

BOARD OF SELECTMEN

MINUTES

November 16, 2016

Board met in session at 7:30 p.m. in the Selectmen's Office at Abbot Hall
Present (constituting a quorum):

Jackie Belf-Becker, Chair
Judith R. Jacobi
Bret T. Murray
James E. Nye

John J. McGinn, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from October 26, 2016.
3 voted in favor. Mr. Murray voted present.

BOARD OF ASSESSORS. Public Hearing. Classification Tax Allocation Fiscal Year 2017. John P. Kelley, 22 Merritt Street, Chairman of the Board of Assessors, and Michael Tumulty, Assistant Assessor, appeared before the Board to provide information necessary for votes to be taken on the three available exemptions. Additionally and most importantly is the fourth vote to determine that tax factor which would shift local taxes from the residential class to the commercial, industrial and personal property classes. The Assessors presented the 2017 total valuation of the community which has received final certification from the Department of Revenue (DOR) after meeting all DOR criteria and guidelines for development of fair and equitable assessments throughout the Town of Marblehead.

Residential Exemption: Classification also allows the Board of Selectmen to grant an exemption of up to 20% of the average assessed value of all Class One residential parcels, which are the principal residences of the taxpayer. This particular exemption typically provides tax relief for full time residents in vacation communities such as Nantucket or communities with a large number of non-owner occupied properties. Motion made and seconded not to adopt the residential exemption. All in favor.

Small Commercial Exemption: Chapter 220, SS.112 and 187 of the Acts of 1993 provide for an exemption of up to 10% of the assessed value for Commercial properties with an assessment of less than \$1,000,000 dollars and employing not more than ten people in the preceding calendar year. This particular exemption benefits only the property owner, as the law does not require the tax relief be passed through to the business owner. If adopted, this exemption shifts the tax burden onto other Commercial and Industrial properties. Motion made and seconded not to adopt the small commercial exemption. All in favor.

Open Space Discount : Chapter 59 Section 2A allows for a maximum of 25% exemption for property classified as Open Space. “Class Two, open space” is land which is not otherwise classified and which is not taxable under the provisions of chapters 61, 61A, or 61B, or taxable under a permanent conservation restriction, and which land is not held for the production of income but is maintained in an open or natural condition, and which contributes significantly to the benefit and enjoyment of the general public. The Board of Assessors has determined that no property in Town meets the strict definition of open space. Motion made and seconded not to adopt the open space discount. All in favor.

Rate Factor: Chapter 369 of the Acts of 1982 requires the decision to shift the property tax burden from one property class to another to be made by the Board of Selectmen, after a public hearing. The statute provides a maximum allowable portion of the Tax Levy up to 150% to be borne by Commercial, Industrial and Personal Property (CIP Class) and a minimum allowable portion to be borne by the Residential Class. Motion made and seconded to adopt a single rate factor of 1, all parcels to be levied at 100%. All in favor.

The Board of Assessors will submit the vote by the Board and all supporting financial documentation to the Department of Revenue for certification of the 2017 Tax Rate of \$11.01 per /thousand dollars of value.

STATEMENT by Chair. The following statement was made by Chair Belf-Becker regarding recent incidents in town, “I am extremely concerned about anecdotes I have been hearing this week about incidents that have taken place right here in Marblehead, about people who are made to feel unsafe and uncomfortable by slights and indications of disrespect right here in Marblehead. I do not condone such behaviors and hope that you won’t either. There is a lot of hateful language being spewed around the country at this time. I want everyone listening to remember that our town is a caring community, and one with no tolerance for bigotry and hatred. We must be bound to one another through mutual respect. Not only is Marblehead “No Place for Hate”, it is incumbent upon us to honor our neighbors and build one another up, not to tear each other down. We have been proactive about issues concerning discrimination, anti-Semitism and hate crimes here in town for many years. We have a Task Force against Discrimination and a police department that is very aware and tied into the Anti-Defamation League (ADL), and have been a no place for hate community for decades. We, as a town, must continue with this important work. Don’t be fooled. We think it cannot happen here but it has. We, in Marblehead, are better than to allow this kind of behavior.”

ANNUAL TREE BURNING. Chief Jason Gilliland appeared before the Board as it relates to the Annual Tree Burning at Riverhead Beach. The tree burning is scheduled for Friday, January 6, 2017. A few adjustments have been made to the location at Riverhead this year to address safety and environmental issues. Residents can either drop their trees off at Riverhead or have them picked up curbside.

FEMALE HUMANE SOCIETY. 200th Anniversary. Judy O’Leary, 48 Commercial Street, appeared before the Board on behalf of the Female Humane Society. The

Selectmen presented a proclamation to Mrs. O'Leary in honor of the 200th Anniversary. Mrs. Jacobi read a proclamation from Representative Lori Ehrlich. The Society's original objective was to help Marblehead's indigent, sick and infirmed and has served thousands of women over that past 200 years. Membership is open to men and women and the dues remains at 10 cents per month or \$1.20 per year as established in 1816.

SPIRIT OF '76. Visitors Log. Hooper Cutler, 145 Evans Road Extension, appeared before the Board to give an overview of the visitors who come to see the Spirit of '76 at Abbot Hall. Mr. Cutler noted that from the reviewing the visitors log people from over 45 states and 32 foreign countries have viewed the Spirit of '76 over the past year alone.

