

## SELECT BOARD

### MINUTES

April 26, 2023

Board met in HYBRID session at 7:00 p.m. at Abbot Hall and via ZOOM Conferencing  
The following members were present constituting a quorum:

M. C. Moses Grader, Chair  
Jackie Belf-Becker  
Erin M. Noonan  
James E. Nye  
Alexa J. Singer

Thatcher W. Kezer III, Town Administrator

**PUBLIC HEARING. Carry-In Alcoholic Beverage License. A&D Clam Box. 195 Pleasant Street.** The Chair called the public hearing to order. Klevis Qyrarsi appeared before the Board as it relates to the application for a Carry-In Alcoholic Beverage License at 195 Pleasant Street. No one spoke in favor or opposed to the application. Motion made and seconded to approve the application from *A&D Clam Box, 195 Pleasant Street*, Manager Klevis Qyrarsi, for a Carry-in Alcoholic Beverage License (Beer & Wine) subject to approval from Police Chief, receipt of the required forms, fees, departmental approvals and CORI approval. Such permit shall expire on an approval from the ABCC for any future transfer or application of a liquor license. A TIPS or BAT trained person must be on the premises at all times that Carry-In is allowed. Hours of operation for Carry In are Monday through Sunday 11:00 a.m. – 8:00 p.m. Seating Capacity, = 20. Moved by Mr. Nye, seconded by Mrs. Belf-Becker. On a polled vote the Board voted as follows: Mrs. Belf-Becker, in favor; Mrs. Singer, in favor; Mr. Nye, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor.

**TASK FORCE AGAINST DISCRIMINATION. Interviews. Appointment.** The following applicants appeared before the Board as it relates to serving on the Task Force against Discrimination: Arnold Cohen, Kim Gubelman and Rick Keller. Motion made and seconded to place all names into nomination. On a polled vote the Board voted as follows: Mrs. Singer, Kim Gubelman; Mrs. Noonan, Kim Gubelma; Mr. Nye, Kim Gubelman; Mrs. Belf-Becker, Kim Gubelman; Mr. Grader, Kim Gubelman. Kim Gubelman appointed to the Task Force against Discrimination with a term to expire in June 2023.

**PRIDE FLAG RAISING. Abbot Hall.** Motion made and seconded to approve the request from Reece Dahlberg, Member, Marblehead Pride 2023 Committee, to use Abbot Hall lawn on Saturday, June 3, 2023 at 3:00 pm (rain date Sunday, June 11, 2023 at 3:00 p.m.) for the 2023 Pride Raising Flag Ceremony subject to the usual rules, regulations and fees. All in favor.

**DISABILITIES COMMISSION. Appointment.** Motion made and seconded to appoint Brigitte Duffy to the Disabilities Commission with a term to expire in June 2025. All in favor.

**LICENSING. 1 One Day Liquor License(s). Marblehead Spring Celebration Event.** Motion made and seconded to approve the request from John Connell, on behalf of Bent Water Brewing Co., for a one-day liquor license for Marblehead Spring Celebration Event on Saturday, May 13, 2023 from 9:30 a.m. – 2:30 p.m. at the Jeremiah Lee Mansion, 161 Washington Street, 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 Bent Water Distributing LLC.

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

**INSPECTOR OF ANIMALS. Reappointment.** Motion made and seconded to reappoint Daniel Proulx Inspector of Animals with a term to expire April 30, 2024. All in favor.

**OPEN MEETING LAW DETERMINATION. OML 2023-56.** Motion made and seconded, in response to OML 2023-56, related to the 9/9/22 complaint filed by Allen Waller, to approve the revised minutes, public comment, on May 18, 2022 as presented, and to send notification to the Office of the Attorney General. All in favor.

**ABBOT HALL. Permission to Use. Wedding Ceremony.** Motion made and seconded to approve the request from Spencer Andrews and Tiphonie Blanchette, to use Abbot Hall, Select Board's Meeting Room, on Friday, May 12, 2023 for a wedding ceremony subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance. All in favor.

