

## SELECT BOARD

### MINUTES

**September 13, 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:

Erin M. Noonan, Chair  
M. C. Moses Grader  
Bret T. Murray  
James E. Nye  
Alexa J. Singer

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting of September 13, 2023 to order.

**TASK FORCE AGAINST DISCRIMINATION. Interview. Appointment.** Niko Vaughn King appeared before the Board seeking a position on Taks Force Against Discrimination. Motion made and seconded to appoint Niko Vaughn King to the Task Force Against Discrimination, Student Representative, with a term to expire in June 2024. All in favor.

**MINUTES.** Motion made and seconded to approve the minutes of August 16, 2023. All in favor.

**POLICE DEPARTMENT. Indemnification.** Motion made and seconded, on recommendation of the Police Chief, to indemnify Officer Dean Peralta for injuries sustained while on duty July 4, 2023 and July 9, 2023. All in favor.

**SURPLUS EQUIPMENT.** Motion made and seconded, on request of the Fire Chief, to declare the following items as surplus and no longer needed for Municipal purpose so that it may be disposed of in accordance with the Town's policy on surplus equipment:

- 1968 L. Faubion 30 Air Compressor
- William H. Field Scroll saw and stand
- JET Woodworking 6" Jointer
- Sears Craftsman 10" Table Saw
- Powermatic 25A, 3hp Shaper
- JET 14", 1hp, Bandsaw
- Powermatic 14" 1hp, Bandsaw
- JET 10", 1 3/4hp Table Saw
- 6 Traffic Light Heads
- 10 Miscellaneous, Individual Traffic Light Heads and Walk Light Heads

All in favor.

**LICENSING. 1 Day Liquor License. Bubble Bar Boston. Lee Mansion.** Motion to approve the request from Maria Tilkens, Bubble Bar Boston, for a one-day liquor license for Saturday, October 14, 2023 from 11:00 am – 2:00 pm at the Jermia Lee Mansion, 161 Washington Street for the Fall Artisan’s Fair subject to the following conditions:

- 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 Martignetti and Horizon Liquors.

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

**LICENSING. 1 Day Liquor License. Steven Hahn, Symphony by the Sea.** Motion to approve the request from Stevan Hahn, Symphony by the Sea, for a one-day liquor license for Sunday, October 1, 2023 from 3:00 pm – 5:00 pm at Old North Church, 35 Washington Street, subject to the following conditions:

- 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 Alfalfa Farm Winery.

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

**LICENSING. 1 Day Liquor License. Greg Mancusi-Ungaro. St. Andrews Church.** Motion to approve the request from Greg Mancusi-Ungaro, for a one-day liquor license for Friday, October 20, 2023 from 7:00 pm – 10:00 pm at St. Andrews Church, Lafayette Street, subject to the following conditions:

- 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 Importing.

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

**COLLECTIVE BARGAINING. Marblehead Municipal Employees Union. Health and Safety Committee.** Motion made and seconded to delegate the Town Administrator to appoint two members to the Health and Safety Committee in accordance with Article 35 of the Marblehead Municipal Employees Union IUE/CWA, AFL-CIO, Local 1776 Contract. All in favor.

**PERMISSION TO USE. Abbot Hall.** Motion made and seconded to approve the request from the Festival of Arts to use Abbot Hall for their annual Artisan's Marketplace on the following days all in accordance with the usual rules, regulations, fees and receipt of the required Certificate of Insurance:

Friday, December 1, 2023 5:30 p.m. – 8:30 p.m.

Saturday, December 2, 2023 7:00 a.m. – 5:30 p.m.

Sunday, December 3, 2023 9:00 a.m.- 6:30 p.m.

All in favor.

**PERMISSION. Marblehead Rotary Club 5K.** Motion made and seconded to approve the request from Nancy Archer Gwin, Co-president of Marblehead Rotary Club, to hold the Marblehead Rotary 5K on Sunday, November 5, 2023 at 11:00 a.m., subject to approval from Police and Fire, receipt of the required Certificate of Insurance and police details. The 5K will start and finish at the Boston Yacht Club. No permanent markings are allowed on the public way and all temporary markings shall be removed at the conclusion of the event. All in favor.

**CONTRACT. Window Restoration at Franklin Street Fire Station.** Motion made and seconded to award a contract for the Window Restoration at the Franklin Street Fire House to Foster Architects in the amount of twenty-four thousand two hundred and 00/100 dollars (\$24,200.00) and to authorize the Chair to sign on behalf of the Board. All in favor.

**CONTRACT. DPW and Police Station Roof Project.** Motion made and seconded to award the contract for DPW and Police Station Roof Project to Corolla Roof of Winthrop, MA in the amount of one million two hundred forty-three thousand six hundred and eighty-nine thousand (\$1,243,689.00) and authorize the Chair to sign the contract on behalf of the Board. All in favor.

**AGREEMENT. Private Connection to Town Drainage.** Motion made and seconded to approve the License Agreement for a Private Connection to Town Drainage System between the Town and Margaret Schrage, 45 Lincoln Avenue as presented, and authorize the Chair to sign on behalf of the Board. All in favor.

