

## SELECT BOARD

### MINUTES

**March 22, 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  
Alexa J. Singer

Thatcher W. Kezer III, Town Administrator

**MARBLEHEAD HARBOR PLAN. Presentation.** Emily Innes, Innes Associates, appeared virtually before the Board to present the draft Harbor Plan and where the Harbor Planning Committee was with the planning process for this plan, which includes the West Shore, and the public review process that begins tonight. Ms. Innes continued with a PowerPoint presentation and answered questions from the Board. The PowerPoint presentation can be found on [www.marblehead.org](http://www.marblehead.org)

**CULTURAL COUNCIL Interviews. Appointments.** The following applicants appeared before the Board as it relates to serving on the Cultural Council: Kathy Barker, Marjorie Norman and Lauren Fogle Boyd. The Board interviewed each applicant. Motion made and seconded to appoint Lauren Fogle Boyd to the Marblehead Cultural Council with a term to expire in June 2024. All in favor. Motion made and seconded to appoint Kathy Barker and Marjorie Norman to the Marblehead Cultural Council with a term to expire in June 2025. All in favor.

**MARBLEHEAD FOREVER COMMITTEE. Interview. Appointment.** Meredith Reardon appeared before the Board as it relates to serving on the Marblehead Forever Committee. Motion made and seconded to appoint Meredith Reardon to the Marblehead Forever Committee with a term to expire in June 2023. All in favor.

**ATTESTATION. Police Chief Recertification.** Motion made and seconded to authorize the Chair to sign an *Attestation to Good Moral Character/Fitness for Employment* on behalf of the Police Chief for recertification. All in favor.

**MEMORANDUM OF AGREEMENT.** Motion made and seconded to approve the Memorandum of Agreement between the Town and MassDOT for installation of “Speed Feedback Signs” in existing municipal school zones to enhance roadway user safety and to authorize the Chair to sign on behalf of the Board. All in favor.

**OPEN MEETING LAW. Complaint. Allen Waller.** Motion made and seconded to approve and delegate the response to the Open Meeting Law complaint filed by Allen

Waller on March 9, 2023 to Town Counsel. The Board discussed posting meetings where it is possible that Board members may attend and possibly have a quorum. 3 voted in favor, Mrs. Noonan voted opposed.

**CONTRACT. Aqua-Line Utility, Inc. Pleasant Street. Amend end date.** Motion made and seconded to amend the contract between Aqua-Line Utility and the Town, for Pleasant Street utility work, by extending the period of the contract to July 31, 2023 and authorize the Chair to sign on behalf of the Board. All in favor.

**STATEMENT OF INTENT.** Motion made and seconded to remove from the table the matter of approving the Boards Statement of Intent. All in favor. Motion made and seconded to adopt the Marblehead Select Board Statement of Intent, Town of Marblehead FY24 Operating Override, as amended. All in favor.

**PROCLAMATION.** Motion made and seconded to proclaim May 11, 2023 “Rotary Club of Marblehead Day” in honor of Rotary’s 100<sup>th</sup> anniversary. All in favor.

**ABBOT HALL. Permission to Use.** Motion made and seconded to approve the request from Andy Barnett, Troop 79, BSA, to use Abbot Hall auditorium on Saturday, May 13, 2023 from 4:00 – 7:00 pm for an Eagle Scout Court of Honor subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance and to waive the rental fee. All in favor.

**CONTRACT. Architectural Services, Municipal Roofs.** Motion made and seconded to award the contract for Architectural Services for Municipal Roofs to Derby Square Architects of Salem, MA in the amount of twenty-eight thousand dollars (\$28,000.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**COMMUNITY GOLF DAY. Award.** Motion made and seconded to award the Semi-annual Golf Day at Tedesco Country Club to the Marblehead Counseling Center and to notify the Tedesco of the award. All in favor.

**PERMISSION. Annual MS Walk.** Motion made and seconded to approve the request from Samantha Boland, National Multiple Sclerosis Society, to hold the annual MS Walk on Saturday, May 6, 2023 subject to approval from Police, Fire, Schools, Recreation and Parks, police details and receipt of the required Certificate of Insurance. No permanent markings are allowed on the streets and all temporary markings shall be removed at the conclusion of the event. The walk will start and end at Marblehead High School. All in favor.

