

SELECT BOARD

MINUTES

July 9, 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
James R. Zisson

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting of July 9, 2025, to order.

PUBLIC COMMENT. The following residents addressed the Board:
Joseph Whipple thanked the Board for their continued efforts to help the town stay in compliance with 3A and now, after the results of the Special Election, we are in a situation where we have to throw ourselves at the mercy of the Attorney General and the courts. He is confident the Board will continue to exercise their best judgement in what is best for the Town.

Albert Jordan addressed the board regarding 3A, trash pickup, Board of Health new hire, Highway Department needs more staff.

Yael Magen (remote) spoke regarding the decision of the Special Election and suggested the Select Board ask for an exemption from the State.

Albert Jordan addressed the Board again stating he did not want anymore roundabouts in town as they are hard to plow and maintain.

TOWN ADMINISTRATOR UPDATE. The Town Administrator noted he has spoken with the Public Health Director, who oversees the transfer station, and contrary to what social media is reporting the town is not taking trash from outside of Marblehead. They continue to do the best they can with all hands-on deck.

Update:

2025 Independence Day Fireworks Event Recap

This year's Independence Day fireworks and harbor illumination were successfully carried out as planned, marking a strong return for Marblehead's cherished Fourth of July traditions.

Joint Ambulance Services Agreement with Town of Swampscott and Beauport Ambulance

The Towns of Marblehead and Swampscott have jointly selected Beauport Ambulance Service, Inc. as the new provider of emergency ambulance services under a three-year agreement currently being finalized. The contract with Beauport Ambulance is structured as a zero-bid contract, meaning there is no direct cost to the Town for the service. Instead, proposals were evaluated on the basis of service delivery, response standards, integration with public safety dispatch, and patient care capabilities. The agreement includes 24/7 ALS and BLS coverage, locally stationed ambulances in each town, and mutual aid support when needed. This contract will come before the Board for a vote at their next meeting.

Impacts of Referendum Repealing 3A Zoning Compliance

On June 18, 2025, Marblehead voters approved a referendum repealing the Town's prior Town Meeting vote to comply with the MBTA Communities Act (Section 3A of M.G.L. Chapter 40A). As a result, the Town will be officially out of compliance as of July 14, 2025. This change has significant implications for the Town's eligibility for numerous state and federal grant programs, putting at risk \$354,792 in currently contracted grants and over 3 million in pending applications. Brendan Callahan, Director, Community Development and Planning, addressed the Board and explained that while they have received awards for various projects including shipyard resilience, MBTA safety, and community bike rack installation, they have not yet received the funds, and the state may reconsider these grants due to non-compliance. The town is also at risk of losing a potential 11.6-million-dollar federal grant for port infrastructure development, as well as a 2.98-million-dollar transportation improvement project, though the latter was not awarded this year as expected.

FORT SEWALL. PERMISSION TO USE. Police Cultural Foundation. Mark Szpak, President, Polish Cultural Foundation of Boston, and Edward Krolikowski (remote), Chair Revolutionary War 250 Committee, appeared before the Board seeking approval for a commemorative celebration at Fort Sewall during the summer of 2027. After discussion and questions from the Board a motion was made and seconded to approve the request from Mark Szpak, President, Polish Cultural Foundation of Boston, to use Fort Sewall in July 2027 (date to be determined) for a commemorative celebration in honor of the 250th anniversary of the arrival in America of General Casimir Pulaski, subject to the usual rules, regulations, fees, approval from Police, Fire and Recreation and Parks, police details and docents as required and receipt of the required Certificate of Insurance naming the Town as additionally insured. All in favor.

MECHANICAL ROOFTOP REPLACEMENT. Marblehead Public Schools. Mike Pifferring, Assistant Superintendent of Finance & Operations, and Jen Schaeffner, School Committee Member, appeared before the Board seeking amendments to the contracts for the Marblehead High School Roof Project. David Saindon, Project Executive, Leena Long, LeftField, Gene Raymond and Molly Paris, Raymond Design, joined the meeting remotely. Mike Pifferring presented the contract amendments for the Marble High

School roof project. The amendments cover the remaining phases of the project, including design completion, pre-bidding, contractor hiring, and project oversight. The board was informed that the School Committee has already approved the amendments and is considering two options: a recover membrane or a liquid membrane. The board was asked to approve the contract amendments, which would allow the project to move forward with both options being evaluated. After discussion the following motions were made:

Motion made and seconded to approve Amendment #1, Mechanical Rooftop Replacement between the Town and LeftField, for Project Management Services, by increasing the contract amount by three hundred sixty-nine thousand nine hundred thirty-seven dollars (\$369,937.00) and amend the contract completion date to December 31, 2026, and authorize the Chair to sign on behalf of the Board. All in favor.

