

BOARD OF SELECTMEN

MINUTES

April 7, 2020

Board met in session at 1:30 p.m. via ZOOM Conferencing:

Present / remote Dial-in number (US) (253) 215 8782

Meeting ID: 337857154

Jackie Belf-Becker, Chair
Harry C. Christensen, Jr.
M. C. Moses Grader
Judith R. Jacobi
James E. Nye

Jason Silva, Town Administrator

The Chair called the meeting of Thursday, March 26, 2020 to order. The following roll call was taken: Mr. Grader, present; Mr. Nye, present; Mrs. Jacobi, present; Mr. Christensen, present; Mrs. Belf-Becker, present.

MINUTES. Motion made and seconded to approve the minutes of March 26, 2020. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

FIREWORKS COMMITTEE. July Fourth Fireworks Display. Alexander Falk, Chairman Marblehead Fireworks Committee, appeared remotely before the Board. It is Mr. Falk's recommendation that due to the Covid-19 pandemic the Town's annual Fourth of July Fireworks Display be indefinitely postponed with the hopes that the Town may be able to hold the Fireworks display later in the summer. Motion made and seconded to postpone the annual Fourth of July Fireworks Display indefinitely. Moved by Mrs. Jacobi, seconded by Mr. Christensen. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mrs. Belf-Becker, in favor.

2020 ANNUAL TOWN MEETING. Postpone/Quorum Reduction. Jason Silva, Town Administrator and Lisa Mead, Special Town Counsel advised the Board on the options available to conduct the 2020 Annual Town Meeting and to seek a quorum reduction. Legislation recently passed that allows Towns an extension to complete town business beyond the June 30th deadline upon declaration of a state of emergency by the Governor. The legislature up to this point has not allowed municipalities to conduct Town Meeting virtually, through mail, or any other means. This is consistent throughout the state. The Town could submit a quorum reduction request to the courts out of the concern that the 300-person quorum requirement the Town has would not be safe at the time of Town Meeting, and it could be very difficult to achieve, which would potentially

grind town operations to a standstill. Gary Speiss, Town Moderator, recommended the Board seek a quorum reduction equal to 10% of the current quorum requirement (30). After discussion the Board took the following votes:

Town Meeting Quorum. Motion made and seconded to reduce the quorum from 300 to 30 for 2020 Annual Town Meeting. Moved by Mrs. Jacobi, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mrs. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

Postpone Town Meeting:

Motion made and seconded that pursuant to G.L. c. 39 sec 9 and Chapter 53 of the Acts of 2020 that Annual Town Meeting shall be moved from May 4, 2020 to June 29, 2020 and notice thereof posted. Moved by Mrs. Jacobi, seconded by Mr. Grader. On a polled vote the Board voted as follows: Mrs. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

Reduce Quorum

Motion made and seconded to authorize Special Town Counsel to file an action to authorize the Board of Selectmen to reduce the required quorum under the Town of Marblehead bylaws section 174-5 from 300 to 30 and that said Annual Town meeting shall only address articles on the warrant *related to the FY21 Town budget*. Moved by Mrs. Jacobi, seconded by Mr. Christensen. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor. The quorum reduction does not preclude more than 30 to participate and the Town will be ready with satellite rooms set-up to accommodate more people if needed.

FLAG RAISING POLICY. Lisa Mead, Special Town Council, reviewed a proposed Flag-raising policy with the Board. Motion made and seconded to approve the *Town of Marblehead Flag-raising Policy*, as presented. Moved by Mrs. Jacobi, seconded by Mr. Christensen. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

PERMISSION. Road Race. Amend Date. YMCA. Motion made and seconded to approve the request from Carol Meyer, YMCA of the North Shore, to revise the date for the Run the Neck 10K previously approved for May 17, 2020 to July 19, 2020 subject to approval from Marblehead Police, Fire, Recreation and Parks Department, police details and receipt of the required Certificate of Insurance. No permanent markings are allowed on the streets and any temporary markings must be removed at the conclusion of the event. Approval is also subject to all restrictions and regulations in effect at that time due to Covid-19. Moved by Mrs. Jacobi, seconded by Mr. Christensen. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

CONTRACT. Abbot Hall Architectural & Engineering Services. Amend. Motion made and seconded to amend the contract with McGinley Kalsow Associates Inc. of Somerville, MA for Abbot Hall Architectural & Engineering Services by increasing the contract amount by an amount not to exceed forty-five thousand dollars (\$45,000.00) and authorize the Chair to sign PSS on behalf of the Board. Moved by Mrs. Jacobi,

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

CONTRACT. Abbot Hall Restoration Project. Amend. Motion made and seconded to amend the contract between Kronenberger and Sons and the Town for the Abbot Hall Restoration project by increasing the contract amount by seventy-four thousand three hundred and twenty and 34/100 Dollars (\$74,320.34) and authorize the Chair to sign the amendment on behalf of the Board. Moved by Mrs. Jacobi, seconded by Mr. Christensen. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

RESERVE FUND TRANSFER. Department of Public Works. Motion made and seconded to authorize the Department of Public Works Director to appear before the Finance Committee to request the transfer of the sum of \$6,000.00 from the Reserve Fund in accordance with chapter 40, section 6 of the Massachusetts General Laws for Covid-19 supplies. Moved by Mrs. Jacobi, seconded by Mr. Christensen. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

RESERVE FUND TRANSFER. Town Counsel. Motion made and seconded to authorize Town Administrator Jason Silva to appear before the Finance Committee to request the transfer of the sum of \$48,000.00 from the Reserve Fund in accordance with Chapter 40, Section 6 of the Massachusetts General Laws for Legal Fees. Moved by Mrs. Jacobi, seconded by Mr. Christensen. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

CONTRACT. Fort Sewall Archeological Monitoring. Amend. Motion made and seconded to amend the contract for design services at Fort Sewall between the Town and McKinley Kalsow Associates of Somerville, MA for the required archeological monitoring at Fort Sewall by increasing the amount to an amount not to exceed \$23,200 and authorize the Chair to sign the PSS on behalf of the Board. Moved by Mrs. Jacobi, seconded by Mr. Christensen. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

OKO VETERAN FIREMEN'S ASSOCIATION. Antique Firemen's Muster. The Board received correspondence from the Oko's VFA Association that they will be holding an Antique Firemen's Muster on August 15, 2020 at Reynold's Playground subject to approval from the Recreation and Parks Department.

PARKING RESTRICTIONS. The Police Chief addressed the Board as it relates to restricting parking in specific areas of the Town in an effort to maintain social distancing guidelines. The Chief stated these restrictions will be put into place on an as needed basis and reviewed daily.

Motion made and seconded to adjourn at 2:30 p.m. Moved by Mr. Christensen, seconded by Mrs. Jacobi. On a polled vote the Board voted as follows: Mr. Jacobi, in favor; Mr. Grader, in favor; Mr. Nye, in favor; Mr. Christensen, in favor; Mrs. Belf-Becker, in favor.

Kyle A. Wiley, remotely
Administrative Aide