BOARD OF SELECTMEN

MINUTES

April 27, 2022

Board met in session at 7:00 p.m. via ZOOM Conferencing
Present (constituting a quorum):

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

John J. McGinn, Interim Town Administrator

The Chair called the meeting of April 13, 2022 to order. All members of the Board are participating remotely. The following roll call was taken: Mrs. Noonan, present; Mrs. Singer, present; Mr. Grader, present; Mr. Nye, present; Mrs. Belf-Becker, present.

HOST COMMUNITY AGREEMENT. ARO 31, LLC. 222 Beacon Street. Elizabeth Lydon, Special Town Counsel, Phil Silverman, Counsel, and Mark Schuparra appeared before the Board as it relates to a Host Community Agreement with the Town and ARO 31, LLC D/B/A ARO CANNABIS, 222 Beacon Street. Counsel reviewed the proposed Host Community Agreement with the Board and all questions were answered. Motion made and seconded to approve the Host Community Agreement between the Town and ARO 31, LLC D/B/A ARO CANNABIS, as presented by Counsel. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

LICENSING. Transfer. Le Ros LLC. 26 Hawkes Street. Paul Tran appeared before the Board seeking to transfer the Wine and Malt Beverage License w. cordials as a common victualler, and a Common Victualler License at 26 Hawkes Street. The current owner of this license is Thaimarket Inc., d/b/a Thai Market. No one spoke in favor or opposed to the application.
Common Victualler License. Motion made and seconded to approve the application for a Common Victualler License for Le Ros LLC, 26 Hawkes Street, Manager Paul Tran, hours of operation Monday through Sunday 11:00am – 12:00 midnight subject to receipt of all applicable inspection sign offs and all fees paid. Seating capacity = 50. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.
Transfer. Wine and Malt Beverage License w. Cordials. Motion made and seconded to approve the transfer of the Wine and Malt Beverage License w. Cordials from

Thaimarket Inc. d/b/a Thai Market, to Le Rosa LLC, 26 Hawkes Street, Manager, Paul Tran, hours of operation Monday through Sunday 11:00am – 12:00 midnight, subject to approval from the ABCC, Cori approval and receipt of all applicable inspection sign offs and all fees paid and proof of TIPS or equivalent certification. Seating capacity = 50. Moved by Mr. Nye, seconded by Mrs. Singer. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

APPOINTMENT. Registrars of Voters. Timothy Swigor appeared before the Board as it relates to serving as Registrars of Voters. Motion made and seconded to appoint Timothy Swigor (R) Registrar of Voters with a term to expire in April 2025. Moved by Mr. Nye, seconded by Mrs. Singer. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

EXECUTIVE SESSION. Motion made and seconded to go into Executive Session under G.L. c. 30A, Sec. 21 for the purpose of discussing strategies as it relates to collective bargaining, namely International Association of Firefighters, AFL-CIO, CLC, Local 2043, 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** reconvene in open session. Moved by Mr. Nye, seconded by Mrs. Noonan. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

The Board adjourned to Executive Session at 7:18 p.m.

The Board reconvened in Open Session at 7:35 p.m.

MINUTES. Motion made and seconded to approve the minutes of April 13, 2022. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

APPOINTMENT. Fire Lieutenant. The Interim Town Administrator reviewed with the Board the process for promoting a Lieutenant. Chief Gilliland needed to recuse himself from the promotion process due to his son being one of the candidates. At a previous meeting the Board appointed the Interim Town Administrator, to conduct interviews and make recommendation to the Board. Mr. McGinn interviewed the 3 top scorers on the Civil Service list and was very impressed with all 3 candidates. Firefighter Gilliland was the top scorer on the promotional exam and accordingly he is recommending promotion of Firefighter Liam Gilliland to Lieutenant. Motion made and seconded to appoint Liam Gilliland as Lieutenant Marblehead Fire Department. Moved by Mr. Nye, seconded by Mr. Graders. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

MARBLEHEAD AFL-CIO, CLC, LOCAL 2043. Motion made and seconded to approve the Contract between the Town of Marblehead and the International Association of Firefighters, AFL-CIO, CLC, Local 2043, for the period July 1, 2022 – June 30, 2025 as prepared by Assistant Town Counsel Marc J. Miller. Moved by Mr. Nye, seconded by Mrs. Singer. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

POLICE DEPARTMENT. Hearing Request. Motion made and seconded to appoint John McGinn, Interim Town Administrator, as Hearing Officer as it relates to a five (5) day suspension imposed on Office Christopher Gallo by the Police Chief and to report his findings back to the Board. Said hearing to determine if further disciplinary action should be taken up to and including termination. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

CONTRACT. Fort Sewall Cannon. VOTE to amend the contract between South Bend Replicas for the Fort Sewall Cannon by extending he contract completion date to June 15, 2022 and authorize the Chair to sign the amendment on behalf of the Board. Moved by Mrs. Singer, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

PERMISSION. 4th of July Horribles Parade. Motion made and seconded to approve the request from Carol McHugh and Joan Champlain, Gerry 5 Veteran Fireman's Association, to hold the annual Horribles Parade on Monday, July 4, 2022 at 10:00 AM subject to approval from Police Chief and receipt of the required Certificate of Insurance. The parade route will be the same as in previous years starting and ending at the National Grand Bank. Rain date is Sunday, July 10, 2022. Registration will take place at the Gerry 5, 210 Beacon Street, on Sunday, July 3, 2022 from 6:00 – 8:00 PM or in the National Grand parking lot on Pleasant Street on Monday, July 4, 2022 from 8:00 – 9:30 AM. Moved by Mr. Grader, seconded by Mrs. Singer. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, present; Mrs. Belf-Becker, 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 5, 2022 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. Moved by Mr. Nye, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

COTTAGE GARDEN CLUB. Request. Motion made and seconded to approve the request from the Cottage Gardeners of Marblehead to landscape outside the OKO'S

building with funds received from their annual plant sale. Moved by Mr. Nye, seconded by Mrs. Noonan. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

LICENSING. Wine Charity Licensing. Friends of the Council of Aging. Motion made and seconded to approve the request from Kate Dailey, President, Friends of Marblehead Council on Aging, for a 1-day Wine Charity License for Friday, May 20, 2022 at 10 Humphrey Street from 5:30 – 7:30 pm subject to receipt of the required documents and approval from ABCC. Moved by Mr. Nye, seconded by Mrs. Noonan. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

Motion made and seconded to adjourn at 7:55 p.m. Moved by Mr. Nye, seconded by Mrs. Noonan. On a polled vote the Board voted as follows: Mrs. Singer, in favor; Mrs. Noonan, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

Kyle A. Wiley
Administrative Aide

List of documents used:
Draft HCA agreement
License Application, Le Ros LLC
Hearing Request, Police Chief
Horribles parade request
National Prayer Day request
Cottage Gardeners request
Wine Charity application – Friends of COA