

SELECT BOARD

MINUTES

August 13, 2025



Board met in HYBRID session at 7:00 p.m. at Abbot Hall, 188 Washington Street, Select Board Meeting Room

The following Board members were present constituting a quorum:

Dan Fox, Chair
M. C. Moses Grader
Erin M. Noonan
Alexa J. Singer
James R. Zisson

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting of August 13, 2025, to order.

PUBLIC COMMENT. None.

TOWN ADMINISTRATOR UPDATE. The Town Administrator provided a consolidated summary of key ongoing projects, operational updates, and upcoming initiatives currently underway across town departments.

Cove Lane Property Ownership

The Town, in coordination with its legal counsel, is actively reviewing historical property records and deeds to determine the precise ownership status of Cove Lane, a roadway that provides access to a beach area. For decades, it had been generally understood that the Town held full ownership of the lane based on transactions dating back to the early 1900s. However, preliminary research now indicates that Cove Lane may be jointly owned by the Town and several private property owners whose parcels abut the roadway. The beach area at the end of the lane is confirmed to be Town-owned and remains open to the public without dispute.

Recently, some private residents have asserted that they hold sole ownership of Cove Lane and have suggested the possibility of restricting public access. Under Massachusetts property law, if the lane is jointly owned, no single owner has the authority to block or restrict the rights of access of any other owner, including the Town. This joint ownership status would therefore preserve the Town's legal right to use and maintain the property for public benefit.

The Town's legal counsel is now conducting a detailed title examination and historical deed review to confirm the official ownership record. Once this research is complete, the

Town will determine appropriate next steps, which may include formal legal action, public notification, or coordination with other owners to ensure continued public access and the protection of municipal property rights. In the interim, no changes to public access will be made.

Cliff Street Boatyard Cleanup

The cleanup of the Cliff Street Boatyard is now in its final stage and represents a successful conclusion to a long-standing environmental compliance matter with the Massachusetts Department of Environmental Protection (MassDEP). Vertex has prepared a draft Permanent Solution with No Conditions (PSNC) Statement for the Underground Storage Tank (UST) Release closure. This statement is the highest level of closure determination available under the Massachusetts Contingency Plan (MCP) for environmental cleanups. A PSNC means that all required environmental remediation work has been completed to a standard that ensures no significant risk to human health, safety, public welfare, or the environment, both now and in the foreseeable future. The site can be used without any restrictions, special monitoring, or ongoing controls. This outcome not only resolves a regulatory obligation but also restores full, unrestricted use of the site, eliminating potential liability and ensuring environmental safety for the community.

Smith Street Rail Trail Crossing Ribbon-Cutting

On Tuesday, August 26, 2025, at 4:00 PM, the Town will hold a ribbon-cutting at the Rail Trail crossing at Smith Street (near the Post Office) to celebrate completion of the Marblehead Rail Trail Showcase Project and to share information on the Marblehead Rail Trail Master Plan. The Showcase Project delivers visible, near-term upgrades that demonstrate the Town's long-range vision for the corridor—improving safety and accessibility, enhancing the user experience, and introducing consistent wayfinding and amenities—while inviting public input on the full master plan. A brief program of remarks and an overview of next steps will follow the ribbon-cutting. The event is open to the public and all are encouraged to attend.

CONSERVATION COMMISSION. Interviews/Appointments. Alison Frye and Brandan Collins appeared before the Board seeking appointments to the Conservation Commission. The Board interviewed both applicants and a motion was made and seconded to appoint Alison Frye and Brandon Collins to the Conservation Commission with terms to expire in June 2028. All in favor.

COUNCIL ON AGING. Operational Policies. Lisa Hooper, Council on Aging Director, and Marcy Schwam, Chair, Council on Aging, appeared before the Board seeking approval to change the Operational Policies of the Council on Aging by changing the term limits and adding an additional 3rd term. After discussion and questions by the Board a motion was made and seconded to approve the change in the Operational Policies of the Council on Aging as follows:

Article IV – Membership – change. The Council on Aging Board shall consist of seven (7) Marblehead residents, to be appointed by the Select Board for a term of three years. Members may be appointed for ~~two (2)~~ **three (3)** consecutive three (3) year terms. After

an absence of one-year, former board members may re-apply to be appointed to the Board. Term limits shall take effect at the time the current appointed term expires. All in favor.

