

## SELECT BOARD

### MINUTES

**June 14, 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  
James E. Nye  
Alexa J. Singer

Thatcher W. Kezer III, Town Administrator

#### **TOWN PLANNER. Project Updates.**

**Coastal Resilience.** Rebecca Curran Cutting, Town Planner and Nasser Brahim, Woods Hole Group, Senior Resiliency Specialist, appeared before the Board to give an update on the Municipal Shipyard Resiliency Improvement Project. The project includes six town owned properties including Parkers Boat Yard, the Electric Light building, Hammond Park, Commercial Street Pier, Marblehead Yacht Club and Cliff Street Boat Yard. This project is the third phase of a project funded through the Coastal Zone management coastal resilience program. They explained the project goals include mitigating long term risks from sea level rise storm surge and waves and supporting water dependent industrial and recreational uses and to enhance public access to the waterfront and the details and timeline for the project.

**Rail Trail.** Rebecca Curran Cutting, Town Planner appeared before the Board to give an update on various Rail Road Right of Way projects including the lead mills project which was funded through a grant from the Department of Conservation and Recreation for the 75% design of trail improvements consistent with the towns rail trail master plan. The work will be completed by June 30<sup>th</sup> then the town will seek permits and specifications and explore funding options for the construction.

**Smith Street Crossing Design.** Rebecca Curran Cutting, Town Planner appeared before the Board to notify them that the town received a federal earmark for funding for design of the crossings and trial upgrades from Smith Street to the Swampscott line. Once the Town receives the necessary paperwork from the granting authorities the Town will issue a request for quotations to hire a designer/engineering consultant to assist with the redesign of the crossings and other improvements.

**MARBLEHEAD CULTURAL COUNCIL. Pride Pavement Request.** Anthony Silva, Chair, Marblehead Cultural Council, appeared before the Board to propose a project to create a Pride Pavement at the Marblehead Information Booth. The painting would be a colorful combination of known designs and symbols that radiate positive energy and a force for good, visualized in the center by four hearts arranged as clover,

referencing love, peace, hope, happiness and good luck. Marblehead based contemporary artist TJ de Blij answered questions from the Board. Motion made and seconded to approve the request from the Marblehead Cultural Council to create a “Pride Pavement” located outside of the Marblehead Information Booth, between Essex and Pleasant Steet, facing Memorial Park subject to no cost to the Town and coordination and final approval by the Town Administrator. All in favor.

**PRIVATE CONNECTION TO TOWN DRAINAGE. 34 Bubier Road.** Motion made and seconded to approve the License Agreement for Private Connection to Town Drainage System, as presented, between the Town and Peter Reuter and Mary Rockett, 34 Bubier Road Elm Street. All in favor.

**PRIVATE CONNECTION TO TOWN DRAINAGE. 18 Middle Street.** Motion made and seconded to approve the License Agreement for Private Connection to Town Drainage System, as presented, between the Town and Lake Elizabeth LLC and Samuel Carpenter, 18 Elm Street Elm Street. All in favor.

**PERMISSION. 4<sup>th</sup> 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 Tuesday, July 4, 2023 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 9, 2023. Registration will take place at the Gerry 5, 210 Beacon Street, on Monday, July 3, 2023 from 6:00 – 8:00 PM or in the National Grand parking lot on Pleasant Street on Tuesday, July 4, 2023 from 8:00 – 9:30 AM. 4 voted in favor, Mr. Nye voted present.

**LICENSING. One Day Liquor Licenses. Our Lady Star of the Sea.** Motion made and seconded to approve the request from Monsignor Timothy Moran, for a (1) Day Liquor License at Our Lady Star of the Sea, 85 Atlantic Avenue, on Saturday, June 24, 2023 from 5:00 p.m. – 7:00 p.m. subject to the following:

- Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
- Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
- 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 A&P Wine Wholesalers LLC.

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

**LICENSING. (3) One Day Liquor Licenses. Marblehead Arts Association.** Motion made and seconded to approve the request from Marblehead Arts Association, for (3) One Day Liquor Licenses at 8 Hooper Street on the following dates/times: June 15,

2023, 6:30 p.m. – 9:00 p.m., July 20, 2023 6:30 p.m. – 9:00 p.m. and August 17, 2023 6:30 p.m. – 9:00 p.m. subject to the following:

- Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
- Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
- 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 Wholesalers.

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

**OLD TOWN HOUSE. Permission to Use. Old Marblehead Improvement**

**Association (OMIA).** Motion made and seconded to approve the request from Maryann Criswell, Old Marblehead Improvement Association (OMIA) to use the Old Town House on Sunday, November 12, 2023 from 1:00 pm – 5:00 pm for their annual meeting and to serve light refreshments and wine at no cost, subject to the usual rules, regulations, fees, receipt of the required Certificate of Insurance and to waive the rental fee for this event. All in favor.

