

## BOARD OF SELECTMEN

### MINUTES

November 15, 2017

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

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

John J. McGinn, Town Administrator

**MINUTES.** Motion made and seconded to approve the minutes from October 25, 2017.  
All in favor.

**BOARD OF ASSESSORS. Public Hearing. Classification Tax Allocation Fiscal Year 2018.** 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 the tax factor which would shift local taxes from the residential class to the commercial, industrial and personal property classes. Mr. Tumulty presented the 2018 total valuation of the town 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. The Board voted as follows:

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.

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.

**JOINT MEETING. Planning Board. Interviews/Appointment.** A joint meeting of the Board of Selectmen and Planning Board members; Rosanna Ferranti, Barton Hyte, Ed Nilsson and Steve Leveroni, was held as it relates to the vacancy on the Planning Board. Andrew Christensen, 59 Evans Road was interviewed by both Boards. Motion made and seconded to appoint Andrew Christensen to the Planning Board with a term to expire in May 2018. On a polled voted the Boards voted as follows: Mr. Leveroni, in favor; Ms. Ferranti, in favor; Mr. Hyte, in favor; Mr. Nielsson, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor. Andrew Christensen appointed to the Planning Board with a term to expire in May 2018.

**DISABILITIES COMMISSION. Interview. Appointment.** Sue Harris, Two Bradlee Road, appeared before the Board as it relates to serving on the Disabilities Commission. Motion made and seconded to appoint Sue Harris to the Disabilities Commission with a term to expire in May 2018. All in favor.

**FAIR HOUSING COMMITTEE. Interview. Appointment.** Karl Renney, 15 Summer Street, appeared before the Board as it relates to serving on the Fair Housing Committee. Motion made and seconded to appoint Karl Renney to the Fair Housing Committee, as the Banking Representative, with a term to expire in May 2018. All in favor.

**ZONING BOARD OF APPEALS. Interviews. Appointment.** Benjamin LaBreque, 55 Devereux Street, appeared before the Board as it relates to serving on the Zoning Board of Appeals, Alternate Member. Motion made and seconded to appoint Benjamin LaBreque to the Zoning Board of Appeals, Alternate Member, with a term to expire in May 2018. All in favor.

**COUNCIL ON AGING. Men's Group. Luncheon Program.** Michael Thompson appeared before the Board to announce the upcoming Council on Aging Men's Group

Luncheon to be held on Tuesday, November 28, 2017 at 12:00 noon at the Council on Aging, 10 Humphrey Street. The program “Be Prepared Marblehead: A Panel Talk” will feature our local first responders discussing how Marblehead officials prepare for natural disasters. RSVP by Noon on Tuesday, November 21, 2017. \$8 per person due at reservation.

**CHAMBER OF COMMERCE. Permission. Pencil Trees on Public Way.** Beth Ferris, Executive Director, Marblehead Chamber of Commerce, appeared before the Board seeking permission to allow local businesses to display pencil trees during the holiday season. Motion made and seconded to approve the request from Beth Ferris, Chamber of Commerce, to allow businesses in the retail districts to display “pencil trees” outside their stores during the holiday season, November 20, 2017 – January 6, 2018 subject to the following conditions:

- Height not to exceed 5.5’
- Base not to exceed 24 “
- Lighting on the Pencil trees to run on batteries only
- Business will remain compliant with all ADA, fire, building and zoning codes, allowing for the required 36 inches of sidewalk space for handicapped accessibility requirements
- In the event of strong winds or snowstorms business owners will bring the trees inside
- Receipt of the required Certificate of Insurance

All in favor.

**LICENSING. 1 Day Liquor. Marblehead Little Theatre.** Motion made and seconded to approve the request from Stanis Ames, Marblehead Little Theatre, for a 1 Day Liquor License on Thursday, December 28, 2017 from 7:30 p.m. – 11:00 p.m. at 12 School Street subject to the following conditions:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
2. Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
3. 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, Everett. On a polled vote the Board voted as follows: Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

**ABBOT HALL. Permission to Use. Memorial Ceremony.** Motion made and seconded to approve, nunc pro tunc, the request from Deborah McNulty to use Abbot Hall on Sunday, November 12, 2017 for a memorial service subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance. All in favor.