**PARKING RESTRICTIONS. Round House Road. Annual Clean up.** Motion made and seconded to approve the request from Amy McHugh, Public Works Director, to temporarily make the entirety of the Railroad Right of Way known as Roundhouse Road, from School Street through to Bessom Street, as well as upper Anderson Street from #10 Anderson through to Bessom Street a **NO PARKING/TOW ZONE** area for the following dates:

October 23, 2023 from the hours of 7:00 a.m. – 3:00 p.m.

Rain Date: October 24, 2023 from the hours of 7:00 a.m. - 3:00 p.m.

This is to facilitate the annual clean-up and repair of town property in this area. All in favor.

**ABBOT HALL. Permission to Use. Marblehead High School, Art Show.** Motion made and seconded to approve the request from Shirley Huller White, Lead Teacher/Instructor, Visual Art, AP Art History, to use Abbot Hall for the Annual Marblehead High School Art Show May 6 – May 24, 2023, including installation the week of May 6, 2023, Opening Reception on Tuesday, May 14, 2023 4:00 p.m.- 8:00 pm and breakdown following the show, subject to the usual rules, regulations, custodial fees and receipt of the required Certificate of Insurance. All in favor.

**MARBLEHEAD RAIL TRAIL. Update.** Rebecca Cutting, Town Planner, appeared before the Board to present a history of the Rail Trail, from when the Select Board obtained a Recreational Easement in 2018, with details on the various grants obtained and work completed on the trail since that time as well as details on the change in scope of the design work on Lead Mills and an update on the design work and schedule on the Swampscott branch of the Marblehead Rail Trail.

**SHANTY RENEWAL.** Motion made and seconded to approve the following request to use premises owned by the Town of Marblehead on Front Street at Little Harbor, commonly known as Turner Land subject to the receipt of the proper application, current fishing license and all taxes paid to the Town:  
Doug Percy, Shanty # 6. All in favor.

**CULTURAL COUNCIL. Resignations.** Motion made and seconded to accept, with regret, resignation letters from Beth Johnson and Yotam Mendlinger from the Cultural Council and to send a letter of appreciation to both. All in favor.

**VACANCIES/LETTERS OF INTEREST.** The Board received the following letters of interest: Byran Ruocco and Eric Schwartz, Measurer of Leather; Chris Butler, Historical Commission; Chuck Cerrutti, Gary Hebert and Byron Rizo, Traffic Safety Advisory Committee. The Board will accept letters of interest to serve as Measure of Leather and on the Traffic Safety Advisory Committee until September 22, 2023 and interview applicants on September 27, 2023. The Board will accept letters of interest to serve on the Historical Commission until October 6, 2023 with an interview date to be determined. Send letters of interest to Select Board, Abbot Hall, 188 Washington Street or email [wileyk@marblehead.org](mailto:wileyk@marblehead.org). Current vacancies are listed on the Town's website <https://www.marblehead.org/home/files/volunteer-opportunities>. The Board is actively soliciting applicants to serve on the Conservation Commission, 1 vacancy, 3 year term, and the Finance Committee, 1 vacancy, 3 year term. The Select Board encourages residents to send letters of interest for all Boards and Committees regardless if there is a current vacancy. Letters of interest will be kept on file and the Town will reach out to you when a vacancy occurs.

**ABBOT HALL. Permission to Use.** Motion made and seconded to approve the request from Thomas Smith, to use Abbot Hall for a Wedding ceremony on Saturday, September 16, 2023 from 12:00 noon to 6:00 p.m. subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance. All in favor.

**PUBLIC COMMENT.** Amy Danforth commented on the Rail Trail presentation asking the Town to look at the Seaview section of the trail as well and felt the Master Plan the Town has is excellent.

Dan Albert made clarification to the Traffic Safety Advisory Committee intent.

**TOWN ADMINSTRATOR UPDATE.** The Town Administrator updated the Board as follows:

- Amy McHugh, DPW Director/Water & Sewer Superintendent, completed the State's three-day Procurement Training and Certification. The Finance Director will assume the Chief Procurement Officer duties in February, when Rebecca Cutting CPO, retires, and train others as well.
- Fire Chief addressed the Board - Engine 3 was being refurbished and is on its way back to Marblehead from Wisconsin.
- Capital Projects – Hobbs Garage Repair Project and Okos Painting are in final stage of completion. Old Town House Painting to commence shortly.

**SELECT BOARD ANNOUNCEMENTS.** The Chair read an announcement from the Harbormaster regarding the pending storm over the coming weekend. Jim Nye congratulated Kyle Wiley, Administrative Aide and Terri McDonough on receiving the Chamber of Commerce Frank Regan Community Service Award and the Fire Chief for the wreath that was prepared for the 9.11 Commemoration.

Motion made and seconded to adjourn at 8:00 p.m. All in favor.

Kyle A. Wiley, Administrative Aide

List of documents used:

Draft minutes, August 16, 2023

Letter, Police Chief, Indemnification / Fire Department Surplus request

(3) 1 day liquor licenses: Bubble Bar Boston/Symphony by Sea/St. Andrews Church

Festival of Arts request for Abbot Hall

Rotary Club of Marblehead, 5K request

DPW request for Roundhouse Road annual cleanup

MHS request to use Abbot Hall, May 2024

Shanty Renewal #6

Smith request to use Abbot Hall, September 16 2023

Resignations: Beth Johnson/Yotam Mendlinger, Cultural Council

Letters of interest: Bryan Ruocco/Eric Schwartz/Chris Butler/Charles Cerrutti/Gary Hebert/Byron Rizos