

TOWN OF MARBLEHEAD Meeting Minutes



Moderator's Committee to Report on the Costs of Implementing Article 44
Wednesday, March 1, 2023, 9:15 AM, Hybrid Meeting, Abbot Hall

Present: Amy Drinker, Katharine Redmond, Laurie Blaisdell, Nancy Powell, Lynn Nadeau

Remote: Jeff Shribman, Chair

Absent: Thatcher Kezer, Pat Franklin

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

February 8, 2023 meeting minutes: tabled for discussion and vote until the next Article 44 meeting.

The committee discussed the following items:

- Spreadsheet DRAFT created by Pat Franklin regarding costs and implementation steps for hybrid open meetings for municipal committees focusing on the ten boards/committees included in Articles 51/52 for Town Meeting 2023. The spreadsheet includes line-item fields per committee relating to costs. The Finance Committee will be looking for granular cost data as it considers Articles 51 and 52. Those line-item costs have not been identified.
- The Mary Alley Municipal building's lower-level conference rooms are now unavailable for meetings because the building's elevator is out of order. The elevator is the only ADA compliant access to/from the lower floor. It is unknown how long the elevator will be out of service. Any boards/committees currently meeting on the lower floor of the Mary Alley building will have to relocate to different meeting space(s).
- Some costs reported to the committee by Thatcher Kezer (relayed by Jeff Shribman) regarding hybrid meeting enhancements (funding sources not identified) were as follows:
 - Upgrade of municipal fiber optic wiring network outside of buildings: \$350,000 (an estimate from 2019)
 - Upgrade of internet connectivity of municipal systems within buildings, including digital storage space and improving video reliability: \$50,000 (an estimate)
 - Upgrade of hardware per individual municipal meeting rooms (as previously noted): between \$5,000 and \$6,000
- Spreadsheet created by Katharine Redmond regarding where municipal committees meet, whether they meet in-person, via hybrid, or remotely, including the ten boards/committees included in Articles 51/52 for Town Meeting 2023. This spreadsheet includes data that when combined with Pat Franklin's spreadsheet will create an excellent overview and specificity for the status of Marblehead's municipal committees/boards and how they comply with the law Governor Baker signed on February 15, 2022 extending certain COVID-19 related measures.
- Upcoming dates regarding Open Meeting regulations:
 - March 31, 2023: The extension of Chapter 22 of the Acts of 2022 expires unless an additional extension is enacted. If there is no extension, the pre-Covid Open Meeting Law regulations will once again be in effect, meaning a majority of committee members must attend their meeting in-person, including the presiding chair of the meeting. A minority of committee members may participate/vote remotely (for specific reasons such as travel and having asked the committee chair in advance), and the public may listen to/watch the meeting online or in-person and be able to participate during "public comment" or if otherwise recognized by the committee chair.
 - May 11, 2023: the federal government's Covid-19 [national emergency declaration](#) was issued by former President Donald Trump in March of 2020, pursuant to Section 201 of the [National Emergencies Act](#). A national emergency declaration is in effect unless terminated by the President, or through a joint resolution of Congress, or if the President does not issue a continuation notice annually. Such a notice was issued by President Trump to continue the emergency beyond March 1, 2021, and by President Biden to continue beyond March 1, 2022. As announced by the Biden Administration on January 30, 2023, the administration plans to extend the national emergency to May 11, 2023, and then end it on that date.
 - MA state bills HD3261/SD2017 "An Act to Modernize Participation in Public Meetings" are making their way through the legislature's 193rd session. It is not known if they will be amended or passed during this session.
- New information regarding the possibility of the Marblehead Public Schools providing spaces for municipal committees/boards to meet was discussed. This included feedback from Michelle Cresta, Marblehead Public Schools

Assistant Superintendent of Finance and Operations, who consulted with Stephen M. Kwiatek, Marblehead Public Schools Director of Educational Technology: During the school week, each school has its own evening activities calendar for Monday through Friday, however effort would be made to make cafetorium, cafeteria, auditorium, or library space available for municipal committee meetings. The school department would require a rental agreement/request completed for each space-use request. The schools would not be able to accommodate a full year of meetings due to the needs of the school department. At best, the schools would try to accommodate meeting space requests one or two months in advance. However even this would be subject to rescheduling as school evening events are frequently added to the calendar.

- A question regarding software licensing was answered by Kyle Wiley: Zoom is the software platform currently used in the Select Board room and the lower-floor meeting room at Mary Alley. The Town pays a monthly-adjusted licensing fee for Zoom (only meetings under 40 minutes are free of charge) based on the number of user accounts, the size of the meeting (including members of the public), and the number of Zoom “meeting rooms” (presently two: Abbot Hall Select Board room and Mary Alley lower-floor meeting room). The Town’s average monthly Zoom fee is between \$275 and \$300, totaling an average annual fee of \$3,450. NOTE: There are many software platforms available besides Zoom, all with recurring charges.

- Next steps for preparation for the Article 44’s report to Town Meeting, May 2023: Katharine Redmond and Laurie Blaisdell will review the spreadsheet “Where municipal committees meet” and report back to the committee at its next meeting. Amy Drinker will meet with Pat Franklin to review the spreadsheet “Costs and implementation steps for hybrid open meetings for municipal committees” and report back to the committee at its next meeting. Amy Drinker will begin drafting the text for the Article 44’s summary report to Town Meeting, May 2023.

Other business: none.

Public comment: none.

The committee’s next meeting is scheduled for Wednesday, March 15, 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 10:25 AM. Meeting minutes submitted by Amy Drinker, committee recording secretary

NOTES:

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>

Updated guidance on holding meetings pursuant to the Act Extending Certain COVID-19 Measures
(now extended until March 31, 2023)

<https://www.mass.gov/service-details/updated-guidance-on-holding-meetings-pursuant-to-the-act-extending-certain-covid-19-measures>

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

The 193rd 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>

TOWN OF MARBLEHEAD 2023 TOWN WARRANT

https://www.marblehead.org/sites/g/files/vyhlf4661/f/uploads/2023_annual_town_meeting_warrant_final.pdf