

SELECT BOARD

MINUTES

February 8, 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, remotely

Thatcher W. Kezer III, Town Administrator

The Chair called the meeting to order. A roll call vote was taken: Mrs. Noonan, present; Mrs. Nye, present; Mrs. Belf-Becker, present; Mrs. Singer, remote; Mr. Grader, present.

GREEN MARBLEHEAD COMMITTEE. Net Zero Roadmap. Thatcher W. Kezer III, Town Administrator, introduced the presentation. The Green Marblehead Committee was formed by the Select Board in 2020 to focus on creating an energy baseline for initiatives and efforts to lower the carbon footprint of Marblehead. The Committee has focused on developing a Net Zero Roadmap, an action plan to help guide the community forward. The Committee has been working closely with Metropolitan Area Planning Council (MAPC). Brooks Winner, Senior Clean Energy Specialist, MAPC, has been working closely with the Town on this initiative and assisting in developing the plan. Once the draft plan has been presented to the Board tonight and a public session is held on February 15, 2023, a final draft will be submitted. Brooks Winner continued with a PowerPoint presentation to the Board. The Board commented and asked questions after the presentation. The draft Net Zero Road Map can be found on the town's website at www.marblehead.org, Green Marblehead Committee.

FRANKLIN STREET FIREHOUSE. Treatment and Assessment Report.

Presentation. Ryan Foster and Erik Christensen, Foster Architecture, Rebecca Cutting, Town Planner and Chief Gilliland appeared before the Board to present a Condition Assessment and Treatment Report of the Franklin Street Firehouse, which was funded through a grant from the Massachusetts Historical Commission. This project could be funded through town meeting and a debt exclusion override, grants, fundraising or a combination. The Town Planner stated that the Town would pursue all grant options and there may be some individuals who will assist with fundraising options. The report can be viewed on www.marblehead.org.

REVOLVING FUND ACCOUNTS. FY2024. Motion made and seconded to reauthorize the following Revolving Fund Accounts for Fiscal Year 2024 in accordance with Mass General Laws Chapter 44, Section 53E ½ in the amounts below:

Animal Control Department	\$ 20,000.00
Council on Aging	\$ 250,000.00
Board of Health, commercial waste disposal	\$1,062,069.00
Board of Health, vaccines	\$ 10,000.00
Highway, street opening fees	\$ 150,000.00
Sump pump improvement	\$ 10,300.00
Conservation Fines	\$ 75,000.00
Storm Water & Erosion Control	\$ 10,000.00
Historical Commission Gift Shop	\$ 25,000.00
Recreation and Parks	\$1,500,000.00
Marblehead Public Schools, Special Ed	\$ 500,000.00
Hobbs Memorial Fund	\$ 3,744.00

Moved by Mr. Nye, seconded by Mrs. Belf-Becker. 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.

WARRANT ARTICLES. 2023 Annual Town Meeting. Motion made and seconded to sponsor the following articles to be placed on the Warrant for 2023 Annual Town Meeting:

- Articles in Numerical Order
- Reports of Town Officers and Committees
- Assume Liability
- Lease Town Property
- Contracts in Excess of Three Years
- Departmental Revolving Funds
- Purchase of Equipment of Several Departments
- Lease Purchase
- Capital Improvements for Public Buildings
- Walls and Fences
- Storm Drainage Construction
- Proposed Reclassification and Pay Schedule (Administrative)
- Proposed Pay Schedule and Reclassification (Traffic Supervisors)
- Proposed Reclassification and Pay Schedule (Seasonal and Temporary Personnel)
- Compensation - Town Officers
- Essex North Shore Agricultural and Technical School District

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.

The Town Administrator presented, and the Board discussed, proposed articles to sponsor on the Warrant for 2023 Annual Town Meeting and took the following vote: Motion

made and seconded to sponsor the following articles to be placed on the Warrant for 2023 Annual Town Meeting:

- Administrative Benefit Amendment
- Amend General Bylaws for New Human Resources Department
- Allow the Use of Electronic Counting Devices
- Amend General Bylaws: Physical Examinations
- Franklin Street Fire Station Renovations
- Public Shade Trees; Protection and Fines
- Department of Public Works (*Clarifying/unifying departments under DPW*)

Moved by Mr. Nye, seconded by Mrs. Belf-Becker. 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.

