

# TOWN OF MARBLEHEAD

## Meeting Minutes



*Moderator's Committee to Report on the Costs of Implementing Article 44*  
Wednesday, February 8, 2023, 9:15 AM, Hybrid Meeting, Abbot Hall

**Present:** Amy Drinker, Thatcher Kezer, Katharine Redmond, Laurie Blaisdell, Nancy Powell, Pat Franklin  
**Remote:** Jeff Shribman, Chair, and Rosalind Nadeau

Amy Drinker, Vice Chair, called the meeting to order at 9:16 AM.

**MOTION to approve the January 18, 2023 meeting minutes:** motion made, seconded, and unanimously approved.

**MOTION to approve the January 25, 2023 meeting minutes:** motion made, seconded, seven votes to approve and Pat Franklin voting "present."

It was noted that the January 25, 2023 Article 44 meeting was transcribed in real time by the software "Otter." The transcription was not completely accurate. It is a useful tool for reviewing meeting discussions in order to create the official minutes but is not a replacement for official minutes.

The Vice Chair noted that she emailed committee members several documents prior to the meeting:

- 1) a revised document titled "Summary of Article 44 Committee Deliberations to Date," which included corrections from the Committee at the January 18, 2023 meeting.
  - 2) "Potential Municipal Buildings for Use for Hybrid Meetings." This file will continue to be revised as more information becomes available. Additional information from the school department will be sought re: hardware/software in-place in the schools.
  - 3) "Report to the Article 44 committee re: MA bill HD3261/SD2017." Amy Drinker spoke with Representative Jenny Armini about the proposed legislation. Discussion by the committee included how Governor Healey may proceed on March 31 by either further extending the Covid-19 regulations for Open Meeting Law, or by not extending the Covid-19 regulations, which would put the pre-Covid Open Meeting Law regulations back into effect, meaning a majority of committee members must attend the meeting in-person, including the presiding chair of the meeting. A minority of the committee members may participate/vote remotely (for specific reasons such as travel and having asked the committee chair in advance) and the public may be listening to/watching the meeting online or in-person and be able to participate during "public comment" or if otherwise recognized by the committee chair. HD3261/SD2017 ("An Act to Modernize Participation in Public Meetings") has not begun to make its way through the legislative process so it is unknown what the bill's final language will be or when it will be voted on.
  - 4) Draft outline of the "Article 44 Report to Town Meeting May 2023." It was noted that although the report is to be given at May Town Meeting (exactly when during the meeting is TBD), the report and the identified costs would be of interest to the Finance Committee at its warrant hearing in the beginning of April. Regarding costs: hardware costs for a room not currently outfitted are approximately \$5,000 to \$6,000. Updating the two lower meeting rooms at the Mary Alley Municipal Building to improve internet connectivity and to comply with ADA requirements when the rest of the building is closed is estimated to be over \$300,000. Thatcher Kezer will compile a list of costs that have been determined to date and report to the committee at its next meeting.
- It was noted that committees and boards with regulatory responsibilities are required to post meeting date/location well in advance so that the hearing posting may be printed in newspapers; that might be a challenge if school buildings being used are subject to school schedules that cannot be determined sufficiently in advance. Having predictable municipal meeting spaces is important for those committees and the constituencies they serve.

**Other business:** none.

**Public comment:** none.

The committee's next meeting is scheduled for Wednesday, March 1, 2023, 9:15 AM at Abbot Hall.

<https://www.marblehead.org/minutes-and-agendas>

By a **MOTION** and second from the committee, and voted unanimously, the meeting was adjourned at 10:20 AM. Meeting minutes submitted by Amy Drinker, committee recording secretary

**NOTES:**

The deadline for submission of warrant articles for Marblehead Town Meeting 2023 was as follows:

Friday, January 20, 2023 (noon): department and town committee articles

Friday, January 27, 2023 (noon): citizen petition articles

**Information regarding Massachusetts open meeting law can be found on the mass.gov website:**

<https://www.mass.gov/doc/open-meeting-law-guide-and-educational-materials>

<https://www.mass.gov/the-open-meeting-law>

The Town of Marblehead ARPA Spending Plan as of October 12, 2022 can be found at:

[https://www.marblehead.org/sites/g/files/vyhlf4661/f/uploads/2022-10-12\\_select\\_board\\_arpa\\_presentation.pdf](https://www.marblehead.org/sites/g/files/vyhlf4661/f/uploads/2022-10-12_select_board_arpa_presentation.pdf)

**The 193<sup>rd</sup> General Court of the Commonwealth of Massachusetts:**

**An Act to modernize participation in public meetings**

<https://malegislature.gov/Bills/193/HD3261>

<https://malegislature.gov/Bills/193/SD2017>