Motion made and seconded to approve Amendment #1, Mechanical Rooftop Replacement between the Town and Raymond Design Associates, Inc., for Designer Services, by increasing the contract amount by seven hundred fifty-two thousand two hundred dollars (\$752,200) and amend the contract completion date to December 31, 2026, and authorize the Chair to sign on behalf of the Board. All in favor.

MEMORANDUM OF UNDERSTANDING. International Association of Firefighters, AFL-CIO, CLE, Local No. 2043. Motion made and seconded to approve the Memorandum of Understanding between the Town and the International Association of Firefighters, AFL-CIO, CLE, Local No. 2043, as prepared by Town Counsel. All in favor.

2025 REAPPOINTMENTS. Motion made and seconded to accept the following appointments in accordance with the Town Bylaws:

CONSTABLES

- **for the Purpose of Serving Civil Process**

Douglas Perry, expires June 2026

ANIMAL INSPECTOR, Temporary

John R. Plourde, expires June 2026

All in favor.

MINUTES. Motion made and seconded to approve the minutes of June 11, 2025. All in favor.

ROTARY CLUB OF MARBLEHEAD. Motion made and seconded to approve the request from Nancy Archer Gwin, Rotary Club of Marblehead, to hold the annual Rotary 5K on Sunday, November 2, 2025, at 11:00 a.m. 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. All in favor.

LICENSING. 1 Day Liquor License(s). Annunciation House Complex. Motion to approve the following application for seven (7) One Day Liquor License(s) from the Annunciation House Complex, Emmaus House, 22 Endicott Street and Egypt House, 12 Conant Road) as follows:

July 30, 2025	12:00 noon to 12:00 midnight
August 6, 2025	12:00 noon to 12:00 midnight
August 15, 2025	12:00 noon to 12:00 midnight
September 8, 2025	12:00 noon to 12:00 midnight
November 1, 2025	12:00 noon to 12:00 midnight
December 6, 2025	12:00 noon to 12:00 midnight
December 25, 2025	12:00 noon to 12:00 midnight

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 Marblehead Brewing Company, United Liquors, Martignetti's and Seaboard.

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

LICENSING. 1 Day Liquor License(s). Marblehead Little Theatre. Motion to approve the following application for a One Day Liquor License from the Marblehead Little Theatre as follows:

Saturday, August 2, 2025, 7:00 p.m. – 10:00 p.m.

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 Bent Water Brewery.

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

LIQUOR LICENSE. The Select Board received an application for a Wine / Malt Beverage Package Store License from Flores Mantilla, 164 Washington Street. Motion made and seconded, in accordance with the Town of Marblehead's Alcohol Beverage License Policies, that the Select Board, through public notice, will seek applicants for an available Wine and Malt Beverage Package Store License, and hold a public hearing on all completed applications received. All in favor.

CONTRACTS. Motion made and seconded to approve the following contracts with the Town, and authorize the Chair to sign on behalf of the Board:

Amendment No. (2) for contract #2024-014-2, Swampscott Rail Trail Engineering Design Phase 2, between the Town and Toole Design Group, LLC., as presented and the scope of work to include Task 8, with no cost change. All in favor.

CONSERVATION COMMISSION. Letter of Interest. The Board received a letter of interest from Alison Frey to serve on the Conservation Commission. The Board will receive letters of interest to serve on the Conservation Commission with a deadline of August 8, 2025. The Board will interview applicants at a future Select Board meeting.

SELECT BOARD ANNOUNCEMENTS.

The Chair thanked Andrew Petty, Public Health Director, and his staff, for the hard work during the trash strike and advised residents to email the Board of Health Department if they have not received a pickup. They are working on a strategy to pick up on a regular schedule. The Council on Aging has provided staff support to answer the phones as well as other departments supporting the effort.

The Chair commended the Clerk's office for a job well done on the special election.

APPRECIATION. Festival of Arts. Motion made and seconded to send a letter to the Festival of Arts congratulating them on a fabulous festival this year. All in favor.

Motion to adjourn at 8:05 p.m.



Kyle A. Wiley
Administrative Aide

List of documents used: Polish Cultural Foundation request / Amendments to School Contracts w. LeftField and Raymond Design/draft MOU, Firefighters / draft minutes June 11, 2025 / Rotary Club 5 K request / Annunciation House 1 day liquor requests/ MLT 1 day liquor requests / Flores Mantilla request for Wine/Malt Package Store License / contract amendment Toole Design.