PERMISSION. Overhanging Sign. 84A Washington Street. Maryanne Grebenstein, Hingham, MA appeared before the Board seeking permission to erect an overhanging sign on town property. Motion made and seconded to approve the request from Maryanne Grebenstein to erect a sign overhanging town property at 84A Washington Street, The Abbey Studio, subject to the appropriate department approvals, receipt of the required Certificate of Insurance and a Sign Permit from the Building Commissioner. All in favor.

2017 ANNUAL TOWN MEETING. Warrant. Motion made and seconded that the Annual Town meeting be held on Monday, May 1, 2017 at 7:00 p.m. at Marblehead Veterans Middle School Auditorium, at Duncan Sleigh Square, 217 Pleasant Street. All in favor. Motion made and seconded to open the Warrant for the May 1, 2017 Annual Town Meeting. All in favor. Motion made and seconded to close the Warrant for Town Government Boards and Commissions on Friday, January 27, 2017 at 12:00 noon. All in favor. Motion made and seconded to close the Warrant for the General Public on Friday, February 3, 2017 at 12:00 noon. All in favor.

DEED. Reformation. 12 School Street. Motion made and seconded to approve the reformation of the deed granted by the Town of Marblehead to the Marblehead Little Theatre, originally dated December 20, 1999, as prepared by Town Counsel. This action makes no change with regard to the required use of the Property, whether by the Marblehead Little Theatre or a subsequent owner. The language being removed relates to the reverter to the Town in the event the Property was not used for a community theatre. All in favor.

ABBOT HALL. Permission to Use. Eagle Scout Court of Honor. Motion made and seconded to approve the request from Donald and Linda Grant to use Abbot Hall on Saturday, February 11, 2017 for an Eagle Scout Court of Honor subject to the usual rules, regulations, fees, receipt of the required Certificate of Insurance and to waive the fee for this event and to send a letter of congratulations to Daniel Grant and Ryan Ehrenberg. All in favor.

PARKING REGULATIONS. Temporary Handicapped Parking. Motion made and seconded to approve, for a 90 day period, commencing Thursday, November 17, 2016 and continuing until Friday, February 17, 2016, a temporary handicapped parking space

to be designated as follows: “On the Northwesterly side of Pleasant Street in front of the Abbot Public Library commencing at a point 5 feet southwest of the existing crosswalk and continuing for a distance of 20 feet in the southwesterly direction”, as recommended by Chief Picariello. All in favor.

PERMISSION. 10K Road Race. Jewish Community Center. Motion made and seconded to approve the request from Andrew Dalton, Jewish Community Center of the North Shore, to hold the 5th annual Driedel Dash Fun Runs on Sunday, December 11, 2016 starting at 12:00 noon subject to approval from the Marblehead Police, Fire, Municipal Light, receipt of the required Certificate of Insurance in the amount of \$1 million/\$3 million (occurrence/aggregate) naming the Town of Marblehead as an additionally insured and the required Police Details. Approval is also subject to the weather conditions. All in favor.

CONTRACT. Ocean Avenue Seawall. Motion made and seconded to award the contract for the Ocean Avenue seawall project to SumCo of Salem, MA in the amount of one hundred and forty five thousand seven hundred and fifty dollars (\$145,750.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

WINTER PARKING BAN. The winter parking ban will commence at 12:01 a.m. on Monday, November 28, 2016 and continue until April 15, 2017. No parking is allowed on any street for a period of time longer than one (1) hour between the hours of midnight and 7:00 a.m. In the case of a snow emergency prior to November 28, 2016 all cars will be required to be off the public way and the winter parking ban would be in effect immediately. This information is posted on the Town’s website, www.marblehead.org, at the entrances to Town, on MHTV and in all local newspapers. No Warning Tickets will be given. Do not park your car on the street on Sunday night.

HOLIDAY HOURS. Abbot Hall and Mary A. Alley. The following holiday business hours will be observed at Abbot Hall and Mary A. Alley Building:

December 26 – January 2, 2016

Monday, December 26, 2016	CLOSED ALL DAY in observance of Christmas
Tuesday, December 27, 2016	Regular Hours 8:00 a.m. – 5:00 p.m.
Wednesday, December 28, 2016	Regular Hours 8:00 a.m.- 6:00 p.m.
Thursday, December 29, 2016	Regular Hours 8:00 am – 5:00 p.m.
Friday, December 30, 2016	Regular Hours 8:00 a.m. – 12:30 p.m.
Monday, January 2, 2017	CLOSED ALL DAY in observance of New Year’s Day

WATER AND SEWER COMMISSION. Resignation. A letter was received from the Town Clerk notify the Board that John Stanchfield will resign from the Commission effective November 30, 2016. Motion made and seconded to send a letter of appreciation to John Stanchfield. All in favor.

APPRECIATION. Veterans Day. Motion made and seconded to send a letter of appreciation to Dave Rodgers, Veterans Agent and Andrew Scoglio, MHS Choral Director, for the Town’s annual Veterans Day Ceremony. All in favor.

**ANNUAL TOWN MEETING. 2016. Article 30. Amend Historic Districts
Commission Special Act.** The Town Administrator advised the Board that the Governor has signed into law the Home Rule Petition, approved at the 2016 Annual Town Meeting, which will allow the Selectmen to appoint no more than one member from outside of an historic district.

Motion made and seconded to adjourn 8:40 p.m. All in favor.

Kyle A. Wiley
Administrative Aide