**NATIONAL OPIOID SETTLEMENT.** Motion made and seconded to approve participation in the new national opioid settlement with Teva, Allergan, CVS, Walgreens, and Walmart and to authorize the Chair to sign on behalf of the board. All in favor.

**MINUTES.** Motion made and seconded to approve the minutes of March 8, 2023. All in favor.

**SELECT BOARD POLICIES AND PROCEDURES. Discussion.** Mrs. Noonan addressed the Board as it relates to having a set of policies and procedures that would be tailored more towards Marblehead and not so general suggesting Town Counsel could draft policies for the Board to review periodically and adopt over time. The Board discussed the pros and cons of adopting and/or codifying policies and procedures. The Chair noted that many Boards and Committee have statues that are well documented that they are required to followed while other policies may be “advisory”, suggesting possibly the Board could annually review and adopt what is appropriate. No votes were taken and the Board will revisit this topic at a future meeting.

**PERMISSION. 5K. Marblehead Festival of Arts.** Motion made and seconded to approve the request from Joan Klemm, Festival of Arts, to hold a 5K race/walk on Saturday, May 13, 2023 subject to approval of the Marblehead Police, Recreation and Parks, receipt of the required Certificate of Insurance naming the Town of Marblehead as additionally insured and police details. The event will start on Smith Street, in front of the Post Office, and finish at the Community Center. Start time is 8:00 am with completion of event at approximately 10:00 a.m. No permanent markings shall be made on the streets and any temporary markings shall be removed at the conclusion of the event. All in favor.

**LETTERS OF INTEREST.** The Board received letters of interest from Brigitte Duffy, for Disabilities Commission and Task Force against Discrimination, and Rick Keller, Task Force against Discrimination.

**DEADLINE TO SUBMIT LETTERS OF INTEREST. MBTA Advisory Board / Disabilities Commission / Task Force Against Discrimination.** The Board will receive letters of interest to serve on the following Boards and Committees:

MBTA Advisory Board – deadline to submit is April 7<sup>th</sup>, interviews on April 12<sup>th</sup>

Disabilities Commission – deadline to submit is April 7<sup>th</sup>, interviews on April 12<sup>th</sup>

Task Force against Discrimination – deadline to submit is April 21<sup>st</sup>, interviews on April 26<sup>th</sup>.

Mrs. Singer asked that the Board amend the OML response previously voted to remove the line “Moreover, member Singer left the meeting.....” through “foregoing comment”.

**PUBLIC COMMENT.** The Board took public comment. Fire Chief advised the Board that he is wrapping up the Hazard Mitigation Study and there is some overlap in some areas with respect to the Harbor Study Plan and he is facilitating discussion with all involved regarding this.

Brett Murray addressed the Board asking the Board to consider funding an outside consultant to update the Town’s Cresep report. The Chair responded t is up to the Town Administrator ultimately to determine if such resource would be used.

**TOWN ADMINSTRATOR UPDATE.** The Town Administrator updated the Board on the following:

Budget update: working with all Departments on two budget scenarios: a “reduced” or balanced budget with no override which works with revenues that are available and a level services budget (actual cost to provide level services). Local Aid numbers are in, change will still occur with State Aid numbers and Free Cash has not been set yet. The process for setting an override number was reviewed.

The Board took a temporary recess due to technical difficulties.

Board members spoke to the many benefits of having a Human Resource Manager and Sustainability Coordinator and thanked the Town Administrator for how he structured and found room in the budget for these two very important positions in the Town.

Motion made and seconded to adjourn at 9:00 p.m. All in favor.

Kyle A. Wiley  
Administrative Aide

List of documents used:

PowerPoint, Marblehead Harbor Plan

Resumes: Lauren Fogle Boyd, Kathy Barker, Marjorie Norman, Brigitte Duffy, Rick Keller.

Attestation to Good Moral Character/Fitness for Employment

MOA between Town and MassDOT for “Speed Feedback Signs”

Legal response to A. Waller OML complaint

Contract. Aqua-Line Utility, Pleasant Street

Final Statement of Intent

Request from Rotary for proclamation

Abbot Hall request, Troop 79

Contract. Derby Square Architects

MS Walk request

National Opioid Settlement and Memo

March 8, 2023 Minutes

Festival of Arts, 5K request