**LICENSING. One Day Liquor License. Marblehead Museum.** Motion made and seconded to approve the request from Marblehead Museum, for a One Day Liquor Licenses at the Lee Mansion on June 17, 2023, 5:00 p.m. – 9:30 p.m. subject to the following:

- Delivery of and receipt by the Licensing Authority of the required fee (\$50.)
- Delivery of and receipt by the Licensing Authority of Proof that the alcohol will be purchased from an authorized source.
- 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 Wholesalers.

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

**CONTRACT. Hobbs House Garage Painting/Carpentry.** Motion made and seconded to award the contract for Hobbs House Garage Painting and Carpentry Project to Tom's Painting and Contracting of Marblehead in the amount of twenty-three thousand one hundred and twenty-five and 00/100 Dollars (\$23,125.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**CONTRACT. Oko's Exterior Painting and Carpentry.** Motion made and seconded to award the contract for Oko's Exterior Paint and Carpentry Project to Tom's Painting and Contracting of Marblehead in the amount of twenty-three thousand eight hundred and

twenty and 00/100 Dollars (\$23,820.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**CONTRACT. Old Town House Exterior Painting.** Motion made and seconded to award the contract for Old Town House Exterior Painting Project to John Skouras & Co., Inc of Peabody, MA in the amount of twenty-nine thousand five hundred and 00/100 Dollars (\$29,500.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**CONTRACT. Manhole and Catch Basin Frames, Covers and Grates.** Motion made and seconded to award the contract for Supply & Deliver Cast Iron Manhole Frames & Covers, and Catch Basin Frames & Grates to EJ USA, Inc. of Brockton, MA in the amount of forty-one thousand, three hundred and seven and 72/100 Dollars (\$41,307.72), which includes the base bid and alternate, and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**CONTRACT. Old Burial Hill Monument Restoration.** Motion made and seconded to award the contract for Monument Restoration Project at Old Burial Hill to Village Green Restoration of Falmouth, MA in the amount of ten thousand dollars (\$10,000.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**CONTRACT. Grace Oliver's Railing.** Motion made and seconded to award the contract for the Grace Oliver's Railing Project to Kneeland Construction Co. of Medford, MA in the amount of forty-eight thousand six hundred and 00/100 dollars (\$48,600.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**FINANCIAL POLICIES. Drafts.** The Town Administrator provided a brief overview of three draft financial policies prepared by the Finance Director and presented to the Board. The Board will review and vote to adopt these policies at a future Board meeting.

**YEAR END TRANSFERS. FY2023.** Aleesha Benjamin, Finance Director, appeared before the Board seeking FY2023 yearend transfers. After review and discussion motion was made and seconded that the Select Board authorize the following year-end transfers, as presented, in accordance with MGL Chapter 44 § 33B. The year end transfer which totals \$563,259.00 from the FY23 appropriation line items listed below titled Transfer From to the FY23 appropriation line items listed below titled Transfer To as submitted by the Town's Finance Director. Said transfer subject to the concurrence of the Town's Finance Committee.

**TRANSFER  
FROM:**

Line Item	Description	Current balance in appropriation	Transfer Amount
01-018-141	Assessor Salaries	\$70,559.59	\$33,000.00
01-068-220	Fire Salaries	\$896,952.16	\$175,000.00
01-112-420	Highway Salaries	\$291,750.27	\$60,000.00

<b>01-013-139</b>	Finance Expense	\$304,399.66	\$50,000.00
<b>01-012-139</b>	Finance Salaries	\$257,129.91	\$40,000.00
<b>01-223-122</b>	Salary Reserve	\$135,712.72	\$100,000.00
<b>01-225-122</b>	Energy Reserve	\$148,563.38	\$90,259.00
<b>01-126-430</b>	Waste Salaries	\$51,491.83	\$15,000.00
	<b>TOTAL TRANSFER</b>		<b>\$563,259.00</b>