OLD TOWN HOUSE. Permission to Use. Marblehead Museum. Motion made and seconded to approve the request from Marblehead Museum to use the Old Town House on Friday, March 10, 2023 from 6:00 pm – 8:00 pm for a fundraising event subject to the usual Rules and Regulations, fees and receipt of the required Certificate of Insurance naming the Town of Marblehead as an additionally insured and to waive the rental fee for this event. Moved by Mr. Nye, seconded by Mrs. Noonan. 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. 1 Day Liquor License. Marblehead Museum. Motion made and seconded to approve the request from Lauren McCormack, Executive Director, Marblehead Museum, for a one-day liquor license for Friday, March 10, 2023 from 6:00 pm – 8:00 pm for a fundraising event at the Old Town House 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. Noonan. 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.

ABBOT HALL. Permission To Use. Wedding Ceremony. Motion made and seconded to approve the request from Geoff Hunt to use Abbot Hall, Select Board's Room, on Friday, June 23, 2023 from 3:00 pm – 5:00 pm for a wedding ceremony with 30 people in attendance, subject to the usual rules, regulations, fees and receipt of the required Certificate of Insurance. 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.

APPOINTMENT. Local Inspector. Motion made and seconded to appoint Benjamin Lebowitz Local Inspector with a term to expire in June 2023. Moved by Mr. Nye, seconded by Mrs. Noonan. On a polled vote the Board voted as follows: Mrs. Noonan, in favor; Mr. Nye, in favor; Mrs. Singer, in favor; in favor; Mrs. Belf-Becker, in favor; Mr. Grader, in favor.

CONTRACT. Collins Center. ADA Self-Evaluation and Transition Plan. Amend end date. Motion made and seconded to amend the contract between Edward J. Collins, Jr. Center Public Management and the Town, for ADA Self-Evaluation and Transition Plan, by extending the period of the contract to June 30, 2023 and authorize the Chair to sign on behalf of the Board. Moved by Mr. Nye, seconded by Mrs. Belf-Becker. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Belf-Becker, in favor; Mrs. Noonan, in favor; Mrs. Singer, in favor; in favor; Mr. Grader, in favor.

LICENSING. 1 Day Liquor License. Marblehead Little Theatre. Motion made and seconded to approve the request from Andrew Barnett, Marblehead Little Theatre, for a one-day liquor license for Saturday, February 11, 2023 from 6:00 pm – 11:00 pm at 12 School Street for a Valentine's Day Concert 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 Rumsons Rums.

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

ABBOT HALL. Permission to Use. Eagle Scout Court of Honor. Motion made and seconded to approve the request from Heather Grazado, to use Abbot Hall on Sunday, April 30, 2023 from 10:00 am – 2:00 pm for an Eagle Scout Court of Honor subject to the usual rules, regulations, fees and receipt of the required Certificate of Liability and to waive the rental fee for this event. Moved by Mrs. Belf-Becker, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mrs. Noonan, in favor; Mr. Nye, in favor; Mrs. Singer, in favor; in favor; Mrs. Belf-Becker, in favor; Mr. Grader, in favor.

MINUTES. Motion made and seconded to approve the minutes of January 18, 2023 and January 23, 2023. 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.

OPEN MEETING LAW. Complaint. Complete Streets Minutes. Motion made and seconded to approve and delegate the response to the Open Meeting Law complaint filed by Allen Waller on February 1, 2023 to Town Counsel. Moved by Mrs. Belf-Becker, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mrs. Noonan, in

favor; Mr. Nye, in favor; Mrs. Singer, in favor; in favor; Mrs. Belf-Becker, in favor; Mr. Grader, in favor.

CONTRACT. Municipal Fueling Station at Tower Way. CES Northeast LLC.

Motion made and seconded to award the contract for the new fuel station system and removal of underground storage tanks and existing fueling system at Tower way to CES Northeast LLC of 8 Airline Drive, Suite 110, Albany, Ny 12205 in the amount of eight hundred and five thousand eight hundred and twenty-five and 12/00 (\$805,825.12) and authorize the Chair to sign the contract of behalf of the Board. Moved by Mrs. Belf-Becker, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mrs. Noonan, in favor; Mr. Nye, in favor; Mrs. Singer, in favor; in favor; Mrs. Belf-Becker, in favor; Mr. Grader, in favor.