LICENSING. Public Hearing, continued. Shin Dynasty, 1 Atlantic Avenue. Revocation Hearing, Wine Malt Beverage License. The Chair announced this is a continuation of the Public Hearing, opened on November 13, 2024, on the revocation of the Wine Malt Beverage License # 00042-RS-0656, Shin Dynasty, 1 Atlantic Avenue. Alexander Lewis appeared before the Board and updated them on the progress at 1 Atlantic Avenue. Building permits have been pulled and construction has started on site with progress being made daily. The firewall is partially completed, and the ADA Entrance Door has been delivered and ready to be installed. Mr. Lewis expects the work to move along at a reasonable rate but did not have a hard date for expected completion. The Board reviewed the information and had a discussion with Mr. Lewis regarding expectations moving forward. Motion made and seconded to continue the Public Hearing to September 10, 2025, at 7:00 p.m. and require Mr. Lewis to submit regular updates to their office. All in favor.

APPOINTMENT. Chief Procurement Officer. Allison Jenkins appeared before the Board seeking appointment as Chief Procurement Officer. Allison has served nearly 2 decades in Municipal Government with the past 10 years as Chief Procurement Officer. The Board welcomed Allison. The Chair stated that many departments and staff are excited and eager to work with Allison. Motion made and seconded to appoint Allison Jenkins Chief Procurement Officer with a term to expire in June 2026. All in favor.

POLICIES. Green Marblehead Communities Program. Zero Emissions Vehicle Policy. Logan Casey, Sustainability Coordinator, appeared before the Board to present an overview of the Commonwealth's Green Communities Program and outline Marblehead's pathway to designation. The Town's application is due December 2025. The presentation covered:

- Program Overview: Green Communities provides grant funding and technical assistance for municipal energy efficiency and decarbonization. Nearly 300 Massachusetts communities have joined, with initial awards of \$150,000–\$170,000 and access to competitive grants up to \$225,000 per round.
- Marblehead's Progress: The 2018 Town Meeting vote for 100% carbon-free energy and the 2023 Net Zero Roadmap (adopted by the Board) set clear climate goals of Net Zero Greenhouse Gas Emissions by 2040. Designation as a Green Community is a strategic priority in the Net Zero Roadmap.
- Application Requirements: there are five required criteria. Focus was made on two key items for Board action:
 1. Adoption of a Zero Emissions Vehicle (ZEV) First Policy, and
 2. Development and adoption of a Municipal Energy Reduction Plan.
- ZEV First Policy: This draft policy prioritizes electric vehicles in future fleet purchases starting in FY2027, with appropriate exemptions and fuel-efficiency standards.

- **Energy Reduction Plan:** A five-year strategy to reduce municipal building energy use by 20%, with a draft anticipated in October. The plan is being developed in coordination with PowerOptions.

This program directly supports Marblehead's 2040 Net Zero goal and will provide critical financial and technical support to accelerate our energy efficiency and decarbonization efforts.

The Board took public comments after the presentation as well as asked questions regarding the grant process, timeline to adopt policies and the effect of noncompliance with 3A on these grants. The Board will review the policies as presented and vote to adopt these policies at a future Board meeting.

UNITED STATES MARINE CORPS 250th BIRTHDAY CELEBRATION. August 21, 2025. Moses Grader gave an update to the Board on the United States Marine Corps 250th Birthday Celebration to be held on August 21, 2025, and read parts of a draft proclamation for this event:

..highlighting the Town of Marblehead's common cause with the Marine Corps in devoted service to our nation. Held during Marine Week in the Boston area, the event joins the happy occasion of the Marine Corps birthday with a recognition of time and place at the site of Fort Sewall, which defended the town during the Revolution, and famously provided covering cannon fire for the USS Constitution. This celebration also highlights Marblehead's unique role in the American Revolution, especially General John Glover's Marblehead Regiment, the first militia to volunteer for Washington's Continental Army at Cambridge, Massachusetts in June 1775.

The Board reviewed the details of the event, and the following votes were taken:

Fort Sewall. Motion made and seconded to approve the use of Fort Sewall on Thursday, August 21, 2025, for the Marine Corps 250th Birthday celebration event subject to approval from Police and Fire, receipt of required Certificate of Insurance and to authorize Moses Grader to coordinate and sign any documents required on behalf of the Board. All in favor.

Temporary Parking Regulations. Motion made and seconded to approve temporary parking regulations, on recommendation of Chief King, for August 21, 2025, Marine Corps 250th Birthday event as follows:

* **Fort Beach:** All Fort Beach parking spaces are restricted from 12 noon to 6pm. Public Parking spaces from Franklin Street to Fort Sewall are restricted from 2:00 – 6:00 p.m. Posted signage by DPW prior to the event.

* **Block Front Street at Franklin Street to traffic** from 2:30 p.m. until 6:00 p.m. Times and restrictions are subject to change based on public safety needs. The area around Fort Sewall will have additional police presence for the closing of streets, and the movement of Marine Corps personnel as needed.
All in favor.

Citation. Motion made and seconded to prepare a Citation in honor of the Marine Corps 250th Birthday. All in favor.

A full schedule and timeline of the event can be found on the website at Marbleheadma.gov.