**TRANSFER  
TO:**

Line Item	Description	Current balance in appropriation	Transfer Amount
<b>01-004-122</b>	Select Board Expense	<b>-\$9,144.35</b>	\$20,000.00
<b>01-003-122</b>	Select Board Salaries	<b>-\$7,393.02</b>	\$51,000.00
<b>01-069-220</b>	Fire Expense	\$10,647.92	\$5,000.00
<b>01-056-192</b>	Public Buildings Expense	\$8,206.47	\$10,000.00
<b>01-055-192</b>	Public Buildings Salaries	\$17,468.69	\$80,000.00
<b>01-063-210</b>	Police Expense	<b>-\$26,598.48</b>	\$16,180.00
<b>01-062-210</b>	Police Salaries	\$340,402.52	\$87,000.00
<b>01-064-210</b>	Police Indemnification of Officers	<b>-\$29,395.00</b>	\$32,000.00
<b>01-113-420</b>	Highway Expense	\$24,320.77	\$96,000.00
<b>01-040-161</b>	Clerk Expense	<b>-\$1,814.50</b>	\$26,000.00
<b>01-039-161</b>	Clerk Salaries	\$25,756.65	\$16,815.00
<b>01-044-162</b>	Elections & Registration	<b>-14,434.19</b>	\$25,000.00
<b>01-050-175</b>	Planning Board	<b>-\$553.51</b>	\$1,500.00
<b>01-019-141</b>	Assessor Expense	\$9,881.74	\$3,000.00
<b>01-117-420</b>	Snow Removal	<b>\$-92,347.81</b>	\$92,400.00
<b>01-178-543</b>	Veterans Benefits Expense	\$2,759.90	\$1,364.00
	<b>TOTAL TRANSFER</b>		<b>\$563,259.00</b>

All in favor.

**DONATION ACCOUNT. Gerry Playground.** Rebecca Cutting, Town Planner, appeared before the Board seeking the Town set up a donation account. When the Gerry School was sold it was subdivided and the Town retained the playground/school yard. Construction is nearly complete and as part of the sale, and in addition to the funds the developer paid the Town, there was a commitment to give money towards the park. The Town will bring a designer on board, meet with neighbors to see what they may want and have broader public meetings to come up with a plan and implement it. Some neighbors have generously offered to donate money towards this venture which will be cobbled together with the money from the developer, fundraising efforts and other resources the Town will access. Paul Pruett and Bob Bradgon, Gerry neighbors, appeared on behalf of this venture. Motion made and seconded to establish a donation account for the Gerry Park. All in favor.

**PERMISSION. Dollars for Scholars. Run for the Fund 5K.** Motion made and seconded to approve the request from Marblehead Dollars for Scholars to hold their annual Run for the Fund 5K on Sunday, October 1, 2023 from 7:00 a.m. – 11:00 a.m. subject to approval from Police, Fire, Recreation and Parks Department, Police Details and receipt of the required Certificate of Insurance, naming the Town of Marblehead as additionally insured. No permanent markings are allowed on the streets and any temporary markings must be removed at the conclusion of the event. All in favor.

**EXECUTIVE SESSION MINUTES. Release/Hold.** Motion made and seconded, on advice from Town Counsel, after review of our Executive Session Minutes, the Board *shall make public* the following Select Board Executive Session Minutes:

- December 11, 2019
- April 27, 2022
- May 18, 2022
- May 25, 2022
- January 5, 2023
- November 2, 2021, *portion of minutes that is resolved, Collective Bargaining*

All in favor.

Motion made and seconded, on advice from Town Counsel, after review of our Executive Session Minutes, the Board shall continue to hold until deemed appropriate by Counsel the following Select Board Executive Session Minutes

- November 23, 2020
- November 2, 2021

All in favor.

**WATER AND SEWER. Rate Hearing.** Notification was received by the Board that the Water and Sewer Commission's annual Rate Setting hearing will be held on Monday, June 26, 2023 at the Commission office at 100 Tower Way, Building #11 at 7:00 p.m. All interested residents are invited.

**PUBLIC COMMENT.** The following public comment was taken: Dan Albert, Select Board Chair's designee to the MBTA Advisory Committee, gave a brief update on the MBTA activities:

- Better Bus Project, coming to fruition over the summer
- Bus Way, dedicated lane on Lynnway
- Electrification of the Commuter rail line

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

- Fuel Station at Tower Way is being installed
- Road projects – town continues to work on coordinating projects and the utility companies. Amy McHugh, DPW Director gave brief update on milling/paving projects taking place
- Memorial Day - Parade and activities were outstanding, specifically recognizing work of Veteran's Agent Dave Rodgers to organize the day's activities.

**SELECT BOARD ANNOUNCEMENTS.** The Chair announced that the Superintendent notified him that the Glover School was recently honored with a “Safe Routes to Schools Achievement” Award from the State House. The Chair commended the Glover School principal and her team for this achievement. The Glover School was the exemplary program winner for the northeast. This award is for setting a great example by crafting new, or exhibiting, safe routes to schools’ programs through innovation and creativity and the many initiatives undertaken by the Glover School. Hope Doran, principal of Glove School, went to the State House to accept the award.

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

Kyle A. Wiley  
Administrative Aide

List of documents used:

Private drain connection agreements: 34 Bubier Road/18 Middle St

Horribles Parade request, Gerry 5

Pride Pavement request, Cultural Council

1 Day Liquor Licenses: Our Lady Star of Sea/Marblehead Arts / Marblehead Museum

OMIA request to use the Old Town House

FY23 Year End Transfer Memo and vote

Dollars for Scholars request for 5K, October 1, 2023

W&S Rate Hearing Notification