitable distribution of benefits when using public space. The Board also reviewed insurance/liability requirements, ADA accessibility and parking concerns. After discussion a motion was made and seconded to adopt the Town of Marblehead Temporary Outdoor Dining Policies as presented, subject to review and approval of each application by the Town Administrator, Police, Fire, DPW and Board of Health.

MINUTES. Motion to approve the minutes of May 22, 2024 and May 23, 2024. All in favor.

PERMISSION. 4th of July Horribles Parade. Motion made and seconded to approve the request from Carol McHugh and Joan Champlain, Gerry 5 Veteran Fireman's Association, to hold the annual Horribles Parade on Thursday, July 4, 2024 at 10:00 AM subject to approval from Police Chief and receipt of the required Certificate of Insurance. The parade route will be the same as in previous years starting and ending at the National Grand Bank. Rain date is Sunday, July 7, 2024. Registration will take place at the Gerry 5, 210 Beacon Street, on Wednesday, July 3, 2024 from 6:00 – 8:00 PM or in the

National Grand parking lot on Pleasant Street on Thursday, July 4, 2024 from 8:00 – 9:30 AM. 4 voted in favor, Mr. Nye voted present.

PARKING RESTRICTIONS. July 4th events. Motion made and seconded, on recommendation from the Police Chief, to approve the following temporary street closures and traffic regulations as follows:

Thursday, July 4, 2024 Horribles Parade (Rain Date Sunday July 7, 2024)

Beginning at 9:00 a.m. Pleasant Street will be closed between Spring Street and Washington Street (South) and Spring Street will become one way from Pleasant Street to Sewall Street. Essex Street will be closed in its entirety during the staging and movement of the parade

Fireworks Display Thursday, July 4, 2024 (Rain Date Friday, July 5, 2024)

Beginning at 7:00 p.m.: Front Street is closed to all traffic and “No Parking” between Franklin Street and Fort Sewall Lane. Franklin Street becomes one way from Front Street to Washington Street. Washington Street becomes one way from Franklin Street to State Street.

After the Fireworks:

Traffic leaving the beach parking lots will merge with traffic leaving the neck and be allowed only a right- or left-hand turn at the intersection of Ocean and Atlantic Avenues. Front Street is closed at State Street to allow for pedestrian traffic along Front Street coming from Fort Sewall.

State Street becomes one way from Front Street to Washington Street. All traffic from the area between State Street and Franklin Street as well as Pond Street will be directed along Mugford Street and Green Street to West Shore Drive. Note that the MBTA route between the hours of 6:00 p.m. and 11:00 p.m. will follow the pre-designated snow route.

Festival of Arts Street Festival, Thursday, July 4, 2024, 11:00 a.m. to 3:00 p.m.:

Washington Street is closed between Rockaway Street and Darling Street. Both Rockaway and Darling Streets will remain open to traffic. Hooper Street is closed between Tucker Street and Washington Street. Mason Street is closed between Tucker Street and Washington Street. “No Parking” allowed along Washington Street between Rockaway Street and Darling Street. Note: It is strongly recommended that anyone residing or conducting business in that area relocate their vehicles prior to 11:30 a.m. so as to not get blocked in. All in favor.

POLICE DEPARTMENT. Indemnification. Motion made and seconded to indemnify Lt. Lunt for injuries sustained while on duty May 24, 2024. 4 voted in favor, Mr. Murray recused himself.

PARKING RESTRICTIONS. Marblehead Counseling Center. Temporary Parking Restrictions. Motion made and seconded to approve the request from Ron Grenier, Marblehead Counseling Center, for temporary parking restrictions on Saturday, June 22, 2024, to facilitate a Community Wellness Day event for families and children subject to approval from Police and Fire as follows:

temporary closure of a part of Ware Lane that parallels both the former Eveleth School and Hobbs Field, from Brook Road to the exit of MCC’s parking lot, as well as the MCC’s parking lot from Clifton Avenue, starting early June 22nd to allow for drop off

and delivery of the equipment and amenities, until 5 pm allowing for the safe dismantling of same and to notify the abutters on Ware Lane accordingly. All in favor.

HOLIDAY HOURS. Motion made and seconded that the following holiday hours will be observed at Abbot Hall and the Mary A. Alley Building:

Wednesday, June 19, 2024 Abbot Hall and Mary Alley closed all day for Juneteenth

Thursday, July 4, 2024 Abbot Hall and Mary Alley closed all day for regular business. Abbot Hall will be open for the Festival of Arts.

All in favor.

CONTRACTS. The Town Administrator reviewed the following contracts with the Board and votes were taken.