SELECT BOARD 2025/2026 GOALS. The Board reviewed the 2025/2026 Goals developed at their annual retreat on July 18, 2025. After discussion and comments on the draft document a motion was made and seconded to approve the Select Board Goals 2025 as presented. All in favor.

NATIONAL OPIOID LITIGATION CONSORTIUM. The Board reviewed a memo from the Town Administrator regarding new Opioid Settlements (see attached). The Town of Marblehead has been notified of its eligibility to participate in two major opioid-related resolutions facilitated through the National Opioid Litigation Consortium:

1. The Purdue Pharma Bankruptcy Plan and Sackler Settlement (~\$8 billion)
2. Nine Additional Manufacturer Settlements (~\$1.2 billion)

As with the Purdue and Sackler settlement, the Town Administrator is the listed official contact for Marblehead with Rubris and the National Opioid Settlement administrators. As such, the Select Board is requested to authorize the Administrator to execute the necessary participation forms through the DocuSign system on behalf of the Town. Participation in these settlements ensures that Marblehead continues to play an active role in national and state-level opioid accountability and positions the Town to access important public health resources to address local needs.

After discussion the following motions were taken:

Authorization to Vote on Purdue Plan

Motion made and seconded that the Marblehead Select Board authorize the Town Administrator to vote on behalf of the Town of Marblehead to approve the Purdue Pharma Bankruptcy Plan, including the \$6.5 billion Sackler family settlement, as recommended by the National Opioid Litigation Consortium. The vote shall be submitted via email to the Consortium by the required deadline of September 23, 2025, in accordance with their specified instructions and based on the summary information provided to the Board. All in favor.

Authorization to Sign GESA Sackler Release

Motion made and seconded that the Marblehead Select Board authorize the Town Administrator to execute the Governmental Entity Settlement Agreement (GESA) Sackler Release on behalf of the Town of Marblehead by the submission deadline of September 30, 2025, using the DocuSign platform provided by Rubris. All in favor.

Authorization to Sign Participation in Nine-Defendant and Sandoz Opioid Settlements

Motion made and seconded that the Marblehead Select Board authorize the Town Administrator to execute all required participation forms on behalf of the Town of Marblehead for the opioid settlement agreements with Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun Pharmaceuticals, and Zydus, and, if applicable, Sandoz, as recommended by the Massachusetts Attorney General's Office. The Town Administrator is authorized to complete this process using the DocuSign platform provided by the Settlement Implementation Administrator, Rubris, and the separate portal for Sandoz, if applicable, in accordance with the participation deadline of October 1, 2025. All in favor.

HOST COMMUNITY AGREEMENT. Seven Leaf Sisters, Inc., 385 Atlantic Avenue. The Board reviewed a memo from the Town Administrator regarding the Host Community Agreement between the Town and Seven Leaf Sisters, Inc., 385 Atlantic Avenue. Marblehead currently has two Host Community Agreements in place for adult retail cannabis sales, one of which is Seven Leaf Sisters, Inc. Licensing is done through the Cannabis Control Commission at the state level with an entire vetting process. At the local level it is a requirement of these entities to enter into a host community agreement with the local municipality, which sets up such terms. The existing agreement, in place with Seven Leaf Sisters, Inc., has a transaction scheduled with the Cannabis Control Commission for KCCS LLC, to buy out or purchase the Seven Leaf Sisters, Inc. Under the current Host Community Agreement with the Town, the Select Board are required to vote to authorize the assignment of the host community agreement from Seven Leaf Sisters Inc., to KCCS, LLC, and to maintain all the terms currently in place. This vote would be contingent upon approval by the Cannabis Control Commission. After discussion the following motion was made:

Motion made and seconded to approve the assignment of the Host Community Agreement for Seven Leaf Sisters, Inc. to KCCS, LLC, and amendment agreement, contingent upon approval by the Cannabis Control Commission. All in favor.

SCHOOL COMMITTEE. Notice of Vacancy. Notification was received from Al Williams, Chair, Marblehead School Committee, notifying the Board, in accordance with Mass General Law, that a vacancy has occurred on the School Committee effective July 31, 2025, and requesting a joint meeting with the Select Board for the purpose of appointing an individual to fill this vacancy until the next annual election. Motion made and seconded to accept letters of interest and resumes to fill the current vacancy on the School Committee and to hold a joint meeting with the School Committee on September 10, 2025, to interview all applicants. Deadline to submit letters of interest and resumes is September 5, 2025. Submit to both:

Select Board
Abbot Hall
188 Washington Street
Or email wileyk@marbleheadma.gov

AND
Al Williams

Marblehead Public School Administration Building
9 Widger Road
Or email williams.al@marbleheadschoools.org

All in favor.