**LICENSING. 1 Day Liquor. Rotary Club of Marblehead Harbor.** Motion made and seconded to approve the request from Diane Barbour, Holiday Pops Chair, for a 1 Day Liquor License on Saturday, December 9, 2017 from 6:00 p.m. – 11:00 p.m. at Abbot Hall, 188 Washington Street subject to the following conditions:

1. Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
  2. Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
  3. 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.
  4. Liquor Liability Insurance
  5. Alcohol is not allowed to be stored on the premises overnight.
- Alcohol will be purchased from North Shore Bartenders. On a polled vote the Board voted as follows: Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, 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 6<sup>th</sup> annual Dreidel Dash Fun Runs on Sunday, December 10, 2017 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.

**2018 ANNUAL TOWN MEETING. Warrant.** Motion made and seconded that the Annual Town meeting be held on Monday, May 7, 2018 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 7, 2018 Annual Town Meeting. All in favor. Motion made and seconded to close the Warrant for Town Government Boards and Commissions on Friday, January 26, 2018 at 12:00 noon. All in favor. Motion made and seconded to close the Warrant for the General Public on Friday, February 2, 2018 at 12:00 noon. All in favor.

**PROCLAMATION. Shalane Flanagan Day.** Motion made and seconded to proclaim Saturday, November 25, 2017 “Shalane Flanagan Day” in the Town of Marblehead and prepare a proclamation in honor of this day. All in favor.

**PERMISSION. Banner on the Public Way. Marblehead Track Association.** Motion made and seconded to approve the request from Andy Ernst, Marblehead Track Association, to place a ground mounted banner, on the grassy area at the intersection of Humphrey Street and the driveway leading to the High School and the Marblehead Community Center, to promote the Back the Track 5K with Shalane Flanagan on Saturday, November 25, 2017 subject to approval from the School Department and receipt of the required Certificate of Insurance. All in favor.

**TOWN CLERK. Voting Machines.** Notification was received from Robin Michaud, Town Clerk, as it relates to the Town’s voting machines. Motion made and seconded to discontinue the existing Accu-Vote Voting Machines as of April 1, 2018. All in favor. Motion made and seconded to purchase Imagecast Voting Machines to be used at all elections in Marblehead. All in favor. Motion made and seconded to approve the new

machines as of April 1, 2018. All in favor. Motion made and seconded to order the use of the Imagecast Voting Machines at all elections held in Marblehead. All in favor.

**WINTER PARKING BAN.** The Winter Parking Ban will commence at 12:01 a.m. on Monday, November 27, 2017 and continue until April 15, 2018. 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 27, 2017 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](http://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 overnight on Sunday night.

**RETIREMENT BOARD. 2018 Annual Budget.** Notification was received from the Marblehead Board of Retirement as required by M.G.L. Chapter 32, Section 22. Chapter 306 of the Acts of 1996 requires the Retirement Board to submit a copy of their annual operating budget at least 30 days prior to the adoption of said budget.

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

**Thanksgiving.**

Monday, November 20, 2017	8:00 am – 5:00 p.m.
Tuesday, November 21, 2017	8:00 am – 5:00 p.m.
Wednesday, November 22, 2017	8:00 am – 2:30 p.m.
Thursday, November 23, 2017	CLOSED ALL DAY
Friday, November 24, 2017	CLOSED ALL DAY

**Christmas and New Years**

Monday, December 25, 2017	CLOSED ALL DAY in observance of Christmas
Tuesday, December 26, 2017	Regular Hours 8:00 a.m. - 5:00 p.m.
Wednesday, December 27, 2017	Regular Hours 8:00 a.m. - 6:00 p.m.
Thursday, December 28, 2017	Regular Hours 8:00 am - 5:00 p.m.
Friday, December 29, 2017	Regular Hours 8:00 a.m. - 12:30 p.m.
Monday, January 1, 2018	CLOSED ALL DAY in observance of New Year's Day

**CONDOLENCE.** Motion made and seconded to send a letter of condolence to the family of long time Selectmen and Town Clerk Thomas A. McNulty. All in favor.

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

**CONGRATULATIONS.** Motion made and seconded to send a letter of congratulations to Shalane Flanagan on winning the New York City Marathon. All in favor.

**EXECUTIVE SESSION.** Motion made and seconded to go into Executive Session in accordance with MGL c. 30A sec 21 (a) (3) to discuss strategy with respect to litigation and Executive Session for the purpose of discussing strategies as it relates to collective

bargaining where the public discussion on the same may have a detrimental effect on the negotiating position of the public body. Votes may be taken, and if they are, votes will be released at a time deemed appropriate by Counsel. The Board will not reconvene in open session. On a polled vote the Board voted as follows: Mrs. Jacobi, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

The Board adjourned to Executive Session at 8:30 p.m.

Kyle A. Wiley  
Administrative Aide