**MINUTES.** Motion to approve the minutes of: March 17, 2023, March 22, 2023, March 31, 2023. All in favor.

**CONTRACTS. Pavement Markings.** Amy McHugh, DPW Director, appeared before the Board as it relates to the following contracts:

**Pavement Markings.** Motion made and seconded to award the contract for Town-Wide Pavement Markings to K5 Corporation of Rockland, MA in the amount of forty-eight thousand, six hundred twenty-five (\$48,625.00) for year one and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**Bessom and Beacon Storm Sewer Extension.** Motion made and seconded to award the contract for Pleasant Street Storm Sewer Extension to N. Granese and Sons, Inc. of Salem, MA in the amount of Two hundred Ninety-Nine Thousand Sixty-four Dollars and 70 Cents (\$299,064.70) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**Catch Basin Cleaning.** Motion made and seconded to award option year 2 for Catch Basin Cleaning Contract to Roadway Maintenance Services Inc. of Plymouth, MA in the amount of one hundred seven thousand and five hundred dollars (\$107,500.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**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 3, 2023, Thursday, May 4, 2023 and Friday, May 5, 2023

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 flyering, website updates, CodeRed notifications and updates on the Marblehead Police Facebook page. All in favor.

**No Parking / Town Zone. Tree Pruning.** Motion made and seconded to approve the request from Amy McHugh, DPW Director, for a temporary NO PARKING/TOW ZONE area for the following dates to facilitate public tree maintenance as follows:

Washington Square: May 12, 2023 from 7:00 a.m.- 3:00 p.m.

Heritage Way: May 10, 2023 from 7:00 a.m.- 3:00 p.m.

Rain date: May 11, 2023 form 7:00 a.m.- 3:00 p.m.

All in favor.

**PERMISSION. Abbot Hall. Bell Ringing. National Prayer Day.** Motion made and seconded to approve request from Donald Orne to ring Abbot Hall's bell at noon on Thursday, May 4, 2023 for five minutes directly following the noon regular ringing, for National Prayer Day, and to meet briefly in the Selectmen's Meeting Room to pray and meditate as one unified group. This event is open to the public. All in favor.

**DONATION. Police Department.** Notice was received from Chief King regarding a donation the Police Department received from the Clifton Improvement Association, Caretakers of Beach Bluff Part at Preston Beach, in the amount of \$4,000 to purchase a solar powered rapid flashing beacon system for the crosswalk at Atlantic and Seaview Avenue.

**APPOINTMENT. Interim Building Commissioner.** The Town Administrator advised the Board that in accordance with Massachusetts General Law a conditional appointee has 1 year following the date of appointment in which to complete the required exams (3) and become certified. During Covid this period was extended 6 months. The current

Building Commissioner has not completed the required exams therefore can no longer serve in that capacity after April 30, 2023. Robert Ives, former Building Commissioner, has agreed to serve as interim Building Commissioner. Motion made and seconded to appoint Robert Ives Interim Building Commissioner effective May 1, 2023. All in favor.

**CONTRACT. Healthcare Review and Consulting Services.** Motion made and seconded to award a contract between the Town and Risk Management Co., for Healthcare Review and Consulting Services, in the amount of twenty-five thousand (\$25,000.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**CONTRACT. Fire Department. Records Management.** Gregg McLaughlin, Captain Fire Prevention, Marblehead Fire Department, appeared before the Board as it relates to a records management contract. Motion made and seconded to approve the contract between the Town and Brycer, LLC for records management of fire and building inspections, at no cost to the Town, and to authorize the Chair to sign on behalf of the Board. All in favor.

**PUBLIC COMMENT.** None.

**TOWN ADMINSTRATOR UPDATE.**

- Town Meeting logistics
- Finalizing Finance Committee Report
- Council on Aging presentation
- Reduced budget review and Override numbers discussed.

Motion made and seconded to adjourn at 8:05 p.m. All in favor.

Kyle A. Wiley  
Administrative Aide

List of documents used:

A&D Clam box application for carry in  
Resumes: Arnold Cohen, Kim Gubelman, Rick Keller  
Reece Dalhberg request for Pride flag raising event  
Bent Water request for 1 day liquor  
Inspector of Animals reappointment document  
Open Meeting Law Determination OML 2023-56. May 18, 2022 revised minutes  
Minutes. March 17, 22<sup>nd</sup>, 31<sup>st</sup>. April 3<sup>rd</sup> and 6<sup>th</sup>.  
Spencer Andrews letter requesting Abbot Hall wedding  
DPW request for overnight parking ban for street sweeping  
DPW request for temporary no parking, tree pruning  
National Prayer Day request  
Police FYI on donation to the department  
Brycer Contract for records management