CONTRACT. Engineering Services. Haley Ward, Inc. Motion made and seconded to award the contract to provide professional Engineering Services for a three-year period with annual not to exceed cost of \$200,000 to Haley Ward, Inc. 63 Great Road, Suite 200 Maynard MA 01754, and authorize the Chair to sign the contract of behalf of the Board. Moved by Mr. Nye, seconded by Mrs. Belf-Becker. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Belf-Becker, in favor; Mrs. Noonan, in favor; Mrs. Singer, in favor; in favor; Mr. Grader, in favor.

LETTERS OF INTEREST. The Board received the following letters of interest: Anne Petruccelli and Dan Albert, MBTA Advisory Committee; Katherine Barker, Cultural Council; Dee Cuff, Disabilities Commission.

PERMISSION. Black Cat 10/20 Miler. B&S Fitness. Motion made and seconded to approve the request from Ashley Steeves, B&S Fitness Companies, to hold the Wicked 10, 20 miler on Sunday, March 26, 2023 subject to approval of the Marblehead Police and Recreation and Parks, receipt of the required Certificate of Insurance naming the Town of Marblehead as additionally insured and police details. All distances will start and finish at Academy Charter School. Start times begin at 8:00 am with the last runners exiting Marblehead by 11:40 am. No permanent markings shall be made on the streets and any temporary markings shall be removed at the conclusion of the event. The VFW Post in Marblehead and the Allie Castner Scholarship Foundation shall be two (2) of the charities to benefit from the event. Moved by Mr. Nye, seconded by Mrs. Noonan. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Belf-Becker, in favor; Mrs. Noonan, in favor; Mrs. Singer, in favor; in favor; Mr. Grader, in favor.

PRIVATE CONNECTION TO TOWN DRAINAGE. 286 Ocean Avenue. Motion made and seconded to approve the License Agreement for Private Connection to Town Drainage System, as presented, between the Town and QBW LLC, for 286 Ocean Avenue. Moved by Mr. Nye, seconded by Mrs. Noonan. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Belf-Becker, in favor; Mrs. Noonan, in favor; Mrs. Singer, in favor; in favor; Mr. Grader, in favor.

ABBOT HALL. Permission to Use. Marblehead School of Music. Motion made and seconded to approve the request from Jennifer Spungin, Marblehead School of Music, to use Abbot Hall Auditorium on Sunday, May 7, 2023 for student recitals from 9:00 am – 8:00 pm subject to the usual rules, regulations, fees and receipt of the required Certificate of Liability. Moved by Mrs. Noonan, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mr. Nye, in favor; Mrs. Belf-Becker, in favor; Mrs. Noonan, in favor; Mrs. Singer, in favor; in favor; Mr. Grader, in favor.

TOWN ADMINISTRATOR UPDATE. The Town Administrator updated the Board stating that the Town's new software package, ClearGov, has been turned on and Department Heads are starting to utilize the program for building their budgets.

CONDOLENCE. Amy McHugh, Water & Sewer Superintendent, appeared before the Board to inform the Board of the passing of Dave Cameron, Water & Sewer employee. Motion made and seconded to send a letter of condolence to the family. Moved by Mr. Nye, seconded by Mrs. Noonan. 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.

Motion made and seconded to adjourn at 8:45 p.m. Moved by Mrs. Belf-Becker, seconded by Mr. Nye. On a polled vote the Board voted as follows: Mrs. Noonan, in favor; Mr. Nye, in favor; Mrs. Singer, in favor; in favor; Mrs. Belf-Becker, in favor; Mr. Grader, in favor.

Kyle A. Wiley
Administrative Aide

List of documents used:

Franklin Street Firehouse Condition Assessment and Treatment Report
Revolving fund requests
Proposed warrant articles
Marblehead Museum, Old Town House
Marblehead Museum, 1 day liquor license
Resume Ben Liebowitz
Collins Center amendment
MLT, 1 day liquor license
Heather Grazado, request for Abbot Hall
Letters of interest: Anne Petrucci, Dan Albert, Katherine Barker, Dee Cuff
OML complaint. Allen Waller, draft response
CES Contract
Haley Ward Contract
Black Cat 10/20 miler request
Drain agreement 286 Ocean Avenue
Marblehead School of Music, Abbot Hall