CONSENT AGENDA ITEMS, GENERAL Motion to approve the following Consent Agenda Items:

OLD TOWN HOUSE, Rev 250 Committee, September 20-21, 2025, Headers in Revolution Weekend, subject to the usual rules, regulations and fees paid to the Town and receipt of the required Certificate of Insurance.

DOLLARS FOR SCHOLARS - to hold the 10th annual Run for the Fund 5K road race on Sunday, October 5, 2025, subject to approval from Police and Fire, police details and required Certificate of Liability. No permanent markings are allowed on the streets, and any temporary markings must be removed at the conclusion of the event.

SHANTY #1, Mark Lausier – renew for 2025-2026 subject to receipt of the required forms and all fees paid to the Town

ABBOT HALL, Saturday, August 1, 2026 – request from Erin Martin for a Wedding Ceremony subject to the usual rules, regulations and fees paid to the Town and receipt of the required Certificate of Insurance.

OLD TOWN HOUSE, Friday, September 5, 2025, Wings Women Discovery presentation subject to the usual rules, regulations and fees paid to the Town and receipt of the required Certificate of Insurance.

MINUTES of July 9, 2025, July 15, 2025, and July 23, 2025.

All in favor.

SURPLUS EQUIPMENT. Police Department. Motion made and seconded to declare the following items as surplus and no longer needed for Municipal purpose so that they may be disposed of in accordance with MGL 30B and the Town’s policy on surplus equipment:

- Precision Solar Controls Speed Controls Speed Trailer
- 2017 Ford Explorer

All in favor.

LICENSING. 1 Day Liquor License(s). Friends of Council on Aging. Motion to approve the following application for a One Day Liquor License from the Friends of the Council on Aging on Wednesday, August 20, 2025, from 4:30 – 6:30 p.m. at the Judy and Gene Jacobi Community Center, 10 Humphrey 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.
- Authorized distributor to be determined before license is released.
- Alcohol will be purchased from Kappy's Importing.

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

CONTRACTS.

DIGITIZATION PROJECT. Motion made and seconded to approve the amendment, as presented, to **CONTRACT 2024-063, Records Digitization Project** between the Town and MetaSource LLC by extending the performance time until June 30, 2026, and authorize the Chair to sign on behalf of the Board. All in favor.

GATCHELL'S PLAYGROUND LIGHTING PROJECT. Motion made and seconded to award **CONTRACT 2025-010, Gatchell's Playground Sports Lighting Project** between the Town and Ham Electric LLC in the amount of twenty-one thousand one hundred seven hundred and fifty dollars and 00/100 (\$21,750.00) and authorize the Chair to sign on behalf of the Board. All in favor.

POLICE STATION FLOORING PROJECT. Motion made and seconded to award **CONTRACT 2025-017, Police Station Flooring Project** between the Town and Talty Floors Inc. in the amount of fourteen thousand two hundred thirty-four dollars and 00/100 (\$14,234.00) and authorize the Chair. All in favor.

OLD AND HISTORIC DISTRICTS COMMISSION. Vacancy. The Board received a letter of interest to serve on the Old and Historic Districts Commission. The Board will receive letters of interest until September 19, 2025, and interview all applicants at their meeting on September 24, 2025.

TAXATION AIDE COMMITTEE. Vacancies. The Board received 2 letters of interest to serve on the Taxation Aide Committee. The Board will receive letters of interest until September 19, 2025, and interview all applicants at their meeting on September 24, 2025.

SELECT BOARD ANNOUNCEMENTS.

- **DEDICATION. Council on Aging - Bocce Court.** Wednesday, August 20, 2025, 4:30 – 6:30 p.m. at the Council on Aging.

- **CONDOLENCE.** Motion made and seconded to send a letter of condolence to the families of Rose Collins and Ned Devine in recognition of their dedication to the Town of Marblehead. All in favor.

Motion made and seconded to adjourn at 9:17 p.m.



Kyle A. Wiley
Administrative Aide

List of documents used: Resumes: Alison Frye/Brandon Collins, Conservation Commission / COA draft operational policies / Shin Dynasty update / Allison Jenkins, CPO, Resume / Draft Zero Emissions Policy/ Green Communities Program / parking regulations Marine Corp 250th event / Select Board 2025/2026 draft goals / Memo National Opioid Settlement / Memo Host Community Agreement, draft contract amendment / School Committee vacancy notice / Rev 250 Committee request for Old Town House / Dollars for Scholars Run for Fund 5K request / Shanty Renewal / Abbot Hall wedding, Erin Martin / Old Town House, Wings Women History / Draft minutes 7.9.25, 7.15.25, 7.23.25 / Surplus Equipment request / 1 Day liquor request, Friends of the COA / Contract requests: MetaSource, Gatchells Playground, Police Station Flooring.