Police Chief. The Board reviewed the draft contract for Chief Dennis King which was previously voted in Executive Session by the Board. Motion made and seconded to approve the contract between the Town and Police Chief, effective July 1, 2024 through June 30, 2027, and subject to review by Town Counsel. 4 voted in favor, Mr. Murray recused himself.

Franklin Street Fire Station Windows. Motion made and seconded to award the contract for the Franklin Street Firehouse Window Rehabilitation to Homer Contracting, Inc. of Arlington, Massachusetts in the amount of One Hundred Thirty-Three Thousand Dollars and Zero Cents (\$133,000.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

Roadway and Sidewalk Improvements. Motion to award the contract for 2024-030 Roadway and Sidewalk Improvements Project to D & R General Contractor, 732 Newburyport Turnpike, Melrose, MA in the amount Not to exceed One Million One Hundred Eighty-Two Thousand Two Hundred and Ninety-Two Dollars and 50 /100 (\$1,182,292.50) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

Shipyards Public Access Improvements. Motion made and seconded to award the contract for 2024-036 Shipyards Public Access Improvements Project to George Cairns and Sons Inc. of Windham, NH in the amount Seventy-Seven Thousand Seven Hundred Dollars and 00/100 (\$77,700.00) and Authorize the Chair to sign the contract on behalf of the Board. All in favor.

Host Community Agreement. Motion made and seconded to approve the updated Host Community Agreement, as presented and approved by Counsel, between the Town and Seven Leaf Sisters, Inc. All in favor.

Raffael Construction, Abbot Hall Brick Runnells. Motion made and seconded to approve the Change Order No. 001 to amend the contract between the Town and Raffael Construction, Contract 2024-02 Abbot Hall Brick Runnells Project by increasing the contract time by 7 days and increasing the contract amount by twenty thousand three

hundred dollars and 00/100 (\$20,300.00) and authorize the Chair to sign on behalf of the Board. All in favor.

ABBOT HALL/OLD TOWN HOUSE. Permission to Use. Festival of Arts. Motion made and seconded to approve the request from the Festival of Arts to use Abbot Hall and the Old Town House to facilitate Festival set up and art drop off/pick up times subject to coordination with the Town Administrators office. All in favor.

LICENSING. One Day Liquor Licenses. Friends of Marblehead Public Schools. Motion to approve the request from Friends of Marblehead Public Schools, for a (1) Day Liquor License at 388 Ocean Avenue, on Saturday, June 15, 2024 from 6:30 p.m. – 9:30 p.m. subject to the following:

- 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 Distributors.

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

LICENSING. One Day Liquor Licenses. Our Lady Star of the Sea. Motion to approve the request from Monsignor Timothy Moran, for a (1) Day Liquor License at Our Lady Star of the Sea, 85 Atlantic Avenue, on Saturday, June 22, 2024 from 5:00 p.m. – 7:00 p.m. subject to the following:

- 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 and Distributing Co.

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

MAIL. Water and Sewer Rate Hearing Meeting. The Board received notification of the Water and Sewer Commissioners annual Rate Setting Hearing to be held on Tuesday, June 25, 2024 at the Commission's offices located at 100 Tower Way, Building #11, at 700 p.m. The public is welcome to attend.

PUBLIC COMMENT. Albert Jordan addressed the Board regarding outdoor dining and concerns with safety and loss of parking spaces.

TOWN ADMINISTRATOR UPDATE. Fort Sewall received a merit award in the general design category, by the Boston Society of Landscape Architects. This modest project competed with much bigger and fancier projects throughout New England. Thank you to the Fort Sewall folks for a job well done.

Teresa Collins received permission to hold the 1st annual Flag Retirement Ceremony on Flag Day, June 14th at 5:00 p.m. at Waterside Cemetery for people to properly dispose of their flags.

SELECTBOARD ANNOUNCEMENTS. Jim Nye announced this is his last meeting as a Select Board member and stated it has been a true honor to represent the taxpayers of Marblehead and has been a humbling experience.

Motion made and seconded to adjourn at 8:00 p.m. All in favor.

Kyle A. Wiley
Administrative Aide

List of documents used: Ruth Ferguson, letter of interest/Fireworks Committee letter/MLT 1 day liquor license letter/draft minutes May 22, May 23, 2024/Gerry 5 Horribles Parade request/Police request parking restrictions for July 4th/Police Department Indemnification/Marblehead Counseling request for temporary parking restrictions/Holiday Hours/Contracts: Police Chief, Host Community Agreement/Festival of Arts letter, use of Abbot Hall/OTH / Friends of Marblehead Public Schools 1 day liquor license/Star of Sea, 1 day liquor license/Water & Sewer Rate Hearing invitation.